



entitled to participate in that interpretation.

The question thus raised for me was whether such a theocracy is viable, or whether the basic concept of a theocracy governing dissenters and non-believers is flawed in such a way as to make the success of any given theocracy unlikely or impossible.[1] This is not, of course, the same as asking whether any particular religion is true or not. My examples are mostly taken from Islam, and particularly Pakistan. Partly this is because they are the examples I know best, but more particularly because at present the theocratic ideal is being most actively pursued by Muslims.

### Definitions

First general definition of 'theocracy': The first problem is what is meant by 'theocracy'. Literally, it means "rule by God," by analogy to 'democracy' and 'monarchy'. It will be clearer to formulate the definition in terms of principles, hence "God is the rightful ruler of human society." This is too general to be useful since almost any believer in God could accept it in some sense because it leaves undefined the way in which that authority is to be exercised. For that reason too, almost any government could claim to be a theocracy since one might plausibly argue, as Americans and monarchists often do, that the existing government is ordained by God's providence.

Second general definition: To distinguish between theocracies and non-theocracies-however pleasing the latter may actually be to God in His hidden wisdom-we must add the specification that the government actually rules under authority that the rulers claim comes from God and according to norms believed laid down by God, in other words according to a specific religion. Such a specification allows us to distinguish between the theocratic Islamic Republic of Iran and the non-theocratic United States of America, both large democracies in which religion plays a major role in public life. This might give us the definition "God as He reveals Himself in the true religion is the rightful ruler of human society, which should be administered in accordance with the norms of the true religion." This definition is perfectly satisfactory to a theocrat,[2] who presumably is satisfied as to the identity of the true religion, but it is not satisfactory to the scholar or the philosopher, who would like to deal with all of the regimes that claim to be theocratic. If we are to include both true and false theocracies under a single definition, then the definition cannot be based on the will of God but rather on the self-understanding and behavior of the theocrats loyal to each system. We do not want to have to determine the will of God before we even start talking about our subject.

Third and final general definition of 'theocracy': "The authoritative institution in a particular religion is the rightful ruler of human society because it will rule in accordance with the norms of that religion." We have removed God from this definition and replaced Him with religious institutions, thus relieving us of the necessity to decide whether a religion is true before we decide whether a government is a theocracy. A theocracy is distinguished

from a religiously-oriented non-theocracy, like the United States, or from a regime with a state church, like Britain, by the fact that the religious leadership claims the right to enforce the religion, not just to appeal to consciences. Theocracies would thus include such regimes as the Islamic Republic of Iran, modern Pakistan and Saudi Arabia, Puritan Massachusetts, the early Islamic state, early Mormon Utah, Cromwell's English Commonwealth, and Calvin's Geneva. States like modern Britain, the United States, Spain under Franco, and most medieval Islamic states would not be considered theocracies because, however influential the religious authorities might have been, they did not directly exercise power or have the authority to enforce religious norms by coercion. Obviously, there are many issues of definitions, and most theocratic regimes will be mixed. Pakistan, the example I started with, is not formally under the rule of religious leaders, but the state does claim to be ruling in the name of Islam and claims the right and duty to enforce Islamic law, which has been adopted as a sort of super-constitution. From the bishop's point of view, Pakistan certainly is a theocracy, at least an aspiring one.

My starting point was the relationship between the theocratic state and non-believers, so I need to make some definitions of theocracy based on the relationship between the theocracy and the non-believer.

Weak theocracy: "The authoritative institution in a particular religion is the rightful ruler of human society, and it exercises that rule through the voluntary submission of believers to its authority." This definition is too weak to be interesting to us since it poses no particular conflict with non-believers, dissenters, or secularists. One might ask whether a theocracy could be based on so weak an authority claim, but it seems to be possible. The Islamic state of the time of Muhammad is an example, since the worldly authority of the Prophet was only exercised over those who voluntarily accepted it, and relations with the non-believing society was based on generally recognized social norms, the authority of treaties, for example. In traditional Arab states like Jordan and Saudi Arabia, the fiction-and to some extent, the reality-survives that an individual can only be ruled by his own consent. Other examples are Mormon Utah and Puritan Plymouth. Such voluntary authority arrangements seem not to be stable, however, and such theocracies eventually have to compel the consciences of non-believers and dissenters or to cede some authority to a secular state. The latter is the situation in modern Utah, where something like two parallel governments exist, a secular State of Utah and a Mormon commonwealth whose authority is accepted voluntarily.

Moderate theocracy: "The authoritative institution in a particular religion is the rightful ruler of human society, and it exercises its authority over all the believers in that religion, regardless of whether they accept the general authority of that institution or its specific rulings." An example is the Orthodox Rabbinate in Israel, which claims authority over all applications of Jewish law, regardless of whether the individual Jews affected are orthodox themselves or whether they agree with that particular interpretation of Jewish law. Other examples are strong state churches-traditional Catholic Spain, for

example-and religions with strong central leadership and sharply defined boundaries of membership, such as the Baha'i Faith. Such systems rely on the presumption that the authority claim of the religious institution is obviously correct, a claim whose plausibility obviously varies depending on the particular cases. The key feature of such systems is that they enforce their norms on those who in any sense claim allegiance to that religion, regardless of whether the individual accepts or dissents from the particulars of that institution's exercise of authority. Coercion is possible due either to state sponsorship or the internal means of enforcement exercised by that institution within its community-the power of excommunication, for example. Such systems are less likely to involve the \*\*state directly, since if they did, then they would be forced to treat non-believers according to religious law. Since the situation of the dissenter in a theocracy is much the same as the situation of the non-believer, I will simply treat the moderate theocracy as a special case of the strong theocracy, where the philosophical issues are clearest.

Strong theocracy: "The authoritative institution in a particular religion is the rightful ruler of human society and exercises authority over believers who accept its authority, dissenting believers, and non-believers." Hereafter, when I use the term 'theocracy' it is in this sense, unless I specify otherwise. Examples are the Islamic theocracies such as the Islamic Republics of Iran and Afghanistan. In such systems the rights of dissenters tend not to be recognized. Non-believers in such theocracies may have rights-indeed, usually will-but the important fact is that these rights are defined in terms of the norms of the theocracy and not in terms of absolute rights or the religious frames of reference of the non-believers. Such rights are therefore conditional and may either not be granted or may be taken away, as happened respectively to the Baha'is of Iran and the Ahmadis of Pakistan.

We now reach the philosophical issue that is the core of this paper: Is it possible for there to be a theocracy that (a) exercises coercive authority over dissenters and non-believers yet is (b) ethically defensible and (c) stable in practice? (a) may be rephrased as "Is it ever right to compel an individual to submit to the authority of a religiously-based legal system whose authority he did not voluntarily accept and which he had, in principle, no role in making?"

Assumption: For our purposes I will assume that the authority of a secular legal system can be justified by some sort of social contract, democratic process, custom, common interest, or other factor sufficient to compel its willing acceptance by all or most of the people subject to it. For example, my father had a small role in writing the current constitution of the American state of Michigan and voted with the rest of the citizens of the state on whether it should be adopted. I accept the current constitution of the State of Indiana because it was once voted on and because there are democratic procedures for changing it. A member of a tribe might consider old custom sufficient authority for tribal law.

This assumption can, in any case, be defended dialectically. One might, as libertarians sometimes do, object that no law can be binding on one who has not

voluntarily accepted it, arguing that it is always wrong to compel an individual to act against his conscience. A theocrat cannot make this objection, however. If he grants the right of conscientious objection in the case of secular law, whose justification and claims are practical and which an individual can simultaneously obey and disagree with without doing violence to his conscience, he must obviously grant it in the case of religious conscientious objectors, who believe that their souls are at stake in obeying or disobeying religious law.

(c) is the claim that a theocracy ought to be a viable system in practice. I will return to this claim later.

The case for theocracy

The case for theocracy is simple and superficially strong. It is based on three claims that though controversial are plausible and widely held.

If

(T1) there is revelation,

and if

(T2) revelation commands theocracy,

and if

(T3) people ought to do what revelation commands,

then

(T4) a theocracy ought to be implemented.

The conditional

(T5) If (T1 \_\_\_\_\_ T2 \_\_\_\_\_ T3) then T4

would seem to be valid.

T1 is a philosophical claim, in the sense that it must be validated from outside a given religious system<sup>[3]</sup> by considerations external to that system. From within a given religious system it is unchallengeable, since it is implied by the existence of that system. It is, of course, true that there can be religion without revelation, but a religion with a theocratic ethic that denies revelation in every sense is a contradiction in terms; theocracy implies that God reveals His will to man.

T2 is a theological claim, in the sense that it can only be proven or disproven from within a given religious system. One can argue that Christianity is or is not theocratic, and there have been major Christian thinkers and sects on both sides, but it cannot be decided on the basis of reason without reference to Christian scripture and tradition. In the case of Islam, for example, the theological argument for theocracy is quite strong and is generally accepted by Muslims. It is less strong in Judaism, though it has its defenders.

T3 is more difficult. At first sight it would appear to be obvious, but it is not. One difficulty has already been brought out in our definitions of 'theocracy': which people, and what does 'ought' mean in this context? In a strong theocratic system, 'people' means everybody, and 'ought' means 'should be made to', so T3 becomes

T3' "Everybody ought to be made to do what revelation commands."

Put that way, the claim is still plausible-after all, if God has commanded something, which has already been assumed, why should it be bad to make people do it-but obviously it is open to philosophical challenge. If it is provably false on rational grounds, presumably any religion unequivocally advocating it is also false. It is also open to challenge on theological grounds; in a given religious system the execution of sacred law might be constrained by other considerations: rational ethics, equity, prudence, or timeliness. It might even be assumed that the religious law is non-obligatory, symbolic, or capable of being transcended-which is more or less the view of Reform Jews.

It seems safe to say that theocrats who can defend these three propositions on appropriate philosophical and theological grounds have given themselves sufficient warrant for establishing a theocratic system, for any counterargument would have to be theological and based on a different religious system, whose principles would not be probative for the theocrats. To put it concretely, suppose an orthodox Jew, a Mormon, or a Muslim can show philosophically that revelation exists and that there is no philosophical contradiction involved in supposing that God commanding something creates an obligation to see that that command is carried out. Suppose also that he can show that within his religious system it can be proven that God has commanded a theocratic regime and that it is our obligation to carry out God's command. If he can do that, then he has warrant for creating a theocratic regime.

Further, it is possible to make a plausible case for

(T6) If (T1)\_\_\_\_\_ T2 \_\_\_\_ T3)

That is, the concept of revelation implies both that human society ought to be governed in accordance with the norms given by revelation and that revelation creates an obligation both to obey and to enforce. If so, the theocrat need only prove that there is a real instance of revelation to have proven his case. I think this is wrong and that T2 and T3 are independent of T1 (although obviously not vice versa). Nonetheless, given most understandings of revelation, T5 is plausible or even presumptively valid.

The case against theocracy

There is a kind of joke called "irregular verbs," of the form: "I am principled; you are stubborn; he is a pigheaded fool." Theocracy and opposition to theocracy are somewhat similar. There are three possible ways to be against theocracy:

(N1) "I should not impose a theocracy."

(N2) "You should not impose a theocracy."

(N3) "Neither you nor I should impose a theocracy."

For "I" read "the religious system I accept," and for "you" read "any religious system that I do not accept." One need not accept all of these, but it seems to me that these propositions are related in uncontroversial ways.

(C1) If (N1\_ \_\_\_\_N2) t\_\_\_\_N3)

is analytic and obvious.

(C2) Not (if (not N2)\_t\_\_\_\_(not N1)) or not ((not N1) \_\_\_\_N2)

This is the theocrat's position; his theocracy is right and those of other people are wrong. It is not, of course, the kind of opposition to theocracy that we are interested in here.

(C3) If (not N1), t\_\_\_\_(\_\_\_\_N2)

In other words, if I do not have the right to impose a theocracy, neither does anybody else. This is not logically true, but it is difficult to imagine that anyone who holds N1 would deny N2. If I think that my religious system is correct and that it does not justify imposing a theocracy, I cannot genuinely think that there is another religious system to which I ought to grant the right to establish a theocracy. There can only be one true religion, and each person who genuinely accepts a religious system believes that his religion is that one.

There is an obvious objection to this, that it is perfectly possible to believe that there is more than one true religion. It might be that different religions are (i) more or less complete reflections of the truth, as the Christian believes about the relationship between Christianity and Judaism, or (ii) they are alternate partial representations of the unknowable absolute truth. However, if (i), then the believer necessarily thinks that his own religion is the most complete reflection of the truth, and his situation for our purposes is the same as the person who thinks that he believes in the only true religion. If (ii), then the believer has actually accepted a metareligion, and he is unlikely to accept absolutizing one partial truth through a theocracy and is highly unlikely to grant someone else's partial truth the right to theocracy. The point remains: if a person grants to any religion the right to establish a strong theocracy, it will only be to his own.

Now, to return to the main question: What are the arguments against theocracy? The obvious approach is to attack T1, T2, or T3; in other words, is it the case that

(N4) If ((not T1) or (not\_\_T2) or (not\_T3)), then (not T4)?

Formally, N4 does not follow from T5, but a theocracy ought to be based on something stronger than material implication. Certainly, most theocrats would accept N4. What would it mean to hold that

(T6) ((not T1) or (not T2) or (not T3)) \_\_\_\_\_ T4?

Obviously, it would mean that one was advocating the establishment of a theocracy not based on true revelation, a "pseudo-theocracy," we might call it. Could there be grounds for doing such a thing? There seem to be two.

The "beneficial lie" pseudo-theocracy: It might be argued that it is in people's interest to believe that the system under which they live is a true theocracy. Laws, one might argue, serve both the common interest and the interests of the individual. Recognizing this fact, most people obey the laws most of the time. However, sometimes it might be in the interests of the individual to break the law if he can be confident of not being punished-not paying taxes if one can get away with it. Some people, moreover, may not recognize the benefit to themselves of obeying the laws; someone might speed, not realizing the additional danger that such action places him in. The advantage of presenting the laws and regime as being of divine origin is that someone who believes the laws are divine will believe that he is unable to cheat, since God will know and settle the score later. Indeed, it seems to be the case that many people instinctively want their regime to be theocratic. In the United States, the government and constitution were established in the full light of history by individual politicians well known to the people, politicians who tended to be free-thinkers in matters of religion. Nonetheless, within a few years Americans were hailing their constitution as being written under divine inspiration.

The Islamic philosophical tradition contains a variant of this view, deriving ultimately from Plato. Religion, said Farabi and Averroes, was an imaginative rendering of the truths of philosophy, not literally true but in a form suitable to the understanding of ordinary people. Philosophers thus needed to interpret religion symbolically.

There are two objections to such a proceeding. First, it might be argued that it is morally wrong to work deception in such a case-in other words, that it is not comparable to the classical cases where well-intentioned lies are acceptable, such as to the drunken man who asks for a weapon. Second, if the laws are believed to be of divine origin, they will not be changed, even if there is overwhelming practical need, and the people will not be able to act rationally with respect to the laws.

The exploitative pseudo-theocracy: Someone might found a pseudo-theocracy simply to advance his own interests; in other words, the theocracy would be a religious fraud. It is hard to see how such a system would be acceptable under any reasonably robust ethical system. Such theocracies also seem unlikely to be successful except in the short-run since they are not run in the interests of the people subject to them.

I think it is likely that conscious advocates of pseudo-theocracies, whether benevolent or exploitative, are rare and that the large majority of theocrats sincerely accept T1, T2, and T3 with respect to their own religious systems. That leads to a third category,

the false theocracy. It may be the case that someone believes (T1 \_\_\_\_ T2 \_\_\_\_ T3), whereas it is actually the case that ((not T1) or (not T2) or (not T3)). He is simply wrong about it being the case that God has commanded the establishment of the theocracy laid out in his religious system. No matter what one's general views on theocracy and no matter how tolerant one might be of religious diversity, it seems certain that there are false theocracies; it is hard to imagine that Calvinist Geneva, Utah under Brigham Young, the Islamic Republic of Iran, and Taliban Afghanistan all and equally represent the will of God. I will return to the question of whether there are grounds by which one might distinguish true theocracies, false theocracies, and beneficial and exploitative pseudo-theocracies from each other.

#### The empirical case against theocracy

A common criticism of theocracies is that they are not nice places, being in practice harsh, grim, and tyrannical, often with a strong element of hypocrisy being the factor that makes life possible. Depending on one's tastes one might cite as examples Calvinist Geneva, Puritan Massachusetts, the English Commonwealth, Fatimid Egypt, Saudi Arabia, Islamic Iran, and Taliban Afghanistan. Such regimes are frequently unstable. Early Islam is an example of a quite successful theocracy, but very serious problems had arisen within fifteen years of the death of the Prophet, and many of the Prophet's companions lived to see the Islamic commonwealth turn into a kingdom run mainly for the benefit of the ruling family, no different in most respects from the regimes it replaced. Likewise, none of the theocracies established in America in the seventeenth or nineteenth centuries outlived the founders' children. It is this phenomenon that gave the word 'theocracy' a bad connotation. Therefore, on empirical grounds it is reasonable to assert that

(N5) Theocracies are consistently unsuccessful in practice.

For this proposition to be relevant to the question at issue, it must at least imply a denial of T3 and, depending on the particular religious system under discussion and the degree of its commitment to T2 and T3, possibly also a denial of T1 and T2. It is relevant because of most theocrats would hold that

(T7) A true theocracy will produce optimal results in a given social situation.

But are we justified in attributing T7 to all or most theocrats? It is certainly common for theocrats to attribute social problems to a failure to follow God's laws. Modern Islamists, for example, are almost always convinced that Islam is a perfect system and that by implementing Islamic laws, the social problems of Islamic societies will be automatically cured. In general, rational justifications of religious law—for example, the Islamist explanations of religious taxes as means of reducing the gap between rich and poor and attempts to explain dietary laws as promoting health—presume that the purpose of religious law is at least partly the betterment of the physical and social conditions of human beings. The justification of a benevolent pseudo-theocracy is the good effects that it will have on society.

But even if most theocrats do accept T7, are we justified in thinking that this proposition says something essential about theocracy? While there is nothing implausible about a theocrat explaining religious law in terms of the well-being of the people, we might object that it is perfectly possible that the justification for a theocracy is that certain things are intrinsically pleasing or displeasing to God and that they therefore ought to be done or not done, irrespective of the effect on society. Certainly, examples of dysfunctional (at least, in the view of outsiders) religious laws are not hard to find—the Hindu reluctance to kill cows or the Catholic prohibition on the use of artificial birth control, for example. The obvious response is that such matters are really disagreements about the nature of a good society, and the Hindu's defense of untended cows in the streets of Indian cities is analogous to the Western liberal's defense of care for the disabled and retarded. Still, we may object, there is nothing logically inconsistent about God willing a society that is not in the temporal best interests of its people. If we accept that, it perhaps casts doubt on T3. Still, since there do not seem to be major religions whose advocates hold that God is malevolent, it is questionable whether this is actually different from the previous case, a disagreement about the relative importance of worldly and spiritual goods. In any case, there seems no reason to doubt that all but a few theocrats would accept T7.

#### Responses to N5

The theocrat, however strong his proofs for T1, T2, and T3, can scarcely avoid replying to N5. Three general arguments can be used.

**True and false theocracies.** A theocrat is not bound to maintain that all theocracies will produce desirable results, only that a true theocracy will produce good results. The obvious explanation for the dismal record of theocracies is that most of them are false, and that false theocracies are more likely than other regimes to produce bad results. An exploitative pseudo-theocracy will certainly produce bad results, since its purpose is not the common interest. Even a benevolent pseudo-theocracy is likely to produce worse results than other sorts of regime because it is the product of the mind of one man, not of the collective wisdom of a society. Only a true theocracy is likely to be superior, and such societies are rare. Muslims, for example, commonly argue that a true theocracy only existed in Medina during the lifetime of the Prophet and perhaps for a few years afterward.

**Inadequacy of the followers:** A rather more common response to the failure of theocracy is to argue that the failure is a failure of the followers, not of the system. Modern Islamists bemoan the failure of Muslims to live up to the ideals of Islam and argue that if Muslims followed the laws of Islam, the system would work perfectly. Variants of this argument attribute the failure of the theocracy to some critical error in putting the system into practice or the lack of dedication, capacity, wisdom, etc., of those trying to put the system into practice. While such arguments can explain any failure, they are not very convincing to non-believers. An outsider will reasonably object that an ideal system really ought to work most of the time, and it should make reasonable

allowance for normal human frailty.

Theocracy as unattainable ideal: Another approach would be to abandon the hope of theocratic utopia as normal human state and treat it as an ideal to be aimed at. Theocracy, the theocrat might argue, ought not to be easily attainable and should require extraordinary commitment. A true theocracy might be attained occasionally, but we cannot reasonably expect it to be the normal state of society. Instead, it should be an ideal rarely attained but calling forth our highest endeavors. This is the view of most Christians and of those Muslims who give weight to the tradition that society inevitably declines as the generation of the Prophet becomes more distant. To this we might reply that this interpretation of theocracy (a) commits the fallacy of comparing an idealized theocracy with the actual non-theocratic society, obviously to the disadvantage of the latter. The theocrat can also reasonably be asked (b) to show that the unsuccessful or partly successful theocracy that is the likely result of his efforts is superior to the normal run of non-theocratic societies. He is not likely to be able to do this since he has admitted that the theocratic ideal is rarely successful and is best suited to an abnormal state of society. The theocrat may, however, be able to meet this burden of proof. A quite plausible argument can be made that while very few Christian societies have managed to live up to Christian ideals, nonetheless Christianity has been a force for good in these societies. Much the same can be said of the more theocratic Islam.

#### Interim conclusions

It is time to take stock and see where the arguments stand. So far I have been trying to clarify the concepts and define the disputes. In each case here I am talking about the strong interpretation of theocracy, that which claims the right to subject dissenters and non-believers to the authority of the theocracy.

The situation of the believer in a theocratic school: He accepts T1, T2, T3, and T5 as *prima facie* true-i.e., he believes that God has revealed a theocratic system that ought to be put into practice-and no decisive argument has been offered against any of them. He denies N1 and N3 but accepts N2-that is, he accepts that it is right for a theocracy to be established on the basis of his religious system but denies that that right extends to other systems. He can accept N5-the proposition that theocracies are generally not successful in practice-with the proviso that he does not think it applies to true theocracies. The arguments against specific theocracies do not carry weight with him because he thinks that they apply to false theocracies or pseudo-theocracies, not true ones. On the other hand, he almost certainly will accept T7, at least with respect to true theocracies.

The situation of the non-believer or dissenter with respect to a theocratic religious system: The unbeliever denies at least T2 and possibly also T1, since he does not accept the basis of the religious system. The dissenter denies T3 since he accepts the revelation but denies that there is an obligation to put it into effect. (A denial of T3 by a believer would most commonly be a

disagreement about the proper interpretation of the revelation.) He must accept N2-that is, he must deny to all religious systems except perhaps his own the right to establish a theocracy. He may or may not accept N1 and N3, both of which imply N2, which is to say that it is possible to deny particular theocracies without denying the possibility of theocracy absolutely. If the theocrat accepts T7, then the non-believer's acceptance of N5 implies N2; that is, if the believer insists that a theocracy will produce optimal social results, then if the non-believer can show that the theocracy is unsuccessful in practice, it is sufficient grounds for his denial of the legitimacy of that theocracy.

The result so far is a stand-off since the two parties are talking past each other. The theocrat is arguing on religious grounds that the non-believer cannot accept, whereas the empirical objections of the non-believer can have little effect on the theocrat, who can assert that his theocracy is unique in being true and thus belongs to the same genus but a different species than the theocracies criticized by the non-believer. The theocrat's arguments are religious and presumably have already been rejected by the dissenter and the non-believer. If the issue is to be resolved, the theocrat must give the non-believer reason to accept the authority of the theocracy without accepting T2, while the non-believer and the dissenter must give the theocrat grounds to deny T3. The rest of this paper will be devoted to exploring this contradiction.

### The Theocratic Antinomy

The believer: "I believe that God has commanded the believers to carry out his commands in the secular realm and that this command gives us the right to impose God's will on the unbelievers. Since God's will is the ultimate source of moral authority, I would be acting immorally if I failed to obey this divine command."

The unbeliever: "The believer's action is based on his conscience, his sincere conviction about what is right and wrong and what is God's will. I do not accept his conviction, and do so by the same right of conscience. I therefore am justified in rejecting his theocracy."

The dissenter: "The believer has misunderstood the revelation. In fact, God has commanded us to do something different. It is therefore my obligation to resist the believer's theocracy."

This is the basic conflict concerning theocracy. The acceptance of a religion would seem to impose an absolute obligation on the believer to carry out its commandments, even if they concern unbelievers and dissenters. The unbelievers and dissenters do not share belief in the authority of the theocracy.

The problem here is not disagreement-disagreement is a normal feature of every aspect of human social and political life-but the fact that disagreement is absolutized. If we are parliamentarians disagreeing about tax policy, members of the local garden club disagreeing about arrangements for the annual flower

show, or a married couple disagreeing about where to go on vacation, we can compromise, insist, deal, bully, give in, or walk out, depending on how strongly we feel about the particular issue and what we might expect to get in return for either giving way or getting our way. There are well understood methods of settling differences. With religion the problem is different; we are dealing with the will of God and the well-being of our eternal souls. Compromise is not an option unless compromise itself is religiously sanctioned. All disputes are potentially absolute, and compromise is a betrayal of the truth.

Worse, the same dynamics exist within the theocratic community. God, after all, does not rule a theocracy directly; He rules through the actions and opinions of those who believe that they have correctly divined His will. But humans being humans, there is no guarantee that the theocratic community itself will be immune from disagreement--hence, the phenomenon of dissenters. This would seem to indicate that a theocracy will steadily divide against itself, being ruled by an ever-shrinking group who both believe and manage to hang onto power. Indeed, it is usually internal dissension that brings down theocracies. That bring us to the anti-theocratic theorem:

(N6) Theocracies are unable in the long run to avoid unresolvable internal dissension and are therefore inherently unstable.

N6 is fatal to any defense of theocracy with the possible exception of the model that makes theocracy an ideal not necessarily attainable in practice. I will discuss the implications of N6 later, but first it is necessary to see whether there is some way around it.

For the theocrat to reject N6, he must show that there is some way to make theocratic rule acceptable to those who do not accept the divine basis either of the theocracy as a whole or of a particular policy--those who reject T2 or T3 with respect to that theocracy. It is not necessary to assume that the unbeliever accepts the authority of the theocracy for the same reason that the believer does; there might be practical advantages, or no better alternatives, or threats. Alternatively, the theocracy might be made acceptable by reducing its claims over the dissenter and the non-believer.

Rational agreement, strong form: The obvious way to resolve the antimony would be to find a procedure to decide the truth of T1, T2, and T3 in a way that is acceptable to everyone. This does not seem very promising. To be sure, there is some progress and convergence in religious belief; monotheism, for example, has gained much ground in the last two thousand years, and there has been considerable universalization of ethical standards. Nonetheless, large communities of Muslims, Christians, Hindus, and Sikhs with their wildly different beliefs and practices thrive within fifty miles of the place I am writing. Each of these communities has its own deep internal disagreements. It may be that in certain small communities, or in communities where a small caste does all the theological thinking, there have been situations where rational argument produced sufficient agreement to operate a successful theocracy.

Tribal religions are perhaps examples of this. There seems little hope of seeing such agreement on a national or international level anytime soon anywhere in the world.

Rational agreement, weak form: A community by means of some political procedure recognized as legitimate accepts a theocracy; in other words, the community settles the truth of T1, T2, and T3 by an act of political will. This is perhaps how we should explain examples of communal acceptance of a new religion--the conversion of the Russians to Orthodox Christianity, for example. Such events are one-time happenings, though, and do not necessarily give the community the kind of immunity from religious dispute necessary to negate N6. Pakistan and other theocratically-oriented Islamic states are examples to one extent or another. Pakistan came into being by constitutional means accepted as legitimate by the vast majority of its population, and it has imposed its version of theocracy through at least retroactively constitutional means and with the approval of the majority of its population. But no one who has lived in Pakistan would believe that this constitutionalism has been sufficient to avoid the challenge of N6. Unbelievers are few, but dissenters are legion, since once Islamic law became something to be enforced by the state, each group was insistent on enacting its form of law or preventing the enactment and enforcement of versions of Islamic law obnoxious to it. For example, Pakistan put into effect a scheme to have the state collect and distribute religious taxes, something that had previously been done voluntarily and informally. This measure was bitterly resisted by Shiites, whose religious taxes were organized differently, as well as by those who disagreed with the state's spending priorities.

Nor are non-believers necessarily inclined to accept the legitimacy of a politically-imposed theocracy. They may at first, or if it is convenient, but since the authority of the theocracy is based ultimately on religious conscience, the unbeliever may find his conscience challenged and then reject the authority of the state religion, and thus of the state.

Force: If there is no way of compelling rational or political acceptance of theocracy, then perhaps the theocracy can be maintained by force and its threat. To one extent or another actual theocracies have maintained themselves through the use of compulsion, and even non-theocratic religious bodies use compulsion to maintain internal discipline and cohesion, although usually only a proper theocracy can command the use of force. States, which are thoroughly successful institutions, have always used force to protect their own existence and maintain internal order. Force does not seem to work so well for theocracies. The reason has to do with the role of conscience in a theocracy. In a non-theocratic regime crises of conscience for the individual believer are rare. The state may not do what the believer thinks ought to be done, but the state does not claim to be acting under God's instructions. The believer, confronted with a law that he disagrees with, can rationalize that he lives under a godless state, or he can exercise Socrates' option when confronted with an immoral order--just go home. The state, for its part, normally avoids

offending the religious sensibilities of its subjects; it just causes unnecessary trouble. In a theocracy, however, religion is the professed basis of the law, and acceptance of the law implies some degree of acceptance of the religion behind it. A legally required gesture of respect to the sovereign might produce no more objection than rolled eyes and cynicism; a legally required gesture of respect to the symbol of someone else's religion would produce refusal. A non-believer might refuse to pay a tax commanded by someone else's religion when he would pay the same tax willingly enough if it was of secular origin.

What is worse is that people are willing to be martyrs for their religions when they would not necessarily be martyrs for a more just tax code or legal system. By making the basis of political decision conscience, compromise and going along are made difficult or impossible.

Community of interests: The one historically successful means for accommodating a minority within a theocratic system is an arrangement that makes it in the interests of the minority to accept the hegemony of the theocratic majority. Examples are not hard to find. Non-Muslims and non-Wahhabi Muslims clamor to live in Saudi Arabia and voluntarily subject themselves to religiously-motivated restrictions because the Saudis pay them very well to do so. Religious communities with strict boundaries and reservations about mixing with outsiders might find living under someone else's theocracy convenient since the theocracy would make it easier for the community to maintain its own boundaries. Groups like the Armenians and Jews in pre-modern Islam are examples. Under modern conditions this option is probably less viable unless the community in question is isolated and highly resistant to modernization.

Tolerance: After some disastrous experiments with theocracy during the Reformation, most of Western Europe settled on toleration as the proper mode for dealing with religious diversity. Toleration is the idea that T3 can be rejected if there is a minority that objects strongly to T2. Appealing though this may be, it is not compatible with our strong definition of theocracy. It may be in the end that it is the only viable option, but it will not do here as a means for making theocracy acceptable to dissenters and non-believers.

### Conclusions and new problems

We might have thought that the critical question with respect to theocracy is whether God has in fact commanded us to establish one, and if so which one. This is a question that combines a philosophical question--is there revelation--with a theological one--what are the content and practical implications of that revelation. These questions remain unanswered. While they can be answered to the satisfaction of particular individuals, and sometimes to the satisfaction of entire communities, there is no reason to think that as a practical matter they can be answered to the satisfaction of mankind as a whole. Determining God's will is something that each of us has to do for himself.

My major conclusion is that theocracies are unstable because they make normal

politics impossible. If policies are a matter of God's will, all disagreements become matters of principle. Since the rulers of a theocratic state must make judgments about the implications of divine law for particular cases, disagreements are inevitable, and these disagreements, however petty, are by definition matters of conscience rather than practical politics, certainly not matters to be settled by compromise, deals, or majority vote. An inexorable logic thus drives theocratic communities towards tyranny and schism. Unless the absolute claims of the theocratic state are relaxed--as happened in Mormon Utah, for example--the dissolution of the community in schism and disillusionment is inevitable. The reader should particularly note that this does not depend on whether the theocracy is actually true or false; at best one might expect that a true theocracy would produce fewer disagreements and thus be more stable. The kingdom of God cannot endure forever on earth, for it cannot by its nature produce an effective political system. Thus, the quest for a method of distinguishing true from false theocracies has little point in the long run.

The reader may also have noticed a certain vagueness in my use of the concept of theocracy. I am sometimes talking about states ruling in the name of God and sometimes talking about religious institutions insofar as they impose their authority through coercive means. This is because I conceive the essence of theocracy to be the imposition of religious law on those who have not voluntarily accepted it. This can happen in a variety of ways, not all of which involve the state directly. At one extreme are regimes where the religious authorities rule more or less directly, as in Muhammad's Medina, early Mormon Utah, or Islamic Iran. Alternatively, the state may enforce religious law, as in Pakistan, or allow some religious institution to enforce it, as in Israel. Other possibilities are that private individuals or groups enforce a particular form of religious law with the passive agreement of the state, as happens in Saudi Arabia. These would be strong or moderate theocracies in my terms. In some cases the authority of a religious institution within its community is strong enough that it is able to enforce law on dissenters even without assistance or acquiescence of the state, as is the case in Baha'i Faith, where a strong central organization and clear community boundaries make the situation of dissenters extremely precarious. The problem is not the state's recognition of religion as such--regimes with state churches are often perfectly stable--but the attempt to impose religious law on those who do not voluntarily accept the law or its particular application.

The reader will notice that the situation of moderate theocracies is similar to that of strong theocracies, though their problems concern only dissenters, not unbelievers. A moderate theocracy may involve state sponsorship, as is the case with the Orthodox Rabbinate in Israel and medieval Islam, but it may not, as is the case with the modern Roman Catholic Church and the Baha'i Faith. Such systems are vulnerable to the same problems as strong theocracies. The Baha'i Faith, for example, has been consistently unable to deal with dissidents, and its experience is probably typical of small, tightly organized religious communities. However, in practice moderate theocracies can be stable over long

periods. The Roman Catholic Church, a decidedly theocratic institution, is the oldest continuously functioning institution in the world, and Orthodox Judaism has stayed united despite an ancient tradition of disagreement about legal questions. The experience of Sunni Islam is much the same. As essentially voluntary organizations, they are forced to find ways to accommodate disagreement if they are to survive at all. Sunni Islam early accepted the principle that good-faith disagreements within broad limits on matters of law were to be accepted as legitimate, and the state remained aloof from such disagreements. Roman Catholicism, while certainly unsympathetic to innovations in matters of belief, hit on the system of religious orders as a way of constructively channeling disagreement, especially on matters of spiritual style. A group that wishes to live in a way significantly at variance with the Catholic norm is allowed to form a voluntary autonomous community governed by its own laws. Orthodox Judaism simply make lively debate and disagreement about the fine points of religious law the central activity of religious life. But all this is to say that moderate theocracies are stable precisely to the extent that they are not actually theocratic.

So, theocracy--theocracy in my sense, a government that seeks to enforce the laws of God--is not a viable form of government because it makes workable politics impossible. But that raises a new issue: how can religious values be injected into public life? Some laws--traffic laws, much criminal law, much law governing the economy--simply reflect the state's need to keep order and keep society functioning efficiently. On the other hand, a great deal of law reflects values. American law prohibits polygyny because polygyny is viewed with consistent horror in the European Christian tradition. Pakistani law allows it in accordance with Islamic standards. American law tolerates the private practice of homosexuality but denies official recognition to homosexual relationships, a precise reflection of the ambivalence of American religious attitudes towards homosexuality.

My account would seem to point towards a system in which the law of the state is entirely indifferent to religious values and religious law is purely a matter of private allegiance. But this seems extreme, a prescription for a coldly utilitarian state in which morality is private and the motivating principle of public life is expediency. If we take religion seriously, it must inform the norms--the laws--of society. The question is particularly acute in the case of religions in which law is important and there is little or no intellectual justification for the separation of church and state. The most important case is Islam, which includes more than a billion people and forty states. Serious Muslims throughout history have held that the state in some way should enforce the laws of Islam, and a great many serious Muslims now attribute the ills of their society to the willingness of their states to have non-Islamic laws. The theocratic ideal is at the heart of the Islamic value system and cannot be removed without doing fatal damage to the spiritual core of Islam. Yet the use of state power to enforce Islamic law is obnoxious to non-Muslim minorities. Moreover, there is no agreement among Muslims as to which form of Islamic law should be enforced. Shiites resist being subjected to

Sunni law, Hanafis resist Hanbali law, and modernists resist traditional law. The problem is compounded by confusion about the relationship between local tradition and more universal forms of Islamic law. Nor is the controversy unique to Islam, as the American controversies about abortion, homosexuality, and the teaching of evolution show.

It is beyond the scope of this paper to offer a solution to this problem, but from what I have argued here, I think that any solution to the problem of introducing religious values appropriately into public life must involve the following components.

First, religious values cannot be incorporated into the law of the state in such a way that they force citizens to recognize a religious system that they do not themselves accept. The state, in other words, must not challenge the consciences of its citizens, whether dissidents or non-believers.

Second, recognition of religion must be evenhanded. If there is a state religion, other religions must nonetheless receive what their believers accept as appropriate recognition.

Third, to the extent that the state does reflect the values of the dominant religion, it must do so in a way that encourages rather than enforces, and it must leave room for legitimate dissent.

In a sense, this is an appeal for tolerance, but I think that tolerance is too weak a principle. It works--barely--as a way of mediating disputes in the Christian world, where tradition has become weak and the underlying religion stresses morality and personal conscience over law while encouraging indifference to one's neighbor's sins. Islam is a religion based on law in which the principle of actively encouraging the good and discouraging evil is fundamental to ethics. A tolerant indifference to one's neighbor's doings is not a legitimate option. An Islamic society must be actively engaged in furthering good. Islam, I think, provides an instructive comparison to the moral economy of the nominally-Christian West.

But I do not yet have an answer to the question of how these divergent values can be combined in general principles that can be the basis of the moral order of living societies.

#### Notes

Theocracy is not a normal organizing category in religions studies, and there is little literature dealing directly with the topic, so far as I can tell.

When the word is used, it is usually as a pejorative term, as a search of a computerized library catalog will quickly reveal. There is, however, a vast amount of theological and legal literature of particular religions dealing with the issue of theocracy in those religions. Since I am writing this away from good libraries, I will not deal with either the meager scholarly literature or the abundant theological literature.

I use the term 'theocrat' to refer to the advocate of a particular theocratic

system.

I use 'religious system' to refer to a single specific set of religious ideas held by a single group who are in general agreement about the practical implications of their views. Examples are single sects, cohesive denominations, and schools of thought within a larger religious tradition. By 'a religion' I mean a single tradition which usually would contain various religious systems sharing scriptures, symbols, and some beliefs but not necessarily in agreement on all matters—for example, whether their religion is theocratic or not and which is the authoritative religious institution or leader.

November 28, 2000

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