

***Eradicating  
Theocracy  
Philosophically***

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***This work is dedicated  
to  
the Greater Iran***

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## *Introduction*

I (Hereafter: the writer)<sup>1</sup> have written this work about the philosophy of theocracy. In this work, the writer proves that theocracy is inherently and utterly an unreasonable and immoral view in political philosophy. So, we require work that could eradicate theocracy, but there has been no such work until now,<sup>2</sup> and if we do not consider the writer's work this aim is at stake.

In this work, the writer presents some arguments against theocracy that the first argument is via political authority, and the second one gives another argument through legal language, besides that, the next chapter is about the third argument has been based on divine command theory, and the next attack comes from the freedom of religion. In addition to the first part, the second part is also about a topic in political philosophy and its application in theocracy, it is an argument against secession and then the malfunction of theocracy to apply this anti-secessionist argument.

Significantly, this work is not about a special theocracy which means the writer avoids empirical (Case study: political or legal), historical, theological, and interdisciplinary approaches to theocracy.

And from the commencement of this work, religious government and theocracy have been recognized as identical in the "*Eradicating Theocracy Philosophically*".

The writer has been working on "*Eradicating Theocracy Philosophically*" since 2019, and the writer uploaded early drafts of this work somewhere in 2020 though the last chapter started in 2017 and mostly finished in 2019, and the writer has placed this last chapter somewhere at the same time.

In addition, the "*Eradicating Theocracy Philosophically*" allows only four types of sentences and paragraphs like other works of the writer: 1. The writer's innovation, 2. Quotations, 3. Interpretations, and 4. Footnotes: 4.1. The writer's footnote (Footnotes of mine), 4.2. Footnote of literature (it includes philosophical and non-philosophical footnotes), the writer named this methodology "*Microscopic Analyticity*". Also, the main arguments of each chapter of the "*Eradicating Theocracy Philosophically*" have been called the argument. Besides that, the writer has prepared a few necessary non-philosophical details, esp. there are non-philosophical debates in the literature of theocracy<sup>3</sup> that have been structured in footnotes while taking this note on board that one

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<sup>1</sup> It is a draft, so please **do not cite and/or use** without the writer's permission, but comments are welcome: [lotfiyazdi@gmail.com](mailto:lotfiyazdi@gmail.com)

<sup>2</sup> For similar views: (Swaine L. , 2007, p. 571), (Bader, 2003, p. 18).

<sup>3</sup> For examples of similar non-philosophical view see: (Phillips K. , 2006), (Runciman, 2003, p. 164), (Georgi, 1987), (Webster, 1976), (Eliason, 2000, p. 102), (Fiske, 1889, pp. 160,225,274), (Harvey, 1994), (Inazu, 2011, p. 598), (Marinatos, 2007, p. 181), (Primus, 2016), (Prutz, 1905), (Schlebusch, 2022, p. 90),

has to navigate through philosophical details and debates in footnotes and related references principally and purely. What's more, the phrase "*(dis)similar (non-) philosophical view*" in footnotes of the "*Eradicating Theocracy Philosophically*" means there would be a possible similarity of ideas between the writer's sentence/paragraph and the references directly or indirectly, though "*this view*" in footnotes is equal to quote from other authors' ideas directly or indirectly.

The writer ought to mention that the massive literature of related philosophical and non-philosophical debates about theocracy and some repetitive<sup>4</sup> philosophical details, ideas, and works force the writer to bring the debates to the footnotes, the writer has been considering a minimalist aspect of writing style that insists on eliminating redundant and verbose details, hence the writer strictly quotes the related debates in the body of this work directly. True, this writing style is not only from the aforementioned reasons, but also undoubtedly there has been a strategic and unfair tendency in favor of some superpower countries in some related philosophical debates i.e. theocracy and secession that inclines the writer to pursue this writing style. Moreover, some writings about theocracy are scattered among many works, thus the writer could only leaf through some of them. Last but not least, it is a comprehensive work about theocracy (and secession) since a philosophical work needs to be comprehensive.<sup>5</sup> Famously, philosophy is an independent science and knowledge, hence to examine whether a philosophical work is innovative or not, e.g. innovative arguments against theocracy, it has to be fully comprehensive, even though, the writer wouldn't claim "*it is a matter of indifference to me whether the thoughts that I have had have been anticipated by someone else*"<sup>6</sup> and some of those become novel ideas.

In the end, the writer would like to thank everyone for their comments, discussions, and critiques about the "*Eradicating Theocracy Philosophically*", besides that, I am grateful to Robert Audi for his suggestions. Likewise, the writer is indebted to philosophers, social and political scientists, legal scholars, and others who sent their works that have been related to the "*Eradicating Theocracy Philosophically*" to the writer or sent the works of other authors to the writer. Motivationally, prior drafts of the "*Eradicating Theocracy Philosophically*" have gotten twice printing recommendations from a European publisher and received many times trending on a global philosophical website. Hopefully, Robert Audi wrote these words about the "*Eradicating Theocracy Philosophically*" to the writer:

*"It seems clear that you have done a great deal of serious work ... I have long hoped that someone would make a good case for separation of church*

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(Swaine L. , 2005, p. 69), (Zakai, 1986), (Zorrilla, 2016), (Nonneman, 2009, pp. 119,138), (Paldam, 2009, p. 234), (Perl, 2008, pp. 43-112), (Linker, 2007), (Casanova, 1994, p. 99), (Pines, 2024, pp. 46,70).

<sup>4</sup> For a similar view see: (Kartsonaki, 2023, p. 197), non-philosophical (Christakis, 2012).

<sup>5</sup> For a similar view see: (Bradley, 1987, p. 677).

<sup>6</sup> For this view see: (Wittgenstein, 1974, p. 4).

*and state (as I conceive it, which allows accommodating religion) that is workable for Islamic societies. I think you are moving in this direction”*

**PART ONE:**  
*Foundations*

6

# Chapter 1

## *COVID-19 Sample Proves Theocracy Is False*<sup>7</sup>

### **The Standard View**

Normatively, theocracy is “*a form of government*”<sup>8</sup>, and the main relation between religion and Political Philosophy has been called “*standard view*” (hereafter: SV), it is SV because some strong “*democratic arguments*” have produced a “*consensus*” and/or “*convergent*” on the relation, and philosophers have called this position toward SV as “*secularity*”<sup>9,10</sup>

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<sup>7</sup> The writer's footnote: The writer has been thinking about this chapter's idea since at least 2009, and the core idea of the *COVID-19 Sample Argument* came to the writer's mind some years ago, the writer figured out the argument could apply to COVID-19 pandemic in 2019, and so the writer presented some aspects of the argument as an open letter to a politician of the writer's country on 10<sup>th</sup> Feb 2020, it was published nine days before the government of the writer's country officially announced the COVID-19 disease on 19<sup>th</sup> Feb 2020, the writer thinks that the letter was successful in its own goal, otherwise, the pandemic overthrew the society of the writer's country, besides that, noticeably, some recognize countries' theocracies as “*a living laboratory*”! Academically, the writer has transferred the argument from the letter to this chapter as a Ph.D. semester requirement in autumn 2020.

<sup>8</sup> For this view see: (Blake, 2007, p. 1), (Swaine L. , 2007, p. 566), (Dane, 2015, p. 463), (Ferrero & Wintrobe, 2009, p. 1).

<sup>9</sup> The writer's footnote: Robert Audi recommends “*secularity*” has a higher standard than “*secularism*”, since the latter seems “*ideological*” because of “*isms*” and the former could be placed as “*consensus*”, the writer adopts this recommendation to the “*Eradicating Theocracy Philosophically*” and is thankful to him for this suggestion, although one may question whether this recommendation is also true for other “*isms*” like liberalism esp. justificatory liberalism /public reason liberalism or not.

<sup>10</sup> For religion and Political Philosophy see: **A. General** (Weithman P. J., 1998), (O'Hara, 2010, pp. 212-3), (Quinn, 2005a, p. 253), (Freeman S. , 2020), (Callaway, 2023), (Maclure & Taylor, 2011), (Eberle & Cuneo, 2017), (Eberle C. , 2002), (Audi, 2000), (Wolterstorff, 2009, pp. 31-4), (Greenawalt, 1988, p. 12), (Nussbaum, 2008), (Audi, 1997), (Wolterstorff, 1997), (Vallier & Eberle, 2013), (Neuhaus, 1993), (Bentham, 1823, pp. 49-52), **B. New Traditionalism: 1. Theory** (Stout, 2004, pp. 2,118-39,213), (MacIntyre, 1988, pp. 349-50,401), (Eberle & Cuneo, 2017), (Callaway, 2023), **2. Arguments** (MacIntyre, 1990, pp. 225-7), (MacIntyre, 2007, pp. 194-6,248-55), (Weithman, 2010, pp. 603-5), (Weithman P. , 2006, p. 223), **3. Objections** (Eberle & Cuneo, 2017), (Wolterstorff, 2008, p. 33), (Habermas J. , 2006, pp. 13-4), (Weithman P. , 2006, pp. 225-6), (Stout, 2004, p. 298), **C. SV: 1. Theory** (Eberle & Cuneo, 2017), (Brettschneider, 2010, p. 199), (Bader, 1999, p. 597), (Callaway, 2023), (Audi, 2011, pp. 39-40), (Audi, 2000, pp. 32-3), (Audi, 1989, pp. 262-4), (Audi, 2014, pp. 1-5), (Audi, 1997, p. 4), (Habermas J. , 2006, p. 5), (Rorty, 2003, pp. 144-5), (Weithman P. J., 2004, pp. 6-8), **2. Arguments** (Rawls, 1999, p. 181), (Rorty, 1999, p. 171), (Eberle C. J., 2004, pp. 84-185), (Greene, 1993, p. 1616), (Eberle C. , 2002, pp. 297-307), **2.1. The Religious Warfare Argument** (Eberle & Cuneo, 2017), (Eberle C. J., 2006, pp. 210-1), **2.2. The Divisiveness Argument** (Eberle & Cuneo, 2017), (Eberle C. J., 2006, pp. 211-2), (Perry, 2003, pp. 48-50), **2.3. The Respect Argument** (Eberle & Cuneo, 2017), (Eberle C. J., 2006, pp. 209-10), (Eberle C. J., 2004, pp. 52-3), (Perry, 2003, pp. 46-7), **2.4. The Fairness Argument** (Callaway, 2023), (Rawls, 2000, pp. 32-41), **2.4. The Freedom of Conscience Argument** (Maclure & Taylor, 2011, pp. 21-2), (Freeman S. , 2020, p. 50), (Swaine L. A., 2003, pp. 98-9), **2.5. The Liberty Erosion Argument** (Audi, 2000, p. 39), (Callaway, 2023), **2.6. The Public Discourse Argument** (Eberle C. J., 2006, pp. 212-3), **3. Objections** (Eberle & Cuneo, 2017), (Bader, 1999, p. 607), **4. Types** (Hirschl, 2008, pp. 1191-3), (Hirschl, 2010a, pp. 26-35,39-40), (Ahdar & Leigh, 2013, pp. 87-9), (Hirschl, 2010b, pp. 260-3), **4.1. Religious establishment** (Miller D. , 2021, pp. 77-8), (Ahdar & Leigh, 2004,



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pp. 646-8), (Ahdar & Leigh, 2013, pp. 100-7), (Scruton, 1980, p. 175), (Ahdar & Leigh, 2013, pp. 107-9), objections (Swaine, 2001, pp. 309-11), 4.2. Secularism (Maclure & Taylor, 2011), (Cliteur, 2010), (Ahdar R. , 2013), (Ahdar & Leigh, 2013, pp. 92-100), (Taylor, 2008), (Eberle C. J., 2004, pp. 43-4), (Greenawalt, 1988, p. 57), (Sajó, 2010, pp. 111-3), goals (Kant, 1999a), (Maclure & Taylor, 2011, pp. 21-2), (Callaway, 2023), more/less criteria (Maclure & Taylor, 2011, pp. 23-35), (Weithman P. J., 1991, pp. 52-3), neutrality (Gaus, 2009, pp. 82-3,88-90), (Rawls, 2000, p. 166), (Sajó, 2010, pp. 116-8), objections to neutrality (Freeman S., 2020, pp. 40-1), (Ahdar R. , 2013, pp. 419-21), science and secularism (Brooke, 2010, p. 106), (Macedo, 1995, p. 481), Separationism (Dacey, 2003, p. 203), (Swaine, 1996, pp. 597-8), laicization (Maclure & Taylor, 2011), (Bauberot, 2008, pp. 104-5,117-8), (Gunn, 2004, pp. 428-9), (Taylor, 2007, p. 524), 4.3. Erastianism (Dacey, 2003, p. 202), (Ahdar & Leigh, 2013, p. 91), (Ahdar R. J., 2001, p. 107), Caesaropapism (Berman, 1993, p. 216), (Potz, 2020, p. 96), 4.4. Pluralism (Ahdar & Leigh, 2013, pp. 109-12), 5. The Doctrine of Religious Restraint (Habermas J. , 2006, p. 14), (Eberle & Cuneo, 2017), (Audi, 2000), (Eberle C. J., 2006, p. 206), (Eberle C. J., 2004, pp. 68-9), (Vallier, 2012, p. 154), (Langerak, 2007, pp. 130-1), objections (Eberle & Cuneo, 2017), (Eberle C. , 2002), (Eberle C. J., 2004), (Eberle C. J., 2007, pp. 435-6), (Wolterstorff, 1997, pp. 111-3), replies (Fleck, 2022, pp. 42-52), (Audi, 2011, pp. 75,97), (Habermas J. , 2006, p. 12), (Vallier, 2012, pp. 162-4), **D. Relations:** 1. Public spheres (Habermas, 1997), (Finlayson & Rees, 2023), (Maclure & Taylor, 2011, pp. 36-40), (Rorty, 1993, pp. 197-8), (Rorty, 2003, pp. 142-3), (Habermas J. , 1996, pp. 354,359-87), (Langerak, 2007, p. 130), 2. Public reason (Quong, 2022 ), (Freeman S. , 2020, pp. 42-3,50), (Audi, 2013), (Vallier, 2022), (Kramer, 2007, p. 99), (Gaus & Vallier, 2009, pp. 56-62), (Greenawalt, 1988, pp. 204-11), (Hartley & Watson, 2009), (Vallier, 2014, pp. 6,104-11), (Wolterstorff, 2012, p. 373), (Schwartzman, 2014, pp. 1323-4), (Gaus, 2010, pp. xvi,21), Rorty's view (Rorty, 2007, pp. 48-51), (Grigoriev, 2011, p. 189), (Barthold, 2012, pp. 863,872-3), (Wolterstorff, 2012, p. 51), Rawlsian view (Rawls, 1996, pp. xlviii,10,212-54), (Rawls, 2000, pp. 140-6), (Rawls, 2001, pp. 89-94), (Kymlicka, 2002, pp. 289-90), (Weithman P. , 2010, pp. 110-8), public reason and health care (McConnell & Card, 2019), (Fleck, 2022), (Audi, 2014, p. 17), (Hurlbut, 2015), secular reason (Audi, 2011, pp. 67,77-8,103), (Audi, 2009, pp. 158-9,164), (Audi, 2000, pp. 70-8,86,89), (Weithman P. J., 2004, pp. 148,152,160), (Audi, 1997, pp. 19,25-6), (Milbank, 2006, pp. XIV,3-4,263,435), (Milbank, 2009b, p. 192).

Although theocracy has a different story, theocracy does not find a “*place*” for religion in government,<sup>11</sup> even though, it is on “*sovereignty and authority*” of religion and clergy to government,<sup>12</sup> and hence it is an anti-model to SV.

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<sup>11</sup> For theocracy see: **A.** General (Swaine L. , 2006, pp. 7-9), (Hirschl, 2010a), (Hirschl, 2022), (Scruton, 2007, p. 687), (Waldron, 2012, pp. 849,852-4), (Ferrero & Wintrobe, 2009, pp. 2-4), (Palmquist S. R., 2017), (Weber, 1998, p. 733), (Dacey, 2003, pp. 201-2), (Ryan, 2007, pp. 368,380), (Blake, 2007), (Cliteur & Ellian, 2020), (de Gaay Fortman, 2008, p. 58), (Onfray, 2007, pp. 61-2), (Swaine, 2001, pp. 303-4), (Swaine L. , 2003, pp. 370-2), (Swaine L. , 2011), (Milbank, 2009a, pp. 69-70), (Milbank, 2013, p. 163), (Tew, 2018, p. 33), (Ahdar & Leigh, 2013, pp. 90-1), (Brague, 2006, p. 3), (Dane, 2018, pp. 128-9), (Pötz, 2020, p. 66), (Dane, 2015, pp. 463-73), (Ferrero, 2013, pp. 724-5), (Ferrero, 2009, p. 31), (Wittman, 2009, pp. 173-4), (Stout, 2004, pp. 225,282,298), theocracy as government (Blake, 2007, p. 1), (Swaine L. , 2007, p. 566), (Dane, 2015, p. 463), (Ferrero & Wintrobe, 2009, p. 1), secular and theocratic authority (Philpott, 2020), (Waldron, 2012, p. 853), ambitious or retiring theocrats (Swaine L. , 2007, p. 567), (Swaine L. , 2003, pp. 371-2), (Swaine L. , 2006, p. 9), (Swaine L. A., 2003, pp. 97-8), **B.** Views: Manichean and Persian origin (Kal, 2020, pp. 99-100), (Brague, 2006, p. 11), Josephus's view on theocracy (Josephus, 1927–1928, p. 359), (Kal, 2020, pp. 100-2), (Swaine L. , 2006, pp. 4-6), Jewish theocracy (Palmquist S. , 1993, pp. 151-8), (Alexis-Baker, 2011, pp. 436,439-40), (Belfer, 1989, pp. 19,22,25,27), (Kal, 2020, pp. 103-5), (Locke, 2010, p. 42), (Weiler, 1988), (Achenbach, 2021, pp. 72,76), (Friedell, 2015, p. 548), Christian theocracy (Ahdar R. J., 1998, pp. 453-4), (Palmquist S. , 1993), (Davidson & Harris, 2006, pp. 62-3), (Ahdar R. J., 2001, pp. 20-1), (Langerak, 1997, p. 517), (Casanova, 1994, pp. 158-9), (Cavanaugh, 1999, p. 198), (Neville Figgis, 1914, pp. 190,258), (Stout, 2004, p. 115), (Hauerwas, 1981, pp. 2,253), (Hauerwas & Sherwindt, 1992, pp. 110-11), (Hauerwas, 1994, p. 92), Muslim theocracy (Fraenkel, 2010, p. 345), (Metzger, 1994, p. 697), (Hirschl, 2022, p. 156), (Hirschl, 2010a, p. 2), (Brague, 2006), (Ziai, 2001), (Nasr, 1967, pp. 9,12), (Nasr, 2001), (Nasr, 2000, p. 90), (Quraishi-Landes, 2015, p. 562), (March, 2011), (An-Na'im, 1999, pp. 116-9), (Danchin, 2008, p. 507), (Gibb, 1962, p. 10), (Lambton A. , 1956a, p. 126), (Lambton A. , 1956b, p. 133), (Qutb, 2006, p. 131), (Brague, 2007, p. 145), Marxism as theocracy (Heimann, 1953, pp. 311-3), (Wittman, 2009, p. 175), Plato's view on theocracy (Bluck, 1955, pp. 69,73), Hegel's view on theocracy (Moked, 2004, pp. 101-2), Pufendorf's view on theocracy (Seidler, 2021), Hobbes' view on theocracy (Chirilă & Varga, 2019, p. 39), Kant's view on theocracy (Kant, 2001, pp. 133-4), (Palmquist S. , 2016, p. 170), (Palmquist S. , 1994, pp. 427,432), (Palmquist S. , 2010), (Palmquist S. R., 2017), (Kal, 2020, pp. 109-15), Buber's view on theocracy (Zank & Braiterman, 2023), Zwingli's view on theocracy (Walton, 2018, p. 29), Spinoza's view on theocracy (Spinoza, 2002, pp. 540-4), (Steinberg, 2022), (Alexis-Baker, 2011, pp. 443-4), (O'Leary, 2009, pp. 17-21), (Vardoulakis, 2021), Suhrawardi's view on theocracy (Ziai, 1992, pp. 307,317,323), Augustine's view on theocracy (Pomerleau, 2023), Strauss's view on theocracy (Batnitzky, 2021), Rawls's view on theocracy (Thigpen & Downing, 1998), **C.** Types: 1. Hierocracy (Pötz, 2020, pp. 96-7), 2. Papocaesarism (Pötz, 2020, pp. 96-7), 3. Ecclesiocracy, Bibliocracy, Papacy, Constantinianism (Palmquist S. , 1993, pp. 50-68), (Hirschl, 2010a, p. 2), (Hirschl, 2022, p. 155), (MacIntyre, 1988, p. 232), (Wintrobe & Padovano, 2009, p. 104), (Hauerwas, 1994, p. 214), 4. Theodemocracy (Mason, 2011, pp. 369-73), 5. Pure and constitutional theocracy (Hirschl, 2010a, pp. 2-3), (Hirschl, 2009, pp. 130-1), (Hirschl, 2022, pp. 154-5), (Hirschl, 2013, p. 145), (Hirschl, 2010b, pp. 257-8,266), (Dane, 2018, pp. 129-30), 6. Nomocracy (Qutb, 2006, p. 68), (Nasr, 2000, p. 100), (Nasr, 2002, pp. 148-9), (Nasr, 1967, p. 9), (Backer, 2009, p. 110), (Oppermann, 2006, p. 67), **D.** Objections (Swaine L. , 2006, pp. 12-4), (Weber, 1998, p. 735), (Ferrero, 2013, pp. 726-9), (Casanova, 1994, p. 49), (Strauss, 1958, p. 185), (Allen, 2009, p. 188), (Hirschl, 2010a), (Hirschl, 2008, pp. 1182-5), (Hirschl, 2010b, pp. 266-7), reply (Backer, 2009, pp. 114-7), 1. The Necessity and Universality Objection (Erlewine, 2010, p. 114), (Blake, 2007, p. 3), 2. The Natural Obscurity and Self-Conceit Objection (Hume, 2006, p. 204), 3. The Toleration Objection (Ryan, 2007, pp. 269-70), (Moseley, 2023), 4. The Liberty Objection (Ryan, 2007, p. 270), (Korab-Karpowicz, 2024), (Hirschl, 2010b, p. 266), 5. The Disadvantages Objection (Ryan, 2007, pp. 370-1), 6. The Non-Identity Objection (Blake, 2007, p. 14), 7. The New Truths Objection (Bunge, 2010, p. 147), 8. The Autonomy Objection and its reply (Fraenkel, 2010), (Casanova, 1994, p. 59), 9. The No Popular Objection (Onfray, 2007, p. 36), 10. The Absolute Risk of Lives Objection (Palmquist S. , 1993), 11. The Friction and Conflict Objection (Hirschl, 2008, pp. 1180-1), (Hirschl, 2010b, p. 271), 12. The Cultural Propensity Objection (Hirschl, 2010a, p. 12), (Hirschl, 2004, p. 1819), (Hirschl, 2010b, p. 270), 13. The Free Market Economy Objection (Hirschl, 2010b, p. 270), **E.** Relations: 1. Education (Alexander & McLaughlin, 2003, p. 364), 2. Communities (Swaine, 2001), (Swaine L. , 2003), (Swaine L. , 2006, pp. 29-145), (Fives, 2007), (Garsten, 2011), (Neal, 2011), (Macedo, 1998, p.

## COVID-19 Sample Argument

The writer will present the argument that shows SV is true and so, only public reasons, those “*epistemically and morally*” could fulfil their public justification, are legitimate to fill public spheres.<sup>13</sup> The argument will prove the legitimacy of non-theocratic (democratic) authority and government and it is also in disfavor of theocratic political authority and government and its legitimacy. The argument will start from “*theoretical authority*” and then move to political authority as a “*practical authority*”.<sup>14</sup> The writer presents the argument<sup>15</sup> from the COVID-19 pandemic in detail.

### A. The Argument: It is the *COVID-19 Sample Argument*:

X ≡ Someone who is religious and infected by COVID-19 disease,

OM ≡ Otherworldly medical method,

TM ≡ Thisworldly medical method,

OTM ≡ Otherworldly thisworldly medical method e.g. some medicines that have thisworldly material, but it is claimed that they have come from otherworldly prescriptions.

The core idea of the argument is that X has to be treated with TM and/or OM and/or OTM. If X believes in OM exclusively, it is possible X does not treat with OM, thus if X would treat with TM, X will face inconsistency. Also, if X intends to treat with TM or OM and/or OTM, there could be self-defeating since first of all, it is possible a new TM that

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71), (March, 2011, pp. 29-32), (March, 2007), (Carens & Williams, 2008, p. 139), secular theocrat (Tomasi, 2011, p. 519), 3. Federalism (Hirschl, 2013, pp. 141-4,161-2). 4. Public reason (Swaine L. , 2006, pp. 121-45), (Swaine L. , 2009, p. 193), (Dane, 2018, p. 131), (Alexander L. , 2005, p. 149), 5. International relations (Swaine L. , 2006, pp. 145-8).

<sup>12</sup> For a similar view see: (Josephus, 1927–1928, p. 359).

<sup>13</sup> For this view see: (Eberle & Cuneo, 2017), (Vallier, 2022), (Quong, 2022 ), (Eberle C. J., 2004, pp. 63-4), (Greenawalt, 1988, p. 16).

<sup>14</sup> For this view see: General (Christiano T. , 2020), theoretical and practical (Renzo & Green, 2022).

<sup>15</sup> For similar views see: (Phillips D. Z., 1993, p. 73), (Russell, 1935), (Greenawalt, 1988, pp. 204-7).

The writer's footnote: In the recent years, the writer has found that D. Z. Phillips presented an example of “*prayer*” and “*ailment*” and Bertrand Russell wrote a chapter of “*Demonology and Medicine*” that would be similar to the *COVID-19 Sample Argument*, however, first of all, those works are in the Philosophy of Religion and the Philosophy of Science, and they are on theoretical authority hence they are not in the Social and Political Philosophy and practical authority esp. political authority, next, the examples are simple comparisons without philosophical details and developed arguments, but the writer's argument is in-depth, besides that, those examples need to be examined empirically as Phillips and Russell mentioned, though the argument of this chapter is a normative (philosophical) argument, lastly and more importantly, the writer has applied the argument in favor of non-theocratic (democratic) authority and government and in disfavor of theocratic authority and government, moreover, in another case, very recently the writer has studied Kent Greenawalt's example of “*flood*” is related to government and could be similar to the argument, but first of all, Greenawalt's view is on liberal democracy and is not on theocracy, also, the writer's example is differential from Greenawalt's one, and finally, Greenawalt understood the debate with differential premises and outcomes.

could be better and more effective compared with OTM, or OTM could be replaced with TM, second of all, if there is a contrast between TM on the one side and OTM and/or OM on the other side, if X choose OTM and/or OM, then X will face self-defeating of X or death of X. If we bring the aforementioned example to the public spheres e.g. a theocratic government, first of all, if theocracy applies TM, e.g. a TM restriction to a religious place in the case of COVID-19 sample, the theocracy faces inconsistency between TM and OM in the public spheres, although, secondly, if the theocracy withdraws the restriction, the theocracy will struggle in self-defeating of itself that leads to death of countless citizens of the theocracy because of contrast of TM with OM and/or OTM in the public spheres of the theocracy. All in all, theocracy and its theocratic authority are illegitimate because of the argument.

Once more, the writer formalizes the *COVID-19 Sample Argument* via borrowing some symbols<sup>16</sup> in more detail:

$Y \equiv X$  has been cured via OM / TM in this case.

1.  $\exists X$ , OB X becomes Y
2. PE X treat with OM (1)
3.  $\diamond X$  becomes Y and so,  $\exists Y$  (2)
4. PE X treat with TM (1)
5.  $\diamond X$  becomes Y and so,  $\exists Y$  (4)
6.  $\diamond \neg \exists Y$  (2)(3)
7.  $\diamond \neg \exists Y$  (4)(5)

$N \equiv X$  has been cured via OM in the second case.

8.  $\exists N$ , OB X becomes N
9. OB N treat with OM (for example, praying, miracle, theurgy, etc.) & IM N treat with TM (8)
10.  $\diamond X$  becomes N and so,  $\exists N$  (9)
11.  $\diamond \neg \exists N$  (10)
12. If N treats with TM, but,  $\square N$  could not treat with TM (9)(11)
13.  $\perp$  (9)(12)

$K \equiv X$  has been cured via OM, TM, and OTM in another case.

14.  $\exists K$ , X OB becomes K
15. K PE treat with OM & OTM & TM
16.  $\diamond K$  PE treat with OT,  $\exists K$  (14)(15)
17.  $\diamond K$  PE treat with OTM,  $\exists K$  (14)(15)
18.  $\diamond K$  PE treat with TH,  $\exists K$  (14)(15)
19.  $\diamond$  if OTM  $\notin$  OM (for example, historically some may question whether OTM belongs to otherworldly entities?), what K will do? (14) to (18)

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<sup>16</sup> The writer's footnote: The writer is not an expert in Logic, and here only elementary usage of logic's symbols in favor of the "*Eradicating Theocracy Philosophically*" has been applied for preciseness, etc.

20.  $\diamond$  if  $OTM \vee TM$  or  $OM \vee TM$  (Because, 1. there is a new TM that is better than OTM, or there is a new TM that replaces OTM, 2. Or there is a contrast between OTM/OM and TM), what K will do? (14) to (18)
21.  $13 \vee \neg 15$  (that means it is self-defeating like the death of X or X will face inconsistency). (19) to (21)

If the argument is plausible, then it is true that every theocracy is false, and it does not matter whether one has applied this or that religion since as soon as you fill public institutions with religion, you will face the argument, and here are some mainstreams of it:

$L1 \equiv$  A government that would apply the Y method as a strategy to its public institutions against the COVID-19 pandemic,  
 $Xn \equiv$  Citizens of the corresponding government.

22.  $\exists L1, Xn$  OB apply L1 institutionally  
 23.  $\square$  L1 could not employ Y institutionally (6)(7)(22)  
 24. Because  $\diamond \neg \exists Y$  (6)(7)(23)

$L2 \equiv$  A government that would apply the N method as a strategy to its public institutions against the COVID-19 pandemic.

25.  $\exists L2, Xn$  OB apply L2 institutionally  
 26.  $\square$  L2 could not employ N institutionally (13)(25)  
 27. Because  $\square$  L will face  $\perp$  (13)(26)

$L3 \equiv$  A government that would apply the K method as a strategy to its public institutions against the COVID-19 pandemic.

28.  $\exists L3, Xn$  OB applies L3 institutionally  
 29.  $\square$  L2 could not employ N institutionally (21)(28)  
 30. Because  $\square$  L will face  $13 \vee \neg 15$ . (21)(29)

The writer is sure that L1, L2, and L3 are the future of each theocracy struggling with the *COVID-19 Sample Argument*. This argument has proved that public spheres and institutions such as society, law, or government have to be infused only with knowledge. Besides that, it is clear that theocracies have been filling their public institutions with OTM and/or OM that will struggle with self-defeating and/or inconsistency. It was the writer's innovative argument that would persist that SV is true and theocracy is false.

**B. The Objections:** There could be some potential objections against the argument:

**The Theocratic Referendum Objection:** The first possible objection to the argument is that a government would organize a referendum on the COVID-19 sample to know whether citizens of a country would prefer to be Y, N, or K, and expand this decision to the public

sphere, legally, governmentally, and socially.<sup>17</sup> If this view is true it seems the *COVID-19 Sample Argument* is false.

- First of all, one has to remember that one will face the problem of COVID-19 dying off humankind similar to the argument if one holds the referendum or knows the outlook of them without knowledge.<sup>18</sup>
- Another reply would be that if they want to insist on OM and/or OTM of the argument, it may die off humankind, then they have to remain a staunch advocate of OM and/or OTM and not switch to TM, but we know they ought to and need to switch to TM.

The Feasible Theocratic Other Disciplines Objection: One may claim that there is a strict distinction between natural/applied sciences e.g. Medicine, Engineering, Physics, or Biology on the one side, and on the other side, there are social sciences viz. Economics or Political Science, independent science i.e. Philosophy, thus the argument could not target theocratic authority.<sup>19</sup>

- First of all, it is a straw man fallacy, since one seems to forget that the writer has chosen the *COVID-19 Sample Argument* as a sample of public institutions' epistemic content. You could replace the argument with another one that may come from Engineering, for instance, imagine a religious person needs to call firefighters with a cellphone to rescue herself from a firestorm, but there is a religion that confines the person to calling by a cellphone, or imagines you have to do that to rescue an official public organization and its employees from the firestorm, and in this case, vis-a-vis, you have to confirm the argument.
- In addition, the writer is doubtful that one could draw those boundaries among sciences in favor of non-epistemic content of public spheres and/or theocracy, day to day, more and more, there are multidisciplinary and/or interdisciplinary approaches to the sciences, also on the same page, there are some perspectives in which they have put together other sciences over natural sciences.
- The next is that norms and values have been found out and/or constructed through philosophy and its branches such as ethics, social and political philosophy, and the philosophy of law are non-replaceable and necessary esp. in favor of epistemic content of public spheres and/or non-theocratic governments, and it impels one has to come up with the idea that she could not prevent these aspects of knowledge, and so philosophy as an independent science is the most fundamental segment of knowledge famously.

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<sup>17</sup> For a similar view see: (Eberle C. J., 2007, pp. 440-1), non-philosophical (Nasr, 2002, p. 151).

<sup>18</sup> For a similar non-philosophical view see: (Plastine, 1993, p. 141).

<sup>19</sup> For a similar view see: (Hirschl, 2010a, p. 14), relations (Nasr, 1989, p. 147).

- Another reply in favor of the argument would be a thought experiment: Imagine a world in which a terrific accident by an employee of a nuclear energy company has precipitated a temporary power outage in the whole world, in this case, the human being has to live in this painful situation for more than four decades, it is clear that myriad struggles may blow up by this accident, one of them is an opportunist queen of a country who commands her chemists to produce a kind of food that belongs to a religious diet that will addict all indigenous children of some territories, the queen would diminish indigenous cultures, languages, and religions and replace them with the queen's country by addicting and exterminating innocent indigenous children, disgracefully she would transfer all of the human beings' civilization to the queen's country, moreover, there is a theocracy in one of those territories that ludicrously insists on this religious diet, there is no electricity and other related technologies for medical doctors to collect information on the addiction and they do not know how to treat the children, this ignorance causes the death of children, fortunately some social scientists could gather data and elicit information from furtive citizens on addiction in that society and hence the scientists caution the theocracy, the social scientists reach a consensus, this consensus has been achieved through positive addiction and death of 9990 cases from 10000 cases, and so theocracy shall proscribe this diet, everyone knows that there is no medical treatment and medicine on the diet and the only method to know about the diet is the outcome of social scientists' research. Once more, vis-a-vis, you have to confess the argument.

The Theocratic Form Objection: Another objection would be that one may argue a theocracy could avoid filling the contents of public institutions morally and epistemically, but its shape remains theocratically.<sup>20</sup>

- The writer would caution this objection involves a theocratic paradox in which it establishes theocratic authority, but it also tracks the non-theocratic authority paradoxically.
- Another note is that one may add that it is also a meaningless theocracy that recognizes itself as a theocracy but it enforces non-theocratic authority.

The Uninterested Theocrats Objection: One could present an objection that philosophers caution citizens and politicians to not apply theocracy as a government, it is because theocracy attacks the most fundamental moral norms and values.<sup>21</sup> Thus, an argument against theocracy does not need to be anchored in non-moral norms,<sup>22</sup> for instance, the writer does not need to present the *COVID-19 Sample Argument*.

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<sup>20</sup> For similar views see: (Ahdar R. J., 1998, p. 454), (Kal, 2020, pp. 120-1).

<sup>21</sup> For a similar view see: (Swaine L. , 2003, p. 375).

<sup>22</sup> For a dissimilar view see: (Swaine L. , 2006, p. 125).

- First of all, one has to stand this condition that there could be a theocracy and/or and fundamentalists that basically may denounce most fundamental moral norms and values,<sup>23</sup> and this fact led the writer to discover what would be another defeater of theocracy and the writer founded out that it is the *COVID-19 Sample Argument*.
- Second of all, the *COVID-19 Sample Argument* is not only on the epistemic content of public justification of political authority in public spheres i.e. society, government like theocratic governments, or law but also it is on the moral content of it since it indicates the value of lives of humankind as the COVID-19 sample.

The Theocratic Last Version of Knowledge Objection: Another objection has been that religions have to be patient with the new scientific and philosophic discoveries, in other words, religion would be regarding the last findings of sciences and philosophy, and so it seems there is no inconsistency and/or self-defeating between them that would be an obstacle to a theocracy, hence the theory of everything or the most developed version of knowledge i.e. sciences and philosophy could lead to being recognized as a whole or part of a religion, and this also could transfer to a theocratic government.<sup>24</sup>

- The first reply would be that it is the real hypocrisy of those theocrats and theocracies. This real hypocrisy of those theocrats and theocracies is seriously heinous, harmful, and unreasonable to both public institutions and the morality of ordinary people.
- Second, if those religions include nothingness and/or wrongfulness, this fact forces a government to be meaningless and nonfunctional theocratic government.
- Also, this objection in favor of theocracy and theocrats is a blatant lie.
- Generally, we criticize and evaluate secular arguments as public reasons for public justifications in public institutions and spheres, hence we also have to criticize and evaluate religious beliefs and claims in public institutions and spheres, e.g. in a theocratic government, they are not sacrosanct.<sup>25</sup> Although, the argument inclines the proponents of this objection to cling to thiswordly knowledge e.g. secular ethics and its attainable outcomes,<sup>26</sup> and thus the argument proves theocracy and its differential kinds are empty, absurd, false, and all sound and no substance.

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<sup>23</sup> For similar views see: (Swaine L. , 2007, p. 569), (Griffin, 2003, p. 1634), non-philosophical (Plastine, 1993, p. 141).

<sup>24</sup> For similar views see: (Davidson & Harris, 2006, p. 63), (Nasr, 1999, p. 14).

<sup>25</sup> For a similar view see: (Eberle C. J., 2006, p. 222).

<sup>26</sup> For similar views see: (Greenawalt, 1988, p. 70), (Perry, 1997, pp. 43-96), differential view (Wolterstorff, 2008, pp. 360-1).



The Theocratic Twin Objection: Some proponents of theocracy and others would recognize theocracy and religious democracy interchangeably.<sup>27</sup> Therefore, it may conceal the serious and main weaknesses of theocracy, though the writer believes that there could not be sophisticated examples of this interchangeability.

- First and foremost, the mainstream of democracy is that political authority and legitimacy have to place thisworldly and are not otherworldly and religious,<sup>28</sup> as a result, it is not only true that theocracy is not a religious democracy but also, it is not a solution to label theocracy as religious democracy, since the former remains the otherworldly and theocratic political authority.
- Another cautionary note is that primary differentiation is on political authority, thus other related topics of the differentiation between theocracy and religious democracy arise after political authority e.g. freedom of religion or religious rights.
- Some other authors wholeheartedly know theocracy and democracy are inherently conflicting,<sup>29</sup> and the writer agrees with this view.
- The last reply is that religious democracy could have only two differential natures, the first is that it has to be normatively democratic, and the second one is that it has to be normatively theocratic, there is no third selection and a religious democracy could not be both normatively.

The Appropriate Theocratic Function Objection: Functionally appropriateness of totalitarian regimes' special attributes inclines theocracy's proponents to dwell on the idea that if theocracy could provide some of those functions, then the opponents have to confirm that theocracy is legitimate.<sup>30</sup>

- The writer enormously disagrees that theocracy could provide those functions. It is because of the argument.
- Besides that, not only due to the above-mentioned normative reply but also, there could not be a similarity between other totalitarian regimes and theocracy. It is due to the fact that the authority of the former is placed in a thisworldly manner and may provide some of those functions, but the latter recognizes and puts the

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<sup>27</sup> For similar views see: (Lombardi, 2013, pp. 642-3), (Kal, 2020, p. 117), differential view (Vallier, 2023, pp. 240,250,259).

<sup>28</sup> For similar views see: (Eberle & Cuneo, 2017), (Christiano & Bajaj, 2022).

<sup>29</sup> For this view see: (Onfray, 2007, pp. 177,205), (Kymlicka, 1992, p. 52).

<sup>30</sup> For similar views see: (Potz, 2013, pp. 418-9), (Potz, 2020, pp. 70-1).

authority in an otherworldly manner, and this reinforces the idea that theocracy could not provide those functions.

The Theocratic Humanities' Advantages Objection: A theocracy may insist on differential humanities to avoid The Feasible Theocratic Other Disciplines Objection,<sup>31</sup> and this tendency leads to satisfying the proponents of theocracies, and consequentially there could exist legitimate theocracies.

- The first reply is that the aforementioned replies of The Feasible Theocratic Other Disciplines Objection may be potential replies to this objection repeatedly since it is very nasty to redefine Philosophy, Social Sciences, and humanities arbitrarily,<sup>32</sup> esp. in favor of a theocracy.
- Indeed, one could not deny humanities' relations to the Social Sciences, Philosophy, etc., as a result, one could not employ humanities without the methodology of sciences and philosophy to a government, for Instance, a theocratic government could not initiate media in humanities without principles, data, and knowledge that come from Communication Science of social sciences.
- Another reply is that if one could exploit humanities with mysterious and unknown bases and principles in favor of a theocratic government, then one needs to face Alice in Wonderland.

The Theocratic Judgment Day Objection: Some proponents of theocratic governments would hoodwink into being patient until Judgment Day of sciences and knowledge on the earth which it could not possible to choose between some theories as a true theory,<sup>33</sup> for instance, it may occur physicians cannot select between two candidates for interpretations of quantum theories, it seems similar to a Judgment Day of quantum theories on the earth, and then the proponents jump about one of them.

- The first reply of the writer to them is recalling the *COVID-19 Sample Argument* to improve this thought that public reasons for public justifications to the public spheres are inherently different from religious beliefs and claims,<sup>34</sup> because the argument indicates religious beliefs and claims are inherently different from our knowledge, and it is due to the fact that the argument also proves if one rejects this argument one will face inconsistency and/or self-defeating.

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<sup>31</sup> For similar views see: (Nasr, 2005, p. 72), (Nasr, 1990, pp. 133-4), (Nasr, 1989, pp. 158,180).

<sup>32</sup> For this view see: (Nisbet & Liah, 2021), (Gorton, 2023), (Britannica, 2021).

<sup>33</sup> For similar non-philosophical views see: (Quinn, 1995, p. 39), (Nasr, 1999, p. 14).

<sup>34</sup> For a similar view see: (Hurlbut, 2015, p. 103).

- Moreover, the writer thinks this strategy of the theocrats not only contravenes standards of academic ethics and political ethics but also the theocrats violates the true function and destination of our knowledge based on the argument e.g. quantum physics.
- It also shows how the theocrats and theocracies are identical to real and immoral Machiavellianism.

The Theocratic Integrity Objection: Some think SV inclines to double standards that unequally deal with irreligious to religious views,<sup>35</sup> and this could be an objection to SV in favor of theocracy.

- The writer has written the argument in favor of the secular and non-theocratic (democratic) government and disfavor of theocracy. So, the argument has to be neutral toward irreligious and religious views to the extent that they remain religious issues.<sup>36</sup>
- Second, the *COVID-19 Sample Argument* not only indicates the legitimacy of SV and secularity but also, the argument strongly eradicates theocratic authority theoretically.<sup>37</sup>
- Again, the *COVID-19 Sample Argument* not only applies morality and values but also, the argument could apply sciences and the other segments of knowledge, thus this objection remains irrelevant or is succumbed.

The Theocratic Moral Doctrine Objection: Some authors would propound this idea that a theocratic institution could be an institution that propounds exhaustive moral doctrine religiously.<sup>38</sup> This view leads to recognizing a theocracy only as a religious moral institution,<sup>39</sup> hence, the *COVID-19 Sample Argument* will be redundancy.

- The first response in favor of the *COVID-19 Sample Argument* is religions may propound a religious moral doctrine, but the religions' main factors include religious worldview (theology) and their religious law.<sup>40</sup>

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<sup>35</sup> For this view see: (Vallier, 2022), (Anderson, 2017, pp. 99-100), (Eberle C. J., 2004), (Quinn, 2016, pp. 507-11), (Vallier, 2012, pp. 155-60), asymmetry (Quong, 2022 ), reply (Anderson, 2017, pp. 105-21).

<sup>36</sup> For similar views see: (Macedo, 1995, p. 475), (Ahdar R. J., 1998, p. 472).

<sup>37</sup> For a dissimilar view see: (Hirschl, 2010a, p. 41).

<sup>38</sup> For this view see: (Swaine, 2001, pp. 304-5), (Swaine L. , 2003, pp. 372-3).

<sup>39</sup> For a similar view see: (Ahdar R. J., 1998, p. 465).

<sup>40</sup> For a similar view see: (Audi, 2011, pp. 71-2), non-philosophical (Nasr, 1999, p. 13).

- Second, the *COVID-19 Sample Argument* not only pertains to public reasons epistemologically, but also it includes public reasons ethically, thus this objection could not target the argument.

The Autonomous Theocratic Community Objection: Some authors give self-government to theocratic communities in some societies principally e.g. liberal democracies.<sup>41</sup>

- First of all, they wrongfully presuppose that some of the main considerations of theocracies and theocratic communities are political values, and if governments fail to achieve the required benchmarks, then theocratic communities will plead more benchmarks.<sup>42</sup> Although, it is a wrong presupposition due to the fact that not only theocracies and theocratic communities suffer from a lack of those basic moral and political values, but also they could not respond to the *COVID-19 Sample Argument*, since the argument is on public reasons for public justification to political authority both epistemologically and ethically.
- Additionally, if the political values are insufficient for the theocratic communities, a self-governing solution to the communities not only eradicates legitimate political authorities and governments e.g. liberal democracies,<sup>43</sup> but also is not a practical and possible solution because of the *COVID-19 Sample Argument*. This reply would indicate this note that the theocratic communities have been struggling with deeper concepts of politics i.e. political authority or government, hence advocates of those standards insist on other political concepts misguidedly e.g. freedom of religion.
- Some think we could reduce the identity of theocracy and theocratic communities to religious groups, and tolerantly assert their fully self-governing rights.<sup>44</sup> The writer seriously cautions against identifying theocracy and theocratic communities only as religious communities since proponents of these plans have a naively unrecognized willingness to the political authority of theocracies and theocratic communities, and this provides challenges toward the legitimacy of political authority because of the *COVID-19 Sample Argument*.

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<sup>41</sup> For this view see: (Swaine, 2001, pp. 324-38), (Swaine L. , 2003, pp. 378-82), (Swaine L. A., 2003, pp. 104-10), (Swaine L. , 2007), (Swaine L. , 2010, p. 81), (Swaine L. , 2006, p. xvi), dissimilar view (de Waal, 2020, pp. 19-20).

<sup>42</sup> For this view see: (Swaine, 2001, pp. 312-4).

<sup>43</sup> For a similar view see: (Swaine L. A., 2003, pp. 108-9).

<sup>44</sup> For this view see: (Swaine, 2001, pp. 334-6).

- Further, some would coax theocrats to follow democracy,<sup>45</sup> the writer is doubtful that one could coax theocrats since the *COVID-19 Sample Argument* proves how much theocracy and theocrats are unreasonable and immoral.
- Another solution would be to apprise them of information on a mechanism as a part of a democracy,<sup>46</sup> the writer believes it could be a suicide for a democracy because of the argument.<sup>47</sup>

The Theocratic Ontological Oneness Objection: There is a long history of this caveat that God/deity/other maximally great beings/other ultimates/the divine (for brevity hereafter: God) are not distinct from thisworldly manners, and so it is meaningless and untrue to draw a distinction between the thisworldly and otherworldly authority in a theocracy.<sup>48</sup>

- First of all, undeniably it excludes non-believers and secular opponents, and they reasonably could criticize it as an unreasonable and unfair position in favor of theocracy.
- Also, one reasonably could demand which religious relation is true to be considered as this objection, even though, some dent these religious or anti-religious positions, e.g. Naturalism, Monotheism, and Pantheism, to be recognized as a public reason,<sup>49</sup> the *COVID-19 Sample Argument* in favor of legitimate political authority is based on public justification via public reasons, e.g. sciences or Ethics, contrast to and/or inconsistent with religions or irreligions.<sup>50</sup>
- Significantly, the *COVID-19 Sample Argument* precisely targets this objection and proves that it is an unreasonable objection.

The Theocratic Religious Advocacy Objection: There could be another objection to the argument which depends on the content of special religions and/or a religion's demands toward theocracy, thus those who are believers of the religions would promote and/or form a theocracy.<sup>51</sup>

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<sup>45</sup> For this view see: (Swaine L. , 2003, p. 386), (Swaine L. , 2007, p. 570), (Swaine L. , 2006, pp. 29-70,133).

<sup>46</sup> For this view see: (Swaine L. , 2003, p. 387).

<sup>47</sup> For a similar view see: (Sajó, 2010, pp. 111,121,127).

<sup>48</sup> For this view see: (Nasr, 1967, p. 15), (Nasr, 1999, p. 8).

<sup>49</sup> For this view see: (Freeman S. , 2020, pp. 50-1), (Hurlbut, 2015, p. 104).

<sup>50</sup> For a similar view see: (Hurlbut, 2015, pp. 104,107,109).

<sup>51</sup> For similar views see: (Palmquist S. , 1993), (Swaine L. A., 2003, pp. 94-5).

- First of all, some religious persons cause a rift with proponents of this objection in favor of theocracy.<sup>52</sup>
- Second of all, the writer thinks the *COVID-19 Sample Argument* proves theocracy is a principally unreasonable and immoral view, hence this kind of government could be pernicious to religions.<sup>53</sup>

The Theocratic Blessed Science Objection: Some may promote a blessed science,<sup>54</sup> and this position may proportion blessed science to theocracy.

- First of all, the writer would ask that this blessed science in favor of a theocracy could fulfil as a medical and/or other applied sciences for the *COVID-19 Sample Argument*, and it is clear it could not be a profane or thisworldly science, so it will be defeated through the necessity of thisworldly legitimate political authority and its requirement of public reasons to public institutions.<sup>55</sup>
- Some may argue that blessed science in favor of a theocracy has a special function which means the blessed science is not the same as profane or thisworldly science functionally. The writer would also know this science for belonging to a private community and/or private life exclusively,<sup>56</sup> and there is no doubt that it is not related to public spheres and institutions like a theocratic government practically and theoretically. It is due to the fact that if one requires some evidence for the blessed science, there is no doubt its proponents could not present evidence as accessible and sharable evidence in favor of the blessed science and/or theocracy,<sup>57</sup> so the blessed science and/or knowledge is not a science or knowledge in favor of a theocracy functionally.
- Also, the writer has to mention this note that we as reasonable agents do ponder those religious or blessed science and/or knowledge neither as a practical authority nor as a theoretical authority instead of profane or thisworldly science and/or knowledge owing to the *COVID-19 Sample Argument*.

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<sup>52</sup> For non-philosophical examples of this view see: (Nasr, 1967, p. 21), (Nasr, 2000, p. 100), (Eberle & Cuneo, 2017).

<sup>53</sup> For a similar view see: (Sajó, 2010, p. 132).

<sup>54</sup> For this view see: (Nasr, 1989, p. 119), (Nasr, 2005), (Nasr, 1990, p. 22).

<sup>55</sup> For a similar view see: (Hurlbut, 2015, p. 104).

<sup>56</sup> For a similar view see: (Berman, 1993, p. 216).

<sup>57</sup> For a similar view see: (Freeman S. , 2020, p. 49).

The No Theocratic-Democratic Differentiation Objection: Another antagonism to the argument claims there is no real difference between theocracy and democracy, said differently, it is argued existing democratic governments such as democratic monarchies or democratic republics are the same as existing theocracies, thus neither existing democracies nor existing theocracies could serve democratic values.<sup>58</sup>

- First of all, the *COVID-19 Sample Argument* validates that theocracy not only grapples with democratic values but also it encounters resistance to knowledge e.g. natural sciences, and so it misses out the legitimate political authority.
- Second of all, if we put the argument aside we confirm democracies could appreciate much more democratic values since merely democracies could not preclude democratic values.
- Besides that, there is a reply a “ceremonial” position in a democracy could “symbolize” the “identity” of a country and/or “rehearsal of traditional allegiances” and/or “is characteristic of traditional monarchy to attempt to personify the national interest”, and/or promote “patriotism”, etc.,<sup>59</sup> although, theocracy not only is a completely unreasonable and heinous government because of the *COVID-19 Sample Argument*, but also a theocracy could not include those functions to its clergies because of the replies to another objection that has been called The Theocratic Twin Objection.

The Theocratic Democracy Objection: Another objection would make this proclamation a democracy has to include theocratic and/or religious “legitimacy”.<sup>60</sup>

- First of all, this chapter is not on political legitimacy, though, it is on illegitimate political authority of theocracies.
- More importantly, this objection ignores the principal “relation” between political authority esp. democratic political authority and political legitimacy,<sup>61</sup> that is in favor of the argument.
- If one insists on the correctness of this objection and argues it is possible theocratic legitimacy of democracies, then the writer replies to one misunderstood this relation because the *COVID-19 Sample Argument* improves this idea that legitimate political authority could not be theocratic, and legitimate political authority ought to be non-theocratic (democratic) necessarily.

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<sup>58</sup> For a similar view see: (Brague, 2006, p. 9).

<sup>59</sup> For this view see: (Scruton, 2007, pp. 137,280,291,447,464), (Scruton, 1980, p. 39).

<sup>60</sup> For this view see: (Potz, 2013, pp. 414,416), (Potz, 2020, pp. 78-9).

<sup>61</sup> For this view see: (Peter, 2017 ), (Christiano T. , 2020).

The Violent Theocratic Army Objection: Another objection against the argument would be the fact that theocracies and theocrats propose brawls, battles, wars, suppression, etc. in favor of theocracy.<sup>62</sup> So, throw in the towel in favor of theocracy.

- It is a strange objection because the writer prepares a philosophical work on theocracy exclusively and so, it is not a political manifest or proposal of political activism.
- Second of all, the writer thoughtfully believes if the argument is correct, it shows theocracies ultimately will succumb because of the argument's truth.
- Importantly, it seems if a theocracy loses normative language, it will replace legitimate political authority with de facto political power, thus it leads to a real jungle and cruel battle of powers.<sup>63</sup>

The Theocratic Voting Objection: A theocracy may include voting and this voting gives a democratic structure and/or political legitimacy to the theocracy.<sup>64</sup>

- Some rightfully caution against democratic structures of theocracies.<sup>65</sup>
- The writer has mentioned other replies to The Theocratic Twin Objection, The No Theocratic-Democratic Differentiation Objection, and The Theocratic Democracy Objection.
- Also, it seems there are voting inconsistencies between democracies and nondemocratic governments,<sup>66</sup> e.g. theocracies.
- The argument proves meaningful words on voting sound hollow words and political obligation to vote becomes a semantic satiation for voters normatively.

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<sup>62</sup> For this view see: (Swaine L. , 2003, p. 376), (Swaine L. , 2007, pp. 568-9), (Potz, 2020, p. 103), economic pressure (Vallier, 2023, p. 191).

<sup>63</sup> For a dissimilar view see: (Potz, 2020, p. 70).

<sup>64</sup> For similar views see: (Lombardi, 2013), (Quraishi-Landes, 2015, p. 565).

<sup>65</sup> For this view see: (de Gaay Fortman, 2008, p. 58), (Cliteur & Ellian, 2020, p. 109).

<sup>66</sup> For this view see: (Brennan J. , 2020), (Potz, 2020, p. 88).



The In-Practice Theocracy Objection: Some argue in favor of democratic shape and theocratic content.<sup>67</sup>

- A government within theocratic contents is a theocracy and the argument targets this government.
- Also, this kind of theocratic government struggles with so many other inconsistencies and self-defeating.

The Democratic Theocracy Objection: Some recognize “*democratic theocracies*” as a kind of government.<sup>68</sup>

- This view inflicts non-normativity upon normativity abnormally, and if the devil is in the details it does not lead to conflating theocracy and democracy arbitrarily, the writer agrees that empirical studies of some countries force one to address forms of those countries' governments inventively, although it is equal to neither self-contradiction of thisworldly political authority with otherworldly political authority normatively nor creating political legitimacy of them from nothing.
- In addition, there is no doubt that the argument eradicates differential theocracies and their political legitimacy.

The Non-Theocratic Political Authority Objection: Some argue religions could be enrolled in public spheres, and it doesn't need to act to be a theocratic authority in liberal democracies.<sup>69</sup>

- First of all, once more, this work is not on liberal democracy, it is on some arguments against theocracy.
- Also, there is a clear separation between democratic authority and theocratic authority.
- There is no doubt that religious practical authority in a theocracy becomes a theocratic practical authority in a theocratic government gradually, and this may also be true for liberal democracies.

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<sup>67</sup> For this view see: (Ahdar R. J., 1998, p. 454).

<sup>68</sup> For this view see: (Hirschl, 2004, p. 13), differential view (Sajó, 2010, p. 127).

<sup>69</sup> For this view see: (Waldron, 2012, pp. 853-4).

The Theocratic Fullness Objection: The last objection of this chapter is that some other political systems, e.g. a monarchy, based on spiritual self-identifying could be discerned as a theocracy.<sup>70</sup>

- First of all, it is true theocrats are inclined to form a full theocracy,<sup>71</sup> but there is a distinction between theocrats in those political systems and a full theocracy, this distinction ought to remain separated morally and normatively.
- Also, theocratic authority as a kind of political authority needs to form a theocratic government, thus those political systems do have neither theocratic authority since the political authority of clergies is the same as N and K of the argument, nor their theocratic government is the same as L2 and L3.
- The other replies to this objection are responses to The Nomocratic Law Objection of the next chapter.

The Non-Theocratic Theodemocracy Objection: One may propose that theodemocracy is an alternative to theocracy,<sup>72</sup> so the argument could not target theodemocracy.

- The first reply is that those theodemocracies are a subgenre of theocracies, said differently, the religious and/or theocratic authority of those governments leads them to the same channel.
- Second of all, if the governments do not include religious and/or theocratic authority, then theodemocracies ought to respect the arguments of this work. It seems that they could not respect the argument of this chapter and other arguments of this work.<sup>73</sup>

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<sup>70</sup> For a dissimilar view: (Ferrero & Wintrobe, 2009, p. 2).

<sup>71</sup> For this view see: (Swaine L. , 2006, pp. 8,73).

<sup>72</sup> For a similar view see: (Mason, 2011, pp. 357-8).

<sup>73</sup> For a similar view see: (Mason, 2011, pp. 374-5).

## Chapter 2

### *W, W, W, We Are Theocracy: Legal Stammer*<sup>74</sup>

#### Minimalism in Legal Language

Minimalism<sup>75</sup> prepares the exact requirements of legal language<sup>76</sup> and religious language<sup>77</sup> that are necessary for the writer's argument against theocratic law.

#### Legal Stammer Argument

The writer presents the *Legal Stammer Argument* in favor of secular legal language and it is clear that principally theocracy applies to religious language as legal language, and so, the argument will be in disfavor of theocracy.<sup>78</sup> Conversely, if theocracy applies to non-

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<sup>74</sup> The writer's footnote: The writer has written this chapter and the argument as a Ph.D. semester requirement for autumn 2020.

<sup>75</sup> For Minimalism see: (Horwich, 1998, pp. 5-7,15-7,118-9), (Horwich, 2001, p. 150), (Horwich, 1996, p. 878), (Armour-Garb, Stoljar, & Woodbridge, 2023), (Holton, 2000, pp. 137-8), (Hill, 2002, p. 14), (Wrenn, 2015).

<sup>76</sup> For Minimalism and Deflationism in legal language see: (Kramer, 2007, pp. 73-82, 231), (Leiter, 2004, pp. 982-4), (Leiter, 1993, p. 206), (Marmor, 2001, pp. 115,136), (Marmor, 1995, p. 181), (Coleman & Leiter, 1993, pp. 606,627), (Moore M. S., 1992, pp. 2469-70), (Leiter & Etchemendy, 2021), (Coleman, 1995, pp. 54-60).

<sup>77</sup> For Minimalism in religious language see: (Scott, 2017), (Scott, 2013, pp. 111-5,126-49), (Vainio, 2020, pp. 34-5), (Alston, 2005, pp. 225-7), (Phillips, 2005, pp. 453-5), (Phillips, 2002, p. 70), (Phillips D. Z., 1993), (Charlesworth, 2002, pp. 146-53), (Burley, 2011, pp. 109,111), (Addis, 2001, pp. 86-90), (Hick, 1990, pp. 96-7), (Malcolm, 1997, pp. 85-90), (Nielsen, 1967, pp. 192-3), (Nielsen, 2001, pp. 144,152), (Putnam, 1992, pp. 143-8,168,192).

<sup>78</sup> For religion and the Philosophy of Law see: **A.** Divine law (Aquinas, 1981), (Strauss, 1990, pp. 5,12,18), (Strauss, 1958, p. 185), (Strauss, 1936, pp. 156,158), (Austin J. , 1832, pp. 31-125), (Rawls, 1999, p. 182), (Kant, 2001, pp. 133-4), (Kant, 1999c, p. 323), (Sullivan & Yelle, 2005, p. 5326), (Palmquist S. , 1994, pp. 425,431), (Wood, 1970, pp. 189-92), (Nasr, 1967, p. 7), (Nasr, 2000, pp. 14-5,85-113,147,151), (Nasr, 1989, p. 172), (Nasr, 2002, pp. 117-8), (Lombardi, 2013, p. 621), (Quraishi-Landes, 2015, pp. 554-7,559), (Stumpf, 1953, pp. 906-11), (Alexis-Baker, 2011, pp. 437-8), (Locke, 2010, pp. 168-9), (March, 2009, p. 417), (Filmer, 1680, pp. 9-12), (Epstein, 2021), (Uzgalis, 2022 ), (Scruton, 2007, p. 349), (Brague, 2006, p. 4), (Brague, 2007, p. 18), (Qutb, 2006, p. 44), (Domingo, 2023, p. 160), (Burnside, 2018, pp. 60-78), (Brennan P. M., 2015, pp. 502-3), (Vallier, 2023, pp. 43-5), (McCall, 2011, pp. 117-27), (Berman, 1984, p. 576), (Saint Augustine , 2015), (Aroney, 2013, pp. 677,682-3), (Greenawalt, 1992, p. 6), (Swan, 2007, p. 404), (Neville Figgis, 1914, pp. 52,61), Persian origin (Brague, 2007, p. 205), conflict between divine law and secular law (Austin J. , 1832, pp. 169-174), (Ahdar R. J., 2001, pp. 107,233), (Berman, 1974, p. 136), (Hirschl, 2016, pp. 71,106), **B.** Secular law (Swaine, 1996, p. 596), (Greene, 1993, p. 1613), separation of law and religion (Dane, 2010, p. 126), consensus on separation of law and religion (Habermas J. , 1988, p. 241), (Modak-Truran, 2007b, pp. 161-2), (Modak-Truran, 2004, p. 711), (Modak-Truran, 1997, p. 461), (Modak-Truran, 2007a, pp. 74-5), (Macedo, 1998, p. 74), (Berman, 1993, p. 216), (Sullivan & Yelle, 2005, pp. 5325-6), **C.** Relations: 1. Theology and the Philosophy of Law (Stumpf, 1953), (Domingo, 2017), (Modak-Truran, 1997, pp. 480-1), Schmitt's view (Vinx, 2019 ), (Schmitt, 2005, pp. 50-52), 2. Ideology and the Philosophy of Law (Sypnowich, 2019), 3. Natural Law Theory and God (Bix, 2004, pp. 67-8), (Berman, 1993, pp. 151-4,177), (Ellul, 1960), Aquinas' view (Finnis, 2021), (Koritansky, 2023), (Scruton, 2007, p. 33), (Brague, 2007, pp. 220-1).

religious language as a legal language,<sup>79</sup> then the *Legal Stammer Argument* will not be about this application. Moreover, the argument indicates that due to the fact that religious language is non-descriptive and legal language has to be descriptive, religious language could not be legal language, esp. a theocratic legal language.

**A. The Argument: It is the *Legal Stammer Argument*:**

Case 1:

X ≡ A religious language: There is a true scripture that produces this utterance that God will forgive the bankrupts' sins on Judgment Day.

Y ≡ A legal language: There is a provision that the government will forgive the bankrupts in the last days of the year.

Z ≡ Ana is bankrupt, and she believes in a monotheistic religion that believes in both God and Judgment Day.

- Z has to pay her debt to a bank,
- Z knows she does not pay her debt,
- But she knows that if she does not pay her debt she will face two matters,
- Z knows X,
- Z knows Y,
- Z believes she is a sinner but X,
  - If X, Z after X, Z will not remain a sinner,
  - If X, then Z will be transformed from a sinner to an innocent religiously,
  - Because the sin of Z depends on the willingness of God to forgive Z,
  - It means that the forgiveness of X is otherworldly that first of all, there is sin as a religious concept and God as a religious entity in religious language and then, they have relations with each other, sin depends on God.
- However, Z knows she is guilty but Y,
  - If Y, Z after Y is not an offender legally but will remain guilty morally,
  - Therefore, we know that the government will forgive Z and Z will be transformed from an offender to a guilty,
  - But we know Z after Y, Z will remain guilty morally because the guilt of Z does not depend on the willingness of the government to forgive Z morally, thus bankruptcy is immoral and it is distinguished from forgiveness of the government,
  - It means that the forgiveness of Y is thisworldly that first of all, there is the guilt as a legal concept and the government as a legal entity in legal language, besides that, the guilt has the legal aspect and the moral

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<sup>79</sup> For Theocratic law see: (Backer, 2008), (Backer, 2009, p. 110), (March, 2011), (Modak-Truran, 2007b, p. 228), (Tew, 2018, pp. 65,67,69), (Hirschl, 2008), (Hirschl, 2010a, pp. 3,207), (Hirschl, 2010b, pp. 259,267-8,272,274), (Berman, 1993, p. X), (Ellul, 1960, pp. 123,134-8), (Greene, 1993, pp. 1633-4), (Sibley, 1984, p. 60), (Weber, 1998, p. 733), (Brague, 2007, pp. 4,7-8).

aspect, and so, the guiltiness and the government have relations with each other, but the guiltiness is independent of the government.

Case 2:

X  $\equiv$  A religious language: There is a true scripture that produces this utterance that God will forgive the bankrupts' sins on Judgment Day.

Y  $\equiv$  A legal language: There is a provision that the government will forgive the bankrupts' sins in the last days of the year.

Z'  $\equiv$  Ana is bankrupt, but she does not believe in monotheistic religions that she does not believe in both God and Judgment Day, but she does not know Y.

- Z' has to pay her debt to a bank,
- Z' knows she does not pay her debt,
- But she does not know that if she does not pay her debt she will face two matters,
- Z' does not know X,
- Z' does not know Y,
- Z' does not believe she is a sinner but X,
  - If X, Z' after X, will not remain a sinner,
  - If X, then Z' will be transformed from a sinner to an innocent religiously,
  - Because the sin of Z' depends on the willingness of God to forgive Z',
  - It means that the forgiveness of X is otherworldly that first of all, there is sin as a religious concept and God as a religious entity in religious language and then, they have relations with each other, sin depends on God.
- However, Z' knows she is guilty but Y,
  - If Y, Z' after Y is not an offender legally but will remain guilty morally,
  - Z' does not know Y, and so, reasonably she wouldn't be bankrupt because of the government's punishment, but we know Y,
  - However, imagine Z' goes bankrupt, if Y, Z' after Y is not an offender legally, but Z' will remain guilty morally,
  - Therefore, we know that the government will forgive Z', and Z' will be transformed from an offender to a guilty,
  - But we know Z' after Y, Z' will remain guilty morally because the guilt of Z' does not depend on the willingness of the government to forgive Z' morally, thus bankruptcy is immoral and it is distinguished from forgiveness of the government,
  - It means that the forgiveness of Y is thisworldly that first of all, there is the guiltiness as a legal concept and the government as a legal entity in legal language, besides that, the guiltiness has the legal aspect and the moral aspect, and so, the guiltiness and the government have relations with each other, but the guiltiness is independent of the government.

These cases show that first of all, applying different theistic or atheist beliefs in both cases does not lead to different concepts and entities in a religious language, such as different beliefs on God's bankruptcy forgiveness in the scripture, since it is clear that applying the same religious language is independent of mental or epistemic states, and so religious language is non-descriptive in disfavor of theocracy, second of all, we discover not only that we can grasp the different aspects of thisworldly concepts and entities, such as the moral and legal aspect of guiltiness, but also, if we apply different beliefs to non-religious concepts and entities lead to different concepts and entities in a non-religious language such as legal language, and hence this legal language has to be descriptive, hence the first consequence of these cases is that X is an example of religious language, a non-descriptive one and the second consequence of them is that Y is an example of a non-religious language, a descriptive one.

The writer also could present the argument as a second face to insist on the basic requirement of legal language: Radically, imagine another way to prove the *Legal Stammer Argument* that we have to apply the laws of applied physics to civic law because it is necessary to build hydroelectric dams, we know that religious language is not descriptive language and so, legal language could not be religious language, though, legal language needs to be like a scientific language in this case. Once more, to have theistic or atheistic beliefs about God does not target different concepts and entities in a religious language, such as different claims on God's attitudes on otherworldly dams in the scripture in favor of a theocracy, due to the fact that it is clear to apply religious language is independent of mental or epistemic states, and so, religious language is non-descriptive, moreover, we discover not only that we could grasp the different aspects of thisworldly concepts and entities, such as physical, chemical, and environmental aspects of dams, but also, if we apply different beliefs to non-religious concepts and entities lead to different concepts and entities in a non-religious language, such as legal language in this case.

Again, the writer formalizes these two faces of the *Legal Stammer Argument* via borrowing some symbols:

$\Phi \equiv$  Descriptive property

$\alpha \equiv$  Religious language

$\beta \equiv$  Legal language

$\emptyset \equiv$  Empty

$N_1 \equiv$  N1 as first descriptive legal statute or provision

$N_n \equiv$  Endless descriptive legal statutes or provisions

- $\alpha$  is  $\emptyset$  of  $\Phi$
- But,  $\beta$  needs to be  $\Phi$
- Because  $\beta$  has to be the bearer of  $N_1$  to  $N_n$
- If  $N_1$  is like applied physics, then,  $\beta$  has to be the bearer of  $N_1$
- So,  $\beta$  has to include  $\Phi$
- However,  $\alpha$  could not be  $\Phi$
- Altogether,  $\beta$  could not be adopted from  $\alpha$
- It  $\not\models \Phi \in \beta$  iff  $\alpha \neq \beta$ , because  $\alpha$  is  $\emptyset$  of  $\Phi$

All in all, if the legal language has to be a descriptive language that could be the bearer of scientific disciplines viz. applied physics, engineering, medicine, social sciences and/or normative branches of Philosophy such as Ethics, then it has not to be the religious one, on the one side, there is the minimalist necessity of legal language that has to be descriptive, and on the other side, there is a lack of descriptive aspects of religious language, so the *Legal Stammer Argument* targets theocratic legal language, once more, this thesis is that religious language is not descriptive, but one could perceive legal language shall be bearer of scientific and/or normative disciplines, thus legal language shall not be religious language.

**B. The Objections:** There could be some potential objections against the argument:

The Theocratic Religious Experience Law Objection: There are different relations between religious language and religious experience,<sup>80</sup> and a potential objection to the argument may evolve from the connection between religious language and religious experience, it means that a theocracy may argue that its constitutions, provisions, and statutes have come from the religious experiences of legislators and many like them i.e. religious feeling, mystical experience, divine revelation, etc.<sup>81</sup>

- One may rationally claim that it is hypocrisy in law to propose personal religious experience as the content of a statute or provision of the law of theocracy, it is hypocrisy because your personal experience plays impersonal roles as statutes or provisions of the law of theocracy and it belies numerous false laws.
- Second of all, this hypocrisy could not the fulfil functional demand of statutes or provisions of the law of theocracy. It is owing to the fact that a statute or provision of law has to be descriptive, and once more, the religious experience could not fulfil the descriptive aspect of legal language, and so functionally it could not fulfil statutes or provisions of the law of theocracy. For instance, if a jurist in a theocracy grasps a religious experience on an unexpected future coming earthquake that is in contrast to well-settled outcomes of earth sciences, then how the jurist could prove that her experience is a description of a future coming earthquake, besides that, it could be a descriptive experience on earthquake, unless all of the related experts and citizens have this experience universally.
- Also, the argument proves that there is a distinction between the experience and descriptiveness of laws semantically, epistemologically, and metaphysically since the religious experience may claim to prescribe laws only, and it could not justify the descriptiveness epistemologically, could not convey the descriptiveness semantically, or could not distinguish between the descriptiveness and religious experience ontologically.

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<sup>80</sup> For similar views see: (Bennett-Hunter, 2016), (Forgie, 1985), (Gäb, 2017), (Schlamm, 1992), (Yadav, 2016), (Wahlberg, 2020 ).

<sup>81</sup> For a similar view see: (Eberle C. J., 2004, p. 251), differential view (Horwitz, 1996, pp. 24-5).

- Next, legal language could not face biting the bullet, this means religious language in legal language disintegrates legal language, and so it leads to the dissolution of the legal system of theocracy. Legal language could be fulfilled by descriptive requirement, and non-descriptive property of religious language and religious experience and their reciprocal relationship will disintegrate the law of theocracy.

The Differential Theocratic Law Objection: Another objection might be that religious language is not non-descriptive, but it has a differential descriptive property that is not similar to descriptive scientific and/or philosophical language,<sup>82</sup> thus a theocracy could apply religious language in differential ways. For instance, the fine-tuning argument is descriptive,<sup>83</sup> and so the legal language in a theocracy could employ this religious language that is based on the fine-tuning argument.

- First of all, the argument has shown that legal language has to be a non-religious one because it is true that not only religious language is non-descriptive and has no (differential) descriptive aspect, but also legal language has to be descriptive, thereby legal language shall not be religious language.
- Also, if one insists on the differential descriptiveness of religious language, and rejects the argument theoretically in favor of the hypothetical descriptiveness of religious language and its advantages practically, then one needs to live under the sovereignty of a theocracy to confess that the *Legal Stammer Argument* is cogent practically.<sup>84</sup>
- Next, another reply would be that the existence of God as a religious and otherworldly concept and entity is one thing, and fine-tuning argument as a philosophical and thisworldly concept in favor of the religious concept and entity is another thing, and this distinction is circumspect that if one needs descriptive language in legal language, first of all, this perspective suffers from this serious weakness of this distinction, also if one insists on the fine-tuning argument and then this argument collapses, the legal language will collapse e.g. a theocratic legal system.
- In addition, other otherworldly concepts may have thisworldly interpretation and/or explanation like a religious experience that may have a natural and/or thisworldly explanation, this view not only suffers from the last reply of this objection and replies to The Theocratic Religious Experience Law Objection but also the experience may have “*natural*” and/or thisworldly explanation and

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<sup>82</sup> For a similar view see: (Scott, 2017).

<sup>83</sup> For similar views see: (Vainio, 2020, p. 34), (Scott, 2013, pp. 142-5).

<sup>84</sup> For a similar non-philosophical view see: (Rowley, 2024, p. 12).



interpretation,<sup>85</sup> and this discovery will transform an otherworldly religious concept and/or entity to non-religious thisworldly concept and/or entity via the explanation and/or interpretation, hence a legal language, e.g. a theocratic one, will be infused with the descriptive property of non-religious language that comes from the experience.

- Besides that, for instance, if H belongs to a theistic religion and identifies a religious claim e.g. a miracle as a descriptive claim, and R denies this claim owing to the fact that R is an atheist or belongs to a non-theistic religion that understood the miracle differentially, and then H could not prove that the miracle claim is descriptive unless H could indicate that the claim could be provable, e.g. as a scientific claim, thus a theocratic legal system could not be infused with the claim unless the claim to be provable.
- Last but not least, it seems very odd that opponents of the argument and theocrats are catching sight of the outcome of sciences and philosophy, and then they persuade legal language, e.g. a theocratic legal system, to be filled with the outcomes and suddenly label them as the religious ones.

The Theocratic Revisionary Law Objection: One may think that it is true religious language is not “*descriptive*”, although it has to include “*descriptiveness*”,<sup>86</sup> one indeed claims in favor of revisionary religious language, and so if the religious language does not include a descriptive requirement of legal language in a non-revisionary aspect, we have to prepare this requirement to religious language and then it could satisfy the requirement of legal language in a theocracy.

- The first reply to this objection is that one only disguises the non-revisionary aspect of religious language as the revisionary, it means that one would conceal that the religious language is not descriptive in favor of a theocratic legal system.
- The writer is very doubtful that this theocratic legal system could be appropriate functionally and normatively. Imagine it is appropriate, there is a criticism that if those lawmakers, legislators, and politicians compromise this aspect of theocratic legal language, there will arise the criticism to confirm that they only would exploit loopholes and/or manipulate advantages.

The Theocratic Naturalist Law Objection: Some legal naturalists believe that legal language is not normative and we have to replace the normativity of legal language with

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<sup>85</sup> For this view see: (Kant, 2001, p. 126), (Webb, 2017), (Katz, 2020), (Moser & Meister, 2020), (James, 1902), (Gellman, 2018), (Stace, 1961), non-philosophical (Runehov, 2008), (Lancaster, 2000).

<sup>86</sup> For this view see: (Scott, 2017).

its “*empirical*” approach,<sup>87</sup> thus this replacement will defeat the *Legal Stammer Argument*.

- First of all, the *Legal Stammer Argument* mainly is on the descriptive requirement of legal language, and there are extremely few legal philosophers who deny this approach.<sup>88</sup>
- Also, another reply in favor of the argument would be that legal language is descriptive because it may include empirical sciences.<sup>89</sup>
- Besides that, there are only a few philosophers who defy normativity of law and/or legal language,<sup>90</sup> and so the writer presupposes that if T applies legal language to claim that G shall obey  $\Phi$  or refrain from  $\Phi$ , it means G normatively shall obey or refrain from  $\Phi$ ,<sup>91</sup> and it is in favor of secular and non-theocratic (democratic) law.
- The last reply is that the *Legal Stammer Argument* also proves that legal language shall be normative solitarily.

The Theocratic Scientific Law Objection: One may believe that her religious beliefs include descriptive claims that come from knowledge e.g. natural sciences, and/or it is similar or identical with knowledge that there are some descriptive claims in a religious scripture, and/or they are placed among other religious claims as religious language, therefore those religious claims could be as the content of legal language,<sup>92</sup> for instance, imagine one claims that H<sub>2</sub>O is the chemical formula of water and it comes from a religious scripture, and then it could target the *Legal Stammer Argument*.

- The first strict reply is denying this objection as a proposal fundamentally that means those religious claims couldn't be public reasons of public justification to a political authority of a theocracy,<sup>93</sup> although it is beyond the task of this chapter, one could study this argument in favor of non-theocratic (democratic) authority and government and as an objection in disfavor of theocratic authority and government in another chapter "*COVID-19 Proves Theocracy Is False*".

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<sup>87</sup> For a similar view see: (Leiter & Etchemendy, 2021).

<sup>88</sup> For a similar view see: (Kramer, 2007, p. 75).

<sup>89</sup> For similar views see: (Kramer, 2007, p. 76), (Finlay & Plunkett, 2018, pp. 50-1,66).

<sup>90</sup> For similar views see: (Endicott, 2022), (Carston, 2013, p. 19).

<sup>91</sup> For a similar view see: (Greenawalt, 1992, p. 174).

<sup>92</sup> For a similar view see: (Macintyre, 1990, pp. 14,149).

<sup>93</sup> For a similar view see: (Dane, 2018, p. 131).

- Another reply could be doubtfulness on the descriptiveness of H<sub>2</sub>O is water,<sup>94</sup> but once more, it is not the writer's responsibility here to think of the philosophy of chemistry, besides that, the writer deplors relegating descriptiveness of scientific language in favor of religious language's upgrading amply esp. a theocratic legal language.
- The stimulating reply is that knowledgeable language viz. formal scientific language, natural scientific language, or moral language do not include religious language in favor of the argument. The first part of this reply in favor of the argument is that imagine if a religious scripture includes this phrase that H<sub>2</sub>O is water, although this claim remains a scientific claim in the religious scripture and they will remain separated claims on two sorts of claims: A. Religious claims e.g. monotheism, divine attributes, heaven and hell in the scripture, B. And scientific claim e.g. chemical formula of water in the scripture, because one could conduct an experiment on the H<sub>2</sub>O is water claim and share the outcome of this investigation, though, one could not test a religious claim such as a claim about heaven and hell and share the outcome of it. Second, the *Legal Stammer Argument* corroborates non-descriptiveness of religious language and descriptive requirement of legal language. Additionally, the religious claim is only an otherworldly claim and the scientific claim is simply a thisworldly claim, thus this objection could not give theocrats the edge.
- One may cleverly add to the objection that the formula of water in another world is something else and it is mentioned in the scripture in favor of a theocratic legal language, thereafter it proclaims descriptiveness of religious claim, however, one has forgotten that this example<sup>95</sup> is on another earth in this world that it is not only an accessible formula to test with people of another earth and they could share the experiment's outcome with the people, but also they could share the outcome with people of our earth if they have a method to pass information.

The Multidimensional Theocratic Law Objection: Imagine a series of acts that are forbidden by a theocratic common law e.g. there is a statute prohibits drunk driving, and it proscribes as follows: Every driver while the driver is driving a car or vehicle shall be fully conscience which means drinking alcoholic beverages and/or taking the drug is banned since declaring of this law, and on condition that the driver is involved in an accident and/or other torts and/or crimes, the driver will be fully and legally responsible, though, if police arrest the driver, the driver will receive punishment by a court due to divine law and/or theocratic law. So, the law has both secular and theocratic dimensions.<sup>96</sup>

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<sup>94</sup> For a similar view see: (Weisberg, 2006), differential view (Hendry, 2011, p. 293).

<sup>95</sup> For this view see: (Putnam, 1973).

<sup>96</sup> For a similar view see: (Backer, 2009, p. 118).

- The first reply of the writer to this objection is that there is no descriptiveness of religious language as legal language, thus this theocratic legal language will struggle with a lack of legal descriptiveness in the *Legal Stammer Argument*.
- The second reply to another version of the objection in which one may claim the theocratic law has a religious dimension, but it is only as symbolic and/or artificial and/or fictional, though, the writer would reply this interpretation of the law will break the law since we need the descriptiveness of the law, and it has to be not only on the drunk driving banning but also on the punishment.
- This objection also produces another problem, this non-descriptiveness of the theocratic law will violate the descriptive dimension of the law, due to the fact that it wastes the function of the law which means the rightfulness of the prohibition of drunk driving will be infringed by the criminal legal dimension of the law. It will be violated when the driver claims: I will not obey the law since I am not a religious citizen and/or I disagree with this interpretation of this religious law and/or theocratic law, I only follow the secular legal authority since the *Legal Stammer Argument* and other secular arguments in favor of secular law inclines the requirement of legal descriptiveness. In this case, the theocratic law does not have legal authority.

The Theocratic Non-Dissolution Law Objection: One may claim if the *Legal Stammer Argument* is true, there could not be a real theocratic legal system since this theocracy would disappear under this non-descriptiveness, but we confirm there could be some real theocratic legal system.<sup>97</sup>

- One reply is that if it is true the legal system is on social rules or facts to prepare legal authority,<sup>98</sup> then there could be non-legal social rules without legal authority that fulfil this corresponding authority and obligation of a theocracy e.g. a rich culture could fulfil partially corresponding obligations.
- Second of all, it is also true that those non-legal authorities and obligations could not fulfil all of those norms, and so those theocratic legal systems will face dissolution gradually.
- Also, we need to keep this thought in mind that some theocratic legal system could fulfil their norms as long as the corresponding country is a micronation and/or they do not need a legal system at all.

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<sup>97</sup> For a similar non-philosophical view see: (Nasr, 2002, p. 58).

<sup>98</sup> For a similar view see: (Renzo & Green, 2022).

The Partial Theocratic Law Objection: It is feasible that a theocracy does not fully make theocratic law, but it introduces theocratic law partially, and it could be a defeater to the argument.<sup>99</sup>

- It is necessary to remember that the related theocratic legal system will be full of inconsistencies and malfunctions.
- This theocratic law-making will create tremendous conflicts of desiderata and norms of the law, it is equal to having a legal obligation in favor of a secular statute and in disfavor of a related theocratic statute at the same time, and there is no doubt that it bars one sort of the two groups of law.

The Theocratic Legal Content Objection: One may argue the content of theocratic laws remains fully secular, and its form shall be theocratic,<sup>100</sup> this view may insist on the normative force of a religious language as theocratic legal language.

- The first reply of the writer is that principally religious belief and practice are neutral and/or non-normative and/or non-valued otherworldly concepts and entities,<sup>101</sup> and so one could refuse this theocratic objection.
- If they have some normative forces they are second-order, and so they are inherently non-normative to be in disfavor of theocratic legal language.
- Another reply is that the religious normative force of theocratic statutory or constitutional provisions could contract with secular contents.
- The last reply is that the normative force of secular legal language is principally more enforced compared with the theocratic legal language, this is because it selects directly authoritative normativity of the secular legal language. Although, authoritative normativity of theocratic legal language is authoritative since authority of the corresponding laws depends on the authority of religious language and religions.

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<sup>99</sup> For a similar non-philosophical view see: (Nasr, 2002, pp. 121-2).

<sup>100</sup> For a similar view see: (Ahdar R. J., 1998, p. 454).

<sup>101</sup> For dissimilar views see: (Swaine L. , 2010, p. 83), (Eberle C. J., 2006, p. 204), differential view (Greene, 2015, pp. 74-5).

The Nomocratic Law Objection: Another objection would incline to this idea that we ought to denounce theocracy, but we need to confirm divine law or secular law via divine law.<sup>102</sup>

- The writer thinks this objection struggles not only with the *Legal Stammer Argument* but also is involved in the *COVID-19 Sample Argument* and the argument of the next chapter, hence it requires the religious authority to be a political authority.
- Also, the writer ought to mention that some of those proponents' interpretations of theocracy and/or divine law indicate they could understand primary and basic elements of neither political philosophy i.e. political authority or political legitimacy, nor the philosophy of law e.g. legal language or legal interpretation.<sup>103</sup>

The Non-Linguistic Theocratic Law Objection: One may object the *Legal Stammer Argument* is linguistically hollow words which means one may insist it includes only linguistic properties, but the writer has to extend the argument through non-linguistic concepts and entities in favor of the argument.<sup>104</sup>

- The first reply of the writer is a revision of the argument: The first premise is that legal language shall be descriptive (as predicates of moral standards, natural sciences, etc.), and the second premise is that religious language is not descriptive, thus religious language could not be legal language. It amends for this mistake that the argument extends to other non-linguistic concepts and entities.
- The second reply of the writer is a revision of the examples of the argument: Imagine if a hot room is full of people, and the only way to escape from the hot is that one has to open the window, and a person requires someone else to open the window, and reasonably one would open it and vice versa, and thus this is a descriptive sentence since there is a relation between an empirical claim about the hot room and a justified belief and action about the necessity of openness of the window in favor the argument. Although, if a Mazdayasna believer claims to a Buddhist believer: Believe Ahura Mazada if you want salvation, the Buddhist could reply to the Mazdayasna believer: Believe Nirvana if you want salvation, and it seems that none of them will be an apostate for their religions because of differential religious claims, and it means that once more religious language is non-descriptive in favor of the argument due to the fact that there is no relation between differential religions and their beliefs about salvation.

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<sup>102</sup> For non-philosophical examples of this view see: (Nasr, 1967, pp. 32-3), (Nasr, 2000, p. 100), (March, 2009, p. 417), (Qutb, 2006, p. 68), (Backer, 2009, p. 110), (Oppermann, 2006, p. 67).

<sup>103</sup> For a similar view see: (Ellul, 1960, p. 75).

<sup>104</sup> For similar views see: (Binder, 2010, p. 269), (Solum, 2010, p. 480), (Modak-Truran, 2007b, p. 194).

The Theocratic Merits Law Objection: One would argue that weaknesses of the philosophy of law e.g. “*indeterminacy of law*” and the disparity between the philosophy of law and the “*practice of law*” inclines to rethink the relation of “*religion and law*”,<sup>105</sup> and it could be in favor of theocracy.

- First of all, the argument indicates religious language principally could not enroll as a legal language, and the weaknesses of the philosophy of law could not be a pretext for a resurgence of religious language as a legal language. If there is such a language there will remain no law or would be quasi-law that the writer names this quasi-law as the *Legal Stammer Argument*.<sup>106</sup>
- Also, the writer believes it is a deplorable objection against the argument since it is similar with out of the frying pan in a fire. The argument enforces this thought that descriptiveness of legal language is necessary,<sup>107</sup> and it seems it is beyond dispute, so one could not mandate non-descriptiveness of religious language to conceal other problems of the philosophy of law or legal language, and this fault leads to the loss of the most significant part of legal language that is descriptiveness.
- Significantly, there is no causal relation between legal language and ontology or epistemology of law,<sup>108</sup> which means it is possible to preserve the descriptive property of legal language in favor of the argument, but it is also possible to suspend judgment on metaphysical theories of law e.g. legal interpretivism or legal positivism, be agnostic on metaphysical/epistemic legal objectivity, etc.<sup>109</sup>
- It is also irrational to assemble thisworldly and otherworldly worldviews as religions,<sup>110</sup> it is not only due to the fact that secularity has to be “*neutral*” toward religions and we need to distinguish between different secularities and their differential interpretation,<sup>111</sup> but also thisworldly worldviews could be irreligious or antireligious worldviews,<sup>112</sup> moreover, there are two other notes it seems very odd

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<sup>105</sup> For this view see: (Modak-Truran, 2007b), (Modak-Truran, 2004).

<sup>106</sup> For a similar view see: (Sibley, 1984, p. 60).

<sup>107</sup> For a dissimilar view see: (Modak-Truran, 2007b, pp. 165-6).

<sup>108</sup> For a dissimilar view see: (Modak-Truran, 2007b, p. 206).

<sup>109</sup> For similar views see: (Coleman, 1995, p. 60), (Greenawalt, 1992, pp. 233-4), (Leiter, 2001, p. 3), (Postema, 2001, pp. 127-8).

<sup>110</sup> For a dissimilar view see: (Modak-Truran, 2007b, pp. 182,220).

<sup>111</sup> For this view see: (Maclure & Taylor, 2011), (Ahdar R. J., 1998, p. 472).

<sup>112</sup> For a similar view see: (Winch, 1997, pp. 108-9), differential view (Harrison, 2018, p. 79), (Dworkin, 2013, pp. 1,10).

that to recognize political or economic theories as religions,<sup>113</sup> also the argument proves otherworldly views and beliefs do not include a relation to justification and this lead to do not include the descriptiveness or semantic objectivity of law.<sup>114</sup>

The Strictly Enforceable Theocratic Law Objection: A believer and/or theocrat may confirm the *Legal Stammer Argument*, one may also maintain this theocratic law leads to quasi-law or an utterly situated legal stammer in a system of law of theocracy, though, one may have been enforced to obey the religious law.<sup>115</sup>

- First of all, the writer has shown the *Legal Stammer Argument* primarily indicates if a system of law shall be descriptive, it shall exclude religious language, so, it does not matter whether one is enforced to invoke a religious law or not.
- Second of all, no legal system is entitled to contravene jus cogens from the international law perspective,<sup>116</sup> and this shows moral standards are prior to religious and/or theocratic laws, and it is not vice versa.<sup>117</sup> Also, if a theocracy persecutes its citizens immorally and unreasonably, there is no doubt that international law shall respond to the theocracy gravely and practically, not only because they have a serious moral obligation to respond to those persecutions of the theocracy, but also because the theocracy may violates the international law standards, for example, it could violate fundamental rights of foreigners and citizens of other countries and/or circumscribe the rights of them.
- Also, there is no doubt that one could not ascertain a religion that could cover all aspects of an inclusive legal system since the religion has to extend beyond its domain and become a descriptive language as the *Legal Stammer Argument*, and it shall include all of the required true contents of the legal system.

The Theocratic Ethical Law Objection: Another objection is based on some religious ethics would prepare the ultimate aim of a system of law,<sup>118</sup> and so this ultimate desideratum could target secular law and its descriptiveness and be in favor of a theocracy.

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<sup>113</sup> For a similar view see: (Nielsen, 2010, p. 524).

<sup>114</sup> For a dissimilar view see: (Modak-Truran, 2007b).

<sup>115</sup> For this view see: (Nasr, 1967, pp. 12,26-34), (Nasr, 2000, pp. 85-113), (Swaine L. A., 2003, p. 94), (Sajó, 2010, p. 127).

<sup>116</sup> For this view see: (Tasioulas & Verdirame, 2022).

<sup>117</sup> For a dissimilar view see: (Backer, 2009, pp. 115-6).

<sup>118</sup> For this view see: (Stumpf, 1953, pp. 909-10), similar view (Eberle C. J., 2006, pp. 206-8).



- First of all, religious ethics as an ultimate aim of a theocratic legal system shall include descriptiveness as the argument.
- Also, if one labels religious ethics as an ultimate aim of a system of theocratic law, it needs to provide the required functions of a secular law, and then it is enforced to transfer to a secular law and not transfer to theocratic law.
- Moreover, there are serious competitors i.e. Kantian Ethics, Rule Consequentialism, or Golden Rule that have prevailed in this nomination for a secular law compared with religious ethics for theocratic law.

The Theocratic Discrepancy Law Objection: One may argue in favor of theocratic law that is based on the inherent discrepancy between theocratic and secular law normatively.<sup>119</sup>

- The writer cautions this objection could be similar to The Uninterested Theocrats Objection of the first chapter since one may shrug the *Legal Stammer Argument* off. The main character of the argument includes both moral and non-moral aspects of descriptiveness, thus one could not object to the argument based on the valued aspect of it solely.
- What's more, the argument's moral aspect targets this objection, there is a lack of moral descriptiveness of theocratic law as the writer presents the first example of the argument.

The Theocratic Legal Gag Objection: Another objection would be that a theocracy may be inclined to muzzle some constitutions, provisions, and statutes, it is because of their functions and features in the theocracy, and the theocracy has shrunk the responsibility of its law.<sup>120</sup>

- Don't forget that the *Legal Stammer Argument* indicates those silent laws remain poisonous.
- Moreover, those theocratic laws have been enacted to pretend the normal operation of the legal system, and if they pass this abnormal operation then those theocratic laws reinforce malfunction to conceal the gap.<sup>121</sup>
- Also, the argument shows how theocratic legal system gets involved in quasi-laws.

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<sup>119</sup> For this view see: (Backer, 2009, pp. 122-4).

<sup>120</sup> For a similar view see: (Hirschl, 2010, p. 13).

<sup>121</sup> For a similar view see: (Hirschl, 2010a, p. 13).

## Chapter 3

### *Be a Good Person, Not That Theocratic Way*<sup>122</sup>

#### **Objections against Theological Voluntarism**

To begin with, the writer concurs with objections against theological voluntarism, but let's presuppose divine command theory (hereafter: DCT) is true, also the writer has chosen DCT as a version of theological voluntarism and knows the other types of theological voluntarism as replaceable with DCT for the writer's purpose.<sup>123</sup>

#### **Inapplicability Problem Argument**

There could be a relation between DCT and political authority,<sup>124</sup> and the writer would argue that precisely DCT in Theocracy (hereafter: DCTT)<sup>125</sup> is not only suffering from the main mistakes of DCT in the “*individual*” moral sense, but also DCTT violates another mainstream that is the *Inapplicability Problem Argument* (hereafter: *IPA*), thus this argument is in favor of secular ethics in the public spheres and the writer advocates secular ethics for democratic governments firmly.

#### **A. The Argument: It is the *IPA*:**

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<sup>122</sup> The writer's footnote: The writer has written this chapter and the argument as a Ph.D. semester requirement in spring 2021. The thought of the argument came to the writer's mind from a real example and its available explanation, the writer has striven to find the main problem of the example, and then has exhausted to know the whole of causes and properties of it as will be mentioned in this chapter, also the writer wrote on some aspects of this chapter in some non-academic writings.

<sup>123</sup> For theological voluntarism see: **A.** Views (Murphy M. , 2019a), (Jordan, 2013), (Murphy C. M., 1998), **B.** Objection (Murphy M. , 2019a), 1. The Arbitrariness Objection (Idziak, 2005, p. 297), (Idziak, 2010, p. 586), (Boyd & VanArragon, 2004a, p. 301), (Jeffrey, 2019, pp. 18-9), 2. The Euthyphro Dilemma Problem (Koons, 2012, pp. 183-93), (Austin M. W., 2023), 3. The Moral Obligation Objection (Wielenberg, 2022), (Wielenberg, 2005, pp. 53-67), political obligation (Dagger & Lefkowitz , 2021), 4. The Omnipotence Objection (Austin M. W., 2023), 5. The Omnibenevolence Objection (Austin M. W., 2023), 6. The Autonomy Objection (Austin M. W., 2023), (Jeffrey, 2019, pp. 15-6), 7. The Pluralism Objection (Austin M. W., 2023), The Deciphering Problem (Boyd & VanArragon, 2004a, p. 302), 8. The No Source Objection (Nielsen, 2005, pp. 213-20), (Jeffrey, 2019, pp. 10-11), (Austin M. W., 2023), 9. The Cudworthy Objection (Jeffrey, 2019, pp. 16-7), 10. The Secular Contractualist Objection (Jeffrey, 2019, pp. 24-5), 11. The Psychopathy Objection (Wielenberg, 2018), 12. The Counterexample Objection (Metz, 2021), (Metz, 2019, pp. 25-6), (Metz, 2020), The Humanist Problem (Wielenberg, 2005, p. 34), reply (Metz, 2019, p. 26), The Meaningless Reply (Wielenberg, 2005, p. 152), response to reply (Wielenberg, 2005, pp. 152-60).

<sup>124</sup> For this view see: (Dagger & Lefkowitz , 2021), (Audi, 2001, pp. 212-3).

<sup>125</sup> For theocratic morality see: **A.** DCT and theocracy (Swaine L. , 2007, p. 571), (Swaine L. , 2011, p. 4), (Swaine L. , 2006, p. 125), (March, 2011, p. 34), **B.** Divine government: 1. Kant's view (Kant, 2001, pp. 132-40), (Palmquist S. , 1994), (Palmquist S. R., 2017), (Hare J. E., 2002, pp. 264-5), (Wood, 1970, pp. 191-2), 2. Aquinas' view (Finnis, 2021), **C.** DCT and government (Audi, 2001, p. 210), (Stone, 2019), (Wolterstorff, 2008, pp. 271,278).

The core idea of the argument is that DCTT and theocracy have the same religious and theocratic authority and this same authority to morality and politics eradicates morality in public spheres since the nonfunction of DCTT leads to skepticism, dysfunction, inaccuracy, and inconsistency about morality.

Let the writer formalizes three presuppositions of *IPA* via borrowing some symbols:

Z  $\equiv$  A theocracy that spins DCTT,

Ys  $\equiv$  Citizens of Z,

$\Phi$   $\equiv$  Participate in DCTT,

$\Psi$   $\equiv$  Believe in DCTT,

A  $\equiv$  Assumption,

A.  $\equiv$  The first presupposition,

B.  $\equiv$  The second presupposition,

C.  $\equiv$  The third presupposition.

1. DCTT (A., B., C.)
2. Z spins DCTT (A., B., C.)
3. Ys  $\Phi$ -ing in DCTT (A., B., C.)
4. A: If Ys  $\Phi$ -ing in DCTT  $\vdash \neg \square$  Ys  $\Psi$ -ing in DCTT (A.)
5. Ys  $\Psi$ -ing in DCTT (B., C.)
6. Ys  $\Phi$ -ing in DCTT & Ys  $\Psi$ -ing in DCTT (B., C.)
7. A:  $\neg$  (if  $\diamond$  Ys  $\Psi$ -ing in DCTT &  $\diamond$  Ys does not  $\Phi$ -ing in DCTT) (B.)
8. A: *IPA*  $\notin$  political values & *IPA*  $\in$  moral values in public spheres (C.)
9. If Ys  $\Phi$ -ing in DCTT & Ys  $\Psi$ -ing in DCTT, even though Z struggles in *IPA*. (C.)

- The first condition is that if Z strongly and successfully enrolls DCTT, then it appears that Ys will be grateful for Z, and in this case, no one will claim that C. is true. However, it is possible Z does not and/or could not fulfil A. & B. strongly and successfully because there could be many explanations for this presupposition e.g. pointless functions or bad politicians, etc., then it seems that C. will be presented. Consequently, Ys could be doubtful whether they have to do A. & B. or not. It is due to the fact that Ys believes if Ys do  $\Phi$ -ing and  $\Psi$ -ing, and *IPA* arises, then C. will be detrimental to DCT. Ys may think it would be better if Ys placed and drew DCT individually. In other words:

1. If Z has done DCT in an effective and grateful way functionally,
2. Ys also thinks of DCTT as effectively and gratefully,
3. However, If Z vitiates DCT functionally,
4. Ys also do not think of DCTT as an effectively and gratefully,
5. Therefore, Ys would be doubtful whether they have to do these presuppositions of A. & B. or not, and this skepticism targets morality,
6. It is owing to the fact that if Ys do  $\Phi$ -ing &  $\Psi$ -ing, and *IPA* arises, then it will be pernicious to DCT and morality,

7. It is possible that Ys mull DCT over as an individual moral doctrine and Ys may contemplate replacing DCTT.
- The second condition would be that Ys mull over another DCTT has to be applied to avoid *IPA*. Although, the reply of this solution is what if the new DCTT transfers to *IPA* as mentioned before, or what would be if one questions why we need to enforce DCT to DCTT when we know we may face *IPA*, and one may also add this will waste DCT unnecessarily.
    1. If Ys do  $\Phi$ -ing &  $\Psi$ -ing, & C arises *IPA*, and then it will be pernicious to DCT and morality,
    2. Then, it is possible that Ys do  $\Phi$ -ing &  $\Psi$ -ing, but Ys do it with another DCTT,
    3. But, it is also possible that another DCTT leads to another *IPA*,
    4. Or one requires if there is a feasibility of another *IPA* & this feasibility dissipates DCT, then one asks whether it is necessary to do it.
  - The next condition is that imagine Ys ignorantly choose misguided DCT and after a while, they come up with this idea that they have to select another DCT or third DCT, etc., and apply it in DCTT. Once more, they wasted DCT and morality, since, they expanded the wrongful DCT to DCTT publically.
    1. If Ys select inaccurate DCT & then Ys need to select another DCT as DCTT,
    2. It dissipates DCT and morality because Ys did inaccurate  $\Phi$ -ing and inaccurate  $\Psi$ -ing in Z.
  - The last condition is that imagine Ys follow the true DCT, but they have applied the wrongful DCTT. Undeniably, they will be struggling with inconsistency and wasting DCT as DCTT.
    1. If Ys select accurate DCT,
    2. However, Ys choose misleading DCTT,
    3. There will be a contradiction & this contradiction dissipates DCT and morality.

There could be myriad examples of *IPA*, an example would be that Z proclaims if Ys offer and take bribes, it will be a crime since it is a command by God that do not break this command and statute, and so Z declares this law, and Ys shall obey this statute. However, as the first condition what if Z does not and/or could not reach this statute and DCTT functionally, we know that this condition leads to doubt  $\Phi$ -ing &  $\Psi$ -ing and it could be detrimental to DCT and morality because of the doubtfulness of this DCTT. In addition, as a second condition, if Z enacts another DCTT of the bribe and/or enacts another DCTT, it is feasible that it gets to be another *IPA*, and this also means that DCTT and the bribe as DCTT are not necessary because of *IPA*. As a next condition, what if Z proposes a misguided DCT and/or misguided DCT of the bribe, this may point that Z needs to declare another DCT and/or another DCT of the bribe, and these acts of Z to change DCT will dissipate DCT owing to inaccurate  $\Phi$ -ing & inaccurate  $\Psi$ -ing. The last condition is that there would be a gap between DCT of the bribe and DCTT of the bribe, and this gap will prepare an inconsistency, and the inconsistency will dissipate DCT and morality.

**B. The Objections:** There could be some potential objections against the argument:

The Theocratic Perfectionist Objection: The first objection would be that *IPA* could arise in disfavor of all or most other normative ethical theories and it is not only on DCT, said differently, *IPA* could be in disfavor of perfectionism and in favor of neutralism, and this could target *IPA*.

- First of all, this chapter is neither on other normative ethical theories, nor it is on perfectionism and neutralism, and this chapter is only on *IPA* against DCTT.
- Second of all, set aside the first reply, it is clear that DCTT will be detrimental to DCT in the four conditions because DCT is identical or has overlapped with DCTT, and Ys know that DCTT is enormously same as DCT, and they will be incredulous to commands of God, and the argument indicates this will dissipate the whole of morality and will eradicate it.

The Differential Theocratic Theological Volouterism Objection: The other objection toward *IPA* could be this thought that the writer has chosen the wrong version of theological volouterism, and if the writer chooses the true version of theological volouterism the other versions could apply as DCTT, and then DCTT remains a defensible version toward *IPA* in a theocracy.

- The first reply to this objection is that as mentioned before *IPA* is neither on the falsehood of DCT nor it is on the falsehood of religious beliefs.
- Second of all, the writer propounds the idea that DCT is true, and other versions of theological voluntourism have the same truthful value, so if one sets the other versions there is no doubt DCTT and *IPA* will remain neutral toward the other versions.

The Theocratic Non-Religious Ethical Objection: One may insist that secular ethical theories could be better candidates for a theocracy and/or toward a God,<sup>126</sup> and this will waste *IPA*.

- The first reply of the writer is that as the writer mentioned before *IPA* is in disfavor of religious ethics or a version of theological voluntourism, e.g. DCT, in a theocracy, and it is in favor of secular ethics in secular governments, thus it is not against secular ethical theories.

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<sup>126</sup> For this view see: (Kant, 1999b), (Kant, 1999d), (Kant, 1999a), (Kant, 2001).

- Another note is that if one singles a secular normative theory out for God, then one labels it as religious ethics,<sup>127</sup> it seems that one only articulates a secular ethical theory to God, and if the content of that theory remains non-religious, one only labels secular ethics as religious ethics e.g. in favor of a theocracy.
- The third reply is based on the pivotal part of *IPA*, once more, *IPA* is on DCTT, and it is not on DCT wholly, hence if a religious ethical theory is similar to DCT, that theory will play the same properties of DCTT toward *IPA*.

The Theocratic Expediency Objection: The real and practical aim of the morality of theocracies is its tendency, strategy, and willingness to practical expediency of preservation of the theocracies,<sup>128</sup> and if it is an ultimate aim of theocracies it seems *IPA* is not an argument against theocracies .

- First of all, this expediency is not a moral theory since all inhumane beliefs and actions could be used as a pretext in favor of theocracy and theocrats practically i.e. massacre and genocide, torture and raping, murdering of children,<sup>129</sup> nuclear warfare and Armageddon, slavery and genetic engineering in favor of slavery and human extinction, and so forth.<sup>130</sup>
- In addition, the writer is very doubtful that a moral theory or theorist could defend this objection and aim in favor of a theocracy, since a moral theory could not refuse some moral standards i.e. moral universalizability and respect, although this objection eradicates these standards.
- Besides that, if an ethicist rejects the last reply and selects the objection, it is extremely strange that DCT could fit as DCTT as the expediency morally and religiously, otherwise, if one could find a religion that promotes DCT and DCTT as this expediency, there is no doubt that it could not be applied morally owing to the fact that you could not only delve a moral theory similar to the expediency in favor of a theocracy but also, arising of the expediency from a religion could be inconsistent with the normativity of morality which means religious laws of religion in favor of the expediency of a theocracy could contrast with some bases of morality.

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<sup>127</sup> For a similar view see: (Burnside, 2018, pp. 65-7).

<sup>128</sup> For a similar view see: (Swaine L. , 2003, pp. 375-6), differential view (Potz, 2020, p. 129), (Nasr, 2002, p. 164).

<sup>129</sup> For a similar non-philosophical view see: (Plastine, 1993, p. 141).

<sup>130</sup> For a similar non-philosophical view see: (Swaine L. , 2003, p. 375).

- Also, imagine Ys would follow the expediency of the theocracy, there could not be moral rules and principles and reasons in favor of it, since the outcome of the expediency means everything is possible as it tracks this expediency, and the citizens could not practice this expediency because of social and political chaos.
- What's more, it is extremely doubtful that rational and moral agents intend to follow the expediency of a theocracy.
- A pretext for expediency among proponents of theocracies is that they would design a moral system that includes moral norms and standards, but the final aim of this system is the expediency of a theocracy.<sup>131</sup> The writer believes the system will collapse as soon as this expediency of a theocracy runs it since the aforementioned replies indicate the expediency is false. Also, once more, there are inconsistencies in the system that could not be solved in favor of a theocracy.

The Theocratic Realist Objection: Another objection toward *IPA* could come from political realism. It is claimed that there is no necessary connection between politics and DCTT because of political realism, and so *IPA* will be rejected by this objection.

- The first reply is that all versions of political realism suffer from this objection that they target the heart of political values e.g. freedom or rights etc.,<sup>132</sup> and this position leads to this note that DCTT loses its connection to those political values, and there would be a gap between them against a theocracy.
- Another reply is based on a counterfactual view,<sup>133</sup> it is very doubtful this position could be counterfactually applicable to DCTT, as a result, if it could not be applicable it could not refuse *IPA*.

The Theocratic Anarchist Objection: The next objection is that we have to extend DCT to include all interpretations of possible normative moral theories in favor of a DCTT and theocracy anarchically, thus if DCT could embrace all of the secular moral theories it will preclude *IPA*.

- The first reply is that we have assumed DCT is true, so other secular normative moral theories are false, as an outcome, we could not presume this objection for a theocracy.

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<sup>131</sup> For a dissimilar non-philosophical view see: (Nasr, 2002, p. 254).

<sup>132</sup> For similar views see: (Korab-Karpowicz, 2023), (Moseley, 2024).

<sup>133</sup> For similar views see: (Moseley, 2024).

- Another reply is that if we could assume DCT encompasses the other secular normative theories, and there are possible interpretations of DCT as a secular normative theory, it seems that it is doubtful whether DCT is not DCT in this objection in favor of a theocracy.
- The next reply is that *IPA* is not on the other secular normative theories and DCT, even though, it is on DCTT, and reasonably those other interpretations have the same evaluation.

The Theocratic Anti-Theory Objection: Another antipathy to *IPA* is this radical view all normative moral theories have the same epistemic value, and philosophers have called this position anti-theory, and this position leads us to recognize DCT and other normative moral theories have the same epistemic value and/or they are pointless, so this view will be in favor of a theocracy.

- There could be vis-à-vis the first reply to the last objection, we presume DCT is true and other normative moral theories are false which means anti-theory is also false for a theocracy.
- Second of all, once more, *IPA* is on DCTT and it is not on DCT and/or other normative moral theories, hence we could not assume anti-theory since it assumes there is no true normative moral theory at all in favor of a theocracy.

The Theocratic Relativist Objection: This objection claims if moral relativism is true, *IPA* is false and it is owing to the fact that all morality gets involved in relativism, thus it is beyond dispute DCT, DCTT, and *IPA* are out of concern.

- The first reply of the writer is repetitive that we assume DCT is true for a DCTT and theocracy, and then moral relativism is false.
- If one assembles metaethical relativism and DCT, the writer thinks it leads to an arbitrary interpretation of DCT and DCTT, the main reason is that if moral norms and values are relativist, DCT is not only in degree relativist, but also it adds another argument in favor of *IPA* that commands of God metaethically are relativist which means it could not determine true moral norms and values and/or there are no moral norms and values, though, God does command moral beliefs and actions, and it is clear that those commands of moral beliefs and actions come from relativist view, and so they are relativist commands, altogether arbitrariness in DCTT and theocracy arise.



The Theocratic Identity Objection: The writer mentioned that DCTT and theocracy have the same basis identically in which both of them have a root in religious and theocratic authority, but if one could deny this same root one could also reject *IPA*.

- The first reply is that “*political institutions*” have a “*normative*” perspective primarily,<sup>134</sup> and one could not reject this underlying root in both of them, and one has to confirm main and basic root of DCTT and theocracy in public domains are their religious and theocratic authority normatively.
- Also, if one denies one of these religious and/or theocratic authority, undoubtedly this chapter will not be about that debate.
- Once more, if one replaces a secular ethical theory instead of DCT and/or DCTT, repeatedly this position would be outside of that situation since theocracy loses this sameness, and will retreat backward as a more secular position.

The Non-Theocratic Inhumane Feasibility Objection: One may agree that DCTT leads to *IPA*, but it is the only solution to prevent humankind from doing inhumane actions. It is because DCT is the only true moral theory and if one dismisses DCT those precious actions would arise,<sup>135</sup> and this view could support theocracy.

- First of all, the writer inherently disagrees with this idea that we have to reduce morality to DCT for a theocracy since it will unfairly dismiss many developed moral theories that have promoted valuable moral beliefs and actions i.e. Rule Consequentialism, Kantian Ethics, or Golden Rule.
- Also, if one compares DCT and its outcomes for a theocracy with Rule Consequentialism, Kantian Ethics, or Golden Rule and their outcomes, then it is clear that DCT will admit defeat to the other moral theories both practically and theoretically.
- Third, *IPA* presupposes that if DCT is true, DCTT dissolves DCT because of *IPA*.
- It is also untrue if one assumes other humankind fall down and become non-human if they do not ensue from DCT e.g. in a theocracy.

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<sup>134</sup> For this views see: (Searle, 1995, pp. 4,94,146-7), (Miller S. , 2019).

<sup>135</sup> For this view see: (Nasr, 2000, p. 110).

The Semi-Theocratic Moral Theory Objection: Another feasible objection to the argument explains a secular moral theory could be dubbed DCT,<sup>136</sup> thus DCTT is a secular moral theory in a theocracy. This objection only intends to name a secular moral theory as DCT and targets *IPA*.

- The writer guesses this movement of the objection scuttles down in a weaker position of DCTT and DCT, it is because of the powerfulness of secular moral theories in disfavor of a theocracy.
- Although one reasonably demands this position comes from a true interpretation of a secular moral theory in favor of DCTT, then one may also add that this interpretation has abided by the religious authority which leads to preventing *IPA*, even though, the writer thinks one has misunderstood the same religious and theocratic authority to morality and politics in a theocracy.
- Also, if those proponents could respond to the last reply, it seems they are only involved in a linguistic hobby in favor of a theocracy.

The Theocratic Meaningfulness Objection: Another opposition to *IPA* would be it is true that DCT leads to *IPA*, but if we reject DCT and DCTT, then life becomes meaningless and absurd since meaning in life hinges on God, and supernatural position is the only true theory on the meaning in life,<sup>137</sup> hence it could eradicate *IPA*.

- First of all, the objections against DCT target the heart of this objection in favor of a theocracy.
- Also, if one puts the objections against DCT aside, it seems strange one singles this objection out as a candidate instead of *IPA* since one has applied DCTT, and this position reasonably faces *IPA*, and then *IPA* indicates DCTT eradicates the whole of morality which means one ridiculously would choose DCT to prevent meaningless of life, but we are beaten by the significant portion of the meaning in life to earn the remaining portion.
- Third of all, if morality is the objective portion of the meaning in life, thus this portion has more valuable weight than the non-moral portion of the meaning in life, owing to the fact that the non-moral is subjective and/or constructive, hence *IPA* proves DCTT and DCT lose objective part of the meaning in life for theocrats.

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<sup>136</sup> For a similar view see: (Eberle C. J., 2006, p. 205).

<sup>137</sup> For similar views see: (Berman, 1993, p. 6), (Eberle C. J., 2004, p. 30), (Milbank, 2006, p. 327).

- Moreover, *IPA* is not only on individual morality as mentioned before many times, but also it has been on individual morality in public spheres, and DCTT dissipates in-depth portions of morality.

The Non-Theocratic Religious Establishment Objection: Another objection to *IPA* claims that DCT as a religious establishment could free DCTT from *IPA*.<sup>138</sup>

- To begin, there are some sorts of objections to the religious establishment,<sup>139</sup> it seems they could also target DCTT for a theocracy.
- It is hard to confirm that DCT in a theocracy is the same as DCT in a government with a religious establishment since the former is on DCTT and the latter is on DCT in a secular and non-theocratic (democratic) government with a religious establishment completely or partially.
- Once more, DCT in a government with a religious establishment could probably function as DCTT, hence it is true this application of DCT does not have theocratic authority similar to DCTT, even though this DCT has a religious authority in a secular and non-theocratic (democratic) government similar to DCTT, and so all of those four conditions could chase this DCT same as *IPA*.

The Theocratic Ethical Functions Objection: The writer has mentioned if Z successfully performs some functions of DCT as DCTT towards Ys in the first condition, it is possible Ys becomes grateful for DCTT, and this possibility could target *IPA*.

- First of all, the writer has referred that possibly C. arises, then it could squander DCT and morality in a theocracy.
- In addition, if one sets aside the first reply, and argues in favor of Z could fully perform some functions of DCT as DCTT towards Ys in the first condition, it seems the objections against DCT target the heart of the possibility of The Theocratic Ethical Functions Objection against the argument.
- It is not also even-handed to consider DCT to Z, it is owing to the fact that DCT could not be a moral theory for all of Ys since DCT and/or DCTT may exclude atheists and other non-believers in a theocracy.<sup>140</sup>

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<sup>138</sup> For a similar view see: (Sajó, 2008, pp. 606,622).

<sup>139</sup> For this view see: (Ahmed, 2022, p. 831), (Swaine, 2001, pp. 309-11).

<sup>140</sup> For this view see: (Wielenberg, 2005, pp. 61-7).

The Theocratic Natural Law Objection: There could be a similarity and/or relation between DCT and the natural law theory of Ethics,<sup>141</sup> and DCT may be recognized as the natural law theory which means requirements of DCT could overlap with the natural law theory and/or vice versa,<sup>142</sup> hence DCTT could be replaceable with the natural law theory in a theocracy.<sup>143</sup>

- The writer would ask whether the natural law theory could split the same religious and theocratic authority of Z and DCTT into two differential authorities or not. If the natural law theory could split this sameness into two differential authorities, *IPA* wouldn't target the natural law theory in a theocracy. Although, if the natural law theory could not break the same authority down, *IPA* could target the natural law theory and the natural law theory in a theocracy, and so the natural law theory in a theocracy will suffer from the same weaknesses, and once more, it is possible the natural law theory in a theocracy eradicate morality.
- What's more, it is true that the natural law theory is much more secular compared with DCT, but the former theory and all other feasible moral theories that incline to a divine teleology as an ultimate of morality have a fundamental potential to be recognized as DCT, and then *IPA* criticizes those theories as soon as they have been applied in a theocracy.
- We should not forget that the objections against DCT also attack the natural law theory same as DCT in a theocracy.

The Theocratic Veteran Politician Objection: Some would purport this idea theocratic politicians are truly different from other kinds of politicians since they confirm politics could be turpitude.<sup>144</sup> If this claim is true it seems DCTT could abandon *IPA* because DCTT does not include bad politicians and/or those bad politicians could pay off.

- There is no doubt that principally theocratic politicians could infringe basic human rights of Ys in favor of DCTT and theocracy.<sup>145</sup>

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<sup>141</sup> For this view see: (Murphy M. , 2019b), (Boyd & VanArragon, 2004a, p. 306), (Boyd & VanArragon, 2004b, p. 313).

<sup>142</sup> For similar views see: (Ellul, 1960, p. 68), (McCall, 2011, p. 124).

<sup>143</sup> For a similar view see: (Ellul, 1960, p. 73).

<sup>144</sup> For this view see: (Palmquist S. , 1993, pp. 67-8).

<sup>145</sup> For similar views see: (Perry, 2007, p. 124), (Sajó, 2008, p. 623).

- Also, the writer insists on this note that the religious claim in favor of theocratic politicians is neither on religious politicians nor irreligious politicians, even though, they are on this wordly role of religious politicians, hence reasonably an irreligious politician may promote a rational irreligious politics in favor of Ys and/or implement a complete moral doctrine.
- Here, it is not only an option to restate the replies to The Theocratic Ethical Functions Objection, but also one may doubt the feasibility of theocratic politics fundamentally which equals to the unreasonableness of theocratic politics, and theocrats may mishandle public issues since there could not be a possibility of an accomplished DCTT and theocratic politics because of *IPA*.

The Anti-Theocratic Theocrats Objection: Another objection toward *IPA* is that it is feasible theocrats admit both secular and non-theocratic (democratic) government and authority, but they may maintain their theocratic initiative and norms solitarily.<sup>146</sup>

- First of all, if theocrats rebuff both secular and non-theocratic (democratic) government and authority, this objection will not be in favor of this position.
- Also, noticeably they do not need local theocratic authority for their community, and so if they veto democratic authority, they need to respond to the replies of The Autonomous Theocratic Community Objection of the first chapter, and it seems they could not retort it.
- Imagine, a crowded theocratic community in a democracy admits the truthiness of the *Legal Stammer Argument* and the *COVID-19 Sample Argument*, even though, theocrats would propose DCT in a democracy as DCTT which means they intend to propose DCT in public spheres in a democracy.<sup>147</sup> The writer considers this situation as a continuation of *IPA*, this situation provides dissolution of the morality of theocrats since in this situation *IPA* is connected to the leaders of the theocrats and/or the societal morality of their community, and this perspective may menace the morality of democracy's citizens.
- One may respond to the last reply that it is also could be democrats who propose DCT in a democracy, and the writer thinks it is a misunderstanding, hence there is no same basis identically between democrats and DCT and democracy, though there is the same basis between theocrats and theocratic community, and this tempers with democracy.

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<sup>146</sup> For this view see: (Swaine L. , 2007, p. 571).

<sup>147</sup> For a similar non-philosophical view see: (Plastine, 1993, p. 141).

The Non-Theocratic New Traditionalist Objection: One may argue that *IPA* could not target new traditionalist views.

- First of all, there is no doubt that the *Legal Stammer Argument* and the *COVID-19 Sample Argument* strongly target new traditionalist views, it is because new traditionalism rejects the legitimacy of this wordly political authority of non-theocratic (democratic) governments.<sup>148</sup>
- Also, *IPA* defeats all versions of new traditionalism that would recommend DCTT.

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<sup>148</sup> For this view see: (Eberle & Cuneo, 2017).

## Chapter 4

### *The Slap Argument Inclines the Freedom of Religion*<sup>149</sup>

#### **Alternative Concepts of Freedom of Religion**

Different varieties of the alternative concepts of God have refused theistic “*distinction*” between “*God and the world*”,<sup>150</sup> the writer presents the *Slap Argument* (hereafter: *SA*) to indicate the standards of freedom of religion (hereafter: *SFR*) as an “*absolute freedom*” have not been affected by this rejection, and this admits theocracy wastes this striking feature of *SFR*.<sup>151</sup>

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<sup>149</sup> The writer's footnote: The writer has written this chapter and the argument as a Ph.D. semester requirement in spring 2021, also the writer has dedicated this chapter to Mehdi Aminrazavi (University of Mary Washington) who voluntarily recommends supervising this work as a Ph.D. dissertation, the writer is greatly thankful to him.

<sup>150</sup> For different and alternative concepts of God see: (Buckareff & Nagasawa, 2016), (Diller, 2021).

<sup>151</sup> For freedom of religion see: **A.** General (Ahdar & Leigh, 2013), (Nussbaum, 2008), (Sandel, 1996, pp. 65-7), (Blackford, 2012, pp. 198-9), (Cohen, 2015, p. 169), (Edge, 2006, p. 32), (Laycock, 1994, p. 885), (Laycock, 1990, p. 1006), (McConnell M. W., 1992, p. 129), (DeGirolami, 2013, pp. 15,25-6,34), (Flanders, Schwartzman, & Robinson, 2016, pp. xxi-xxiv), (Davis, 2008, pp. 2,44), (Paulsen, 2023, pp. 412,414), (Paulsen, 2013, p. 1161), (Paulsen, 2014, p. 1068), (Perry, 2009, p. 15), (Smith S. D., 2009, p. 1904), (Williams & Williams, 1991, p. 777), (Muñoz, 2016, pp. 378-9), (Nickel, 2005, pp. 956-9), (Boyce, 2009, p. 511), (Jefferson, 1914, p. 71), (Dunsford, 1964, p. 201), (Dworkin, 2013, p. 132), (Harrison, 2018), (Brettschneider, 2010, pp. 187-8), (McConnell M. W., 1990, pp. 1152-3), (Macedo, 2003, p. 85), standards (UN Human Rights, 2011), (Ahdar & Leigh, 2013, p. 126), (Audi, 2009, p. 158), (Audi, 1989, p. 262), principles (Swaine, 1996, pp. 600-5), (Ahdar & Leigh, 2013, p. 18), parts (Maclure & Taylor, 2011, p. 65), (Audi, 2000, p. 34), (Miller D., 2016, p. 450), (Wolterstorff, 2012, p. 298), (Perry, 2000, p. 308), (Dworkin, 2013, p. 108), (Stout, 2004, p. 63), institutional (Laycock, 1993), (Taylor P. M., 2005, p. xii), (Danchin, 2008, p. 471), (Greenawalt, 1988, p. 18), (Perry, 1997, pp. 13-20,32-8), (Vallier, 2014, p. 197), (Wolterstorff, 2012, p. 299), (Hurd, 2015, pp. 37-64), (Bradley, 1987, pp. 677-8), (Deagon, 2018, pp. 913-4), unique (Cohen, 2015, pp. 169,205-8), (Nickel, 2005, p. 958), **B.** Constraints (Sullivan W. F., 2005, p. 8), internal and external (Ahdar & Leigh, 2013, p. 127), absoluteness (Rawls, 2001, p. 104), (Rawls, 2000, p. 74), (Ahdar & Leigh, 2004, pp. 649-50), (Wolterstorff, 2012, p. 329), (Perry, 2000, p. 298), negative (Carter, 2019), positive and negative (Ahdar & Leigh, 2004, p. 650), (Ahdar & Leigh, 2013, p. 127), individual and subjective (Maclure & Taylor, 2011, pp. 81-4), (Scolnicov, 2011, pp. 36,202,211), (Dunsford, 1964, p. 204), religious establishment (McConnell M. W., 1991, p. 688), (Ahdar & Leigh, 2004, p. 637), (McConnell M. W., 2000, p. 29), (Adams & Emmerich, 1990, p. 37), (Casanova, 1994, p. 57), laicite (Gunn, 2004, pp. 502-3), (Augenstein, 2015, pp. 12-3), (Hunter-Henin, 2012, p. 635), exemption and accommodation (Laycock, 2006, p. 1839), (Corvino, 2017, pp. 32,65-6), (Boyce, 2009, pp. 520-38), (Perry, 1997, pp. 25-30), (Cohen, 2015, pp. 187-95), (McConnell M. W., 2000, pp. 20-1), (McConnell M. W., 1991, pp. 684,688-9,694,702,712), (Berg, 2014, pp. 174,177-9), (Moschella, 2017, pp. 145-6), (Schwartzman, 2014, pp. 1324-6), **C.** Problems: 1. Paradox (Brettschneider, 2010, p. 190), 2. Conflict of *SFR* with government/law (Horwitz, 1996, pp. 56-8), (Ahdar & Leigh, 2013, pp. 157-163), (Eberle C. J., 2004, p. 44), (Brettschneider, 2010), (Vallier, 2016), The Belief–Action Distinction Solution (Ahdar & Leigh, 2013, pp. 163-5), The Self-Regarding/Other-Regarding Action Distinction Solution (Ahdar & Leigh, 2013, pp. 165-6), The Religiously Motivated/Compelled Distinction Solution (Ahdar & Leigh, 2013, pp. 166-73), The Reasonable Limitation Approach Solution (Ahdar & Leigh, 2013, pp. 175-81), 3. *SFR* and other rights (Ahdar & Leigh, 2013, pp. 181-92), 4. The Secular-Religious Conflict (Laycock, 1994, p. 884), 5. Other problems (Jones, 1994, pp. 136-8), (Maclure & Taylor, 2011, pp. 62-104), (Horwitz, 1996, pp. 23-8), **D.** Arguments (Ahdar & Leigh, 2013,

## Slap Argument

The writer will undermine religion in the whole of our life through Kantian origin on “*this-worldly*” and “*otherworldly*” to show SFR as “*absolute*” freedom.<sup>152</sup> It is rational to mention that the status of freedom of religion in theocracy<sup>153</sup> is far away from SFR.<sup>154</sup>

### A. The Argument: It is the SA:

- The Slap on the Back: Imagine Niki is driving on a highway to reach a saint temple, there is a theurgy in the temple that is once in her lifetime, but there is also a volcanic eruption close to the temple. So local Police block the crossroads because of the eruption, and it is clear that no one could cross the crossroads, the police do not permit anyone to go there, though Niki prefer to be there and she is ready to face the danger, she does not think it is pulling a stunt, and believes if she does not

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p. 70), (Sandel, 2008, pp. 80-5), (Anderson & Girgis, 2017, pp. 129-30), (Guyer, 2018), (Smith S. D., 1991, pp. 161-5), (Garvey, 1986, pp. 792-7), (Nickel, 2005, pp. 961-4), (Scolnicov, 2011, pp. 35,37,40), (Cavanaugh, 2009, pp. 321-2), 1. The Civil Peace Argument (Locke, 2010), (Ahdar & Leigh, 2013, pp. 70-1), reply and response (Ahdar & Leigh, 2013, pp. 71-2), 2. The Intermediate Institutions Argument and its weakness (Ahdar & Leigh, 2013, pp. 72-4), 3. The Civic Virtue Argument and its weakness (Ahdar & Leigh, 2013, pp. 74-6), 4. The Personal Autonomy Argument (Ahdar & Leigh, 2013, pp. 76-8), (Sandel, 2008, pp. 82-4), reply and response (Ahdar & Leigh, 2013, pp. 78-83), 5. The Best Interest of Religion and State Argument (Sandel, 2008, pp. 80-1), 6. The Duty Argument (Wolterstorff, 2012, pp. 335,341,352), (McConnell M. W., 2000, pp. 28-30), 7. The Personhood Argument (Adams IV, 2000, pp. 41-2), 8. The Anti-Liberal Argument (Garvey, 1996, pp. 289-91), E. Relations: 1. Religious tolerance (Eberle E. J., 2005, pp. 303-4), (Mahoney, 2017, pp. 555-6), (Leiter, 2010, pp. 940-2), (Leiter, 2013, p. 68), (Quinn, 2005b, pp. 312-3), (Anderson & Girgis, 2017, p. 147), (McConnell M. W., 2013, p. 810), 2. Other freedoms (Nickel, 2005, pp. 944-50), (Perry, 2010, pp. 996,1007), freedom of conscience (Rawls, 1996, pp. 310-5), (Rawls, 1999, pp. 180-2,191), (Rawls, 2000, p. 65), (Schmidt & Bernnan, 2010, pp. 171-2), (Maclure & Taylor, 2011, p. 90), (Freeman S., 2020, p. 53), (Haworth, 1998, pp. 185-8), (Ahdar & Leigh, 2013, p. 78), (Sandel, 2008, pp. 85-6), (Eberle E. J., 2005, p. 292), (Swaine L., 2006, p. 49), (Durham Jr., 1992, p. 77), (Ahdar R., 2018), (Casanova, 1994, p. 40), freedom of association (Brownlee & Jenkins, 2019), freedom of speech (Ahdar & Leigh, 2013, pp. 427-70), (Corvino, 2017, p. 51), (Blackford, 2012, pp. 169-97), (Beckwith, 2022, p. 3), (Stout, 2004, p. 64), F. Applications (Perry, 1997, pp. 20-5), 1. Children and education (Ahdar & Leigh, 2013, pp. 201-297), (Arneson & Shapiro, 1996, pp. 382-4), (Audi, 2011, pp. 48-53), (Follesdal, 2005, pp. 415-6), (Langlaude, 2007, pp. 51-3), (Macedo, 2003, pp. 21,147), (Blackford, 2012, pp. 141-68), 2. Medicine (Ahdar & Leigh, 2013, pp. 298-337), (Audi, 2014, pp. 19-22), (Plastine, 1993, pp. 129,147), 3. Profession (Ahdar & Leigh, 2013, pp. 338-374), (Vickers, 2008, pp. 229,233), (Ahdar R., 2016, pp. 24-5), 4. Marriage (Anderson R. T., 2015), 5. Animals (Audi, 2015, pp. 420-1), G. Objections (Hauerwas & Baxter, 1995, pp. 202,206-11), 1. The Unfairness Objection (Koppelman, 2018, p. 103), reply (Koppelman, 2018, pp. 107-8), 2. The Distraction Objection (Koppelman, 2018, pp. 103-4), reply (Koppelman, 2018, pp. 107-8).

<sup>152</sup> For similar views see: (Ahdar & Leigh, 2013, pp. 127,173), (Swaine L. A., 2003, p. 98), Kant’s view (Kant, 1996, p. 62), (Guyer, 2018, p. 326), (Pasternack & Rossi, 2014), dissimilar view (Kymlicka, 2002, p. 145).

<sup>153</sup> For SFR and theocracy see: (Swaine L. A., 2003, p. 101), (Swaine L., 2006, pp. 38,53,114), (March, 2011, pp. 29,41), (Danchin, 2008, p. 507,510), (Soriano, 2014, pp. 592,599), (Eisgruber & Sager, 2007, pp. 210-1), (Epstein R. A., 1990, p. 386), (Durham Jr. & Scharffs, 2010, pp. 116-8), (Schwartzman, 2014, pp. 1327,1332).

<sup>154</sup> For a similar non-philosophical view see: (Kymlicka, 1989, p. 195).



attend the ceremony she abjures her religion, thus we observe a contrast between a case for banning between freedom of participating in a significant religious ceremony and willing of the police officers to save lives incl. Police officers, Niki, fire-fighters, rescuers, etc., and so we know that we have to save lives, and Nike shall obey the Police officers. What's more, imagine Niki as a pantheist believes God is identical to the world, and due to the reason that SFR is absolute, Niki may wrongfully claim that she could participate in the ceremony, also she may argue that she is not obligated to obey the Police officer's order and it is because the eruption is identical to God, and so there is no contrast between the theurgy for God and the eruption, then the Police shall not issue the order and Niki could also disobey the order, it seems she may die as soon as an active volcano erupts, she will die and Police officers, rescuers and firefighters may die because of her, hence it does not matter how Niki places her faith in God as a pantheist or theist, there will be a death toll rose. She is free to believe in pantheism on the condition that it ensues the first constraint of SFR in which pantheism has to remain otherworldly. Another example will be the same as the abovementioned example, Niki as a pantheist believes the world is a part of God, and due to the reason that SFR is absolute, Niki wrongfully claims the rest of the story and so on.

- The first constraint of SFR (FCSFR): SFR is absolute iff SFR remains otherworldly beliefs and practices,
  - FCSFR is prior to SFR,
  - SFR through FCSFR is free from the related obstacles,
  - Positively one could have SFR unless not FCSFR.
  - The second constraint of SFR (SCSFR): Religion is not non-religion iff it precludes the religious as otherworldly from the non-religious as thisworldly one, and thus those views would transfer/place God to profane/thisworldly, they need to add otherworldly phenomena, e.g. God, to profane/thisworldly, though thisworldly remains unchanging,
  - SCSFR does not change SFR,
  - Other differential modern theologies and alternative religious worldviews remain the same SFR,
  - Negatively SCSFR vetoes SFR's changing through differential concepts of God.
- The Slap in the Face: The writer thinks the Slap on the Back is only a map to reach the Slap in the Face, the Slap in the Face of SA in theocracy could not enjoy the attractive positive aspect of SFR because inherently theocracy manipulates the otherworldly identity of religions as mentioned earlier to become in favor of theocratic political authority legally and politically, and then it restricts the positive side of SFR as an absolute freedom. Theocracy also could not be blessed with the attractive negative aspect of SFR, and theocracy rejects the veto of SFR to differential concepts of God, it is owing to the fact that theocracy applies each change of alternative concepts of God in favor of theocratic political authority

legally and politically, and then it neglects the negative side of SFR as an absolute freedom. Once more, Niki is a religious devotee and in this case, she has been living in a theocracy and would participate in the ceremony, theocracy has manipulated the otherworldly identity of the religion in favor of itself, hence it becomes a theocratic religion, and Niki needs not to defy the Police ban because of permission of the theocracy, she will die as soon as she participates in the ceremony and the volcano erupts. Besides that, if Niki is a believer in other alternative concepts of God it is a double whammy for Niki, since the eruption of the volcano is related to God religiously.

The second side of *SA* has been constructed on the first side of it, and the ultimate aim of these two sides of *SA* is to deplore theocracies and reproach theocrats for their eccentric and guilty misconducts.

**B. The Objections:** There could be some potential objections against the argument:

The Theocratic Imperialist Objection: One may object that *SA* could serve as a negative actor in international debates, the delighted feature of the argument could be a disadvantage to countries of theocratic and other nondemocratic governments which means that superpower countries could persuade citizens of those theocratic and other nondemocratic governments to proselytize their religion, therefore, *SA* could transform all or most religions to only a few ones in favor of superpower countries.<sup>155</sup>

- The first reply of the writer is that we need to recall the core idea of the argument that SFR only includes otherworldly entities and concepts, and it could not include thisworldly entities and concepts such as non-religious festivals and ceremonies, laws and politics, and many others in favor of theocratic and other nondemocratic governments, thus there is a serious constraint on SFR as mentioned before.
- Second, it seems some traditional or modern theologies and religious worldviews are more rational compared to the other,<sup>156</sup> and the writer has to insist on more rational –but the writer thinks that true or untrue religious claims could not be justified- for some traditional or modern theologies and religious worldviews,<sup>157</sup> and it is against theocratic and other nondemocratic governments. For instance, there is a tendency that monotheism is much more coherent compared to polytheism, as a result, this concern could be a problem to the irrational traditional or modern theologies and religious worldviews,<sup>158</sup> and those theocratic and other nondemocratic governments that insist on those irrational traditional or modern

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<sup>155</sup> For examples of similar non-philosophical view see: (Horwitz, 1996, p. 21).

<sup>156</sup> For a similar view see: (Finlayson & Rees, 2023).

<sup>157</sup> For a similar view see: (Wolterstorff, 2012, p. 360), dissimilar view (Cloutier, 2000, p. 499).

<sup>158</sup> For a similar view see: (Wainwright, 2021).

theologies or religious worldviews seem that they could not isolate their citizens to believe or practice the rational one.

The Theocratic Cultural Objection: Another objection would be that SFR and SA could be harmful to the potential diversity of countries of theocratic and other nondemocratic governments owing to the fact that SFR and SA could transfer all of those diversities and moral national cultures to homogenous and immoral ones or eradicate all of them.<sup>159</sup>

- It seems that first of all, we have to recall the first reply of the first objection to this objection in disfavor of theocratic and other nondemocratic governments.
- Also, we have to remember that both SA and SFR belong to the private sphere because of the constraints,<sup>160</sup> thus a legitimate secular and non-theocratic (democratic) government could recognize the diversities and the cultures officially, and it shall impose some provisions to present the moral national diversities and cultures as the official ones, and it wouldn't intrude upon the private.

The Theocratic Insufficiency Objection: Another challenge of SFR towards theocracies is that the argument attends insufficient to hit theocracies.

- First of all, it seems SFR directly and SA via SFR indirectly target theocracies since SFR has a democratic nature that targets theocracies.
- Besides that, theocracies could not attend SFR,<sup>161</sup> and it is owing to this note that SFR may provide democratic facilities on democratic political authority and government that contrast with theocratic political authority and government, hence SFR will provide an inconsistency between theocratic political authority and the possibility of potential democratic political authority.

The Theocratic Relevancy objection: There are some debates about SFR that would challenge theocracy and the Slap in the Face of the argument indirectly.

- The argument may face a conflict on SFR.<sup>162</sup> For instance, it encourages theocracies to claim that the SFR's absoluteness facilitates the epistemic aspect of religions as relativism. However, principally absoluteness of the argument does not give space to relativism since it has to be neutral on the truthiness of religions.

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<sup>159</sup> For a similar view see: (Horwitz, 1996, p. 25), differential view (Casanova, 1994, p. 9).

<sup>160</sup> For dissimilar views see: (Horwitz, 1996, p. 26), (Deagon, 2018, p. 926), differential view (Casanova, 1994, p. 57).

<sup>161</sup> For similar views see: (Smith S. D., 1998, p. 78), dissimilar view (Swaine L., 2007, p. 569).

<sup>162</sup> For a similar view see: (Horwitz, 1996, p. 27).

- The argument is superfluous since anyone could choose any religion or religious worldview in any government.<sup>163</sup> First, SFR not only could be identified via other mindsets and be conceded through the enforcement of laws and politics of differential governments, but also the argument does not blur SFR epistemically, it elaborates on properties of SFR ontologically which is differential from the bearers of SFR in law and politics of a theocratic government.
- The argument dismantles some thisworldly aspects of SFR, thus it is not only untrue, but it is also unfair.<sup>164</sup> The first reply is that some religions may have those aspects, but the note is that the metaphysics of religions include otherworldly perspectives only,<sup>165</sup> and if they reject this perspective, they face the FCSFR of the argument. Also, it is not unfair since the argument has normative and valued content, and this content is in favor of the more fundamental moral norms that are prior to SFA,<sup>166</sup> for instance, those are connected to FCSFR e.g. the Police's living.
- The argument could not recognize that SFR is different from other types of freedom, so it is very tough to determine SFR's constraints.<sup>167</sup> This problem is a defect and not jejune owing to the fact that the SFR's constraint is based on the thisworldly and otherworldly distinction,<sup>168</sup> but, for instance, one may argue against freedom of speech since famously hate speech is a serious constraint of this freedom that both of them are involved in thisworldly issues, thus is the attractive aspect of SFR and is not a problem for SFR and the argument.
- The argument does not grant exemptions.<sup>169</sup> Yes, the argument condemns exemptions because of the constraints, for instance, imagine there are 2583 religions in a country, hence exemptions are far-fetched for the religions and exemptions may rank them unfairly and the religions may conflict with each other.<sup>170</sup>

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<sup>163</sup> For a similar view see: (Horwitz, 1996, p. 26).

<sup>164</sup> For similar views see: (Horwitz, 1996, pp. 23-4), (Ahdar & Leigh, 2013, p. 173).

<sup>165</sup> For a dissimilar view see: (Greenawalt, 1988, p. 5).

<sup>166</sup> For a dissimilar view see: (Horwitz, 1996, p. 25).

<sup>167</sup> For a similar view see: (Nussbaum, 2008).

<sup>168</sup> For dissimilar views see: (Harrison, 2018, pp. 79,88-9), (Greene, 2015, pp. 174-5).

<sup>169</sup> For this views see: (Corvino, 2017), (Nussbaum, 2008).

<sup>170</sup> For a similar non-philosophical view see: (Plastine, 1993, p. 141).

- The argument wouldn't prioritize diversities viz. political values or differential kinds of SFR.<sup>171</sup> To begin, the argument and the constraints indicate there is inconsistency neither between SFR and other political values nor among differential types of SFR principally. Also, we suppose SFR is true and there is a consensus on SFR,<sup>172</sup> and the argument is about SFR theoretically and is not about de-facto inconsistencies and conflicts in practice.
- The argument misunderstands the descriptive phenomenon of SFR e.g. there is a God or the way of salvation is *Thao*.<sup>173</sup> To begin, it is true religions' nature is exclusively descriptive,<sup>174</sup> though their functions in political systems could be related to political values, e.g. freedom, thus SFR becomes a political value and the constraints of the argument strictly enforce SFR to become normative, although one may also argue in favor of the normativity of religions ontologically, e.g. normativity of *séance* or incarnation, even though, the writer disagrees with this reply due to the fact that religions' concepts are prudentially normative to be considered as SFR.

The Theocratic Non-Relational objection: It is feasible one could not devise a fair relation between SFR and a theocratic government.<sup>175</sup>

- To begin, it is FCSFR of the argument that does not permit SFR transfers to thisworldly manners, thus SFR without FCSFR could issue any problems in all differential governments.
- What's more, the bearer of SFR is humankind and humankind principally has been living under differential governments, as a result, there could be a relation between them, and the argument could be transferred to *SA* in theocracies.
- Also, theocracy is a thisworldly government with its roots in otherworldly and religious authority and legitimacy,<sup>176</sup> hence theocracy is related to SFR and *SA*.

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<sup>171</sup> For a similar non-philosophical view see: (Nasr, 2002, pp. 290-6).

<sup>172</sup> For this view see: (UN Human Rights, 2011).

<sup>173</sup> For a dissimilar view see: (Swaine L. A., 2003, p. 98).

<sup>174</sup> For dissimilar views see: (Backer, 2009, p. 115), (Swaine L. A., 2003, p. 102).

<sup>175</sup> For a similar view see: (Horwitz, 1996, pp. 27-8).

<sup>176</sup> For a similar view see: (Dane, 2018, p. 128).

# ***PART TWO:*** ***Application***

## Chapter 5

### *What Is Wrong with Secession?*<sup>177</sup>

#### **Multilateralism and Heterogeneous Nationalism**

The first note of this section is on secession and territorial debates that the right to secede is “*the right to secede as a right to territory*” multilaterally since there is a relation that secessionists, remainders, and a state comprise the segments of the relation, for instance, imagine a territory without a state that straddles the borders between the lands institutionally,<sup>178</sup> individuals who inhabit the territory ought to contribute to the territory

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<sup>177</sup> The writer's footnote: The writer started this chapter in 2017 and almost finished this chapter and the argument in 2019 and uploaded it somewhere at the same time, and then the writer continually has been updating references of this work and correcting some errors. Another point is that the writer was enforced to put this work as rest of “*Eradicating Theocracy Philosophically*” since the writer has faced unfair political-economic sanctions on the writer's country that also directly target the writer, then some journals prohibit consider this work in the peer-review process in an atrocious way, though, a philosophical website spreads the news of this banning, and these manners lead the writer to write on the application of the argument of this chapter in theocracy, and so this chapter appended to this work, besides that, there was another same painful experience that those political-economic sanctions ban the writer from opening a bank account when the writer was a Ph.D. student of Philosophy in Europe.

<sup>178</sup> For institutional secession see: **A.** Institutional secession: 1. Views (Buchanan, 1997b, pp. 31-4), (Buchanan, 2004, pp. 345-8), (Buchanan, 2017a), (Norman, 1998, pp. 44-54), (Wellman, 2005, pp. 157-80), (Seymour, 2007), (Altman & Wellman, 2009), (Philpott, 2000, pp. 114-5), (Lefkowitz, 2018), (Nielsen, 1998a, p. 290), 2. Ideal and non-ideal theory (Lee, 2015), (Buchanan, 1991a, pp. 324-6), (Buchanan, 1997b, p. 61), (Buchanan, 1998b, pp. 249-50), (Buchanan, 2004, p. 346), (Bauböck, 1997, pp. 12-3), (Nielsen, 1998b, pp. 130-2), (Wellman, 2005, pp. 168-172), (Freeman S. , 2016, p. 569), **B.** Constitutional secession: 1. Views (Sunstein, 1991), (Sunstein, 2001a), (Sunstein, 2001b, p. 96), (Buchanan, 1991b, pp. 127-49), (Buchanan, 2017a), (Weinstock, 2000), (Weinstock, 2001), (Pérez & Sanjaume, 2013, pp. 5-7), (Kreptul, 2003, pp. 55-62), (Jovanovic, 2007), (Corlett, 1998, pp. 121-6), (Ewin, 1995, pp. 348-9), (Aronovitch, 2000, pp. 33-5), (Jovanović, 2016), 2. Objections (Sunstein, 1991), (Sunstein, 2001a), (Sunstein, 2001b, pp. 101-5), 2.1. The Perverse Effects Problem (Sunstein, 1991, p. 648), (Sunstein, 2001a, p. 355), (Philpott, 2000, pp. 127-30), reply (Jovanović, 2016, pp. 351-2), 2.2. The Strategic Bargaining Problem (Sunstein, 1991, p. 666), (Sunstein, 2001b, p. 102), reply (Shorten, 2014, pp. 100-12), (Jovanović, 2016, p. 353), (Speetzen & Wellman, 2016, p. 422), 2.3. The Legal Forms Inconsistency Problem (Sunstein, 2001a, p. 354), 2.4. The Impartial Enforcement Criterion Problem (Philpott, 2000, pp. 125-6), 2.5. The Possibility of Realization Problem (Philpott, 2000, p. 130), 3. Arguments (Shorten, 2014), (Norman W. , 2003), (Norman W. , 2006, pp. 181-214), (Kreptul, 2003, pp. 87-92), (Jovanovic, 2007, pp. 182-95), (Jovanović, 2016, pp. 356-8), (Jovanović, 2009, pp. 77-86), (Weinstock, 2001), **C.** International legal secession: 1. Views (Buchanan, 1997a), (Buchanan, 1997b, pp. 32,41-4), (Buchanan, 1998b), (Buchanan, 2004), (Buchanan, 2014), (Buchanan, 2017a), (Buchanan & Golove, 2004, p. 907), (Horowitz, 2003b, p. 10), (Philpott, 2000, pp. 115-25), (Altman & Wellman, 2009, pp. 58-67), (Weller, 2008, pp. 23-6), (Vidmar, 2010), (Day, 2012), (Weinstock, 2000, pp. 257-60), (Copp, 1998), (Kohen, 2006), (Pavković, 2008b, p. 2), (Dahlitz, 2003, p. 4), (Lefkowitz, 2018), (Bossacoma Busquets, 2020, p. 160), (McGarry & Moore, 2016, p. 428), (Seymour, 2017, p. 46), (Crawford, 2006, pp. 376-80), (Shikova, 2016, p. 249), (Christakis, 2012), (Thürer & Burri, 2009), 2. Objections (Philpott, 2000, pp. 116-25), 2.1. The Metropolitan Power Problem (Buchanan, 2017a), 2.2. The Saltwater Decolonization Problem (Buchanan, 2017a), (Tasioulas & Verdirame, 2022 ), 2.3. The Impartial Enforcement Criterion Problem (Philpott, 1998, p. 86), (Philpott, 2000, pp. 116-9), 2.4. The Trial Ordeal Doctrine Problem (Roth, 2015, pp. 411-3), 2.5. The Preserve Effects Problem (Philpott, 1998, pp. 89-92), (Philpott, 2000, pp. 119-23), 2.6. The Deliberative Democracy Problem (Buchanan, 2004, pp. 359-60), 2.7. The Realization Problem (Philpott, 1998, pp. 92-3), (Philpott, 2000, pp. 123-5), (Chandhoke, 2010), 3.

as “*a whole*”, and every particular citizen of the country possesses the same right as the other citizens of the country where each centimeter does not belong to “*private*” ownership,<sup>179</sup> the state does not permit to exchange those public places to the private one as they belong to all past, current and future citizens of the country, therefore, territory as “*equity sharing*” is a public right.

In addition, another note that is related to national debates of secession is that it is claimed we have to pursue these policies to avoid secession: 1. Recognize differential countries’ nationalities variously and identify their differential challenges not as global struggles principally to avoid secession,<sup>180</sup> 2. Acknowledge “*heterogeneous*” nationalism since it is a tremendous description of some nationalities, and we have to discern this non-hegemonic policy to this type of nationalism since the heterogeneous is meticulously much more parallel with the human values esp. unplanned heterogeneous nationalities to avoid secession.<sup>181</sup>

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Arguments (Buchanan, 2006), (Buchanan, 2018), (Bossacoma Busquets, 2020, pp. 168-72), **D.** Institutional multilateral secession (Buchanan, 1992, p. 362), (Bauböck, 2019, pp. 228-9), (Perez-Lozano, 2022, pp. 433-4).

<sup>179</sup> For a dissimilar view see: (Rothbard, 1998, p. 84).

The writer's footnote: Once more, principally the writer wouldn't bring non-philosophical debates of secession in this work, even though, there are a few ones that have been categorized in forthcoming footnotes. Also, it is impractical to cite elementary literature on secession in the work i.e. definitions of secession, secession and/or irredentism, unilateral and/or consensual secession, and so on, thus many works have been excluded from this chapter.

<sup>180</sup> For a similar non-philosophical view see: (Chandhoke, 2014b, p. 51).

The writer's footnote: The writer's country is an exceptionally suitable example of how a country has been devastated by all of the permanent secessionist temptations of some countries, thus this note implies the world never will be just and fair.

<sup>181</sup> For secession and other political debates see: **A.** Secession and territorial debates: 1. The right to secede as a right to territory (Brilmayer, 1991), (Brilmayer, 2000), (Buchanan, 1991b, pp. 11,24), (Buchanan, 2017a), (Wellman, 1995, pp. 144-5), (Emerson, 1980, p. 818), the opposite view (Caney, 1998, p. 151), 2. Territorial rights (Wellman, 1995, pp. 150-64), (Brilmayer, 2015), (Moore, 2020), (Buchanan, 2003b, p. 232), indigenous rights over territory (Moore, 2003), (Bennett, 2005, pp. 81-3), (Seymour, 2017, p. 34), (Dietrich, 2016), (Buchanan, 2018, p. 149), (Stilz, 2019, pp. 134-5), (Corlett, 2000), 3. Equity sharing or joint land (Hampton, 1997, p. 247), (Christiano T. , 2006, pp. 97-9), (Kant, 1999d, pp. 416-9), (Stilz, 2009, pp. 198-210), territory as a whole (Buchanan, 2003b, pp. 234-5), (Buchanan, 2003a, p. 242), 4. Territorial justice (Buchanan, 1991b, pp. 114-24), (Buchanan, 2017a), (Miller, 1997, pp. 277-81), (Catala, 2017), (Dietrich, 2014), 5. Boundaries (Christiano T. , 2006), (Horowitz, 2003b, p. 10), (Kymlicka, 2001, pp. 251-3), 6. Natural resources (Tideman, 2004, p. 17), (Dietrich, 2018, pp. 50-3), 7. Territorial integrity (Shikova, 2016, p. 238), (Benziger & Castellino, 2023, p. 97), **B.** Secession and/or intervention (Roth, 2015), (Fabry, 2013, pp. 94-100), **C.** Secession and/or revolution (Buchanan, 1991a, pp. 326-7), (Buchanan, 1991b, p. 10), (Buchanan, 2017b), their similarity (Buchanan, 1991a, pp. 326-7), (Buchanan, 1991b, p. 10), **D.** Secession and/or civil disobedience (Buchanan, 1991b, p. 10), (Corlett, 1992, pp. 23-6), **E.** Secession and/or immigration (Buchanan, 1991b, pp. 10-2), (Weltman, 2021), (Beran, 1977, p. 266), **F.** Secession and/or referendum (Pavkovic, 2004, pp. 702-4), (Jovanovic, 2007, pp. 171,184-94), (Kymlicka, 2000, pp. 221-2), (Perez-Lozano, 2022, pp. 428-32), (Moore, 2019, pp. 624-30), **G.** Secession and/or exclusion or inclusion (Weltman, 2021), (Buchanan, 1993), **H.** Secession and/or federalism (Norman W. , 2006, pp. 77-173), (Jovanovic, 2007, pp. 64-79), (Kymlicka, 1998, pp. 135-8), (Kymlicka, 2000, pp. 213-6), (Kymlicka, 2007, pp. 45-6), (Jewkes, 2014, p. 149), (Bauböck, 1997, pp. 20-32), (Pérez, 2017, pp. 60-5), (Follesdal, 2022),



## Martyr Argument

The first group of the theories of secession is the Primary Right theories:<sup>182</sup>

### 1. Ascriptivist Right Theories,<sup>183</sup>

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(Selassie, 2003, pp. 83,85), (Craven, 1991, pp. 243-57), (Lorberbaum, 2005, pp. 10061-2), **I.** Secession and/or violence (Buchanan, 2017a), (Pavković & Radan, 2007, pp. 214-5), (Pavković, 2008a, pp. 28-31), (Horowitz, 2003b, pp. 5-6), (Berkebile, 2018), (Jovanovic, 2007, pp. x-xii), (Pavković, 2016, pp. 443,448,451), (Hülsmann, 2003, pp. 383-413), **J.** Secession and counter-secession (Glaser, 2003), (Buchanan, 1991a, pp. 332-9), (Lindsay & Wellman, 2003, pp. 115-20), (Abbott, 1998), (Beran, 1983), (Ker-Lindsay, 2014), (Ker-Lindsay, 2023, p. 389) (Ward, 2017), (Pavković, 2016), (Pavković, 2015), (Freeman M. , 1998, p. 14), (Sorens, 2012, p. 157), (Griffiths, 2021, p. 4), secession's generalization (Corlett, 1998, pp. 123-4), (Corlett, 1992, p. 24), (Nielsen, 1998a, p. 266), **K.** Secession and national debates: 1. Civic-territorial or ethnic nationalism (Miscevic, 2020), (Forster, 2023 ), (Liu, 2016, p. 373), (Sorens, 2008, p. 327), (Norman W. , 2006, pp. 57-66), (Miller, 1995, pp. 188-9), (Gans, 2003, pp. 7-29), (Smith, 1991, pp. 82-3,117-9), (Coppieters , 2003, pp. 9-10), (Gilbert, 1998, pp. 207-8), (Spencer & Wollman, 2002, pp. 101-5), (Kymlicka, 1997, pp. 64-5), (Seymour, 2017, pp. 33-4,42), another categorization (Miscevic, 2008), value of civic nationalism (Nielsen, 1999, p. 121), 2. Non-philosophical examples of the creation of states (Crawford, 2006, pp. 727-740), (Smith A. D., 1979, p. 91), (Hobsbawm, 2000, p. 137), (Hegel, 1894, pp. 180-1), 3. Heterogeneous nationalism: Non-philosophical examples (Van Dyke, 1995, p. 52), (Smith, 1998, p. 40), (Horowitz, 1985, pp. 267-72), (Horowitz, 2003a, pp. 53-5), non-philosophical examples of equal feasibility of secession by homogeneous or heterogeneous nationalities (Sorens, 2014, p. 270), polyethnicity (Kymlicka, 1995, p. 14), 4. Parochial or tribal nationalism (Glover, 1997, pp. 11-30), (Popper, 1947), (Brilmayer, 2000, pp. 285-6), (Chandhoke, 2008, p. 11), (Walzer, 1999), national chauvinism (Buchanan, 2004, pp. 390-1), 5. Multinationalism or mononationalism: Mononationalism (Mill, 2001, pp. 181-7), multinationalism (Buchanan, 1998c, p. 305), (Buchanan, 2004, p. 392), (Bossacoma Busquets, 2020, pp. 18-9), (Seymour, 2017, pp. 30-1), (Kymlicka, 1995, p. 11), non-philosophical examples of multinationalism (Walzer, 1997, p. 247), 6. Patriotism (Primoratz, 2020).

<sup>182</sup> For the Primary Right Theories see: **A.** Theory (Buchanan, 1997b, p. 35), (Buchanan, 2003b, p. 248), (Buchanan, 2007, p. 758), (Brando & Morales-Gálvez, 2018), (Scruton, 2007, p. 621), (Tocqueville, 2010, pp. 611-2), Hybrid Right Theories (Pavkovic, 2000, pp. 488-9), (Pérez & Sanjaume, 2013, p. 5), (Nielsen, 1998a, pp. 265-6), (Heraclides, 2020, p. 24), **B.** Objections (Buchanan, 1997a, pp. 44-60), (Midtgaard, 2007, pp. 303-8), (Rawls, 2000, p. 38), 1. The New Set Minority Problem (Horowitz, 1998, p. 199), (Lister, 2016, pp. 154-6), 2. The Global Anarchy Problem (Buchanan, 1991b, pp. 102-4), 3. The Soft Paternalism Problem (Buchanan, 1991b, p. 101), (Pavkovic, 2003, p. 75), on The Liberal Paradox (Buchanan, 1991b, pp. 34-5), 4. The Non-Seceding Part Problem (Pavković, 2004, p. 696), (Schmücker, 2016, p. 403), The Permanent Resident Reply (Copp, 1997, p. 295), The Supermajority Reply (Antić, 2007, pp. 153-5), (Waters, 2020, pp. 124-5), 5. The Erga Omnes Problem (Day, 2012, p. 29), 6. The Domino Theory Problem (Beran, 1984, pp. 29-30), reply (Caney, 1998, pp. 169-70), 7. The Strategic Bargaining Problem (Buchanan, 1991b, p. 100), (Buchanan, 1998a, p. 21), reply (Boykin, 1998, pp. 69-70), 8. The Compensation Problem (Buchanan, 1991b, pp. 104-14), reply (Gauthier, 1994, pp. 365-7), (Nielsen, 1993, p. 36), 9. The Problems of Self-Determination (Brilmayer, 1991, pp. 184,192-3), (Vidmar, 2010, pp. 37-8), (Hannum, 1998, pp. 776,779), (Buchanan, 1995, p. 352), (Buchanan, 2004, p. 332), (Chandhoke, 2008, pp. 18-9), (Kymlicka, 2010, p. 384), (Freeman, 1999, pp. 368-70), (Seymour, 2016, p. 396), reply (Copp, 1997, pp. 281-2), **C.** Another categorization (Craven, 1991, pp. 237-8).

<sup>183</sup> For the Ascriptivist Right Theories see: **A.** Theory (Margalit & Raz, 1990), (Caney, 1997), (Caney, 1998), (Moore, 1997), (Moore, 1998a, pp. 2,7), (Moore, 1998b), (Moore, 2000), (Moore, 2001), (Moore, 2006), (Nielsen, 1993), (Nielsen, 1998a), (Nielsen, 1998b), (Miller, 1995), (Miller, 1997), (Miller, 2003b), **B.** Other views: 1. The Communitarian Right Theories, (Gilbert, 1998), 2. The Religious Right Theories (Maguire, 2023, p. 73), (Weinberg & Pedahzur, 2005, p. 7), (Pötz, 2020, pp. 133-4), (van der Vyver, 2002, pp. 253,271-2), 3. Communist Right Theorists (Lenin, 2011, pp. 110,443), (Abulof, 2023, p. 23), (Stalin, 2021, pp. 21,191-2), **C.** Objections: 1. The Overlapping Problem (Moore, 1997, pp. 910-2), 2. The Strife Problem (Vidmar,

## 2. Plebiscitarian Right Theories.<sup>184</sup>

2010, p. 37), (Buchanan, 2017a), reply (Catala, 2013, pp. 80-3), 3. The Infeasibility Objection (Buchanan, 1998c, pp. 291-3), (Buchanan, 2004, p. 382), (Bauböck, 1997, p. 10), (Norman, 1998, p. 36), (Moore, 1998b, p. 138), (Kymlicka, 1995, p. 186), 4. The Equal Respect Objection (Wellman, 2003, pp. 268-9), (Brilmayer, 2000, p. 285), (Chandhoke, 2008, p. 11), (Bauböck, 1997, pp. 5-6), (Buchanan, 1998c, pp. 293-9), reply (Nielsen, 1998a, pp. 281-2), 5. The Polyethnic Rights Objection and Vanity Secession (Kymlicka, 2000, pp. 215-6), (Buchanan, 1998c, pp. 300-1), 6. The Nation Concept Problem (Chandhoke, 2014a, pp. 5-6), (Philpott, 1995, p. 365), 7. The Problems of National Self-Determination (Buchanan, 1991a, pp. 328-9), (Buchanan, 1998c, pp. 299-307), (Buchanan, 2003a, pp. 254-5), paradoxes (Slattery, 1994, pp. 710-2), irrelevancy (Chandhoke, 2014a, p. 9), (Copp, 1979, pp. 71-3), e.g. Jihadis (Chandhoke, 2014a, p. 7), e.g. Nazis (Buchanan, 1991b, p. 56), Non-Sequitur (Norman, 1998, p. 36), The Cycle of Violence Problem (Jenne, 2006, p. 29), The Indeterminacy Problem (Moore, 1997, pp. 905-7), (Sorens, 2014, p. 270), (Martí, 2021, pp. 469-73), The Balkan Objection (De-shalit, 1996, pp. 916-20), (Miller D. , 2003a, pp. 312-4), reply (Maguire, 2023, pp. 75-6), 8. The Instability Problem (Moore, 1997, pp. 907-10), (Moore, 1998a, p. 4), (Bauböck, 1997, p. 4), 9. The Patriotism Problem (Bauböck, 1997, pp. 6-8), **D. Arguments and the related replies** (Moore, 2000, pp. 239-41), 1. The Culture Goods Argument and its weakness (Philpott, 1995, pp. 373-4), (Miller, 2003b, pp. 269-70), (Buchanan, 2003b, pp. 249-51), (Buchanan, 2003a, p. 257), (Pavković, 2018, p. 128), 2. The Non-Institutional Argument and its weakness (Lee, 2015), 3. The Identity Argument and its weakness (Lee, 2012), (Moore, 2000, pp. 240-4), (Weinstock, 2000, pp. 254-6), 4. The Instrumental Argument and its weakness (Buchanan, 2003b, pp. 251-2), (Buchanan, 2004, pp. 388-92), (Wellman, 2005, pp. 38-9), (Lee, 2019), reply (Caney, 1998, pp. 155-7), 5. The Kantian Argument (MacCormick, 1984, pp. 261-2), The Hypothetical Multinational Contract (Bossacoma Busquets, 2020, pp. 31-3), reply (Caney, 1998, pp. 158-60), (Gosseries & Parr, 2022), 6. The Well-Being Argument and its weakness (Caney, 1997, pp. 361-9), (Caney, 1998, pp. 161-7), 7. The Rousseauian Argument and its weakness (Caney, 1998, p. 167), 8. The Distributive Justice Argument (Miller, 1997, pp. 277-81), reply (Caney, 1998, pp. 168-9), (Weinstock, 2000, pp. 256-7), 9. The Encompassing Group Argument (Margalit & Raz, 1990), reply (Buchanan, 1997b, pp. 54-5), (Kapitan, 2008, p. 30), 10. The Divorce Analogy Argument (Lenin, 2011, pp. 422-3), (Nielsen, 1993, pp. 35-6), reply (Blahuta, 2001), (Ewin, 1994, p. 350), (Aronovitch, 2000, pp. 29-31). 11. The Effectivity Argument and its weakness (Buchanan, 2003a, pp. 248-50).

<sup>184</sup> For the Plebiscitarian Right Theories see: **A. Theory** (Beran, 1977, p. 266), (Beran, 1983), (Beran, 1984), (Beran, 1988), (Beran, 1992, p. 253), (Beran, 1993, p. 484), (Beran, 1998), (Philpott, 1995), (Philpott, 1998), (Wellman, 1995), (Wellman, 2005), (Altman & Wellman, 2009, pp. 43-68), (Gauthier, 1994), (Lefkowitz, 2008), (Copp, 1997), (Copp, 1998), (Reinikainen, 2019), (Cavallero, 2017, pp. 128-31, 135-9), (Speetzen & Wellman, 2016), (Angella & Husebyb, 2023), **B. Other views**: 1. The Republican Right Theories (Pettit, 1997, pp. 56, 199), (Pérez Lozano, 2021), (Pérez, 2017), (Perez-Lozano, 2022), objections (Rallo, 2023, pp. 231-2), 2. The Libertarian Right Theories (von Mises, 1985, pp. 109-10), (Hoppe, 2003, p. 7), (Hoppe, 1996, pp. 99-101) (Hülsmann, 2003, pp. 378, 382), (Kreptul, 2003), (Rothbard, 1998), (McGee, 1994, p. 21), (Tideman, 2004), (Bastos Boubeta, 2023, p. 32), 3. The Realist Right Theories (Sanjaume-Calvet, 2020), 4. The Cosmopolitan Right Theories (Freeman M. , 1998, p. 27), (Weltman, 2023), **C. Arguments and the related replies**: 1. The Value of Political Self-Determination Argument (Wellman, 2005, pp. 34-64), (Altman & Wellman, 2009, pp. 44-8), (Cavallero, 2017, pp. 133-4), as respect (Speetzen & Wellman, 2016, pp. 420-1), reply (Buchanan, 1995, p. 352), (Buchanan, 2004, pp. 332-3), 2. The Consent Argument (Beran, 1984, pp. 23-7), (Beran, 1988, pp. 317-8), reply (Caney, 1998, pp. 151-4), (Buchanan, 1991a, p. 328), (Buchanan, 1991b, pp. 70-3), (Buchanan, 1995, pp. 369-73), (Buchanan, 1997a, pp. 314-5), (Buchanan, 2003b, pp. 253-4), (Birch, 1984), (Brilmayer, 1991, pp. 184-5), (Wellman, 1995, pp. 155-6), (Wellman, 2005, pp. 8-9, 17), (Dowding, 1998, p. 77), (Altman & Wellman, 2009, pp. 49-50), 3. The Democratic Value Argument: As a majority (Philpott, 1995, pp. 355-62), reply (Buchanan, 1998a, pp. 19-20), (Buchanan, 2003a, pp. 243-6), as equal respect (Copp, 1997, pp. 277-300), reply (Buchanan, 1998a, pp. 20-1), (Buchanan, 2003a, pp. 246-7), (Buchanan, 2003b, pp. 256-7), (Cavallero, 2017, pp. 132-3), as the instrumental and its weakness (Buchanan, 2003a, p. 247), 4. The Freedom of Association Argument (Beitz, 1999, pp. 106-9), (Gauthier, 1994), (Lefkowitz, 2008, pp. 496-500), reply (Speetzen & Wellman, 2016, p. 416), (Wellman, 2005, pp. 16-7), (Cavallero, 2017, pp. 131-2), The Pro Tanto Defence Argument (Cavallero, 2017, pp. 134-9), reply (Buchanan, 2017a), 5. The Samaritan Argument (Wellman, 2005, pp. 11-25, 55-8), reply (Lefkowitz, 2008,

Nonetheless, there are some objections against all of the Primary Right Theories e.g. the *Martyr Argument*<sup>185</sup>.

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pp. 494-6), 6. Divorce Analogy Argument (Gauthier, 1994), reply (Blahuta, 2001), (Aronovitch, 2000, pp. 29-31), 7. The Effectivity Argument and its weakness (Buchanan, 2003a, pp. 248-50), 8. The Instrumental Argument and its weakness (Speetzen & Wellman, 2016, pp. 417-9), **D.** Objections (Sorens, 2014, pp. 269-74), (Beran, 1998, pp. 46-55), (Moore, 2000, pp. 232-9), (Weimer, 2013, p. 642), 1. The Domino Theory Problem (Patten, 2002, p. 559), (Beran, 1984, pp. 29-30), (Kamanu, 1974, pp. 366-70), Balkanization (Speetzen & Wellman, 2016, p. 421), reply (Caney, 1998, pp. 169-70), 2. The Equality and Democracy Conflict Problem (Patten, 2002, pp. 573-5), 3. The Global Anarchy Problem (Philpott, 1995, p. 355), 4. The Dissenters Problem (Philpott, 1995, pp. 378-80), reply (Vaca & Artiga, 2021, pp. 24-5), 5. The New Set Minority Problem (McGee, 1994, p. 27), (Sorens, 2014, pp. 274-5), 6. The Open Borders Problem and its weakness (Rothbard, 1998, pp. 84-8), 7. The Self-Determination Character Problem (Altman & Wellman, 2009, pp. 48-50), 8. The Hirschman Objection (Buchanan, 1998a, p. 22), 9. The Irrelevancy to Territorial Claims Problem (Catala, 2015, pp. 588-94), 10. The Incentive Compatibility Decrease Problem (Buchanan, 2004, pp. 377-9), reply (Speetzen & Wellman, 2016, pp. 423-5).

<sup>185</sup> For secession and martyrdom see: (Hirschman, 1970, p. 126), martyrdom's definitions (Luban, 2010, p. 577), (Tamir, 1997, p. 230), (Horwitz, 2016, p. 1327).

The writer's footnote: First of all, the thought of the *Martyr Argument* came to the writer's mind in a discussion more than ten years ago, and the writer had to present a purely moral argument without referring to culture, history, and heritage. In addition, the writer has studied Hirschman's "*exit and martyr*" recently and the writer thinks that Hirschman would claim that there is a similarity between martyrdom and secession and both of them are remorseless. Although, the writer believes that secession is based on the *Martyr Argument* morally.

The second group of theories of secession is the Remedial Right Theories<sup>186</sup> which are considered as a more reasonable theory than the first group.<sup>187</sup>

The writer has presented the *Martyr Argument* as a deontological argument, since it is a mere fact that one cannot compensate for the grievous harms of reminders and the infringement's inviolability, basic rights, respect, and humanity, then there could not be utilities and consequences via compensation of those immoral acts, but they are about ignoring the transgression of reminders' moral values, as a Kantian term it is about the “*mere ends*” of human beings and their respectful personhood, and so consequentialist argument on the right to secede is not cogent. The argument proves remedial cure for remedial situations of unilateral cases (hereafter: RCRSUC) is only permissible. Straightforwardly, RCRSUC means secession of a territory because of the “*unjust seizure*” of it in the past that occurred via usurpation by foreigners and colonization and/or annexation and occupation, hence the writer agrees with this extreme case of secession exclusively.

#### A. The Argument: It is the *Martyr Argument*:

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<sup>186</sup> For the Remedial Right Theories see: **A.** Theory (Buchanan, 1991b), (Buchanan, 1997b, pp. 34-5), (Buchanan, 1998a, p. 25), (Buchanan, 1998b, pp. 228-31), (Buchanan, 2003b, pp. 247-8), (Buchanan, 2004, p. 367), (Buchanan, 2007, p. 758), (Buchanan, 2014, pp. 19-20), (Buchanan, 2014, p. 69), (Buchanan, 2017a), (Seymour, 2007), (Seymour, 2017, p. 49), (Birch, 1984), (Kamanu, 1974), (Chandhoke, 2014a, pp. 6-7), (Brilmayer, 1991), (Brilmayer, 2000), (Norman, 1998), (Norman W. , 2006), (Norman W. , 1999, p. 63), (Christiano T. , 2006, pp. 99-100), (Hannum, 1998, pp. 776-9), (Schmücker, 2016, pp. 404-5), (Gounaris, 2016, p. 118), (Sidgwick, 1908, p. 226), (Habermas J. , 1998, pp. 143,145), (Jefferson, 1998, p. 175), (Althusius, 1995, p. 197), (Grotius, 2005, p. 170), **B.** Arguments and the related replies (Buchanan, 1991b), (Buchanan, 2004, pp. 369-71), (Buchanan, 2017a), (Norman, 1998, p. 41), 1. The Rectifying Past Injustices Argument (Brilmayer, 1991, pp. 189-92), (Buchanan, 1991b, pp. 67-70), (Buchanan, 1992, p. 353), (Buchanan, 1995, pp. 367-9), (Buchanan, 2004, pp. 355-7), (Buchanan, 2007, pp. 758-9), (Buchanan, 2017a), reply (Bishai, 1998), (Philpott, 1995, p. 376), (Miller, 2003b, pp. 77-9), (Catala, 2013, pp. 77-9), The Uti Possideti Argument and its weakness (Buchanan, 2003a, pp. 250-2), firstcomers (Bennett, 2005, pp. 84-6), 2. The Cultural Preservation Argument (Buchanan, 1991b, pp. 52-64), (Buchanan, 1992, pp. 357-8), (Buchanan, 1995, pp. 355-64), (Hannum, 1998, pp. 776-7), (Bauhn, 1995, pp. 104-13), reply (Corlett, 1998, p. 121), (Buchanan, 2003a, p. 256), 3. The Self-Defense Argument (Buchanan, 1995, pp. 364-7), (Buchanan, 1997b, p. 37), (Buchanan, 2007, pp. 759-60), reply (Bishai, 1998, p. 96), 4. The Discriminatory Redistribution Argument (Buchanan, 1991a, pp. 330-1), (Buchanan, 1991b, pp. 38-45), (Buchanan, 1992, pp. 354-6), (Buchanan, 1997a, pp. 312-3), (Buchanan, 2007, pp. 760-2), reply (Buchanan, 2007, pp. 760-2), (Bishai, 1998, pp. 97-8), 5. The Violations of Intrastate Autonomy Argument (Buchanan, 2004, pp. 357-9), (Buchanan, 2018, pp. 141-4), reply (Buchanan, 2014, pp. 16-7), 6. The Permanent Minority Argument and its weakness (Buchanan, 2004, pp. 360-3), 7. The Institutional Democratic Right Argument (Buchanan, 1998a, pp. 16-21,29-30), (Catala, 2013, pp. 83-9), **C.** Objections (Kartsonaki, 2023, pp. 199-201), 1. The Blameless Dissenter Problem (Lister, 2016, pp. 161-2), 2. The Violence Paradox (Costa, 2003, pp. 83-4), 3. The Doctrine of Self-Determination Problem (Buchheit, 1978, p. 223), (Anderson G. , 2016, p. 1246), reply (Buchanan, 2004, p. 372), (Buchanan, 2017a), (Brilmayer, 2000, p. 284), 4. The Statist Problem and its weakness (Buchanan, 2004, pp. 371-2), 5. The Arbitrary and Internally Inconsistent Problem (Catala, 2017), 6. The Group Problem (Brando & Morales-Gálvez, 2018), 7. The Territorial Problem (Copp, 1998, pp. 230-1), reply (Schmücker, 2016, pp. 406-7).

<sup>187</sup> For similar views see: (Wellman, 2006), (Norman W. , 2003, p. 198), (Christakis, 2012).

One cannot redress for the value of a young martyr who was murdered while defending a non-colonizer country. Imagine a person who lived in a village located on the borderline that was assailed by another country. He passed away not only for defending his village and its people in an unjust war but also for defending the whole of the country, his blood has made the boundaries morally valuable and each inch of the country is painted by the blood of this innocent martyr owing to this fact that the innocent martyr died for moral values and a non-colonizer country's defending, he did not die for immoral purposes and attacking in favor of a colonizer country. As a result, unilateral secession is considered a transgressor of other citizen rights. The important points of this argument are mentioned below:

A is a non-colonizer country that is forced to enter an unjust war started by B,

B represents an offensive country,

X is an innocent young person who lives in A, and his village is near the borderline where the war takes place.

Z is a secessionist part of A.

- B attacks A,
- X passed away while defending of A incl. Z,
- After his death, Z would secede from A,
- But X passed away as a result of defending A,
- Defending A as a whole territory is contrary to withdrawing a part of that territory,
- Because the unilateral withdrawal of Z from A is destroying A as a whole country where defended by X,
- The above-mentioned destroying comes from defending a non-colonizer country by an innocent martyr that is morally contrary to the incentives of Z to be an independent territory,
- Then, how Z could compensate and solve this contrary?
- It is undeniably true that it is morally impossible. Owing to the fact that there is nothing one can do about compensating for the life of an innocent martyr as it is about the moral property of the martyrdom and transgressing of martyr's blood,
- Then, it is not morally possible to redress the life of that martyr,
- As a consequence, unilateral secession is morally unpermitted.

As a result of the *Martyr Argument*, we ought to persuade everyone and every group to follow RCRSUC and foil acts of those who do not account for this moral defense, the *Martyr Argument* shows that only RCRSUC is permissible, and if a group of people secede from a country or conjoin another country as an irredentist without RCRSUC, those political acts violate the other populace's rights atrociously, hence imagine A is the richest and most democratic country, and democratically joins B that is the poorest and undemocratic country, and B welcomes A, although the *Martyr Argument* is morally sufficient to avert A's secession from B since we have to acknowledge B as a present-day country that secession of every part of B is permitted only as RCRSUC.

Moreover, the writer thinks legalization of RCRSUC of secession remains a futile striving since it is not only true that barbaric and colonizer governments do not obey the moral norms and they breach the law as RCRSUC, but it also requires codifying numerous provisions in constitutional and/or international law as RCRSUC. Besides that, the legalization of RCRSUC of secession may lead to arbitrary legal interpretation in favor of superpower countries. Altogether, we only require a reliable supreme international court to obey the extreme moral codes and have generated those codes through well-entrenched provisions in exceptional cases when we shall hold the court and declare and impose them as RCRSUC of secession.

The writer thinks the *Martyr Argument* and its outcomes are a panacea for questions, troubles, and debates about secession philosophically. The writer believes no philosophical theory could escape from RCRSUC, and it appears that RCRSUC of secession has discovered "*What is Wrong with Secession?*" morally.

**B. The Application:** The *Martyr Argument* proves an anti-model of secession. Although, it is a normative and moral argument, and a theocracy principally enrolls and applies as an immoral government and could not be a reasonable government owing to the fact that theocracy principally prioritizes immorality to morality and considers unreasonableness instead of reasonableness.

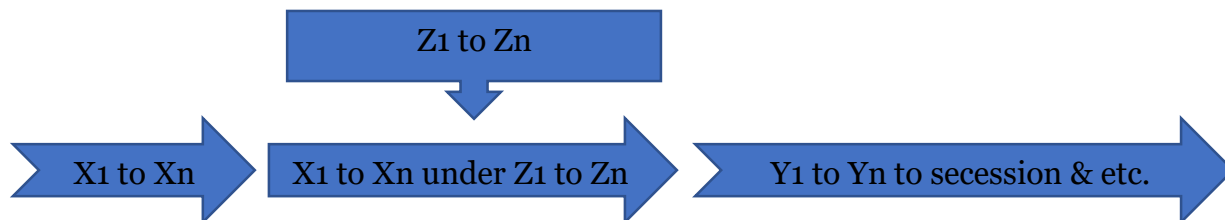
In addition, it is argued that the argument as a moral argument is based on martyrdom, although theocracy as a government abuses the moral value of aforementioned martyrdom, thus morality and reasonableness could be misused in favor of a theocracy and its immoral and unreasonable features. All of those features of a theocracy inherently could promote an unreasonable and immoral argument in favor of immoral secession,<sup>188</sup> hence the writer has presented the *COVID-19 Sample Argument*, the *Legal Stammer Argument*, *IPA*, and *SA* in favor of this claim, also it is argued theocracy is in disfavor of the RCRSUC of secession and it is due to the fact that theocracy principally holds as mentioned before an unreasonable and immoral view on secession.

Let the writer present this application of secession in theocracy differently:

X1 to Xn are moral and reasonable perspectives,

Z1 to Zn are all differential theocracies,

Y1 to Yn are immoral and unreasonable perspectives.



<sup>188</sup> For similar views see: (Swaine, 2001, p. 324), (Swaine L. , 2006, p. 91).

So, the writer throws theocracy away in favor of the RCRSUC and the *Martyr Argument*. A theocracy suffers from these strong commitments of the RCRSUC and the *Martyr Argument* in favor of a true moral position on anti-secession.

C. The Objections: There could be some potential objections against the argument:

The Institutional Democratic Secessionist Objection: Some Remedial Right Theories argue in favor of the right to secede in the case of lack of democracy and human rights in a government and they argue in the other cases of secessionist incentives have to ban the incentives from leading secessionist movements,<sup>189</sup> or have to regain the territory in the case of illegitimate secession.<sup>190</sup> So, it seems they target the argument.

- The writer's reply has three parts, first of all, there is no doubt that democracy has the highest quality among current political systems, even though, a lack of democracy and human rights does not contain inherently permission to withdraw a territory unilaterally, it means that we have to strive for a democratic government that includes human rights instead of this illegitimate secession. Needless to say, there is a connection between the right to secede as a right to territory and a right to democracy, because a right to secede includes a right to territory and a right to a new independent democratic or non-democratic government, and conversely, there is a partial overlapping between a right to secede and a right to democracy. For instance, imagine that A is a territory that includes three parts: J, K, and L, and the political system of A is a dictatorship that infringes on human rights, every act of people of K who are fascinated by the undeniable democratic values to overthrow the dictator government and replace A with a democratic system means their striving that A becomes a democratic government and this does not mean an independent state and does not equal having a right to A's territory since this violates the J and L's moral rights via the secession.
- Moreover, the second part is that imagine A is an ancient country with primary democratic values in the past or now, this situation never means that K is allowed to secede since it is unfair to abandon those past or present strivings or become hopeless to endeavor for democratic values as mentioned in the first part of the reply.
- The Last part is that the Institutional Democratic Right Argument could be in favor of democratic countries and be in disfavor of nondemocratic countries arbitrarily, so it could not be nominated candidate as an argument for the right to secede. Altogether, this reply is against both arguments of Remedial Right Theories and

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<sup>189</sup> For a similar view see: (Buchanan, 1998a, pp. 29-30).

<sup>190</sup> For similar views see: (Kant, 1999c, pp. 349-50), (Margalit & Raz, 1990, p. 442).

Primary Right Theories that desire to create a right to secede upon democratic values.

The Secessionist Disgrace Objection: Some may pretext remedial cure for remedial situations of consensual cases (hereafter: RCRSCC) even as a multilateral, negotiated, conservative, and democratic procedure with a supermajority vote of all citizens of the related country in disfavor of the argument which means there could be legitimate RCRSCC, and it seems RCRSCC makes secession as a piece of cake.

- However, the *Martyr Argument* brings disgrace to secessionists, reminders, and related states since they waste sacrifices of past martyrs as the argument, and RCRSCC could not redress the life of martyrs. Therefore, RCRSCC with the aforementioned notes could not be a case of secession morally, and everyone could strive to revise the law and acts of secessionists to block RCRSCC.
- There is always a feasibility of collective madness for illegitimate secession via RCRSCC, and thus they have to be foiled morally.

The Secessionist Ban of Ancient Country Objection: One may object there is no difference between newly established or fake countries on the one side and ancient and real countries on the other side in favor of the argument.

- The first reply to this objection is in the disfavor of RCRSCC that would insist (heterogeneous) ancient countries as antiquity are normatively heritages of humankind, and encouraging the citizens of those countries to stay together is a criterion, and we have to prevent secession in those countries.
- Also, there are past and future generations that get involved with the timeless ancient countries, and so the next generations who will live in the hypothetical secessionist region will prefer the antiquity to the newly-established country, also the remainders of the former territory will suffer from the political acts of their descendants. Moreover, those who lived in the past had spent their lives in the country in different ways before we could reach their success, thus we have to retain their accomplishments culturally and morally in disfavor of secession.

The No Real Borders for Anti-Secession Objection: One may object to the argument that there are no real borders, but there are many borders and countries that have been forcibly involved in wars, those have been changed during hundreds or thousands of years, and those have not been same as the past. As a result, it seems the writer has put the *Martyr Argument* on ice until it can be replaced with other arguments.

- Nevertheless, the writer thinks that this note reinforces the *Martyr Argument* and does not undermine it, because one has to distinguish between the legitimacy and illegitimacy of those cases to apply the *Martyr Argument* e.g. the question whether they are non-colonizer countries or not.



The Secessionist Regaining Objection: One may truly criticize that the writer has not mentioned some illegitimate secessions, hence justified response to those illegitimate secessions ought to be prepared.

- The *Martyr Argument* and RCRSUC ban violence and permit states and remainders to regain their lost territories legally and morally in the condition of immoral secession or irredentism,<sup>191</sup> however, first of all, we have to avoid adding more transgression of basic human rights and violence, moreover, we ought to start a morally justifiable negotiation on the regaining of the lost territories with those colonizers or secessionists, also we need to present all-things-considered arguments and evidence that could prove our claim, it is also necessary to involve a supreme international court to assess the process.<sup>192</sup>

The Secessionist Double Remedialism Objection: One may rightfully object there could be impeccable and dissatisfied reminders in hard cases due to the fact that their multilateral territorial rights are contravened by secessionists and the secessionists also circumscribe the other rights.<sup>193</sup> However, secessionists may dwell on secession and argue they are entitled to secession.

- Although, it is presumed that humanitarian intervention<sup>194</sup>, nonviolent revolution<sup>195</sup>, civil disobedience, and referendum of constitutional law are superior to secession owing to the fact that these solutions do not involve bloodshed of victims or transgression of current and future blameless remainders' rights. This attitude shows that secession is not a cure for remedial situations in which other political tools do not work at all.<sup>196</sup> For instance, imagine that a supreme international court condemns governments' inhumanity and imposes punishment and dispenses justice, there would be the de facto condition of recurring felonies, and so secession could not be on the table as mentioned before to escape from recurring ferocities.

The Animal Husbandry for Anti-Secession Objection: One may insist on avoiding secession, it has been advised that if a state would triumph over secessionist incentives, it has to immediately transplant or deport minorities nationally, ethnically, or religiously,

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<sup>191</sup> For a similar view see: (Margalit & Raz, 1990, p. 442).

<sup>192</sup> The writer's footnote: The writer ought to reveal that the writer's country not only has fallen victim to the writer's footnote fact of this chapter on the writer's country, but also RCRSUC and the argument are in favor of the country to regain its lost territory justly. Otherwise, the whole of the philosophical debates of secession remains in accord with the superpower countries' interests.

<sup>193</sup> For a similar view see: (Bauhn, 1995, p. 111).

<sup>194</sup> For a dissimilar non-philosophical view see: (Pavković, 2020, p. 163).

<sup>195</sup> For a similar view see: (Sunstein, 1991, p. 635).

<sup>196</sup> For a dissimilar view see: (Bauhn, 1995, p. 111).

etc., let the world become more tribalistic if the state would preserve the state's sovereignty, territory, and nationhood and let it foils secession stereotypically.<sup>197</sup>

- By contrast, it is shocking a country may urge and/or compel other countries to apply this political method to avoid secession, the writer avoids creating this tribalistic animal husbandry. The *Martyr Argument* is sufficient.
- Also, the writer strives to propound moral advocacy of secession as an anti-secessionist view and the others ought to forswear this proposal.

The Secessionist Supervenience Objection: One may argue that there is a relation between victims and tyrants in those savageries in secession, and victims as potential secessionists could blame others as potential reminders for those savageries and forthcoming secession.

- If victims are victimized by a government and are not victimized by other compatriots, then it appears that those remainders of secession are profoundly unhappy with cruelties, are powerlessly rescuing targets from oppression, and are motivationally restraining persecutors from accomplishing persecution. In those atrocities, moral wrongness supervenes upon moral states of tyrants and does not upon the remainders,<sup>198</sup> esp. in undemocratic governments since those governments are undemocratic and the citizens are not a part of the government's decisions and acts to be considered for a legitimate secession.

The Temporary-Permanent Secession Objection: In practice, it seems true that temporary secession is an antidote for the Remedial Right theories, but one may claim there have to be arbitrarily permanent secessions in favor of these theories.

- In a secessionist case, imagine R is a country in which three groups live in that place X (has 80% of the territory and population), Y (has 15% of the territory and population), and Z (has 5% of the territory and population), a disagreement strikes, thus Xs attacks Zs unjustifiably, strategically and timely, and this turpitude underlies Xs infringe basic human rights of Zs, 88% of Ys approve the strike and only 12% of Ys disagree with the strike. If it is not clear whether the prior political tools, e.g. humanitarian intervention<sup>199</sup>, are adequate or not, Z ought to secede from R at once permanently. The Remedial Right theories of secession would argue that there are no arguments to prohibit the Z's rights since respecting and rescuing Zs as human beings are first-order obligations. However, The *Martyr Argument* proves this objection also targets sacrifices of innocent past martyrs, hence this objection is immoral and lame.

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<sup>197</sup> For a similar view see: (Walzer, 1999, p. 208).

<sup>198</sup> For a similar view see: (Chandhoke, 2014a, p. 6).

<sup>199</sup> For a dissimilar non-philosophical view see: (Pavković, 2020, p. 163).

The Majority Secession Objection: One may criticize whether there is no difference between minority secession and majority secession, as a result, a majority could apply secession unfairly in disfavor of a minority.<sup>200</sup>

- To reply to this objection, another hypothetical case is that imagine G is a country that includes M, N, and L that have a supermajority of G, and they would intend to separate from a minority part of G that is identified as U, and it is the same as minority's secession, in this case, M, N, and L are not permitted to secede from U unless they are allowed through RCRSUC.

The Secessionist Self-Defeating Objection: Some proponents of secession would anticipate secession in advance as a rescue from conflicts of secessionists on the one side and reminders and rump states on the other side, thus secession could be astute, and aforementioned secessionist acts err on the side of caution.

- To respond to this objection, imagine L is a country that includes F as an absolute majority of L, M as a minority of L, M unjustifiably and unilaterally would secede from F, and it is not as RCRSUC, then F Attacks M, but the attack is the outcome of this illegitimate secession and it is not because of RCRSUC, and so secession is also self-defeating here.

The Theocratic Nonreason Objection: Another objection would be that one may accept anti-secessionist theories are false, but one may also reject the *Martyr Argument* because only theocratic approaches towards RCRSUC could defend anti-secessionist approach, and religious beliefs could reinforce RCRSUC, and secular arguments e.g. the *Martyr Argument* could not play for this serious aim. They may propose some sort of evidence to promote achievements of hypothetical theocracies to undermine secessionist theories.

- First of all, there are too many arguments against theocracies that have made theocracies undeniably illegitimate, and so theocracies have much more fundamental problems to propose RCRSUC and/or the *Martyr Argument*.
- Next, a theocratic government that is defending RCRSUC in a theocratic way, or it may apply religious beliefs towards secessionist theories, and undeniably it sacrifices morality for religions and/or theocratic governments. It devalues human beings and morality, and it menaces the only objective valued aspect of humankind, morality, thus the writer thinks the theocracy makes a double the *Martyr Argument* that will waste RCRSUC. It is double the *Martyr Argument* since first of all, a theocratic government may deny RCRSUC and the *Martyr Argument* because of a scripture or religious doctrine and/or a theocratic government, and so both the truthiness of the *Martyr Argument* and morality are

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<sup>200</sup> For a similar view see: (Lincoln, 2001, pp. 436-7).

valueless and nothing, second of all, if a theocracy admits RCRSUC, it is not as a result of the *Martyr Argument* and RCRSUC, but it is because the scripture and the religious doctrine and/or the theocratic government, and so not only truthiness of the *Martyr Argument* and RCRSUC are rejected via the theocratic aim, but also they are sacrificed to the scripture or the religious doctrine.

- Last but not least, if there are some sorts of conservative and/or perfectionist parties in a country,<sup>201</sup> hence there have to be constant moral tendencies among many social and political groups in the public spheres of the country, and all of these will remain the country as an advocate of RCRSUC and the *Martyr Argument*, thus we do not need a theocracy.

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<sup>201</sup> For a similar view see: (Scruton, 1980, pp. 65-6).

## ***Conclusion***

Theocracies fragment civilizations and countries, there is no need for more words to this fact, and undeniably there is no solution to alleviate this fact for theocrats.

The writer has strived to prepare four arguments against theocracies directly, and another argument against theocracy mediately, even though, the writer's journey for this work has been struggling with many torturous years.

Succinctly the writer's attacking recommendation for real theocrats and theocracies is that they need to isolate themselves in a private location and exclude the whole of secular sciences and philosophy in that situation permanently, and then testify their theocratic beliefs and practices.<sup>202</sup>

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<sup>202</sup> For similar views see: Schrödinger's cat (Fine & Ryckman, 2020), (Trimmer, 1980, p. 328).

The writer's footnote: The "*Schrödinger's cat*" thought experiment inspires for this writer's recommendation.

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