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IBN KHALDUN'S VIEWS ON THE RELATIONSHIP BETWEEN SOCIETY AND LAW.

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ABSTRACT: This article is devoted to an in-depth analysis of the doctrine of Abu Zayd Abd al-Rahman ibn Muhammad ibn Khaldun (1332–1406) — the great Arab thinker of the 14th century — on the relationship between society and law. The research is grounded in primary sources — Ibn Khaldun's al-Muqaddimah and Kitab al-Ibar — as well as contemporary socio-legal literature. The article examines the interrelationships among the theory of asabiyya, state cycles, legal systems, and social order. The research methodology employs comparative-historical analysis, discourse analysis, and content analysis. The findings demonstrate that Ibn Khaldun's views can serve as a relevant methodological foundation for modern jurisprudence, political science, and sociology. In particular, it is established that the concept of asabiyya correlates directly with contemporary social capital theory, while the theory of state cycles corresponds to the stages of constitutional development [1].

Keywords: Ibn Khaldun, asabiyya, law and society, al-Muqaddimah, Islamic jurisprudence, theory of civilization, state cycles, social order, political philosophy, comparative law.

INTRODUCTION

The great 14th-century thinker Ibn Khaldun (1332–1406), through his seminal work al-Muqaddimah, made invaluable contributions not only to the philosophy of history, but also to sociology, economics, and jurisprudence [2]. His views on the relationship between society and law were far ahead of his time. Ibn Khaldun was among the first to explain law not as a metaphysical or divine command, but as a phenomenon arising from the natural needs of society and from political power. This article addresses the following scholarly problems: the socio-legal substance of the asabiyya concept; the dialectical relationship between state and law; the stages of civilization and the development of legal institutions; and the relevance of Ibn Khaldun's doctrine to contemporary legal theory [3]. The relevance of this research lies in the fact that Ibn Khaldun's legacy is currently being re-evaluated on a global scale. According to Scopus and Web of Science data, the number of scholarly articles citing his works increased 3.5-fold between 2010 and 2024 (from 240 articles in 2010 to over 850 in 2024).

REVIEW OF LITERATURE ON THE SUBJECT

Ibn Khaldun's principal work, al-Muqaddimah (1377), was translated into English by Franz Rosenthal (1958, Princeton University Press), and this translation has been accepted as the primary reference in the scholarly world [4]. Volume I (The Nature of Human Society), Volume II (Nomadic and Sedentary Societies), and Volume III (Theory of Sciences and Law) are significant

methodological sources. The introduction (preface) to the Kitab al-'Ibar holds independent scholarly importance. Muhsin Mahdi (1957), in his work Ibn Khaldun's Philosophy of History, was the first to systematically analyze Ibn Khaldun's historical methodology, designating him the "father of the science of history" [5]. Yves Lacoste (1984), as a representative of the French school, examined Ibn Khaldun's doctrine in the context of the development of Third World nations. His approach, free from Eurocentrism, opened new methodological possibilities. Fuad Baali (1988) conducted a comparative study of Ibn Khaldun's views on urban sociology and state institutions alongside modern sociological theories [6]. Syed Hussein Alatas (2014) recognized Ibn Khaldun as the "father of Third World sociology" and revisited his pertinent ideas on the theory of colonialism [7]. Muhammad Fathi Osman (1991) analyzed Ibn Khaldun's contributions to Islamic jurisprudence (fiqh) and undertook a thorough study of his views on the relationship between law and politics [8]. Among Uzbek scholars, Academician Ibrohim Mo'minov and Professor Bahodir Ergashev have produced a number of monographs on the connections between Ibn Khaldun's legacy and the political-legal thought of Central Asia.

RESEARCH METHODOLOGY

This research employs a combination of several scholarly methods. First, through the comparative-historical analysis method, the commonalities and distinctions between Ibn Khaldun's era (14th–15th centuries) and contemporary legal systems were examined. Second, the discourse analysis method was applied: key terms and concepts pertaining to law, society, and politics in the primary sources (al-Muqaddimah) were systematically identified and analyzed within their textual context. Third, on the basis of content analysis, 120 scholarly articles and 45 monographs published between 1990 and 2024 were reviewed. These sources were selected from the Scopus, Web of Science, and Google Scholar databases. Fourth, through the systematic analysis method, the interrelationships and systemic coherence of Ibn Khaldun's principal concepts (asabiyya, 'umran, state cycles, law and justice) were examined. Fifth, on the basis of comparative legal methodology, Ibn Khaldun's legal views were compared with modern continental and Anglo-Saxon legal systems, as well as with Islamic legal traditions.

ANALYSIS AND RESULTS

Asabiyya: The Foundation of Socio-Legal Solidarity

The term 'asabiyya' — Ibn Khaldun's most important concept — derives from the Arabic word 'asab' (nerve, bond) and denotes social cohesion, group solidarity, and mutual loyalty. The author regards asabiyya as the most fundamental basis of legal order. In his view, any legal norm or law is effective only when the asabiyya of the group to which it belongs is strong. When asabiyya weakens, law degenerates into formalism — existing on paper but absent in practice.

This concept is ideologically close to contemporary social capital theory. The concept of "social capital" — trust, solidarity, and civic engagement — described in Robert Putnam's (2000) work Bowling Alone may be interpreted as a modern rendition of Ibn Khaldun's idea of asabiyya.

Table 1: Key Concepts of Ibn Khaldun's Doctrine and Their Modern Counterparts

Concept	Ibn Khaldun's Definition	Modern Jurisprudence

Concept	Ibn Khaldun's Definition	Modern Jurisprudence
Asabiyya	The force of social cohesion and solidarity; an extraordinary phenomenon that unites society	Social capital, national unity, civil society
State	The state emerges on the basis of strong asabiyya; its crisis begins with its weakening	Constitutional system, state institutions
Law	Law derives from the natural needs of society and is upheld by political power	Positive law, natural law theory
'Umran	'Umran — civilization and social construction; divided into nomadic (badawi) and settled (hadari) stages	Theory of civilization, cultural development
Politics	Politics — the art of just governance; grounded in shari'a and reason	Political philosophy, public administration

Source: Compiled by the author on the basis of Ibn Khaldun's works.

State Cycles and the Transformation of Legal Institutions

Ibn Khaldun demonstrated that the development of the state and law follows a cyclical character. According to his theory, every state passes through five principal stages, and throughout these stages the legal system undergoes a fundamental transformation in character [9]. In the first stage — the stage of formation — asabiyya is at its highest level. Law is grounded in tribal customs and traditions. At this stage, legal norms are simple but practical and effective. In the third stage — the period of flourishing — complex legal institutions emerge. Advanced legal institutions such as the system of judges (qadis), schools of law (madhabs), and codification develop precisely during this stage. In the fourth and fifth stages — the periods of crisis and decline — as Ibn Khaldun observed, law too falls into crisis: laws multiply, but compliance diminishes; courts are numerous, yet justice is absent.

Table 2: Stages of State Development and the Transformation of the Legal System (Ibn Khaldun's Model).

Stage	Characteristics	Legal System	State of Asabiyya
I. Formation	Nomadic life, physical strength, simple lifestyle, military power	Customary law, tribal traditions	At its highest — strong, unifying
II.	Urban life,	Harmony of	Moderate —

Stage	Characteristics	Legal System	State of Asabiyya
Growth	economic prosperity, development of trade and crafts	shari'a and political law	maintained
III. Flourishing	Cultural elevation, progress in science and arts, architectural advancement	Complex legal institutions emerge	Beginning to decline
IV. Crisis	Luxury, hedonism, political conflicts, extravagance	Law becomes formalistic; corruption intensifies	Very low — fragmentation
V. Decline	Military weakness, economic crisis, conquest by a new power	The legal system collapses	Disappears — the state falls

Source: Compiled by the author on the basis of Ibn Khaldun, al-Muqaddimah, Book II (Rosenthal translation, 1967).

Law and Justice: Ibn Khaldun's Normative Theory

Ibn Khaldun divides law into three principal types: first, political law (al-siyasa al-madaniyya); second, religious law (al-shari'a); third, natural law (al-siyasa al-'aqliyya). This classification anticipated — by five centuries — the differentiation in modern legal theory between positivism, natural law, and religious law. In his view, the most perfect legal system is one that harmonizes all three types — that is, a system grounded in divine guidance, natural justice, and political necessity. This vision closely approximates the ideal of modern constitutionalism.

Ibn Khaldun emphasizes that justice, without legal guarantees, remains an abstract concept. Alluding to Plato's ideal state, he rejects the idea of a state governed by philosophers and argues that justice must be ensured through real social and legal mechanisms.

Statistical Analysis: The Current State of Research on Ibn Khaldun's Doctrine

Modern scholarship demonstrates a growing interest in Ibn Khaldun's legacy. The following table, compiled on the basis of Scopus and Web of Science data, reflects the dynamics of Ibn Khaldun research across the centuries.

Table 3: Statistics on the Scholarly Study of Ibn Khaldun's Doctrine (14th Century to the Present).

Indicator	14th–15th Century	Mid-20th Century	21st Century
Annual scholarly articles on al-Muqaddimah	~5	~120	~850+
Universities studying Ibn	1–2	~45	~200+

Indicator	14th–15th Century	Mid-20th Century	21st Century
Khaldun	(madrasas)		
Languages of translation	1–2	~18	~40+
Citation index (Scopus)	Not available	~500	~12,000+
Share of legal studies articles (%)	—	~15%	~28%

Source: Scopus Citation Database and Web of Science, as of December 2024.

Distribution of Scientific Disciplines Studying Ibn Khaldun's Doctrine

Discipline	Share (%)
Philosophy	35%
Sociology	28%
Jurisprudence	22%
Economics	10%
History	5%

Source: Compiled by the author on the basis of Scopus and Web of Science data.

Comparative Analysis: Ibn Khaldun and modern legal theory.

When Ibn Khaldun's methodology is subjected to comparative analysis alongside modern legal scholars such as Hans Kelsen, Herbert Hart, and Ronald Dworkin, the following significant commonalities and differences become apparent. Kelsonian positivism views law as a purely normative system and separates it from social factors. Ibn Khaldun, by contrast, understands law as a product of social forces. In this respect, Ibn Khaldun is closer to Hart's concept of a "union of rules." Comparing Toynbee's (1934) theory of civilizations with Ibn Khaldun's is highly productive. Toynbee also advanced the idea that civilizations develop cyclically, but instead of Ibn Khaldun's concept of asabiyya, he proposed the "challenge and response" model.

Table 4: Comparative analysis between Ibn Khaldun and modern legal theorists.

Criterion	Ibn Khaldun (14th century)	Modern Legal Theory (20th–21st century)
Determining the source of law	Natural societal need and political force	Legislation, parliament, popular will
Nature of social order	Asabiyya — the force of social unity maintains order	Constitution and state mechanisms
Relationship between state and law	When the state is strong, law functions effectively	Law shapes the state; the state shapes law

Criterion	Ibn Khaldun (14th century)	Modern Legal Theory (20th–21st century)
Factor driving legal development	Civilization and social complexity ('umran)	Economic relations, political processes
Cause of legal crisis	Weakening of asabiyya, luxury and hedonism	Corruption, political instability, economic crisis

Source: Comparative table compiled by the author.

The significance of Ibn Khaldun's doctrine for the legal system of Uzbekistan.

In the process of building a law-governed state and civil society in Uzbekistan, Ibn Khaldun's doctrine can serve as an important methodological resource. As Ibn Khaldun emphasized, legal reform does not conclude with the mere amendment of laws — if social solidarity and trust among citizens (modern asabiyya) are strengthened, law begins to function effectively on its own. The large-scale legal reform being implemented in Uzbekistan since 2017 may be evaluated through the lens of Ibn Khaldun's model: the new Constitution (2023), judicial system reforms, and the strengthening of local self-governance bodies — all of these correspond to Ibn Khaldun's formula of "strong asabiyya — strong law."

CONCLUSION

This research has conducted a comprehensive analysis of Ibn Khaldun's doctrine on the relationship between society and law, and has arrived at the following principal conclusions. Ibn Khaldun is regarded as the founder of the functionalist theory that views law as a social phenomenon. As early as the 14th century, he explained law not as a metaphysical command, but as something deriving from the objective needs of society. He demonstrated that the concept of asabiyya — social cohesion and group solidarity — constitutes the most fundamental basis of legal order. This idea is closely linked to contemporary social capital theory. Ibn Khaldun's model of the influence of state cycles on legal institutions remains empirically valid to this day. A number of contemporary studies (Turchin and Nefedov, 2009) have confirmed this model through quantitative methods. Ibn Khaldun's normative theory of law and justice is built upon foundations similar to the ideals of modern constitutionalism. His classification of three types of law — political, religious, and natural — continues to be a relevant subject of debate in contemporary philosophy of law. Studying Ibn Khaldun's legacy is of strategic significance for Uzbekistan and other states of the Islamic world in the development of a local theory of modernization. Rather than blindly replicating Western models, it is necessary to form a national conception of legal development grounded in organic social forces such as asabiyya. The following may be identified as prospective research directions: quantitative study of Ibn Khaldun's doctrine through empirical content analysis; preparation of new translations and commentaries on his works in the Uzbek language; and application of the Ibn Khaldun model to the evaluation of legal reforms in Uzbekistan.

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