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Contrasting Political Theory in the East and West: Ibn Khaldun versus Hobbes and Locke

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ABSTRACT

Recent developments in our globalized world are beginning the scholarly world to answer the question pertaining to the relationship between Islam—a "faith"—and politics and governance. In order to understand the Islamic worldview from the perspective of Ibn Khaldun, with whom many modern Islamists would agree with, a comparison is made with early progenitors of liberalism and the social contract, John Locke and Thomas Hobbes. By understanding the fundamental differences between the theorists, and how Ibn Khaldun's is completely separate from the western tradition, it becomes easier to understand exactly why Islamic models of governance are at direct odds with the west. The main difference between the two models of governance is the use of a fundamental criteria determining right from wrong, as opposed to Hobbes' and Locke's theories being based purely on assumption that the validity of their respective arguments is based upon the theory's acceptance among the people. In other words, western political theorists lack the consistency and justification for their theories, at least from the Islamist point of view.

Keywords: Ibn Khaldun, Political theory, Islamism, Democratic Islam, Islamic liberalism

1 Introduction

ABD AL-RAHMAN IBN MUHAMMAD IBN KHALDUN, popularly known as Ibn Khaldun, is considered to be one of the greatest empirical social scientists of history. Some western scholars consider him to be the founder of the field of Sociology, specializing in modern empirical methods of deduction^{1,2}. Ibn Khaldun pre-empted many enlightenment and renaissance-aged thinkers. His major work is the Muqaddimah (1377), or 'Prolegomena', which clearly lived up to

its name, recognized as a prolegomena to political science, ranging from world history to social Darwinism.³

This article sheds light on the fundamental philosophical differences in various political models. Ibn Khaldun's political theory is contrasted with those of Hobbes and Locke, based on their works titled *The Leviathan* (1651) and *Two Treatises of Government* (1689), respectively. It analyzes the premises of the three scholars regarding the principles upon which they build their foundational political theories, and then discuss the issue of the applicability of these premises in the real world. The immediate implications of this article is in introducing an entirely new paradigm into political thought in view of the current status of world politics. It is a potent demonstration of how Islamic political thought plays out in relation to that of the west, providing further understanding as to why and how policies (like foreign policy) are governed by Islamic principles. More importantly, it questions the entire strand of western political thought based on questioning its grand foundations.

It should be noted that while a brief and generalized analysis is awarded to the political theorists, the purpose of the article is to pinpoint the foundational assumptions of their theory—not to analyze each and every branch emanating from their respective assumptions. The article starts with an examination of the individual premises of Ibn Khaldun, Hobbes, and Locke, and then compares them on both theoretical (logical) and practical (application) planes of logic.

2 The Fundamental Premises of Ibn Khaldun

Ibn Khaldun is most known as an empiricist, having based his theories around hard facts.⁴ However, similar to his predecessors, such as Averroes (1126-1198), who is recognized as the 'father of secular philosophy in Europe',⁵ Ibn Khaldun's first premise was the Islamic declaration of faith, "There is no deity but God, and Muhammad is His Messenger," being a devout Muslim⁶. This premise founded Ibn Khaldun's government model, assuming that the prophet of Islam, Muhammad, is the "lawgiver" and, therefore, the Islamic Caliphate he founded was the model form of government⁷. We see the impact of this fundamental premise when in Muqaddimah, Ibn Khaldun talks about human civilization, Bedouin civilization and tribal codes, the effect of climate and physical environment on the behaviour and formation of people, psychological factors influencing the behaviour of people (the famous '*Asabiyyah* theory),⁸ the formation and destruction and maintenance of royal 'dynasties', economics, etc. Logical explanation of each of these events could be found through deductive reasoning starting from the first premise. For Ibn Khaldun, the notion of Justice, be in a 'Just society' or 'Just war', was embedded in the first premise that takes Allah (Creator) as the ultimate Justice and His messenger, Muhammad as the lawgiver that assured justice.

There are some scholars that believe Ibn Khaldun's premises were strictly secular. While may be true for Christianity that shunned science, this does not apply to Islam whose holy book has the word 'science' (ilm in Arabic) as the second most frequently used word.⁹ Rabi¹⁰ points out how

misinterpretation, along with prejudicial "modernization" of Ibn Khaldun's terms and concepts led several European authors to go the extreme of equating Asabiyyah with nationalism. Such criticism was pre-empted by Gibb.¹¹ In Gibb's words, such mischaracterization "arises from a misapprehension of his [Ibn Khaldun's] outlook, especially in its relation to religious questions"¹². Gibb had his own share of misinterpretation and prejudices¹³, but in matter of his analysis of political power and divine rule, there was no ambiguity. In fact, according to Gibb, "it is impossible to avoid the impression that Ibn Khaldun, besides setting out to analyze the evolution of the State, was, like the other Muslim jurists of his time, concerned with the problem of reconciling the ideal demands of the Shari'ah (God's prescribed pathway) with the facts of history. The careful reader will note how he drives home the lesson, over and over again, that the course of history is what it is because of the infraction of the Shari'ah by the sin of pride, the sin of luxury, the sin of greed. Even in economic life it is only when the ordinances of the Shari'ah are observed that prosperity follows."¹⁴¹⁵

Gibb points out the belief of Ibn Khaldun as to what will occur in absence of Shari'ah, "it is condemned to an empty and unending cycle of rise and fall, conditioned by the 'natural' and inevitable consequences of the predominance of its animal instincts. In this sense Ibn Khaldun may be a 'pessimist' or ' determinist', but his pessimism has a moral and religious, not a sociological basis." Note that this division between moral and sociological category does not conform to Islamic cognition that draws no distinction between morality and science. If Islam et al. Is summarized Ibn Khaldun's philosophy,

"Ibn Khaldun got his inspiration from the Qur'an that defines humans as the Viceroy (khalifah) of the Creator (e.g. 2:30 of the Qur'an specifies man's role as the viceroy), charged with law and order on Earth that seems to be abandoned not withstanding the grand plan of the Creator in the form of universal order. This outlook is clearly different to the Eurocentric notions, ranging from the vastly discredited 'original sin' to widely accepted 'evolution' theories that detach human conscience from its functioning in a society." 19

From the above fundamental premise of Ibn Khaldun emerges the role of Caliphate as the model or ideal community that in his word rules by shari'ah, the divine set of laws that is deduced from the Qur'an and hadith. The Caliphate system of government is the standard and 'right' system of government, and all empirical findings and data interpreted are tallied against an external standard. An "external standard" means that the standards by which a theory is built upon is insulated from the belief of a person that often sets an internal standard. The lack of such standard can lead to spurious cognition pattern, ²⁰ criticized as 'deliberate schizophrenia' by some authors. ²¹ The external standard grounds empirical findings and becomes the impetus for single-solution outcomes. The presence of such external standard will prove to be the key determinant in creating bifurcation of Ibn Khaldun's model from Locke's or Hobbes' models. In absence of this standard, his theory explained the rise and fall of empires. For Locke, Hobbes etc., the standard is in subjective or subject to change. ²²

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3 The Premises of Thomas Hobbes and John Locke

Hobbes believed that people are naturally prone to competition, including violent competition, fighting out of fear, and seeking out reputation. The Leviathan, after eloquently describing these qualities of men, summarizes:

"So that in the nature of man, we find three principal causes of quarrel. First, competition; secondly, diffidence; thirdly, glory," and that people therefore use violence to "to make themselves masters of other men's persons, wives, children, and cattle; the second, to defend them; the third, for trifles."²³

The logic is that because some have these qualities at times, people are in a constant state of war, and that as a result is "continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short." This occurs as long as there is no authority or "sovereign" to govern them. Therefore, there is a need for people to get together and create an non-revocable covenant to create a sovereign (person or office) that takes all the rights of the people with the exception of self-preservation, in order to establish peace and order. Herein lies the fundamental premise of Hobbes that pertains to how to derive a 'standard.' In search of such standard, Hobbes invoked the possibility of having a process that can select a sovereign based on consensus. By ceding power to the sovereign, the general public is no longer a party to the process of creating and enforcing laws. This means that the standard or grounding starts from the self (internal standard) to create an arbitrary external standard.

Locke, on the other hand, had a different perception of how government should be set up and operated, as well as how the standards to be enforced by the government. Locke being considered the 'father of classical liberalism', it is safe to assume that he was in favour of creating government by consent²⁷. In terms of creating a political standard, Locke's notion of universal natural law contrasts sharply with that of Hobbes for whom the laws have the single purpose of the creation of the sovereign. Also, Locke believed that sovereignty is in the people in contrast to Hobbes that believed in sovereignty belongs to the Sovereign. Locke believed that 'god'²⁸ endowed man with natural laws that govern people in a state of nature²⁹. From this, our fundamental rights are derived from the premise, "no one ought to harm another in his life, health, liberty or possessions; for men being all the workmanship of one omnipotent and infinitely wise Maker'³⁰, which we have a right to defend and punish transgressions³¹. When people get together and set up government by their consent, the government is to provide these rights to the people and enforce the law for the "common good".³²

Consequently, the limit to Locke's government is that the people have the right to revolt against the government and change their legislators when they act against the purposes for which they were elected³³. From these thoughts, we may derive two premises upon which theories of government and governance are based; a) the sovereignty lies in the people, and b) Nature

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dictates what is right and wrong; while government serves the purpose of ensuring these rights and being the common authority that enforces these rights.³⁴

4 Comparing Standards

When it comes to Ibn Khaldun's political grounding (standards), there is observed logical consistency, based on the logically (deductively) connected major premise (there is a unique deity, God) and minor premise (Muhammad is His messenger), and the model government, Caliphate, formed by the prophet, the 'law-giver'. This is tied to the notion that the purpose of humans is to be the viceroy of the creator, charged with law and order, and being accountable for only their intention. Therefore, the source of all rights is the creator, who explicitly delegated limited rights to His designated Caliphs, selected by the most righteous humans as per the standard of the Qur'an and the Hadith.³⁵ The purpose of the Caliph and the system is to be "a substitute for the lawgiver (Muhammad) inasmuch as it serves, like him, to protect the religion³⁶ and to exercise leadership over the world". 37 It is derived then that according to Ibn Khaldun, the ultimate source of law and power is God, political power comes from 'religion' of God.³⁸

Although outwardly similar to Ibn Khaldun's, Locke's model poses a problem, as Grant put it, when "the people consent to a form of government or to a government action that does not protect the lives, liberties, and property of the subjects", as "without a clear articulation for the relation between claims based on the origin of power, consent, and claims based on its ends, protection of life, liberty, and property, we cannot identify legitimate authority."³⁹ Similarly, Kendall opines on the issue of majority sovereignty:

"[T]he inalienable rights of the individual prove to be merely those which the majority of the people have not yet seen fit to withdraw. The 'proper interest' of each individual lies in obedience to a law decreed by a legislative which, as we have seen, is presumed to enjoy the confidence of the community; but since the majority can act for the community, and can thus exercise the community's right of revolution and its right to replace the old government with a new one to its liking, the proper interest of the individual becomes merely unquestioning obedience to the will of the majority..."40

This inability to derive a standard for law - a criterion to differentiate between right and wrong is a problem that has significant practical concerns, as will be detailed in the following section.

Relevant to Islamic political thought, it is interesting to see that John Locke's model gives rise to two logical paradoxes. The first is in regard to natural law; there is a discontinuation between God's intended natural law, and Locke being the definer of natural rights. In other words, there is no logical connector of Locke to God (or to nature), no connection to make him the rightful interpreter of the "infinitely wise maker". As a consequence, Locke gives no elaboration onto what may be considered moral and immoral.⁴¹ The second paradox is the problem identified by

Grant earlier that lies within identifying the ultimate authority of law (the sovereign) as the people, and acknowledging a natural law that is above everything else. We see that the exact criteria by which natural ends and popular sovereignty begins is ambiguous, to say the least. This is in stark contrast to Ibn Khaldun's model, discussed below.

What is perhaps even more interesting is that the same central argument Locke used against Robert Filmer (1588 -1653) applies to Locke himself. Filmer argued in his major work, Patriarcha (1680)⁴² that God gave Adam sovereignty over the earth (the divine right to rule), and that this right is delegated from Adam to his descendants, thereby creating a divinely-backed 'absolute' monarchy-similar to how natural rightful paternal authority works. Locke deconstructs this Biblical justification in his First Treatise of Government, identifying the disconnect of the pattern of authority moving from God to Adam, and to his descendants. A representative example of an argument could be him stating that the Bible did not really specify that Adam was given the right to rule over people, but rather, over "the fish and the fowl." Locke's own argument follows discontinuity of equal rigour.

Hobbes' model entails the formation of only one type of government, a tyrannical and authoritarian one (to say the least).⁴⁴ Once set up, the rights (with an exception to self preservation) of individuals are given up to the sovereign that becomes the legal standard. There are two main problems that we encounter in Hobbes' theory regarding its logical continuum. The 3rd of Hobbes' 19 laws of nature state that people 'ought to set up a sovereign', 45 which leads to groups of people choosing their own sovereigns, each sovereign creating its own standards of law. This implies that; a) there may logically be several different legal standards for one human race, and; b) the sovereign itself is able to exercise tyrannical power, to oppress and suppress the people who set him up, an extraordinary amount of optimism is put into the notion of the sovereign not abusing his power, 46 which may eventually lead to internal chaos, and; c) even if the sovereigns of the world are all righteous, there is nothing stopping endless warfare between states⁴⁷, posing obvious problems that Hobbes himself would seem averse to (as the purpose of the state is to create peace and order). Note that this dichotomy arises from the assumption that the only two options for humanity is to either descend into a constant state of war, or to have a sovereign dictate everything to the people. If this assumption is false, there is absolutely no basis for the rest of Hobbes' theory. In stark contrast, Ibn Khaldun's model starts off with a global standard that not only provides a domestic solution, but a global one as well. As Figure 3.1 depicts, Hobbes' theory can be seen as a 'last-ditch' attempt to solving the problem of forming a government in absence of global standards. Therefore, people are disconnected from their purpose, creating moral dilemma⁴⁸ and logical fallacies. For example, different people, even proximal neighbours, can have radically different notions of "right" and "wrong" imposed upon them, leading to what constitutes "right reason" according to Hobbes.

It is important to understand that these theories—not to claim the modern commentators suggest otherwise—are not concrete and fully developed and thought out with complete logical and objective thinking. There is room for "progress" and straightening out of logical problems. This,

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however, Ibn Khaldun would disagree with. Ibn Khaldun believed that there is an ultimate truth and dictator of moral values, grounded in the Qur'an, whose validity it itself. This is the line of though endorsed by Islamists, who poise the famous question to their fellow Muslims: "would you rather live by God's law in the Qur'an, or man-made law of people subject to change?"

Figure 3.1 depicts the direction of 'legal derivation', the process by which law is discerned, for each of the theorists' models. Ibn Khaldun's model is straightforward in the direction of legal derivation with a standard. Hobbes' model is also straightforward and similar to that of Ibn Khaldun's, but in the opposite direction (legal derivation without a global standard), because the standard (the sovereign) is created by individuals and then sovereign itself. Note that this standard does not apply globally, or even nationally, in fact, even the smallest of communities can create their own standards. Conversely, this model takes us into the direction of the opposite of the goal of a global order, into an order that fosters chaos. Hobbes' derivation is much more rapid and starts earlier than Ibn Khaldun's (and Locke's), as the so-called laws of nature he speaks about are merely a justification to create an all powerful sovereign (as rule #3 states). As the graph depicts, Hobbes' model swerves in the direction of legal derivation relatively earlier in time, because the purpose of his natural law is to create government as fast as possible. Locke's model starts off in the direction of Ibn Khaldun's, when discussing a universal natural law and possibly a future vision for mankind, but cuts off and goes into the direction of chaos. This is inevitable when there is no defined logical criterion to determine if an action is "moral", "just", or "ethical". This progression is similar to what Ibn Khaldun termed as deliberate departure from shari'ah, in which case humans behave like animals, meaning without purpose and the society falls into chaos or anarchy. In essence, both Locke and Hobbes have only looked into the chaotic model (in absence of adherence to shari'ah), albeit attempting to retrofit it as a standard model, leading to the absurdity of Caliphate without shari'ah and humans without conscience.

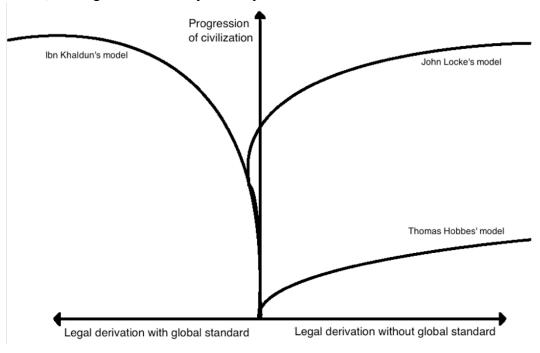


Figure 3.1. Depicts the legal derivation directions of the three theorists' model government models.

The above discussion regarding the relegation of authority is summarized in Table 3.1. As discussed, Ibn Khaldun started with believing in a major premise (God) and a minor premise (Muhammad is the prophet of God). The Qur'an, which was given by god, delegated political and religious authority to Muhammad, who himself explicitly allowed for the delegation of his authority after his death. Hence, the current Caliph, provided that he abides by God's law, is given power. John Locke believed that the law of nature is naturally manifest in nature (created by God). This natural law, through the authority of Locke himself, delegates power to the people, being the new sovereign. Government under the people has the purpose of creating and enforcing laws with the consent of the people. Robert Filmer believed that God is the source of all authority and sovereignty, and that the power was delegated to Adam and therefore to the 'kings' who are descendants of Adam. Locke uses the same argument identifying Filmer's political authority discontinuation that, in fact, applies to himself. Hobbes believed that people are all fundamentally equal, and their individual powers and rights are delegated to a sovereign given the right to do anything to maintain peace and order, with the exception of unlawful killing. It should be noted that Hobbes creates paradoxes for himself as well, discussed above.

5 Application of the models

This section is dedicated to applying the theoretical models and analyzing representative examples, in order to identify the practical advantages and disadvantages of the models.

As we discussed in previous sections, Ibn Khaldun's model is the Caliphate. It's important to know that historically, the caliphate lasted for 30 years, ⁴⁹ ruled by the Khilafat al-Rashidun (rightly-guided caliphs). Ibn Khaldun saw the Umayyad and Abbasid dynasties following the rightly-guided Caliphate as absolute monarchies, ⁵⁰ which, according to Okene and Ahmad, ⁵¹ Ibn Khaldun himself was "repulsed" by. ⁵² Ahmed Yessine observed that Ibn Khaldun saw the rise and fall of Muslim dynasties general (as many existed) to be a part of the cyclical version of history. ⁵³ Indeed, this 'Shari'ah-free' state is the state of nature notion portrayed by international relations realists. Ibn Khaldun agreed with the explanation of Abu al-Hasan al-Mas'udi (896–956) discussing the decline of the Umayyads, in that many of the 'caliphs' were more concerned about their worldly pleasures, ruled with tyranny, blindness, and power was "passed to their wasteful descendants who were only concerned with the gratification of their desires and with sinful pleasures" and so on, which is how the "caliphate is transformed into royal authority." One can see that Ibn Khaldun's model of the Caliphate is the original caliphate, the one that was ruled by the "most righteous" and not monarchial heirs. Ibn Khaldun's model, unlike Hobbes'.

already existed, providing a continuum for jurisdiction from God to the Caliphs through Muhammad.⁵⁵

Ibn Khaldun's first claim of the Caliphate is that it would provide security and order and prevent corruption and injustice.⁵⁶ This model was personified by the life and work of Prophet Muhammad, whose influence catapulted 1000 years of unparalleled boost in knowledge.

Table 3.1. Comparison of the fundamental premises of various political models regarding the transfer of power

| Theorist | Origin of authority | Transferring of authority | Where authority currently lies |
|---------------|---------------------|---|--|
| Ibn Khaldun | Allah (God) | The Qur'an, considered the direct word of God, delegates authority to his prophet, Muhammad. He, directly delegated/allowed for the transference of authority from the Prophet to the Caliph who is chosen from the most righteous (as Ibn Khaldun explained earlier) | The authority then lies with the selected Caliph, however the ultimate authority that the caliph (and people) is required to rule by is by God's law as identified in the Qur'an and <i>Hadith</i> . |
| John Locke | People (or God?*) | Undefined | The authority of who decides what is natural law and natural rights, the rightful structure-r of government and delegator of authority (to the people) is Locke himself. |
| Robert Filmer | God | Undefined according to Locke and reason | Kings or 'princes' |
| Thomas Hobbes | People | The political and ideological authority of the state comes from the sovereign, the people delegate authority to it however the power no longer holds. | The authority would then lie in the sovereign that is given the full right to create and enforce law. |

Let us examine Table 3.1. With the Our'an as the starting point, the Islamic cognition adds an axis, that is, the practice of Prophet Muhammad, then asks its followers to time scale (qivas in Arabic) that scenario to the époque of interest and treat worldly belonging (including time) as a trust and defines human role as the 'viceroy of the creator'.57 In other words, functioning of the government is similar to running a trust. Such governance is possible only through just and measured application of human conscience to the solving of social problems, all definitions having been standardized by the Qur'an and the life of prophet Muhammad. It also follows that most notable of his companions are the 'rightly guided' Caliphs who were elected to serve according to criteria and a process established by the prophet and his rightly-guided caliphs. At his deathbed, the prophet Muhammad made sure that the transfer of power takes place following God's prescribed pathway, known as Shari'ah. This process involves both nomination by the current leader and election by the electoral body made out of the most righteous ones. The leader is called, Khalifah (Caliph) that stands for 'viceroy', 'deputy', or 'representative' of God, who gave Qur'an as the constitutional document.⁵⁸ In today's terms, the Caliph is similar to a prime minister who reports to an Autocratic (yet Benevolent, Merciful, Forgiving) Monarch as the Monarch's viceroy. The most important feature of Caliphate is the selection of successor that would lead the world. Let's examine the traits of Abu Bakr, the first successor nominated by prophet Muhammad, who said about Abu Bakr, "If I were to take a friend other than my Lord, I would take Abu Bakr as a friend." Abu Bakr was known for his truthfulness and strong Faith in God, which forms the most important criterion of selection of a leader. Abu Bakr, in his own right, outlined the limit of the power of the Caliph. When, Abu Bakr passed away, he nominated Umar, who was later unanimously elected by the most righteous representatives of various tribes. Umar, on the other hand, nominated a group of 5 most righteous people and ordered them to nominate one Caliph who would later be elected by the most righteous representatives. Both Uthman and Ali were assassinated and there is no indication as to whom they nominated as successors. Table 3.2 shows clearly when the model Caliphate ceased to exist and monarchy was started. In summary, Ibn Khaldun's model Caliphate fulfills all criteria of benevolent governance, starting from Constitution through legislation process, selection of leader, enforcement of rule law, welfare of the society, just war,⁵⁹ national security, international relations, global peace, and overall justice.

The model of Hobbes is intellectually intriguing, as it is essentially the opposite of Ibn Khaldun's, as morals and laws are created by groups' individual sovereigns or 'mortal gods'. It is important to note that Hobbes' model was not a historical one, at least in its fullest sense, as there is no documented civilization in the state of nature where people together created a covenant to have an unconditional sovereign that would be the absolute ruler and source of law. Because of this contradiction, all we can do is to create hypothetical scenarios and analyze absolutist governments to get an idea.

There are many fundamental practical problems to Hobbes' approach. Firstly, the fact that humans are only given a choice between the state of nature or an absolutist government is simply

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empirically incorrect, as people can create stable, limited governments to enforce our fundamental right to self-preservation without an absolutist regime.⁶⁰

Table 3.2. Head of state and process of social structure during Islamic era (modified from Islam et al.⁶¹)

| Name of the head of the state | Timeline of head of state | Denomination | Selection process | Overall contribution |
|-------------------------------------|--|-------------------------------------|--|---|
| Prophet Muhammad* (570-632) | 622-632 (natural death) | Prophet of Allah | Divine selection | Establish cognition at all levels, starting with the Qur'an, applied in context of <i>Hadith</i> |
| Abu Bakr Siddique* (573-634) | 632-634 (natural death) by electors (Majlis) | Rashidun (rightly guided) Caliphate | Nominated by the prophet, later unanimously accepted | Continue the legacy of prophet Muhammad; crush uprising by false prophets, fought "Muslim" oppressive regimes, subjugated two most powerful empires of the time. |
| Umar Ibn Khattab* (579-644) | 634-644 assassinated by a Persian | Rashidun (rightly guided) Caliphate | Nominated by Abu Bakr, elected by council of electors (Majlis) | He was an expert Islamic jurist and is best known for his pious and just nature, which earned him the title Al-Faruq ("the one who distinguishes between right and wrong"). He expanded Caliphate to include Persian Empire and more than two thirds of the Eastern Roman Empire. He is recognized setting aside the Christian ban on Jews and allowed Jews into Jerusalem and to worship. He is known to have introduced numerous social benefits, including child benefit for single mothers. |
| Uthman Ibn Affan (577 – 656)* | 644-656 assassinated by a rebel group | Rashidun (rightly guided) Caliphate | Nominated by Umar and elected by council of electors. | Uthman was born into the Umayyad clan of Mecca, a powerful family of the Quraish tribe. He was a companion of Muhammad who assumed the role of leader (caliph) of the Muslim Empire at the age of 65 following Umar ibn al-Khattab. Under his leadership, the empire expanded into Fars in 650 (present-day Iran), some areas of Khorasan (present-day Afghanistan) in 651 and the conquest of Armenia was begun in the 640s. Some of Uthman's notable achievements were the economic reforms he introduced, and the compilation of the Qur'an into the unified, authoritative text that is known today. He introduced the notion of minimum wages for all workers. |

| Ali Ibn Abu Talib* (656-661) | 601-661 (assassinate d by 'deviant' groups) | Rashidun (rightly guided) Caliphate | Elected by prominent companions of the Prophet | Ali is respected for his courage, knowledge, belief, honesty, unbending devotion to Islam, equal treatment of all Muslims and generosity in forgiving his defeated enemies. Ali retains his stature as an authority on Qur'anic exegesis, Islamic jurisprudence and logical thought. He fought against rebel "Muslim" factions as per Qur'an 49:9. |
|---------------------------------------|--|--|--|--|
| Name of the head of the state | Timeline of head of state | Denomination | Selection process | Overall contribution |
| Ummayad Dynasty | 661-750/103 1 | Autocracy | | Expansion of the Islamic empire |
| Caliphs of Damascus | 661-750 | Autocracy | | |
| Omar Ibn** Abdul-Aziz (682-720) | 717-720 (poisoned) | Nominated, unanimously accepted | | Reinstated Islamic Caliphate |
| Emires of Cordova | 756-921 | Appointed | | |
| Caliphs of Cordova | 929-1031 | Appointed | | |
| Abbasid Caliphs | 750-1258/15 17 | Autocratic | | Scientific and technological breakthroughs |
| Caliphs of Baghdad | 750-1517 | Autocratic | | |
| Caliphs of Cairo | 1261-1517 | Autocratic | | |
| Other Caliphs | 909-1261 | | | |
| Fatimid caliphs | 909-1161 | Autocratic | | |
| Almohad caliphs | 1145-1269 | Autocratic | | |
| Ottoman Empire Caliphs | 1517-1922 | Autocratic | | Formalization of civil service, military |

^{*} Corresponds to Ibn Khaldun's model state

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^{**} Many consider Umar ibn Abdul Aziz to be the 5th rightly guided Caliph because of the fact that he ceded power and was subsequently elected to power.

Practically speaking, absolutist regimes are not beneficial to humanity because they set the table for ideology, control, over-taxation, stealing of property, unjust violence, etc. The latter one is very problematic, as it defeats the purpose of Hobbes' state itself. Yates points out two views on this issue. The first is that of Locke and others that believe that the Sovereign has a right to do what it pleases, including violence and infliction of harm. The second view is that only the sentence to the pre-determined law may be executed.⁶² From a practical perspective, such a government could be very frightening and dangerous. A look at any human rights-toleration map shows us that the very worst states are the most authoritative ones. The cases in point are Saudi Arabia, North Korea, Egypt, etc. that are and have historically been involved in human rights abuses.⁶³ A parallel version to Hobbes' state can be found in Nazi Germany under Adolf Hitler. People of Germany democratically elected Hitler, rendering him a 'Sovereign', who took over the state matters and personified Hobbes' 'Sovereign'.⁶⁴

The problem of Hobbes' theory lies within his belief that a sovereign may possess the powers to do evil—the opposite of peace—and order which is the purpose of the state in the first place; even if he didn't intend it to be such. Of course, Hobbes is proposing a modus vivendi, a model to coexist, but that does not change the fact there are theoretical flaws in his model: it is impossible to predict such a situation in reality, let alone tolerable rule. It does not stop at predicting chaos or anarchy, it goes further and asserts that the chaos/anarchy model is the only model and there cannot be an alternative model.⁶⁵ One of the overarching problems of Hobbes' model is that it only pays attention to the single state, and not the big picture of a global vision for humanity. This is shown in Figure 3.1. The fact of the matter is that the theoretical notion of there being a sovereign for every group of people is myopic, 66 in the sense that when only the group of one state is of concern, and other groups or the general global situation is ignored, the results are detrimental to the global situation. Such is the practical case with historic infighting amongst different sovereigns, each with their own agendas fighting with each other for their own selfinterest. This, at least until modern times, was the case amongst empires and dynasties, each fighting for their survival. This key feature of Hobbesian myopia was pre-empted by Ibn Khaldun, and picked up by modern historian, Turchin that observe a "cyclical process of rise and fall"67 in France and Western European countries and in general as observed throughout the book. The model of Hobbes then, as stated in Figure 3.1 caption, is a fostering of global chaos and is inherently unsustainable. How can someone even accept it on pragmatic grounds? The above line of discussion represents a brief dialectical overview of how Hobbes' theory was dealt with over time—the point being conveyed is that theorists are products of their times.

The implication of Locke's inability to strictly define the criteria by which 'right' or 'moral' is that a series of practical difficulties human civilization faces in its path to prosperity. There is no specific model of government that Locke envisions.⁶⁸ Today, we can consider the US government based on fundamental Lockean ideas, at least in comparison to other governments. As Stephens, representing the John Locke Foundation put it, "John Locke is the intellectual father of our country. While a number of thinkers...made important contributions, this political and social philosopher of 17th century England influenced the author of the Declaration of

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Independence and the Framers of the Constitution more than any" (Stephens). Uhr tells us that United Kingdom took less from Locke, or "domesticated" it, whereas the Americans were much more insistent upon his ideas.⁶⁹

When one takes in account the model of the American government as an example, one identifies a number of problems. The first problem one encounters is the issue of basic logical consistency applying to laws; if one assumes that in order for a law to be 'right', it must be consistent throughout the state and theoretically, the world, as the human race is one according to Locke. 70 In the case of the US, excluding the world (for now), even within the country, every single state has a different rule of law, and hence, many conflicting laws. This means that a person in the US who committed X crime may receive life imprisonment in state A, while just one kilometer across the state border, it would be legal for the person's life to be taken away in state B, someone who does something in state A may be free, whereas one kilometer down, it may be legal for the person to be incarcerated for the same act. This tells us two things, firstly, that there is no logical consistency or standard even within countries, and secondly, that there is no standard to determine in which jurisdiction which laws are made. The implications are dual: a) US laws are hypocritical, ⁷¹ as a crime cannot be a function of space or place committed, and; b) there is no legal basis (standard) for laws to be created separately across areas within a country. Then, there is equally catastrophic implication when it comes to race discrimination in implementing laws through the legal system. In this regard, Islam et al. provide a succulent review of the 'sociological degeneration' throughout US history.⁷² One could cite numerous publications to validate this point, however it suffices to say Lockean model has imploded spectacularly in its application in USA.

Associated with (b) is the issue of the right to establish a certain type of democratic government. For instance, there is no criterion given on how people are to be represented: rules on whether any member of the public be elected, requirement for party-membership, requirement for a party member have to always agree with the party leader, etc. In absence of the notion of acting on conscience, which is a requirement in Ibn Khaldun model, the entire democratic process becomes arbitrary. All of these questions have a significant impact on the effectiveness of democracy and on its laws. For instance, it is possible that we are really not given the choice of electing who we want to, but rather a few elite groups are given the right to determine who runs for the predetermined parties, and the people ending up requiring to choose the "less of two evils" that is a key idea in the two-party system. Another scenario might be the case of party discipline, which is used in Canada.⁷³ Although the government argues that it assures voters with ideological guarantee, it can be twisted to mean that we are not even given the choice to elect representatives that will act for the voters, but rather a general political ideology.⁷⁴ Recently, the former Prime Minister of Australia, Tony Abbott, was replaced with current Prime Minister Malcolm Turnbull without election, only by the decision of a few representatives. These types of hindrances of true popular sovereignty require logical justification, on top of the moral justification required for popular sovereignty itself.

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On the subject of representation alone, an entire volume of book can be written. Islam and associates point out the hopelessness of western democracy by citing the following facts:⁷⁵

- Less than two per cent of the population in the U.S. and Canada are registered with a political party. This effectively means that, statistically, less than one percent are involved in deciding, i.e., selecting, who will actually seek office in an upcoming election and represent the remaining 99 per cent.
- After the election primaries, the game is pretty much: whoever has the most money wins. Incidentally, both parties in USA and all four dominant parties in Canada are supported by the same financial and industrial conglomerates.
- Recent movements involving 'Occupy Wall Street', 'Black lives matter', etc. highlight the 'prophecy' of Karl Marx that commented on how money runs our lives that marginalizes vast majority of the population, catapulting current civilization where 1% of rich owns almost 50% of the wealth and 100% of power.

An extension of the problem (a) leads us into the international realm. If there were many different rules of law in the world at the same time, it would mean that artificially created states⁷⁶ might choose radically differing laws for the same people. For instance, in the Palestinian legislative election of 2006, Hamas (the Change and Reform Party) won a clear majority. This seemingly non-controversial, UN supervised, democratic, and legitimate election was declared void over the West Bank, followed by Israeli blockade of Gaza, and consequently the declaration of Hamas as a terrorist organization.⁷⁷ In Chile, Salvador Allende of the Socialist Party of Chile won absolute majority, which was removed in a US-backed coup d'état – fact that was concealed for decades.⁷⁸ In both cases we observe a situation in which foreign powers intervened in other countries' democratic selection processes. This model that had been previously applied also Algeria, Afghanistan, Iran, was applied in Egypt in 2013, in which instant a coup against a democratically elected government was hailed as 'salvaging democracy'.79 This negation takes place at the level of entire peoples and countries. The question that must be asked, but cannot be answered without a global standard (that Locke doesn't provide), is 'by which criterion (global standard) is a foreign entity morally justified to go against the country's democratic process?' Do the US or UN or any entity have any right to intervene in any state of affairs of a democratically elected government? These moral and legal dilemmas cannot be answered with Locke's model, as there are no global standards morality or ethics.

Furthermore, there are numerous issues that cannot be resolved in absence of global moral and ethical standards. They include defining the age of consent, drinking, smoking (if at all), driving, ability to make own decisions (marriage, medical procedures, etc.); age of legal witness; permission of slavery of races not deemed human (hence all "people" are equal); definition of human (cannot be explained with nominal standards); purpose for humanity; definition of right, liberty, or justice; rights of non-humans; environmental integrity; definition of liberty and selected liberties; definition of consent (marriage, sex, medical procedures); definition of sanity; right to rebellion; the list goes on indefinitely. There is no standard in Locke's model that can

answer any of these questions, as natural law does not pave the way for there being a divine law dictating everything (like problems in the above list), and people being the standard can obviously prove detrimental to problems we face today and have faced since the beginning of humanity. These findings naturally suggest that there be fundamental revision of this incomplete theory.

The underlying issue behind what some may call a rather simplistic analysis of the evaluations and criticisms of Hobbes' and Locke's' theories of governance, is that from an Islamic perspective, this entire dialectical transformation and evolution of western political theory, partly grounded for example in Hobbes' and Locke's theories, is that scholars are always products of their time. Whether it is today, or if we go back to the Greek stoics, it is impossible to claim that one has outstepped their zeitgeist, as Georg W. F. Hegel put it in the 19th century. The only escape from this endless dialectic, the rise and fall of civilizations, false predictions, and belief in theories that are ultimately deconstructed, is a model in which can claim objective and absolute truth—an absolute criteria of right and wrong. This is the alternative that Islam offers; clearly, such claims of universalism both paves the road for an entirely different worldview, and an incorporation of substantive content of "religions" to be re-considered for use in modern political theory. This question is even more pressing today when the intellectual founding fathers of liberalism, like John Locke, have their theories deconstructed to the bone; it would seem to be the only escape from nihilism.

The problem with Locke's model, as with Hobbes, is that there is no moral standard provided, which can weigh in on moral dilemmas (majority vs. morality), and no governmental structure provided for Locke's government. Ultimately both are simply engaged in an exercise of trying to legitimizing the transfer of power from the people to a 'sovereign state' without saying much at all about where the moral imperative for recognizing that power rests with people comes from. Of course, historically, their practical concern was with establishing basis for moving away from hereditary rule by kings (without consent). However, they both leave the door wide open for replacing the tyranny of kings with the pragmatism of a 'secular' or 'democratic' government empowered by the people to represent them. It seems, the political philosophies were concerned with describing a process rather than with addressing the substance of that process and what makes it moral and, therefore, legitimate. For each of them, especially Hobbes, it's mostly form over substance. Both the models lead to the problem of having to deal with moral dilemmas. within a state and across borders, which have impacts on human rights and on the true power of the people. The latter problem of government structure (representation, parties, etc.) leads to the possibility of substantial disparity between peoples' true power across countries or the same country at different periods in time

6 Conclusion

This article explored the bases justifying the ideal governance models of Ibn Khaldun, Hobbes, and Locke, and the moral and global consequences of their paths of legal derivation. It

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subsequently helps us understand the divergence between "truth-based" (Islamic) governance as opposed to "opinion-based" governance—governance based on opinions, representing the divergence between western and Islamic political thought.

It is found that Ibn Khaldun's model is based on a universal standard for humanity, and there are no logical inconsistencies found in the *internal* derivation of the standard, stemming from the purpose of life (representing God), to practical legal derivation through the Qur'an and Hadith (prophetic narrations). In contrast, Hobbes' theory is partially complete; complete in the sense that there is a clear instruction to how government should work, however there are logical inconsistencies - with great moral implications - that are unexplainable. Locke's model lies in between the former two, as his begins with a universal standard, however he is unable to explain the criteria by which standards are created (i.e. who gives him the right to make law?), and why his theory is an appropriate explanation for government in the first place (i.e. criteria for natural rights vs. popular sovereignty).

In the application, one observe that Ibn Khaldun's model cannot have any moral unsolved and unexplainable dilemmas, because; a) there is such thing as a clearly defined, logically derived moral standard, and b) his vision is for humanity as a whole, not a state or smaller sub-political entity. In contrast, Locke's and Hobbes' models - even if one ignores their logical inconsistencies - are by structure myopic in approach, and are unable to explain current, global moral problems. For instance, the issues of global intervention and limitations of democracy (legal and structural) cannot be explained by Locke's model. In both of these models, the result ends with what is by definition, chaos ("complete disorder and confusion"), because the logical inconsistencies in the models are not straightened out, and therefore, international conflicts cannot be resolved (through subjective, myopic standards). Our discussion in sections four and five demonstrate the incompleteness of certain western thinkers, and subsequently the lack of justification for the practices based on (mainly Locke's) philosophy—the gap between theory and practice—as found in countries such as the United States.

These findings have two significant implications. The first is that the principles and philosophical traditions that uphold modern 'democracy' is unable to explain basic concepts of justice and humanity, due to absence of a global standard. It is no exaggeration to say that western representative democracies have largely abandoned the social contract and are not entirely pragmatic as everything is measured by reference to what serves the corporate sector. At the end of the day, despite lofty claims about some vague notion of natural law, the systems which grew out of their philosophical reaction against the arbitrariness of rule by hereditary kings has left with a system of "representative democracy" which arguably is no less amoral than what preceded it. This mandates substantial revision, from the ground up, of what we hold sacred, namely, democracy, hopefully in the direction of a global standard like what Ibn Khaldun envisioned. That being said, even Liberal optimists should be encouraged to participate in this new line of discourse, as it is quintessentially liberal to revise, redo, and improve theories. This article is simply key to identifying this problem and warranting that there is an alternative to

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chaos, pessimism, and false optimism. The second major implication is on the field of political science; this discussion allows for a completely new paradigm by introducing a way to analyze theories by unraveling their moral and ethical standards manifest in their fundamental premises. It helps the west understand the very different foundations of Islamic political theory, and urges those studying Islamism and political Islam to conceptualize Islam as more than a faith, and possessing a very different understanding of political theory.

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- ⁵ M.R. Islam et al. Reconstituting the Curriculum, 148.
- ⁶ M.M. Rabi, *The Political Theory of Ibn Khaldun* (Leiden: Brill, 1967), 132.
- ⁷ M.R. Islam et al. *Reconstituting the curriculum*, 2013, 110.
- ⁸ Asabiyyah refers to the concept of what we may call group consciousness and solidarity
- ⁹ M.R. Islam, J. S Islam, G.M. Zatzman, M.S. Rahman and M.A.H. Mughal, *The Greening of Pharmaceutical* Engineering, Volume 1: Practice, Analysis, and Methodology, New York City: Scrivener-Wiley, 2015, 557.
- ¹⁰ Rabi, The Political Theory of Ibn Khaldun.
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- ¹² Ibid. 25
- ¹³ Rabi, The Political Theory of Ibn Khaldun, 8.
- ¹⁴ Ibid. 31
- ¹⁵ H.A.R. Gibb, *Studies on the Civilization of Islam*. Princeton: Princeton University Press 1962, 173.
- ¹⁶ Ibid. 174.
- ¹⁷ J.S. Islam et al., "A New Cognitive model".
- ¹⁸ M.R. Islam et al., Reconstituting the Curriculum, 117.
- ¹⁹ Ibid 113.
- ²⁰ A.I. Goldman, *Epistemology and Cognition*, Cambridge: Harvard University Press 1986
- ²¹ M.R. Islam et al., *Greening of pharmaceutical Engineering*, 675.
- ²² It's similar to latest version of Oxford dictionary vs the Our'an as standards of languages (English and Arabic, respectively).
- ²³ Hobbes, Leviathan, 77.

- ²⁴ Hobbes, Leviathan, 78.
- ²⁵ Tom Sorrel ed., *The Cambridge Companion to Hobbes* (Cambridge: Cambridge University Press, 1996), 222 ²⁶ Ibid.
- ²⁷ A. Moseley, "Political philosophy of John Locke," in *Internet Encyclopedia of Philosophy* (2005).
- ²⁸ John Locke is considered by many to be a deist with belief that god created nature with inherent natural laws
- ²⁹ Forde, S. ""Mixed Modes" in John Locke's Moral and Political Philosophy." *The Review of Politics* 73 (2011): 581
- ³⁰ John Locke, *Two treatises of government* (Hamilton: McMaster University archive of the history of economic thought, 2014), 107.
- 31 Ibid, 108.
- ³² Ibid, 161.
- ³³ Ibid, 204. It's important to note that for each of these topics it is possible to go into a lot of depth on the individual issues; however, the goal is to understand the basic concepts.
- ³⁴ A. Moseley, A. Political philosophy of John Locke, 2005, In: Internet Encyclopedia of Philosophy. Available from: http://www.iep.utm.edu/locke-po/
- ³⁵ Islam et al., Reconstituting the Curriculum, 118. Hadith is the collection of the prophet Muhammad's sayings, actions and activities condoned by him (actively or tacitly)
- ³⁶ The Arabic word 'dīn' stands for natural traits and not a set of doctrine as in organized religions
- ³⁷ 'Abd al-Rahman Ibn Khaldun, *The Muqaddimah: An Introduction to History*, trans. Franz Rosenthal. (1967). https://asadullahali.files.wordpress.com/2012/10/ibn_khaldun___al_muqaddimah.pdf, 257.
- ³⁸ Ibn Khaldun believed that the aspect distinguishing the Caliphate from Christian and Jewish authoritative figures is that for the latter two, there is division of religion and politics (as the goal of those religions was to establish religion amongst themselves only and not politically across the world) (The Muqaddimah p. 183).
- ³⁹, R. W. Grant, *John Locke's liberalism* (Chicago: University of Chicago Press 2010).
- ⁴⁰ W Kendall, *John Locke and the Doctrine of Majority-rule* (Urbana--Champaign: The University of Illinois press, 1940), 113.
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- ⁴² Summarized by D.A. McWhirter and J. D. Bible. *Privacy as a constitutional right: Sex, drugs, and the right to life*, (Greenwood: Greenwood Publishing Group, 1992).
- 43 Ibid, 39
- ⁴⁴ Whether or not the government Hobbes envisioned was meant to be tyrannical and/or totalitarian is debated. Nevertheless, the fact remains that power is vested in (favorably) one individual.
- ⁴⁵ Noberto Bobbio, Daniela Gobetti tr., *Thomas Hobbes and the Natural Law Tradition* (Chicago: University Of Chicago Press, 1993), 148
- ⁴⁶ Wolfenden, K. J, "Hobbes' Leviathan and Views on the Origins of Civil Government: Conservatism by Covenant," Student Pulse 2 (2010).
- ⁴⁷ Hobbes is seen by many to be the "representative example of a 'realist' in international relations" (Lloyd and Sreedhar, 2014, Section 5???), meaning by realist that states are in a state of nature
- ⁴⁸ M.R. Islam et al., Reconstituting the Curriculum, 2013.
- ⁴⁹ Starting from the death of the prophet Muhammad (632) to the death of the fourth caliph, Ali (661).

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- ⁵¹ Okane, A. A. and S. B. Ahmad. "Ibn Khaldun, Cyclical Theory and the rise and fall of Sokoto Caliphate, Nigeria, West Africa." *International Journal of Business and Social Science* 2 (2011): 83.
- ⁵² "Repulsed" by the rising and declining of monarchies and the moral corruption that comes with it.
- ⁵³ B. Maddy-Weitzman, "Islamism, Moroccan-style: the ideas of Sheikh Yassine." *Middle East Quarterly* 10 (2003): 43-51. This is the cyclical history that Gibb had earlier presented us with in the context of Ibn Khaldun's discussion of the world without a caliphate.
- ⁵⁴ Ibn Khaldun, *The Muqaddimah*, 275-276.
- ⁵⁵ Islam et al., *Reconstituting the Curriculum*, 123
- ⁵⁶ D'Agostino, F. and I. Jarvie, eds, *Freedom and Rationality: Essays in Honor of John Watkins from his Colleagues and Friends*. Vol. 117 (Berlin: Springer Science & Business Media, 2012), 127. By injustice, we are talking about the typical lawless oppression, over-taxation, and things that we can universally see as "bad".
- ⁵⁷ Islam et al., *Reconstituting the Curriculum*, 57.
- ⁵⁸ It is of interest to note that each individual also enjoys the same position as every person is a *khalifa of* God as per the Qur'an (2:30). The Caliph, however, is the one with dual responsibility. He is the viceroy as well as 'representative' of the people.
- ⁵⁹ The concept of 'just war' features prominently in Ibn Khaldun's work but is beyond the scope of this paper.
- ⁶⁰ Note that Hobbes does distinguish between good and bad laws, good being necessary for the people and the power of the sovereign, and not to "bind voluntary actions": Thomas Hobbes, *Leviathan* (Hamilton: McMaster University), 213-214. However the fact that bad laws are possible to create and not considered unjust, paves the road for an absolutist state.
- ⁶¹ Islam et al., Reconstituting the Curriculum, 328-329.
- ⁶² Arthur L. Yates, "Thomas Hobbes on Punishment," (PhD Diss., University of Western Ontario, 2012), 52-54
- 63 Human Rights Watch, World Report 2015: Events of 2014 (Bristol: Policy Press 2015), 460, 408, 201.
- ⁶⁴ From ancient absolutist monarchies battling each other to Hitler's empirical conquest to take over the earth, it goes without saying that absolutist states are bad from the inside and out
- ⁶⁵ Zatzman and Islam (2007, p. 56) attributed this philosophy to Baroness Thatcher's infamous statement, "There Is No Alternative", calling it the TINA syndrome.
- ⁶⁶ By myopic, what is meant is the notion that the theorist is focused only on a partial outcome rather than a general equilibrium as proposed by economists Zatzman and Islam (Zatzman and Islam, 2007, p. 116). In our case, by myopic, I mean that only one aspect (i.e., the people and sovereign of one group) are of concern and other issues are ignored.
- ⁶⁷ P. Turchin, *War and peace and war: the rise and fall of empires* (City of Westminister: Penguin, 2007), ch. 8, p. 2-3.
- ⁶⁸ The basic Lockean notion of government requires there to be a representative of the majority of people (Two Treatises of Government, p. 166), and that of course any government acting against their trust (or "law"), people have a right to overthrow them (discussed in p. 199-200) and Uhr (1987).
- ⁶⁹ Uhr, I. "Executive-Legislative Relations: Learning from Locke." *Canadian Parliamentary Review* 10 (1987): 10.
- ⁷⁰ M.M. Curtis, An outline of Locke's ethical philosophy (G. Fock, 1890), 65
- ⁷¹ This is the case for decisions of policy making (for instance, districting vs. popular vote to support a law may have a ginormous effect on how governments work and what acts are declared legal and illegal (ex. 2000 presidential election, is Al Gore or Bush President the winner) or who gets to choose the process).

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- ⁷³ H. Chodos et al., "Party Discipline and Free Votes" *Parliament of Canada*, last modified 2006, www.parl.gc.ca/Content/LOP/ResearchPublications/tips/tip81-e.htm
- ⁷⁴ An example where this can be concerning may be when a specific constituency has a concern (ex. oil spills), where people support a party, but are against the party's views in a specific vote for allowing environmental control, this poses the problem of whether or not people should be subject to one of many party affiliations, or rather someone who can directly represent them, as a person.
- ⁷⁵ Islam et al., *Reconstituting the Curriculum*, 444.
- ⁷⁶ Note that states are not created on cultural/tribal basis but rather on an arbitrary basis, so one cannot make the argument that laws are different due to culture. Additionally, different people moving to that state are also subject to the same laws, therefore the culture excuse does not logically apply. Not to mention, there is nobody with the logical authority to create those laws or structure government, whether or not the laws are universal or pertain to a specific culture.
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