

## ṬĀHĀ JĀBĪR AL-‘ALWĀNĪ (1935-2016)

Dr. Ṭāhā Jābir al-‘Alwānī was born in Iraq in 1935. After completing secondary school there, he left for al-Azhar, the prestigious institution of religious higher learning in the Sunnī Islamic world. After he completed his bachelor’s degree in the College of Sharī‘ah and Jurisprudence at al-Azhar, al-‘Alwānī returned to Iraq and taught in the College of Islamic Sciences for six years. He also joined the military reserves there, rising to the rank of lieutenant, while additionally teaching at the Military Academy. Al-‘Alwānī took advantage of his sojourn in Baghdad at that time and studied with some of the leading Iraqi scholars of Islam. After the Ba‘th Party came to power in Iraq, al-‘Alwānī found himself compelled to leave the country in 1969 and returned to Cairo. There he continued his studies at al-Azhar, completing his master’s and then his PhD degree in Islamic jurisprudence (*uṣūl al-fiqh*) in 1973.

Shortly thereafter, Dr. al-‘Alwānī left for Riyadh, Saudi Arabia where he was appointed Professor of Islamic Jurisprudence at Al-Imam Muhammad Ibn Saud Islamic University. He taught there for ten years (1975-1985) and then immigrated to the United States, settling down in North Virginia. Throughout the 1980s, he was very active in promoting Islamic studies and Islamic education both in the Arab world and in the United States. Dr. al-‘Alwānī held a number of important positions during his lifetime that won him considerable renown and recognition among Muslims globally and, more narrowly, among American Muslims. He was a founder-member of the Council of the Muslim World League in Meccah and a member of the Islamic Fiqh Academy in Jeddah, established by the Organization of the Islamic Conference. He was also a key participant in the establishment of the International Institute of Islamic Thought (IIIT) in Herndon, Virginia in the United States in 1981 and later became its president. He furthermore founded and then chaired the Fiqh Council of North America. He also served as the President of the Graduate

School of Islamic and Social Sciences in Ashburn, Virginia, and occupied the Imām Al-Shāfi‘ī Chair in Islamic legal theory there.

The formidable intellectual and religious legacy that Dr. al-‘Alwānī left behind includes the understanding that he imparted of Islam and Muslims in interfaith dialogue with a number of non-Muslim partners. Dr. al-‘Alwānī recognized very early on that Muslims, as a minority group within the vibrant pluralist society of the United States, would have to establish common ground with non-Muslims of good will. As a result he established partnerships and friendships with scholars from different religious backgrounds. The Washington Theological Consortium recognized his contributions in this endeavor by awarding him their first chair ever in Islamic Studies.

As an immigrant and naturalized American citizen, Dr. al-‘Alwānī remained concerned about how American Muslims could continue to be productive citizens in their country while remaining true to their religious beliefs and values. In 1994, while president of the Fiqh Council of North America, he developed the concept of *fiqh al-aqalliyāt* (the jurisprudence of minorities) to facilitate interaction between the Muslim minority and the non-Muslim majority populations and to provide the former with a firm identity and mooring in American society based on *fiqhī* principles. In his book *Nazarāt ta’assusiyyah fī fiqh al-aqalliyāt (Foundational Considerations with regard to the Jurisprudence of Minorities)*, al-‘Alwānī focuses on what he regards as the main questions undergirding the formulation of this specific jurisprudence of minorities.

Al-‘Alwānī’s answer was motivated by considerations of the common or public good (*al-maṣlaḥah al-mursalab* or simply *maṣlaḥah*), a cardinal principle of *fiqh al-aqalliyāt*. Rather than consider Western nations as part of the *dār al-ḥarb*, in view of changed historical circumstances, they should rather be considered as constituting *dār al-da‘wah* (the abode of summoning), where Muslims may safely propagate and practice their faith. In common with other reformist scholars, al-‘Alwānī emphasizes the normative authority of the Qur’ān over the sunna and asserts that what he calls “the higher principles” animating juridical thinking can only be derived from the Qur’ān. In his influential work *Towards a Fiqh for Minorities: Some Basic Reflections*, Dr. al-‘Alwānī explained his Qur’ān-centered methodology that lays stress upon the higher

principles of kindness and justice derived especially from Q 60: 8-9 and Q 5: 8 as governing relations between Muslims and non-Muslims. This methodology has become influential in liberal Muslim circles, although criticized in more conservative quarters, and must be regarded as a major contribution to the process of reviving and reforming Islamic thought in the contemporary world.

Dr. al-ʿAlwānī's complete oeuvre includes over thirty publications on various aspects of Islamic studies, including the well-known *The Ethics of Disagreement in Islam*; *Islamic Thought: An Approach to Reform*; *Source Methodology in Islamic Jurisprudence*, and *The Qur'an and the Sunnah: The Time-Space Factor*. A number of his works are considered influential in the project known as the "Islamization of Knowledge," spearheaded by the IIIT under the directorship of another renowned American Muslim scholar Ismāʿīl Rājī al-Fārūqī. Such a project involved the rereading of foundational Islamic texts and the revival of dynamic thinking among Muslims in different disciplines, including the social and applied sciences, within the ethical world-view established by Islam.

On March 4, 2016, while traveling back from a trip to Cairo to his home in the United States, Dr. al-ʿAlwānī unexpectedly passed away. The IIIT spoke for many of his admirers when it stated, "Sheikh Taha's demise is an enormous loss not only for his immediate family but for the larger IIIT family around the world, for the American Muslim community, and the Muslim ummah." The Washington Theological Seminary described him as "a great legal and philosophical scholar of Islam, a visionary educator, and a generous peacebuilder among Muslim communities and with other faiths."

There could be no better obituary for Ṭāhā Jābir al-ʿAlwānī, a man of vision and peace who challenged both intellectual and socio-cultural boundaries in order to stress our common humanity in the eyes of God. May his soul rest in peace.

**Asma Afsaruddin**

*Indiana University, Bloomington-USA*

E-mail: aafsarud@indiana.edu