EXAMINING THE REFORMIST THOUGHTS OF AL- TĀHIR IBN 'ĀSHŪR

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ABSTRACT

Al-Sheikh Muḥammad al-Tāhir ibn 'Āshūr, who lived between 1296 AH (1879 AD) and 1393 AH (1973 AD), is considered one of the eminent intellectuals of the modern era and an influential figure among the generation of writers and scholars. He is described as the pioneer of Maqasid thought in contemporary jurisprudence and has developed in this regard the book *Maqāṣid al-Sharī'ah al-Islāmiyyah* (The Objectives of the Islamic Shariah), as well as his famous book of Quranic exegesis *al-Taḥrīr wa al-Tanwīr*. To this effect, this study identifies the reformist features of al-Tāhir ibn 'Āshūr in his books and writings that brought about a renaissance in various branches of knowledge such as Shariah, tafsīr, and education. A review of the literature suggests that al-Tāhir ibn 'Āshūr's reformist ideas have not received sufficient academic attention. Therefore, the study raised some questions, including: Who is Tāhir ibn 'Āshūr? What were Tāhir ibn 'Āshūr's reformist viewpoints, and how did he propagate them out, most particularly in education? The study follows the descriptive approach to trace Ibn 'Āshūr's biography as well as the analytical approach in discussing the thought of al-Tāhir ibn 'Āshūr on the scientific and educational level. The study concludes that Muḥammad al-Ṭāhir ibn 'Āshūr (may Allah have mercy on him) is one of the eminent intellectuals in the Islamic world, whose innovative views and great writings came as a revolution against tradition and inertia and a revolution against intellectual inaction and civilizational stagnation.

Introduction

Praise be to Allah, who has blessed this nation with religious reformists, as evident in the Quran:

> Translation: Nay, here are signs self-evident in the hearts of those endowed with knowledge: and none but the unjust reject our signs.

(Surah al-'Ankabūt, 29:49).

This verse suggests that one of the significant blessings of Allah on the Ummah of Muḥammad, peace and blessings of Allah be upon him (PBUH), is the presence of scholars, preachers, and reformers who spread the teachings of this valuable religion and its revivalist features in society as it was practiced during the era of the Prophet (PBUH) and his honorable companions, may Allah be pleased with them all. In the hadith, there is a reference to the fact that Allah sends reformists (*mujaddid*) to the Ummah at the beginning of every century, when religion decreases and ignorance and injustice thrive. The possibility that the Shariah and its practice might be neglected necessitates the emergence of reformists. It is fair to say that scholars did not exaggerate to have considered al-Tāhir ibn 'Āshūr as one of the revivalists of the twentieth century in the Arab and Islamic Maghrib because of the great impact of his revivalist discourse, including the contribution of his writings to the Islamic society. Over fourty books and pamphlets of al-Tāhir ibn 'Āshūr were distinguished and classified in the academic research of Fathi Hassan Malkawi entitled *"Al-Sheikh Muḥammad al-Tāhir ibn 'Āshūr wa qadaya al-iṣlāh wa al-tajdīd fī al-fikr al-Islāmī al-mu'āsir"* (Sheikh Muḥammad al-Tāhir ibn 'Āshūr and the issues of reform and renewal).

This study focused on collective reform emanating from the Ummah instead of partial individual thinking. He also paid great attention to the issue of governance and believed that the dilemma of the Islamic Ummah is leadership and that there is no way to survive except by assuming a comprehensive responsibility from both the rulers and the ruled. The Qur'anic exegesis of al-Ṭāhir Ibn 'Āshūr is characterized by the linguistic origins of Quranic vocabulary and its many dictionary meanings and contextualization. He was not just quoting from others in his exegesis but also putting forward his original contributions. Therefore, Ibn 'Āshūr is indeed a revivalist of this important part of the Qur'anic science. Moreover, the tafsīr stands out by opening each chapter with an appetizing introduction and explanation of the purposes of the *surah* and its subject matter, which will allow the readers to have a quick grasp of its contents before reading the exegesis of the surah. Another distinguishing feature of Ibn 'Āshūr's tafsir was its emphasis on the Science of the Qur'an and its application, ranging from the reasons for the revelation and versions of recitations to stories of the Qur'an and other things.

It is against this background that this study intends to explicate the personality of this revivalist scholar, Sheikh Muḥammad al-Tāhīr ibn 'Āshūr, and the manifestation of his revivalist thoughts through his most important works. Concisely, this study aims to achieve the following: First, highlight the biography of this revivalist scholar, Ibn 'Āshūr. Second, discuss the revivalist thoughts of Ibn 'Āshūr through his works. Third, enunciate that virtue, excellence, and genius are not limited to the ancient scholars of the great generations, may Allah Almighty have mercy on them, but extend to our time in the likes of Ibn 'Āshūr, may Allah Almighty have mercy on us and him.

Literature Review

Through our tracking of academic studies on Tāhir ibn 'Āshūr, the study of 'Abd Allāh 'Alamī (2017), published in the Alūkah network entitled *Mujaddid al-Maghrib al-'Arabī al-Ṭāhir Ibn 'Āshūr wa manhajihi fī Tafsīr al-Taḥrīr wa-l-Tanwīr* (The renewed Arab Maghreb al-Ṭāhir Ibn 'Āshūr and his approach to the interpretation of liberation and enlightenment), dealing with the personality of Tāhīr ibn 'Āshūr according to his biography and some of his scientific, intellectual, and academic writings that portray his approach to interpreting his Qur'an commentary *al-Taḥrīr wa-l-Tanwīr* (the liberation and the enlightenment).

Recognition for the intellectual and reformist contributions of Ibn 'Āshūr was shown at the academic conference organized by the International Institute of Islamic Thought in collaboration with the University of Kams in Rabat on Tāhir ibn 'Āshūr and issues of reform and renewal in Islamic thought in the modern era. This conference was held in Rabat, Kingdom of Morocco, on 8-9 Jumada I 1430 AH, corresponding to May 2-3, 2009 AD. The edited conference communique by Fathi Hassan Malkawi, entitled *"Sheikh*

Muḥammad al-Tāhīr ibn 'Āshūr and the issues of reform and renewal in contemporary Islamic thought: an epistemological and methodological vision" reveals the cognitive and intellectual dimensions of the legacy of Tāhir ibn 'Āshūr.

However, the significant contribution of Ibn 'Āshūr to the intellectual and scientific reformation of the Quranic sciences and interpretation is little studied. It needs to be explored further. Another piece of literature is the master's thesis of Abdullah bin Ibrahim Al-Rayes entitled *"Ibn Ashour and his method of exegesis"* (1408 AH), submitted to the College of Fundamentals of Religion, Imam Muḥammad bin Saud Islamic University in Riyadh, which explicates the contribution of Ibn 'Āshūr as a high-class Zaytūnah scholar. Similarly, the recently translated work of Bilqāsim al-Ghālī, printed by Dār Ibn Ḥazm and Dār al-Salam publisher that considers Ibn 'Āshūrs as the Sheikh of the Great Mosque, has significantly impacted the contemporary Muslim nation with a revivalist understanding of the Quranic messages.

Biography of Muḥammad al-Ṭāhir bin 'Āshūr and Tunisia in His Era

The subject of this study is Muḥammad al-Ṭāhir bin Muḥammad bin Muḥammad al-Ṭāhir bin Muḥammad bin Muḥammad al-Shazlī bin 'Abd al-Qādir bin Muḥammad bin 'Āshūr. His mother was the daughter of a minister, Sheikh Muḥammad al-'Azīz Bouatour, a descendant of an ancient intellectual family. Having a Moroccan origin, the 'Āshūr family initially settled in Andalusia until the end of Islamic rule, when they decided to migrate to Morocco to avoid religious persecution. His ancestor, Muḥammad ibn 'Āshūr, was born in Morocco in 1621 and later settled in Tunis. He had a strong Sufi background and would begin the family's religious importance in that city. One of his descendants, Muḥammad al-Ṭāhir, the grandfather of Ibn 'Āshūr, would rise to prominence by becoming a chief Maliki judge and mufti around the middle of the 19th century (Nafi, 2005; Ibn al-Khūjah, 2004). The importance of this family would be maintained and increased later by al-Ṭāhir bin 'Āshūr.

Tunisia was under the control of French occupation after the signing of the Treaty of Bardo in 1881, which granted France the right to supervise Tunisian military, foreign, and financial affairs. The French state also controlled all the ministries, except for the prime minister's office, which Ibn Ashūr's grandfather was in, and the ministry of education.

Al-Ṭāhir Ibn 'Āshūr lived during some periods of French colonialism, which extended to 1957. Then came the period of Bourguiba's reign, which lasted until the death of Ibn 'Āshūr in 1983. Faḍl Ibn 'Āshūr, a historian of this period, while speaking about the establishment of the Khalduniya Assembly, says:

> Colonialism settled, and consolidated, all the organs of government and administration, so there was nothing left for the citizens of the country, and the king in government decision-making. However, the French community was supported, and elevated. Therefore, Tunisia was considered his homeland, although the interests of the indigenous people were neglected because the system was based on colonial tradition, while undermining the Islamic religion. Hence Tunisians were all administered by the French exclusively, except for the Tunisians who were not easily dismissed from the old administration but remained in their position only in principle. The citizens became humiliated and disregarded, and their language became abandoned, and the laws became foreign, and the country belongs to a nation other than his own.

> (Ibn 'Āshūr, 1972)

From this, we can grasp the general political situation that overshadowed the era of Ibn 'Āshūr, as explained by al-Faḍl, and that the Tunisian people suffered the scourge of Westernization within their homeland.

Tunisia was in a state of economic crisis after it fell under French protection. The situation depleted the country's wealth and property and made Tunisia a market for French goods and exports. This stage was known for embracing some of the French community, naturalizing them, and granting them most of the material privileges at the expense of the Tunisians. The system also proposed to the locals that they naturalize in exchange for high ranks. After independence, Tunisia was keen to build itself and develop its economy, but the incessant conflict greatly damaged economic development (Yāghī, 1995).

After the French occupation, the social conditions of Tunisians became complicated, poverty and ignorance spread, and a great disparity appeared between the class of the wealthy, who grew richer, and the class of the poor, especially those who were keen on their identity and nationality. This openness to the European system triggers corruption in morality, and the spread of amusement parks, and other things. Which Tāhir ibn 'Āshūr witnessed during the era of great demographic growth in Tunisia (Sharīf, n.d.; 'Alamī, 2017).

Al-Ṭāhir Ibn 'Āshūr began memorizing the Glorious Qur'an at the age of six at home, according to the custom of ancient families, in an external portion of the house called the House of Wisdom. When he reached the age of fourteen, he joined the Great Mosque of Zaytūnah to study for seven years in some fields of knowledge, including grammar and morphology. He also studied the *Alfiyah* of Ibn Mālik with its explanation, including the explanation of Sheikh Khālid bin 'Abd Allāh al-Azhārī called *al-Tasrīh bi madmūn al- taudīh* (Declaring the content of the clarification), the *Sharh 'Abd al-Raḥmān al-Mukudi al-Fassi* (Explanation of 'Abd al-Raḥmān al-Mukudi al-Fasi) (d. 807 AH), and the *Sharh al-Ashmūnī* (Explanation of al-Ashmūnī) (d. 822 AH). He also studied the introduction to *al-Ajrumiyyah* with its explanation of Sheikh Khālid al-Azhārī, the *Qatru al-nadā* of Ibn Hishām (d. 762 AH), and the *Lamiyyatu al-Afāl* (Lamiyya of Verbs) by Ibn Mālik (d. 672 AH), and he studied *Mughni al-labib* of Ibn Hisham with the explanation of Muḥammad bin Bakr al-Damaminī (d. 828 AH).

Pursuant to the above, he studied rhetoric, of which he read the Samarqandī's message to Muḥammad al-Damanhūrī (d. 1288 AH) and *Sharh al-Taftazānī 'alā talkīs al-miftāh fī al-maʿānī wa al-bayān* (d. 792 AH) on summarizing the key in the meanings and statement of al-Qazwīnī (d. 739). In logic (*'ilm al-mantiq*), he studied *Sullam*, which is a *"poem"* of Sheikh 'Abd al-Raḥmān al-Ṣaghīr (d. 983 AH), as he read *al-Tahzīb* (the Refinement), which is a treatise on logic by Imam al-Taftazānī.

In the science of beliefs and speech (*'Ilm al-'aqīdah wa al-kalām*), he studied the *'Aqā'id al-Nasafī*, a text in the creed of Sheikh al-Nasafī (537 AH) and explained by Taftazānī, and the *Mawāqif*, a book in the theology of Imam al-Ījī (690 AH) explained by al-Sharīf al-Jurjānī (816 AH). In jurisprudence, he studied the book *Aqrab al-masālik li-madhhab al-Imām Mālik*, by al-Dardīr (d. 1201 AH), and the explanation of Sheikh Muḥammad Ibn Aḥmad al-Fāsī in (1072 AH) on the book *al-Murshid al-muʿīn 'alā-l-darūrī min 'ulūm al-dīn* by Ibn Ashir al-Andalusi al-Fassi (1040 AH), and in Maliki jurisprudence, he studied the *Tuhfatu al-ḥukkām* (Masterpiece of rulers) by al-Qāḍī al- Jamaʿah bin 'Āṣim al-Malikī (829 AH). In the Principles of Jurisprudence, Ibn 'Āshūr studied the explanation of Ibn al-Hattab al-Malikī on "the Papers" of the Imam of the Two Holy Mosques 'Abd al-Mālik al-Juwaynī (d. 478 AH), and studied *Tanqīh al-fuṣūl fī 'ilm al-usūl* (the Revision of the chapters in the origins) of Shihāb al-Dīn Aḥmad bin Idrīs al-Qarafī al-Mālikī (d. 684 AH), and the explanation of Jalāl a-Dīn al-Mahali (d. 864 AH) on the *Jamʿ al-jawāmiʿ* of in the principles of Maliki jurisprudence by Tāj al-Dīn al-Subkī (d. 881 AH). Sheikh Tāhir bin 'Āshūr was diligent in all seminars and scientific lessons. He had a notebook of lessons dated 18 Shaʿban 1310 AH, its number 3036, and the number of pages 144 (Ibn al-Khūjah, 2004; 'Alamī, 2017).

Al-Ṭāhir Ibn 'Āshūr held many positions. from the year 1320 AH/1903 AD, when he officially took over the education programs of the Great Mosque, while in the year 1321 AH/1904 AD, he was seconded to teach at the Sadiqiya School. He taught some sciences, including Rhetoric through the lengthy explanation of Taftazānī, *Dalā'il al-iʿjāz* (Evidence of miracles) by Abd al-Qāhir al-Jurjānī, Jurisprudence through the *al-Muhallā* of Ibn Hazm al-Ẓāhirī, Sociology through the *Muqaddimah* of Ibn Khaldūn, as well as studying the *Dīwān al-ḥamāsah* (Diwan of enthusiasm) for Abū Tammam in literature, and taught the Introduction to *al-Ajrumiyyah* in grammar, Exegesis through *Tafsīr al-Bayḍāwī*, and his own Exegesis of *al-Taḥrīr wa-l-Tanwīr*, which he composed while studying at the Great Mosque. Ibn 'Āshūr also studied the *al-Muwaṭṭa'* of Imam Malik in the science of hadith.

In 1905, he was successful at the interview to teach the first-year class, and in the same year, he was appointed as a member of the committee that was formed to edit the index of books suspended in the Sadiki Library. In 1908, he was appointed deputy of the state for scientific research in the Great Mosque. By 1909, he was appointed a member of the Board of Directors of the Sadiki School, and in the same year, he was appointed a member of the School Council. A year later, he was appointed member of the Committee for the Reform of Primary Education, and in the same year, he was appointed a member of the Committee for the Arrangement of Books in the Mosque. In 1911, he was appointed a member of the

Supreme Council of Endowments, and in the same year, he was appointed governor of the Real Estate Court. In 1913, he became a Maliki judge, and in 1923, a Maliki mufti. In 1928, he became the chief of the Maliki Shura, and in 1933, he assumed the administration of al-Zaytūnah University, and he resigned from the university after he stayed a year between 1956 and 1957. He later became a corresponding member of the language academies in Cairo and Damascus.

On 13 Rajab 1393 A. H., corresponding to 2 August 1973 AD, the great scholar Sheikh al-Ṭāhir Ibn ʿĀshūr, Sheikh of al-Zaytūnah Mosque and one of the leading Tunisian scholars in the Sharīʿah, linguistic, literary, and historical sciences, died at the age of 94 years.

The Reformist Ideas and Roles of Tāhir ibn ʿĀshūr

Tāhir ibn ʿĀshūr's revivalist discourse can be extrapolated through several tracks between Tunisia and Magreb, considering the political situation at that time. First: the intellectual path; second: the social path; third: the efforts of Tāhir ibn ʿĀshūr in the field of Maqāṣid al-Sharīʿah (the objectives of Sharīʿah); fourth: the discourse of the renaissance in the functional field through his views and positions. These paths are inseparable from the political reality that calls for liberation from the brutal colonizer.

The Intellectual Path of Ibn ʿĀshūr

The followers of Tāhir ibn ʿĀshūr would be concerned with the scientific reality characterized by stagnation and inactivity in the field of Sharīʿah. It is the role of Islamic reformism to get rid of this stalemate and revive the state of decline that dominated the reality of the knowledge of Sharīʿahh, especially in the Arab Islamic mind, which was haunted by stagnation and lagging behind Western civilization. In several places of his writings, particularly *al-Taḥrīr wa-l-tanwīr,* Tāhir ibn ʿĀshūr tried to address this issue.

ʿAbd Allāh ʿAlamī says in his study about Ibn Ashur's efforts on revivalism through his exegesis: In the aspect of exegesis, Ibn ʿĀshūrs exegetical interpretation was majorly based on opinion like:

> "Everything that opposed to the reported exegesis, which depends on a deep and focused understanding of the meanings of the Qur'anic words. It is based on a diligent understanding of the Qur'anic texts and realization of the higher objective from their meaning and significance".

(ʿAlamī, 2017, p.12)

Ibn ʿĀshūr has identified what is meant by the narrated text in his third introduction to the exegesis, explained its techniques, and responded to the confusion that prohibits an exegetical approach by opinion. This objection was presented in a question-and-answer manner, as al-Zamakhsharī mentioned. He said, "If you say: I see you include opinion in exegetical interpretation among the many sciences of interpretation proves that a lot of exegesis was not based on the saying of the Prophet (PBUH)- nor his companions - may Allah be pleased with them -, and it permit sufficient opportunity to those who gathered from those sciences the chance to interpret from the verses of the Qur'an in a way other than the transmitted exegesis from the righteous predecessors. That is, someone can interpret meanings required by the sciences from which the science of interpretation is derived? Considering the warning in the hadith narrated by al-Tirmidhī from Ibn 'Abbas that the Messenger of Allah (PBUH) said, "Whoever says in the Qur'an without knowledge, let him take his seat from Hell". The hadith narrated by Abu Dawood, al-Tirmidhī, and al-Nasaa'i states that the Prophet (PBUH) said: "Whoever speaks his opinion in the Qur'an and makes a mistake has sinned". It was narrated from Abu Bakr al-Siddīq that he was asked about the 'abb' in Allah's saying: (and fruit and abb), he said: "Which land would take me, and which sky shadows me, if I say in the Qur'an based on my opinion", and it was similarly narrated from Saʿīd bin Musayyib and Sha'abiy reluctance to do so too. Ibn ʿĀshūr goes on to answer this objection by stating that: "Have the interpretations expanded and covered all the deductions of the meanings of the Qur'an except from what those who were given knowledge of understanding the Book of Allah? Is this scholastic statement fulfilled: The Qur'an does not end its wonders? This would only be actualized with the increase of meanings through the breadth of exegesis. Otherwise, the interpretation would have been summarized in a few papers, and this was evidenced by the saying of 'Aisha: "The Messenger of Allah did not interpret from the Book of Allah except a few verses that Jibril taught him". Ibn ʿĀshūr proves the doctrine of

opinion by asking according to the principle of jurisprudence: How was the deduction of legislative rulings from the Qur'an during the first three centuries of Islam except as an interpretation of the verses of the Qur'an that have not been previously interpreted before? Imam Shāfi'ī says: I searched for the evidence of the authenticity of the consensus, so I found it in the words of the Almighty:

> Translation: If anyone contends with the messenger even after guidance has been conveyed to him and follows a path other than that becoming to men of faith, we shall leave him in the path he has chosen and land him in Hell, what an evil refuge.

(Surah al-Nisā, 4:115)

After the intellectual discussion about his view on the interpretation of opinion, Ibn 'Āshūr draws his concept about ijtihad or opinion, its limitations and techniques, saying that: The statement about a mere intuition without relying on a consideration of the evidence of Arabic and the purposes of Sharīʿah and its logics, and what is necessary to know of the abrogator and abrogated; and the reason for the revelation of verses; these are inevitably necessary to avoid mistaken the target without knowledge. Here, he stresses the need to have the necessary tools of interpretation before engaging in opinion-based analysis and reflection (Ibn 'Āshūr, 1984).

Al-Ṭāhir Ibn 'Āshūr focuses on the fact that the Qur'anic vocabulary bears many of the desired meanings, that the Qur'an is the book of the whole nation and its guidance, and that Allah urges us to reflect and exert effort in extracting its meanings beyond superficial meaning from the verse. To this effect, Almighty Allah says:

> Translation: When there comes to them some matters touching public safety or fear, they divulge it, if they had only referred it to the messenger, or to those charged with authority among them, they proper investigators would have tested it from them direct. Were it not for the Grace and Mercy of Allah unto you, all but a few of you would have fallen into the clutches of Satan.

(Surah al-Nisā, 4:83)

And the Almighty says:

> Translation: Nay, here are signs self-evident in the hearts of those endowed with knowledge and none but the unjust reject our signs.

(Surah al-'Ankabūt, 29:49)

Thus the Prophet (PBUH) did not want to interpret it except to awaken the minds to the fullest meaning of the words of the Qur'an (Ibn 'Āshūr, 1984).

The researcher 'Abd Allāh 'Alamī (2017), concludes that Tāhir ibn 'Āshūr did not cease from his political and civilizational matters by saying that Ibn 'Āshūr lived generally in turbulent political, economic, social, and cultural conditions. Although he lived in an educated, conservative, well-to-do family, he had early access to most of the sources of exegesis. These circumstances influenced the construction of a strong personality, awareness of the conditions of the Arab and Islamic nation, and thus the foundations of his encyclopedic exegesis tagged with (*al-Taḥrīr wa al-tanwīr*) or editing the good meaning, and enlightening the new mind, from the exegesis of the glorious book on a parallel approach in which the sciences of the transmission: from the hadith and its sciences, the reasons for the revelation of verses, the sciences of the Qur'an, and the sciences of knowledge. He also delved into aspects of linguistics, ranging from grammar, morphology, vocabulary, and much of rhetoric, because it is the core of linguistics. Whereas in jurisprudence, he had the best portion because it forms the core of the legal subject. Al-Ṭāhir ibn 'Āshūr explained his approach in the introduction, summarized in this article, which began with the definition of the science of exegesis and interpretation, and the statement of their origins and purposes. This study also explicates the basic issues ranging from Ibn 'Āshūr knowledge of the reasoning of the revelation, and varieties of the recitation. Thereafter, he explained the typologies of the Qur'an: stories, doctrine, and law. Moreover, he explained the faces of the general structures of the Qur'an. He concluded by talking about the issue most related to the Qur'an, which is the issue of miracles, in which he put forward his new theory that was called "*mubtakirāt al-Qur'ān*" (the innovations of the Qur'an) and worked on analyzing most of

the verses and according to them, revealing new connotations that the commentators had never seen before him ('Alamī, 2017; Ibn 'Āshūr, 1984).

Ibn 'Āshūr not only discussed *(maqāṣid al-sharī'ah)* in the field of jurisprudence, but also talked about *maqāṣid* (objectives) with regard to the Qur'an. He discussed the presence of several *maqāṣid* in the Qur'an, such as improving morals, upholding the law, educating, and informing people about stories of society in the past. However, for Ibn 'Āshūr, the highest objective (*al-maqṣad al-a'lā*) of the Qur'an is to carry out *iṣlāḥ* (reform) upon individuals, society, and civilization (Islam, 2018).

This reform is important to ensure that life goes on as it is supposed to be, as it was created and designed by God. For Ibn Ashur, the Sharī'ah and its *maqāṣid* are very well in line with *fitrah*, namely the natural disposition and arrangement established by God in every creature (Wani, 2017). Thus, reformation in Islam is an effort to restore human beings, as well as his society, to that natural disposition as created by God, to guarantee his success and happiness in this world and the hereafter.

Ibn 'Āshūr Social Path to Educational Reform

Ibn 'Āshūr identified his methodological tools for social reform, starting with the reform of education. He said in his book *"Alaysa al-ṣubḥ bi-qarīb"*:

> "So it was our duty to serve the religion and prepare for the scientific upbringing that adorns our future and glorifies our past, to enter those unknowns raise with one hand the torches of light and cut off with the other which refuses reality from the findings. Even If we have not reached the goals, at least not far away, and if we are safe from being naughty with harmony, what harm we must be unhappy, and we have in all that excuse the knowers, and the testimony or recommendation of the fair-minded".

> (Ibn 'Āshūr, 2006, p.8)

> "Ibn 'Āshūr adhered to this approach, so he continued to present his enlightenment views and remove obstacles before the Muslim minds. When Muḥammad 'Abduh, the Grand Mufti of Egypt, visited the Zaytuna Mosque in Tunisia in 1903, al-Tāhir ibn 'Āshūr met him and was briefed on aspects of his educational reform project called "Ambassador of the Call". To converge their vision in educational reform, they were indeed calling together for the revival of education. However, Ibn 'Āshūr attached greater importance to the revival of the sciences, and he began to embody his project in his works".

> (Al-Ṭāhir Ibn 'Āshūr, 2006, p.30)

The distinction of Ibn Ashur's thought, according to Fathi Hassan al-Malkāwi(2009), is his focus on collective reform emanating from the nation rather than partial thinking related to the individual. He also attached special importance to the issue of governance and believed that the problem of the nation is constitutional and that its success depends on assuming comprehensive responsibility between the ruler and the ruled. Ibn 'Āshūr realized from the on-set that the advancement of the reality of the nation requires the return of legislation to a factor of the revitalization of its civilizational movement, and that this requires the need to reconsider the jurisprudential and theological system that leads to the decline of Islamic societies, so he decided to reformulate—not to say innovate—the science of purposes (Maqāṣid). Thus, ensuring a balanced relationship between text and reality. He wrote his book *Maqāṣid al-sharī'ah* and continued to simplify and embody this trend in his other works, from his monumental exegesis *al-Taḥrīr wa-l-tanwīr* to his conscious book *al-Niẓām al-ijtimā'ī fī al-Islām*. Al-Malkāwi pointed to another very important issue, which is Ibn Ashur's proficiency in presenting Islamic law by adopting the "value entrance" instead of the "legal entrance", as it presents Islamic law through its major purposes and general objectives in the soul, society, and the state (Al-Malkāwi, 2009; Muhammad Abdulbāsit, 2011).

Al-Tāhīr ibn 'Āshūr Education Reform through Maqāṣid al-Sharī'ah al-Islāmiyyah

Al-Tāhīr ibn 'Āshūr was a revivalist jurist, rejecting what is repeated by some pretenders of jurisprudence that the door of *ijtihād* has been closed in the wake of the fifth century AH, and there is no way to open it again. He believed that the dependence of Muslims on imitating this rigid view would make them lazy and might disrupt the realization of analytical reasoning in finding solutions to their issues. If the science

of *uṣūl al-fiqh* (the principles of jurisprudence) is to control the method for the process of *ijtihād* in understanding the texts of the Holy Qur'an and deducing rulings from them, then the existence of this science is the reason why scholars should not abandon *ijtihād*. He believed that this imbalance is due to the expansion of knowledge by introducing what the *mujtahid* does not need and that the rules of foundation were written down after he wrote down jurisprudence, so there was some conflict between the rules and branches in jurisprudence, as well as ignorance of maqāṣid al-sharīʿah, as only a few of them were recorded.

The purpose of Ibn ʿĀshūr's Book Maqāṣid al-Sharīʿah

In the introduction to his book *"Maqāṣid al-Sharīʿah"*, al-Tāhīr ibn ʿĀshūr stated that the book's goal was to develop some significant discourses on the maqāsid of the Islamic Sharīʿah, illustrate them, and make an argument for their affirmation. However, the objective of these discourses is that those seeking to study and understand the Islamic religion will take them as a guide and frame of reference when faced with differences of view and change in time. Ibn ʿĀshūr sees these discourses as a means of minimizing disagreement between the jurists. His purpose, moreover, is to train the new scholars, when facing such a situation, to be just in favor of one opinion over another, so that fanaticism is rejected and truth is accepted. Likewise, the aim of the book is twofold. It consists of assisting Muslims with healing legislation for their contingent interests when contemporary issues emerge and matters become complicated, and of providing them with a decisive opinion in the face of conflicting arguments by different juristic schools and the competing views of their respective scholars. Ibn ʿĀshūr's awareness of the difficulties confronting the contending jurist arguments and reasoning concerning Sharīʿah-related matters prompted him to devote his attention to this subject (Ibn ʿĀshūr, 2011; Eletrebi, M. F., Suleimān, H., & Mohamed, W. M. A., 2023).

According to Ibn ʿĀshūr (2011), the case of the jurists is unlike that of the scholars of the rational sciences. The latter base their logical and philosophical reasoning on necessary evidence, or established observation or taken for- granted postulates that force all contestants to stop arguing, thus resolving all points of dispute between them. In contrast, the jurists do not in their juridical reasoning draw on necessary and categorical evidence (*darūriyyāt*), or on evidence bordering need, so that the obstinate are forced to yield and the confused are guided." According to Ibn ʿĀshūr (2011), Sharīʿah scholars have a high claim to such convincing arguments since the Hereafter is superior to this current existence.

Al- Tāhir ibn ʿĀshūr Educational Reforms through Views and Positions

When Tāhir Ibn ʿĀshūr was appointed as the first deputy of scientific education at Zaytūnah Mosque in the year 1325 AH (1907 AD), he began to apply his scientific and educational reforms. He introduced some reforms in the educational aspect, edited a regulation on education reform and presented it to the government, which implemented some of its contents, and sought to revive some Arabic sciences. Ibn ʿĀshūr realized that educational reform must be directed at its maximum capacity towards reforming the sciences themselves, since the teacher, no matter how stagnant, cannot differentiate between understandings and compositions, for truth is authority.

In his view, changing the system of life in any part of the world requires a change in ideas and mental values, as well as a change in teaching methods. Al-Ṭāhir sought to create Islamic primary education in Tunisia's big cities, like what al-Azhār does in Egypt, but it was met with significant obstacles. The reason for the dysfunction and corruption of Islamic education was due to the corruption of the teacher, the corruption of authorship, and the corruption of public order, and he gave priority to the reform of science and foundational subjects.

Ibn ʿĀshūr was chosen as a member of the first education reform committee in Zaytūnah in Safar 1328 AH (1910 AD), as well as in the second reform committee (1342 AH - 1924 AD). Then he was chosen as a sheikh of the Zaytūnah Mosque in 1351 AH (1932 AD), as he was the first sheikh of Zaytūnah who combined these two positions. But he soon resigned from the sheikhdom after a year and a half because of the obstacles placed in front of his plans to reform Zaytūnah and because of his collision with some sheikhs when he decided to reform education in Zaytūnah. He was reappointed as the sheikh of the Zaytūnah Mosque in 1364 AH (1945 AD), and this time he introduced major reforms in the Zaytūnah education system, increasing the number of Zaytūnah students and the number of educational institutes.

Tāhir ibn ʿĀshūr's efforts included the reform of textbooks, teaching methods, and educational institutes, so he replaced many of the old books that were taught with justifications, paid attention to natural sciences and mathematics, considered in the high educational stage navigating the different specialization, and began to think about the introduction of various educational areas. Therefore, he called for reducing recitation and indoctrination and increasing application to develop the faculty of understanding through which the student can rely on himself in obtaining knowledge. At the independence of Tunisia, he was entrusted with the presidency of the University of Zaytūnah in 1374 AH (1956 AD).

There are a few examples that demonstrate his eagerness to spread Islamic reformism without compromising the basic principles of Islam. Historians mentioned the plight of naturalization that the French colonialists tried to promote in Tunisian society. Tāhir ibn ʿĀshūr was not far from the arrows of colonialism and haters that were directed against his reformist approach. Therefore, the Sheikh was subjected to a harsh ordeal that lasted for three decades, known as the ordeal of naturalization. In a nutshell, the French colonialists proclaimed a law in Shawwal 1328 AH (1910 AD) known as the naturalization law, allowing Tunisians who wished to naturalize with French nationality. However, the Tunisians were reluctant to naturalize. This confused the French, so the French authorities resorted to the trick of issuing a fatwa guaranteeing naturalized people repentance through the wording of a general question not related to the Tunisian case addressed to the Sharīʿah Council. At that time, in the year 1352 AH (1933 AD), al-Ṭāhir held the presidency of the Sharīʿah Council of Maliki scholars, which explicitly issued a fatwa that blocked regulations a naturalized person must adhere to when appearing before the judge to pronounce the two testimonies (Shahadatain) as the way to embrace Islam and at the same time renounce his nationality, which he embraced (Al-Najjār, 1433).

In another case, Tāhīr Ibn ʿĀshūr categorically refused to issue a *fatwā* permitting Muslim people to eat and drink in Ramadan in 1381 AH (1961 AD). It was Habib Bourguiba, the former Tunisian President, who called workers to break the fast in Ramadan under the pretext of increasing economic productivity. He asked the Sheikh to issue a *fatwā* on the radio in accordance with this government decision. However, the Sheikh Ibn ʿĀshūr rejected this and confirmed on the radio what God Almighty commands. After reading the verse of fasting he said, "Allah is right and Bourguiba lied" (Al-Najjār, 1433).

Although Islamic reformism requires changes toward the enhancement of Muslim society, it cannot be done at the expense of Sharīʿah principles.

Conclusion

After analyzing Imam Muḥammad Tāhir Ibn ʿĀshūr's reformist ideas, the study came to the following conclusions: First, Ibn ʿĀshūr had an influence on the intellectual and social renaissance, and the huge literature that he left became a witness to those efforts. His intellectual endeavors fertilized the science of Maqāṣid, standing out from the science of logic and philosophy. Second, the reformist thought of Ibn ʿĀshūr included the reform of education, and the reform project was recorded in the book *Alaysa al-ṣubḥ bi-qarīb*. Third, Ibn ʿĀshūr educational reforms also stem from the contention that the social and political backwardness of Muslim nations was dependent on the Westernization of mind and culture by the colonial power, which motivated him to write a book, *al-Niẓām al-ijtimāʿī fī al-Islām* (The social system in Islam). Fourth, the reformist efforts, based on a firm understanding of *Maqāṣid al-Sharīʿah*, were present in the attitude and response of Tāhir ibn ʿĀshūr with regards to the naturalization of Tunisian society and to the request for fatwas to discount or to be absent from practicing Islamic law. He declined to back Habib Bourguiba when the latter requested a *fatwā* permitting or allowing Muslims to break their obligatory fasting in Ramadan. Finally, this study recommends the dire need to pay attention to the writings of Imam Muḥammad al-Ṭāhir ibn ʿĀshūr by drawing inspiration from the reformist ideas that inspire the spirit of hope in Muslim society and rightly guide Islamic civilization.

References

Abd al-Raḥmān, A. K. (1986). *Uṣūl al-tafsīr wa qawāʿiduhu*, Dār al-Nafāʾis.

Abū Zahrah, M. A. Z. (1970). *Al-Muʿjizah al-kubrā*, Dār al-Fikr al-ʿArabī.

Alamī, D. A. A. (2017), *Mujaddid al-maghrib al-ʿarabī al-ṭāhir Ibn ʿĀshūr wa manhajihi fī tafsīr al-taḥrīr wa-l-tanwīr*, Manshūr Shibkah al-Alūkah.

Al-Bān, A. A. A. (2011) *Malāmiḥ al-tajdīd ʿinda aʿlām al-nahḍah (Mālik bin Nabī wa al-Ṭāhir Ibn ʿĀshūr Unmūdhajan)*. https://islamonline.net/ملامح-التجديد-عند-أعلام-النهضة/

Al-Ghālī, A. B. (1996). *Shaikh al-jāmiʿ al-aʿẓam: Al-Ṭāhir Ibn ʿĀshūr, ḥayātuhu wa āthāruhu*, Dār Ibn Ḥazm.

Al-Najjār, K. A. M. (2012). *Al-Taher bin Ashour.* Aloka Network.

Al-Zariklī, A. K. A. (2002) *Al-aʿlām*. Dār al-ʿIlm li-l-Malāyīn.

Ibn ʿĀshūr, I. A. (1972). *Al-Ḥarakah al-adabiyyah al-fikriyyah fī tūnis.* Tūnis: Dār al-Tūnisiyyah li-l-Nashr wa-l-Tawzīʿ.

Ibn ʿĀshūr, M. A. I. (1984). *Al-Taḥrīr wa al-tanwīr.* Tūnis: Dār al-Tūnisiyyah li-l-Nashr.

Ibn ʿĀshūr, M. A. I. (2005). *Al-niẓām al-ijtimāʿī fī al-Islām.* Cairo: Dār al-Salām li-l-Nashr.

Ibn ʿĀshūr, M. A. I. (2006). *Alaysa al-ṣubḥ bi-qarīb, al-taʿlīm al-ʿarabī al-islāmī: Dirāsah tārikhiyyah wa ārāʾ iṣlāḥiyyah.* Cairo: Dār al-Salām li-l-Nashr.

Ibn ʿĀshūr, M. A. I. (2011-2012). *Maqāṣid al-sharīʿah al-Islāmiyyah*. Beirut. Dār al- Kitāb.

Ibn al-Khūjah, I. M. A. (2004). *Shaykh al-Islām al-Imām al-Akbar Muḥammad al-Ṭāhir Ibn ʿĀshūr.*

Ibn Khalūf, I. M. (2003). *Shajarah al-nūr al-zakiyyah fī ṭabaqāt al-mālikiyyah.* Beirut: Dār al-Kutub al-ʿIlmiyyah.

Islam, T. (2018). Ibn Ashur's views on maqasid al-Quran: An analysis. *Maʿālim Al-Qurʾān Wa Al-Sunnah*, *14*(2), 147-161. https://doi.org/10.33102/jmqs.v14i2.135

Maḥfūẓ, M. M. (1982). *Tarājim al-muallifīn al-tūnisiyyīn*. Dār al-Gharb al-Islāmī.

Mahamed Fathy Eletrebi, Suleimān, H., & Abdelrahman Mohamed, W. M. (2023) Dawr al-Ummah fi tafʿīl furud al-kifāyah wa 'alāqatuhā bi maqāṣid al-sharī'ah: Dirāsah min manẓūr al-sharī'ah: National Collective Responsibility (Fard Kifayah) and Its Relationship with the Purposes of Shariah: A Study from The Perspective of Shariah. *AL-MAQASID: The International Journal of Maqasid Studies and Advanced Islamic Research*, *4*(1), 53–68. https://doi.org/10.55265/almaqasid.v4i1.53

Nafi, N. B. M. (2005). Ṭāhir Ibn ʿĀshūr: The career and thought of a modern reformist ʿālim, with special reference to his work of tafsir. *Journal of Qurʾanic Studies,* 7(1), 1-32.

Sharīf, S. M. A. (n.d) *Mā yajibu an yaʿrifa ʿan tārīkh Tūnis*. Dār Sirās li-l-Nashr bi-Tūnis.

Wani, G. Q. (2017). Islamic perspectives on human nature: Ibn Ashur's fitrah-based theory of maqasid al-shariah. *ICR Journal*, *8*(2), 230–243. https://doi.org/10.52282/icr.v8i2.197

Yāghī, Y. I. A. (1995). *Tārīkh al-ʿalam al-muʿāṣir with the participation of Maḥmūd Shākir*. Riyad: Dār al-Marīkh li-l-Nashr.