Maliki’s and the Mawlid an-Nabi

Bismillah

As-salatu wa’s-salamu ‘ala Rasulillah

This paper is about the Maliki’s and (the celebration of) the mawlid of the Prophet (s.a.w.s.). In a recent discussion I claimed the Maliki’s consider the mawlid as an ‘Id. What is the proof for this claim or statement and who said this? Below I will elaborate on this.

Introduction

Before we go into the actual claim I made about the mawlid being an ‘Id according to the Maliki’s I would like to make the following clear.

I’m not a scholar or a shaykh, I’m just a beginning student in the Maliki madhhab and my own opinion in this matter is not really important and we most probably can’t even call this ‘my opinion’ as I will quote other people’s (read: scholars) opinions. I don’t claim to have knowledge. I will limit myself to the Maliki madhhab in this regard and I will not delve into the opinions of scholars in the other 3 madhhab. I will just share with you some of what I read on this matter and here and there I will place some personal remarks and observations.

I feel inclined towards the opinion that there is nothing against the mawlid as long as things stay within the limits of the shari’ah. I don’t write this post to argue or vie with people / students / scholars or to proof that I’m right and other people are wrong. If we are intellectually honest people who are either for or against the mawlid all have proofs and there is (some) truth in the arguments of both sides. All I conclude from this is there are different opinions on this matter and they are all valid as long as / and backed up by proofs.

Although the sources I quote are mainly from the internet and some books, I trust those sources, I didn’t just cut and paste. I don’t have all the books at home to check to references. People who want to do that go ahead and reply to this post and share your findings. Why all the heated debate I ask myself? We should leave this debate, there are much more important matters to debate. Every year this matter comes up and it seems we as an ummah
can’t accept different and valid opinions. In other words: there seems to be no progress and sometimes I think, perhaps unjustly, it only gets worse. May Allah help us all. The mawlid is something that should unite us in our love for the Prophet (s.a.w.s.), not something that divides us. Now back to the matter at hand. Below I will return though to some of the things I have mentioned above.

**Clarification and questions**

First of all we need to clarify some issues:

- (1.) If it has been said that the mawlid is an 'Id this would most probably come from the later scholars in the Maliki madhhab (as some have stated) and not from the early / earlier scholars;
- (2.) I will formulate my claim more restrictively and I will limit it to 'some Maliki scholars';
- (3.) We can ask ourselves the question if this has been said by some Maliki scholars can we say they represent (the dominant -mashhur- opinion) of the madhhab?

I will address each issue specifically in the following.

**The early connection between the mawlid and the Maliki madhhab**

Interestingly enough there has been a connection between celebrating the mawlid and the Maliki madhhab from early on. Firstly we can mention the book by Hafiz Ibn Dihya al-Kalbi (mentioned below.) Secondly we can mention that the Moroccan religious and legal scholar, the qādi, and member of the Banu al-Azafi who ruled the city of Sabtah (Ceuta) in the 13th (Christian) century, Abu al-'Abbas Ahmad al-Azafi (1162–1236 CE), established the custom of celebrating mawlid in Ceuta, in the north of Morocco. He wrote an unpublished book on this topic with the title “Kitab ad-Durar al-Munazzam fi ‘I-Mawlid al-Mu’azzam” (“The Strung Pearls of the Birth Celebration of the Glorious Prophet”), his most important work. It was
completed, after his death, by his son Abu'l-Qasim. His son Abu'l-Qasim propagated it throughout the Maghrib.1 2

The mawlid is considered as an 'Id in the Maliki madhhab

In the article “The Mawlid is an Eid and the Malikis: Zarruq, Ibn Abbad and Ibn Ashir”3 we can read that we can trace back this statement to the Maliki scholar Muhammad al-Hattab4 (1497 – 1547 CE) who has mentioned this in his commentary (sharh) Mawahib al-Jalil on the acclaimed text Mukhtasar al-Khalil. Al-Hattab on his turn refers to Maliki scholars like Ahmad Zarruq (Born 1442 CE), Abu ‘Abdullah al-Quri (the teacher of Zarruq), Ibn ‘Abbad5 (ar-Rundi; 1333–1390 CE; in his Rasa’il al-Kubra) and Ahmad Ibn ‘Ashir of Salé (d. 765 AH; the teacher of Ibn ‘Abbad).

Ibn ‘Abbad gave a fatwa on the permissibility of the mawlid. This fatwa was supported by Ahmad al-Wansharisti6 (d. 1508 CE) in his fatawa collection called Mi’yar al-Mu’rib, vol. 11.7 Something similar has been said by imam Muhammad ad-Dusuqi8 (d. 1815 CE) in his glosses (Hashiyah) on the commentary of imam Ahmad ad-Dardir9 (d. 1786 CE; Sharh al-Kabir) on the Mukhtasar al-Khalil (1:518):

من جماعه الصيام المكره كمال بتعصه صوم يوم المولد المحمدي الحاقاً من الأعياد

Rough translation: “From the undesired (makruh) days of fasting – as some scholars have said – are the fasting on the birthday of the Prophet (s.a.w.s.), because this day is counted amongst the days of 'Id.”10

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1 See: http://www.sunnah.org/publication/encyclopedia/html/mawlid.htm
2 See also: http://en.wikipedia.org/wiki/Abu_al-Abbas_al-Azafi
4 See: http://en.wikipedia.org/wiki/Al-Hattab
6 See: http://www.oxfordislamicstudies.com/article/opr/t125/e2483
8 See: http://en.wikipedia.org/wiki/Ad-Desouki
This is confirmed by other scholars in the Maliki madhhab like imam Ahmad as-Sawi (d. 1825 CE; the student of imam ad-Dardir) in his Bulghat as-Salik\(^{11}\) (commentary on Aqrab al-Masalik by his teacher ad-Dardir) and by imam Ahmad Zarruq on his commentary on the short Maliki fiqh poem al-Qurtubiyyah by shaykh Yahya al-Qurtubi.\(^{12}\)\(^{13}\) I got this quote from a learned Maliki brother from Germany.\(^{14}\)

In the book "Islam in the School of Medina",\(^{15}\) which is a commentary on the Murshid al-Mu‘in of Ibn ‘Ashir (d. 1631 CE) by shaykh Ahmad b. al-Bashir al-Qalawi al-Shinqiti (d. 1851 CE) we can also implicitly read it is considered as a day of ‘Id in the Maliki madhhab, see pages 675, 676.\(^{16}\)

The Egyptian Maliki scholar Muhammad ‘Illish\(^{17}\) (d. 1882 CE), who wrote a sharh on the Mukhtasar al-Khalil, also said that it is makruh to fast on the day of mawlid by analogy to the day of ‘Id in general.\(^{18}\) (But he is also quoted to be against the mawlid!)\(^{19}\)

In the book "Defense of the Sunnah" we can read that (pag. 135): “the Maliki madhhab states it is makkruh to fast on the day of the mawlid.\(^{20}\) In footnote 318 the author refers to the 8 volume\(^{21}\) Hashiyat al-Khurashi ‘ala Mukhtasar al-Khalil (2:241) by the Egyptian shaykh Muhammad b. ‘Abdullah al-Khurashi (d. 1101 AH).\(^{22}\)

Most of the above is also mentioned by contemporary Mauritanian senior shaykh Muhammad al-Hassan b. Ahmad al-Khadim\(^{23}\) in his supportive fatwa of the mawlid.\(^{24}\)

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\(^{10}\) See: http://library.islamweb.net/newlibrary/display_book.php?bk_no=13&ID=&idfrom=1121&idto=1224&bookid=13&startno=16

\(^{11}\) See: http://elimalkia.blogspot.nl/2010/03/blog-post_14.html

\(^{12}\) See: http://elimalkia.blogspot.nl/2012/03/blog-post_30.html

\(^{13}\) And here: http://shamela.ws/browse.php/book-7545/page-266

\(^{14}\) His name is ‘Ali Ghandour Abu Bilal al-Maliki, a well-known speaker and teacher in Germany.

\(^{15}\) Title in Arabic: Mufid al-‘Ibad

\(^{16}\) See here an excerpt: http://www.bogvaerker.dk/wordpress/?p=252

\(^{17}\) See: http://shamela.ws/index.php/author/571

\(^{18}\) See here: http://www.systemoflife.com/articles/milaad/2000020-mawlid-quotes-of-scholars-quoted-by-brailwis#axzz2qZE3Dcqj

\(^{19}\) See here: http://www.azahera.net/showthread.php?t=6657

\(^{20}\) See: http://www.abc.se/home/m9783/ir/d/defs_e.pdf

\(^{21}\) See: http://khizana.blogspot.nl/2010/01/blog-post_31.html


\(^{24}\) Read here: http://marifah.net/forums/index.php?showtopic=5534 Attached are copies of the fatwa.
In the wonderful book "The Birth of the Prophet Muhammad: Devotional Piety in Sunni Islam" by Marion Holmes Katz, we can read a confirmation of the above on pag. 115: ‘(..) a number of Maliki furu’ works stated that it was undesirable [makruh] to fast on the day of the mawlid because it is tantamount to an ‘id (..).’ In the accompanying footnote 44 we can read that the author said: ‘This position seems to have been standard among eighteenth and nineteenth-century CE Maliki commentators on the Mukhtasar of al-Khalil.’

If we look at all the scholars mentioned above they are indeed from the later scholars in the Maliki madhab. I conclude they are not just some (minor) Maliki scholars, no, on the contrary they are authorities in the later Maliki madhab who wrote authoritative works. Their opinions carry weight. Do their opinions represent the dominant opinion in the Maliki madhab? That is a good question. I can’t answer that. I can’t claim that their opinion that the mawlid is an ‘Id is the dominant Maliki opinion. This is their opinion, their ijtihad, and it is an opinion within the Maliki madhhab. We can’t say these are simply their own opinions, outside the madhhab, as if they are not based on evidence and not valid. For this reason we can’t disregard and/or just discard their opinion. Based on the above we can also not say that their opinion is an isolated opinion.

So far the opinion that the mawlid is considered as a day of ‘Id according to some of the Malikiyyah and I’m sure there are more.

**Maliki scholars who supported the mawlid**

Now, if we look at some other (late and contemporary) Maliki scholars who support(ed) the mawlid we can mention the following names:

- The late shaykh Muhammad ibn al-‘Alawi al-Maliki (d. 1422 AH) has written a treatise in support of the mawlid (Hawl al-Ihtifal bi Dhikra Mawlid al-Nabawi al-Sharif) but he has ‘differed’ with the opinion of some scholars stated above that it is an ‘Id, he said it is even greater and more virtuous than (a day of) ‘Id. He also wrote a commentary on the famous mawlid of al-Diba’i. It needs to be mentioned that the shaykh said in his book “Notions that

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26 See: [http://www.daruliftaa.com/node/6074](http://www.daruliftaa.com/node/6074)
must be corrected" (pag. 297): ‘Gathering for the sake of the mawlid celebration is a customary matter. It is not an act of worship in itself.’ And: ‘The upshot of all of this is that we do not say it is a sunna to celebrate the mawlid on a specific night.’ (pag. 298)

- The Mauritanian Maliki shaykh Salek bin Siddina (student of shaykh Murabit al-Hajj) gave a lecture, translated by his student, the Maliki ustadh Rami Nsour, in support of the mawlid (The ruling and proper method of celebrating the mawlid) in two parts, watch here:
  
  http://www.youtube.com/watch?v=FluKqq-NOgw
  
  http://www.youtube.com/watch?v=_jEectdNyMs

- The Moroccan Maliki shaykh Ahmad Sukayrij (d. 1994 CE) supported the mawlid through several of his writings.

- The famous Sudanese/Egyptian Maliki shaykh of al-Azhar Salih al-Ja’fari (d. 1979 CE) supported the mawlid; he wrote several mawalid.

- The Maliki mufti of Makkah Muhammad ‘Ali b. al-Husayn al-Maliki (d. 1949 CE) was of the opinion that the mawlid is mustahabb in his work ‘as-Sarim al-Mubid li Munkir Hikmat al-Taqlid’.

- Hafiz Ibn Dihya al-Kalbi (d. 633 AH) in his al-Tanwir fi Mawlid al-Bashir al-Nadhir (this was actually one of the first books on the mawlid ever!);

- Imam Abu Bakr al-Turtushi (d. 1126 CE) in his Kitab al-Hawadith wa’al-Bid’ah (indirectly, he didn’t mention the mawlid as a bid’ah);

- Imam al-Faqih Abu al-Tayyib Muhammad ibn Ibrahim al-Sabti (d. 695 AH). On the day of the birth of the Prophet (s.a.w.s.) he said: ‘O jurist, it is a day of rejoicing and joy today, give the children a holiday.’

- Shaykh Jalal al-Din al-Kattani in his Rawdat al-Jannat fi Mawlid Khatim al-Risalat (quoted in al-Sakhawî’s Subul al-Huda);

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27 See: http://beneficialilm.com/2013/03/11/the-biography-of-shaykh-salih-al-jafari/
28 This was mentioned by the Maliki scholar Kamal al-Udftwi (d. 695 AH) in his book at-Tali as-Sayîd.
- Shaykh Nasir al-Din ibn al-Tabbakh (also quoted in al-Sakhawi’s *Subul al-Huda* and the book by Marion Holmes Katz).

(These last 5 names are taken from the Marifah forum29, where there is an interesting discussion on the topic of bid’ah in the Maliki madhhab.)

- A contemporary supportive fatwa of the General Authority of Islamic Affairs and Endowments of the United Arab Emirates which gives the Maliki position on the celebration of the mawlid, read here: [http://www.awqaf.ae/Fatwa.aspx?SectionID=9&RefID=1489](http://www.awqaf.ae/Fatwa.aspx?SectionID=9&RefID=1489)

- The supportive judgment of Moroccan Maliki ustadh Binsalim Bahisham.30

- The Maliki faqih and usuli Mustafa BenHamza supports gatherings of mawlid.31

- The Maliki ustadh from the U.S. ‘Umar Faruq ‘Abdullah supports the mawlid.32

- Shaykh Hamza Yusuf (al-Maliki) from the U.S. supports the mawlid.33

- The Maliki shaykh Ahmad ‘Ali al-‘Adani from South Africa said that celebrating the mawlid is not only permissible but actually highly meritorious.34

And also here I’m sure there are much more Maliki scholars who support the mawlid.

**What did the early Maliki scholars say?**

Now, coming back to the early (Maliki) scholars like imam Malik, his student Ibn al-Majishun (d. 164 AH)35 and Ibn Abi Zayd al-Qayrawani (d. 996 CE) for example. Did they say anything about the mawlid and it being an ‘Id? The answer is simple and short: no. Why not? It didn’t take place in their time so it is obvious they didn’t say anything about it. They belonged to the Salaf (the pious predecessors), the first three generations of Muslims, and the mawlid was not celebrated then (although there are some who contend this). So we are more or less

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30 See here: [https://www.youtube.com/watch?v=dx5HNh8Ej5s](https://www.youtube.com/watch?v=dx5HNh8Ej5s)
31 See here: [http://www.youtube.com/watch?v=HkZSWvBd9mo](http://www.youtube.com/watch?v=HkZSWvBd9mo)
32 See: [http://www.youtube.com/watch?v=TCrOFInKTzY](http://www.youtube.com/watch?v=TCrOFInKTzY)
33 See: [http://www.youtube.com/watch?v=TCrOFInKTzY](http://www.youtube.com/watch?v=TCrOFInKTzY)
34 See: [http://www.theislamiccommunity.com/article/question_on_the_mawlid](http://www.theislamiccommunity.com/article/question_on_the_mawlid)
forced to look at the opinions of the later Maliki scholars on the mawlid and if it is considered an 'Id.

What needs to be kept in mind about the early Maliki scholars is that they were strict with regard to innovations so we can ask ourselves what they would have thought about this. Keep this in mind because I will return to that point briefly.

**Question: Are there any Maliki scholars who didn’t support the mawlid and didn’t say it was a day of ‘Id?**

Yes, of course there were:


- A Maliki scholar who is quoted a lot as being against the mawlid is Ibn al-Hajj (d. 737 AH) in his book *al-Madkhal*. One can read an English article about what he said here: [http://splendidpearls.org/2013/01/30/celebrating-mawlid-un-nabi-ibn-al-hajj-al-maliki-died-737-a-h/](http://splendidpearls.org/2013/01/30/celebrating-mawlid-un-nabi-ibn-al-hajj-al-maliki-died-737-a-h/)

But was he really against the mawlid? That is a question. Some have contended that he has actually praised the mawlid if done within the limits of the shari’ah and that he was against the transgressions of the shari’ah that accompanied the mawlid. One can read more on this in the references provided in previous footnotes.\(^{37}\) It seems to me that to quote him as against the mawlid is a too literalist approach of his fatwa.

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- Imam Abu Ishaq al-Shatibi (d. 1388 AH) also spoke out against practices that transgressed the boundaries of the shari’ah with regards to the mawlid.\(^{38}\)


- Shaykh Ahmad bin Muhammad al-Maliki.


- The famous West-African Shaykh 'Uthman Dan Fodio al-Maliki (d. 1817 CE).\(^{39}\)

- Shaykh Muhammad bin Abu Bakr Makhzumi al-Maliki.\(^{40}\)

- Shaykh Abi’l-Hasan al-‘Adawi\(^{41}\) (d. 1189 AH) the author of many hashiyat on Maliki fiqh texts.

- And almost lastly we can mention the fatwa by the contemporary Maliki mufti of Libya shaykh Sadiq al-Ghisyani who spoke out against the mawlid, quoting Ibn al-Hajj, which can be found on FaceBook.

I’m sure there are more scholars in the Maliki madhhab against the mawlid. The ones I mentioned are just to illustrate this. To be honest it is hard to find Maliki scholars against the mawlid if you search on the internet.

We can ask the question if we can say about their opinions that they are their own opinions and not the madhhab's dominant opinion? I don’t know, w’Allahu ‘alam. Can we disregard and discard their opinions? No, we can’t because that wouldn’t be fair.

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\(^{39}\) See: [http://www.africa.upenn.edu/Articles_Gen/Uthm_Fodio.html](http://www.africa.upenn.edu/Articles_Gen/Uthm_Fodio.html)

\(^{40}\) For these last 5 scholars see: [http://barelwism.wordpress.com/2013/01/28/names-of-scholars-who-were-against-mawlid/](http://barelwism.wordpress.com/2013/01/28/names-of-scholars-who-were-against-mawlid/)

The fatwa of Bin Bayyah

To end the discussion we quote the beautiful and balanced fatwa by the Mauritanian Maliki scholar 'Abdullah Bin Bayyah:

“Whoever wants to celebrate the Prophet’s (s.a.w.s.) birthday should celebrate it and avoid doing any action contrary to Islamic Law. This act should be done with an intention that it is not a sunna nor an obligatory act. If these conditions are observed, and one is careful not to contradict Islamic Law, out of sincere love for the Prophet (s.a.w.s.), then, Allah willing, there is nothing wrong with this action and this person will be rewarded.

Commenting on this, the Shaykh of Islam Ibn Taymiyyah (may Allah have mercy upon him) said, “Indeed, such a person will be rewarded because of his intention.” Likewise, for the one who shuns this celebration, seeking to cling to the sunna out of fear of falling into innovation, then this person will also be rewarded, Allah willing. It is important to note that this is not a big issue. Nor is it necessary to give it more attention then it deserves.”

Remarks and conclusion

Based on all the above I will make some remarks and draw some conclusions and after that I will end the paper.

- Shaykh Bin Bayyah takes an usuli approach in this regard.

- We should be balanced and not be too literalist.

- We can safely claim the mawlid is considered as a bid’ah, an innovation, by the majority of scholars in the Maliki madhhab, but also outside that madhhab. We can trace this back to imam Malik and his approach to bid’ah. The question that arises now is what kind of bid’ah is the mawlid? A bad or a good bid’ah? If we would follow imam Malik and his approach we would need to conclude it is a bad bid’ah. If we would follow imam al-Shafi’i’s (imam Malik’s

student) approach to bid'ah we could conclude the mawlid is a bid'ah hasanah. A question that arises now from all the above is: did and do the Maliki scholars all follow imam Malik’s approach to bid'ah or not? I think the answer is obvious: no. Ahmad Zarruq for example took another approach than imam Ibn Daqiq al-‘Id (d. 1302 CE) regarding this.

- What is the problem with saying the mawlid is an 'Id if we understand 'Id according to the Arabic language as a day of joy and happiness and not as a legislated 'Id like the two obligatory 'Ids we have? After all, more days are called 'Id, like jumu‘ah, yawm al-‘Arafah etc.

- The mawlid shouldn’t be regarded as something wajib.

- If you celebrate the mawlid stay within the limits of the shari‘ah.

- There are several opinions in the Maliki madhhab about the mawlid and it being an 'Id or not.

- Lastly: what is a mawlid actually? This words seems to confuse many people. Mawlid means nothing but birthday, there is nothing wrong with that. If we understand it to be a mere gathering with a reading of the sirah of the Prophet (s.a.w.s.) from some text (and many beautiful texts have been compiled by the ‘ulama throughout the centuries), what can possibly be against that? Is that even a bid’ah? What if we would not call this a mawlid and just organize it in the name of a lesson on the life of the Prophet (s.a.w.s.), could anyone object to this? I don’t think so and in fact this does happen, by people who are against the mawlid as well. And if we want to avoid any controversy this should not even have to take place in the month of Rabi’ al-Awwal. But to be honest: does anyone do that really in the West? People don’t know their Prophet (s.a.w.s.) and what better occasion and month to reconnect?

With this I end this short paper, hopefully with some food for thought insha’Allah. I ask Allah to accept it from me and to let be of benefit for those who read it.

W'al-ḥamdulillahi'r-Rabbi'l-'Alamin.

43 I refer to the book of Muhammad al-Ghazali "Within the boundaries of Islam; A study on bid’ah", published by Islamic Book Trust, Kuala Lumpur.