

The Mawlid Is a Bidah Not Practised by the Salaf

الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ وَالصَّلَاةُ وَالسَّلَامُ عَلَى رَسُولِ اللَّهِ وَبَعْدُ

Fatwa of Taj al-Din [al-Fakihani](#) on the Mawlid

Taj al-Din [al-Fakihani](#) is Umar bin Ali bin Salim bin Sadaqah al-Lakhmi, and he was a Shafi'ite jurist and was spoken of by Ibn Kathir as "The Shaykh, the Imam, possessor of many sciences". He died in Alexandria in 734H. He has a short treatise (المورد في عمل المولد), a fatwa given in response to a question on the mawlid, and within it he stated:

لا أعلم لهذا المولد أصلاً في كتاب ولا سنة ولا ينقل عمله عن أحد من علماء الأمة، الذين هم القدوة في الدين، المتمسكون بأثار المتقدمين، بل هو بدعة

I do not know for this mawlid (birthday celebration) any basis in the Book, nor the Sunnah and nor has its practice been narrated from any one of the Scholars of the Ummah who are the followed leaders in the religion holding fast to the ways of the predecessors. Rather, it is an innovation.

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This was cited by al-Suyuti who quoted it in order to refute it, however his refutation of it is very weak and we shall analyze the arguments used by those later jurists who supported al-Mawlid in other articles. The point with the above citation is to show that there are Shafi'ite jurists who adhered to the truth, free of any influence, and free of any contradiction that was entered into by others who on the one hand showed rejection against innovations not practiced by the Salaf and encouraged sticking firmly to the Sunnah, yet spoke in favour of an innovation amongst the innovations which became widespread in their time but which was originally entered amongst the Muslims by the Baatinee Ismaa'eelee Ubaydis of fourth century (hijrah) Egypt.

Translation of the Fatwa

As the fatwa is extremely pertinent, relevant and beneficial a translation is provided here (full arabic text is in the PDF file). After testifying to Allaah's oneness and Muhammad's messengership and sending prayers and salutations upon him, his family, wives and companions, he mentions that a question has come to repeatedly to him about the gathering made by some of the people in Rabi' al-Awwal and which they call "al-Mawlid", whether it has a foundation in the religion or not? He says that these people want a clear answer which specifically clarifies it. He then says:

I say and with Allaah is success: I do not know for this mawlid (birthday celebration) any basis in the Book, nor the Sunnah and nor has its practice been narrated from any one of the Scholars of the Ummah who are the followed leaders in the religion holding fast to the ways of the predecessors. Rather, it is an innovation, which was invented by the idlers (lazy ones) and out of the soul's desire through which the devourers (of wealth) enriched themselves - (this) with the evidence that if we consider it in

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light of the five rulings, we say:

Either it is wajib (obligatory), or mandub (recommended) or permissible (mubah), or makruh (disliked) or muharram (unlawful). It is not wajib by consensus and nor is it mandub (recommended), because the reality of the mandub is "that (whose performance) the [Shariah](#) has requested but without any censure for the one who leaves it." But we see that the [Shariah](#) has not granted permission for this, and the Companions never did it and nor the Tabi'un and nor the religious (devoted) scholars - as far as I know - and this is my answer in front of Allaah, the Exalted if I am asked about it. And it is not permissible that it should be mubah (permitted), because innovating in the religion is not permissible by consensus of the Muslims.

Hence, there is not left except for it to be either makruh (disliked) or haram (unlawful). In that case, speech regarding it will be in two parts, and distinguishing between two situations:

The first of them: *That a man practice this with his own wealth for his family, associates and dependents and they do not go beyond, in that regard, gathering to eat food, and they do not commit any of the sins. **This is what we have described as a detested innovation and as being repulsive, since none of the people of obedience from the predecessors performed it, those who are the jurists of Islam, the scholars of the creation, the lamps of the ages and adornment of the places.***

The second: *That crime (i.e. sin, disobedience, prohibited matters) entered into it, and concerted effort is made (to collect wealth for it) such that one of them gives something and his soul reproaches him and his heart hurts him due to what he finds of the hurt of oppression (in being made to give his wealth), and the Scholars have said, may Allaah have mercy upon them, "Taking wealth through (display of) modesty, humility is like taking it with the sword." This is especially the case when [the concerted effort in collection of wealth for this mawlid] is augmented with singing and futile instruments such as drums and flutes and the gathering of men with youths and women singers - either mixing with them (the women) or they (the women) playing an organizational role (without mixing with the men), and dancing with effeminateness and affectation, and being engrossed in distraction and forgetting the Day of Fear. Likewise the women, when they gather together in isolation and raise their voices, and who chant out loudly out of gratification and who when making dhikr and reciting (the Qur'an) depart from what is legislated and what is the acceptable norm, being heedless (all the while) of His, the Exalted's saying, "**Indeed your Lord is ever watchful over them**" (89:14). No two people will differ about the unlawfulness of this, and nor would any possessor of manhood deem it to be good. It is only with the souls of those with dead hearts and those not devoid of [plentiful] sin and disobedience by which this becomes treated as lawful. And I increase you [in knowledge] that they consider this to be from the acts of worship, not from the rejected unlawful matters. To Allaah we belong and to Him shall we return, indeed Islam began as something strange and will return as something strange, as it began...*

... All of this alongside the fact that the month in which he (sallallaahu alayhi wasallam) was born is the very month in which he passed away, so rejoicing is not more worthy of grief therein. This is what is obligatory upon us to say, and from Allaah, the Exalted do we ask for good acceptance.

This is a real eye-opening fatwa and what is mentioned within it - alongside the clarification of the ruling on al-Mawlid - shows great parallels (from 700 years ago) with what we find in our societies today of this very shallow, superficial attachment to the [Shariah](#) amongst the common-people who abandon much of the legislated affairs, and who seek easier paths that require less struggle, effort and sacrifice. Hence, the delusion that manifesting love of the Prophet (alayhis salaam) in this innovated manner compensates for the otherwise disobedient lifestyle which most people live.

As for the dependence of today's Innovators upon the erroneous and easily-refutable arguments in support of the mawlid coming from the likes of Abu Shaamah, al-Suyuti and others, then this is a clear indication of the spuriousness of the claim of these Innovators to the Companions and the Salaf. It is apparent that they are following desires by following the erroneous views of the very late Scholars who equal little in comparison to Abu Bakr, Umar, Uthman, Ali, the Muhajirun and Ansar, the generality of the Companions (radiiallaahu anhum), let alone the great Scholars such as Abu Hanifah, Malik, [al-Shafi'i](#) and Ahmad - and all of whom, if there was any goodness indicated or justified by the texts, or demanded by necessity of circumstances, would have been the first to realize it and practice it and speak with, by Allaah. And the Messenger (alayhis salaam) indeed said, *"Whoever amongst you lives for long will see great controversy so you must stick to my Sunnah and the Sunnah of my rightly-guided caliphs and bite onto it with your molars... and beware of newly-invented matters, for every newly-invented matter is an innovation and all innovation is misguidance..."* So woe be to the one who abandoned the Sunnah and the way of the Companions and the four caliphs and followed instead the erroneous views of 7th and 8th century jurists!