



Comments on Mufti Taqi Usmani's Fatwa on Mawlid



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Profile of Shaykh Dr Gibril Fouad Haddad

Dr. Gibril Haddad was born in Beirut in 1380/1960. He embraced Islam while a graduate student in French Literature at Columbia University in New York. He lives in Brunei Darussalam currently. He is a leading expert in Tafsir studies (Mufassir), Hadith Studies (Muhadith) and pursues a research interest in Applied Comparative Tafsir, Islamic Intellectual History, Islamic Biobibliography, Islamic Sunni Jurisprudence, History of Islamic Sunni Jurisprudence, Islamic Sunni Doctrine, Islamic Heresiography, Isnad and Hadith Transmission. He is also an accomplished author, and translator of classical Islamic texts. He has translated and published over three dozen works.



He is highly trained in secular education before conversion to Islam. After embracing Islam he has travelled widely to learn Islamic sciences and holds ijazas from over 150 scholars across the Muslim world an influential Islamic scholar in several Islamic sciences. In 2009, he was hailed in the inaugural edition of The 500 Most Influential Muslims in the World as “one of the clearest voices of traditional Islam in the West.” He is the author of over three dozen books, most recently the first critical edition and translation and first book-length study in English on the first Hizb of Tafsir al-Baydawi, a 900-page work to be published jointly by UBD Press and Beacon Books (UK).

He holds a Doctorate from Kolej Universiti Insaniah, Kedah Darul Aman, Malaysia. Dr. Haddad spent nine years of study in Damascus, Syria (1997-2006) and has received ijaza (certificates) from over 150 shaykhs. His teachers, in Damascus, include Dr. Nur al-Din `Itr, Shaykh Adib Kallas, Shaykh Wahbi Sulayman al-Ghawji, Shaykh Muhammad al-Yaqoubi, Dr. Samer al-Nass, Dr. Wahba Zuhayli, Shaykh Abd al-Hadi Kharsa, Shaykh Muhammad Muti al-Hafiz, Shaykh Bassam al-Hamzawi and Shaykh Munir al-Hayek. In Mecca, he studied under Shaykh Dr. Muhammad Alawi al-Maliki. In Morocco he studied under Sidi Mustafa Bassir and in Beirut, he studied under Shaykh Husayn Usayran, the last of the close students of Qadi Shaykh Yusuf al-Nabhani. He also holds a Ph.D. from Columbia University, New York where he was the recipient of several fellowships including one at the prestigious École Normale Supérieure in Paris, France. He also graduated summa cum laude from the New York University Latin and Greek Institute.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Bismillah al-Rahman al-Rahim

{Obey Allah, and obey the Messenger and those in authority among you}

"None of you is a believer until he loves me more than his own soul." (Sahih al-Bukhari)

On <http://www.albalagh.net/taqi.shtml>, a page in English devoted to Mufti Taqi Usmani says verbatim that "[He] is one of the leading Islamic scholars living today. Author of more than 40 books, he is an expert in the fields of Islamic law, Economics and Hadith. For the past 35 years, he has been teaching at the Darul-Uloom in Karachi that was established by his father Mufti Muhammad Shafi, the late Grand Mufti of Pakistan. He also holds a degree in law and is a Judge at the Sharia Appellate Bench of the Supreme Court of Pakistan. He is a consultant to several international Islamic financial institutions and has played a key part in the move toward interest free banking and the establishment of Islamic financial institutions. He is the deputy chairman of the Jeddah based Islamic Fiqh Council of the Organization of Islamic Conference (OIC)."

On <http://www.albalagh.net/general/rabi-ul-awwal.shtml> another page in English features Mufti Taqi Usmani's fatwa on Mawlid.

From the latter page I've excerpted the following statements as they were posted verbatim as of 11 July, 2000, in their order of appearance in the text. I've numbered them for easier perusal and reference. After each excerpt, I've added a few comments according to need, in conformity with the duty enjoined on us by the Prophet ﷺ of Nasiha - sincere faithfulness to Allah and sincere, faithful advice to the Muslims.

These comments were written in the light of what I have learnt through the immense mercy of Allah Most High at the hands of our Sunni Naqshbandi Shuyukh - may Allah grant them long life and health - at their forefront Mawlana al-Shaykh Nazim al-Haqqani, shedding much-needed light on the numerous misconceptions and misrepresentations of this fatwa.

It is left to the Muslim reader to verify firsthand to what extent such a fatwa by Mufti Taqi Usmani is based on fact and on the sources of Islam which are Qur'an, Sunna, Ijma' and Qiyas. And may Allah

send uninterrupted blessings and peace on the first and foremost subject of these lines, Sayyidina Muhammad, and grant him the Wasila and Highmost Station of Intercession for Mankind, and upon his Family and all his Companions. Amin.

Mufti Taqi Usmani said:

1. "Rabi'ul-Awwal is the most significant month in the Islamic history, because humanity has been blessed in this month by the birth of the Holy Prophet Muhammad, Sall-Allahu alayhi wa sallam."

Comment: This is true, yet the author further down (item #17) annuls the benefit of his own statement by denying the validity of any specific day of that month as an appropriate or preferable date for celebrating Mawlid and goes so far as to condemn the choice of that date as a reprehensible innovation. Then he castigates the highlighting of that month to celebrate Mawlid as well!

2. "Thus the birth of the Holy Prophet, Sall-Allahu alayhi wa sallam, was the most significant and the most remarkable event in human history."

Comment: This is a confession by Mufti Taqi 'Usmani that the night of the Mawlid Sharif is of greater significance and merit than Laylat al-Qadr which is the position of some of the Maliki Imams as cited by Abu al-'Abbas al-Wansharisi (d. 914) in his encyclopdia of Maliki fatwas titled *_al-Mi'yar al-Mu'rab wa al-Jami' al-Mughrib fi Fatawa Ahl Ifriqya wa al-Andalus wa al-Maghrib* (11:280-285).

Similarly, the Maliki Hadith Master and Imam, al-Sayyid al-Sharif Muhammad ibn Ja'far al-Kattani stated in his book *_al-Yumn wa al-Is'ad bi Mawlid Khayr al-'Ibad_* (p. 21): "The two nights of the distinguished noble birth and the magnificent Prophetic Ascension appear to be the very best of the nights of the world without hesitation nor doubt... and if this is the case then such as these two nights [MAWLID and MI'RAJ] deserve to be taken henceforth each as a recurring festival among other recurring festivals ('Eid min al-A'yad) and as a seasonal celebration (mawsim) among other seasonal celebrations devoted to good deeds and striving. Therefore those dates should be respected and venerated, the Book of Allah should be recited in them, and in their honor deeds should be performed that indicate joy and happiness at their immense merit as well as thankfulness to Allah Most High for His blessings and favors in them. This the Law in no way denies nor condemns, and no reprimand nor prohibition can be directed at those who perform this whatsoever."

3. "Had there been room in Islamic teachings for the celebration of birthdays or anniversaries, the birthday of the Holy Prophet, Sall-Allahu alayhi wa sallam, would have undoubtedly deserved it more than the birthday of any other person. But that is against the nature of Islamic teachings."

Comment: This is a Wahhabi misconception of Usul which was refuted notably by the Ghumari Shuyukh (see item #23), namely, that Tark (not doing something) is NOT a proof that something is condemned or that it is not praiseworthy, as the Prophet ﷺ did not, in his lifetime, do absolutely everything that was praiseworthy or permissible. The same goes for the early generations. Rather, the criteria for judging if something belongs on the accepted side of Shari‘a and is endorsable by the Sunna or not, is to evaluate it in the balance of the Qur'an and Sunna: whatever is confirmed by them is part of them and whatever violates them is rejected.

4. "That is why, unlike Judaism, Christianity, and Hinduism, there are very few festivals in Islam, which provides for only two Eids (Eidul-fitr and Eidul-Adha) during the whole year."

Comment: There are only two ‘Eids that are sanctioned by the Law as of a required character, but this is not to mean that it is not allowed to have other ‘Eids metaphorically speaking. For one, the Prophet ﷺ himself named Jumu‘a a ‘Eid.

Among educated Muslims there is a verse of poetry that goes,

"The day of Jumu‘a, the day of ‘Eid, and the visit of a beloved friend: These are three ‘Eids for which I thank our Most High Lord."

In fact, every highlighted date in the Islamic calendar is a ‘Eid, for example the first ten days of Dhu al-Hijja, the Day of ‘Arafa, the Day of ‘Ashura, Laylat al-Qadr, and the night of Mi‘raj which is the greatest mu‘jiza of the Prophet ﷺ after the Glorious Qur'an. But the Mawlid of the Prophet ﷺ looms larger and more important than all of the above including the two prescribed ‘Eids in Islam. Sayyid Muhammad al-Maliki said in his fatwa *_Hawl al-Ihtifal bi Dhikra al-Mawlid al-Nabawi al-Sharif_* (p. 8-9): "How many times did we say that the day of the Mawlid of our Master Muhammad ﷺ is not a ‘Eid, nor do we consider it a ‘Eid, because it is BIGGER THAN THE ‘EID AND GREATER AND NOBLER. A ‘Eid only comes once a year, as for the celebration of his Mawlid ﷺ and the consideration of his remembrance and Sira, they must be permanent and not restricted to a particular time nor place!"

5. "The dates of these two Eids do not correspond to the birthday of any of the outstanding persons of Islamic history, nor can their origin be attributed to any particular event of history that had happened in these dates."

Comment: As shown above, it has never been a condition for 'Eid that it correspond to a birthday, nor, inversely, does the nature of birthday preclude a day from being considered a 'Eid. Secondly, it is patently false that the origin of the two 'Eids cannot be attributed to any particular event of history that had happened on these dates as the books of Tafsir are replete with the story of the sacrifice of Ibrahim (as) with his son Isma'il (as) on the occasion of which was offered a huge ram as stated in the Holy Qur'an.

6. "The first event is the completion of the fasts of Ramadan and the second event is the completion of Hajj, another form of worship regarded as one of the four pillars of Islam."

Comment: We already said that the 'Eid that takes place at the completion of Hajj has historical connections according to the authorities of Tafsir. We might say also that the 'Eid that takes place at the completion of the month of Ramadan, was also given an historical dimension by Allah Most High when He said that fasting is prescribed for us { just as it was prescribed for those before you} . All this shows that Allah Most High did not place these two Pillars in a vacuum but in a historical whole of which Muslims are eminently supposed to be aware and observant, just as the Prophet ﷺ said in reaction to the Jewish celebration of 'Ashura': "We have more right of remembering Musa" i.e. of commemorating the historical circumstance of his deliverance. Most of the Ulema who wrote fatwas on Mawlid adduce this report as a proof of the desirability of the celebration of Mawlid and its licit character in the Law.

7. "The manner prescribed for the celebration of these two Eids (festivals) is also different from non-Islamic festivals. There are no formal processions, illumination or other activities showing formal happiness."

Comment: The manner prescribed for the celebration of these two 'Eids falls into two categories: the requirements prescribed in the Law and the customs followed by the people. The latter do *not* have a fixed form and *may* include everything that does not violate the guidelines of the Law. Processions, illumination or other activities showing formal happiness do *not* in themselves violate the guidelines of the Law.

8. "Islam has not prescribed any festival for the birthday of any person, however great or significant he may be. The prophets of Allah are the persons of the highest status amongst all human beings. But the Holy Prophet, Sall-Allahu alayhi wa sallam, or his noble companions never observed the birthday or anniversary of any of them. Even the birthday of the Holy Prophet, Sall-Allahu alayhi wa sallam, which was the most happy day for the whole mankind was never celebrated by the Holy Prophet, Sall-Allahu alayhi wa sallam, himself, nor by his blessed Companions."

Comment: Regarding the first phrase: It is true that "Islam has not prescribed any festival for the birthday of any person" but nobody claimed it did. On the other hand, it is untrue that Islam has prescribed NOT to commemorate the birthday of any person, yet this is being claimed by the opponents of Mawlid. As for the rest of the paragraph I am sorry to say it is a blatant lie, the Prophet ﷺ expressly commemorated his own birthday - as did the early Umma in his wake - by fasting every Monday. He ﷺ and they treated his birthday as the cause and driving factor ('illa) for this act of devotion as shown in the Sahih and as illustrated by the commentators of those narrations, among them Ibn Khuzayma and his student Ibn Hibban, each one of them in his Sahih. And this suffices as evidence for those endowed with sight.

"[Subheading:] Mention of the Desirability of the Fast of Yawm al-Ithnayn BECAUSE (li'anna) on that Day was Born Rasulullah ﷺ and on that Day Descended upon Him the Beginning of Revelation." Sahih Ibn Hibban (Arna'ut ed. 8:403).

"Chapter of the Desirability of the Fast of Yawm al-Ithnayn SINCE (idh) the Prophet ﷺ was Born on Yawm al-Ithnayn and on that Day Revelation Came to Him and on that Day He Died." Sahih Ibn Khuzayma (A'zami ed. 3:298).

9. "In fact, commemorating the birth of a distinguished person has never been prescribed by any religion attributing itself to divine revelation. It was originally a custom prevalent in pagan communities only. Even Christmas, the famous Christian feast commemorating the birth of Jesus Christ finds no mention in the Bible or in the early Christian writings."

Comment: Here we find three errors. First, and this is the gravest error, the author denies that the commemoration of the birth of a distinguished person was ever prescribed by any heavenly religion as

if he never heard that the Prophet ﷺ was ordered to dismount from the Buraq during Isra' and pray at the spot where 'Isa (as) was born precisely for that reason and no other. The narration goes, "Then he ﷺ reached a land where the palaces of al-Shaam became visible to him. Gibril said to him: 'Alight and pray.' He did so and remounted, then the Buraq continued his lightning flight and Gibril said: 'Do you know where you prayed?' He said no. Gibril said: 'You prayed in Bayt Lahm, where 'Isa ibn Maryam was born.'" Narrated as part of a longer hadith from Anas by al-Nasa'i with a sound chain and from Shaddad ibn Aws by al-Bayhaqi who declared it sound in Dala'il al-Nubuwwa (2:355-357), and by al-Tabarani in al-Kabir and al-Bazzar with a sound chain as indicated by al-Haythami in Majma' al-Zawa'id and Ibn Hajar in Mukhtasar Zawa'id Musnad al-Bazzar (1:90-91 #32). Secondly, the prescription of the commemoration of the birth of Christ *was* prescribed in the early Christian Church, even if its chronological proximity to the pagan commemoration of the winter solstice was co-opted by the political authorities as a means to recycle prevalent social customs in certain regions including those of pagan origins. Thirdly, what flimsier way to adduce evidence is there than to cite tampered Scriptural texts in order to infer or disinfer a Shari'a ruling? Is Mufti Taqi 'Usmani a Christian or Jew addressing Christians or Jews??

10. "In original Islamic resources, also we cannot find any instruction about the celebration of birthdays or death anniversaries. Many Companions of the Holy Prophet, Sall-Allahu alayhi wa sallam, passed away during his life-time. His beloved wife Sayyidah Khadijah, Radi-Allahu anha, passed away in Makkah. His beloved uncle Sayyidna Hamzah, Radi-Allahu anhu was brutally slaughtered during the battle of Uhud. But the Holy Prophet, Sall-Allahu alayhi wa sallam, never observed their birthday or their death anniversaries, nor did he ever advise his followers to celebrate his own birthday in Rabi'ul-Awwal."

Comment: The above again shows strange or rather tragic (for such a celebrated author) ignorance of the Sunna. We already established beyond doubt that the Prophet ﷺ celebrated his birthday by fasting. As for death anniversaries, the Prophet ﷺ definitely visited his wife and uncle's graves on a regular basis as well as his mother's. Al-Bayhaqi narrates that the Prophet ﷺ used to visit the graveyard of the martyrs of Uhud annually and punctually - "'ala ra'si kulli hawl". Al-Bayhaqi also narrated in Shu'ab al-Imaan (6:201 #7901) that the Prophet ﷺ said: "Whoever visits the grave of his parents or the grave of one of them every Friday, he will be forgiven and [his name will] be written among the pious sons." (Man zaara qabra abawayhi aw ahadihima fi kulli Jumu'ah, ghufira lahu wa kutiba barran). And he ﷺ is without the shadow of a doubt the most pious of all pious sons. Also, al-Bazzar narrates that the Prophet ﷺ visited the Jannat al-Ma'la graveyard in Makkah, where his dear wife Sayyidah Khadijah was buried

and called the whole place a blessed graveyard: "Ni'ma al-Maqbarah Hadhihi." Imam Ja'far al-Sadiq narrated with his chain from al-Hasan ibn 'Ali that Fatima the daughter of the Prophet ﷺ used to visit every Jumu'a the grave of her uncle Hamza ibn 'Abd al-Muttalib - may Allah be well-pleased with all of them! - which she had marked with a rock in order to recognize it, and she used to pray and weep there as narrated by 'Abd al-Razzaq in his Musannaf, al-Bayhaqi in al-Sunan, al-Hakim in his Mustadrak and he declared its chain sahih, and Ibn 'Abd al-Barr in al-Tamhid.

11. "The reason for abstinence from such celebrations is that they divert the attention of people from the real teachings of Islam towards the observance of some formal activities only. Initially, these celebrations may begin with utmost piety and with a bona fide intention to pay homage to a pious person."

Comment: The above is speculation and has no place here. As for the latter sentence, it seems to come verbatim from the deviant book of Muhammad ibn 'Abd al-Wahhab titled al-Tawhid.

Comment [from Brother Ahmad I on msa-ec mail list, 11 July 2000]: The Ulama of Deoband celebrated their hundred years anniversary of Darul Uloom Deoband in which they called Indhira Ghandi who was dressed in a Sarrie. She was seated on the stage while hundreds of Ulama were seated on the ground. Was this Islamic? Early Muslims did not celebrate hundred years establishment of Islam which was far more important than the establishment of Darul Uloom Deoband. According to you, our Nabi (sallal laahu alaihi wasallam) did not celebrate birthdays and anniversaries. If the Ulama-e-Deoband claim to be true followers of the Sunnah, why then did they celebrate the hundred year anniversary of Darul Uloom Deoband? Was this not a Bid'at?

12. "Yet, the experience shows that the celebration is ultimately mixed up with an element of merrymaking and rejoicing and is generally confused with secular festivals and the secular, and often sinful, activities creep into it gradually. [Next paragraph:] The example of Christmas will again be relevant."

Comment: All this shows how far from the principles of the Shari'a one ends up when free rein is given to speculation and personal or regional pretexts such as the bad things one has experienced or seen in one's province. Has Mufti Taqi Usmani ever heard of "merrymaking and rejoicing" in the authentic Sunna? The Sahaba and the Prophet ﷺ definitely were not, as he seems to imagine, staid officials of

rigid and censorious manners although they were the most dignified generation of human beings ever to walk the earth. They knew laughter, merriment, and good humor.

Nor is his harping on "the example of Christmas" when referring to Muslims acceptable. One well-known contributor on the newsgroup soc.religion.islam, 'Abd al-Rahman Lomax, said in a thread titled "Re: Al-Mawled (6/7) : Even worse!" Date: 22 Sep 1996:

"I remember my first 'Eid al-Fitr, in Tucson. This was a largely student community, with a few older Muslims including professors at the University of Arizona at Tucson. My clearest memory is of the sub-teen daughters of some of these families getting up on the tables and dancing to the encouragement of nearly everyone, with drum music coming over the P.A. system. This was not mawlid, this was 'Eid ul-Fitr! Times have changed. But it is not clear to me that the more sober 'Eids I have seen in recent years are closer to the actual sunna than that first 'Eid. I'll leave it to someone else to cite the relevant hadith; suffice it to say that the Prophet did, it appears, encourage having *fun* on 'Eid, and that dancing and at least some form of music were actually encouraged."

Following Mufti Taqi Usmani's reasoning in the above paragraph, if enough "bad" displays such as the above had been witnessed on 'Eid, then 'Eid celebrations should have been banned, either in absolute terms or in temporary and local terms. But isolated incidents are never a proof in ruling for or against something.

13. "The Holy Qur'an has clearly pronounced on the occasion of the last Hajj of the Holy Prophet, Sall-Allahu alayhi wa sallam: "Today, I have completed the teachings of your religion." [Al-Maida 5:3] [Next paragraph:] It means that all the teachings of Islam were communicated to the Muslims through the Holy Qur'an and the Sunnah of the Holy Prophet, Sall-Allahu alayhi wa sallam. No one is allowed after it to add any thing to them as a part of religion. What was not a part of religion during the lifetime of the Holy Prophet, Sall-Allahu alayhi wa sallam, can never become part of it. Such additions are termed by the Holy Prophet, Sall-Allahu alayhi wa sallam, as Bid'ah or innovation."

Comment: This is the weakest paragraph in the entire fatwa as it is entirely borrowed from the Wahhabi conception of bid'a, which violates the principles and methods of the Jumhur of Sunni 'Ulema as to what constitutes bid'a and what does not. The Ulema have clarified this major methodological

innovation in many useful publications which we have summarized elsewhere,[1] and there is no space nor need to reproduce this material here. Suffice it here to quote the words of Sayyid Muhammad al-Maliki - Allah keep him and all our impeccable Ulema and true Teachers - in one of his fatwas on Mawlid: "There is no doubt that such singing, dancing, reciting of poetry, and banging the drum [as narrated in the authentic Sunna] was for joy at being with the Prophet ﷺ, nor did he condemn nor frown upon such displays in any way whatsoever. These are common displays of happiness and lawful merriment, and similarly to stand up at the mention of the birth of the Prophet ﷺ is an ordinary act that shows love and gladness symbolizing the joy of creation: it does not constitute worship, nor law, nor Sunna!"

It is also ironic that the verse they quote: { This day have I perfected your religion for you and completed My favor unto you} (5:3) was revealed on a Monday, the day of his Mawlid - Allah bless and greet him and his Family - according to some reports narrated by Ibn 'Asakir as mentioned by al-Salihi in _Subul al-Huda_ (1:401).

14. "Thus, the observance of the 12th of Rabi'ul-Awwal as a religious feast is not warranted by any verse of the Holy Qur'an or by any teaching of the Holy Prophet, Sall-Allahu alayhi wa sallam."

Comment: Al-Hamdu lillah, the falsehood of the above statement is by now evident on the basis of what was already replied.

15. "Had it been a part of the religion it would have been clearly ordered or practiced by the Holy Prophet, Sall-Allahu alayhi wa sallam, and his blessed companions or, at least, by their immediate pupils. But no example of the celebration of the occasion can be traced out in the early centuries of the Islamic history."

Comment: This is a needless repetition and stands refuted (see paragraphs #3 and again #23).

16. "It was after many centuries [Albalagh Note: According to Maulana Yusuf Ludhinavi it was in the year 604 A.H.] that some monarchs started observing the 12th of Rabi'ul-Awwal as the birthday of the Holy Prophet, Sall-Allahu alayhi wa sallam, without a sound religious basis, and the congregations in the name of Maulood or Milad were held where the history of the birth of the Holy Prophet, Sall-Allahu alayhi wa sallam, used to be narrated."

Comment: As stated by al-Sayyid Muhammad al-Maliki in his Fatwa *_Hawl al-Ihtifal bi Dhikra al-Mawlid al-Nabawi al-Sharif_* (10th ed. p. 15): "The first to observe the celebration of the Mawlid was the Prophet ﷺ himself by fasting on Mondays because it was the day of his birth as narrated in Sahih Muslim. This is the soundest and most explicit textual proof for the licitness of commemorating the Noble Prophetic Mawlid."

In the light of such a proof what does it matter that "after many centuries some monarchs started observing the 12th of Rabi'ul-Awwal" as the Mawlid date, and who can believe such a lie as to claim that such observance was "without a sound religious basis"? Is this what the reliable authorities say, or is it just the opinion of some latecomers unfamiliar with the differences of the Ulema and the principles of the Shari'a?

When the critics are unable to disprove the lawful on the basis of the foundations of the Religion, they turn to vacuous opinion unaware that in the field of opinion there are plenty of more trusted sources than themselves. Imam al-Dhahabi wrote in his *Siyar A'lam al-Nubala'* (Arna'ut ed. 22:335-336): He [Muzaffar the King of Irbil] loved charity (sadaqa)... and built four hospices for the poor and sick... and one house for women, one for orphans, one for the homeless, and he himself used to visit the sick... He built a madrasa for the Shafi'is and the Hanafis... HE WOULD FORBID ANY REPREHENSIBLE MATTER TO ENTER INTO HIS COUNTRY... As for his celebration of the Noble Mawlid al-Nabawi, words are too poor to describe it. The people used to come all the way from Iraq and Algeria to attend it. Two wooden dais would be erected and decorated for him and his wife... the celebration would last several days, and a huge quantity of cows and camels would be brought out to be sacrificed and cooked in different ways... Preachers would roam the field exhorting the people. Great sums were spent (as charity). Ibn Dihya compiled a 'Book of Mawlid' for him for which he received 1,000 dinars. He [Muzaffar] was modest, a LOVER OF GOOD, AND A TRUE SUNNI who loved scholars of jurisprudence and scholars of hadith, and was generous even to poets. He was killed in battle according to what is reported."

Similarly, Ibn Kathir said in al-Bidaya wa al-Nihaya (Beirut and Riyadh: Maktabat al-Ma‘arif & Maktabat al-Nasr, 1966 ed. 13:136-137): "He [Muzaffar] used to celebrate the noble Mawlid in Rabi‘ al-Awwal and organize huge festivities for it. He was a wise king, brave, a fierce fighter, intelligent, learned, and just. May Allah have mercy on him and ennoble his grave. Shaykh Abu al-Khattab ibn Dihya compiled for him a book on the Mawlid of the Prophet ﷺ and named it al-Tanwir fi Mawlid al-Bashir al-Nadhir ("The illumination concerning the birthday of the Bringer of glad tidings and Warner") and the king rewarded him with 1,000 dinars for it. His rule lasted until he died in the year 630 [Hijri] as he was besieging the French in the city of Acca [Acre, Palestine] after a GLORIOUS AND BLAMELESS LIFE."

From the above excerpts one can judge the shameless audacity of the statement of Majlis al-‘Ulama or rather al-Juhala' which said:

"MAINTAINING A CUSTOM WHICH WAS ORIGINATED BY IRRELIGIOUS PERSONS. It has already been explained elsewhere in this article that the originators of Meelad custom were irreligious persons. Six hundred years after our Nabi (sallal laahu alaihi wasallam), the irreligious ruler of Irbal, assisted by irreligious learned men, invented and established this custom. Thus, those who organize Meelad functions and those who participate in them are in reality assisting to establish a practise introduced by evil men. They are aiding and abetting in the fostering of a custom which is in total conflict with the Shari'ah of Islam. It is a great crime to maintain and encourage customs and practices which were brought into being by those who had no connection with the Deen, more so, when these customs and practices are a conglomeration of un-Islamic elements".

Observe how they begin with a lie and end with a greater lie, progressing from calling King Muzaffar and the Ulema of the Umma as "irreligious" until they end up saying they "had no connection with the Deen"! Is not the curse of Allah on the heads of the liars?

More importantly, Ibn Kathir himself composed a text on Mawlid, made of hadiths, invocations of blessings on the Prophet ﷺ, and poetry in praise of him. It is entitled Mawlid Rasulillah sallallahu ‘alayhi wa sallam, and was edited and published by Salah al-Din al-Munajjid (Beirut: Dar al-Kitab al-Jadid, 1961).

17. "The observance of the 12th of this month as the birthday of the Holy Prophet, Sall-Allahu alayhi wa sallam, is not only an innovation having no basis in the Islamic teachings, but the accuracy of this date as the real birthday of the Holy Prophet, Sall-Allahu alayhi wa sallam, is also very much doubted."

Comment: Here the author contradicts what he had said in the first paragraph: "Rabi'ul-Awwal is the most significant month in the Islamic history, because humanity has been blessed in this month by the birth of the Holy Prophet Muhammad, Sall-Allahu alayhi wa sallam." Does this not constitute "a basis in the Islamic teachings" since this Mufti deems himself one such basis and these are his words? As for the specific date of the 12th, it is enough to quote Ibn Rajab al-Hanbali on the matter in his book *Lata'if al-Ma'arif* (p. 185): "The VAST MAJORITY hold that he [the Prophet, Allah bless and greet him] was born on the Second Day of the Week (al-Ithnayn = "Monday") 12 Rabi' al-Awwal... in the Year of the Elephant."

So it is a good date for such a celebration because there is greater readiness for it in the hearts and minds of the people at that time; and, at

the same time "we do NOT claim that it is Sunna to do celebrate the Mawlid on a specific night and whoever claims this has committed innovation in the Religion, because we should remember him ﷺ at all times... although the reason to do so becomes stronger in the month of his birth due to the turning of people to that event and their gatherings and their feelings [at that time]." *Al-Sayyid Muhammad al-Maliki, Mafahim* (10th ed. p. 317).

18. "There are different dates suggested in different traditions, and the majority of the authentic scholars is inclined to hold that the Holy Prophet, Sall-Allahu alayhi wa sallam, was born on the 9th of Rabi'ul-Awwal."

Comment: This is another half-truth in the light of Ibn Rajab's report that the vast majority of the authorities settled on the twelfth. This is also stated in al-Salihi's *Subul al-Huda* (1:403). Furthermore, by his words "the majority of the authentic scholars" the author apparently only means three contemporaries: Dr. Abu al-Hasan 'Ali al-Nadwi, the Egyptian astronomer Mahmud Basha, and Muhammad Sulayman al-Mansur Furi, the latter two footnoted in al-Nadwi's *_al-Sira al-Nabawiyya_* (p. 99).

Nor has it been the adab of the true Ulema to scorn what the majority of the Ulema concur on as true and correct, as illustrated by the refined, scholarly style of our teacher Dr. Nur al-Din 'Itr in mentioning both dates in his Mawlid book, *al-Nafahat al-'Itriyya fi Sirat Khayr al-Bariyya* (p. 5-6): "He was born on the ninth of Rabi' al-Awwal according to the verification of some of the Imams or on the 12th according to the most famous position (al-mashhur) in the Umma." The Moroccan Shaykh of Tanalt (Great Atlas chain in South Morocco) al-Dadisi Muhammad al-Ghali did not even mention the 9th in his *Sira* compendium *_Laft al-Anzar ila Qurrat al-Absar fi Sirat al-Mushaffa' al-Mukhtar_* (p. 38-39): "On the day of al-Ithnayn in the most radiant month, on the 3rd or the 12th or the 8th of Rabi' al-Awwal." Nor does the hadith master al-Salihi mention the 9th at all in his encyclopedia of all Siras, *Subul al-Huda wa al-Rashad fi Sirat Khayr al-'Ibad* (1:403) but only, in order of strength among the Ulema: the 12th, 8th, 10th [preferred by al-Dhahabi in the *Siyar* (1:21) after his teacher Abu Muhammad al-Dimyati], 2nd, 17th, 18th, or 1st of Rabi' al-Awwal.

The date of the 12th was also given precedence over all other dates by Dr. Muhammad Abu Shuhba in his 1,400-page *_al-Sira al-Nabawiyya_* (1:173), while Dr. Sa'id Ramadan al-Buti mentions the 12th exclusively of any other date in his *_Fiqh al-Sira al-Nabawiyya_* (10th ed.). Where, then, are the irresponsibly-claimed "majority of the authentic scholars" or are all the above scholars frauds?

Furthermore, the author himself categorically stated at the beginning of his fatwa (item #1) that "Rabi'ul-Awwal is the most significant month in Islamic history because humanity was blessed in this month by the birth of the Holy Prophet ﷺ" although there are also other months reported in the Sunna for the event of his noble birth, such as Safar, Rajab, Ramadan, and Rabi' al-Thani, cf. Ibn Rajab, *Lata'if* (p. 184) and al-Haytami, *al-Minah al-Makkiyya* (1:181). If the author does not know this discrepancy in relation to the month then perhaps there are gaps in his knowledge of the facts in relation to the day and other aspects as well. And if the author does know this discrepancy in relation to the months then why does he speak in categorical terms to affirm the month of Rabi' al-Awwal then turns dubious when it comes to the day of the 12th?

19. "This difference of opinion is another evidence to prove that the observance of the birthday is not a part of the religion, otherwise its exact date would have been preserved with accuracy."

Comment: Another wholly original and innovative speculative analogy leading to a false proof without firm basis in the Religion, what is more, couched in unscholarly terminology - "not part of the Religion" - to avoid stating clearly once and for all if such an observance is permitted or not. There has been,

many times, a difference of opinion in our times on the exact date of the beginning of the months of Ramadan and Dhu al-Hijja, but does this have any bearing whatsoever on the fact that fasting and pilgrimage are part of the Religion?!

In fact, not only the day, month, and (most emphatically) year of the Mawlid are generally agreed upon but the specific time of day when he ﷺ was born can also be known: according to the Ghawth Sidi ‘Abd al-‘Aziz al-Dabbagh in al-Ibriz, the Prophet ﷺ was born in the last third of the night, and this is supported by al-Hakim's narration from ‘A'isha and al-Tabarani, al-Bayhaqi, and Ibn al-Sakan's from Fatima bint ‘Abd Allah al-Thaqafiyya; although the Hadith Master Zayn al-Din al-‘Iraqi in his _al-Mawrid al-Hani fi al-Mawlid al-Sani_ adduces from the Siyar evidence that it took place in the daytime; and the Sunan state at noon - mursal from Sa‘id ibn al-Musayyib - as well as Ibn Dihya and al-Zarkashi in his _Sharh al-Burda_, but Allah Almighty knows best and the Prophet ﷺ knows best.

20. "The narration of his pious biography (the Seerah) in itself is a pious act, which invites the divine blessings, but the Holy Qur'an and the Sunnah have not prescribed a particular time or method for it. This pious act should be performed in all the months and at all the times."

Comment: According to Usmani's own criterion, the above advice is an invitation to bid‘a because conferences and talks about the Sira have no precedent in the Sunna nor in the practice of the pious early centuries! Rather, the Sunna shows that the Sahaba would stand and declaim/sing poetry in praise of the Prophet ﷺ and that he would reward them lavishly as he did with Ka‘b, ‘Abd Allah ibn Rawaha, Hassan ibn Thabit, Qurra ibn Hubayr and many others.

As for the assertion that "this pious act should be performed in all the months and at all the times" its absurdity is evident for all to see in light of the prohibition of the same act in the month of Rabi‘ al-Awwal and specifically the 12th of that month, although these two times fall within the time frame of "all the months and at all the times"!

21. "The month of Rabi'ul-Awwal has not been designated by the Shariah as a special season for holding such congregations to commemorate the birth or life of the Holy Prophet, Sall-Allahu alayhi wa sallam."

Comment: If someone repeats a false statement enough times, it might in the end pass for true among those whom Allah wishes to mislead, but not among those to whom He grants discernment.

22. "It is thus an innovation (Bid'ah) to restrict the Seerah meetings to the month of Rabi'ul Awwal only, or to believe that the meetings held in this month are worthy of more reward than the meetings held on any other date during the year."

Comment: As was just replied, the Seerah meetings themselves are a bid'a according to this man's own criterion. This new, imposed condition that such meetings must not be restricted to a particular month, shows that he readily considers those meetings a part of the Shari'a when he himself said that Allah has completed the Religion, and such meetings were neither revealed to the Prophet ﷺ as part of it nor practiced by the early generations! And what is the status of someone who declares the belief of the vast majority of the Muslims a bid'a? Allah is our recourse and help against the entanglements of would-be legislators who break the ranks of Sunni unity and ask the people to follow them in their errings.

23. "In fact, the Companions of the Holy Prophet, Sall-Allahu alayhi wa sallam, used to commemorate the life of the Holy Prophet, Sall-Allahu alayhi wa sallam, throughout the year, not only by studying and conveying his message to others, but also by following his way of life and acting upon his teachings in each and every branch of their activities, and this is exactly what a Muslim is required and supposed to do."

Comment: The above shows that Mufti Taqi Usmani admits that the principle of commemorating the life of the Holy Prophet ﷺ was alive and well among the Companions and therefore not an innovation. However, he neglects to mention - or does not seem to know - that the Companions not only "studied" and "conveyed his ﷺ message to others," but also *recited and sang poetry* in his honor both in his lifetime and after!

As for the often-heard claim of would-be censors that "the Prophet ﷺ and the Companions never celebrated the Mawlid as it is celebrated today", this never formed proof for the undesirability or prohibitiveness of anything in the Law, Mawlid or otherwise. This was demonstrated at length by al-Sayyid 'Abd Allah al-Ghumari in his epistle _Husn al-Tafahhum wa al-Dark li Mas'alat al-Tark_ ("Right

Comprehension and Understanding the Issue of 'Not Doing Something') reprinted by Dar al-Awqaf in Dubai, United Arab Emirates.

24. "By this we do not mean that the Seerah meetings should not be held in the month of Rabi'ul-Awwal. The point is only that they should not be restricted to it, nor should it be believed that the Shariah has laid any kind of emphasis on holding such meetings in this particular month."

Comment: Let those who wish hold them in Rabi' al-Awwal and let those who wish hold them in any other month. { And for this let all those strive who strive for bliss} (Q 83:26).

25. "It is often observed, especially in the Western countries, that the people hold the Seerah meetings where men and women sit together without observing the rules of hijab prescribed by the Shariah. The teachings of the Holy Prophet, Sall-Allahu alayhi wa sallam, are obviously against such mixed gatherings. How can a Seerah meeting bring fruits where such fundamental teachings of the Shariah are openly violated?"

This never invalidates the ruling of desirability that applies to the principle.

Comment [from Brother Ahmad I on msa-ec mail list, 11 July 2000]:

Allama Shaami (radi Allahu anhu) states: "One must not leave visiting the graves just because some illegal activities are taking place, for example, inter-mingling of sexes. Mustahabbaat (recommended acts) should not be left out because of this type of illegal activities. It is necessary for the people to visit the graves *and* stop the Bid'a". (Fatawa Shaami: Kitabul Jana'iz - Discussion on visiting the graves)

Allama Shaami (radi Allahu anhu) has stated categorically that inter-mingling of sexes will not make any Mustahab act Haraam or avoided. There were idols in the Kaaba before Makkah was conquered, but Muslims did not leave out performing the Tawaaf (circumbulation) or Umrah because of the idols. Yes, when Almighty Allah gave them the power, they eventually destroyed the idols.

When people go for Haj, there is inter-mingling of sexes at the airport, in the plane, during Tawaaf, at Mina and at Muzdalifah, yet no one puts a stop to Hajj. In Meelad gatherings, at least men and women sit separately and women are with Hijab. In the Nikah assembly, inter-mingling of sexes occurs and most of the women do not come with Shar'i Hijab. Will the Majlisul Ulama issue Fatwas condemning

Nikah gathering to be Haraam? If not, why then is your entire effort spent to make Meelaad functions Haraam?

26. “In some meetings the Na’ts (poems) in the memory of the Holy Prophet, Sall-Allahu alayhi wa sallam, are recited by the women before the male audience, sometimes with music, which is totally against the instructions of the Holy Prophet, Sall-Allahu alayhi wa sallam. It is clearly prohibited by the Shariah to hold such meetings or to participate in them, because it is not only a violation of the Shariah rules, but it is an affront to the sanctity of the Seerah of the Holy Prophet, Sall-Allahu alayhi wa sallam.”

Comment: This has already been answered in the previous paragraph but we might add that the Prophet ﷺ on so many public and private occasions heard female singers and did not stop them from their activity as long as what they were reciting was approved by the law, namely Na`at! { Truly it is not their eyes that are blind, but their hearts which are in their breasts} (22:46).

27. “All other activities, often practiced on the twelfth of Rabi’ul-Awwal, like holding processions, constructing the mock tombs of the Holy Prophet, Sall-Allahu alayhi wa sallam, and illumination of the buildings and the roads are not warranted by any rule of the Shariah. Rather they are based on conscious or unconscious imitation of certain other religions. No example of such activities can be traced out from the earlier Islamic history.”

Comment: It seems that in this single fatwa the author multiplies the indications that his knowledge of Islamic history, the Sunna, the Sira, and the principle of the Shari`a is full of gaps. Following are examples of the public celebration of the Mawlid from the sixth to the tenth centuries, some of them comprising most of the elements that Usmani claims were never present in earlier Islamic history:

- Ibn Jubayr (540-614) wrote in his Rihal (“Travels”), p. 114-115: “This blessed place [the house of the Prophet] is opened, and all men enter it to derive blessing from it (mutabarrikin bihi), on every Monday of the month of Rabi` al-Awwal; for on that day and in that month was born the Prophet.”

- The 7th-century historians Abul `Abbas al-`Azafi and his son Abul Qasim al-`Azafi wrote in their unpublished Kitab ad-Durr al-Munazzam: “Pious pilgrims and prominent travellers testified that, on the day of the mawlid in Mecca, no activities are undertaken, and nothing is sold or bought, except by the

people who are busy visiting his noble birthplace, and rush to it. On this day the Ka'ba is opened and visited.”

- The famous eighth-century historian Ibn Battuta relates in his *Rihla* (1:309 and 1:347), that on every Friday, after the salat, and on the birthday of the Prophet, the door of Ka'ba is opened by the head of the Banu Shayba, the doorkeepers of the Ka'ba, and that on the Mawlid, the Shafi'i qadi (head judge) of Mecca, Najmuddin Muhammad Ibn al-Imam Muhyiddin al-Tabari, distributes food to the shurafa' (descendants of the Prophet) and to all the other people of Mecca.

- The historian Ibn Zahira al-Hanafi in his *al-Jami' al-Latif fi Fadl Makka wa Ahliha*, p. 326; Imam Ibn Hajar al-Haytami in his *Kitab al-Mawlid al-Sharif al-Mu'azzam*; and the historian al-Nahrawali in *al-I'lam bi-A'lam Bayt Allah al-Haram*, p. 205 said that each year on the 12th of Rabi' al-Awwal, after the salat al-Maghrib, the four qadis of Mecca (representing the Four Schools) and large groups of people including the fuqaha' (scholars) and fudala' (notables) of Mecca, shaykhs, zawiya teachers and their students, ru'asa' (magistrates), and muta'ammamin (scholars) leave the mosque and set out collectively for a visit to the birthplace of the Prophet, shouting out dhikr and tahlil (LA ILAHA ILLALLAH). The houses on the route are illuminated with numerous lanterns and large candles, and a great many people are out and about. They all wear their best attire and take their 18aramat with them. Having reached the birthplace, inside a special sermon for the occasion of the birthday of the Prophet is delivered, mentioning the miracles (18aramat) that took place on that occasion. Hereafter the du'a' for the Sultan (i.e. the Caliph), the Emir of Mecca, and the Shafi'i qadi is performed and all pray humbly. Shortly before the salat al-'Isha', the whole party returns from the birthplace of the Prophet to the Great Mosque, which is almost overcrowded, and all sit down in rows at the foot of the Maqam Ibrahim. In the mosque, a preacher first mentions the tahmid (AL HAMDULILLAH) and the tahlil, and once again the du'a' for the Sultan, the Emir, and the Shafi'i qadi is performed. After this the call for the Salat al-'Isha' is made. After the salat, the crowd breaks up.

- A similar description is given by al-Diyarbakri (d. 960) in his massive *Sira* titled *Ta'rikh al-Khamis fi Khabar Anfasi Nafis*.

28. "What is really important with regard to the Holy Prophet, Sall-Allahu alayhi wa sallam, is, first, to follow his teachings, and second to make his pious Seerah available to every Muslim, to preserve it in the hearts of the Muslims from the very childhood, to educate the family members to run their lives according to it and to hold it as the most glorious example of the human conduct the universe has ever witnessed -- and all this with utmost love and reverence, not manifested by some formal activities only, but also through actual behavior of following the Sunnah."

Comment: There is nothing in the principle of Mawlid gatherings, Qur'an and Na'at recitation, and distribution of food and sweets except what follows the Prophetic teachings, increases knowledge of his Sira among the Muslims, stimulates love for him ﷺ in their hearts, and encourages them to educate their families according to Islamic principles from the cradle to the grave, "with utmost love and reverence, not manifested by some formal activities only, but also through actual behavior of following the Sunnah"!

29. "This cannot be done by merely holding processions and illuminating the walls. This requires constant and consistent efforts and a meaningful program of education and training."

Comment: No-one disagrees with the above while the rest of the fatwa is mostly wrong and should be ignored.

Blessings and peace on our Master the Messenger of Allah, his Family, and all his Companions, and praise belongs to Allah, the Lord of the worlds.

**Hajj Gibril
GF Haddad**

Returning to Brisbane.

4-6 September 2025



Shaykh
Gibril Fouad Haddad