

**‘CLARIFICATION OF THE POSITION THAT THE SIX FASTS OF SHAWAAL IS
MAKROOH ACCORDING TO SOME SCHOLARS’**

BY MUFTI WASEEM KHAN

With respect to the fast of Shawaal (that is, the six days of Shawaal), this has been authentically established from a few traditions of the Prophet ﷺ. In this regard, it is narrated from Abu Ayoob (R.A) that the Prophet (S.A.S) said, **‘Whoever fasts the month of Ramadhan and then follows it with six fasts of shawaal, then it is like if he fasted for the whole year’.**

(Recorded by Imam Tirmidhi who said that the hadith of Abu Ayoob is Hasan and Saheeh (good and sound), and similar narrations have come from Jabir (R.A), Abu Hurairah (R.A) and Thawban (R.A). (Jame Tirmidhi – Chapter of what is mentioned about the fasts of six days of Shawwaal .

Based on this and other similar traditions, Imam Shafi (A.R) and Ahmad (A.R) have considered it Mustahab to fast the six days of Shawaal.

With respect to the Madhhab of Imam Abu Hanifa(A.R), most of the latter day Hanafi scholars have seen no harm/objection in observing the six fasts of Shawwaal. In fact, in the famous Hanafi book ‘Nurul Idhaah’ and its commentary ‘Maraq’i ul Falah’, it is stated that it is Mandoob (commendable) to observe these fasts.

However, it has been narrated in some books that according to Imam Abu Hanifah and his student Imam Abu Yusuf, it is Makrooh (disliked) to observe the Shawwaal fasts of six days as identified in certain traditions.

While discussing this position of these two great Hanafi Imams, the renowned scholar of Hadith, Shaikhul Hadith, Shaikh Muhammad Zakariya Kandhalawi (A.R), writes in his famous work, ‘Awjaz Al Masalik’ (commentary of Muwatta Malik), **‘As for the Hanafi scholars, different narrations have been transmitted from them. In ‘Al Bahr Ar Ra’iq’, it is mentioned, ‘And from the Makrooh acts, is the fast of the six days of Shawwaal according to Imam Abu Hanifah, whether it is done separately or consecutively. Imam Abu Yusuf considered it Makrooh if the fast is done consecutively, not separately. However, most of the latter day scholars do not see any harm in observing the six fasts of Shawwaal. In ‘Nurul Idhaah’ and its Sharh (commentary), it has been considered ‘Mandoob’ (commendable). In ‘Al Bada’i, it is mentioned, ‘From the Makrooh fasts is to follow Ramadhan with six fasts of Shawwaal. This has been stated by Imam Abu Yusuf. These scholars disliked following the month of Ramadhan with fasting, fearing that such fast would be attached/joined with the compulsory Ramadhan fast. The same has been narrated from Imam Malik’. The author of ‘Al Bada’i further writes, ‘Fasting immediately after Ramadhan, becomes Makrooh when a person observes fast on the day of Eid and then observes five days afterwards. But if one does not fast on the day of Eid, and then observes the fast for six days (after Eid), this will not be Makrooh. Instead, it will be Mustahab and Sunnah’.** (End quote of Al Bada’i).

(Awjaz Al Masalik Vol.5 pg.173 – Idara Taleefat Ashrafiya Multan Pakistan).

The renowned Hanafi Jurist, Ibn Abideen Shami (A.R) has also explained this matter in his famous work 'Hashiya Raddul Muhtar', and stated, **'The author of Al Hidayah has written in his famous book 'At Tajnees' that with respect to the six fasts (of Shawwal) after Eid-ul-Fitr consecutively, some scholars have disliked it, however, the preferred opinion is that there is no objection in it (and there is nothing wrong in observing this fast), because the dislike occurs when one cannot differentiate it from the Ramadhan fast, (that is, it becomes disliked when one may consider it to be connected to the Ramadhan fast). However, this understanding does not take place now. Similar statements to that of 'At Tajnees' have been mentioned in 'Kitab An Nawazil' by Abu Laith; in 'Al Waqiaat' by Husaam Ash Shaheed; in 'Al Muheet Al Burhani' and 'Adh Dhakheerah'. However, in 'Al Ghayah', it is narrated from Hasan bin Ziyad that he did not see anything wrong in observing the six fasts of Shawwaal. He explained that the day of Eid-ul-Fitr was sufficient to separate between the Ramadhan fasts (which was compulsory) and the Shawwaal fasts (which was not compulsory). (Hence, there was no possibility of one becoming confused about the both types of fast). It is also mentioned in 'Al Ghayah' that most of the latter scholars do not see anything wrong on observing the six fasts of Shawwaal'.**

(Hashiya Raddul Muhtar/Ibn Abideen Vol.2 pg. 435 H.M Saeed Karachi 1406 A.H).

Allamah Ibn Abideen further indicated to a detailed discussion of this topic and said, 'A complete explanation of this discussion is to be found in the treatise 'A Record of the statement regarding the six fasts of Shawwaal' by Allama Qasim bin Qutlobogha (تحرير الاقوال فى صوم الست من شوال).

In this treatise, the great Hanafi Jurist, Allaama Qasim bin Qutlobogha (A.R) has refuted the didactic poetry/treatise of Allamah Al Jalal At Tabani Al Hanafi, in which he attributed to Imam Abu Hanifah that fasting the six fasts of Shawwaal was generally Makrooh (disliked). (End Quote). (Hashiya Raddul Muhtar Vol. 2 pg. 435 H.M saeed Karachi 1406 A.H).

The great scholar, Allamah Yusuf Al Binnori (A.R) has also spoken about this matter in his famous work, 'Ma'arif As Sunnan' and said, **'With respect to the six fasts of Shawwaal, it has been ascribed to Imam Abu Hanifa and Imam Malik (A.R) that they regard it as Makrooh, and Imam Shafi and Imam Ahmad have considered it Mustahab (commendable). However, the information which has been transmitted and narrated by the latter scholars from Ibn Nujaim, Al Kamal, Ibn Al Kamal and others from among our scholars is confused/mix-up (مضطربة Mudhtaraba).** The great researcher and investigator, Allama Hafiz Qasim bin Qutlobogha has written a separate/ unique treatise on this topic entitled 'Tahreer Al Aqwal Fi Sawm As Sitt Min Shawwaal'. In this, he has established from the clear texts of the Hanafi Madhab that the six fasts of Shawwaal is Mustahab (commendable) according to Imam Abu Hanifah and Abu Yusuf (A.R)'.
(Ma'arif As Sunnan Vol.5 pg. 443 H.M Saeed Karachi 1407 A.H).

From the above discussion, we see that reference has been made by these great scholars to the 'Risala' (treatise) written by the great 9th century Hanafi Jurist, Hafiz Allamah Qasim bin Qutlobogha. In this famous 'Risala', Allamah Qasim refuted statements which were written by another Hanafi Jurist, Shaikh Imam Jalal At Tabani in his 'Mandhooma' (treatise).

That which was written in At Tabani's 'Mandhooma', showed that observing the six fasts of Shawwaal was Makrooh according to the great scholars of the Hanafi Madhhab. For example, the following was mentioned:-

و في صيام الست من شوال كراهة عند اولى الأفاضل

'And in the fasting of the six days of Shawwaal' 'There is Karahah (dislike) according to the people of virtues and knowledge'.

Then, in the Sharh (commentary) of his 'Mandhoomah' (treatise), Shaikh At Tabani went on to say, **'Fasting the six days of Shawwaal consecutively or separately is Makrooh according to Imam Abu Hanifa, and according to Imam Abu Yusuf it is Makrooh to fast consecutively. Imam Malik says that it is Makrooh in all conditions, and this is the practice of the ignorant ones'. (Sharh of the treatise of Shaikh At Tabani).**

In response to these statements made by Shaikh At Tabani, the great Jurist and scholar Allamah Hafiz Qasim bin Qutlobogha (died 879 A.H) wrote, **'This person has gone towards nullifying that which has great blessings, with an untrue claim, and without any evidence. He has relied upon that which is weak and subjected to interpretations, and has neglected/left out that which is relied upon (in the Madhhab)'.**

'He has gone further to regard as being sound and correct, that which no one before him has regarded as sound, and no one has relied upon it'.

Allamah Qasim (A.R) further writes, **'as for the Shaikh Tabani's statement that it is Makrooh to fast the six days of Shawwal according to Imam Abu Hanifa, this is mentioned in Al Muheet Al Burhani and in Adh Dhakheerah Al Burhaniyah with such wording which indicates that the narration is in conflict with the well-established principles 'Al Usool' (انه خلاف الاصول). The author of Adh Dhakeerah has afterwards mentioned that the correct and sound position is opposite to what has been mentioned'.**

Allamah Qasim bin Qutlobogha went on to explain that Shaikh Tabani's statement that it is Makrooh according to Imam Abu Yusuf also, is a transmission which is in error'. The reason is that all the classical texts with their explanations and statements, are unanimous, and in agreement, that what has been transmitted from Imam Abu Yusuf, is that which has been

mentioned in the narration of 'Al Karkhi' (died in 340 AH) which states, **'they (the jurists) used to dislike (consider it Makrooh) that people should follow Ramadhan with fast, (that is, they disliked that people should begin to fast immediately after Ramadhan), fearing that they join /attach the optional fasts with the compulsory ones. Based on this statement, the author of Al-Haqaa'iq thought that fasting in Shawwal consecutively (i.e. the six days) is Makrooh'.**

Allamah Qasim further clarified the statement of Imam Abu Yusuf and said, **'the act of fasting consecutively and immediately after Ramadhan which is Makrooh is that one observes fast on the day of Eid, and then fasts for 5 days afterwards (which will result in six days fast of Shawwal)'.**

He stated, 'so this is the meaning of the statement of Imam Abu Yusuf'.

He further mentioned the statements of some of the greatest Fuqaha of the Hanafi madhhab, including the companions of Imam Abu Hanifa (AR) and those who came after in the succeeding generations, to show that they were all unanimous on the ruling that fasting the six days of Shawwal was not Makrooh. In fact, the karahah (dislike) was due to a specific reason / cause, and it was not general. From among the statements, he quoted the following:

1. Imam Muhammad (died in 189 AH), the student and companion of Imam Abu Hanifa, said that it was not Makrooh.
2. Imam Hasan bin Ziyad (died in 204 AH), a student and companion of Imam Abu Hanifa, said that it was not Makrooh.
3. Imam Tahawi (died in 321 AH) who was one of the grand jurists of the Hanafi madhhab quoted the hadith regarding the virtues of the six fasts of Shawwal and showed that it was well-established.
4. The great Faqeeh, Mufassir and Muhadith, Abu Laith As Samarqandi (died in 373 AH), stated in his book 'An Nawazil', 'with respect to the fasting of the six days of Shawwal consecutively after the day of Eid ul Fitr, some stated, that it is Makrooh, however, the preferred opinion / ruling is that there is no objection to it'.
5. The great Hanafi jurist, As Sadr Ash Shaheed (died in 526 AH), stated in his book 'Al Waaqiaat', 'with respect to fasting the six days of Shawwal consecutively after the day of Eid, some have stated that it is Makrooh, however, the preferred opinion is that there is nothing wrong in observing that fast'.

In this way, Allamah Qasim bin Qutlobogha (AR) went on to quote the most famous works of some of the greatest jurists of the Madhhab of Imam Abu Hanifa, whose works have been accepted as the most reliable and authentic, in giving the official rulings of the Madhhab of Imam Hanifa. These included:

- 'At-Tajnees' by Allamah Marghinani (author of Hidayah died in 593 AH).
- 'Al Haqaa'iq' by Muhammad Mahmood Bin Muhammad Al Lul'ui Al Bukhari.
- 'Al Fatawa Al Khaniya' by Qazi Khan Hasan Bin Mansoor Al Awzjandi, mujtahid of Masail. in the Hanafi Madhab (died in 592 AH).

- 'Al Yanaab'ee' by Allamah Isfara'niee
- 'Umdatul Mufti' by As Sadr Ash Shaheed (died 536 AH).
- 'Al Mubtaghi' by Isa Bin Muhammad Al Qarshahri died in 734 AH.
- 'Adh Dhakheerah Al Burhaniyah' by Burhanudeen Abdul Azeez Bin Umar Bin Mazah.
- 'Al Waafi' 'Al Kaafi', and Al Mussafa, by Abul Barkaat Ahmad bin Abdullah An Nasafi. (died 710 AH).
- 'Majma Al Bahrain' by Ibn Saa'ati died (694 AH).

In all these references, Allamah Qasim quoted directly from the statements given by these great Hanafi jurists in which they all mentioned that fasting the six days of Shawwal was not Makrooh, and that there was no harm in observing these fasts.

In concluding the discussion, Allamah Qasim then wrote, **'This is what is clear to me at present from the texts of the books of our Ulama'. From these statements, it is evident that no one from among those who preceded Shaikh Tabani said that the dislike (the karahah) was general'** Here, Allamah Qasim explained that no one from among the great Hanafi jurists who came before him, considered it generally Makrooh to observe the six fasts of Shawwal. Instead, the statement attributed to Imam Abu Hanifa and Imam Abu Yusuf and others after them, was that it was specific to the following states:

1. When there was a fear that people may consider the fast of Shawwal to be like the compulsory Ramadhan fast, when they begin to fast immediately after Ramadhan,
2. When a person fasted on the day of Eid (1st Shawwal) and then observed five days of fast afterwards to complete six days of Shawwal.

These were the only situations in which some scholars regarded observing the six fasts of Shawwal to be makrooh. It therefore means, that when these situations are absent, and there is no such fear, then according to these scholars, the six fasts of Shawwal will remain as being Sunnah/Mustahab, as pointed out in the treatise of the grand Jurist, Allamah Qasim bin Qutloboga (AR).

The scholars of the Maliki Madhhab have also clarified the stance adopted by Imam Malik (A.R) regarding the fasts of Shawwal where he stated that it was makrooh. The position of the Imam is recorded in his Muwatta, which reads, Yahya said, **'I heard Malik saying in regards to the six days of fasting after the completion of Ramadhan (i.e. of Shawwal), that he did not see anyone from among the people of knowledge and fiqh observing these. He further said, 'the fasting for six days in Shawwal has not reached me from anyone from the pious predecessors. The people of knowledge disliked this (they consider it makrooh), and they fear that it becomes a Bidah (an innovation). They also fear that the ignorant ones may attach it to Ramadhan if they see the people of knowledge observing these fasts.** (Muwatta of Imam Malik page 256 Mir Muhammad Kutub Karachi).

While explaining the opinion of Imam Malik as highlighted above, the great Maliki scholar, Allamah Al Zarqani Al Maliki (died 1122 A.H), says, **'Imam Malik disliked the fasts of Shawwal for this reason (that is, the ignorant people may attach it and join it to Ramadhan, while these are not a part of Ramadhan.) As for those who observe the fasts of Shawwal, desirous of the rewards in them, then there is no dislike in it'. (It is not Makrooh) (End Quote).**

Allamah Muhammad bin Abdul Baqi bin Yusuf Al Zarqani Al Maliki further writes, **'Our Shuyukh (great teachers and scholars) have stated, 'Imam Malik considered the six fasts of Shawwal to be Makrooh only due to the fear that the ignorant people may attach / connect it to Ramadhan. As for observing these fasts based on what the Shariah requires, then it is not Makrooh.'**

'It has also been said that the Hadith concerning the six days of Shawwal did not reach him, or it was not evident according to him, or he found the people of Madina not observing the fasts of Shawwal'.

Allamah Zarqani further states, **'It is also possible that Imam Malik disliked that the fasts of Shawwal be joined directly with the fasts of Ramadhan. It is for this reason, he said, 'fasting for six days (immediately) after Eid Ul Fitr was disliked'. Therefore, if one observes the six days of fasting during the month, it will not be Makrooh'.**

Allamah Zarqani then cited the statement of the great Maliki scholar, Ibn Abd Al Barr (died in 463 AH) regarding Imam Malik's approach in religious matters and stated, **'Abu Umar Ibn Abd Al Barr said, 'Imam Malik was protective and very cautious in religious matters, and fasting was a great act of goodness. As such, he did not see that the fast of Shawwal should be observed, fearing that the ignorant people may connect it to the Ramadhan fast'. (End quote – Sharh Muwata Malik by Allamah Zarqani).**

Another great Maliki jurist, Ibn Rushd Al Maliki (died 595 AH) wrote the following regarding Imam Malik's position on the fasts of Shawwal. He wrote, **'as for the six fasts of Shawwal, it is evident that the Messenger of Allah (SAS) said, 'whoever observes the fast of Ramadhan and then follows it with six fasts of Shawwal, then it is like fasting for the year'.**

'However, Imam Malik considered this to be Makrooh. The reason for his opinion is that he either feared that people may connect to Ramadhan what does not belong to it (like the six fasts of Shawwal), or the hadith did not reach him, or the hadith is not sound in his opinion, and this is the better opinion' (Bidayatul Mujtahid Ibn Rushd Maliki Vol 1 pg 319. Manshoorat Ar Radha Qum Tehran 1406 AH).

The famous 7th century Maliki scholar, Allamah Ibn Shaas Maliki (died 616 AH) writes the following regarding Imam Malik's position. He states, **'The six days of fasts in Shawwal has been mentioned in sound / authentic narrations. However, Imam Malik feared that the**

ignorant people may connect / join to the compulsory fast what is not from it. Hence, he considered it disliked (makrooh), but he regarded the six days fast of Shawwal to be Mustahab (commendable) when these are observed at another time besides Shawwal’.

Ibn Shaas (AR) further explained and said, ‘ the fixing of the time of fasting in the month of Shawwal after the fasts of Ramadhan was done for ease upon the believers, and it was not done to make the ruling of fasting specific only to the month of Shawwal. Therefore, there will be no harm if one observes the six days in the month of Dhul Hijjah’ (Aqd Al Jawahir Ath Thameena Fi Madhhab Alim Al Madinah).

The great Maliki jurist, Imam Al Qarrafi (died in 684 AH), has also given a similar explanation and said, ‘Imam Malik considered it Mustahab (commendable) to observe the six fasts of Shawwal at another time besides Shawwal, fearing that these be joined with Ramadhan (fast) by the ignorant ones. The Shariah has only fixed it in Shawwal to be an ease upon the followers, since it is close to the fasting in Ramadhan’. (It means that they have already become accustomed to fasting in Ramadhan, therefore, it will be easy for them to fast in Shawwal’).

‘The objective of these six fasts in Shawwal however, can be achieved in another month. As such, delaying the six fasts of Shawwal to another month, will be permissible in order to achieve the benefits’. (Adh Dhakheera by Imam Al Qarrafi Al Maliki.)

The 13th century great Maliki jurist Allamah Dardeer Maliki (died 1201 AH) also explained the Maliki’s position on the fast of Shawwal and said in his famous work, ‘Ash Sharh As Sageer’, ‘it is Makrooh to observe the six fasts of Shawwal if one attaches it to Eid in order to make it manifest and apparent. It will not be Makrooh if it is separated from Eid or it is delayed. Similarly, if one observes it immediately after Ramadhan in a secret manner. In all these cases, it will not be Makrooh, since the cause for believing that it is wajib (essential) is negated. (Ash Sharh As Sageer by Imam Ahmad Dardeer Maliki.)

It is therefore evident from these explanations, that Imam Malik (AR) did not consider the six days of fast in Shawwal to be generally Makrooh. His dislike was on account of a specific reason which has been explained in details by the Maliki scholars.

And Allah knows best,
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