

With the Name of Allah, All-Merciful, Most Merciful

A DETAILED FATWA ABOUT MUSIC & SINGING

by Sheikh ‘Abdullah b. Yusuf al-Juday’

Taken from the author’s *al-Musiqi wa l-Ghina’ fi Mizan al-Islam* (“Music & Singing in the Balance of Islam”), Al Judai Research & Consultations, Leeds, UK, 1425/2004, pp. 597-601

Translation by Usama Hasan, 13th February 2010

SUMMARY & CONCLUSION

After this detailed presentation of the evidence and legal ruling related to the two issues of music and singing in respective, detailed chapters, I now highlight briefly the main conclusions of this study:

1. There is no consensus (*ijma’*) about the legal ruling on music and singing, whether considered together or as separate issues.
2. There is no unequivocal text (*nass*) from the Noble, Generous Qur’an that speaks about these two issues.
3. There is no unequivocal text (*nass*) from the Sunnah that definitely forbids music or singing.
4. In the legal positions (*madhahib*) of the Companions and Successors, there is no clear prohibition of music or singing. Rather, some of them listened to music and singing and permitted this. Precursors of the view of prohibition began to appear after them, but without indisputable, clear-cut prohibition.
5. To claim that the Imams of the four main Sunni Madhhabs agreed on the absolute prohibition of music or singing is inaccurate.
6. The issues of music and singing return to the basic principle (*asl*) in matters of habits and objects, and the established position based on evidence in this regard is one of permission (*ibahah*), which cannot be modified without evidence.
7. The basic principle (*asl*) in sounds and speech is the permissibility of making and listening to these, and similarly for humming. A beautiful voice or sound, in itself, is a blessing (from God).
8. All that is narrated in condemnation of music and singing, which some hold to, thinking it is legal evidence, includes very little that is clear and indisputable. The

latter is not authentically-narrated, and it is not permissible to base legal judgments on unsound narrations.

9. Those texts from the authentic Sunnah which the prohibitors of music and singing think is legal evidence, are in reality evidence against them to falsify their claims. Rather, there are numerous unequivocal texts (*nusus*) in the authentic Sunnah that confirm the basic principle and necessitate the view that music and singing are permissible.

A Principled Judgment on Music and Singing

1. Musical instruments were found in Arabian society before Islam and remained afterwards: no clear-cut, authentic, indisputable text (*nass*) came to forbid these.
2. Sounds arising from musical instruments are lawful (*halal*) in principle. They remain within the sphere of permissibility unless they are used as a means towards disobedience (of God).
3. The exact definition of permissible singing is: that which involves intrinsically-permissible words or lyrics, whether or not it is accompanied by music.
4. Use of the permissible for purposes involving vice changes the ruling of permissibility to prohibition in that circumstance, not in general.
5. There is no distinction between men and women in the ruling of permissibility for music and singing.
6. Males listening to the singing of females, or vice-versa, is intrinsically harmless: this is authentically-narrated in several evidential texts.
7. The usage and learning of music and singing are permissible (*mubah*), since there is no basis to forbid what is permissible in principle.

A ruling derived from this is that practising the arts of music and singing, being attracted to these or listening to them, do not by themselves damage the integrity (*'adalah*) of a person.

8. To amuse oneself by songs, whether these are called “Islamic” or “national” or other, is permissible and allowed (*mubah ja'iz*), whether accompanied by music or not, as long as the lyrics are intrinsically acceptable (*mashru'ah*).

As for the remembrance of Allah Exalted by words of sanctification and praise, and as for prayers of blessing upon His Prophet, may Allah bless him and grant him peace, it is acceptable and encouraged to gather together for such purposes. It is permissible to do this melodiously (*bi l-taghamni*), as it is permissible to

recite the Qur'an melodiously. However, it should be noted that all of this is worship ('*ibadah*) and not amusement (*lahw*), and so it cannot be accompanied by music because the latter is a form of amusement, and amusement cannot be a means of worship. Similarly, it was disliked to use the trumpet or bell to call people for prayer, and the announcement by a human voice (*adhan*) was legislated instead.

9. The ruling on music and singing does not differ in our times from previous ages. Any judgment on what is popular in these matters is based on the individual lyrics. If these lead to a prohibited matter, then the judgment is one of prohibition (*haram*). If it (permissible music and singing) is accompanied by prohibited scenes, such as the uncovering of private parts ('*awrah*), the forbiddance would extend to looking at such scenes, but not to the music and singing itself.

I conclude with the following words:

Firstly, music and singing are forms of amusement (*lahw*), so the basic principle is that they should be used to realise recognised benefits (*maslahah mu'tabarah*) such as expressing acceptable happiness or warding off boredom and tedium. If they are used too much, the benefits will be correspondingly obstructed. The permissible is harmless as long as it does not overcome the obligatory or recommended, or lead to what is prohibited or disliked, in which case it changes from being permissible to being prohibited or disliked.

Secondly, the fact that many people exceed the bounds of permissibility with such amusement does not falsify the basic principle regarding music and singing. What is rejected of their actions is what is excessive, and it is not allowed to make changing times or improper use into a reason to prohibit the permissible. Keeping people to the basic principle of the Law is safest for the responsibility of the person of knowledge, even if this agrees with the desires of a person of lust, for the sin is not incurred by doing what is lawful (*halal*), but by falling into the prohibited (*haram*).

Thirdly, the way to recognise the lawful (*halal*), the prohibited (*haram*) and the major symbols (*sha'a'ir*) of Islam is the Book and the authentic Sunnah, based upon clear principles and evident rules. It is not by rejected and fabricated ahadith, or by opinions devoid of proof or baseless views. Otherwise, whoever wished to could say whatever they wanted, and people's religion would become corrupted for them. This is just one issue where you can see how far false narrations and weak opinions have played with the views of many people, whilst infallibility is only for the Messenger of Allah, may Allah bless him and grant him peace, in what he conveyed on the authority of his Lord, Most Exalted.

This conclusion to this study will not agree with the wishes of many people, but it is enough for me that I have only arrived at it in the light of the evidence and proof of

the Law, following the guidance of the basic principles and proper analysis in matters of disagreement with my opponents.

Thus, if you would like to criticise me in any aspect, let it be with arguments from the Book, the authentic Sunnah or agreed principles, not with mere opinion, for one opinion defeats another by its argument. The most critical thing that can be said about someone who holds such a view (as mine), it that he is to be excused according to the extent of his striving (*ijtihad*) and rewarded for his good intentions. Perfection is neither my attribute nor yours, and I have sought an excuse for you despite my disagreeing with your view and refuting it.

Further, I entreat you by Allah, do not refer the argument to the view of the “minority” or the “majority,” or to the dominant *fatwa* in a particular country, for these are not the refuges of intelligent authorities but rather, such is the state of those who follow uncritically. And that is enough for you!

Moreover, I entreat you by Allah, do not say to me, “Your view is a tribulation (*fitnah*),” for tribulation lies in what opposes the message of the Messenger, may Allah bless him and grant him peace, as Allah Exalted said, “Let those who oppose his command beware that a tribulation or painful punishment may befall them.” (*Al-Nur* or Light, 24:63) I have referred both you and me in judgment to what the Messenger, may Allah bless him and grant him peace, brought: I have arrived at a view different to yours. Tribulation lies in concealing the verdict of the Law and covering it up, imagining that exposing it will mislead the masses.

It is Allah alone whom I ask for forgiveness for slips of the mind and tongue, and excesses of the pen and hand.

I also ask Him, Blessed and Exalted, to accept from me my efforts with this book, and similarly for those who have helped me from my family and brethren. I ask Him to make this and other studies of mine examples that are followed in analysing many issues for this nation: by referring to principles and not to disagreement. He is the One Whose Help is Sought, and there is no change of state or power except by Him.

You are Glorified, O Allah, and Praised. There is no god but You. I seek Your forgiveness and turn in repentance to You.

May Allah bless our master Muhammad, his family and companions, and grant them peace.
