



MUSIC IN ISLAMIC JURISPRUDENCE: ISSUES AND PROPOSED SOLUTIONS

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ABSTRACT

This paper delves into the discourse on music within Islamic jurisprudence and provides several recommendations on the topic. In light of globalization, the role of music in the formation of cultural and social identities has become increasingly significant. However, the stance on music within Islamic jurisprudence has been approached through various interpretations throughout history. Utilizing a qualitative research methodology, this study offers a comprehensive analysis by referencing religious texts and diverse juristic viewpoints on music. The findings of the research suggest that approaches advocating for music under certain conditions are more justifiable than the view of music as strictly halal (permissible) or haram (forbidden). Furthermore, the perspectives of numerous scholars on music are examined. The goal of this study is to shed light on contemporary views by conducting an in-depth exploration of the rulings on music within the framework of Islamic jurisprudence.

Keywords: Music, Islamic Jurisprudence, Music Education and Ethics, Globalization

INTRODUCTION

While globalization has catalysed transformative changes across various domains, cultural values and the arts have similarly been reshaped by these shifts. Music, in particular, has emerged as a pivotal element in the formation of social and cultural identities worldwide. Historically, music has profoundly influenced human life, serving as a source of entertainment throughout different phases of existence. Although the origins of the term “music” are debated, it is widely acknowledged that it is used in many languages in forms closely resembling its Latin equivalent, and is associated with similar terms. The predominant view is that the term “music” derives from the Latin word “mousikē” [1]. Despite the varying definitions offered by scholars such as Shamsuddīn Sāmī, Avicenna, and Fārābi, music is generally understood as the art of harmonizing measured sounds to express emotions, thoughts, or natural phenomena, within an aesthetic framework [2].

Additionally, the hadiths of the Prophet and other Islamic texts introduce several terms related to music. For instance, the word “al- Ġinā” refers to the act of raising the voice and sustaining this elevated pitch in succession, and is interpreted as a form of contentment. In early Islamic history, terms like “ġinā” and “taġannī” were employed to describe songs performed in various modes, ranging from love and praise to satire. Over time, these terms evolved to encompass a broader concept, incorporating musical instruments as well [3]. Another term, “al-Inshād,” denotes the recitation of poetry aloud, which, according to some Arabic literary historians, is distinguished from ordinary

poetry reading by its musical qualities [4]. “al-Hudā” or “al-Hidā” refers to traditional camel-driving songs and is considered one of the earliest forms of Arabic music [5]. Similarly, “an-Nasb” represents a genre of travel songs, characterized by more compelling features [6]. The term “an-Niyāha” refers to the mourning and wailing practices following a death, and in pre-Islamic times, women would conduct these ceremonies, engulfing their surroundings in sorrow [5]. “as-Samā” is a type of Sufi music, performed through rhythmic dancing and chanting (dhikr), particularly in the Mawlawī tradition, where it is conducted in a state of spiritual elevation following Quranic recitation [7]. “al-Mūsīqī” is the foundational term for music theory, originating from Greek, and denotes the scholarly study of music. “al-Adwār” refers to the theoretical explanations of musical modes and rhythms, which are considered the cornerstone of music science in ancient texts [8]. Finally, “al-Alhān” refers to composed melodies or songs performed with fervor [5].

This paper will explore the evolving dimensions of music in a globalized world through the lens of Islamic law. It will assess the various perspectives on music within the Islamic world, drawing from both Islamic jurisprudence and Sufi teachings, and examine how these viewpoints can be integrated into contemporary educational frameworks.

FINDINGS AND DISCUSSIONS

The Ruling of Music

There is no definitive verse that outright forbids music, nor one that unambiguously authorizes it. Nevertheless, the uncertainties within the verses have been clarified and interpreted by the companions and jurists. When reviewing the arguments of those who support the permissibility of music, scholars like Ghazzālī, Nablūsī, and Ibn Ḥazm have contended that music is permissible under specific conditions, providing a range of evidence to substantiate their position.

In verse 15 of the surah of Rūm, which states, “Then those who have believed and worked righteous deeds, shall be made happy in a Mead of Delight (yuhbarūn),” scholars such as Yahya b. Abī Kathīr, Awzaī, and Waqī interpreted the term “yuhbarūn” as referring to “pleasure and song” in Paradise. Awzaī further explained that when the inhabitants of Paradise begin singing, all the trees in the Garden will join in by responding with praise and blessings. Sufis have embraced and defended the idea that music embodies the pleasure, joy, and refreshment found in Paradise, using this as evidence to support the permissibility of music [9].

The opening verse of Surah Fātir declares, “Praise be to Allah, the Creator of the heavens and the earth, who appointeth the angels messengers having wings two, three and four. He multiplieth in creation what He will. Lo! Allah is Able to do all things.” Al-Zuhrī and Ibn Jurayh interpreted the phrase “multiplieth in creation” as referring to a beautiful voice. Others expanded on this by explaining it as Allah granting both physical beauty and melodious voices to whomever He wills [10]. This verse is often understood to suggest that listening to beautiful voices is permissible and that Allah bestows them as blessings upon His servants. Ghazzālī cited this verse as evidence supporting the permissibility of samā [11].

A review of the hadiths reveals numerous references to music and its practice [12]. It is narrated from Aisha: “One day, during a holiday, Abu Bakr visited me while two young girls from the Ansar, who were not professional singers, were singing and playing the tambourine to the elegies the Ansar sang on the day of Buath. Abu Bakr exclaimed, ‘Are the flutes of Satan in the house of the Prophet?’ In response, the Prophet (pbuh) said, ‘O Abu Bakr! Leave them be. Every nation has its festival, and today is ours.’” [13] Ghazzāli opined that playing the tambourine on joyous occasions is permissible but discouraged participation in gatherings where music is played on stringed instruments [14]. Furthermore, the interplay of music, rhythm, and dance is addressed in another hadith narrated by Aisha and Abu Hurayrah. According to this account, Abyssinians (Habash) were dancing in the mosque on a holiday while the Prophet (pbuh) observed them. When Umar attempted to stop the dancers, the Prophet (pbuh) opposed his intervention, allowing the performance to continue [13].

Among those who argue against the permissibility of music, jurists such as Abu Hanifa, Sarakhsī, Qāsānī, Zaylāī, Abussuud, Ibn Qamāl, and Ibn Hajar al-Haytamī contend that music is impermissible, with limited exceptions. In the sixth verse of Surah Luqman, it is stated: “But there are, among men, those who purchase idle tales (لَهْوُ الْحَدِيثِ), without knowledge (or meaning), to mislead (men) from the Path of Allah and throw ridicule (on the Path): for such there will be a Humiliating Penalty.” Abdullah ibn Masud, a prominent companion and jurist, was asked about the meaning of لَهْوُ الْحَدِيثِ in this verse. He swore by Allah and firmly declared it referred to “singing,” repeating his assertion three times [15]. Similarly, companions like Ibn Abbas, Abu Umamah, and Jabir ibn Abdullah also identified لَهْوُ الْحَدِيثِ in the verse as singing [16]. Mujāhid, a notable scholar among the Tabi‘īn, further interpreted it as referring to the drum (tabl) [15].

Another relevant example is the 64th verse of Surah Al-Isra, which says: “Lead to destruction those whom thou canst among them, with thy (seductive) voice; make assaults on them with thy cavalry and thy infantry; mutually share with them wealth and children; and make promises to them. But Satan promises them nothing but delusion.” Ibn Abbas and Mujahid interpreted the “voice” mentioned in this verse as referring to ġinā (singing), mizmar (musical instruments, including stringed and wind instruments), and frivolous activities. Dahhāq specifically interpreted it as the sound of the mizmar [10]. Based on this verse, Ibn Hajār al-Haytamī asserted that musical instruments are haram, aligning with the interpretations of Ibn Abbas and Mujahid, who regarded the “voice” as denoting songs, musical instruments, and entertainment [17].

Those who assert that music is impermissible also reference various hadiths to support their position. According to a narration from Abu Umamah: “The purchase, sale, and trade of female singers are not permissible; the income derived from them and listening to them are forbidden.” Based on this hadith, some Hanbali scholars have deemed singing impermissible [18]. Similarly, a narration from Ibn Abbas, classified as authentic, states: “Indeed, my Lord, the Most High, forbids you from drinking alcohol, gambling, and playing the drum.” [6]. Another narration from Anas bin Maliq reports that the Prophet (peace be upon him) said: “There are two sounds that are cursed in this world and the Hereafter: the sound of the mizmar during times of joy and the sound of wailing during calamities.” Al-Haythamī commented that the narrators of this hadith are trustworthy. Such hadiths have led some Hanafī and Hanbalī scholars to conclude

that singing is prohibited [18]. Ibn Taymiyyah specifically remarked on the significance of this evidence, stating: "This hadith is among the strongest proofs presented for the prohibition of singing" [19].

The Perspectives of the Schools

A well-known view frequently mentioned in Hanafī sources is attributed to Abū Hanīfah: "I was once confronted (mubtala) with this (a song invitation), but I exercised patience." Following this statement, many Hanafī texts elaborate with the interpretation: "This situation demonstrates that all musical instruments (malahi) are haram, even if it involves playing something as simple as the oud (kadib). Abū Hanīfah's statement further supports this conclusion, as 'being tested (ibtala)' implies a struggle with things that are haram" [20]. When Imam Abu Yusuf was asked about the permissibility of a woman playing the tambourine for her child outside of wedding ceremonies, and whether it was sinful, he responded: "I do not find it reprehensible, but I do not approve of music that leads to excessive frivolity (la'bu'l-fāhish)" [21]. Another narration recounts that Abu Yusuf attended gatherings of Harun Rashid, where he listened to the songs being played and wept, seemingly reflecting on the afterlife [22].

Despite the widely held view within the Hanafī school that music is categorically forbidden, Ibn Abidīn critiqued this stance, asserting that it is not entirely accurate [23]. When examining the overall perspectives, it is commonly held that all forms of singing (taghannī) are forbidden. This is the prevailing stance within the sect [24]. While some maintain that entertainment (lahw) music is strictly haram, others argue that it is merely disliked (makruh), [25] and some assert that simple singing (al-taghannī al-mujarrad) is mubah [26]. There are those who believe that if the purpose of singing is to learn poetry and eloquence, there is nothing wrong with that [26]. Additionally, some contend that playing the tambourine at weddings poses no issue [27].

Imam Māliq's perspective on music is as follows: Sahnūn inquires with Ibn al-Qāsim, asking whether Imam Māliq would approve of singing. Ibn al-Qāsim responds by stating that since Imam Māliq disapproves of reciting the Quran in a melodic style (al-Alhān), it is unlikely that he would approve of singing. Furthermore, Imam Māliq does not approve of the act of singing in the context of the buying and selling of a slave girl, which further illustrates his disapproval of singing. Sahnūn then asks about Imam Māliq's stance on the use of the tambourine at weddings, questioning whether he permits it. Ibn al-Qāsim replies that Imam Malik did not approve of any musical instrument, including the tambourine, even in the context of weddings [28].

In the Shafī'i school of thought, it is acknowledged that certain types of songs, such as travel songs (al-Hudā or al-Hidā) and Bedouin poems (nashīd al-'a'rabī), regardless of their number, are permissible. Amr b. Sharīd narrates from his father that the Prophet (pbuh) once had him ride on the back of his mount and asked, "Do you know any poems of Umayya b. Abi al-Salt?" When Amr confirmed he did, the Prophet encouraged him to recite, and he continued until he had read around a hundred couplets. Additionally, the Prophet (pbuh) had Abdullah b. Rawaha sing travel songs (al-Hidā) during their journeys [29]. This indicates that, as long as the music is not exciting or stimulating (mutrib), listening to or performing such songs is not considered haram, but rather disliked (makruh). Ibn Mas'ud reported that the Prophet (pbuh) said, "Singing removes hypocrisy from the heart just as water removes beans" [30]. However, if a forbidden

musical instrument is part of the song, the jurisprudential ruling would classify that song as haram. According to Zarkashi, this prohibition applies specifically to the use of musical instruments, and does not extend to the overall disapproval of singing itself [31].

In the Hanbali school of thought, it is stated that if a person dies and leaves behind a child and a singing slave girl, the child is required to sell the slave girl, but she should be sold as a regular slave, not as a singer. When asked about the price difference between a singing and a non-singing slave girl—thirty thousand dinars for the former and twenty thousand for the latter—Ahmad bin Hanbal responded that a slave girl should only be sold as an ordinary slave, regardless of her singing abilities [32]. Additionally, when Abu Hamid al-Khalfanī inquired about Ahmad bin Hanbal's opinion on certain "the mournful ode recited" describing Paradise and Hell, Ahmad asked for clarification. The odes in question include lines such as, "Were you not ashamed of Me when you defied Me, / Hiding your sins from My servants and coming before Me with your transgressions?" Ahmad bin Hanbal requested the odes be repeated, and when they were, he stood up, went into his home, and closed the door, continuing to repeat these lines to himself privately [33].

Music in Islamic Sufism

As music gradually found its place within worship settings, Sufis began incorporating it into mosques and during dhikr sessions. Sufism, which fundamentally seeks to educate and purify the heart and soul, focuses on abandoning negative habits and cultivating positive ones. In the early stages, religious music in educational contexts primarily involved reciting the Quran with an aesthetically pleasing voice. The Prophet (pbuh) encouraged people to recite the Quran beautifully, rewarding those who did so. These practices persisted during the era of the companions and the successors (Tābi'īn). Historical accounts suggest that religious music in the form of hymns, odes, and dhikr circles, accompanied by instruments such as tambourines and flutes, emerged during the period of the Successors of the Companions (Atbā'at-Tābi'īn), which coincides with the Abbasid period in Islamic political history [11]. Sufi music was categorized as "qaside" and "zuhdiyyat" when it consisted of simple poetry recited without melody; "taghyīr" when it was sung with melody and accompanied by musical instruments (sometimes referred to as "taghbīr"); and "sama'" when it involved dance [34].

The early Sufis held differing opinions regarding music and samā'. Abu Harith al-Muhasibi regarded listening to musical instruments as haram, likening it to consuming the flesh and blood of a deceased person. In another narration, he mentioned that three things once benefited people but have now been lost: a well-preserved beautiful face, a voice accompanied by piety, and sincere brotherhood [35]. Abu Ali al-Ruzbari expressed a strong disapproval of sama and wished to be entirely rid of it. Similarly, Abu Amr suggested that refraining from backbiting was more advantageous than engaging in sama [36]. Shihabuddin Suhrawardi presented both positive and negative perspectives on sama, making certain judgments in favor of one or the other [37]. Imam Qushayri argued that listening to songs with pleasant and harmless melodies is generally permissible, as long as they do not contain any content that contradicts Sharia [36]. Abu Ali al-Daqqaq categorized sama into three: forbidden (haram) for the masses, permissible (mubah) for the ascetics, and recommended (mustahab) for those with

spiritually alive hearts [36]. Shaykh Abu Talib al-Makki also classified sama into three categories: forbidden (haram), doubtful, and permissible (halal), with the halal type referring to sama that inspires spiritual meaning and leads the heart towards Allah's glory [37]. Imam Rabbani, however, viewed both sama and dancing as mere entertainment, deeming them haram. In his view, the rulings of prominent jurists, particularly Imam Abu Hanifa and Imam Muhammad, aligned with the belief that both sama and dancing are impermissible [38].

CONCLUSION

In an increasingly globalized world, music education and the arts have transcended their role as mere cultural expressions, becoming vital in shaping social identities and fostering the spiritual growth of individuals. This has been a subject of debate since the early years of Islam. The discussions surrounding the prohibition or permissibility of music within the Islamic world continue to this day, indicating the need for education systems to better accommodate these diverse viewpoints. While the Quran offers general statements on the permissibility of music, the opinions of the Companions are more prominent when it comes to its prohibition. The hadiths provide clear evidence for both the permissibility and prohibition of music. Scholars who support its permissibility have interpreted these evidences positively, while those advocating for its prohibition have emphasized negative interpretations. In this context, Islamic jurisprudence perspective play a significant role in giving music education a deeper social and cultural meaning. Music education should be seen as a discipline that imparts not only technical proficiency but also moral and spiritual values. This approach will contribute to students' artistic and spiritual development, enabling them to engage with universal musical concepts while maintaining their national and social identities in an increasingly interconnected world.

REFERENCES

- Cartwright, M. (2013). Ancient Greek Music. World History Encyclopedia. Retrieved November 18, 2024, from https://www.worldhistory.org/Greek_Music/
- Davies, S. (2014). Definitions of music. In W. F. Thompson (Ed.), *Music in the Social and Behavioral Sciences: An Encyclopedia* (Vol. 2, pp. 723–727). London: Sage Reference.
- Ibn Manzur. *Lisān al-‘Arab* (Vol. X, p. 136). Also see; Ibn al-Athir, N. (n.d.). *al-Nihāyah fī Charīb al-Ḥadīth wa al-Athar* (Vol. III, p. 391). Beirut.
- Düzenli, P. (2014). *İslam Kültür Tarihinde Musiki*. Kayihan Yayınları.
- al-Firūzābādī, E. T. M. b. Y. b. M. (2013). *Al-Qāmūsü'l-Muḥīṭ* (Ed. M. Koç & E. Tanrıverdi, Transcription by Mütercim Âsım Efendi). Süleymaniye YEK, Hamidiye No. 1377-1378-1379. Istanbul: Türkiye Diyanet Vakfı Yayınları.
- al-Bayhaqī, E. B. A. b. E. H. b. A. (2008). *al-Sunan al-Qubrā* (İ. Mansur Abdülhamid, Ed.). Dār al-Hadith.
- Gurer, B., & Ulupınar, H. (2023). *Tasavvufî Sembolizm Açısından Mevlevî Semâ Âyini [Mawlawî Samâ Ritual from the Perspective of Sufi Symbolism]*. Araştırma Makalesi.

Unkan, E., Unkan, B., & Unkan, H. (1984). *Türk Sanat Musikisinde Temel Bilgiler* [Fundamentals of Turkish Art Music], 28. İstanbul Yayınevi.

Ibn Taymiyyah, T. (1966). *Majmuat al-Rasail al-Qubra* (Vol. II, p. 314). Egypt al-Qurtubī, m. b. a. (n.d.). *al-Jāmi' li-ahqām al-Qur'ān*.

al-Ghazzalī. (2021). *Ihya-u ulum ad-Din*, (S. Güllü, Trans.). Huzur Yayınevi. II, 712

Ibn Mājah (Niqah, 21), Ahmad bin Ḥanbal (Musnad, III, 449), Haythami (Majma', VIII, 130-131), Juday (Ahadith fi Dhamm al-Ghina, 51), Bayhaqi (Sunan, X, 227-228), Bukhari (Adab, 90; Maghazi, 38; Diyat, 17), Muslim (Fadā'il, 70, 73; Jihad wa Siyer, 123), Nawawi (Sharh Muslim, XV, 81), Subki (Takmilat al-Majmu', XX, 230-231), Ibn Qudamah (Al-Mughni, XII, 44), Hakim (Al-Mustadrak, II, 219-220), Tirmidhi (Nikah, 6), Baghawe (Sharh al-Sunnah, XVI, 47-49), Ibn Hajar (Fath al-Barī, XXII, 349; XVII, 244), Nasa'i (Niqah, 72), Tahawī (Sharh Ma'anī al-Athar, IV, 294), and Ibn Hajar (Al-Matalib al-'Aliyah, VIII, 371) provide significant discussions on related topics in their works.

There are various versions of the hadith. Buhari, "Idayn", 2, 25.

Bukhari, Jihad, 79; Muslim, Salat al-Idayn, 4; Nasa'i, Idayn, 35.

Tabarī, al-Jamiu al-Bayan, X, 202-204.

Al-Acurri, Abu Bakr Muhammad b. Husayin, (1407). *Tahrimu an-Nard wa as-satranch wa al-Malahi*, Algeria, 368-377; Abu Hayyan, al-Bahr al-Muhit, VIII, 409, Ibn al-Arabi, Ahkamu al-Qur'an, Beirut, VII, 1493, 1494,

Ibn Hajar, Zawajir, II, 175. 96 Tabarī, VII, 108; Abu Hayyan, al-Bahru al-Muhit, VII, 79; Qurtubī, X, 187.

Haysamī, Majma', VIII, 121-122. Ibn Qudāmah, Mughnī, XII, 43.

Ibn Taymiyyah, al-Istiqāmah, I, 292, 293

Marghinanī, Al-Hidayah, IV, 80; Zaylāi, Tebyīn, VI, 13; Ibrahim Halabī, Multeqa al-Abhur, İstanbul, n.d., 1315, 158.

Alamgir, Fatawa al-Hindiyyah, V, 351; Shalabī, Khashiyat Tabyīn, VI, 13; Aynī, Umdat al-Qari, V, 369.

Ibn Abdi Rabbih, Al-Iqd al-Farid, III, 188.

Ibn Abidin, Hashiya, IV, 591, 592. Also see: Hasqafi, Durr al-Mukhtar, IV, 592; Jazarī, Al-Fiqh 'ala al-Mazahib al-Arba'a, İstanbul, n.d., 1984, II, 43. 33.

Hasqafi, Durru al-Mukhtar, IV, 592. Also see: Zaylai, Tebyīn, VI, 14; Alamgir, Fatawa al-Hindiyye, V, 351; Haskefi, Dürrü'l-Muhtar, IV, 592.

Molla Husraw, Durar, II, 380; Damad, Majm'a, II, 190; Ibn Abidin, Khashiyah, V, 305. Also see: Ibn Abidin, Khashiyah, IV, 592.

Zeylāi, Tebyin, VI, 14.

Zeylāi, IV, 222; Hasqafi, IV, 592.

Sahnūn, al-Mudawwanat al-Qubra, Beirut, n.d., 1994, IV, 432.

Shafi'i, A. A. M. b. I. (2001). *Kitab al-Umm* (R. F. A. al-Muttalib, Ed.). Beirut: Dar al-Wafa'. VI, 214, 215.

al-Bayhaqi, Sunan, X, 223; Ghazzali, Ihya, IV, 166; Ibnu al-Jawzi, Talbis, 209

Ramlī, Nihayah, VIII, 298

Ibn Qudamah, al-Mughnī, XII, 43.

Ibn al-Jawzī, Talbis, 201, 202.

Uludag, Suleyman, "Sema", DiA, İstanbul, 2009, XXXVI, 455

Muhasibī, Abu al-Haris. (2000). Risalat ul-Mustarshidīn (ed. Abdulfettah Abu Guddah). Aleppo, p. 121.

Qushayrī, Risalah, 169 - 173.

Suhrawardī, Awarifu al-Maarif, 225, 226.

Sarhandi, A.F, (n.d). Maktubat, İstanbul, Yasin yayınevi, I, 279

