169673 - A specious argument about the prohibition of musical instruments, and the response thereto

the question

One of the daa'iyahs said, trying to prove that singing is halaal: "Responding to and discussing the evidence of those who say that it is haraam would take too long, but I will make one point to which the Muslim should pay attention, and if I say that it is one of the guidelines on religion, for those who reflect, perhaps I will not be saying anything contrary to the truth. If you look in the Qur'an and Prophetic Sunnah, you will find that for everything that Allah wanted to prohibit definitively, He stated it in a text concerning which there can be no argument. The same applies to everything that Allah has made obligatory: He stated it in a text concerning which there can be no argument. But with regard to everything in which He wanted to grant people some leeway and leave them room to work it out from the texts of His Book or the Sunnah of His Prophet (blessings and peace of Allah be upon him), it is mentioned in a text that is open to two or more interpretations. Hence the scholars of every time and place are agreed upon the number of the daily prayers and their times and on the number of rak'ahs in each prayer, and how the prayer is to be done. But they differed with regard to almost all of its details; they differed concerning everything from the opening takbeer (takbeerat al-ihraam) to the tasleem. The various points of view of the different madhhabs concerning that are very well known. Something similar may be said concerning zakaah, fasting and Hajj! If there are differences of opinion concerning the pillars of Islam, even though there is unanimous agreement on the naming thereof, then how about other matters? They even differed concerning the uttering of the Shahaadatayn! This is nothing more than Allah, may He be exalted, granting leeway to His slaves."

How may we respond to this specious argument?

Detailed answer

Praise be to Allah.

If singing is accompanied by musical instruments, then it is haraam to do it and to listen to it, whether it is done by a man or a woman, and regardless of whether the songs are romantic, motivational or religious. No exception is made from that except singing that is accompanied by the duff (hand drum) at weddings, on Eid, and upon the return of a traveller. This has been previously explained in detail in the answers to questions no. 5000, 20406 and 43736

With regard to singing that is free of musical accompaniment, then if it is done by a woman in front of men, it is haraam. If it is done by a man, and he speaks of things that are permissible, then it is allowed, such as Islamic nasheeds that are not accompanied by music. Nevertheless, it is not appropriate to listen to it a great deal.

More than one of the scholars have stated that there was consensus on the prohibition on listening to music.

Please see the answers to questions no. 107572 and 78223.

That includes the words of al-Qurtubi (may Allah have mercy on him):

As for flutes, stringed instruments and drums, there is no difference of scholarly opinion on the prohibition on using them, and I have not heard from any of those whose opinion carries weight among the early generations and the leading scholars of the later generations anyone who regarded that as permissible. How can that not be prohibited when it is the hallmark of the people of alcohol and evildoing, and it provokes desires, corruption and promiscuity? Whatever is like that, there can be no doubt about its prohibition and on the classification of the one who does that as an evildoer and sinner.

End quote from az-Zawaajir ‘an Iqtiraaf al-Kabaa’ir (2/337)

Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) said: Whoever plays such

instruments by way of religious practice and seeking to draw closer to Allah is undoubtedly misguided and ignorant. But if he does that by way of leisure and fun, the view of the four imams is that all musical instruments are haraam. It is proven in Saheeh al-Bukhaari and elsewhere that the Prophet (blessings and peace of Allah be upon him) stated that there would be among his ummah those who regarded as permissible adultery, silk, alcohol and musical instruments, and he said that they would be transformed into monkeys and pigs .

None of the followers of the imams mentioned any dispute with regard to musical instruments, except some of the later companions of ash-Shaafa'i mentioned two views concerning a specific type of flute or reed instrument called a yaraa' – unlike stringed instruments and the like – but they did not mention any dispute concerning them. As for the Iraqis who had more knowledge of his madhhab and followed him more closely, they did not mention any dispute concerning either matter; rather the best of them in his time – namely Abu't-Tayyib at-Tabari, the shaykh of Abu Ishaaq ash-Shirazi – wrote a well-known book concerning that.

But they did discuss singing that is not accompanied by musical instruments: is it haraam or makrooh or permissible? The companions of Ahmad mentioned that they had three views concerning that, and they narrated two views from ash-Shaafa'i, and they did not mention any views from Abu Haneefah or Maalik concerning that. Zakariyya ibn Yahya as-Saaji – who was one of the earlier imams who was inclined towards the madhhab of ash-Shaafa'i – stated that none of the earlier fuqaha' differed concerning that except Ibraaheem ibn Sa'd, who was one of the people of Basra.

End quote from Majmoo' al-Fataawa (11/576)

With regard to the view of the one who says that everything that Allah prohibited He mentioned specifically, it may be said to him: prohibition is proven by a text of the Qur'an or Sunnah, and may also be proven by ijmaa' (scholarly consensus) or qiyaas (analogy). These are the four types of evidence on which the majority of scholars rely.

There is a proven text concerning the prohibition of musical instruments, as in the hadith of Abu

Maalik al-Ash‘ari , who heard the Prophet (blessings and peace of Allah be upon him) say: “There will surely be among my ummah people who will regard as permissible adultery, silk, alcohol and musical instruments.” Narrated by al-Bukhaari in a mu‘allaq report (5590); it was narrated in a mawsool report by at-Tabaraani and al-Bayhaqi. See: as-Silsilah as-Saheehah by al-Albaani (91).

It was narrated that Anas ibn Maalik (may Allah be pleased with him) said: The Messenger of Allah (blessings and peace of Allah be upon him) said: “There are two sounds that are cursed in this world and the hereafter: musical instruments at the time of blessing and screaming at the time of calamity.” Al-Mundhiri said: It was narrated by al-Bazzaar and its narrators are thiqaat. It was classed as hasan by al-Albaani in Saheeh at-Targheeb wa’t-Tarheeb no. 3527

Abu Dawood (3685) narrated from ‘Abdullah ibn ‘Amr that the Prophet of Allah (blessings and peace of Allah be upon him) forbade alcohol, gambling, drums and intoxicating drinks made from corn, and he said: “Every intoxicant is haraam.”

This hadith was classed as saheeh by al-Albaani in Saheeh Abi Dawood.

This is evidence from the Sunnah, along with scholarly consensus, as mentioned above.

In many cases, a prohibition is based on only one hadith, so how about these musical instruments concerning the prohibition of which there are a number of proven hadiths?

If singing is free of musical accompaniment, and the words are permissible, and it is not sung by a woman to men, then there is nothing wrong with it.

And Allah knows best.