

Malay Community Practices Related to Singing and Music Based on the Authoritative Opinion of the Syafii School of Thought

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Abstract

Listening to songs and musical instruments forms part of the cultural heritage of the Malay community, passed down through generations, especially during festive occasions such as weddings, communal feasts, and traditional celebrations. In the Shāfiī school of thought, based on the authoritative (mu'tamad) opinion, the ruling on music and singing is that they are prohibited (ḥarām) if they involve elements of distraction, lead to immoral acts (maksiat), or cause neglect of religious obligations. The key question addressed in this study is: what is the stance of the Malay community regarding listening to singing and music? This study aims to analyse the practices of the Malay community in relation to singing and music based on the mu'tamad opinion of the Shāfiī school of thought. This research adopts a qualitative methodology, with data obtained through document analysis involving tafsīr literature, ḥadīth compilations, classical and contemporary fiqh sources, online resources, books, and papers on Malay customs and culture. The data were analysed using inductive, deductive, and comparative methods. The findings reveal that the position of the Malay community on singing and music does not fully reflect the mu'tamad opinion but instead aligns with non-authoritative (ghayr mu'tamad) views — opinions that permit listening to singing and musical instruments provided they do not contain prohibited elements and do not lead to neglect of

religious duties. These non-authoritative views are not impermissible to follow, as they represent the *ijtihād* of certain *Shāfiʿī* scholars as well as scholars such as Ibn Ḥazm. The Malay community's preference for such views is influenced by several factors: official authorisation from JAKIM, an inclination towards the opinions of Ibn Ḥazm and certain *Shāfiʿī* scholars, the influence of national broadcasting (RTM), and the desire to preserve cultural heritage and artistic expression in daily life. The study concludes that there is a conscious effort within the Malay community to reconcile religious rulings with traditional practices regarding music and singing, thereby avoiding conflict between the two.

Keywords: Singing, Music, Malay Community, *Shāfiʿī* School, Methodology

Introduction

Singing and music constitute a common phenomenon in the daily life of the Malay community in Malaysia. Even without direct exposure through television, the public remains familiar with these elements through radio broadcasts in vehicles, mobile devices, and various other forms of entertainment. The sources of music and song are diverse, ranging from *nashīd* imbued with religious themes to popular international songs from the West.

For generations, music and singing have been an integral part of Malay tradition and culture, manifested in various forms of performance such as *dikir barat*, *zapin*, *ghazal*, and *nashīd*, which are presented at social, customary, and religious gatherings. This development illustrates that music functions not only as a form of entertainment but also as a medium for conveying messages, cultivating values, and reinforcing cultural identity.

Nevertheless, within the framework of Malay society—whose majority adheres to the *Shāfiʿī* school of thought in matters of creed (*ʿaqīdah*) and jurisprudence (*fiqh*)—the discussion on the *sharʿī* rulings (*aḥkām*) concerning music and singing has been a matter of considerable importance. According to the *muʿtamad* (authoritative) position of the *Shāfiʿī* school, music in general is deemed *ḥarām* or *makrūh* when it contains elements that distract from the remembrance of Allah, incite lustful desires, or contravene Islamic etiquette (*adab*). However, there are also opinions though non-authoritative that permit certain forms of music that do not conflict with the principles of the *Sharīʿah*.

In light of this reality, the present study seeks to analyse the practices of the Malay community regarding singing and music with reference to the *muʿtamad* position of the *Shāfiʿī* school. This analysis will assess the extent to which such practices align with the legal rulings of the school and, where discrepancies exist, whether such practices ought to be entirely avoided. This analysis is essential for determining the level of cultural compliance with authentic Islamic law, as well as for identifying pathways towards harmonising customary practices (*ʿādat*) with the *Sharīʿah*.

Literature Review

Based on the available research, there has been no comprehensive study that directly examines the practices of the Malay community concerning singing and music with specific reference to the *muʿtamad* (authoritative) position of the *Shāfiʿī* school of thought. Nevertheless, there exists a body of indirectly related scholarship that provides a conceptual framework and supporting references for the present study.

From the perspective of Malay cultural and ethical studies, Ahmad (2019), in *Nilai dan Etika dalam Budaya Melayu* ("Values and Ethics in Malay Culture"), explores the moral principles and ethical guidelines that shape societal practices. Meanwhile, Hassan (2015), in *Seni Persembahan Tradisional Melayu* ("Traditional Malay Performing Arts"), analyses various forms of performance art that constitute the cultural heritage, including elements of traditional music. Mohd Taib (2011), in *Kepercayaan dan Amalan Tradisional Melayu dalam Perspektif Islam* ("Beliefs and Traditional Practices of the Malays from the Islamic Perspective"), evaluates the compatibility between customary practices (*'ādāt*) and Islamic teachings.

In the field of fiqh, several studies address the formation and application of the *mu'tamad* positions within the *Shāfi'ī* school. Ben-Agil and Mahaiyadin (2019), in *Analisis Pembentukan Pendapat Muktamad dalam Mazhab Shafi'i* ("An Analysis of the Formation of the Authoritative Opinion in the *Shāfi'ī* School"), discuss the process by which dominant views are determined. Al-Dailami (2023), in *Mukhalafah al-Fatwa li Mu'tamad al-Sādah al-Shāfi'iyyah: Dirāsah Tatbīqiyyah* ("The Divergence of Fatwā from the Authoritative View of the *Shāfi'ī* Scholars: An Applied Study"), examines the implications of discrepancies between contemporary *fatwā* and the *mu'tamad* position. Nahrawi (1988), in *al-Imām al-Shāfi'ī fī Madhhabihī al-Qadīm wa al-Jadīd* ("Imām al-Shāfi'ī in His Old and New Opinions"), elucidates the differences between the early (*qawl qadīm*) and later (*qawl jadīd*) positions of Imām al-Shāfi'ī.

In addition, Nik Airin Aqmar et al. (2023), in *Analisis Perkembangan Istilah Qawl Muktamad dan Rujukan Kitab Muktamad dalam Mazhab Syafi'i* ("An Analysis of the Development of the Term *Qawl Mu'tamad* and the Authoritative Reference Works in the *Shāfi'ī* School"), discuss the evolution of terminology and the principal sources of authority within the school.

Overall, although these studies do not specifically address the *shar'ī* rulings on singing and music according to the *mu'tamad* position of the *Shāfi'ī* school, they provide an important conceptual framework and academic background upon which the present research can be grounded.

Research Methodology

This study adopts a qualitative research approach, as the nature of the discussion necessitates an in-depth analysis of texts, contexts, and *shar'ī* interpretations. This method enables a comprehensive examination of the issue in a layered manner, guided by authoritative primary and secondary sources.

Data were obtained through document analysis, involving the examination of the following materials:

- i. Works of tafsīr and ḥadīth particularly those addressing the aḥkām (rulings) related to singing and music.
- ii. Classical and contemporary *fiqh* texts from the *Shāfi'ī* school, as well as relevant works from other major schools of thought for comparative purposes.
- iii. Books, articles, and academic journals explaining the *mu'tamad* position within the *Shāfi'ī* school.

- iv. Materials on Malay culture and customs, including ethnographic studies and cultural analyses.

The data were analysed using three complementary methods:

- i. Inductive method – deriving general principles from specific data and textual evidence.
- ii. Deductive method – applying established legal principles to the specific context of Malay societal practice.
- iii. Comparative method – comparing the perspectives of various schools of thought and assessing the interaction between legal rulings and local cultural practices.

This combination of methods ensures that the analysis remains grounded in the framework of *uṣūl al-fiqh* while addressing the lived realities of the Malay Muslim community. By doing so, the study seeks to present a balanced, comprehensive, and authoritative account of the issue under investigation.

Research Findings and Discussion

The findings and discussion of the study are presented as follows:

Malay Societal Practices

The practices of the Malay community encompass multiple dimensions of life, including custom (*‘ādāt*), culture, religion, social interaction, the arts, traditional medicine, and daily interpersonal conduct. From a cultural perspective, the *gotong-royong* (mutual assistance) tradition remains prominent in communal activities such as wedding feasts, house construction, and village gatherings. Marriage customs typically proceed through a sequence of stages: *merisik* (preliminary inquiry), *meminang* (formal proposal), engagement, *‘aqd al-nikāḥ* (marriage contract), *bersanding* (wedding dais ceremony), and *bertandang* (post-wedding visit) (Omar, 2004).

In the religious sphere, common practices include supplication (*du‘ā’*), *tahlīl* recitations, and *kenduri arwah* (memorial feasts) to commemorate the deceased. Certain taboos (*pantang larang*) are still observed for example, avoiding sitting on pillows due to the traditional belief that it may cause boils (Mohd Taib, 2011). In the arts, traditional entertainment such as *dikir barat*, *wayang kulit*, *zapin*, *pantun* (rhymed verse), and *syair* (poetic recitation) serve as mediums of communication and feature in formal events (Hassan, 2015).

In the field of traditional medicine, herbal remedies and massage remain common alternative treatments, while some individuals still seek the services of *bomoh* or *dukun* (traditional healers) for ailments or perceived mystical disturbances (Ismail, 2018). In daily life, acts such as exchanging greetings of peace (*salām*), communal dining, and showing respect to elders by kissing their hands are upheld as symbols of noble values, contributing to the strengthening of familial and communal bonds (Ahmad, 2019).

Origins and Meaning of the Mu‘tamad Opinion in the Shāfi‘ī School

The term *pendapat muktamad* (*mu‘tamad* opinion) was not in use during the formative period of the *Shāfi‘ī* school. The works of the *mutaqaddimīn* scholars of the school likewise contain no mention of this expression. According to Ismon et al. (2020), the earliest recorded use of the term appears in the writings of Shaykh al-Islām Zakariyyā al-Anṣārī (d. 926 AH),

particularly in Fath al-Wahhāb ‘alā Sharḥ Minhāj al-Ṭullāb. His student, Imām Ibn Ḥajar al-Haytamī (d. 974 AH), later provided a formal definition in the introduction to his Tuḥfah al-Muḥtāj li Sharḥ al-Minhāj.

Ibn Ḥajar defined a *mu’tamad* opinion as a view selected from the *ijtihād* of Imām al-Shāfi‘ī, or one derived from the methodology (*uṣūl*) and principles of his school, which serves as an authoritative basis for legal rulings (*qaḍā’*), *fatwā*, and scholarly adherence (Ismon et al., 2020). In terms of source classification, *mu’tamad* opinions in the *Shāfi‘ī* school fall into two primary categories:

- Opinions originating directly from Imām al-Shāfi‘ī himself.
- Opinions originating from his students and subsequent *Shāfi‘ī* scholars (Aṣḥāb al-Shāfi‘ī) (Nik Airin et al., 2023).

The first category includes al-azhār and al-mashhūr, with key references such as *al-Umm*. The second category includes *al-aṣaḥ* and *al-ṣaḥīḥ* (Ismon et al., 2020). Among the *muta’akhhirīn* scholars, the *mu’tamad* opinion according to the *mutaqaddimīn* is the view given *tarjih* (preference) by Imām al-Nawawī (d. 676 AH) and al-Rāfi‘ī (d. 623 AH) (al-Ḥafnawī, 1426H: 153). For issues arising after their era, the consensus of Ibn Ḥajar al-Haytamī and al-Ramlī (d. 1004 AH) is also recognised as constituting the *mu’tamad* position (Ismon et al., 2020).

The term *mu’tamad* does not have a single, fixed definition. Rather, it functions as an evaluative descriptor applied to a discussion, a school opinion, a legal answer, or a piece of evidence. Expressions such as “*pendapat muktamad*” (*mu’tamad* opinion), “*perbicaraan muktamad*” (*mu’tamad* discussion), “*mazhab muktamad*” (*mu’tamad* school opinion), “*jawapan muktamad*” (*mu’tamad* answer), or “*dalil muktamad*” (*mu’tamad* evidence) indicate the view regarded as strongest and most relied upon within the *Shāfi‘ī* school (Basabrin, 1952).

The adoption of the term only emerged after the *madhāhib fiqhīyyah* (schools of Islamic jurisprudence) had reached a stage of consolidation and stability, notably after the fall of the ‘*Abbāsīd* Caliphate in 656 AH. According to al-Dailami (2023: 7), this period is often described as the “era of pure *taqlīd*,” marking the transition from the formative and debate-driven phase of *fiqh* development to an era of consolidation around positions deemed *mu’tamad*.

Stages in the Formation of the Mu’tamad Opinion of the Shāfi‘ī School

The diversity of opinions within the *Shāfi‘ī* school necessitated a process of *tarjih*—the selection of the strongest view for practical application. This process unfolded over four main developmental phases:

- i. The Foundational Phase (*Ta’sīs*)
- ii. The Transmission Phase (*Naql*)
- iii. The Editing Phase (*Taḥrīr*)
- iv. The Consolidation Phase (*Istiqrār*)

Collectively, these phases spanned a long period, beginning with the establishment of the school by Imām al-Shāfi‘ī himself and culminating in the consolidation of authoritative positions (‘Alī, 1978; Ben-Agil & Mahaiyadin, 2019).

i. The Foundational Phase (*Ta’sīs*)

In the first and second centuries AH, several influential fiqh schools emerged, including those of Imām Abū Ḥanīfah and Imām Mālik ibn Anas. Within this scholarly environment, Muḥammad ibn Idrīs al-Shāfi‘ī established his own school, integrating the methodological strengths of the *ahl al-ḥadīth* and the *ahl al-ra’y* (al-Qawāsīmī, 2003; Nahrawī, 1988).

His legal thought was shaped by engagement with the methodology of Imām Mālik, the disciples of Imām Abū Ḥanīfah, and the approaches of Imām al-Awzā‘ī and Imām al-Layth ibn Sa’d. The *fatāwā* of Imām al-Shāfi‘ī, recorded in his works, formed the foundation of the school. Over time, his views evolved, producing the *qawl qadīm* (old position), documented in al-Ḥujjah during his time in Iraq, and the *qawl jadīd* (new position), recorded in al-Umm during his time in Egypt.

In principle, the *qawl jadīd* abrogates the *qawl qadīm* (al-Kurdī, 2011). Analysis of Minhāj al-Ṭālibīn reveals at least 66 cases where *fatwā* shifted from *qawl qadīm* to *qawl jadīd* (Kasdi, 2013). However, certain earlier opinions were reinstated by the *Aṣḥāb al-Wujūh* due to the strength of their evidences, consistent with the maxim attributed to Imām al-Shāfi‘ī (al-Saqqāf, 2004):

“If a ḥadīth is authentic, then that is my view.”

ii. The Transmission Phase (*Naql*)

Following the death of Imām al-Shāfi‘ī, his students assumed responsibility for narrating, documenting, and disseminating his views. Leading students such as al-Muzanī, al-Buwayṭī, and al-Rabī‘ al-Murādī played pivotal roles in preserving the authenticity and continuity of the school’s teachings. This phase also marked the geographical spread of the *Shāfi‘ī* school to regions including Egypt, Syria, Iraq, and later the Malay Archipelago.

iii. The Editing Phase (*Tahrīr*)

During this stage, scholars undertook the task of refining and harmonising various narrations, *fatāwā*, and commentaries to avoid inconsistency. Figures such as al-Māwardī, al-Qaffāl, al-Rūyānī, and al-Ghazālī compiled the opinions of Imām al-Shāfi‘ī, distinguished between the *qawl qadīm* and the *qawl jadīd*, and applied *tarjih* based on the *uṣūl al-fiqh* principles of the school. This editorial work laid the foundation for identifying the positions that would become the main references in subsequent *fiqh* practice.

iv. The Consolidation Phase (*Istiqrār*)

This phase marked the emergence of greater consensus within the school. Imām al-Nawawī and Imām al-Rāfi‘ī played decisive roles in determining the *mu’tamad* opinion of the Shāfi‘ī school. Works such as Minhāj al-Ṭālibīn by al-Nawawī and its commentaries became standard references across the Muslim world. From this period onwards, clear guidelines were established for identifying *mu’tamad* positions, which continue to serve as primary references today.

These four phases demonstrate that the formation of the *mu’tamad* opinion was a gradual, multi-generational process that combined methodological rigour, preservation of the school’s principles, and consensus-building among leading scholars.

The Authoritative Opinion of the Shāfi'ī School on Singing and Music

According to the *mu'tamad* opinion within the Shāfi'ī school, the general ruling on listening to singing and musical instruments is *makrūh* (discouraged). Shaykh Sulaymān al-Jamal (1996, 5:380), in his *Hāshiyah al-Jamal on Minhāj al-Tullāb* by Shaykh Zakariyyā al-Anṣārī, explains that singing without musical accompaniment is *makrūh*, even if performed by an *ajṅabī* (non-*maḥram*) or an *amrad* (adolescent boy without fully developed masculine features). However, if there is a fear of *fitnah* (temptation) or it involves prohibited gazes, the ruling changes to *ḥarām*. Singing for specific permissible purposes — such as a mother lulling her child to sleep or songs accompanying camel journeys among the Arabs — is *mubāḥ* (permissible).

Shaykh Sulaymān also cites the view of Imām al-Ghazālī that the ruling on singing depends on the *niyyah* (intention). If intended for sin, it is sinful; if intended for obedience, it is an act of obedience; and if devoid of specific intention, it falls under *al-lahw* (idle amusement) that is excused. Nevertheless, singing accompanied by musical instruments is deemed *ḥarām*.

In Kelantan, Tuan Guru Haji Abd Rahman (Zainuddin Che Seman et al., 2014) holds that all forms of singing accompanied by musical instruments are absolutely *ḥarām*, arguing that such acts constitute diversion from the remembrance of Allah, especially when involving female singers, music, and mixed-gender gatherings with dancing.

Within the Shāfi'ī madhhab, musical instruments that distract from the remembrance of Allah are not permissible to buy or sell, as they are considered instruments of disobedience with no recognised *shar'ī* benefit. The ḥadīth narrated by Abū Nu'aym (1974, 3:119) from Abū Hurayrah RA states that the Messenger of Allah ﷺ said:

يُمْسَخُ قَوْمٌ مِنْ أُمَّتِي فِي آخِرِ الزَّمَانِ قِرْدَةً وَخَنَازِيرَ قِيلَ: يَا رَسُولَ اللَّهِ يَشْهَدُونَ أَنَّ لَكَ إِلَهًا إِلَّا اللَّهُ ، وَأَنَّكَ رَسُولُ اللَّهِ ، وَيَصُومُونَ قَالِ: نَعَمْ. قِيلَ: فَمَا بَالُهُمْ يَا رَسُولَ اللَّهِ ؟ قَالَ: يَتَّخِذُونَ الْمَعَازِفَ وَالْقَيْنَاتِ، وَالذُّفُوفَ ، وَشَرِبُوا هَذِهِ الْأَشْرِيَةَ ، فَيَبَاتُوا عَلَى سُرِيهِمْ وَلَهُوِهِمْ ، فَأَصْبَحُوا وَقَدْ مُسِخُوا قِرْدَةً وَخَنَازِيرَ

“A group from my ummah in the latter times will be transformed into apes and swine.”
They asked: *“O Messenger of Allah, do they not bear witness that there is no deity worthy of worship except Allah, and that you are the Messenger of Allah, and do they not fast?”* He said: *“Yes.”* They asked: *“What is the cause of this, O Messenger of Allah?”* He said: *“They adopt musical instruments (ma'āzif), female singers (qaynat), drums (dufūf), and they drink these intoxicating drinks, spending their nights in their vain play and amusement, then by morning they will have been transformed into apes and swine.”*

If such instruments are destroyed so they no longer function, they are no longer considered *māl* (property), and their sale is void. However, if they retain material value — for instance, if made from gold or silver — their sale is valid for other lawful uses (Aḥmad 'Īsā 'Ashūr, 2001, 2:243).

Imām al-Shāfi'ī (2001) maintained that one who excessively engages in amusement is considered *safīh* (foolish) and his testimony is rejected. Entertainment is *ḥarām* except for that explicitly permitted by the *shar'* — such as archery, swimming, and horse riding. He

permitted listening to *nashīd*, whether in small or large amounts. Imām al-Ghazālī (1983) classified singing as a disliked form of amusement because it resembles frivolous acts.

Tuan Guru Haji Abd Rahman further rules that instrument such as the oboe (*serunai*), drum (*gendang*), and violin (*biola*) are invalid commodities for sale, as they lack *shar'ī* benefit. He cites Imām al-Nawawī's position that if these instruments are broken but still possess material value, their sale is permissible. Among his evidences is the statement of Allah ﷻ in Sūrat al-Isrā' (17:64):

وَأَسْتَفْزِرُّ مَنْ أَسْتَظَعْتَ مِنْهُمْ بِصَوْتِكَ وَأَجْلِبْ عَلَيْهِمْ بِخَيْلِكَ وَرَجِلِكَ وَشَارِكِهِمْ فِي الْأَمْوَالِ وَالْأَوْلَادِ وَعَدَّهُمْ
وَمَا يَعِدُهُمُ الشَّيْطَانُ إِلَّا غُرُورًا

“And incite to senselessness whoever you can among them with your voice, and assault them with your cavalry and your infantry, and become a partner in their wealth and their children, and promise them.” But Satan promises them nothing except delusion.

Exegetes differ on the meaning of *ṣawt* (“voice”). Some interpret it as singing (*al-ghinā'*) and play (*al-la'ib*) (al-Ṭabarī, 1997); Mujāhid interprets it as amusement (*al-lahw*), while Ibn 'Abbās interprets it as anything that leads to disobedience (Ibn Kathīr, 1988). Al-Qurṭubī (1994) concludes that this verse indicates the prohibition of the oboe (*serunai*), singing, and amusement.

Another *ḥadīth*, narrated by al-Bukhārī (5590) from Abū Mālik al-Ash'arī RA, states:

لَيَكُونَنَّ مِنْ أُمَّتِي أَقْوَامٌ، يَسْتَجِلُّونَ الْحِرَّ وَالْحَرِيرَ، وَالْخَمْرَ وَالْمَعَارِيفَ، وَلَيُنْزِلَنَّ أَقْوَامٌ إِلَى جَنْبِ عِلْمٍ، يَزُوخُ
عَلَيْهِمْ بِسَارِحَةٍ لَهُمْ، يَا تَيْبُهُمْ - بَعْثِي الْفَقِيرَ - لِحَاجَةٍ فَيَقُولُونَ: ارْجِعْ إِلَيْنَا غَدًا، فَيُبَيِّئُهُمُ اللَّهُ، وَيَضَعُ الْعِلْمَ،
وَيَمْسُخُ آخِرِينَ قَرْدَةً وَخَنَازِيرَ إِلَى يَوْمِ الْقِيَامَةِ

“There will certainly be among my ummah those who will deem as permissible fornication (zinā), silk, wine, and musical instruments (ma'āzif). There will also be people who settle near a high hill, and when their shepherd returns in the evening with their livestock, a poor man will come to them seeking some need, and they will say: ‘Come back to us tomorrow.’ Then Allah will destroy them that night, causing the hill to collapse upon them, and He will transform others among them into apes and swine until the Day of Resurrection.”

Tuan Guru Haji Abd Rahman explains that *al-ma'āzif* encompasses all musical instruments, including drums, flutes, oboes, violins, guitars, and *'ūd* (lute). The wording *yastahillūna* in the *ḥadīth* indicates that whether these acts are committed openly without shame or are regarded as *ḥalāl*, both are prohibited.

Malay Society's Practices Concerning Singing and Music

In Malaysia, the practice of listening to songs and attending musical performances is widespread across all social strata, from leaders to ordinary citizens. This engagement encompasses both traditional and modern genres, often without strict consideration of lyrical content or the type of music performed. Singing and music are not only part of daily life but also contribute to national and state identity through official anthems. However, this cultural

reality does not fully align with the *mu'tamad* opinion of the Shāfi'ī school, which generally regards listening to singing and playing musical instruments as *makrūh* (discouraged) or *ḥarām* (prohibited) when certain conditions are met. Several key factors explain the divergence between formal doctrine and actual practice:

- i. Authorisation from the Department of Islamic Development Malaysia (JAKIM)

One of the most significant factors is the official guidance provided by religious authorities. The Meeting of the JAKIM Shari'ah Review Panel, held on 6–8 August 2000, resolved that:

 - a) Songs and lyrics that praise Allah and His Messenger, offer moderate praise to Allah's creation, call to responsibility, or invite to *taqwā* (piety) are permissible.
 - b) Group singing involving men and women is allowed provided there is no physical mixing, with the groups positioned side by side.
 - c) Singers are prohibited from performing in a sexually provocative manner that could cause *fitnah*.
 - d) Singers must observe *hijāb* and cover their *'awrah*.
 - e) *Nashīd* must not excessively praise Allah's creation.
 - f) *Nashīd* in the form of *du'ā'* (supplication) is permissible, provided it does not imitate the worship forms of other religions, and its primary aim is to convey moral counsel.

The 17th Meeting of the JAKIM Shari'ah Review Panel further established the *Guidelines on Music, Singing and Songs from an Islamic Perspective*, which prohibit music that induces lewd or uncontrolled movements or leads to heedlessness, while permitting singing that is positive in content and conforms to the *adab* prescribed by the *shar'*.

- ii. Inclination Towards the Opinions of Ibn Ḥazm and Certain Scholars

The opinion of Ibn Ḥazm (n.d., 7:570) in *Risālah al-Samā'*, which permits singing and music, has influenced sections of the Malay community. He cites the incident of 'Abdullāh ibn Ja'far purchasing a female slave who played the lute, without objection from Ibn 'Umar.

Some modern scholars, such as Shaykh Muḥammad Mutawallī al-Sha'rāwī, have permitted music at weddings, during strenuous labour (e.g., trench-digging during the Battle of the Trench), and in warfare to boost morale, but prohibited any form that arouses sexual desire (al-Sha'rāwī, 1987: 329).

Even within the Shāfi'ī school, there are reports of more permissive stances. Imām al-Shāfi'ī himself is recorded as having listened to singing without expressing disapproval (al-Subkī, 1964, 2:77). Abū Manṣūr al-Baghdādī considered playing the *'ūd* (lute) permissible for alleviating sorrow and uplifting the spirit (al-Damīrī, 2004, 10:301). Imām Qalyūbī (1995, 4:321) permitted singing as therapy for patients if prescribed by a trustworthy physician.

- iii. Influence of Radio Televisyen Malaysia (RTM)

Since its establishment of Radio Muzik on 20 June 1975, RTM has played a major role in the dissemination of music in Malaysia. The broadcasting network has since expanded to six television stations (TV1, TV2, TV Okey, Berita RTM, Sukan RTM, and TV6) and 34 radio stations, accessible via web streaming and the RTM Klik application.

RTM's Music Services Division produces entertainment programmes, manages the RTM Orchestra, releases music albums, supports local artists, and produces patriotic and campaign songs, thus embedding music into the national cultural framework.

iv. Deeply Rooted Cultural Heritage

Music and singing have been integral to Malay cultural life since the pre-Islamic era, particularly in weddings, ceremonial events, and performing arts such as *dikir barat*, *ghazal*, and *zapin*. Following the advent of Islam, these practices were largely retained within Malay society, with adjustments were deemed necessary.

v. Misunderstanding of the Ruling on Music in the Shāfi'ī School

Some members of the public fail to distinguish between the *qawl mu'tamad* (authoritative opinion) and *qawl da'if* (weaker opinion). While the Shāfi'ī school generally rules singing and music as *makrūh* or *ḥarām* if they contain prohibited elements or cause heedlessness, certain scholars allow them if free from such elements and serving permissible purposes like *da'wah*, motivation, or recreation (al-Sharbīnī, 1997).

vi. Emotional Inclination and Aesthetic Appreciation

Music appeals strongly to human emotion and artistic sensibility. The Malay community's appreciation for the beauty of language, rhythm, and melody makes music an enduring medium of expression, even when religious restrictions exist.

Conclusion

The practice of singing and music within Malay society constitutes a significant element of its cultural heritage, transmitted across generations and integrated into various aspects of life, including wedding ceremonies, traditional rituals, and folk entertainment. From the perspective of the *Shāfi'ī* school, the *mu'tamad* opinion holds that listening to singing and music is *makrūh* (discouraged) or *ḥarām* (prohibited) when they contain elements that distract from religious obligations, incite sin, or promote heedlessness. In this legal framework, *makrūh* refers to acts discouraged but not strictly forbidden, whereas *ḥarām* denotes acts that must be entirely avoided. Adherents of the *Shāfi'ī madhhab* are expected to follow its *qawl mu'tamad*, which serves as the principal reference in the issuance of *fatwā*.

Nevertheless, the prevailing practice among the Malay community aligns more closely with non-authoritative (*ghayr mu'tamad*) opinions upheld by some *Shāfi'ī* scholars and the *Zāhirī* school, notably Ibn Ḥazm, which permit singing and music provided they are free from unlawful elements and utilised for permissible purposes such as *da'wah* (religious outreach), morale-building, or modest recreation.

Adherence to these non-authoritative views does not necessarily constitute a breach of *shar'ī* principles, as they are the result of recognised scholarly *ijtihād*. The factors contributing to this alignment include authorisation from JAKIM, receptivity to the views of Ibn Ḥazm and certain *Shāfi'ī* scholars, the influence of national broadcasting (RTM), and the cultural imperative to preserve artistic traditions.

This situation reflects an ongoing effort by the Malay community to harmonise Islamic legal rulings with customs (*'urf*) that have been practised for centuries. However, it also underscores the need for greater public awareness of the *shar'ī* boundaries regarding music and singing. A balanced approach that safeguards cultural heritage while maintaining fidelity to Islamic legal principles is essential for ensuring that tradition is preserved without compromising the precepts of Islam, thereby fostering genuine harmony between *'urf* and *shar'īah* in the lived reality of Muslims in the Malay world.

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