

A Blessed Collection Containing Works of the great Sheikh Abd al-Rahman bin Ali al-Dayba'i al-Zubaidi, may Allah have mercy on him, and poems in praise of him, may God's prayers and peace be upon him, and a fatwa on the permissibility of striking the duffs (tambourines) during the celebration of the Noble Mawlid.

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In the name of God, a question regarding a current situation:

Question:

What do the eminent scholars say—may God rectify the world through them—about a group of Muslims who sometimes gather in their assemblies for the obedience of God Almighty and His Messenger? Perhaps they read the account of the Prophet's birth (Mawlid), may God's prayers and peace be upon him, or the original praise for him, or prayers and peace upon him, may God's prayers and peace be upon him, or the remembrance of God Almighty. They may recite metrical poetry containing prayers and peace upon the Prophet, may God's prayers and peace be upon him, or a description of God's majesty and greatness, a reminder of His blessings and favors, the lives of the righteous and their stories, or an exhortation to those present, urging them towards the interests of their religion, or other such things that are commanded by Sharia. They might strike the *duff* (tambourine) during this, and also stand during the Mawlid celebration at the mention of his birth, may God's prayers and peace be upon him, as an expression of joy and happiness at the personification of his spirit, may God's prayers and peace be upon him. Is striking the *duff* permissible in these mentioned situations or not? Please clarify, and you will be rewarded.

The Answer:

From God, I seek success and guidance to the straightest path.

The gathering of the aforementioned group is among the things commanded and encouraged by the Lawgiver, especially if it contains enjoining good, forbidding evil, urging piety, and providing guidance as a public display of good remembrance in the Sharia.

As for striking the *duff* at the times, or rather, in the situations mentioned by the questioner, what the Lawgiver has established is that striking the *duff* is permissible in general (*mubah mutlaqan*), as you will learn from the forthcoming expressions from explicit hadiths and the texts of the jurists.

Among these is what is in *Mishkat al-Masabih*: from 'Amr ibn Shu'ayb, from his father, from his grandfather, that a woman said: "O Messenger of God, I have vowed to strike the *duff* over your head." He, may God's prayers and peace be upon him, said: "Fulfill your vow." (Narrated by Abu Dawud)

It is mentioned in the fatwas of *Mukhtasar al-Shafi'i* in the chapter on listening, from the books of the Hanafis: Abu Yusuf was asked about the *duff* at a wedding, whether it is disliked or not. He said, "No, as long as it does not involve obscene play and singing. And hearing the *duff*, even if it has jingles (*jalajil*), is permissible." End quote.

In *Al-Muharrar* by al-Rafi'i: "It is permissible to strike the *duff* for marriages and circumcisions, and the more likely of the two views is its permissibility in other situations as well, and that there is no difference whether it has jingles or not. It is forbidden to strike the *kuba*, which is a long drum, narrow in the middle." End quote.

In the fatwas of Abu al-Layth, it is stated that striking the *duff* outside of a wedding is a matter of difference among the scholars. Some said it is not disliked, while a group held the view of its absolute permissibility. This was followed by Imam al-Haramayn and al-Ghazali, and it was narrated by Imad al-Din al-Sirwardi from some companions. Judge Abu al-Tayyib, Ibn al-Sabbagh, and others also narrated from some of the companions of al-Shafi'i that he said: "If the hadith of the woman who made a vow is authentic, then it is not disliked under any circumstances." Judge Abu al-Tayyib said in the chapter on bequests that a bequest for a *duff* is valid.

Ibn Hajar al-Haytami said in *Kashf al-Ra'a'*: "The *duff* is permissible for a wedding and circumcision, and likewise for other occasions according to the more correct view, even if it has jingles; the more correct view is that this is also permissible."

Imam al-Suyuti mentioned in his commentary on *al-Jami' al-Saghir*, known as *al-Sharh al-Kabir*, under the saying of the Prophet, may God's prayers and peace be upon him, "Announce this marriage...", Abd al-Ra'uf al-Munawi said: "The report indicates the permissibility of striking the *duff* at weddings, and similar occasions..."

The madhhab of the Shafi'is is that striking it is permissible absolutely, with or without jingles. It occurred in the presence of the Lawgiver of the nation and the one who clarified the lawful from the unlawful, and he approved of it. There is no difference between it being struck by a woman or a man according to the more correct view.

In *Al-Minhaj*: "A *duff* is permissible for a wedding and circumcision, and likewise for other occasions according to the more correct view, even if it has jingles. It is forbidden to strike the *kuba*, which is a long drum, narrow in the middle. Dancing is not forbidden unless it involves effeminate movements."

In *Al-Anwar*, in the book of testimony: "The *yara'* (flute/reed pipe) and the *duff* are not forbidden, even if it has jingles, neither for marriages, nor for circumcisions, nor for other occasions." It was said that the *yara'* is forbidden, which is called the *shahayn*, in Persian *nay*, and in Hindi *para*.

Al-Ghazali said in the *Ihya'*, after citing the hadith of the two young girls as evidence for the permissibility of striking the *duff* and playing: "All these hadiths are in the two *Sahihs* (Bukhari and Muslim), and it is an explicit text that singing and playing are not forbidden. They contain indications of various types of licenses. First, playing... and the custom of the Abyssinians in dancing and playing is not hidden. ... Seventh, the license for singing and striking the *duff* by the two young girls, even though he likened the wind instrument to the pipe of Satan, which shows that the sound of the

forbidden pipe is different. Eighth: that the Messenger of God, may God's prayers and peace be upon him, heard the voices of the two young girls while he was lying down. If stringed instruments were being played in a place, he would not have permitted sitting there, and the sound of the strings would have reached his ears. This indicates that the voice of women is not forbidden in the same way as the sound of pipes, but is only forbidden when there is fear of temptation (*fitna*). These analogies and texts indicate the permissibility of singing, dancing, the *duff*, playing with shields and spears, and watching the dancing of the Abyssinians and the Zanj during all times of joy, by analogy with the day of Eid, for it is a time of joy. In the same sense are the day of a wedding, a feast, a homecoming, a circumcision, the day of arrival from a journey, and all other reasons for happiness. And it is whatever is permissible to rejoice in according to the Sharia. It is permissible to rejoice at visiting and meeting brothers." End quote. "And their gathering in one place for food or talk is also an occasion for listening." End of what he said in the *Ihya'*.

Al-Qushayri mentioned something of this in his *Risala*, as did al-Qastallani in his commentary on Bukhari in the chapter on striking the *duff* in their gatherings for what the questioner mentioned, since all the mentioned situations are times of joy, especially the time of reading the story of his birth, may God's prayers and peace be upon him. These times are of greater joy than that time [of Eid]; rather, it is of greater joy than the time of circumcision, weddings, and feasts for one whose insight God has illuminated. Indeed, the joy of that gathering encompasses all Muslims, whereas the joy of a wedding, circumcision, and the like is specific to its people. So let the *duff* be struck, and let his praise, may God's prayers and peace be upon him, and prayers and peace upon him be repeated. No attention should be paid to those who forbid striking the *duff* in such a joyous occasion while permitting it for marriage and purification.

And God is the guardian of guidance and success. Ordered to be written and dictated by **Sayyid Abdullah bin Alawi Hassan al-Attas**, may God be with him and the Muslims, Ameen. Praising, praying, and sending peace.

This is the image of the answer of the Mufti of Mecca and his seal:

O God, guide us to what is right. This written answer to the aforementioned question is of the utmost beauty and light. It is in accordance with what is correct, without a doubt or suspicion. May God reward the answerer with a beautiful reward and place him in a noble position in the hearts. May his efforts be thanked, and may he achieve the good of this world and the hereafter that he desires. Ameen, by the honor of the master of the messengers, may God's prayers and peace be upon him and his family and all his companions.

Written by the one who hopes for the Exalted Perfect One, **Muhammad Saeed ibn Muhammad Babasail, Mufti of the Shafi'is in Protected Mecca**, may God forgive him, his parents, his sheikhs, his brothers, his loved ones, and all Muslims.

===== **Babasail,**
Muhammad Saeed

Footnote (Hashiya)

Sheikh Muhammad al-Khalili was asked about what the Bistami masters and other Sufi masters, such as the Qadiriyya, Sa'diyya, Imadiyya, Rifa'iyya, and their like, are accustomed to doing, such as circles of *dhikr* (remembrance) and reciting it aloud in mosques. They have inherited this from their fathers,

grandfathers, and sheikhs. They recite Sufi poems, works, melodious tunes, and rhythms, and they experience a great spiritual ecstasy (*wajd*) and a state that makes them sit and stand. They raise their voices in *dhikr*, Is it permissible to object to them in these states? Or what is the situation?

He answered: Something similar to this situation occurred to the great scholar Khayr al-Din al-Ramli al-Hanafi, may God Almighty have mercy on him, and he wrote in his fatwas, answering with what can be summarized as follows:

Know first that one of the well-known principles that is established and mentioned in the books of the Imams is that "matters are judged by their intentions," and a single thing can be described as lawful or unlawful based on what was intended by it. This is taken from the hadith narrated by the two Sheikhs (Bukhari and Muslim): "Actions are but by intentions..." and most of the rulings of Islam revolve around it. ... After which he said:

Indeed, God Almighty has servants who, when they stand, they stand by God. The reality of what the Sufis are upon cannot be denied except by every ignorant soul who is unaware of what the Sufi masters are upon. It is not permissible to deny them. It has been narrated in a tradition: "Whoever declares a Muslim an infidel has himself committed infidelity. And whoever forbids what is lawful has fallen into misguidance and deserves punishment and retribution. And God, may He be glorified and exalted, is the one who grants success to what is right." End quote from the fatwas of al-Khalili.

...

Sheikh Izz al-Din ibn Abd al-Salam was asked about the listening (*sama'*) that is done in this era in the assembly of *dhikr*. He answered with what is pictured as: Listening to what delights you and the mentioned sublime states for the sake of the hereafter is recommended. It is not permissible to object... The saying of the scholars is that poetry is speech; its good is good, and its bad is bad. What is permissible in prose is permissible in it.

As for moving, the jurists have different opinions on it. Some forbid it, and some do not forbid it when one finds ecstasy and is overcome by it. They used as evidence what happened to Ja'far ibn Abi Talib when the Prophet, prayers and peace be upon him, said to him, "You resemble me in my appearance and my character," and he twirled from the delight of this address, and the Prophet, prayers and peace be upon him, did not object. This was taken as a proof for the permissibility of moving when they find the delight of spiritual ecstasies in the assemblies of *dhikr* and listening.

Many of the Companions and the Successors held the permissibility of listening (*sama'*). In *Tuhfa*, it is mentioned that the author of *Al-Nihaya* in the commentary of *Al-Hidaya* from the Hanafis stated the permissibility of singing...

It has been established by authentic texts that there was singing in his house, may God's prayers and peace be upon him, the striking of the *duff* in his presence, the dancing of Abasinian armies in his mosque, and the recitation of poetry with beautiful voices before him...

As for raising the voice in *dhikr*, it is permissible. In the matter of listening, there is speech that could fill a volume. As for reciting poetry in the mosque, if there were no other evidence than the hadith of Ka'b... As for the circles of *dhikr* and reciting it aloud in mosques and reciting poems, there is a hadith that implies the request for loudness, such as: "And if he remembers Me in a gathering, I remember him in a gathering better than it." (Narrated by Bukhari, Muslim, Tirmidhi, Nasa'i, and Ibn Majah). And remembering in a gathering can only be done aloud. Likewise, the circles of *dhikr* and the angels circling them, and the hadiths about them, that only occurs with loud *dhikr*. End quote.

The Blessed Collection is Complete

Faqir – Abu Mohammed