

# **Battling over the Public Sphere: Islamic reactions to the music of today**

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The moral implications of music have come under discussion again in the Arab world<sup>1</sup> during recent decades as the soundscapes of everyday life have changed. Video clips with the latest songs flood the TV-channels of the Arab world. Directors consciously balance on the limits of the accepted spurring debates in media and on the Arab street on morality, sexuality, the purpose of art but also the halal and the haram of music and musical instruments.<sup>2</sup> At the same time, a consumer oriented youth culture, borrowing from global cultural flows, changes local conditions. New styles in music, sub-cultural dress, consuming patterns of music and a new use of music in every possible device and place,<sup>3</sup> bring about an interesting, heated discussion.

As a reaction to changes, states and local authorities have taken action against heavy metal musicians, female singers, music videos, and public concerts. Islamist and conservative Islamic organizations or individuals try to disturb and break up concerts, demand censorship on recordings, or call for the punishment of individuals for being blasphemous. At times musicians are killed or attacked physically. Moderate Islamic scholars call for moderation and discussion, condemning the violence and hard-line attitudes, but at the same time ask musicians to be more restrictive when it comes to provocations and sexuality. Some liberal Islamic scholars try to create space for music while others urge for a competitive Islamic counter pop culture.

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<sup>1</sup> With the Arab world, I refer to North Africa, the Arab peninsula and the Arabic speaking countries east of the Mediterranean.

<sup>2</sup> For example, in March 2005 the Central Department of Censorship banned 20 music videos for showing too much female nudity, having indecent lyrics and connotations (Freemuse homepage 1). For a discussion about the video clips controversies not really discussing Islamic argument, see Armbrust 2005; Kubala 2005; Elmessiri 2005.

<sup>3</sup> It is rumoured that al-Azhar students downloaded the *adhân*, the call to prayers, and Qur'anic recitation and used the sound clips as signal for their mobiles. It became so widespread that teachers banned its use.

Since the possibilities of disseminating ideas through media and to come in contact with media have increased manifold the last two decades, all public actors have to reconsider their strategies when trying to reach out to the general public. The situation creates a new kind of public sphere outside the control of the different states. Commercial Satellite TV channels challenge the states' possibilities of controlling broadcasting to their populations. Further, dissident usage of new media<sup>4</sup>, in contrast to state radio and state television, to reach the general public causes much annoyance to many states since this type of media is almost impossible to monitor. As Eickelman and Anderson so aptly write: "Viewpoints suppressed in one medium almost inevitably find an outlet in others."<sup>5</sup>

When considering the consequences for Islam, this new public sphere challenges and renegotiates authority and creates a forum for a plurality of interpretations. The spread of literacy, the creation of a consumer oriented broad middle class, new media and global cultural flows are all phenomena shaping the new public sphere. Due to different circumstances, music has become a symbolic question in the debate about this new public sphere.<sup>6</sup>

The aim of this article is to expose the main Islamic arguments of those involved in the discourse on music, and to understand the contexts of different interpretations. I will start by outlining how states have reacted to different aspects associated with music. Then I will dwell on other actors, their use of different media and their interpretations. Finally, I will present an analysis of the discourse trying to connect to the media of the Arab world and the spread of consumer culture.

Since this article is a part of a major research project in progress, I would like to draw the readers' attention to the fact that I have relied, on several occasions, on reports given in the media without having the possibility at this stage of fully checking the accuracy of all the information. I have, of course, tried my best to double check the information.

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<sup>4</sup> Eickelman and Anderson (2003:8f) discuss what they call new media referring to new electronic technology like phones, faxes, computers, new printing techniques etc. in contrast to conventional print and broadcasting.

<sup>5</sup> Eickelman and Anderson 2003:5.

<sup>6</sup> Similar arguments, leaving music out, are found in Eickelman & Anderson (eds) 2003.

## The States and music

To my knowledge, no general ban on music or musical instruments exists in any of the countries of the Arab world. The ban on music and musical instrument orchestrated by the Taliban emirate in Afghanistan<sup>7</sup> and before that, the Islamic revolution in Iran<sup>8</sup> has only one comparable case in the Arab world, that of Saudi Arabia during the middle of the 20<sup>th</sup> century (see below). On the contrary, the states in the Arab world can be said to be permissive when it comes to music in general and several countries have a flourishing music industry that both the population and government is proud of, like Lebanon, Egypt, Iraq and, indeed, Saudi Arabia. Musicians are at times turned into national icons (as elsewhere) like in Egypt where, for example, Umm Kulthum and Muhammad Abd al-Wahhab are more or less synonymous with national high culture.<sup>9</sup> Further, the rich folklore and classical music traditions of the Arab world are more often hailed than attacked.<sup>10</sup>

Still, censorial authorities in the Arab states are active in censoring music, the key issues being public moral, decency, and political critique.<sup>11</sup> Several states demand licences for the production of music. But prior censorship is difficult since much of the market is not controlled, as international intellectual property laws are not honoured. In the urban centres in several of the Arab countries you can obtain pirate copies of the latest commercial music from Europe, America and the Arab world readily made for you as you wait. At times you even find stores with a good selection of metal, hip-hop, independent rock, etc.<sup>12</sup> Furthermore, the states can not control what is produced in other countries.

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<sup>7</sup> Baily 2001. The issue of music was not uncontroversial before the Taliban regime, and the practice of music was part of a moral discourse and in some areas like Herat musicians lived under severe restrictions (Baily 2001:31ff; Mostyn 2002:116).

<sup>8</sup> Youssefzadeh 2004. The Iranian state has slowly changed its policies and is much more liberal today than ten years ago, but still all music must pass the censorship authorities (the Culture and Islamic Guidance Ministry) and certain restrictions are still adhered to. The most restrictive law being that a female singer is not allowed to sing solo; she has to be part of at least a duo so her voice can not be easily separated as the female voice is arousing to men, by definition.

<sup>9</sup> Armbrust 1996. Abd al-Wahhab evoked the dislike of the Muslim brothers in the late 1980's because of a composition in "which he raised the question of human existence" (Shammout 1998).

<sup>10</sup> For an in-depth introduction to these traditions, see Danielson, Marcus & Reynolds 2002.

<sup>11</sup> For example, the Egyptian Press Law of 1980, especially article 48, stresses the inadmissibility of specific political critique when the country is in a state of emergency (Mostyn 2002:26; al-Zubaidi 2004:40). Egypt has been in a state of emergency since 1958.

<sup>12</sup> Basel Qasem, director of IRAB Association for Arabic Music, estimates that 25–50 percent of the total record sales in the Arab world is piracy, but in some countries it is almost 100 percent. Presentation at Freemuse's conference on "Freedom of Expression in Music", Beirut, October, 2005.

Even if the market could be efficiently controlled, the introduction and spread of new media makes control of the dissemination of music virtually impossible.<sup>13</sup> What remains is the control of the use of music and the battle over its usage in the public sphere. What kind of music is allowed to be performed or listened to by whom and where?

At times, the call on censorship is voiced by Islamic scholars claiming that Islam, public morals, or tradition is threatened by a certain piece of music, artist or trend. Depending on the context and the specific laws of the countries, the scholars can use different ways of trying to ban or restrict what is disliked. Below follow some examples.

#### *The Saudi Arabian case*

Saudi Arabia, during the 1950s, had the most extreme form of restrictions any Arab country has seen up until now. The committee for the Advancement of Virtue and Elimination of Vice (AVEV)<sup>14</sup> in Saudi Arabia banned music and even singing. Instruments and gramophones were either confiscated or demolished. By attending musical gatherings you risked being beaten up by AVEV.<sup>15</sup> This was legitimated by Wahhabi scholars who saw music as connected with immoral behaviour, illegitimate ritual healing and Sufism (which Wahhabism was, and still is, highly critical of). When king ibn Saud was succeeded by Sa'ud, his eldest son (1958), and when Faisal, a younger son, became prime minister and later king (1964), AVEV eventually lost jurisdiction over music and singing.<sup>16</sup>

Today, censorship in general is common in Saudi Arabia.<sup>17</sup> Censorship is ordered by several different bodies like the Ministry of the Interior and the information minister, but also by individuals in their capacity as members of the royal family. The Grand Mufti of Saudi Arabia has the authority to demand censorship on, for example, journalism.<sup>18</sup> The Internet, which the

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<sup>13</sup> This is also acknowledged by some state officials like UAE information minister Sheikh Abdullah bin Zayed al-Nahayan who in 2000 predicted that by 2005 censorship laws will become thoroughly useless because of the spread of Internet (Mostyn 2002:34).

<sup>14</sup> An alternative translation is "The committee for the Propagation of Virtue and the Prevention of Vice".

<sup>15</sup> Grove Music Online homepage 1, "Saudi Arabia, Kingdom of, I. Introduction".

<sup>16</sup> Mostyn 2002:180f. According to Saudi Arabian academic, Mazin Motabagani from Al Madinah Centre for the Study of Orientalism, the first "legal" wave of popular music hit Saudi Arabia in the early 1960's (personal communication, Beirut, Oct., 2005).

<sup>17</sup> Censorship is practiced according to the 1982 royal decree on the press and publications. According to Reporters without borders (homepage 1), "any criticism of the government, the royal family, heads of state of friendly countries or religious leaders is liable to prosecution and imprisonment."

<sup>18</sup> Reporters without borders homepage 2, "Saudi Arabia – annual report 2004".

public was introduced to in 1999, is closely monitored and sites are regularly blocked, but skilled Internet users know how to get around these blocks.<sup>19</sup>

When it comes to music, the state regulates recordings and live performances. Most licences to record are given to male musicians. During the 1990's Saudi Arabia managed to develop a successful music industry with several superstar singers. But the industry is gendered; only a few female musicians have been allowed to make recordings. However, according to ethnomusicologist Lisa Urkevich, female musicians have a huge market for live performances at celebrations, wedding parties, etc. playing to all-female audiences.<sup>20</sup> If the female side of a party is to have any music, it has to be played by female musicians or female DJs due to the gender segregated society. Another arena for women's music (and dance) was in connection with healing rituals, the zar ritual in particular, but Wahhabi theologians have deemed this practice un-Islamic and immoral because of its use of music and of "magical" rituals and have persecuted the practice for decades.<sup>21</sup>

At times, Islamic scholars have proclaimed fatwas accusing musicians of other countries of blasphemy. In March 2001 an over 80 year old Saudi cleric, Hamoud bin-Aqla al-Shuaibi, issued a fatwa claiming that Kuwaiti pop star Abdallah Rowaishid had put the opening chapter of the Qur'an to music. It proved not to be true and Kuwaiti clerics rushed to Rowaishid's defense commenting that al-Shuaibi was not even qualified to issue a fatwa. Al-Shuaibi, who died shortly after the fatwa, lived in Buraidah, north of Riyadh well-known for its many Islamists but also for its many secular intellectuals.<sup>22</sup> Oddly enough, Kuwait's parliament had, earlier in 2001, banned Lebanese male singer 'Assi al-Hellani due to similar charges and due to pressure from Islamist groups.<sup>23</sup>

Other groups might also intervene. Hard-line Islamist at Saudi Universities attack (verbally and physically) those who listen to music, a situation criticized in 2005 in the national paper *Al-Watan* by Hamzah Muzeini, professor at King Saud university. For this claim he was tried and convicted by a Sharia court. The ruling was later nullified by King Abdallah disliking the

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<sup>19</sup> According to the Arabic Network for Human Rights Information (homepage 1), the number of banned Internet sites reached 400.000 in 2004.

<sup>20</sup> Grove Music Online homepage 2, "Saudi Arabia, Kingdom of, V. Women and music".

<sup>21</sup> Doumato 2000:217.

<sup>22</sup> BBC news homepage 1; Al-Homayed 2002.

<sup>23</sup> BBC news homepage 1.

trial.<sup>24</sup> According to Saudi journalist Rabbah al-Quwai'i some hard-line sheikhs encourage youth to ritually gather and burn instruments and books in public.<sup>25</sup>

As a matter of curiosity, in Saudi Arabia a specific ban on Christian mass implicitly forbids Christian psalms and hymns. An amusing detail is that “Jingle-Bells” is one of the few Christmas carols allowed in Saudi Arabia as “there is absolutely nothing religious about it”.<sup>26</sup>

### *Egyptian Censorship and Al-Azhar*

Several different bodies, for example the Central Department of Censorship of the Ministry of Culture and the Department of censorship of “artistic literary works” (“*al-musannafat al-faniyya*”) of the Security police, perform censorship in Egypt.<sup>27</sup> Music needs a recording licence to be published.<sup>28</sup> The music, the lyrics and finally the performance is evaluated by the censors. At times artists are asked to change, for example, lyrics to receive a permit.<sup>29</sup> Still, most censorship is done after the issuing of music. The threat of censorship is thus ever-present for local artists who cannot always predict if a certain song or composition will evoke a censorial body’s wrath when it is sold or broadcasted.<sup>30</sup> This leads to self censorship and caution.

One of the most active censorial bodies is the Islamic Research Council (IRC) of al-Azhar University in Cairo.<sup>31</sup> Al-Azhar was given the formal right to become involved in censorship through Law 102 of 1985. It gave al-Azhar the right to “regulate publications of the Qur’an and the Hadith”.<sup>32</sup> In 1993, sheikh al-Azhar, Gadd al-Haqq Ali Gadd al-Haqq, requested a clarification of al-Azhar’s role in “confronting artistic works, audio and audiovisual artefacts that deal with Islamic issues or that conflict with Islam”.<sup>33</sup> Gad al-Haqq basically asked for the right to prevent offensive material from being disseminated. On 10 February 1994 in

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<sup>24</sup> Committee to Protect Journalists, homepage 1.

<sup>25</sup> Human Rights Watch, home page 1.

<sup>26</sup> Mostyn 2002:136.

<sup>27</sup> The security police can be said to act in a parallel juridical system due to the state of emergency that Egypt has been in since the emergency law (158) was passed in 1958. It has been amended several times and the state of emergency remains (al-Zubaidi 2004:40).

<sup>28</sup> Mostyn 2002:154.

<sup>29</sup> Presentation by Ali Abu Shadi at Freemuse’s conference on “Freedom of Expression in Music, Beirut, October, 2005.

<sup>30</sup> The situation is similar in several other countries for example in Lebanon, Morocco, Palestine, see Mostyn 2002:87.

<sup>31</sup> This organization is also named Islamic Research Academy in English. I have not yet found out its Arabic name.

<sup>32</sup> Engel 1997.

<sup>33</sup> Mostyn 2002:148.

ruling 58/1/63 by the Council of State, al-Azhar's was given the right to suggest censorship on matters that can be considered relating to Islam and that its opinions should be "binding on the Ministry of Culture".<sup>34</sup> The formulations were as vague as IRC ever could have hoped for leaving the interpretation to al-Azhar what could be considered a matter of Islamic interest.

IRC is constantly on the look out and also receives complaints about un-Islamic expressions within arts or debate. The IRC's role is then to evaluate and make a report. A recent development, according to Human rights groups, is that officials from al-Azhar simply phone publishers or other people involved in arts and advice them not to publish or broadcast certain texts and music.<sup>35</sup>

Other Islamic scholars not directly connected to the state's institutions also influence the debate in Egypt. Some hard-line Islamic scholars produce pamphlets and cassette tapes addressing the issue of arts with titles such as "The filth of the artistic community" claiming that "atheists and apostates" are corrupting the youth of Egypt.<sup>36</sup> It has happened that secular intellectuals have been assassinated. In 1992, the secular thinker Farag Foda was murdered two weeks after a bulletin was issued by al-Azhar claiming that he was against Islam. Islamist leaders such as, Sheikh Muhammad al-Ghazali,<sup>37</sup> have at times praised aggressions like this claiming it to be a duty of every Muslim to execute the punishment for apostasy if the government were not prepared to do so.<sup>38</sup> I do not know of any case of musicians who have been assassinated in Egypt.

Egyptian TV channels have taken the decision not to air some of the more debated artists due to criticism raised by protectors of public morale. One prominent voice is that of Hamdi Hassan of the Egyptian People's Assembly.<sup>39</sup> Hassan is a spokesman for the Muslim Brotherhood and he complained about Ruby's first video and "the gyration of other pop stars".<sup>40</sup> The discussion about music videos and their immoral content has also caused the Egyptian Musicians Association to try to influence the decisions of TV channels not to air

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<sup>34</sup> Mostyn 2002:148.

<sup>35</sup> Mostyn 2002:147.

<sup>36</sup> Mostyn 2002:147.

<sup>37</sup> Al-Ghazali was called to testify by the defence of one of the assassins. It is often claimed that the sheikh defended the rights of individuals to punish apostates. I have not seen the actual transcripts of the trial.

<sup>38</sup> Mostyn 2002:156.

<sup>39</sup> Hassan also played an important role in Egyptian criticism of the Danish cartoons of Muhammad, see Otterbeck 2006.

<sup>40</sup> Comer 2005.

certain sexually explicit videos even though they have no formal channels to act through according to the head of the association Hassan Abu Su'ood. According to Al Bawaba, the Association takes these measures to please certain conservative voices of the People's Assembly.<sup>41</sup> Out of all issues raised by Muslim Brotherhood MP's in the People's Assembly during 2000 until 2005, 80 % dealt with taking an Islamic stand on cultural and media issues.<sup>42</sup>

Ali Abu Shadi, head of Central Department of Censorship, greatly fears the influence of Islamists and conservative groups in Egyptian society. Even though he would like to see the censorship laws amended and modernized—or even dropped altogether—he fears a discussion in the present political climate will only make them harsher.<sup>43</sup>

*Blasphemy in Lebanon: the case of Marcel Khalife*

Lebanon is one of the states that have no prior censorship for locally produced media.<sup>44</sup>

Instead, regarding music, the Ministry of defence takes an active part in monitoring music and musicians.<sup>45</sup> Religious leaders and religious institutions also play an important role, especially the Dar al-fatwa. The incidence that has attracted most attention in the media and public debate is when Marcel Khalife stood accused of blasphemy before the Beirut Court of First instance in Lebanon in November 1999. Khalife was accused in accordance with article 473 and article 474 of the Lebanese penal code, dealing with the defense of religion against insults and blasphemy. Among others, the Lebanese Sunni, Grand-Mufti Muhammad Rashid Qabbani supported the charges saying, “There is a limit to freedom of expression. One limit is that it should not infringe on people's religious beliefs.”<sup>46</sup> The Dar al-Fatwa was formally behind the complaint. A first complaint had already been filed in 1996 but it had, due to massive protests, been dropped by order of the then Prime Minister, Rafiq al-Hariri.<sup>47</sup> Khalife had put a poem by Palestinian poet Mahmoud Darwish to music on his 1995 album, *Arabic Coffeepot*. The song was called “Ye Abi, Ana Yusif”, O My Father, I am Yusif. The poem contains some lines from the Qur'an (second part of verse 4 of Surat 12, Yusif). The

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<sup>41</sup> Al Bawaba är ett oberoende kommersiellt företag specialiserat på information om Mellanöstern. Al- Bawaba, homepage 1.

<sup>42</sup> El-Din 2006.

<sup>43</sup> Presentation by Ali Abu Shadi at Freemuse's conference on “Freedom of Expression in Music, Beirut, October, 2005. See also Freemuse 2006:16.

<sup>44</sup> Mostyn 2002:160.

<sup>45</sup> Speech held by Mohamed Hamza, musician and producer, at Freemuse's conference on “Freedom of Expression in Music, Beirut, October, 2005.

<sup>46</sup> International Freedom of Expression Exchange homepage 1; Al-Zubaidi 2004:66.

<sup>47</sup> Mustyn 2002:33.

protesters claimed that Khalife defiled the Qur'an by singing it as a part of a commercial song. The Dar- al-Fatwa argued that Khalife had broken the law referring to the authority of al-Azhar which had, in a fatwa, deemed all musical rendering of Qur'anic verses as forbidden.<sup>48</sup>

In the discussion before the trial, Khalife was defended by the cultural elite and artists, but also by religious leaders in Lebanon, most notably the spiritual leader of the Shia Muslims, Ayatollah Muhammed Hussein Fadlallah and the renowned Shiite scholar Sayed Mohammed Hassan Amin. Another important Shia organization, The High Shiite Council, spoke against what Khalife had done, but also against religious institutions taking Khalife to court. "Our job as religious leaders is only to issue religious rulings", the head of the council, Sheikh Mohammad Mahdi Shams ad-Din wrote in a statement.<sup>49</sup> This statement follows the traditional lines in Shiite theology in which the Islamic scholars should ideally pass critique from an outside position, not taking part in state affairs.

After a long process, Khalife was acquitted of all charges in the third instance at the Court of Appeal.<sup>50</sup> The judge Ghada Bou Karroum's decision supported Khalife because "the defendant has chanted the poem in gravity and composure that reveal a deep perception of the humanism expressed in the poem ornamented with the holy phrase".<sup>51</sup> That is, had Khalife been responsible for British band Fun Da Mental's song "GodDevil" he would probably not have been acquitted.<sup>52</sup>

One of the other important controversies about music in Lebanon unfolded when the media started to write about local Satanism when a young man, the son of a high-ranking military, committed suicide in 1997. He was a fan of local hard rock band Leviathan and of bands like Nirvana and Metallica. Soon all sub-culture style associated with hard rock or metal became vilified. A black list of international rock bands was put up. Long hair, male earrings and black t-shirts were targeted as signals of Satanism and drug abuse. The ministry of defense arrested several musicians or took them in for questioning. A war on CD-cover art was

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<sup>48</sup> Yehia 1999.

<sup>49</sup> Quoted in Yehia 1999.

<sup>50</sup> Khalife 2004.

<sup>51</sup> Khalife homepage 1; also see al-Zubaidi 2004:66.

<sup>52</sup> Because of the clever choice of font, GodDevil can also be read Goodevil.

introduced and, according to Lebanese musician Mohammad Hamzeh, it is still going on.<sup>53</sup> Late in 2003 another young man from the upper strata of society committed suicide through an overdose. Once again the media accused the music of hard rock and metal bands to have influenced the suicide. Religious leaders appeared on Lebanese television condemning Satanism, music and especially harder rock.

#### *Local actors in Palestine*

In Palestine (2005) an outdoor music and dance festival part, of a one-day summer festival in Qalqiliya, was suddenly banned by local authorities. A municipality spokesman, Mustafa Sabri, explained its decision to BBC News by claiming that “the town council must protect the conservative values of the city, which includes not approving of men and women mixing”.<sup>54</sup> The town council is lead by Hamas and the over-all argument was that the event was haram. The Palestinian authorities did not interfere in the decision but mildly asked the city council to reconsider its decision which it did not do.

Some weeks later (14 September 2005), Hamas inspired youth disrupted and stopped a hip-hop concert in Khan Younis.<sup>55</sup> Even though the act, PR (Palestinian Rappers<sup>56</sup>), has politically conscious lyrics, clearly taking the side of the Palestinian population in the Intifada, the mere use of American inspired music and sub-cultural dress code triggered the protest. Other concerts have also been disturbed or stopped lately. For example singer Amar Hassan, who rose to fame when he came in second on a Lebanese TV channel’s program “Superstar”, a version of the successful American program “American Idol”, was threatened before a concert in Nablus in July 2005 by some claiming to be part of al-Aqsa Martyrs’ Brigades. Since he did not give in to their demands—not to sing love songs but only political songs—the concert was broken up because of gun fire and stun grenade attacks.<sup>57</sup>

The conflict has deep roots, as the competition between secular nationalistic music and Islamist music has been fierce for several years.<sup>58</sup> Hamas produces its own music spread on cassettes and, today, also on CD. Artists sing chants, inspired by *nashîd* (pl. *inshâd*, chant or

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<sup>53</sup> Presentation by Mohamad Hamzeh at Freemuse’s conference on “Freedom of Expression in Music, Beirut, October, 2005. About the situation in 2006, see Freemuse homepage 2.

<sup>54</sup> Freemuse homepage 3.

<sup>55</sup> *The Daily Star* 2005-09-17.

<sup>56</sup> Qatara.de, homepage 1.

<sup>57</sup> Freemuse homepage 4.

<sup>58</sup> Oliver & Steinberg 2002.

hymnody) or *zajal*, “metrical verse sung in colloquial Arabic”,<sup>59</sup> often with two or more male vocalists accompanied by handclapping or drums beating out a single rhythm. Normally, musical instruments are banned because of theological reasons, but at times, melodic instruments are used, but very sparingly, never in a dominating fashion.<sup>60</sup>

Hamas is, of course, not a government or a state but does have political power over certain areas in Palestine. Other groups, like the Algerian Islamists groups (for example Armed Islamic Group), who do not have any formal power, but who *de facto* held or hold power in an area or a region, have acted in similar ways, i.e. legitimating or inciting violence against musicians, dancers and singers for their immorality and their alleged apostasy or blasphemous behavior. The assassination of Berber singer Matoub Lounés in June 1998 is but one example of attacks against Algerian artists legitimated in public with religious rhetoric. Incidences in Iraq will be mentioned below.

### **Who controls the public sphere?**

Comparable cases exist in, for example, Bahrain, Kuwait, Syria, Iraq, Jordan and Morocco and a pattern emerges. Censorship, complaints and attacks are interconnected with the increased room taken by music in the public sphere. Not just music, but symbols and life styles experienced by some as foreign, inappropriate, and immoral are vehemently criticized. When music is kept in the private sphere it is of little concern of the critics. But when it moves into the public sphere and takes on forms not approved of or uses the specific inner logic of global consumer cultural flows (mainly of Western origin), it is seen as competing with the norms and values and, most importantly, the authority of “true” culture, tradition or religion according to the critics. As is clear from several of the examples above, ultimately the criticism is about the dominance over this new public sphere created through media. Some religious scholars and religious institutions try to use modern media and the authority of local municipalities or the laws of states to limit or ban certain expressions. At times they are truly influential as in Saudi Arabia; they might have a strong but still not dominant position as in Egypt or a more marginal one as in Lebanon. When central government is weak, violent obstructions and attacks might occur as in Palestine and Algeria, or as we shall see below, in Iraq.

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<sup>59</sup> Oliver & Steinberg 2002.

<sup>60</sup> Funch 2000.

## **Mediated Islamic voices**

How do different Islamic actors use the media to try to gain authority? What messages about music are spread and how is it spread? Below we will look at three different ideological positions: the moderate, the hard-line and the liberal.

### *The moderate voices*

Several moderate religious scholars have successfully used media such as satellite TV, Internet and the printing press to spread their messages, often using several different languages. A person calling for moderation but who has no objections against, for example, love songs is the famous, Qatar based, Egyptian Sheikh Yusuf al-Qaradawi, the main religious voice on al-jazeera. He has on different occasions discussed music or given comments on it in his books, on his TV-show and on his webpage.<sup>61</sup> His general message is that music in itself is not forbidden (here he frequently refers to the classical scholar Ibn Hazm); it is what accompanies music that makes it a matter of halal and haram. If it has slanderous or crude language or if it is sexually exciting (through rhythms or through dance) it is generally haram. Further, if the listening is done to excess it is *haram* as Islam is a religion against taking things to the extremes. But there is a personal dimension to it, if you are not aroused by the songs and you keep your spirituality then there is really no problem. His strategy is to connect his interpretation to classical Islamic standpoints on morality targeting slanderous talk, excess, irresponsible sexuality, etc. Another well-known scholar taking a similar stance on his Internet site is Sheikh Muhammed Hussein Fadlallah, the spiritual leader of Shia Islam in Lebanon.<sup>62</sup> Al-Qaradawi's position on music is frequently attacked by the hard-liners.

Al-Qaradawi's understanding has a strong foundation in Islamic historical interpretation. Some of the most well-known theologians in Islamic history have spoken in defence of certain types of music and certain uses of music. Few have however, in their defence, abstained from criticizing popular music used at parties, considering it to encourage drinking, dancing and mixing.<sup>63</sup> Several Sufi masters have written on music, among them Abu Hafis Umar as-Suhrawardi (d. 1234) who, in his handbook on Sufism, wrote: "Music does not give rise in the heart, to anything which is not already there. So he, whose inner self is attached to anything else than God is stirred by music to sensual desire, but the one who is inwardly attached to the

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<sup>61</sup> Qaradawi no date, Qaradawi homepage 1. For a similar analyses, see Zaman 2004:145f.

<sup>62</sup> Fadlallah homepage 1.

<sup>63</sup> Al-Faruqi 1989; Shiloah 1995; Farmer 1929/2001.

love of God is moved, by hearing music, to do his will".<sup>64</sup> Because of ideas like this, some Sufi orders choose to restrict music and *sama*' (the act of listening to music) for novices, leaving it to more experienced practitioners with better self control.

One of the moderate voices raised in public is Egyptian Internet- and TV-*da'i* Amr Khaled. Khaled is not a fully trained theologian.<sup>65</sup> He is a former accountant from an upper middle class, Egyptian family who started his career preaching in mosques in well-off areas in Cairo. As an answer to a question on his Internet site from a Syrian woman about how to celebrate a wedding, Amr Khaled<sup>66</sup> writes, giving advice on several different issues: "If there is going to be singing the songs must be halal (i.e. no offensive music or words), taking into consideration that women must sing only to women."<sup>67</sup> Khaled does not think music in itself is haram and he has attested that he loves music. Rather, it is the content of lyrics and the sexual suggestiveness of certain music that is off limits.<sup>68</sup> Where the limits are (sexy and provocative is targeted), and what kind of music is "offensive", is not spelt out.

Being true to his agenda, the remedy of Khaled is to produce counter-culture music to the offensive songs. For example, during Ramadan 2004 Khaled promoted Sami Yusuf, a young British born Azerbaijani singer whose music had recently become popular in Egypt.<sup>69</sup> Yusuf's lyrics are Islamic and his music is marketed "by a media production and distribution company well known for marketing religious audiotapes of the sort sometimes characterized as 'extremist'".<sup>70</sup> His songs relate to the Islamic *nashîd* tradition but also to American, often Christian, soul ballads. Khaled has continued to show Yusuf's videos<sup>71</sup> on his Iqra TV show (*Sunnaa al-hayah*, Life Makers).<sup>72</sup>

What Khaled is calling for, both on his TV-show and on his webpage, is a modern *da'wa* using the artistic expressions of the present. Actually he is challenging his audience to be

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<sup>64</sup> Schimmel 2001:12.

<sup>65</sup> Khaled does *da'wa*, i.e. promotes Islam and invites to it, on his show. Someone who does that is a *da'i*.

<sup>66</sup> It is signed Amr Khaled but if its written by him, approved by him or just a text written by someone responsible for the web page of Amr Khaled, I do not know.

<sup>67</sup> Khaled's homepage 1.

<sup>68</sup> Bayat 2002:23; Wise 2004.

<sup>69</sup> Khairy 2004; Kubala 2005; Wise 2004.

<sup>70</sup> Khairy 2004.

<sup>71</sup> For an analysis of one of Yusuf's videos, see Armbrust 2005.

<sup>72</sup> Sami Yusuf's homepage (1) has a couple of video's on-line. The discussion forum features an interesting, non-scholarly discussion on the halal and haram of music with the general message that music is okay as long as the lyrics are not offensive. Sometimes dance music is condemned.

creative and send him their work. Planning a Ramadan concert for his show, Khaled asked his audience to send in lyrics. The best would be put to music and performed at the concert by, as Lindsay Wise put it, “repentant finalists from *Pop Idol* copy-cat program *Superstar*”.<sup>73</sup> But art must, according to his understanding, be useful and moral. “What is needed are arts and culture that will propel youth toward work, development, and production”, Khaled writes.<sup>74</sup>

Khaled is in many ways the typical moderate voice. All of these religious experts stress *niyya*, the intention, of the listener and musicians. Khaled accepts music but would like a more conscious and moral music scene, less obsessed with sexuality (especially female). He objects to the new trend with commercial video clips seeing it as purposeless and morally offensive; Art should have a message but not be provocative regarding public morals. Also al-Qaradawi stresses the importance of seeing morality as integrated in all aspects of society, also in art.<sup>75</sup> A post-modern playful use of symbols is regarded, from this modernist stance, to be meaningless and irresponsible. A more complex, contradictory, less goal-oriented relationship between art and emancipation, empowerment, personal development and religiosity seems to be unthinkable for several of the Islamic moderates.

#### *The hard-liners: Conservatives and Islamists*

Several well-known homepages such as Islam Questions & Answers, feature truly conservative attitudes to music. These frequently make authoritative claims through the use of the fatwa form. One of the most interesting texts in connection with this is question no. 5000 “Ruling on music, singing and dancing” on Islam Questions and Answers homepage.<sup>76</sup> Another very thorough, conservative study is authored by Abu Bilaal Mustafa al-Kanadi (d. 1989), a Canadian convert. He wrote the book *The Islamic Ruling in Music and Singing* as a thesis when studying in Mecca.<sup>77</sup> Extracts from, or the complete book, feature on several Internet websites. Arguments from both these texts are frequently given on web forums when (especially young) Muslims discuss the halal and the haram of music.<sup>78</sup> One of the main sources of all conservative discussion is the fatwas and books of Muhammad Nasir ad-din al-Albani, a Jordanian Islamist scholar who passed away in 1999.<sup>79</sup> Especially his *Tahrîm âlâta*

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<sup>73</sup> Wise 2004.

<sup>74</sup> Khaled 2005.

<sup>75</sup> Zaman 2004:145.

<sup>76</sup> Islam Questions and Answers homepage 1. In my printed version it is 13 pages.

<sup>77</sup> Al-Kanadi 1986.

<sup>78</sup> For typical discussions, see for example [www.islamicity.com/forum](http://www.islamicity.com/forum); [www.sunniforum.com](http://www.sunniforum.com); [www.ummah.com/forum](http://www.ummah.com/forum); [www.groups.yahoo.com/group/islam4all](http://www.groups.yahoo.com/group/islam4all).

<sup>79</sup> For example, in his book, al-Kanadi thanks al-Albani for advice in matters regarding music.

*t-tarab* (The prohibition of musical instruments) from 1994, spread through Islamist book shops, is an influential book reoccurring as a key reference.

The conservatives and the Islamists have been very efficient when it comes to the use of low-cost media like the Internet, cassettes or, as Eickelman puts it, “inexpensive, attractively printed texts that are accessible to a readership who lack the literary skills of the educated cadres of an earlier era and that take advantage of new printing technologies”.<sup>80</sup> In the very media is an implicit message of a grassroots movement struggle, the crude truth against the eloquence and corruption of the cultural and political elites.

However, the claims to authority raised through new media are often disproportionate. Individuals act with pretentious names, like when Saudi Sheikh Ibrahim al-Khudairi sentenced Tunisian female singer Dhikra Mohamed to death in a fatwa, May, 2002. The sheikh claimed to represent the Islamic High Court of Riyadh. The Saudi Arabian government later stated that there is no such court. Dhikra Mohamed’s crime was to have compared her sufferings to those of the prophet Muhammed.<sup>81</sup>

One extreme case, showing the use of new media, was the filming of an attack on a group of male and female students having a spring picnic (in 2005) and playing music in a park in Basra, Iraq. Shia Islamists, possibly member of the Shia Islamist Hojatulislam as-Sadr’s Mehdi army, killed two and severely wounded several other students as they attacked with rifles and sticks. Students witness that they were accused of being immoral for dancing, mixing and being scantily clad. A senior Islamic scholar, Sheikh Ahmed al-Basri, associated with Hojatulislam Moqtada al-Sadr, later said, without any regrets about the attack, “We beat them because we are authorized by Allah to do so and that is our duty. It is we who should deal with such disobedience and not the police.”<sup>82</sup> The video film was later made public as a warning against further transgression. The attack was not an isolated incidence. Musicians, record shop owners and shops for musical instruments have been attacked or threatened in the area.<sup>83</sup> These attacks and threats have during 2006 spread all over the south and the central region of Iraq. According to an UN report as many as 75 singers have been murdered in Iraq

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<sup>80</sup> Eickelman 2003:35.

<sup>81</sup> Human rights Internet homepage 1. Later, in November 2003, Dhikra Mohamed was murdered by her husband, see BBCnews homepage 2.

<sup>82</sup> Times online homepage 1.

<sup>83</sup> aljazeera homepage 1.

during the period 2003 to 2006 and the Iraqi Artist's Association estimates that 80 percent of the professional singers have left the country.<sup>84</sup>

There are two main types of arguments against music. One is that some music destroys public morals. The other is that most music, as such, is an evil distraction created by Satan and should be avoided altogether.

The public moral argument rests on ideas about cultural, traditional or religious erosion caused by the music and artists and the lifestyles associated with it or them. It is true that competing norms and lifestyles are suggested in, for example, the popular music video clips, but the consequence might not be the moral erosion imagined by the critics. Still, this is a consequence of the changing conditions of the public sphere opening up for a plurality of world views, lifestyles and norms not always approved of by conservative or Islamist religious scholars. These are instead arguing for the "authentic" values and morals but often these morals hailed have never really existed or dominated people's lives, except in theory. Rather the moral is an ideal taken from the 1960's and projected on to the 7<sup>th</sup> century as Lila Abu-Lughod so aptly observes.<sup>85</sup> This is nothing that the conservatives or the Islamists realize themselves according to Abu Lughod.

In classical Islamic theology, *hisba* is one of the central concepts when it comes to public morals and the public sphere.<sup>86</sup> In areas that are Muslim, it is of great importance that Muslims are courageous and stand up for Muslim values to avoid *fitna*, the breakdown of society, chaos. This can be institutionalized as with the historically important office *muhtasib* of the market places serving as the market police filing complaints and keeping order. But it can also be understood, and often is, as an individual duty. The act of commanding the good and forbidding evil (*al-amr bi'l-ma'ruf wa'l-nahy 'an al-munkar*) should be done by the hand if possible, or by the tongue, or at least in the heart, as it says in several Hadiths. According to Muhammad al-Ghazali (d. 1111) there are four different versions of performing *hisba*: information to the person who has erred, kind admonition, harsh words, and finally anger and force.<sup>87</sup>

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<sup>84</sup> Freemuse homepage 5.

<sup>85</sup> Abu-Lughod 1998. See also al-Azmeh 1993.

<sup>86</sup> Kamali 1997:28.

<sup>87</sup> The only three exceptions being that when it comes to one's father, husband or head of state only the two first forms are allowed to be used. See Kamali 1997:32.

As can be seen in the examples above both physical attacks and verbal criticism have been launched to protect what is seen as Islamic values. These actions are legitimated by a radical, action-oriented interpretation of *hisba*. The legitimacy of the states can be challenged if the state does not take action, and when the state is weak, as in Algeria, Iraq and Palestine, groups can emerge claiming their right to punish perpetrators.

The other idea, that music in itself leads to chaos and that it is part of the delusions of Shaytan, is often carefully developed through studies of the Qur'an, Sunna and the works of earlier scholars. As I discussed in an earlier article, it is argued in these texts that music is to be understood as *lahwa-l-hadîth*, "idle talk", quoting the Qur'an (Surat Luqman 31:6) in which those who "purchase idle talk in order to mislead others from Allah's path without knowledge" are heavily criticized.<sup>88</sup> This has, by some, been associated with the playing of music already in classical exegesis. Further, the idea of leading astray the believers is associated with the activities of Shaytan, the greatest of deceivers. Some classical scholars have thus associated music with slandering and lying (the most common understanding of *lahwa-l-hadîth*), being led astray and Shaytan.

Today the hard-liners use this form of classical exegesis to address the issue of music in public space. First the arguments from the Qur'an are put forward, then, what is called, evidence from the hadith literature. After that they engage in a selection of classical scholars' opinions and, just as the moderates, they choose to listen more carefully to the ones they agree with.<sup>89</sup> Music and musical activities are presented as useless activities taking time from the worshipping of Allah. Some hard-liners tolerate military and occupational songs precisely because they increase motivation and productivity, i.e. are useful. Further, music is considered to incite sinful living, especially sexual transgressions. But that is more or less only symptoms of the real problem: the alleged power music has over the human soul. Music is seen as a competitor of the passions of humans that should, according to the hard-liners, be directed to Allah alone. If the passion for music spreads in a society, so does immorality and indecency.<sup>90</sup> The Islamist Internet site Islam Questions and Answers illustrates this sentiment through a quote by one of the classical scholars, Abu Hanifa: "Musical instruments are the

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<sup>88</sup> Otterbeck 2004:13.

<sup>89</sup> See for example al-Kanadi 1986.

<sup>90</sup> Otterbeck 2004:13ff.

wine of the soul, and what it does to the soul is worse than what intoxicating drinks do.”<sup>91</sup> On Islam Questions and Answers readers are advised to just bear with sounds if they are unavoidable, hearing them but not listening. Examples of situations are when you are put on hold by a switchboard operator or if you need to go to a shopping mall where music is played over the loudspeakers. If you have no intention (*niyya*) of listening (*sama‘*), you do not risk committing a sin.

This combination of ideas—the association of music with Shaytan and paths leading astray and with the ideal of *hisba*—challenges some to take action in public space, writing, speaking, threatening, banning when having the power to do so, but also orchestrating physical attacks on musicians and musical activities, etc. The idea of *hisba* legitimizes their action even when others are hurt. In their world view this is a battle about the very foundation of society. If immorality spreads in the public sphere, a society can not be considered Islamic and the Muslims in it are no longer performing their duties to Allah. Often this understanding is combined with a hostile attitude to Western consumer culture and lifestyles considered to be hedonistic and utterly alien. Since some Arab popular music borrows its expressions from Western pop culture, it is considered despicable for several reasons.

#### *The liberal possibility*

You hardly find religious voices trying to defend popular culture as such, accepting the use of sex, provocation, a playful usage of symbols, etc. At times, secularists claim Islam to be the religion of tolerance and free choice, but this is never founded in deeper, more systematic Islamic arguments, which does not mean that the arguments are not efficient. Some secular intellectuals with a passion for Sufi poetry and art might use classical Sufi arguments to argue for the legality of music, but the problems with those arguments are that they seldom defend other than deeply philosophical, often instrumental and serious music.

But there are some liberals. The most liberal voice I have encountered is Sheikh Ibrahim Ramadan al-Mardini, a Lebanese scholar in his late 30’s. His book *at-tibyân fî ahkâm il-mûsîqî wa-l-ahân*, “Treaties on the regulations of music and melodies”, from 2001 argues for tolerance and coexistence with popular music. In a recent speech, he was against all forms of censorship, against enforcing Islamic morals on music through *hisba* saying, “I completely

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<sup>91</sup> Islam Questions and Answers homepage 1.

reject censorship—it is not the role of the Ulama.”<sup>92</sup> Al-Mardini claims that the social rules of Islam have to be re-understood as societies change. Old knowledge cannot simply be reproduced. Religion has to be flexible and the *faqih* (jurisprudent) must acknowledge fields in which they should not intervene. Rather, al-Mardini sees the meeting between Islamic norms and all kinds of music (bad or good, avoiding the concept “haram”) as a positive challenge for Islam, forcing Muslim intellectuals and scholars to sharpen their understanding of the present world and positioning Islamic *âdâb* (moral behaviour) better. Sheikh al-Mardini is traditional in his critique of his adversaries claiming that they base their interpretation on weak hadiths, and that they fail to understand the dynamics of interpretation.<sup>93</sup>

Sheikh al-Mardini belongs to a radically liberal school of thought in Lebanon. The most well-known names are Sheikh Abd ar-Rahman al-Helwa, who supervised Sheikh al-Mardini’s thesis, and Sheikh Abd Allah al-‘alâylî, a linguist and Islamic scholar who, in the 1980’s, was a candidate for the position as head of Dar al-fatwa (which he did not get). Both these religious experts have been arguing that music is no issue and have expressed this view in public over the years. Sheikh al-Mardini’s book is a clear statement in line with that position. A problem with this standpoint is that it is not well marketed. At the Freemuse seminar on freedom of expression in music in Beirut, 2005, most participants were genuinely surprised to find a sheikh with such views.<sup>94</sup> To find comparable interpretations one has to turn to Muslim musicians and some Islamic groups active in Western Europe or North America who might have truly liberal interpretations of the relation between Islam and music.<sup>95</sup>

### **Battling over the Public Sphere**

In the age of consumer culture, music is commodified and submitted to clever and frequently cynical advertisement strategies. It is often marketed together with beauty, sexuality and youthfulness, claiming these as its inherent values. Some artists emerge as icons of the consumer culture. Monitored by the media and reproduced two-dimensionally in a never ending flood of images, they invite the audience to participate in new lifestyles, consumer patterns and subcultures. Seen in this way, the music industry offers competing and competitive norms in a pluralized public sphere. The tremendous changes in the mediascape

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<sup>92</sup> Speech by Sheikh Ibrahim Ramadan al-Mardini at Freemuse’s conference on “Freedom of Expression in Music, Beirut, October, 2005.

<sup>93</sup> Al-Mardini 2001.

<sup>94</sup> The participants included, apart from the organizers, musicians, academics, a censor and journalists from all over the Middle East, Europe and North America.

<sup>95</sup> See for example Nawaz 2002:22; Submission homepage 1.

of the Arab world have led to a situation where states no longer can control what is broadcast and published through monopolies or through censorship. Instead, we are experiencing a new public sphere governed by other logics and powers than before. The Islamic movements of the Arab world have since long made use of new media like audiocassettes. The new thing is the possibility of reaching larger audiences with high quality production and cutting across borders more easily. But the competition is harder and more actors with a multitude of world views act in the public sphere, and because they act in the same sphere, they interact.

Due to music's impact and central symbolic function in consumer cultures, music, once again, becomes a focal point for Islamic scholars and Islamic institutes (some governmental, others not) interested in questions about the public sphere and morality. These will try to influence public opinion, laws, censors, musicians and TV-producers in different directions. The views span from Lebanese Sheikh al-Mardini's liberal view on competition between Islamic norms and popular music to the Iraqi Sheikh al-Basri hard-line attitude legitimizing violence to uphold Islamic morals, via the moderate arguments and the ones trying to ban a certain tune through the legal system of a country. When a state can guarantee the rule of law local actors tend to use the legal system for law suits, the political system, public debate etc to express their views. When the state is weak or has broken down some conservatives are likely to use violence and threats making references to the theological idea of hisba. This struggle in the public sphere about the public sphere is ultimately a battle about cultural and religious authority and authenticity in a pluralist environment.

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