Permissibility of Backbiting

FIQH COUNCIL OF NORTH AMERICA

Question: What are the cases where backbiting is permissible?

Answered by: Dr. Yasir Qadhi

Answer:

In the Name of Allāh ﷻ, the Most Merciful, the Most Compassionate. All praise is due to Allāh ﷻ, and may peace and blessings be upon His Messenger Muḥammad ﷺ.

Backbiting (ghībah) is defined by our Prophet ﷺ as ذِكْرُكَ أَخَاكَ بِمَا يَكْرَه, "mentioning something about your brother [behind his back] which he does not like." [Ṣaḥīḥ Muslim][1] This is when one mentions something embarrassing, awkward, or private about someone else while not in their presence. The term backbiting is used when the statement is truthful, and the term slander is used if it is a lie.

As for slander, it is completely prohibited in all cases. Backbiting is also prohibited, however, there are certain cases where it becomes permissible due to necessity:

1. All scholars agree that backbiting is permissible when dhulm (oppression) has taken place. This is based on Allāh ﷻ's statement, "Allāh does not like the public mention of evil except by one who has been wronged."[2] This means that if someone has been wronged, stolen from, hurt, or has had any of their rights infringed upon, and in the course of procuring their rights they must mention negative aspects about another person, it is permissible to mention such matters to those in a position of authority, even if that entails backbiting.

2. Many scholars have mentioned that backbiting is permissible when warning about a generic public evil. This could be a person whose presence is evil and causes harm to the

[1] Ṣaḥīḥ Muslim, Ḥadīth 2589 https://sunnah.com/muslim:2589
[2] Surah al-Nisā', Āyah 148. Translation taken from Saheeh International https://quran.com/4/148?translations=20

public, such as a drug dealer. Such a person has no sanctity, and warning against them is a form of protecting the Muslim community.

3. Another exception to backbiting is when one is consulted with someone about a specific person, such as a potential business partner or potential spouse (this is called istishārah). This is seen in the ḥadīth of Fāṭimah bint Qays where she asked the Prophet ﷺ whether she should marry Muʿāwiyah (rḍa), or Abū Jahm (rḍa). He ﷺ said, "As for Muʿāwiyah, he is a poor man without any property, and as for Abū Jahm, he often hits women" [Ṣaḥīḥ Muslim].[3] These are negative qualities about the two men that the Prophet ﷺ mentioned while they were not present, proving the exception for istishārah.

Another issue prevalent in our communities is when someone talks about their personal experiences involving another person. In this case, the permissibility depends on the intention. If the purpose is to gossip or to shame the person, it is clearly impermissible. However, if someone does this to seek advice, ask for help, or for some greater good, it is permissible if that is the sole intention.

In conclusion, while certain circumstances permit backbiting, the default is that it is a major sin, likened in the Qur'ān to consuming the flesh of one's deceased brother.[4] The above-listed exceptions to the default prohibition should be approached with utmost caution and responsibility.

And Allāh ﷻ knows best.

Disclaimer: *This fatwa is the personal opinion of the author and does not necessarily represent the opinion of every member of the Fiqh Council.*

[3] Ṣaḥīḥ Muslim, Ḥadīth 1480 https://sunnah.com/muslim:1480p
[4] Surah al-Ḥujurāt, Āyah 12 https://quran.com/49/12