THE SHARIA ROLE OF THE MEDIA IN MODERN ISLAMIC STATES

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ABSTRACT

This research article examines the role of mass media in modern Islamic states from a Shariah perspective. It argues that the current situation is ambiguous and lacks clarity, with authorities and rulers not definitively outlining the limits, responsibilities, and constraints that govern the mass media. Despite this ambiguity, mass media outlets generally operate with a degree of freedom, although this freedom is not absolute and can be weakened, limited, or even entirely restricted in the face of state oppression. The article begins by discussing the concept of Shariah and its relationship to the mass media. It then examines the specific responsibilities of mass media in an Islamic state, including the obligation to promote Islamic values, the prohibition of spreading false information, and the duty to provide accurate and objective reporting. The article concludes by arguing that the mass media can play a vital role in promoting a just and equitable society in accordance with Shariah principles. However, it also acknowledges the challenges that the mass media face in operating within the context of an Islamic state.

Keywords: Media, Shariah, Explanation, Responsibilities, Determination.

INTRODUCTION

The media is the greatest teacher of modern man. This modern man can be of any form. He can be a beginner, He can be a child, He can be young, He can be middle-aged, He can even be old. At least in Pakistan, it is not a separate view that children use modern media devices, but middle-aged and elderly people do not benefit from them. Or that they are only available to men, but women do not have access to them. No such discrimination exists in Pakistani society. Rather, people of all ages are socially connected to the media. However, there is a class that believes that some of the media, such as watching television, is haram. In their view, there is a concern that the negative effects of television are not only harmful to the individual personality, but also lead to overall social decline. It is possible that some people think that John Logie Baird (1946) invented television in order to morally paralyze humans. As some Muslim thinkers believe that radio, TV, internet etc. were created to destroy Muslim society.[1]

Ibrahim Khalid says:

"The West's most powerful weapon is the media, which it uses to portray Islam in a terrible light."[2]

Some people hold the view that Western civilization and culture is based on shamelessness and misguidance. Due to the common tradition of materialism, the general perception there is that this world is all that there is. Television was created to give this way of thinking spiritual strength, so that people could enjoy TV in their free time.[3]

There seems to be no attention paid to accepting these two different opinions. Because both opinions seem to reflect emotionality. If the purpose of creating these modern devices was only the moral

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[1] Mufti Muhammad Shaibullah Khan, "Television from an Islamic Perspective," (Deoband and Bangalore: Maktaba Masih al-Ummat, 2015), pp. 58-59.

[2] Ibrahim Khalid, "Western Tricks Against Islam," (translated by Muhammad Islam), included in: Monthly Muhaddith, Vol. 33, No. 7, Lahore, July 2001, p. 33.

[3] Inaam ur Rahman Mian, Professor, "New Horizons of Social Change and the Muslim Ummah," included in: Monthly Al-Sharia, July 2003, p. 20.

decline of the Muslim nation, then other nations of the world would not use these devices, or the nation that invented them would not use them themselves. The observation is before us. Western countries have more channels than Muslim countries, while Muslim countries have only recently entered the field. Muslim countries only became familiar with television after the 1950s. The West is not only ahead of Muslims, but also of other nations of the world. Their globalism can be seen prominently in every sphere of life. In their case, the economy, industry and crafts, including all kinds of art, are stronger and more effective than other nations. While all genres of communication are modern to the most modern and widely used in their country, and these genres of communication have the full potential to influence any sphere of life, not only domestically but also internationally. While Western nations may use these genres negatively against other nations, it is also clear that they identify their own people and national issues with good faith and sincerity.

The fact that the latter class points out that the effects of television are harmful is a clear indication that the effects of this medium of communication can be seen in society, even if this aspect is negative. If there were only positive effects, this class would never put the veil of haram on TV. We mentioned above that people of all ages can be attached to the media. The question is, do these people use these media outlets without any purpose? The answer to this question can never be yes. However, there can be a gradation of purpose. For example, for a music lover, listening to songs is part of his purpose. Because for him, singing is a source of satisfaction, and a person who gets this satisfaction from any source will never be considered purposeless. In this sense, it can be assumed that regardless of how harmful or beneficial the publications and electronic media broadcasts are, it is certain that the media has given man the ability to think and ponder.

The broadcasts of television in the present age are a unique event in human history. These broadcasts have pushed human life into an ocean of information. This situation has made the context of hundreds of millions of people "informative" and "news-based". The result is that due to television, the media used to be a part of life, but now life has become a part of the media. Therefore, it is not difficult to estimate how much modern man has become informed and knowledgeable due to television channels. Since the provision of information is the primary responsibility

of television channels, their effects should not be felt only to the extent of information, but other opportunities such as the provision of entertainment facilities have also become the primary responsibility of television. They inform the person and have the full potential to influence his mental training according to the policy of his organization. Informing people and molding human minds according to their policies are the most visible effects of today's television channels.

The television broadcasts of the present age are a unique phenomenon in human history. These broadcasts have plunged human life into an ocean of information. This situation has made the perspective of millions of people "informative" and "news-oriented". As a result, due to television, the media used to be a part of life, but now life has become a part of the media. Therefore, it is not difficult to estimate how much the modern man of today has become informed and knowledgeable due to television channels. Since the provision of information is the basic responsibility of television channels, their effects should not be felt only in terms of information, but other opportunities such as the provision of entertainment facilities have also become the basic responsibility of television. They inform the people and also have the full potential to influence their mental training according to the policy of their respective organization. Informing the people and molding human minds according to their own policies are the most visible effects of today's television channels.

The identification of social issues is the greatest achievement of today's television channels. The camera's eye captures every scene of people walking, talking, and struggling with problems. In a society where there are only problems, and the television eye is oblivious to them, then it is impossible for such a thing to happen. While television channels do some things in good faith, they also need to bring to light some things that can make the channel itself famous. Although the promotion of these things is not the primary responsibility of the channel, but since in order to keep itself alive among the people, it is necessary for the channel to identify those issues that are directly related to the people, in accordance with the maxim "news of the people for the people." Therefore, the repeated broadcasting of both the identification of problems and the subsequent neglect by the authorities is a sign that these effects of television have been accepted by today's man with a

happy heart. There are many channels across Pakistan that specifically broadcast programs that are related to society. Numerous programs, such as "Hum Awam", (We the people) "Kahani Pakistan Ki", (The story of Pakistan) "Awam Ki Awaz", (The voice of the people) "Sar-e-Aam", (In public) and "Akhir Kyun", (But why) cover social issues. The effects of these programs can be felt in two ways:

First: Public interest

Second: Government attention

The public's interest can be gauged from the fact that these programs continue to run, with discussions on various social issues and continuous identification. This means that people are impressed by these programs and they like them. The fact that government circles are paying attention to these social issues, albeit with a smile or half-heartedly, is a testament to the impact of television channels.

The modern man seems to be more enamored of politics than religion. The main reason for this is the television channels' programs that are based on political events and political facts. It would not be wrong to say that TV channels have made politics their only topic of discussion, ignoring all other aspects. This approach is not entirely wrong either. All the governments of the world come into existence under the political system, and the fact that television channels highlight this aspect and the public pays full attention to it is an indication that television channels have their finger on the pulse of the people. On the other hand, the people have gained awareness of the political intricacies through television channels. Renowned Islamic Scholar Dr. Israr Ahmed says:

"Television is a weapon like a sword. Just as a sword can be used for both right and wrong purposes, so can television be used for the promotion of true Islamic culture or for the promotion of atheistic and immoral lifestyles." [4]

The Role of Media in the Modern World:

In the modern world, there are two main ways in which we know television and other media outlets. First, as a missionary and preacher of religion. Media is used for propaganda which is considered a great success and an easy way to achieve one's goals. There are many channels, websites, and newspapers around the world that are dedicated solely to the propagation of religion. Since a wise person knows the importance of these modern media outlets, he never misses an opportunity to use them. Second, worldly rulers use media to explain their demands and build relationships with the international community.

In fact, the countries of the world believe that in today's world, media is the foundation of mutual survival. These countries not only consider their use to be the need of the time, but also give priority to media for the correct presentation of their thoughts, ideas, and positions. The clearest example of this is America, where many media outlets have come into existence and even today, the American nation is the one that uses media the most in the world. In America, newspapers such as the New York Times and the Herald Tribune, which have been published continuously since 1851, cannot be denied their importance. Magazines and journals such as Reader's Digest, National Geographic Magazine, Time, and Newsweek.

TV channels such as ABC, NBC, and CNN, which became famous worldwide in 1980, are undoubtedly the most helpful in creating an environment conducive to American policy around the world. It is because of its strong media that America has been able to harmonize the thoughts and ideas of millions of people. In addition to promoting thoughts and ideas, media also guarantees the order and stability of states. Media not only provides support to rulers within the state, but also plays an important role in establishing relations with other states in the outside world and completing the stages of dialogue and negotiation. Nazrul Hafeez Nadwi writes:

"Media experts agree that media is of key importance in the components of foreign policy." [5]

Despite the existence of different geographical boundaries, if the world has agreed to thread on one string, it is the intervention of media. Civilizations have become one, people are moving towards a common culture. The emergence of uniformity in sports and other arts and sciences is a sign of the effects of media. Hameed Kashmiri writes:

"Television has started to shrink distances by removing the small chadors of cultures from the body

[4] Israr Ahmed, Dr., Tasweer aur Hijab ke Islami Ahkam aur Television, Monthly Meethaq, August 1982, Vol. 31, p. 15

[5] Nadwi, Nazrul Hafeez, Maghribi Media aur Uske Asraat, Nadwatul Ulama, Lucknow, 2001, p. 141

of the world and wrapping it in a large chador of brotherhood." [6]

The Impact of Media on Individualism:

In short, in various ways, the media has forced people to also accept that just as their individual life is more important, so are personal qualities, personal matters, and development. The media also undermines personality by highlighting the importance of personal freedom. Sometimes, assumptions and exaggerations are based on an important person's indecent or involuntary act, and that event becomes more propaganda than news. Although, as a teacher, the media is responsible for transmitting information and education, but even then, if it only adopts a propaganda campaign, it will have a negative effect on the audience, listeners, and readers instead of having a positive effect. Today's media has not absolved itself of this non-constructive process. According to Tariq Jan:

"Another great dilemma of media freedom is that there is no distinction between propaganda and news, nor between truth and falsehood. The media has now become a test of the people's intelligence." [7]

With the help of media, people can express themselves, communicate, and follow each other in every way, linguistically. These mediums provide verbal facilities along with pictures, where two strangers can get acquainted with each other's personal interests, personal pictures, education, family, livelihood, economic condition, friends, likes, dislikes, past and present activities in full detail without knowing each other, without talking and without meeting each other. Although this process is like interference in private life, but sometimes positive aspects also come to the fore. The media has played an important role in bringing people from all over the world together. In this way, they can talk to each other without being directly involved in social activities, and sometimes they can also help each other. Professor Inaam ur Rehman writes:

"The importance of media has increased greatly for social change. One very important thing in the context of modern media is that civic activism should be given central importance instead of commercial entertainment. Despite the ground reality that the global society is collectively a consumer society, not a citizen society, and that markets rather than the social sector determine the nature and importance of most social issues, it is undeniable that the media's job is also to intervene in the continuation of existing trends." [8]

The other positive impacts of television channels include raising public awareness, exposing corruption by the ruling class, promoting religion and culture, transmitting facts, and effectively explaining one's arguments. However, even in these matters, the role of television channels cannot be given a clean chit in terms of transparency. Because sometimes, the people behind television channels present even positive matters in a negative light to achieve their own goals, which not only raises the risk of social disorder but can also sometimes lead to bloodshed.

The Importance of Media in Muslim States:

In the previous section, we argued that media is essential for any society, especially a state. Since this article is concerned with Muslim states, we would also like to add that in order to keep up with the world and engage with contemporary issues, it is important for media in Muslim states to be active and play a positive role. However, it is also important to keep in mind that it is not fair to blame all waywardness and moral decay on the West and to label the tools invented by their scientists as instruments of evil and vulgarity. It has often been observed that a number of Muslim scholars, without delving into the depths of research, are guilty of drawing conclusions based on mere assumptions. As we have mentioned above and also provided some references, although many of these scholars have neither gained access to Western society nor been able to reach its intellectual resources. In such a situation, it is not at all fair to blame any nation, country, or region. We now move on to the second part of this article, in which we will try to explain the Islamic role of media in Muslim states.

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[6] Kashmiri, Hameed, Essay Television Drama, included: Sir Syedian, Volume 4, p. 226, Compiled and Selected, Rashid Amjad, F. G. Sir Syed College, Rawalpindi, 1986

[7] Tariq Jan, Secularism: Discussions and Fallacies, (Translator: Muhib-ul-Haq Sahibzada), Amal Publications, Islamabad, 2012, p. 382

[8] Inaam ur Rahman, "New Horizons of Social Change and the Muslim Ummah," Monthly Al-Sharia, July 2003, p. 21.

The Shariah Role of Media:
Before discussing the Islamic role of media, it is important to clarify here that if the Shariah is meant only for the propagation of religion, then the role of media prevalent in Muslim states is very limited, even non-existent. Because hardly any program discusses religious topics during the 24 hours. Otherwise, whether it is newspapers or broadcasting organizations, all seem to be talking about current affairs (politics). But if the concept of Shariah is taken in a broad sense and worldly matters are not considered outside the scope of Shariah, then the role of modern media can be seen from a commendable perspective. Because they cause awareness among the people, inform them about political matters, promote moral and religious information, and highlight the sense of mutual communication and organization. Therefore, if we consider modern media to be Islamic only when they discuss jurisprudential issues, historical events of Islam, especially war stories, and the explanation and interpretation of hadiths morning and evening, then we will be guilty of ignoring worldly matters and this act cannot be Islamic in any way. In general, three major roles of media are seen in Muslim states:

First: Awareness of Modern Conditions
Under this objective, information is obtained about news, world affairs, politics, national and international affairs, comments, analyzes and national issues such as inflation, corruption, crimes, nepotism.

Second: Providing Information
This role includes important matters such as religious, scientific, moral, economic, cultural and religious guidance or training.

Third: Entertainment
This role of media includes films, dramas, sports, comedy shows and musical shows etc.
The first two objectives mentioned above are undeniably important and true, and it is not considered wrong in the eyes of the Shariah for the residents of an Islamic state to be aware of world affairs. In fact, Islam has a broad-minded approach to topics such as politics. Islam has presented the concept of ruler and subject, meaning that the two important pillars of the state (the ruler and the subjects) are responsible for their respective duties. The ruler is responsible for providing basic necessities of life to his subjects. It is his duty to take care of the education and organization of the subjects. He should make all-out efforts to solve their problems and should not oppress them. On the other hand, the basic responsibility of the subjects is to obey the ruler. All these points have been laid down by the Shariah. If the media highlights the responsibilities of the ruler and the subjects, then this principle should not be against the Shariah. And it is obvious that all the matters that the media discusses in its programs, columns and news cannot be considered completely separate from the Shariah. If the process of identifying the shortcomings of the ruler and the subjects is carried out in a good way, then surely an important part of the Shariah is fulfilled.

No one can deny that the change that took place in the Arab countries this century is the result of the active role of the media. The strong resistance of the people in Tunisia, Egypt and Libya ousted the rulers who had been in power for many years and had neglected the responsibilities of the subjects. Behind these revolutions, where the long struggle of political parties was at work, there was the positive and constructive role of the media. These media outlets proved their worth and raised the level of political insight and awareness of the people, and as a result of a short struggle, the people of these three countries got salvation.

The role of media in providing information is undeniable. Many mysteries, from the depths of the ocean to the heights of the sky, have come to light through the media. Otherwise, a scientist could only make inventions. If there were no media, then how would people in every corner of the world know that the people of our world have also reached another world (the moon)? The media has brought the life of marine creatures very close to human life. Different types of animals, their struggle to live and survive, ways to stay safe from enemies, in short, every kind of movement has been recorded on camera and people sitting thousands of miles away watch this amazing information with interest. Such programs cannot be considered un-Islamic in a Muslim society because they contain knowledge, lessons and information, and Islam has always desired knowledge and action. It has commanded its

followers to pray for the increase of knowledge.[9] It cannot be that a person is educated and does not know his rights. He may claim to be educated but is politically illiterate. He may assume the role of an intellectual but does not remain safe from the machinations of the enemy. In short, the media can become an excellent teacher for every person, and the high status of a teacher in the sight of Islam is beyond doubt.

The latter objective is the most controversial and subject to criticism, and it is this point on which the general structure of the media is also being debated. Films, dramas, music, and comedy shows are generally presented in the name of entertainment. However, since these methods do not take into account the Shariah limits between men and women, sometimes un-Islamic acts are also committed. In addition, films generally promote the mixing of men and women. In fact, all the actions of husband and wife, except physical relations, are shown. For example, kissing, hugging, embracing, etc. etc. Such acts are certainly a clear violation of Islamic teachings, which is why Islamic thinkers have not encouraged this approach much. According to renowned Islamic scholar Dr. Zakir Naik:

"Today there are over 20,000 channels with an investment of over \$400 billion, but unfortunately 95% of the media is haram and we Muslims do not use it for الدعوة (Islamic propagation)." [10]

Dr. Israr Ahmed has rejected the profession of acting. He is in favor of documentary and telecast films. However, it is not clear whether only men can work in documentary and telecast films or women can also work. According to him:

"In my opinion, there is no place for the profession of acting in Islamic civilization and culture. I agree with those scholars who believe that in Islamic society, films or television can only be a means of presenting events and facts, i.e. documentary films or live telecasting." [11]

While the Holy Quran has also threatened those responsible for obscenity and nudity with painful punishment: The Holy Quran says:

إِنَّ الَّذِينَ يُحِبُّونَ أَن تَشِيعَ الْفَاحِشَةُ فِي الَّذِينَ آمَنُوا لَهُمْ عَذَابٌ أَلِيمٌ فِي الدُّنْيَا وَالْآخِرَةِ وَاللَّهُ يَعْلَمُ وَأَنتُمْ لاَ تَعْلَمُونَ[12]

"Indeed, those who love to see indecency spread among the believers will suffer a painful punishment in this world and the Hereafter. Allah knows and you do not know."

وَلاَ تَقْرَبُواْ الْفَوَاحِشَ مَا ظَهَرَ مِنْها وَمَا بَطَنَ[13]…

"And do not approach the immoralities, whether they be apparent or hidden..."

Similarly, in the hadith, it has been strongly emphasized to stay away from obscenity. Since movies are more likely to promote obscenity and nudity, this practice has been attributed to the displeasure of Allah Ta'ala. It says:

''لتغضن أبصاركم ولتحفظن فروجكم ولتقيمن وجوهكم أو ليكسفن وجوهكم،''[14]

"You must lower your gaze and guard your private parts, otherwise Allah will change your faces."

After the statement of such strict injunctions against obscenity and nudity, there is no further room to argue that we can consider this aspect of communication to be in accordance with Sharia law. However, we feel it is necessary to state that this method can be reformed. Since film is an important medium of communication, it can also be used to present religious and educational, cultural and educational topics, as well as obscene and immoral topics. If this method is used only for purely religious, educational, cultural, and informative topics, such as Islamic history, while avoiding immoral and indecent programs, then it can be effective.

However, there is room for humor within Islamic law. The Hadith refers to several such cases. Imam Ghazali says: "Humor is sometimes a tradition, but it is not good to make it a habit."[15] The Prophet of Islam used to joke, but his humor was based on facts. As it is famous that the Companions asked: O Messenger

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[9] Surah Taha, Verse: 135.

[10] Naik, Abdul Kareem Zakir, Media and Islam, War or Peace, Daily Jang Newspaper, Retrieved on September 5, 2010, pp: 32

[11] Israr Ahmed, Depiction and Islamic guidelines regarding modest attire and television", Monthly Misaaq, Vol: 31, August 1982, , pp: 15

[12] Al-Quran, Sora-e-Noor, Verse no: 19, Al-Suyuti, Jalal al-Din, Al-Durr Al-Manthur Fi Tafsir Bil-Ma'thur, Vol: 5, Zia Ul Quran Publications, Lahore, 2006, pp. 100

[13] Ibid, pp. 178

[14] Tibrani, Abū al-Qāsim Sulaymān ibn Aḥmad, Moajamul Kabeer, Hadeeth: 7746 Maktaba Ibn Taymiyyah, Cairo, 1987, pp. 1214

[15] Al-Gazali, The Revival of Religious Sciences, Dar Al-Kotob Al-ilmiyah. 2011, pp. 181

of Allah, do you also joke with us? You said: Yes, but I do not say wrong things." [16]

However, in modern media organizations, humor is often aggressive and directed at the individual. There should be no room for this kind of humor, which hurts others. The Sharia does not give anyone the authority to hurt the self-esteem of others. Therefore, there is a need for training and organization of the media in this regard as well. There are three views on music:

First: Music is unanimously forbidden.
Second: Music is unanimously permissible.
Third: This issue is controversial, meaning it can be considered a matter of doubt. [17]

Due to the controversial nature of the issue, it seems difficult to establish certainty about the prohibition or permissibility of music. Despite being a topic of discussion between both the early and later scholars, no definitive opinion could be established on this issue. Some scholars have counted this issue among those issues that cannot be regulated despite much discussion and debate. [18]

Here, by music, we mean the popular songs that are usually sung for films, dramas, and music channels. However, there is room for national songs. Reciting Ridges in the battlefield is also permissible from an Islamic point of view. There are many examples in Islamic history where the Prophet of Islam gave permission for Songs based on ridges While the Ansar of Madinah played the Tambourine and sang

poems to welcome the Prophet of Islam upon his arrival in Madinah. [19]

Music is very popular in the modern era. The young generation seems to be very much drawn to such activities. It is for the jurists, scholars, and mujtahids to decide whether modern musical instruments are forbidden or permissible. The purpose of mentioning here is that there are also many channels within Islamic countries whose identity is based on music. In view of the importance of the topic, we present here the legal status of music (Gina) in the light of the Quran and Sunnah. In the Holy Quran, music (lahuwal'ab) has been identified in four articles, such as:

1.   لهوالحديث (Fun Talk) [20]
2.   الصوت (The Sound) [21]
3.   السامدون (Al-Saamidoon) [22]
4.   الزورَ (False) [23]

Similarly, there are two types of narrations narrated from the Holy Prophet. One type of narration indicates the permissibility of music, while the other type of narration indicates its prohibition. However, the narrations of prohibition are abundant and are agreed upon by both Sunnis and Shias. Below, we only mention two hadiths that indicate the prohibition of music:

'' ان الله حرم الخمر والميسر والكوبة والغبيرا و كل مسكر حرام'' [24]

"There is no doubt that Allah has forbidden alcohol, gambling, tambourine, and lute, as well as all intoxicants."

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[16] Muhammad ibn Isa, Ash-Shama'il an-Nabawiyya wa'l-Fada'il al-Mustafawiyya, Dar al-Hadith, Beirut, 1988, pp. 16

[17] Usmai, Muhammad Shafi, Islam and Music, Maktab-e-Dar-ul-Uloom, Karachi, 1423 Hijri, pp. 87

[18] Al-Ramli, Khayr al-Din, alfatawaa alkhayriat linafe albariya, Dar al-Marefah, Beirut, 1998, pp. 183

[19] Masoorpori, Qazi Muhammad Sulaiman Salman, Rahmatul-lil-Alameen, Makaz-ul-Harmain Al-Islami, Faisalabad, 2007, pp. 116

[20] Al-Quran, Sora-e-Luqman, Verse no: 6

[21] Al-Quran, Sora-e-Bani Israil, Verse no: 64

[22] Al-Quran, Sora-e-Najm, Verse no: 61, Samidoon originates from the root "Samud," signifying the act of elevating one's head with a sense of pride, enthusiasm, and dignity. As per Ibn Manzoor, "Samud" is interpreted as "singing" in the context of a Humeri dictionary. Consequently, when we encounter the term "اسمدينا," it can be equated with "غنى لنا," implying the act of making us joyful through singing. Similarly, referring to a singer as

"Samdina" signifies the endeavor to bring happiness through the art of singing.
• Nasir Makarim Shirazi, Tafseer-e-Namuna, Vol: 13, Al-Islam.org, pp.151
• Ibne Manzoor, Lisan ul Arab, Vol: 4, Dar-ul-Ma'arif, Cario, 1883, pp. 204

[23] Al-Quran, Sora-e-Furqan, Verse no: 72,
The term "emphasis" has been construed in two distinct ways. Firstly, it has been expounded in the context of perjury, as the dictionary denotes "force" as deviance. Given that lies, falsehoods, and cruelty are also associated with deviant matters, they are aptly referred to as "force." Secondly, the term "Zor" has been interpreted as a congregation for "singing," signifying gatherings where songs are performed, whether with or without musical instruments.
• Nasir Makarim Shirazi, Tafseer-e-Namuna, Vol: 8, Al-Islam.org, pp.441

[24] Abu Abdullah Ahmed bin Muhammad bin Hanbal, Musnad, Vol: 2, Chapter: Fil Adiya, Darussalam, 2012, pp. 520

''امرنی ربی عزوجل بمحق المعازف والمزامیر''[25]

"My noble and majestic Lord has commanded me to break musical instruments and strings."

The sanctity or permissibility of music is a jurisprudential issue, and we do not want to discuss this topic at this time. Let us come directly to our topic and determine the legal status of the media. Basically, there are many motivations behind the objections to the authenticity and importance of the media. But we will mention three reasons below:

(1)   The first reason is that people who work in the media generally do not realize how serious the practical nature of their work is. In the case of electronic media, they only focus on the success of their program and the improvement of their mission. In this regard, they do not care how much moral corruption their program can cause. In the case of printed media, too, not much attention is paid to the truth of information and newspapers. The aspect of news that is more highlighted is the one that is more curious than true.

(2)   The second reason is that today's modern media require a lot of money. As much as there is a need to work in this field, its cost is also very high. Therefore, it is difficult to sponsor a multi-dimensional media individually. Only a state can solve this matter in a better way.

(3)   The third reason is that electronic media generally present programs that are devoid of discipline and purification process. In particular, the moral aspect is not given as much importance as it should be. Often, people who are not familiar with this field participate in it, which can certainly be harmful and the role of an important institution like the media in the moral education of society can be lost.

As a summary, we present three questions here and then conclude the topic by answering them. As we mentioned in the above lines, if the media in an Islamic state fulfills its responsibilities in the best way possible, then there will be no doubt about its permissibility. However, in the context of the topic under discussion, the first question that arises is whether an Islamic state or a powerful personality has the right to determine the responsibilities of the media? This question has two parts:

First: The right of an Islamic state or a powerful personality to determine the responsibility of the media is their prerogative.

Second: What is the primary responsibility of the media?

Determining who should determine the responsibilities of the media is not a difficult task. Just as the selection of a powerful personality for state affairs is necessary in the Islamic way of life, it is also necessary for that person to have a discerning opinion in all matters of worldly life, even to the extent that he has the power to make decisions. As we see in everyday life, there is order and discipline in every country, city, town, village, and neighborhood. With mutual agreement, some limits and restrictions and laws are made, and then the whole country, city, village, town, and village lives its life in the light of those laws. While the principles of religious life are already set. Therefore, it will not be a difficult task to determine the responsibilities of the media in the light of the principles laid down by authentic sources, i.e., religion, and the laws implemented by humans themselves. As we look at the life of the Prophet Muhammad and the later caliphs, the principles laid down for the media are clear. The Prophet Muhammad's emphasis on the importance of communication and his encouragement of his followers to propagate Islam are signs that the principles of the media in an Islamic state were established long ago. So the Prophet Muhammad laid down the principles, while the Rashidun caliphs created ways to implement those principles. It is also the claim of Muslim scholars that every principle of life is present in Islamic teachings, and not only that, but also suggestions are given for solving the problems at hand. In the light of this claim, it can be said that the media is also an important part of human life and it is also not excluded from the principles that form the basis of Islamic life. When it is a fact that every aspect of life is not devoid of rules and regulations, then the responsibilities should also be clear. It is not that there is a need outside and its reality does not exist inside. If any such assumption is confirmed, then it will be against the principle of the Quran which says that 'the mention of everything dry and wet is present in this Quran'. [26]

The importance and benefits of mass media have been recognized in every era. Therefore, it is not

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[25] Ibid, pp. 232

[26] Al-Quran, Sora-e-Inaam, Verse no: 59

possible that there would be no principles or responsibilities for it in Islamic principles. In the early days of Islam, the Prophet Muhammad himself used to determine the responsibilities of communication, just as he did with other matters. After the Prophet Muhammad's death, the ruling figures linked all the principles of the system of life to his teachings, and every action and modern thing was tested against the standards of those principles and regulations before being allowed to be used. It is obvious that these principles and regulations were identified by the ruling figures (caliphs, scholars, jurists, intellectuals, etc.). Therefore, even today, the limits and restrictions of mass media and the determination of their responsibilities will be done by those who have an academic, political, civilizational, and religious background.

However, it is up to the general audience to decide whether the media is fulfilling its responsibilities. Because the critics, viewers, and listeners of modern media are the general public, and they are also the most affected class. Therefore, who can keep a hand on the pulse of the media more than the people? While everyone can recognize good and evil. Why should there be a need for a committee of judges in this case? The committee will investigate if media outlets are promoting obscene content and then, after a detailed decision, will call this wrong act wrong. Rather, the public and viewers can make a decision about this act, which is as clear as daylight, through their full protest and by filing formal complaints against the media outlet concerned. In this way, they can also participate in the decision-making process. Yes, however, if the mental level of the people has changed so much or is based on weakness that they are not able to distinguish between good and evil, then it cannot be expected of them to make decisions and hold the media accountable. But another way that can certainly be reliable is to form a committee of powerful personalities that will oversee the affairs of the media in general and, if necessary, amend the relevant laws so that a reliable and vibrant media can be a great help in state affairs. Keep in mind that the decision of that committee should be so strong and impressive that there is no room for objection from the opposing party (The media). In the presence of limited authority, neither the media can be reined in nor can any responsibility be imposed on them. They will run like wild horses until the state system becomes a victim of chaos and disorder.

The second question is whether an Islamic state has the right to control the media and allow the dissemination of news and programs according to its own wishes. In this regard, the answer can be given that the government's authority is not so comprehensive that it can either give the media too much freedom or tie it up in restrictions. Rather, it can adopt a moderate approach and give freedom as well as impose restrictions in the context of any action that poses a threat to government affairs and the system.

Just as an Islamic state can take care of the people and influence their way of life through democratic means, it can also control the media and use it in its own interests. In this regard, two things are important:

First, if there is a desire to control the media, there should be a logical justification behind it. For example, if the media is guilty of showing immoral content, or interfering in state affairs, or committing acts of espionage and concealment of state secrets, then it is certainly the right of the state to control the media and worry about the survival of state affairs.

Second, in order to perpetuate the state, if it is in serious trouble to the point where its very existence is threatened, then it can use the media in its own interests. In the present age, most Islamic states hold their own interests dear, regardless of whether the media is subject to restrictions or enjoys freedom. Where the state's interest is at stake, restrictions are inevitable. The example of monarchies is before us in this regard.

However, it has not yet been clarified in this regard whether the survival of the state is more important or the personalities. Apparently, the aspect that is given importance in monarchies and monarchies is personal rule. The rulers concerned are more important to themselves than the state. If any class of media is seen to be criticizing these kings and rulers, it is not only subject to censorship but its very existence is also threatened.

The third question will be about the real role of the media, that is, can the media criticize the state or government and have the right to criticize government policies? In response, we can say that the criticism and identification of flaws by the media of the state and government is subject to certain limitations. Some of these include:

·   The state is negligent in its responsibilities.
·   It turns away from the welfare of the people.

· It is not a guarantor of the self-respect of Islam and Muslims.

· It becomes a party to conspiracies against Islam.

· It becomes an accomplice of usurpers and tyrants.

Criticism for the sake of criticism and blowing up government affairs is neither logically acceptable nor can it be morally supported. In the contemporary context, since every issue is exaggerated, the critical aspect becomes more prominent than the reformative aspect.

The process of criticism for reform can only be completed when a program related to public interest is broadcast or when government officials are drawn to issues that require seriousness. If the media only broadcasts critical programs for the purpose of reform, then there is no need to find any religious or moral justification for it, nor is there any need for permission from any powerful person or government. Just as there is no need to take permission from anyone while performing the act of enjoining good and forbidding evil.

In fact, it is the act that takes place outside of morality that provides the reformer or the media with the scope for criticism. However, it should also be kept in mind in this regard that the media will have the justification for criticism and reform only if they themselves take care of morality. If their moral character is weak and unknown, then they neither have the justification for criticism nor can they claim to be reformers.

The critical approach of the media is clearly visible in the early Islamic state. For example, during the time of the second caliph, Hazrat Umar, a person saw extra cloth on the body of the caliph of the time and started asking questions that where did you get this extra cloth from when every resident of the Islamic state gets equal cloth which is definitely not enough to cover the whole body? Questions were asked directly from the founder of Islam and state, Hazrat Muhammad, and information was obtained about state responsibilities and public interest.

In fact, every person present in the state has the right to ask this question that what measures are in place by the state for the protection of our honor, dignity and life and property? Is the state serious about the protection of life and property of the people? If yes, then why is it not visible in practice? Such questions and other questions that are generally related to the public interest and the social order can be asked from

the rulers, the state people and the powerful people, so the media is also a means of publicizing the public voice. When the owners of these institutions raise their voice for the solution of public rights by becoming the public voice, then this act is not only justified but also a commendable act.

Summary

This research focuses on media and communication within the modern Islamic state. It argues that thoroughly analyzing and interpreting Sharia principles is crucial for understanding media's roles and obligations in this context. Ignoring this analysis neglects, a core Islamic tenet. The research claims to offer a unique perspective by deeply examining specific issues related to media and Sharia. The analysis finds that current media structures in Islamic states are not inherently different from others. While the media doesn't directly promote Sharia principles according to some scholars' definitions, a broader interpretation could see media activities as indirectly influenced by Sharia. However, this requires a comprehensive understanding of Sharia itself. Importantly, the research emphasizes that activities of knowledge discovery in any domain fall under Sharia's purview, and Islam actively contributes to such endeavors for the betterment of humanity.