

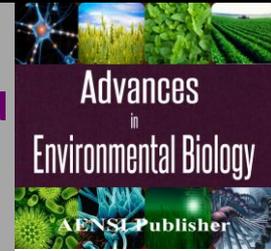


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Jurisprudence and Legal Status of Filtering in Media in Terms of Five Religions

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ABSTRACT

The issue that is currently raised is the inconsistency of filtering on the issue of human freedom. Reviewing verses and hadiths that goes forth about delusion books imply that considering the conditions at any time, filtering will applied in a particular type and aspect and even can vary with respect to any of the people in a particular time. Sometimes filtering is applied to prevent the spread of corruption, and it is the duty of any government to adopt special measures and necessary predictions due to protect the moral, spiritual and religious orientations of people. But the misguided media, the media that makes population seduced and leads them into diversion. Today, examples of misguided media developed and in addition to writing and spelling issues, it also covers cyberspace and indeed, much of the misguided media are under the coverage of websites.

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INTRODUCTION

The filtering is done in various forms all over the world, and the only difference is in this area over the instance. National security is the common denominator of all governments on the issue of filtering. Countries such as America and Europe are believed to form the final filtering where families and private educational institutions make decisions about blocking sites. But the problem with filtering in Iran as other areas such as IT is faced with myriad problems. This study attempted to assess this issue that cause filtering and also licenses and permits from the perspective of Islamic law and jurisprudence will be considered and solutions offered. In line with these objectives, it tries to answer the following questions:

1. What is the jurisprudence and legal nature of filtering? What elements in the domain of filtering is effective? How five religions predict the criteria to achieve filtering and what effects and outcomes the assessment among views has?
2. Can what is proposed in connection with filtering be assessed? And the restrictions on human freedom is incompatible with the internet or not? What is the measure of dignity of misguided media in jurisprudence and the criterion is being misguided? Is using misguided media always forbidden for all people?

Literal meaning of filtering:

The word filter literally means refining and in internet culture means prevent users from access to websites that have inappropriate content. That, of course, serious differences exist about the term "indecent". Internet filtering is censorship, restrictions and monitoring structured and targeted to access the content and use of Internet services to users (Mowla'ii, No. 124, Calendar 1385). In Moein dictionary, it means limited and its plural form is limits (Moein, M, C 3, p 3900). And that means forbidding which the perfect person request to leave an action and this request is done by applying the term forbidding and its derivations (Mozafar, Vol. 1, P. 95).

Filtering in the history of jurisprudence and law:

Certainly in the current time which of the enemies of Islam observe that to reach their goals, military weapons and plans are ineffective have attacked Muslim communities to achieve evil goals with a variety of tools and weapons in a battle of ideology, culture, beliefs and religion. Cultural advertisement through books,

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magazines, films, tapes, photographs, toys, computers, Internet, etc. intended for alienation of the Muslim children from their pure Islamic thought is part of the all-encompassing cultural invasion.

Since internet has played a significant role among the tools and attract many audiences, human mind will be transmitted to one of the legal issues raised by the jurists, i.e. "maintaining subversive books". The book has no feature in this title and it covers anything that is liable to mislead which our current discussion is one of those titles that has more power in the book. However, reviewing jurisprudence sentence of this issue, particularly in cases where it will certainly cause misdirection and diversion, seems necessary. One of the perennial concerns of Muslims has been Islam adaptation to the exigencies of time, as many things have been said and many books have been written in this regard. The emergence and spread of "publications" as a relatively new phenomenon in today's world in the scale of civilization has created this necessity that by establishing a legal orientation as "media rights", its legal aspects has been studied and scrutinized, and, accordingly, one of the concerns of Muslim Jurists in the rights of the press is to find an Islamic framework to deal with the phenomenon of publications. Given the recency of thousands in establishing press framework in finding Shiite jurisprudence, finding verses, hadiths and legal texts that explicitly consider the phenomenon of publications is impossible. But given the power and duty of the Islamic faith compliance with the requirements of the narrators of Hadith and Shia jurists to extract order of religion during time, these resources can be extracted from a population of jurisprudence publications activities. One of the closest legal issues in press discussion is 'misleading books ". The propinquity of this discussion with press activities is such that Martyr Mostafa Khomeini said in this regard that: "One of the best examples of misleading books are newspapers, magazines and journals in our common age that include obvious unethical activities.

Filtering Advantages:

Preventing the rapid rise of moral corruption, reducing the laxity of faith in society, preventing online macro fraud, spreading misinformation; undermine the personhood; avoiding economic impacts to organizations etc.

Disadvantages of filtering:

Internet speed is slow and members are time consuming; undermining the field of information technology and its applications in the business sector; unnecessary filter of many scientific sites, loss of dignity and loss of indecency offense; reducing useful information in global communication, pending time and too much costs, using to reduce information security, preventing some real news for the community.

Filtering in Quran and Hadith:

Hiding realities are of negative concepts in our religious literature and is considered a negative and undesirable psychological warfare. To verify this claim, we turn to the study of some verses and sayings in this regard:

"Do not mistake the truth with falsehood and conceal the truth while you know not" (II / 42). And "those in their Book have, as they know their sons, they know Muhammad, they that there is certainly some truth to them that are hiding, and they know. (II / 146). In this verse, hiding knowledge and awareness as the sign of Prophethood of Prophet Muhammad (PBUH), has been criticized and condemned by some scholars of other religions. And understatement for personal and group interests of a particular group and ignoring the rights of human society which is having the right of leadership and guidance of the Prophet has been reprimanded. "Those clear signs and the guidance which We have sent down, after we explained it to the people in the book, there are lies, damn their God, and curse those who cursed they do." (II / 159) (Tabarsi, Vol 1, p 447). "There are those who conceal what Allah has sent down of the Book and praise it low, they do not fall anything but fire into their bellies, and Allah will not speak to them in the Resurrection Day and do not make them pure and for them is a painful punishment. "(II / 174) (Translation of Qur'an, Ayatollah Makarem Shirazi). "O People of the Scripture! Why disbelieve you in the revelations of Allah, while (correctly) confirm its correctness. "(Alemran / 70). In this verse, Allah censures concealing and disguising the fact, showing reality as null showing the fact that is deceit and trick is also introduced as unacceptable issue. Guidance and knowledge of the community and know the facts, especially religious guidance and knowledge of religion is significant enough which hampering in the understanding of the fact is considered very bad whatever is the forefront of understanding of guidance and insightful of human. The last verse is a good evidence for this claim and its implications are so clear that we have no unnecessary comment. In hadiths narrated by Imams, hiding knowledge and awareness and censoring realities is considered obscene. Imam Hasan Askari (AS) has quoted from Imam Ali that Imam Ali (AS) says: When someone asked him to know and awareness is requested and he hides his actions, where expressing that knowledge is necessary and there is no case for reservation, they will be resurrected in Doomsday. (Majlesi, Vol 2, p 72), and in another story we read: Everyone who conceal knowledge is apparently ignorant. (Allysy Alvasey, p 446). Ali (AS) is narrated to have said: before God make learning obligatory for the ignorant, he made teaching and gaining knowledge required (Majlesi, Vol. 2, p 78).

Position of Filtering in law and jurisprudence:

In books of Sunni scholars' Islamic jurisprudence, as well as Shi'ite jurisprudence, filtering discussion is not independently and centrally mentioned and has taken a specific term. And in other fields of jurisprudence, its literal meaning is presented and has been taken a literal form and terms similar to it, such as constraints and forbidden things have been used. Although the "holy Makaseb", as other chapters in the books of Sunni jurisprudence, is no exception from this format.

Formulating the term "filtering" and expressing religious views:

One of the subjects that can be studied in terms of speech is "prohibition of books and misleading publications". Islamic scholars and thinkers of the past, preserving and protecting the faith and true faith of Islam from their important duties stated, introduced a discussion in jurisprudence as "subversive literature", which had no history of jurisprudence and it is only rule-based resources and public which extracted decisions about maintenance, sales, teaching, learning and studying with their discretion.

Obviously by forming an Islamic government and its expansion, it is necessary that this rules, that is essential for sustaining social and religious beliefs and Islamic Rulings, removed from the sentence mold and is formed within the framework of Islamic rules. So all aspects related must inevitably be reviewed to deprive fields of research and innovation and the development of science thoughts in a word dynamic judgment from the scientific community under the pretext of maintaining the correct Islamic beliefs and on the other hand, has denied one of the basic rights of individuals as the right for freedom of speech, And ultimately lead to huge corruption, such as creating hatred of Islamic laws, and beyond the reach of criticism and refutation of false thoughts and ideas. The issue of freedom of expression, its limitations, expanding freedom of the press and other mass media such as radio, television, cinema and the Internet today and the new possibilities of communication are issues that have been considered in all courses. Hence scholars in all societies have always demanded that freedom of expression is provided. Restrictions on freedom of expression, freedom of information and freedom of communication should be determined by law and except in certain cases mentioned in the law that is essential for the preservation of privacy and social life, is not limited in other cases.

In television programs, there are some control and limit the spread of content in many countries. The areas of greatest concern for children and their access to harmful content that is to include "violence, pornography images, and consumption of tobacco." He says about the harmful effects of media on children: "up until a couple of generations ago, a small number of personal pictures that were shot with their own eyes saw that was under knife, explosion or was raped; but now most children, every such violence often see on the TV screen with all the details of brutality. It is estimated that a typical American child of 18 years has witnessed 18 thousand fake murders on television." (Hamarbrg, pp.170-183). Children from harmful media content in most of these cases are: "Unreasonable violence, sex, pornography and pornographic scenes, incitement to hatred, discrimination and using indecent and obscene words." Field of broadcast media monitoring tools include: "The classification and labeling on products based on age and age restrictions; classification and isolation of content, devoting special times for broadcasting, oral or printed, making recommendations, the audible and visual warnings and warning labels (Fon Filitzen, PP. 482-489, p 258).

Misguided media and how to deal with them from the perspective of Islamic law:

In earlier times the only possible way of transmitting information was through books and writings. For this reason, earlier scholars only mentioned to misguided books out of misguided media. Allameh Helli said, "And if their profit is forbidden and blasphemous libel and insults such as books soon, so do not go far, but on the electricity (i.e. what it is written and that is a thin skin), or it may be written or printed on thin paper is washed, If washing is not possible, the part of the benefit which is revoked, then the paper is torn, like other property." (Helli, a priori, vol. 9, p 127). Sheikh Ansari said: "If there are any, books and heterodoxy and heresy books among trophies are now written as waste and promoting false ideas that keeping them is not allowed, such books have no taxes as mere books and their sale and purchase are not permitted. Then, if we can benefit from the container and place of the literature, for example, written on the skin and wash your skin and can destroy the contents, but these contents are considered trophies. But if we cannot even use the containers such as literature on paper, then the verdict is that the paper is torn up. According to what was said, we can conclude that jurists believe that one way to waste away misguided books is to burn, tear or washing them in water.

Today, the only way of wasting a book is just to eliminate it, because by wasting, it means eliminating corruption and keeping people's faith from the risk of misleading. Therefore, efficient ways of wasting misguided books should be in priority to avoid misleading of people that is the same methods that that according to scholars, it is the exception of preserving misguided media.

One of these cases (exceptions) is to review the defect of misguided books content where misguided contents can be criticized because some books (such as insults and threats) cannot be criticized. Therefore,

Saheb Javaher not only insists on the sanctity of preserving the misguided books, the reason why some scholars mentioned subsidiary rules in their books are as follows:

"It was often said that today, most opposition books are corrupted and get rid of misguide due to what have been entered by violation and corruption by a number of people such that today they are become wasted books. So after such a waste, other means of destroying is not obligatory. "(Najafi, a priori, vol. 22, p 59). The second of these exceptions that can be considered as an efficient way of waste is argue and debate with scholars and experts on misguided books with scholars of this book which caused the weakness and sophistication of the mislead people becomes apparent and prevent from believing people to misguided contents. But in the present day, other media such as radio, internet, satellite and media are considered as examples of misguided media and transfer misleading thoughts to people. Such kind of a waste of confusing messages from any of these devices is different according to each appropriate condition of each broadcasting programs and its confusing contents, such as creating a strong frequency on radio or satellite waves prevent from spreading these waves and prevent from entering online pornographic sites to peoples' home by applying filtering or parts of the foreign films that are vulgar and against modesty will be censured and then placed in the hands of people. Also one of the ways of combating with misleading media is can be creating movies that producers of movies and programs can give knowledge to people to create a variety of useful programs containing moral and pedagogical content and direct community towards religion and Islamic values and rescue them from anti-values and deviations. However, Islamic law, followed by jurisprudence, ordained rules and regulations to fight for these misguided media that cause people go astray in that its implementation guarantees are penalties such as imprisonment and fines that these laws have been passed for different people.

In our rules, there are some discussions about duties and scope of media, some of which are described below:

- "Mass media (radio and television) should serve to promote Islamic culture in the evolution of Islamic Revolution and is based on different ideas of proper behavior scale and promoting destructive and anti-Islamic qualities should be avoided. Following the principles of such rule that freedom and dignity of human beings as its epigraph and open human growth and development is incumbent on others. It is necessary that the Muslim Ummah participate in building the Islamic community by selecting the competent and faithful authorities and constant monitoring of their work actively. It is hoped to be successful in building a prototype Islamic world that can be a role model for all people. . (Hodjati Ashrafi, 1371, pp. 910). the twenty fourth constitution also says: "Publications and the press have freedom of expression except when it is detrimental to the fundamental principles of Islam or the rights of the public. Its details are determined by the la "(Ibid, p.19).

Means of maintaining the misguided media in the view of jurists are:

- 1) Keeping it from being wasted away
- 2) Preserving it to remember
- 3) Preventing from being wasted away
- 4) Maintain it in outside
- 5) All those who are involved in remaining misguided media.

Spreading and broadcasting misguided media from the perspective of Islamic law and jurisprudence:

From the perspective of jurisprudence, broadcasting of misguided media is the one which has been interpreted as copying the misguided books and all scholars should preserve the sanctity of misguided books and copying it to have asserted non-infringement. For copying the misguided books that has been in the time of early scholars causes the spreading and publication of that misguided book. In fact, misguided media and broadcasting includes all misguided media with its sorts and kinds.

From a legal standpoint, article III bill to ban the use of satellite equipment were adopted by 23/11/1373 states:

"The Ministry of Interior by the coordination of information and media is responsible for preventing Importation and distribution of satellite receiving equipment used exclusively for contract and in addition to confiscating the equipment, its agents should be introduced with seized materials to legal offices. Coordination procedures will be specified in the ordinance.

Note: All items subject to seizure and confiscation of the Act to provide the development of radio and television will be given to Iran Broadcasting (IRIB) is. "(Kamali, M. p 1051).

Article Five of this Act states: "IRIB and the Ministry of Culture can take measures for recording those programs that are not inconsistent with the values and principles of Islamic culture". Amendment of article ten of this Act states that "Publication of advertisements in various ways by the press, radio and television advertising that need license to use the satellite plans is prohibited." (Ibid, p 1052).

Bargaining on misguided media in terms of jurisprudence, Article 640 of the Penal Code in First, Second and Fourth says: "The following persons sentenced to imprisonment from three months to one year and fines of one million five hundred thousand riyals to six million Rials, and up to 74 lashes, or in one or two sentences, the sentence would be: 1 person whoever posted ... 2 things .. ". (Ibid, PP. 176-177).

Evidences of misguided media in terms of jurisprudence:

Former Prophets Bible: non-distorted manuscript bible, distorted manuscript bible

Non-distorted manuscript bible:

Here jurists' ideas are divided into two categories: Some of the jurists does not consider this book as misguided, but others see it as misguided.

Disguised manuscript bible:

In the opinion of many Sunni and Shiite scholars, in the Old and New Testament-or at least in the Old one, it has been distorted. They have so many verses of the Qur'an documentation. In six verses of the Holy Qur'an, Israel has accused of distortion, but in none of these verses a discussion about Jesus is mentioned, the focus on all the verses is the Old Testament. Also in five verses out of six ones, it can be acknowledged that Quran does not intend to introduce Israelites literal distorters of revealed Old Testament and that from verse 41 of Surah Ma'idah with the help of narratives, it can be concluded that Jewish people have tried to distort the words of the Torah.

Visual media-Internet, satellite, Raitel audio telephone:

In earlier times the data transfer was accomplished solely through books and writings that is why earlier scholars only mentioned misguided books, however, due to advances in modern science and technology in audio-visual media such as satellite television and the Internet can be found extensively.

Video and photos of non-intimates from the perspective of Islamic theologians:

Shia and Sunni perspectives in relation to non-intimates is that women should cover their faces and hands up to the wrists and other parts of the body. Of course, Shafeis believe that faces and hands should be covered from non-intimates. Some Sunnis believe that the woman should cover her navel and the knees in her solidarity except in urgent cases, such as bathrooms, etc., but this does not true in Shiites. Most Sunni Muslims say that women from non-Muslim woman should cover all her body except the face and hands which Shia does not say so. Hanbalies say that in prayer, a woman must cover her entire body except the face, but Shia and some Sunni scholars say that in prayer, it is not obligatory for women to wear the face and the hands up to the wrist. Muslim women should also cover from the navel to the knees against other women, whether they are Muslims or atheists. The Shi'a scholars say women must cover their nakedness against other women. Sunnis say women must cover from the navel to the knees in front of blood relative, such as father, brother, etc. but most Shiite scholars say covering nakedness is sufficient. However, with respect to the covered body of woman against men who are his confidante, there are some discrepancies. Malekieh tradition say that women can only cover face, hands, feet and head and neck. Other parts of the body should be covered. (Jaziri, Vol.1, PP. 190-192).

Internet from the perspective of Islamic jurists:

Islamic view of the use of information technology (electronic money, online transactions, and digital signatures) into Islamic banking is easy and there is nothing wrong in fast access to it and was passed in Parliament and the Guardian Council constitution approved. Some jurists believe that there are some problems here in that such transactions may lacks certain provisions of such parties and the parties or their lawyer. But another group of jurists has said that such business does not matter and in fact, the new communications and computer facilities is a tool in the hands of the parties which in fact two mature people transact with each other through programming for computer. So if the meaning of electronic commerce is the use of Internet technology in business, it is a very good thing in terms of speed and do nothing wrong in terms of the origins of Islam and Islamic law. The law has been passed in eighty-seven amendments, on January seventeen year one thousand three hundred and eighty-two was passed in Parliament. And on the twenty-fourth of January, one thousand three hundred and eighty-two years old constitution was approved by the Guardian Council and there is no problem for implementation in the Islamic Republic of as well as in business market (www.irtp.com/farsi/laws/659/index.htm).

Some jurists believe that there are some problems in that such a deal are without some form of business conditions of the parties. Because the buyer and seller in the transaction is required to be sane, mature with intent. (Mousavi Khomeini, vol. 1, PP. 396-397). Because there is computer at least in one part in the e-commerce and the buyer buys his regarded merchandise from a party that lacks wisdom, intelligence and free will, such deal is not correct in this regard. Since this is a new issue, and somehow arising issues, that is the place for reflection and its mandate will be described in detail by jurists by clarifying all its dimensions in the future. A website belonging to the Sunnis that dedicates to the religious and social questions stated that chatting on the Internet with the purpose of inviting to Islam is wrong and blameworthy. Aleslam website that is

allocated to Sunnis and is run by a person named Sheikh Muhammad Saleh Almonjad, In response to the person who asked the question is whether I can chat via the internet to invite people to Islam, especially as I did before and I have also received some responses, says that Getting into "chat rooms" can have undesirable consequences. (www.islamqa.com).

But on the Internet, and computer images that could be considered a subversive media, it should be said that although the verdicts of jurists not refer directly to the computer images, but it should be said that these findings have relevance in the newspaper or on television. But what is the criterion for being vulgar and obscene is the way it is broadcasted, either through the Internet or through other media. (Bai- HosseinAli, the former, p 369). Legal terms regarding the prohibition of pornography, some issues such as respect for promoting prostitution, prohibition of the disclosure of donations can be argued. Also according to the fatwas of some scholars in honor of "similarity", the dignity of some pornography evidences can be obtained. Because when similarity or other means of expression and beautiful virtues of women are prohibited, showing their images that cause leading corruptors toward Images and desecration of their owners will be led to reverence and religious ban (Bay, a priori, PP. 364-366).

Over illicit relations in the Internet environment, it must be said: "Currently in the Internet environment or entirely in virtual space, relations have been developed, and this relationship is legitimate or illegitimate. Initially people were in contact with each other only via email, but text chat or voice is now added and even more advanced, they can be related to each other via webcam via video or audio. So people easily travel from one town to another or emigrate from a country or within a large company that computers are connected through a network. Now, to what extent this relationship is legitimate and illegitimate depends on the lawyer. To clarify the issue, it should be said that without a doubt, religious community of men and women is permissible. Religious conducts is also determined and is linked to the lawyer and is established on the presence of men and women in one place such as market, mosque and square. Thus, there is no doubt in the very permit of the participation of women in community.

In general and according to legal sources, it can be said that men can speak with non-intimate people with this condition: 1. not intended for fun, 2. not infected with sin with talking. Also, talking with non-intimates is not allowed only by necessity, especially if the audience is young. Women with this condition can speak with non-intimates: 1) not intended for fun, 2) not soften and diluted her voice, 3) not fearing of adoration. Also, speaking of women with non-intimates is not allowed only by necessity.

According to jurists, it seems that as men and women can be linked and talked together in the physical world, they can communicate with each other via the Internet and chat. But if the person is violated from the framework set by the legislator while talking, as such is not allowed in the physical world, it is not legitimate in cyberspace, because what is illegitimate in terms of the legislator, it is the fear of corruption and intrigue, not the device itself (internet). So people who are linked together through the outside this framework, commit a crime under Article 639 of the Penal Code and is punishable. (Ibid, PP. 390-392). The point to note here is that if one of the parties started to email in cyberspace, without acting on the opposite side. In this case, if such cases can be considered illegal? Here there seems to have a distinction:

In cases which a person send an email to another one and the other side shows no reaction, it seems unlikely that such a case would be considered illegitimate relationships, for illegitimate relationship are more bipartisan and such cases could be cited as a nuisance. But if the action takes place on one side and the other one considers it as suspicion. It is not unlikely that such a case would be considered adultery. Further discussion of this issue is important here is that if people do not enter dialogue with each other and do not talk, but to see each other via webcam by live images, can such cases be considered adultery? In the real world issue of looking at non-intimate women are divided into two categories: One face and hands, and the rest of the body, all jurists believe that looking at them is not allowed in any case, whether it is with pleasure and without pleasure, or whether it is likely that by looking, the person is guilty or not, but in looking at faces and hands, there are two suppositions: A) Whether the looking is associated with pleasure. In the premise, looking is certainly forbidden. B) Looking is without pleasure. There are three different views here: 1) some are absolutely have been allowed, 2) some are absolutely have been respected, 3) some considered the first looking at allowed and its repetition is forbidden.

Let aside the differences of jurists in this regard, another perspective is that in cases where looking at non-intimates are forbidden immediately, what about looking with intermediate? By looking with intermediate, it means looking at an image in the mirror, television Live Pictures and the Internet. It is also highly controversial among the jurists. Some believe it is permissible and wrote: apparently what cannot be directly looked at can be looked in the water, mirror and the like. Seyed Yazdi, in "Arveh" has banned looking at the non-intimates and all those who are on the margins in Arveh. The next point that is remarkable in the discussion of illegitimate Internet relations us that whether in this environment, people know each other in terms of men and women? It is common for people in the conversation (chat rooms) that do not report their actual identity, a man may nominate themselves as a woman or a woman may introduce herself as a man, while in fact the person who thinks he is talking is a man or vice versa (Ibid, PP. 392-395).

Satellite antennas from the perspective of Islamic jurists:

Satellite antenna is considered as shared devices, merely because it is a means for receiving TV programs that has both lawful and unlawful programs, therefore, the sales and service for use in unlawful activities is prohibited, but permitted for lawful usage. But because it provides a completely unlawful programs for the person who owns it. Sometimes, its owner has other corruptions and its purchase and maintenance is not allowed, but for someone who does not assuredly use it for forbidden things. But if there is a law here, we must be complied with. "(Khamenei, a priori, PP. 264-265).

Role of Ritel in terms of Muslim jurists:

And the preparation and maintenance is not corrupted in his home. The mobile device may be considered as an example of misguided media. Here are some detrimental effects of these devices will be discussed:

- 1) It has been much emphasized on the role of man and women in Islam. Many jurists consider talking two non-intimates in isolation as prohibited. According to numerous accounts from infallible imams (peace be upon them), if that remote is supplied, then the devil will be the third person. This communication tool provides the privacy for those who are far away from each other, and it becomes the instrument of evil. So, this device more than what has been the result of our failure is be able to provide infidelity, by normalization of face to face communication with two non-intimates.
- 2) Detailed examination of statistics by centers such as police, Welfare and counseling services, shows significant relationship between increasing access to mobile and spreading moral corruption, betrayal and outside permitted relationships. Cell proliferation and enhanced features of mobile phones provides many porn productions (prostitution) available to society at large audience of school children to adult boys and girls.
- 3) Shaky foundation of the family is one of the menacing means of this communication device.
- 4) There should be some differences and obstacles between sensual desires and the possibility for sins in the Islamic community. With the launch of these operators, the gap reaches to its minimum.
- 5) With the development of the means of communication, means of pure living becomes very difficult and the costs of material and spiritual life would increase and the work of the missionaries of Islam simply vanishes. So when sin is increased, access to clean living is very hard, especially for the younger generation. "(Ritel is a threat for modesty and chastity).

Audio media from the perspective of Islamic jurists:

Audio media such as music played by different devices and some of them are misguided, they may also be visual, i.e., the audience view the image of singer while listening to him/her. Muslim scholars, both Sunni and Shia, banned enrichment and considered its listener as corrupt. They also gave fatwa against music and construction and equipment of sales. This issue was consensus among scholars and one of the necessities of Islam. But in this case there are minor differences. A group of Sunni scholars believe that music and enrichment is forbidden that with another one, it is an introduction for others which are prohibited. But some jurists of all Sunni and Shiite scholars believe that enrichment and music has an inherent dignity. Sunni scholars have many differences about enrichment sentence and it is not an important problem that Sunni scholars differ with each other to this extent. Here are some of their ideas are presented:

Singers and musicians jobs:

Hanafi, Hanbali religion and what is used from Maliki religion, said that the one who earns his/her livelihood by enrichment and singing so that their livelihood is provided is forbidden. Imam Shafi'i said: Any woman or man who earn livelihood through singing an enrichment, so that becomes well-known by it, his/her testimony will not be accepted in the court. Because that work is a fun that is similar to falsehood, and anyone who has done these types of things will be attributed to idiotism and downfall, although its reverence is not apparent. (Department of aloughaf and Alshoun Aleslamiah, 2004, vol. 31, p 296).

All Muslim jurists consider listening to the following types of music are forbidden: 1) if another forbidden thing is done as well as enrichment. 2) The probability that this is a fear that listening to enrichment is led to a temptation such as love, a stranger or a beardless boy as well as inciting lust to adultery, etc. 3) listening to enrichment is led to quitting religious obligations, such as prayer or leaving necessary works, but it is not permissible for quitting good things such as nigh prayer and the like.

However, if it is for soul relaxation without the above addition, scholars have disputed the verdict: some groups considered it as prohibited and some others allowed as follows:

- 1) Abdollah Ibn Masoud and some others are allowed, 2) Shafeis, Maleki and some Hanbalies considered abomination 3) Abdullah bin Ja'far, Abdullah bin Zubair, Naghir ibn Shabeh and some others of Hanbalies such as Aboubakr Khalal, Abiubakr Abdolaziz and also Mohammad Ghazali of Shafeites considered it as permitted (ibid, 2004, vol. 4, PP.90-91). Abdirahman Jaziri, in the book *Alfegh ala almazaheb alarbaeh*, narrated the opinion of the four Sunni schools about enrichment and music as follows:

1) Shafei: Emam Ghazali said in revival of religious sciences that narrations imply the permission of enrichment, dancing and hopping around, on condition that there is no intrigue or religious impediment. 2) Hanafies said that a forbidden enrichment such as specific description of a woman or describing wine or backbiting Muslims and the like are involved, otherwise it is prohibited.

Shiite clerics has banned enrichment and divided music into fun and non-fun music which fun music has been banned.

Reason for banning music from the perspective of Holy Quran:

Allah said that: "there are people who adore sputter and backbiting to mislead people from the way of God and ridicule it, verily, a derogatory torture awaits them" (Luqman / 6). Abdollah ibn Masoud says that: "fun music is enrichment". Mojahed says that: "lahv means drum (Tabari interpretation). Hassan Basry says that: ""The verse is revealed about songwriting and musical instruments" (Ibn Kasir commentary). Ibn Ghayem says that: "comments of companions and followers in the interpretation of Lahv alhadith is enough, and this commentary ha been confirmed from Ibn Abbas and ibn Masoud".

Evidence to ban music from the prophetic tradition of the Noble Messenger:

The Prophet said that: "Two sounds are cursed: the sound of instruments at the time of blessing and rejoice and voices of scrimmage during the ordeal. (Albany, 2004, p 427). It also said (in the nation Khasf (stick in the ground and earthquakes) and stone and metamorphosed (human disguised into humans) will occur. And it will be when people drink wine and women singer sing them and play musical instruments) (ibid, P. 2203). God has forbidden drinking (gambling, etc.), mazar (a kind of wine) and Koubeh (drums), Ghanin (a sort of instrument), and gave in turn forbade praying (Bokhari, 1419 AH).

Evidences of misguided media in terms of Islamic law:

- 1) Offenses against public decency and morality
- 2) Rape concepts

Concepts related to computer crimes:

- a) crimes of unchaste computer: b) pornography, 3) pimping computer

B) Crimes against the moral character of people:

- a) Qazaf b) Insulting c) publish falsehoods

Terms of excluding from the perspective of Islamic jurisprudence:

- 1) The capacity,
- 2) Safety of misconduct
- 3) Reasons for those who believe in the dignity of misguided media:

A) All signs b) narrative c) rational d) Consensus

All verses: 1) Lahvolhadith (Luqman / 6), 2) Qolalzour (30 / Hajj),

Other verses (116 / Nahl), verse of dignity using sin (M. / 2).

Narrations:

Tohfaloughoul: and what has been prohibited (Harani, a priori, 349-352).

2. narration of Abdolmalek ibn Ayan: "Abdul Malik narrated that has been expressed in Tanjim discussion" (Mohammadi, a priori, Vol. 2, PP. 9-10).

3. Narration of Abiabideh Alhana: "maintaining misguided books from extinction and teaching and learning of misguided books are forbidden".

For the reason of Hana: (Hor Ameli, a priori, C 11, Chapter 16, Hadith 21270, p 436) (Naraghi, a priori, vol. 14, p 157).

3. rational reason: "the wisdom of each wise man is generally independent which the essence and nature of corruption should be uprooted. (And the most dangerous substance of corruption is intellectual and doctrinal corruption that threatens human life, society, and the preservation of misguided books, material, and intellectual corruption of the youth in the community and therefore must be destroyed.)

4. Reason of consensus: Sunni scholars have used different terms on the definition of consensus. For example, Ghazali says the consensus is the agreement of the Ummah of Muhammad in a religious issue. Imamns has also different interpretations regarding consensus. Milestones are events whose occurrence they have consensus on the issue of religion is considered the discoverer of the Immaculate vote. Consensus has inherent authority in terms of Sunni standpoint, but Imams considered consensus in terms of the path, i.e. if the consensus is the discoverer of the promised Mahdi is infallible. "(Velaie, in 1374 AD, PP. 39-40). Allameh Helli is the first one who was contrary to the dignity of preserving and copying the misguided books from negative claim.

“Maintaining misguided books and copying it without intending to negate it or needed them is forbidden without any difference” (Helli, a priori, Vol. 2, P. 10-13).

5) Any other reason that few jurists have cited as evidence of the sanctity of keeping the misguided media are as follows:

Probable losses from Jihad

The obligation of jihad with the misguided people

Maintaining a misguided media indicate their satisfaction with the content: Moghadas Ardabil (Assembly Alfaydeh and Al-Borhan, former C-8, page 76) and the keynote Karama (Hosseini Ameli, a priori, vol. 4, p 62) have cited this reason.

Conclusion:

What is obtained in this study is that there are different forms and types of filtering over the world and not something that its innovation and creativity belongs to a particular country. Because the laws and ordinances are the noble principles of Islam from Muslim countries and from the Book of Allah, the Sunnah of Prophet Mohammad (PBUH) and the Imams (AS), in this context, referring to the strong legal arguments, cases have been diagnosed with a clear opposition and to prevent the spread of it in the Internet has been discussed. What has been attacked in Islamic jurisprudence and the evidence on the filter is rejecting the misguided books that its purchase, sale and release given the contents of some verses and narrations concept has been declared unlawful. Although the arguments, objections and doubts entered and it is said that it is not all they want, but nonetheless subject to any discriminate nature. Another issue that arises is the intellectual growth and understand that cited to this subject. Considering the fact that now more than ever are people of deep insight, neither of these books could make a dent in their beliefs. This is not the admissible case, for considering the acceptance of this issue and peoples' intellectual development, lack of avoiding the contents that cause insult to religion is not allowed and some disagrees that are done due to hatred and rancor is not allowed in any condition. Overall, we can conclude: what in our country is about filtering and blocking is according to jurisprudence and legal concepts and what comprises the constitution and Islamic law is taken from Islam. There are fifty recognized cases that are legal if the web, even one of the above violations of the law or an agent who is a member of those under that law, filtering devices has the rights to prevent the activities of the blog or site. Preventing the spread of these cases mentioned above does not oppose human freedom, because whatever is causing the error and the hazard is the enemy of freedom. No ideology is problematic until it is released but when he was widely disseminated and caused the defeat of Muslims should be prevented by the system. But while filtering is created for users who show a false religion and morality, but some anti-filters have been presented aiming at fighting for filtering, which has gone somewhat further neutralize the filtering function. Which the law has considered penalties for this group. Filtering and limiting is the functions of government.

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