

## Conflict Between Islam and West and Role of Media

Ishtiaq Ahmad Gondal\*

A man is compelled to lead a communal life. To live together, speaking is the best tool to communicate. In communication, speaking is a great blessing of leading a mutual life through communication, a man not only expresses his necessities, emotions and desires but also he conveys his experiences and traditions to next generation. According to communication is the activity of conveying information through the exchange of thoughts, messages, or information, as by speech, visuals, signals, written, or behavior. It is the meaningful exchange of information between two or more living creatures. (1)

Man is the supreme creation of Almighty Allah and Allah says in Quran that "He created man. taught him the speech.

(2) ﴿خَلَقَ الْإِنْسَانَ عَلَّمَهُ الْبَيَانَ﴾

Renowned scholar Mufti Shafi commented on this ability of human beings with reference to above mentioned verse of Quran That the word "bayan" (how to express himself) comprehends all the means of communication created by Allah, like speech, writing etc. There are various languages and dialects of various nations in various regions of the world. All these are constituent parts of linguistic knowledge which is the practical interpretation or application of the verse:

(3) ﴿وَعَلَّمَ آدَمَ الْأَسْمَاءَ كُلَّهَا﴾

"And He taught Adam the names, all of them."

In this regard man has shown his excellence in eloquence, poetry, literature and journalism. Apparently it merely seems an art of speaking, but written abilities cannot be ignored as well. Nevertheless, in conversation and dialogues: selection and use of words, situations and modulations in voice are very significant Words have their own effectiveness. Through ability of speaking, a few words can win the hearts while little can even lead to the action of killing.

John Fiske is of the opinion that probably the most characteristics feature of communication is its diversity. It ranges from the mass media and popular culture, through language to individual and social behavior, but it identifies links and a coherence within this diversity. communication has existed since the start of human life on this planet but as an academic discipline and program it was projected after world war I and it was considered as a formal and legitimate subject after world war II.(4)

\*Assistant Prof. SZIC, University of the Punjab, Lahore, Pakistan.

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It is the guarantee from the slave of Allah; Umar Ameer al Mominin for the people of Ilia that their properties, lives, shrines, crusades and all the people will not be damaged.<sup>(17)</sup>

- e) After having discussed the different opinions and stances of the Muslim scholars and jurists, we can say that there is no exact evidence in Shariah to prohibit their shrines in Muslim states. The difference in stance of the Jurists reveals that it is a matter directly concerned with the Muslim Ruler. The Muslim Ruler can allow to construct new shrines for non-Muslims as well as to maintain the old one. It is a matter that must be dealt according to the situation. It has never ordered to destroy the churches and shrines. It is described by the Holy Quran:

﴿ولو لدفع الله الناس بعضهم ببعض لهدمت صوامع وبيع﴾<sup>(18)</sup>

If Allah had not weakened the people through fights among them, the churches and shrines must have been destroyed.

This verse from the Holy Quran describes that secret behind fighting (Jihad) is to protect the shrines. Islam does not aim at destroying them. It is another matter that Islam doesn't accept the mastery of systems based upon shirk and kufr. But on the other side, Islam allows the non-Muslims to act upon their religions freely.

ban the construction of shrines for non-Muslims. Otherwise, they must have ordered to do so.

- c) Sayings of companions regarding any religious issue hold a very venerable and legal status for the Muslims. However it must be kept in mind that any decision made by any companion of the Holy Prophet (SAW) must not be considered universal and permanent. We can adopt other options according to the situation. If we have other evidences, we can even adopt a viewpoint opposite to that of a companion (Sahabi). The unanimous decision of the companions of the Holy Prophet (SAW) is one of the most accepted evidences. But we don't have any unanimous decision of the companions (Sahaba) regarding this issue.
- d) Some Muslim Jurists have claimed a unanimous decision (Ijma) that the non-Muslims are not allowed to construct their shrines in Muslim states. But they don't have any strong evidence for their claim. While there are so many great Muslim Jurists who have allowed it.

We have the evidence that the successors allowed to maintain the shrines in the conquered states.

Hazrat Khalid bin Waleed provided the guarantee the people of Anat. It was written in it,

"ولهم أن يضربوا نواقيسهم في أى ساعة شاء وأمن ليل أو نهار الا في اوقات الصلوة وأن يخرجوا الصلبان في أيام عيدهم" (15)

They are allowed to beat their kettle drums (Naqoos) whenever they want except the times of prayer for Muslims and they can exhibit their cross on the eve of charismas.

Hazrat Khalid bin Waleed granted such agreement guarantee to the people of Quraiqisa too.

Qazi Abu Yousuf Writes about it,

"ثم مضى حتى اتي بلاد قرقيساء --- واعطاهم مثل ما اعطى اهل عانات أن لا يهدم بيعة ولا كنيسة وعلى أن يضربوا نواقيسهم الا في اوقات الصلوة ويخرجوا صلبانهم في يوم عيدهم فاعطاهم ذلك" (16)

Then he (Khalid bin Waleed) arrived to Quraiqisa and provided them the guarantee as provided to the people of Anat that they could beat their kettledrums anytime except that of prayer and they also could display their crusades at the charismas.

The same conduct is narrated about Hazrat Umar (RA). He provided the guarantee to the people of "Bait ul Muqaddas" that their crosses would not be damaged. The aggrement says:

able to develop a moderate viewpoint. Here are some important points regarding the issue.

The Hadith of the Holy Prophet (SAW) says,

"لا يجمع دينان في جزيرة العرب" <sup>(14)</sup>

There can never be two religions in the Island of Arabia at the same time.

While this hadith reveals the fact that no other religion can prevail in the Island of Arab. It is just an Island that is supposed to be the only religion in Arab. On the other side, specification of this order with the Island of Arabia, unveils that it is not prohibited in other parts of the world. And it is quite logical since Arab land holds a special status. There can be many religions and their shrine all over the world except the Island of Arabia. It is inferred from the Hadiths that the non-Muslims can live and build shrines outside the Island of Arabia. The mentioning of Arabia depicts that it is allowed to construct such shrines outside of its premises.

The companions of the Holy Prophet (SAW) had never destroyed any shrine of the non-Muslims in the conquered cities. They allowed them to worship freely. It reveals that it is not a demand of Shariah to demolish already shrines of non-Muslims from the Muslim state. If it were so, the companions of the Holy Prophet (SAW) had razed them with no hesitation. Instead of it they provided the protection to the shrines of non-Muslims. Many agreements and guarantees provided by Hazrat Khalid bin Waleed to the people of Damascus (Dimashaq) and other non Muslim conquered residents bear witness to this fact.

Main argument to prohibit the construction of shrines for non-Muslims in a Muslim state is conditions of Umar (RA) (Also known as Shurot e Umeryah). According to it, the non-Muslims promised neither to construct a new shrine nor to maintain the older ones. But there are certain observations which must be kept in mind while discussing conditions of Umar (RA);

- a) These conditions were adopted by the non-Muslims themselves. It was not Hazrat Umar (RA) who imposed this condition according to the Shariah.
- b) Despite the conquest of Damascus, there are so many other conquests in the era of Hazrat Umar(RA). There is no single example where the Muslims have imposed this condition. Instead, the non-Muslims were assured of the protection of their shrines and holy places. As Hazrat Khalid bin Waleed did this agreement in the 15<sup>th</sup> Hijri in the era of Hazrat Umar (RA).

It is quite obvious that the companions of the Holy Prophet (SAW) and Hazrat Umar himself had not considered it an Islamic Order to

any building or churches in our cities. We will never build any building for our priests within or in the surroundings of our cities. We will not maintain or re-construct those old churches.

When this agreement was brought to Umar bin Khatab(RA) he added, "We promise that we will never trouble the Muslims. We have imposed these conditions ourselves. We have requested refuge from Muslims on they will be responsible for it. If you violate these conditions, we will not be responsible for it and you will be treated as enemies.

The above mentioned Muslim Jurists have the argument from this agreement that according to this agreement not only they are prohibited to construct shrines but also not allowed to maintain them. They have the stance that it is never permissible to construct a shrine for non-Muslims in a Muslim state because the Muslims are the proprietors of that state.

Contrary to them, the Hanafi and the Maliki jurists have the stance that the non-Muslims can have shrines in Muslim states. According to Imam Abu Hanifa, the non-Muslims are allowed to have their shrines in territories containing the majority population of non-Muslims. He is of the opinion that such territories and villages are neither important in civilization process nor have any humiliation aspect for the Muslims. So, the non-Muslims are allowed to construct their shrines in such places.

"واما في القرى اوفى موضع ليس من امصار المسلمين فلا يمنعون من احداث الكنائس والبيع" (12)

The Hanafi Jurists do not restrict the non-Muslims from the construction of their shrines in such towns where Muslims are not in majority.

They have the argument that the reason behind the prohibition of building shrines for non-Muslims in a Muslim state is to show the Islamic mastery over the state. So, Shrines for non-Muslims are prohibited in all big cities while it is not prohibited in towns and villages where there is no such concern.

Among the Maliki jurists, Ibn-e-Qasim Maliki has imposed a precondition regarding this situation with the Muslim ruler is allowed to decide. If the Muslim ruler feels it appropriate, he may permit for the construction of shrines for non-Muslims in Islamic state. (13)

### **The Preferred Stance:**

At present, Mualim Ummah is facing a new situation. All the states comprises of mixed societies. There are numerous non-Muslims living in Muslim states as their citizens. They are neither conquered nor having that situation of agreement. They are living freely as common citizens. All the major cities contain followers of different religions. After having discussed all the above mentioned situations and different stances of the jurists, we are

replied, "If the Muslims conquer a non-Muslim state with agreement, the non-Muslims will be maintained with their agreement and they can build new shrines the Muslims are obligated not to suppress them out of their capacity." The agreement of the Holy Prophet (SAW) with the people of Najran is also a strong argument for the above mentioned stance. While the Hanbali Jurists have the stance that the non-Muslims are not allowed to build their shrines in Muslim states.

### **The States Conquered after Fight:**

The term "مافتح عنده" is used for the territories conquered by power. Muslim jurists have three different stances for such situation. The shafa'i jurists have the stance that the non-Muslims are not allowed to maintain their shrines in such states. A well known shafi jurist Imam Subki writes:

"مافتح عنوة فان لم يكن فيها كنية أو كانت أو هدمت أو هدمها المسلمون وقت الفتح أو بعده فلا يجوز لهم بناءها" (8)

If Muslims conquer a city by power and there was no shrine at that time or there was any shrine and the Muslims destroyed it during the war. The non-Muslims are not allowed to re-build or re-construct it.

The Hanafi jurists don't allow to destroy the shrines in such states. Imam Kasani writes about it,

"وكل مصر من امصار المشركين ظهر عليه الامام عنوة --- لا ينبغي ان يهدم" (9)

If any Muslim ruler conquers a city after fight, he is not allowed to destroy the shrines.

Imam Ahmad has the stance that the Muslim ruler is provided with all the options according to the situation. He can do whatever he deems appropriate. (10)

### **Arguments and the Preferred Stance:**

Muslim jurists, who prohibit building shrines for non-Muslims in a state conquered by the Muslims by power, strengthen their stance with the agreement done between Hazrat Umar (RA) and the Christians of Syria. Let us have the detail of that agreement:

بسم الله الرحمن الرحيم هذا كتاب لعبد الله عمر أمير المؤمنين من نصارى مدينة كذا وكذا انكر لما قدم متر علينا  
سألناكم الأمان لأنفسنا ان لا تحدث في مدينتنا ولا فيما حولها ديرا ولا كنية ولا قلاية ولا صومعة راهب ولا نجد  
ماخرب منها ولا نحى ما كان منها في خطط المسلمين --- فلما أتيت عمر رضى الله عنه بالكتاب زاد فيه وان لا تضرب احدا  
من المسلمين شرطنا لهم ذلك على أنفسنا وهل ملتنا وقبلنا منهم الأمان فان نحن خالفنا شيئا مما شرطناه لكم ففصناه على  
انفسنا فلا زمة لنا وقد حل لكم ما يحل لكم من اهل المعاهدة والشقاوة. (11)

This agreement is provided by the Ameer Al Mominin Umar bin Khatab (RA) to a specific city. After your advancement to our state, we request your guarantee for ourselves, our children, our properties and our religion. We impose ourselves with the condition that we will never build

“To construct a church in an Islamic city is prohibited in Islam”.

Imam Ibn-e-Taimyah elaborates the issue by saying as under:

”وقد اتفق المسلمون على أن مابناه المسلمون من المدن لريكن لاهل الذمة أن يحدثوا فيها  
كعبة”<sup>(2)</sup>

“All the Muslim scholars have a unanimous stance that the infidels are not allowed to construct a shrine in a state populated by the Muslims.”

All the Muslim Jurists have above mentioned stance keeping in view the saying of Hazrat Abdullah bin Abbas (RA) when he was asked about the construction of a shrine for non-Muslims in an Islamic state, he replied.

”ايمام مصر مصرته العرب فليس للمجر أن يبنوا فيه بناء أو قال بيعة”<sup>(3)</sup>

It is not allowed for the non-Arabs (Non-Muslims) to construct their shrines in a city populated and constructed by the Muslims.

### The States conquered by agreement:

Certain Muslim Jurists have a different stance regarding the construction of a shrine for non-Muslims in a state having agreement with Muslims.

Imam Savi Maliki, the writer of the book "بلغة السالك" writes about it,  
"مافتح صلاح يجوز لاهله الاحداث مطلقا"<sup>(4)</sup>

The non-Muslims are allowed to construct their shrines in a state conquered by the Muslims by agreements.

A well know Hanafi jurist Ibn-e-Hammam writes about it in his book "Fath Al Qadeer".

"وان عرف انها فتحت صلاح حكمنا بانهم اقروها"<sup>(5)</sup>

If a state is conquered with agreement, their rights (to construct shrines) will be maintained.

A well known Shafi jurist Khateeb Al Shrini writes in his book "Mughni Al Muhtaj":

"أو فتح صلاح بشرط الارض لهم ويؤدون خراجها قررت كنا نسمح لانها ملكهم ولهم الاجداث في الاصح"<sup>(6)</sup>

If the state is conquered with the agreement that the territory will belong to the non-Muslims and they will taxes to the Muslims, their shrines will be maintained and they have the right to build the new ones as well.

The Muslim jurists having this stance, strengthen it with the saying of Hazrat Abdullah bin Abbas (r.a):

"عن عكرمة قال: قيل لابن عباس: العجم أن يحدثوا في أمصار المسلمين بناء أو بيعة؟ فقال: أيمام مصر مصرته العجم يفتح الله على العرب ونزلوا (يعني على حكمهم) فللعجم ما في عهدهم وللعجم على العرب أن يوفوا بعهدهم ولا يكفوهم فوق طاقتهم"<sup>(7)</sup>

Ikrimah narrates that Abdullah bin Abbas (RA) was asked "can the non Arabs (non-Muslims) construct their shrines in a Muslim state?" He