

The Use of YouTube Channels in the Legal System

Amna Mahmoud Shit Khattab^a, ^aIraqi University / College of Education for Girls / Department of Quranic Sciences, Email: sayf972@hotmail.com

There is no doubt that the family is the cell and pillar of society. The family carries out its tasks and functions with the aim of satisfying the needs of society and preparing them to be good individuals under conditions dominated by family communication and understanding. Research related to the statement of some forbidden and prohibited images on YouTube, and jurisprudential controls on the use of YouTube channels by the Muslim family, and other social networks such as Facebook, WhatsApp, Messenger, and others do not come with us here. In this research, the researcher has followed a descriptive approach the use of YouTube channels in the legal system with the benefit of the inductive and deductive approach. The research was conducted in accordance to the following steps: 1. The researcher referred to the sources, references, and studies related to the research topic. 2. These findings were then attributed the Qur'anic verses to their location from Surah. 3. Explain the dangers of drifting behind the violating channels on YouTube. 4. Define key terms that 5. Provide a definition of some famous characters and figures.

Key words: *YouTube Channel, Legal Scale, Muslim Family.*

Introduction

Praise be to Allah, granting blessings, humiliating everything with fate and destiny, may Allah bless his Prophet.

The Muslim family faces many dangers from some of the channels in circulation on YouTube. There is an overwhelming cultural openness which made the whole world open to each other without barriers or restrictions, however, the Muslim society is governed by Islamic law. Individuals who live under this belief system take jurisprudential controls in all life affairs to win the next home. It is necessary to stand on those controls and determinants that are the ideal watchdog of one's behaviour and acknowledge that they are like a constitution to guide the Muslim family in directing their children to the right path. The researcher sought help from Allah Almighty to write this research. The issues discussed in this research are contemporary



in nature, and developed as a result of a lot of people using the medium YouTube. Therefore, in this paper, the researcher attempts to establish legal controls regarding the use of this new medium of social media.

Rationale

The family is the cell of society and its deanship functioning with the intention of satisfying the needs of society and prepares children to be good individuals. This development falls under the conditions created by family communication and understanding. However, the developments that have occurred in light of the scientific and technological revolution participated have created significant and clear changes to the Muslim family.

Research Problem

Considering the noticeable and continuous development of modern technology, especially YouTube channels, and the extent of interaction of individuals of the Muslim family with it, the following question had to be asked: What are the legal controls regarding the Muslim family's use of YouTube channels? From this question, the following questions can be asked:

1. What are the pros and cons of YouTube channels?
2. What are the images that are present on YouTube channels that violate Islamic law?
3. What are the legal rules that must be followed when using YouTube channels?

Methodology

The First Topic:-

The Pros and Cons of using YouTube Channels and Explaining the Role of the Muslim Family

The Second Topic :-

Some YouTube Images are Banned in the Light of Islamic Jurisprudence

The Third Topic:

Legal Scale for the Use of YouTube Channels

Definition of Terms and a Definition of the Term “YouTube”

YouTube: is a website that displays videos from various fields and allows its users to view live videos directly without the downloading the video or creating an account. This website gives viewers the opportunity to express their opinion of the videos they watch by adding their

comment on the video. In addition, YouTube provides other free services such as uploading videos or creating a channel (Ahlam Falih Hassan Al-Atiyat, 2018).

YouTube is one of the most popular free online video sites that is easy to use and provides a variety of benefits. Ahlam Falih Hassan Al-Atiyat (2018) defines YouTube as the most common video hosting site where users can view and rate videos that other members upload to the site. Other researchers define YouTube as the most popular video sharing sites in the world, which enables users to download, watch and share various videos (Ahlam Falih Hassan Al-Atiyat, 2018).

YouTube has also been defined as a website that specialises in sharing and storing videos and creating specialised pages within the site for everyone interested in it. The YouTube site was founded by Chad Hurley, Steve Chen, and Jawed Karim (Fayez, 2010).

The First Topic

A- The use of YouTube channels between the pros and cons, and the role of the Muslim family.

Family life is based on affection, mercy, communication, understanding, justice, love, and positive coexistence, but other factors and problems can affect the harmony of the Muslim family. The most important factors that can lead to family problems include:

1- The weakness of religious faith.

The commitment of a person to the orders of Allah Almighty and avoiding his intentions is a reason for his happiness in this world and the Hereafter. Adherence to the right approach is the fortress of man, which prevents him from all unruly behaviour if a person commits something contrary to the orders of Allah Almighty. Man becomes a burden on the family and society (Muhammad, 1989).

2- Poor religious awareness and the spouses ignorance of each other's rights.

Islam has demonstrated the solid foundations for building a Muslim home and has set the rules for family relations from the rights and duties of men to all family members. Islam has shown the rights and duties of men so that their role and ignorance of these rights and duties do not lead to attacks on the rights of others, as is the case with wives and children.

3- The conditions of life and the control of material resources on the life of the family.

The Muslim family, in our time, is subject to the control of worldly material due to the tremendous cultural growth and the feverish competition that ensued between members of society. This form of competition can put pressure on the family and family relations (Al-Hayat, 2015)

4- Intellectual Invasion and Weak Manners

Weak manners of an **individual** as a result of self-love and selfishness a deviation from propriety, results in undesirable behaviours. These behaviours make for the intellectual invasion that the enemies of Islam use to eliminate the Muslim family as the last bulwark, which the enemies of the nation seek to destroy.

YouTube videos have a great impact on this destruction, which killed the Muslim family and, in turn, eliminated the whole society (Muhammad Qutb, 1990). There is no power or strength except in Allah.

5- Non-Pedagogical Methods Resulting from Ignorance in Education

Disturbance in relationships, cruelty and domination, and carrying out duties on behalf of children in terms of excess protection can cause a child to become unable to bear responsibility. It is recommended not to use one method in education and upbringing, which is known as a fluctuation with guidance and care. These are all things that are causing family problems (Mohie Al Din, 1999).

B- The Positive Impacts Attached to Members of the Muslim Family Following YouTube Channels

There is no doubt that social networking technology, including YouTube channels, has created a new positive dimension in the lives of millions of people, especially the Muslim family. The most important of these positive effects include the following:

1. **YouTube channels are a window to the world:** The Muslim family found in YouTube a free social window for them to learn about the ideas and cultures of the entire world (Mohamed et al, 2016).
2. The transfer of social heritage and good values through religious programs and Islamic forums (Abdullah et al., 2014).
3. YouTube channels are a platform for establishing opinions and understanding other opinions. This is one of its most important characteristics.

4. Reducing the clash of civilisations: YouTube and other cultural globalisation phenomena have been strengthened. This has occurred through a culture of shared communication among users of these sites as well as through the statement and clarification of Arab concerns of the West without the falsehood of media and the hypocrisy of politics (Mohamed et al, 2016).
5. Opening wide of the door to patterns of behaviour and exemplary experiences, through religious programs with good values, such as animal stories in the Quran (Abdullah et al., 2014).
6. YouTube channels are a luxury for all family members, while relieving the feeling of embarrassing from others, and demonstrate presenting opinions in a proper way (Abdullah et al., 2014).
7. YouTube prohibits uploading any content that has copyright reserved without the owner's permission. The upload of pornographic films and films that offend certain personalities as well as films that encourage criminality is not allowed to (Mohamed et al, 2016).
8. The website allows for strengthening family relationships within the same family, especially for residents away from their families. This is achieved by using sound and image and exchanging news (Abdullah et al., 2014).

C- The Third Requirement: The Negative Impacts and the Harm Caused to Members of the Muslim Family from Following YouTube Channels

Family communication occurs between two or multiple parties (parents and children) through dialogue, consultation, understanding, agreement, cooperation, guidance, and assistance. Therefore, the members of the same family become the owners of one language and common or converging concepts, where each of them respects the opinion of the other.

However, following and watching YouTube channels may cause family separation and disintegration. This is one of the negative aspects of YouTube follow-up which can result in each one of the family members cutting their reasons for communication and giving up on family obligations. This prevents the Muslim family from achieving its original functions of creating stability and integration among its members (Mohamed El-Kar, 2016).

YouTube channels may also cause members of the same family to live in what is called an empty shell, where each of them lives alone. In this case, each of them has their own world, so there is no shared dialogue. This can cause a failure to establish good relations between family members, and their emotional relationships remain within the minimum limits (Mohamed El-Kar, 2016).

In addition to the previous negatives of YouTube channels and their impact on the Muslim family, the contents of some channels can encourage dangerous or illegal activities. This

includes teaching bomb-making, drug use, actions that may lead to serious injuries, explicit content with a pornographic or sexual nature, or encourages violence. Documentary style content may be acceptable, but content that is primarily intended to be shocking, stimulating, or disrespectful is not acceptable. As well as, that are collection from youTube channels that broadcast content that promotes violence or hatred against individuals or groups based on certain characteristics, such as race or religion.

In cases where the video clip is acceptable but not suitable for younger viewers, YouTube may apply age restrictions. YouTube channels have also become used as a method of stalking, threatening, harassing others, and distorting their reputation (Barash and Laour, 2015).

The Effects of YouTube Channels

- A- lack and few of conversation between family members
- B- The absence of family warmth
- C- The absence of periodic meetings or intimate sessions between family members including each member of the family taking their meals individually
- D- Each person has their favourite programs
- E- Each one has their own phone, and other special technological

The Second Topic

A- Some YouTube Images are Banned in the Light of Islamic Jurisprudence

1- Ruling on Liking and Commenting on YouTube, Cheating, and Deception

Cheating is a language: by breaking Elgin- the opposite of advice, it is said to cheat its owner: if he adorns him with no interest, and shows a contradiction of what he harms (Ibrahim, et al., 2012). Cheating, according to Islamic law, does not deviate from the linguistic meaning (Abbas Ahmad Muhammad Al-Baz, 1998).

The “like” function on YouTube can be used in order to promote offered goods, through it knowing that the commodity has a lot of damage or no, as well as admiration in order to increase the number of fans of the video. This gives the advertisement value to people who want to buy the product, which is not true, this is considered a fraud and deception.

The word of jurists agreed that cheating is forbidden. This can be through consuming people's money unlawfully, whether by utterance or actually de facto, and whether it is to

conceal the defect in the commodities that are promoted and advertised, or in transactions or other advice (Mahmoud, 2016).

These issues that occur because of fraud is in the hands of the cheat is saved and does not enter into cheater property, and he must return it to its owner to absolve him of his liability. The ruler shall enjoin him and discipline him with what he deems sufficient against him, in order to be a sermon and a lesson to others (Abdulaziz bin Omar Al-Khatib, 2015).

Islam also prohibits cheating in transactions including buying and selling because of the reasons for complicity, counterfeiting people, and consuming their money through fraud and deception This can occur by concealing a defect in the commodity, or by entering into what is not there. It also prohibits the concealment of defects in products, and promoting a buyer's delusion of the safety of a product (Abbas Ahmad Muhammad Al-Baz, 1998) . This is because the concealment of a defect in a product is a reason for annihilate to blessing from the money, as the Prophet - may Allah prayers and peace be upon him - told him, while Hakim Bin Hazam narrated that the Prophet - may Allah's prayers and peace be upon him - said: "The two sales are by choice, unless they are separated or said until they are separated. If they honest and clear will blessed them for their selling and if they conceal and lie, they are annihilating a blessing of their selling. " (Al-Bukhari, 2004).

2- Forbidden Ads on YouTube

The purified Islamic law promotes everything that has an interest and good, and forbids and prohibits everything that is harmful and evil. Commercial and non-commercial advertisements that are displayed on YouTube channels may present as an interest on the one hand, but may be misused to advertise taboo on the other side. Therefore, Islamic law stipulates the prohibition of advertising for all kinds of forbidden evidence, including: The first evidence: Allah Almighty saying "And who makes lawful for them all the pure and good things and makes unlawful all the impure and bad things" (Quran) .

3- The Significance of the Verse

Where Allah Almighty permitted in this verse all kindness, for his benefit, as forbidden by every malicious, because of his harm, and everything that is connected to the forbidden and the malicious is forbidden and malicious. Advertisements that are made through YouTube are a means of promoting multiple commodities. If these advertisements include taboos, this is considered as a taboo promotion.

The second evidence: the words of Allah Almighty states that "Help one another in righteousness and in warding off evil, but do not help one another to commit sin and

transgression, and take Allah as a shield surely, Allah is severe in retribution” (Abdullah et al., 2014).

The significance of the verse:

Allah Almighty prohibited people from cooperating in what is sin and transgression, and in promoting ads on YouTube that include what Allah Almighty has forbidden in cooperation on sin and transgression.

Among the images of advertisements for prohibitions through YouTube channels include the following:

1. Advertising ads for wines and smoking paraphernalia .
2. Advertisements are permissible but include prohibitions.
3. Promote advertisements for banks that deal with interest.
4. Dramatic concerts and designing invitation cards for these parties.
5. Advertising for pornographic and forbidden sites on the websites or through YouTube (Maher & Salem, 2010). All this is forbidden because of its cooperation in sin and transgression.

4- : Defamation of Others via YouTube

Al-Mardawy said in al-Insaf that “He was crucified until he became famous.” (Muhammad Qutb,1990). This can be interpreted as his command appears, and he spreads among the people, and the matter became more famous, it is well known.

It is well known that the origin of the term defamation and its prohibition in Islamic jurisprudence, is evidenced by the statement of Allah Almighty that “those who love to spread immorality among the believers, will have a woeful punishment in this world and the next. And Allah knows while you do not know” (Quran).

Ibn Katheer states that “this is a third discipline for someone who has heard something from bad speech, so he made something of his mind from him, and he spoke about it, so he does not exceed from it, spread it and broadcast it.” (Al-Mawaq, 1977).

The prophit muhammed - may God's prayers and peace be upon him: ”Beware of suspicion, for suspicion is the worst of false tales; and do not look for the others' faults and do not spy, and do not be jealous of one another, and do not desert (cut your relation with) one another, and do not hate one another and be servants of Allah our brothers)) (Quran). And he also said - may God's prayers and peace be upon him: “O people, whoever believes in his tongue and faith does not enter his heart, do not offend the Muslims, and

do not follow their own nakedness, for he who follows his brother's nakedness, Allah will follow his nudity, and he who Allah follows his nakedness will expose him in the depths of his house” (Abd al-Rahman bin Salih bin Muhammad al-Ghafili)

This text demonstrates an apparent warning against defamation of Muslims by any means, and warning against following the nakedness, as it is one of the most evil and greatest taboos (Maher & Salem, 2010).

Al-Shawkani states that “the origin of the blood of Muslims, their money and their honour are sacred” (Ali & Adel 2000).

Defamation through YouTube is either defamation of a person himself or otherwise. As for defaming someone personally, it may be a lie or honesty. If a person defames them self through YouTube as a lie, then it is forbidden according to Islam, because the Prophet - may Allah bless him Peace be upon him states “and lying leads to immorality, and immorality leads to fire, and a man lies until Allah writes a liar” (Al-Zaila’i, 1895). This is an apparent in the statement that “warning against lying and leniency in it, for if a lot of it is tolerated, it is known by it” (Mughni and Al-Sherbiny, 1994).

If the self-defamation to the ruler is something that requires a punishment, then it is the subject of disagreement among the jurists, according to the following two statements.

The first view states that it is desirable to conceal himself, and he does not confess to ruler to this sin, and with it he said the Hanafi (Sheikh, 2014), and the Maliki (Ayman, 2014), which is the doctrine of the Shafi’a (Ibn, & Abdel-Hamid Hindawi, 2000), and the Hanbali (Haifa, 2013). They inferred that with evidence that obliges and orders the Muslim to cover himself up.

The second view states that it is desirable to confess to committing a sin by the ruler in order to purify him, a saying by the “Shafi’a” , as for defaming a person other than directly through YouTube channels, and throwing rumors through them without a responsible or censor, and divulging people's secrets, and publishing their news, he committed a sin and a great crime. (Ibn, & Abdel-Hamid Hindawi, 2000).

The Almighty states that “Those who love to spread immorality among the believers, will have a woeful punishment in this world and the next And Allah knows while you do not know” (Quran).

On this matter, Ibn Najim states that “If - that is, what is mentioned about him - is not in him, then he is a lie and slander, so he will be misleading about him, whether he is in his

face or in his absence, and if it is in what he was in his absence, then it is backbiting” (Abdullah bin Abdul Mohsen Al-Turki, 1999).

5- *A woman’s gaze and measuring a man’s appearance on YouTube and measuring it with the husband*

Islamic law has ordered the necessity of restrain their observation to avoid seeing taboos. all agreed on that evidence of the book and tradition, verse included. This is highlighted in the quote of the Almighty stating “tell the believers to restrain their looks and guard their chastity that is purer and best for them. Surely, Allah is well-Aware of what they do. And tell the believing woman to restrain their looks and guard their chastity” (Bada’i Al-Sanayea, 1982).

The significance of the verse: The text, with its operative, indicates the inviolability of looking at women. The scholars mentioned the following rule: what is forbidden to block the pretext is permissible for the most favorable interest (Ayman, 2014). This is evident in the statement that: The man looked at the woman and the woman’s view of the man is forbidden in terms of being an excuse for adultery. I If this seeing demands a necessary interest such as seeking medical assistance, education, dealing in buying and selling, or testifying before a court, then it is permissible to look.

Islamic jurisprudence has shown that a woman's view of a man is disputed among Jurists 'according to four statements:

Some of people say that it is permissible for a woman to look at a man from what often appears, and by him he said the Hanafi in the narration Ibn, & Abdel-Hamid Hindawi, (2000) and the Sheikh (2014) in the saying, and the Hanbali in the narration Ayman (2014), and some of them see the permissibility of looking except for what is between the navel and the knee and with it said the Hanafi in a second narration Ibn and Abdel-Hamid Hindawi, (2000), And the Maliki in saying to them and Shafi’i in the second saying, and the Hanbali in another narration (Al-Mawaq,1977), and some of them say that it is permissible to look at the hands and the face only from the man and with it the Maliki said), and some of them say it is forbidden to look at all the body of the man, which is The correct view is in the Shafi’i Khalil Mohi & Al-Meis, (2000), and the Hanbali in a third narration Al-Resala, (2003), and the opinion of the Maalikis (Hashy al-Rahwani, 1977; Abdullah et al., 1995).

The Third Topic

The Legal Scale for the Use of YouTube Channels

It is known that the life of the Muslim family is not upright without jurisprudential and legal controls, which is a legitimate balance. This balance is characterised by moderation, and weighs new developments, problems, and catastrophes dealing with modern technologies with a balance of the principles and purposes of Islamic law. YouTube must have balance and as one of the most important legal balances.

- A- **The First Balance:** the intention of following YouTube channels is not to spy and follow the nakedness except with a legal document such as spying for the purpose of detecting crime. For example, what was in violation of the sanctities of people, their honour, their nakedness, and their personal electronic data (Mohamed Elais ,1978). This is undoubtedly prohibited, evidenced by the Almighty saying “And do not spy” (Quran). And his saying - may Allah’s prayers and peace be upon him: “Beware thinking that the falsehood is false, do not spy, do not feel, do not be envious, do not compete, do not hate, do not persevere, and be servants of Allah our brothers” (al hajarat 12). And his saying - may Allah’s prayers and peace be upon him: “O people, whoever believes in his tongue and faith does not enter his heart, do not offend Muslims, and do not follow their nakedness, for he who follows his brother’s nakedness, Allah will follow his nudity, and he who Allah follows his nakedness will expose him in the depths of his house” (Abd al-Latif 1991).

The significance of these verses and the prophetic tradition demonstrate that Allah Almighty forbade spying, so he indicated his sanctity, just as the Prophet - may Allah’s prayers and peace be upon him - forbade tracing people’s nakedness, so he indicated sanctity.

- B- **The Second Balance:** the necessity of restrained observation, avoiding stimuli, and prohibitions.

One of the jurisprudential controls on the use of YouTube channels is to avoid watching channels that lead to sexual stimuli, which contain grooming and promiscuity, for this is forbidden for both men and women. Therefore, restraint is necessary. This is indicated by the Almighty’s statement “tell the believers to restrain their looks” (Quran) The jurists also mentioned that looking at a woman is forbidden, and her nakedness with the exception of the face and hands, (Mohamed Elais ,1978).

C- **The Third Balance:** Women do not look like men, or men do not look like women when choosing a username.

Whereas, when choosing a username, the picture of a woman and the name of a woman is considered a feminisation of the man who is not worthy of it. This is similar to the imitation of women forbidden by the text of the prophetic tradition of the Messenger of Allah - may Allah's prayers and peace be upon him - who was narrated by Ibn Abbas - may Allah be pleased with them - who states "The Messenger of Allah - may Allah's prayers and peace be upon him - cursed men who are likened to women and likewise women to men." (Maher & Salem, 2010).

Additionally, when choosing a username, a picture of a man is drawn up as a matter of imitating men and from the section of masculinity, and this is forbidden to the previous prophetic tradition (Zuhair, 1995).

The Fourth Balance: It is forbidden to watch YouTube channels that contain any forbidden excitement. Likewise, it is forbidden to share or add channels that violate Islamic law, because this is a matter of cooperation in sin and transgression, and it is forbidden by law. The Almighty said "but do not help one another to commit sin and transgression, and take Allah as a shield. Surely, Allah is severe in retribution" (Quran).

D- **Fifth Balance:** Using YouTube to infringe upon intellectual property rights. A YouTube user may produce a program or produce a scientific or literary material and publish it through YouTube channels. If the content is available to all YouTube viewers, then it is okay to transfer or copy it provided that it is attributed to its owner. However, if its owner displays it as his own effort, and it is not available to all people, it is not permissible to steal and publish it without the permission of its owner.

E- **The Sixth Balance:** not to deal with gossip and news circulating through YouTube channels before investigating it. In view of the rapid development in the world of technology, some people may broadcast news and rumours that are not really for specific purposes that he wants to reach, such as causing sedition in a country or village, or blackmailing a person or party, etc. This has required the Islamic law before believing this news of two things (Sheikh, 2014).

- Sharia obliged before believing this news two things : -

1- **The First Thing:** to verify the authenticity of the news and information. The origin of sentiment is the Almighty's statement that "O you who believe! If wicked person brings you any important news, examine it carefully, lest you

should harm some people in ignorance and afterwards you may have to repent for what you did.” (Quran)

- 2- **The second matter:** If it is proven that the news is false, it is forbidden to publish it in any way, and if it shows its sincerity, the consequences of spreading it among people should be studied.

F- **The Seventh Balance:** respecting privacy, and not intruding personal data without permission. Violation of any of the privacy of the users of YouTube sites, without any personal permission from them, is considered forbidden by law. This is included in the pages or closed groups. Once you try to hack people's YouTube pages or illegally access their secret key, it is considered a violation of the right of others. Which is also considered to be a violation of their privacy and their right to exclusively with their personal information. YouTube browsers that open as soon as you click on them are available to everyone. Therefore, making it available is permissible, and you do not need permission from the owner of the page (Abbas Ahmad Muhammad Al-Baz, 1998).

Conclusion and Recommendations

In Conclusion, These Are the Most Important Results and Recommendations Reached Through the Research, We Present Them in the Following Points

1. YouTube is one of the most popular free online video-watching sites, audio and video, which is easy to use and benefit from in all areas.
2. That the use of YouTube channels and watching them are permissible in the original, unless the person charged with misuse uses it and makes it from permissible to forbidden and may be obligatory if the duty is only fulfilled by it.
3. The technology of YouTube channels has created a new positive dimension on the lives of millions of people, especially the Muslim family, as it has brought about cultural and social changes because of them.
4. YouTube channels are used for many and various purposes as they are used for marketing, promotion and advertisements, educational, social, cultural, economic, political, and other purposes, and this is forbidden and permissible.
5. The technology of YouTube channels has had many positives on society in general, and the Muslim family in particular.
6. The Muslim family has a great and effective role in directing its members to the general beneficial use through the foundations and principles of Islam.
7. That the unity of origin, compassion, affection, justice, and interdependence are among the general foundations of the characteristics of the conservative Muslim family.



8. There are many forbidden and prohibited ways of using YouTube channels. This includes: defamation of people unlawfully, looking at taboos, cheating and fraud against people, and forbidden advertisements.
9. The importance of jurisprudence controls appears in ensuring dealing with YouTube channels in line with Islamic jurisprudence controls.
10. There are many doctrinal controls for the use of YouTube channels, including: respecting privacy, and not intruding on personal data without permission, and that the intention of following YouTube channels is not to spy and follows the nakedness except with a legal document, the necessity of turning a blind eye, avoiding stimuli, and the prohibition of adding YouTube channels that contain topics Illegal, and others.
11. We recommend abundant Islamic YouTube programs that are free from violations, legal prohibitions, and family attention when using YouTube.

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