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Review

Freedom of expression from Islamic perspective

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Islam gives everyone right to exercise freedom of expression, as long as he does not intrude upon the freedom and dignity of other people. There is no place for the propagation of evil and wickedness in Islam. It does not grant anybody the right to use abusive or offensive language in the name of criticism and freedom of speech. Indeed, Islam grants everyone the right to have his own opinion within the boundaries of morality. Many western scholars and some Western influenced Muslim scholars also raised finger against the Islamic concept of freedom of expression. Such preternatural thoughts create amoke situation and pretend to answer the allegations to disprove them. The self created blames against Islam are which needs to be cleared through logical and natural ways and have to prove that Islamic way of freedom of expression is the only means which can poise the society and preserve communal concord. In this paper an analytical approach is taken into to confirm Islam's elucidation and the innate phenomenon of freedom of expression in order to keep people away from illogical deductions and feigned claims by which peace gets disturbed and social disorder steps in societies.

Key words: hurriyathu ra'y, hurriyathu al-qawl, hurriyatu tafkir hurriyatu ta'beer, hurriyatul bayan, *Al-Haqq, hisbah* and *naseehah, waltakun, fanatic. Orthodox, conservative,* apostasy, blasphemy.

INTRODUCTION

Etymologically, freedom is defined as: the condition of being free, politically independent, frankness, unrestricted use of ideas and faculty of motion (Peter, 1976). But real freedom cannot be enjoyed or achieved without sacrifice of individuals' ill desires for the development of a good society or without practicing justice. In other words, freedom can be defined as a mental condition or a condition of the spirit. It is also called control of self from ill will for the safety and security of human kind (Muhammad,

2002). The happenings of recent past like, the publication of the cartoons in Denmark, in order to create false impression about Holy Prophet Muhammad [pbuh] hijab issue in France and Australia are quite unfortunate. The film about Prophet Muhammad (pbuh), burning of Quran in India and the recently dismissed criminal prosecution for apostasy in Afghanistan, makes it incumbent to mention the real face of freedom of conscience within the context of the Islamic legal view and constitutional

provisions of different countries regarding: (1) freedom of expression related to the issue of blasphemy, and (2) freedom of religion, related to the issue of apostasy. (3) Moreover, the role of Media will be highlighted about these issues and the criminal procedures about the deliberate indulgence in hurting the sentiments of the people. These issues mostly happened in those countries where Muslims live as minorities or under the subjugation of foreign colonial domination. After the decline of the Ottoman Khilafah many challenges raised their head, which were of great importance for the Muslims. The rise of the West as strong industrial colonial force changed all the ethical basis of human development and gave rise to some new philosophies and ideologies which revolve as a hallucination around human ethics more particularly to the Islamic morality (Corliss, 1997).

Though the cause of emergence of these philosophies was the complete freedom of thought linked to religion and other aspects of daily importance, the repressions perpetuated by the Christian religious heads under the gloominess of divine guidance were the main cause for emergence of these thoughts (Sam, 2004).

These challenges in the 19th to 21st century provide (particularly to media) clear ground to discuss any issue related to the articles of faith or related to general human freedom. The state structures changed and democracy took the shape of modern religion. Religion lost its value in state policies in European countries and now in Muslim world, religion is also facing tough challenges in state policies (Don, 2011).

But it was in the twentieth century, such researches emerged as dominant thought over the academic sphere of the religious and social life. Freedom of speech and expression has a long history that predates modern international human rights instruments (Timeline: 2006).

Many Western thinkers are of the view that, significance of free will is not limited to its necessity for free action and moral responsibility. Various philosophies suggest that free will is a requirement for agency rationality, the autonomy and dignity of persons, creativity and co-operation (Anglin, 1990; Kane, 1998; Laura 1999).

A sequence of English thinkers was at the forefront at the beginning of the discussion and they discussed the idea of right to freedom of expression extensively. Among them John Milton (1608–74) and John Locke (1632–1704) were the torch bearers of this thought. By the second half of the 17th century, philosophers of the European continent like Baruch Spinoza and Pierre Bayle developed ideas encompassing a more universal aspect of freedom of speech and toleration than the early English philosophers. By the 18th century, the idea of freedom of speech was being discussed by thinkers all

over the Western world, especially by French philo-sophers like Denis Diderot, Baron d Holbach and Claude Adrien Helvetius. The idea began to be incorporated in political thought both in theory as well as practice. The first state edict in history proclaiming complete freedom of speech was the one issued December 4 1770 in Denmark-Norway during the regency of Johann Friedrich Struensee (Jonathan, 2002).

At international level this thought has been given legal sanction and Article 19 of UNESCO Global Campaign for Free expression, July 2000 states the general principles adopted by various representatives of different nations as follows;

Principle 1: Freedom of Opinion, Expression and Information

(a) Everyone has the right to hold opinions without interference.
(b) Everyone has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his or her choice.
(c) The exercise of the right to freedom of expression is subject to restrictions on specific grounds, as established in international law, including for the protection of the reputations of others.
(d) Anyone affected, directly or indirectly, by a restriction on freedom of expression must be able to challenge the validity of that restriction as a matter of constitutional or human rights law before an independent court or tribunal.
(e) Any application of a restriction on freedom of expression must be subject to adequate safeguards against abuse, including the right of access to an independent court or tribunal, as an aspect of the rule of law (UNESCO, 2000).

Freedom of speech is stated to be an open access to discuss any issue related to religion, status of women, polygamy, polyandry and forced conversion. Arabic scholars used many words to express the meaning of Freedom of Expression and thought, While some make use of *hurriyathu ra'y* (freedom of opinion), *hurriyathu al-qawl* (freedom of speech), others have used alternative terms such as *hurriyatu tafkir* (freedom of thaught), *hurriyatu ta'beer* (freedom of expression or interpretation) and *hurriyatul bayan* (freedom of expression). Subhi Mahmassani uses both the terms of hurriyatu ra'y and hurriyatu ra'y wal tha'beer (Mahmassani, 1979), as Abdul Hamid Mutawalli (1974), too, uses so. Muhammed Kamil Layalah (1963) prefers *hurriyat al ra'y* while Abd Al Wahid Wafi uses al *hurriyah al fikriyyah* and Abd al Qadir Awdah

and Sayyid al-Sabiq tend to use its other equivalent *huriyat al tafkir.*

In order to understand the freedom of expression from Islamic view point, it is necessary to understand first different forms of Ra'yis. Generally Ra'y classified into three types, praiseworthy, blameworthy and doubtful (Kamali, 1994).

First category speaks the opinion which helps to elaborate the Qur,an, sunnah, and views of Prophet Muhammad's companions which result after the consultation while expressing one's opinion. Another one is blameworthy; to express one's opinion in violation of certain laws intentionally and dishonor the Allah and Prophet Muhammad. While as third one creates doubt in Law/ Shari'ah and results in social disturbance and confusions in order to create dissent among the people such expressions are punishable as per their intensity. Shari'ah provides opportunity to express one's opinion in consonance to public interests. The primary goal of Shari'ah is to free man from the grip of his own whims and fancy so that he may serve the cause of Allah in a superior comportment (Al-Raysuni, 2006).

Usage of various terms demonstrates that a wide range of terminology is used to studies related to the freedom of expression and thought. The concept has tremendous importance in the post modern era, but researches were also conducted in the early period of Islam by scholars regarding the freedom of expression (Winsinck, 1932; Muhamad, 1990; Ephrat, 2000; Hallaq, 1984).

Freedom of thought and expression in the Western sense means freedom in religion and its speech, conscience and association. This changed in the 17th century as consequent upon a thirty year long religious war (1618-1648) sparked by the Protestant Reformation and ended in the shape of Peace of Westphalia, a peace treaty that granted a kind of religious freedom, although entirely limited but allowed Catholicism and Protestantism to coexist peacefully only as the established religions of the different states, not within each state. Initially this degree of religious freedom was accepted more or less as a practical necessity than as the ideal which establishes religious unity. In England the concept of religious freedom emerged as a freedom of the individual. In 1689 England faced many wars that were political struggles between the King, religious class and the Parliament for constitutional authority. The 'Glorious Revolution' assured the ascendancy of Parliament and declared religion as free from state authority and a private affair (Salah-ud-din (n.d.)).

Freedom of speech means the right of an individual to prefer the stance about certain public or private matter and express them before others devoid of delinking themselves from the society. Freedom of speech and expression is the person's right to express his ideas and feelings with his own choice and will, as long as there is no aggression on the rights of others. It is an undeniable right which cannot be snatched or from which a person cannot be denied. It is a prerequisite for a Muslim under certain legal conditions, so that a person can express freely his thought and religious duty. About freedom of speech in Islam, an example is quoted that once Prophet Muhammad (pbuh) consulted some Sahaba about the payment of half of date palms to Ghatafan tribe. In response, all the companions said if it is revelation or order from Prophet Muhammad (pbuh), we will accept it and follow it in Toto otherwise they have right to express their thought and opinion about the issue and were not stopped from expressing their views and opinions.

Modern legal standards state that, freedom of expression or speech means expression of ideas subject to the understanding that they do not, in turn, compel others into listening or that they do not invade others rights essential to the dignity of individuals. This freedom also connotes the freedom of the press and the ability to communicate ideas through words and writings in order to reveal truth or to clarify or eliminate doubt. Such expression is very strongly in conformity with the teachings of Islamic guidance. The words used in the Quran directly express such meaning and reality, which helps to understand the cause of the divinity. The words like "thou shalt have freedom of expression", do place obligations on Muslims which presuppose this right. The ultimate goal of the Qur'anic expression of all speech is to promote veracity, the discovery of truth and to uphold human dignity. One of God's attributes is *Al-Haqq* (True and Right One), and all Muslims must endeavour to follow this attribute by forwarding the cause of truth. Imam Suyuti a renowned commentator of the Quran explains this truth as, "tell the truth, even if it be unpleasant (Jalaludeen, 1954).

Islamic perspective on right to freedom of expression is comprehensible which facilitates to put up society in a serene behavior. In Islam people are restricted to communicate their opinions only when one feels to lend a hand community fellow to continue in peace and tranquility and to maintain richness of diversity so that people stay behind from social tribulations, pandemonium and muddle. Therefore, restrictions on freedom of speech and expression necessarily do not reduce the discovery of truth and did not degrade humanity. Quran says:

…So what would you love after clearance the truth except error… (Ch.10:V.32)

This verse connotes one major restriction on freedom

of speech, namely, when it is unseemly. Speech is un-seemly or evil when it is obscene, immoral or hurtful. Evil speech restricts and interferes with the discovery of truth and thus violates human dignity. Therefore, restricting evil speech is justifiable on freedom of expression. How-ever, even the most insulting type of speech, namely, blasphemy, is not criminally sanctioned in the Quran and thus not punished under Qur'anic Hadd.

Allah likes not the uttering of unseemly speech in public, except on the part of one who is being wronged… (Ch.4:V.49)

Muslims, who live in the Western world today, like Huma Abedin an aide to Hillary Clinton, Dr. Abou el Fadl (he is of the view that a Muslim women can marry to book of Men without changing his religion), Fazlul Rahman, Tariq Ramadha,and Farid Panjwani are following blindly the doctrines of "Freedom of Speech" without being sensitive to the tradition of "speech" in Islam. It is difficult for them to avoid thinking, speaking and acting in a way that is not affected by the Western influence. It is incumbent upon Muslims to remain adherent to the Islamic tradition in order to know how to think, speak and act, especially concerning culture and civilization.

Islam guides us how to exercise one's freedom of expression and speech. Two words were coined during early Islamic age, which helps us how to express one's feelings are "*hisbah* and *naseehah"*. *Hisbah*, a term coined by Hadhrat 'Umar[(ra)], the second Khalifa of Islam, sum up the duty to advocate good and advise against evil referred to in the Holy Qur'an so that peace and human values in societies remain in intact. *Naseehah* refers to the manner in which *hisbah* must be conducted, namely, the requirement that Muslims practice *hisbah* by giving sincere and friendly advice and counsel to others. *Hisbah*, or the advocating good, assumes the right to freedom of speech. Muslims are directed to enjoin good and restrict themselves and others from evil speeches and designs.

And let there be among you a body of men who should invite to goodness, and enjoin equity and forbid evil. And it is they who shall prosper. (Ch.3:V.104)

Let there be "*waltakun" (ruler or one who* conveys a command of Allah) among the Muslims. It is rule of the law that public must be conveyed and instructed about the permissions and restrictions related to different issues so that they understand the cause or objective of law.

And the believers, men and women, are friends one of another. They enjoin good and forbid evil and observe

Prayer and pay the Zakat (alms to the poor) and obey Allah and His Messenger. It is these on whom Allah will have mercy…. (Ch.9: V.71)

As stated, *naseehah*, a sincere or friendly admonition can be best understood by distinguishing it from the concept of *tawbikh* (reprimand). *Tawbikh* a publicly uttered ill word is associated with ridicule and belittlement, while, by contrast, *naseehah* is private and courteous advice.

…And speak to men kindly... (Ch.2:V.83)

When one of you gives advice to his brother, let isolate him (from) the company of others. (*Al-Maqdis*)
 Imam Shafa'ee said: "Whoever advised his brother in confidence; he advised him in true sense and showed respect to his brother (Abdullah AbdulGhani, 2001).
   The one who advised in public, he in fact insulted his brother." Muslims are further instructed in the Holy Qur'an regarding the manner in which to engage in *hisbah* and *naseehah*:
Call unto the way of thy Lord with wisdom and goodly exhortation, and argue with them in a way that is best. (Ch.16:V.125)
And argue not with the People of the Book except with what is best; but argue not at all with such of them as are unjust. And say, 'We believe in that which has been revealed to us and that which has been revealed to you; and our God and your God is one; and to Him we submit…' (Ch.29:V.46).

Islamic historians never turned biased about the con-tribution of Prophets of the Jews and Christians and have faith upon them and consider them true representatives of God during their era and consider them revealed messengers. In response, Jews and Christians always opposed to the Prophetic mission of Prophet Muhammad [(pbuh)] and his followers turned them uncultured, barbaric and inhuman (Reuven, 2008).
   In Islamic legal terminology, freedom of expression is controlled only where the failure to do so would result in harming the cause of truth and defaming other societies and their sentiments. According to Muslim scholars, the primary offence which justifies such a curtailment of free expression is blasphemy. Blasphemy in Islam is defined nowadays; a disgraceful hostile approach against either the fundamentals of Islam, Allah, the personality of the Holy Prophet Muhammad (pbuh), or any other Prophet. Such statements are being made with the intention to insult the sensibilities of Muslims. The material on blas-phemy in the Qur'ān includes the concept of denying the truth, inventing falsehood, and insulting the divine authority. The most common Arabic verbs for blasphemy

are *sabba* (to abuse, insult) and *shatama* (to abuse, vilify). *Shatama* does not occur in the Qur'ān, and *sabba* appears only as part of a commandment to Muslims not to insult the idols of polytheists (Q6.108): "Do not abuse those to whom they pray, apart from God, or they will abuse God in revenge without knowledge" (Wiederhold, 1997).

Blasphemy though considered an offence in Islam, committed by a Muslim or a non-Muslim, direct penalty is not approved for it in the Holy Qur'an. Rather, the punishment for it is always in the hands of God alone, in the life hereafter but Muslim jurists/ rulers with the support of jurists can inflict any sort of punishment for it. Although, it is not an offence for the purposes of criminal law as it is a matter for God and God alone, to deal with. The Qur'an states,

Verily those who annoy Allah and His Messenger – Allah have cursed them in this world and in the Hereafter, and have prepared for them an abasing punishment. And those who malign believing men and believing women for what they have not earned shall bear the guilt of calumny and a manifest sin. (Ch.33:V.59)

Note that no earthly punishment is referenced in this verse.

… and you shall surely hear many hurtful things from those who were given the Book before you and from those who set up equals to God. But if you show fortitude and act righteously, that indeed is a matter of strong determination. (Ch.3:V.187)

While consulting hadith literature about blasphemy, Prophet Muhammad [(pbuh)] advocates moderation and gentleness. An event is described, in hadith literature in which a group of Jews happened to pass by the Holy Prophet (pbuh) while he was sitting with his wife and some friends. Playing off the traditional greeting "*Assalamu 'Alaikum*" (peace be upon you), the Jewish group instead greeted the Holy Prophet (pbuh) with the words "*Al-saam 'Alaikum*" (death be upon you). Upon hearing this, the Holy Prophet (pbuh) remained silent. However, in anger, his wife, 'A'ishah[(ra)], angrily responded with the words "*Al-saam 'Alaikum Wa'l-la'nah*" (may death and curses be upon you and your family), but her response constituted an escalation in the exchange. Upon hearing her response, the Holy Prophet (pbuh) stated, "O 'A'ishah, God the Most High loves gentleness." Astonished, 'A'ishah[(ra)] replied by asking the Holy Prophet (pbuh) if he had heard what was said to him. His response was "yes, but you could have just said '*Wa 'Alaikum*' (on you too)." (*Al-Bukhari*, Vol. 1, 311-12).

Keeping Prophetic status and approach in view, it is clear gentleness is more effective in Social interaction and helps to build society on peaceful lines. In order to have better understanding in the social life   Prophetic approach is a more effective sign for modern social scientists media persons, politicians and other authorities. In Holy Qur'an;

… And those who suppress anger and pardon men; and Allah love those who do good to others. (Ch.3:V.135)

And the following *Hadith*,

A Muslim is one from whose tongue and hand other Muslims are safe (*Muslim*, No. 69).

Prophet Muhammad [(pbuh)] made this statement in the context of a predominantly Muslim population. Commentators of Holy Quran are unanimously of the view, that he meant that the members of any community, where a Muslim reside is safe and secure from him or her. This approach of tolerating insults or leaving the punishment to God of Prophet Muhammad [(pbuh)] is also a dawah method to respond the views of the insulters. In any case, these traditions indicate that by the third Islamic century, speaking against Muhammad had come to be regarded an intolerable act within the Muslim empire. Legal scholars began to discuss blasphemy, whether against God, the prophet Muhammad, or his Companions, in the context of apostasy (*riddah*) and unbelief (*kufr*). Islamic Law takes a more severe view toward reviling Prophet Muhammad [(pbuh)] than it does toward reviling God. At the beginning of the fourth Islamic century, a consensus had developed among the scholars that the one who insults the Prophet Muhammad [(pbuh)] of Islam must be put to death (Saeed and Hassan, 2004).

There are numerous other incidents from the life of the Holy Prophet [(pbuh)] and his companions (peace be upon them) demonstrating their reaction to statements that can be considered blasphemous.

Abu Bakr[(ra)], the first Khalifa of Islam, was being imposed with vehement verbal abuse by a Jew. The Holy Prophet (pbuh) was sitting nearby. Listening to the abuse, Abu Bakr[(ra)] bore it patiently and in silence. Observing this, the Holy Prophet (pbuh) smiled. Eventually having had enough of the non-Muslim's tirade, Abu Bakr[(ra)] responded to the Jew but Prophet Muhammad [(pbuh)] left his company and walked away. Later, Abu Bakr[(ra)] inquired of the Holy Prophet Muhammad (pbuh), "O Prophet, whilst this person was abusing me, you remained beside me, but when I replied, you stood up and walked away. The Holy Prophet (pbuh) replied, "While you remained quiet, the angels were replying on your behalf, but when you spoke, the angels went away and Satan

appeared instead. Therefore, how could I have remained present?" (John, 1998).

During the lifetime of the Holy Prophet Muhammad (pbuh), a Jew and an Arab quarreled over the superiority of their respective prophets. The manner in which the Muslim asserted his claim injured the sentiments of the Jew. When the Jew complained to the Holy Prophet Muhammad (pbuh), he reprimanded the Muslim, saying, "Do not exalt me above Moses". Such was the high standard of courtesy that the Holy Prophet (pbuh) required from his followers (Syid, 2006).

World witnessed the attitude of conquering armies who not only devastated the fertile lands of conquered lands but also carried out massacre of the people there as observed recently in Iraq, Afghanistan, Gaza, Lebanon and Chechnya. Muslim attitude remain quite different from Conquest of Makkah, Palestine and other parts of the world. After the conquest of Makkah despite years of merciless persecution, both verbal and physical, the Holy Prophet Muhammad (pbuh) granted amnesty and forgiveness to the entire population. Even on some rare case like that of Ikrimah bin Abu Jahl got unconditional pardon. Impressed by the real statesmanship of Prophet and freedom of expression of Islam, Ikrimah of his own volition, converted to Islam (Biographies of the Companions (Sahaabah)).

Prophet Muhammad [(pbuh)] is replete with such examples. These examples demonstrate that, whilst not condoning evil speech, Islam does not completely restrict freedom of speech but put forward it God's gift alone. Islam was spread with love and compassion, maintaining religious freedom and conscience. Instead of this, the Western media remained biased about the real Islamic teachings, put Islam as a religion which spread by force and does not believe in freedom of Speech.

Regarding the Danish cartoon controversy, we know that, in April 2003, an artist named Christopher Ziele submitted a series of unsolicited cartoons to the *Jyllands-Posten* newspaper (the same newspaper which published the cartoons of the Holy Prophet Muhammad [(pbuh)]), which depicted Jesus Christ's resurrection in an apparently light-hearted manner. The editor of newspaper outwardly rejected them on the grounds that his readers would find little value in them and likely cause an outcry. Two and a half years later same editor authorised the publication of the cartoons of the Holy Prophet Muhammad (pbuh). The *Jyllands-Posten* knew well, what he was doing and that an outcry would ensue. The outcry in Denmark, was ignored criticism insolently citing the right to free speech, however after a boycott resulting in a loss of almost \$500M in sales of Danish dairy products abroad that the right to free speech was trumped by economics, and both

the *Jyllans-Posten* and the Prime Minister of Denmark apologized (Gary, 2006; Christopher, 2006; Haroon, 2006; Martin, 2006; Alexandre and Frank, 2007)

Further, the overwhelming numbers of protests in the world staged by Muslims were civilized and peaceful, but all of the media reporting seemed to focus exclusively on the few, violent riots that took place exclusively in the Muslim countries.

In European countries Muslims are not free to express themselves as true representatives of Islam and are not allowed to depict their culture. Their depiction as true Muslim brings wrath to them and are targeted and convicted for criminal cases. People of other faiths who commit sins while portraying like Muslims create hatred for Muslim Community. One of the issues is hijab controversy in Europe particularly in France which took international coverage recently. Hijab is obligatory for Muslim Women as beard is compulsory for Muslim men. In Europe it is called security threat, because sometimes people having criminal mindset use hijab as tool to perform their illegal activities. The essentialist depiction constructs Muslims and Islam as juvenile, even backward ethnic or foreign groups who need to be managed or tolerated very carefully with keen observation. Indeed, it is claimed that the media reproduces these images of Muslims and Islam as others by describing them as fundamentalist, terrorist, sexist, militant, undemocratic, violent, suicide bombers, hijackers, orthodox/ scripturalist, and fanatic. These stereotypes are linked to contexts of war, conflict, violence, disunity and sexism. Much of this scholarship reinforces the argument that the 'Us' and 'Them' dialectic is manifest in Europe and also in Australia and that Muslims continue to be denigrated in these countries (Dunn,2001).

A careful analysis of the media reports reveal a very strong tendency to standardize and simplify opinions in such a way that they fit into the existing stereotypes. Thus, instead of providing the public with balanced and highly informative reports, the mainstream Polish media appear instead to be reinforcing anti-Muslim prejudices and thus contribute to the creation of a new folk devil (Cohen, 1972).

Islamic law forbids blasphemous speeches and asserts them provocative and hurtful nevertheless does not mete out any world punishment in Holy Quran. By contrast, Canadian law prohibits speech which incites hatred or perpetuates dangerous or racist stereotypes and imposes criminal sanctions on those who engage in such speeches. Therefore, while certain types of speech may not be prosecutable under Islamic law, they are prosecutable under Canadian law. The constitutional double standard is prevailing everywhere in Europe andignominy

of Muslims is considered result of their own actions and activities. Law of nations must fulfill the necessary and basic needs and provide security to life and property. Society's demands equality before law without any racial discrimination as state demands loyalty. Law must serve some legitimate or perceived needs of people before it can gain legitimacy, otherwise it is just a command of some powerful entity to be submitted to but not to be accepted as legitimate. The prerequisite of any system of rights as the basis for universal morality is dependent on the scope to which it acts in response to the diverse needs of the people in the modern era (Ishtiaq, 1994).

Ethnically and religiously diverse social orders now exist in most countries and influence the mindset of the people and develop the sense of tolerance among few. Not surprisingly, efforts have been made in different parts of the Muslim world to revive pre-colonial Muslim society. The vastly transformed nature of the modern world and the complex economic, social and political issues has generated and render the global system an integrated whole. Most of people at present try torevive antireligious hatred and wish to create horror and diffidence. For the most part, therefore, these efforts have only led to symbolic changes (Ishtiaq, 1994).

The process of toleration is less imminent in some parts of Europe legally. Muslims are facing tough situations through official procedures. They are not allowed to express their cultural traits and are banned, even imprisoned and expelled from educational Institutes and offices. In European countries Muslims are not free to express themselves as true representatives of Islam and are not allowed to depict as per their culture. Their depiction as true Muslim brings wrath to them and are targeted and convicted for criminal cases. People of other faiths who commit sins while portraying like Muslims create hatred for Muslim Community. One of the issues is hijab controversy in Europe particularly in France which took international coverage recently. Hijab is obligatory for Muslim Women as beard is compulsory for Muslim men. In Europe it is called as security threat, because sometimes people having criminal mindset use hijab as means to execute illegitimate activities. They are portraying in such a manner that such criminal acts had never taken place in history without hijab and beard. Criminals can use any kind of tactics like wigs, face masks, lenses and make ups in order to conceal identity. In 1991 and 1992, 2355 and 1598 robberies were committed and very few used hijab. According to FBI Bank robbers in Los Angeles even do not bother to cover their faces at all (The independent, 1992).

In 2008, 189 bank robberies took place in broad day light without depicting themselves as Muslims and 115 took place in Houston Metro area (USA Today, 2008).

In France in the same year 7 bank deco-ties took place in normal European dress even without using masks.

A good number of suspects around 25 persons were arrested in connection of multi-million dollar robbery at Harry Weston Jewelers wearing wigs (Ishtiaq, 1994). In such circumstances European governments does not need to blame any community responsible. Instead people who performed such acts were mostly have Christian origin.

In order to have better security and safety for people, governments have to develop reasonable strategies to overcome crime and do not need to blame Muslims and their culture for such acts. The orientalistic designs of European governments always portrayed Muslims as otherwise, and restricted Muslim depiction as cultural aggression and trying to influence upon them. In this regard the French government provided ground for such designs and tends to cultural aggressions. The French control of Algeria, is one of the example where they used their ruthless activities to force Algerian Muslims particularly Women to adopt French culture. They want to unfetter the Algerian Muslim Women and to eradicate Islamic Values and culture from their hearts while declaring it barbaric and inhuman. In the past Britain and at present Americans, Russians and even Serbs in Bosnia tried to interrupt Muslim identity and perpetuate aggressive and non human tactics for cultural dominance. The conditions under which Algerians lived has been described by Frantz Fanon as "Servants under the threat of being fired, poor women dragged from their homes, prostitutes, were brought to the public square and symbolically unveiled to cries of 'Vive l' Algèrie Françoise" (Frantz, 1989). Although in Western legal standards, freedom of religion not only allows for the freedom to practice one's faith in accordance with its tenets but also the freedom from being coerced into converting to a particular religion (Mohammad, 1996).

Freedom of expression, whether speech or religion as per Islamic perspective was established almost 15 centuries ago by the Holy Qur'an and was upheld by the Holy Prophet (pbuh) and the early Muslims. Freedom of expression and speech professed by Muslims influenced all walks of life and resulted in unforced mass conversions Indeed, historians like Thomas Arnold, have challenged the traditional Western analysis that Islam was spread by force. According to Professor Thomas Arnold, "European historians with intent distorted the real and actual character of Islam about the propagation of thought and doctrines and misrepresented its spread throughout Asia and Africa. In reality, the extraordinarily speedy adaptation rate of the early Arabs and Africans of

the time actually resulted from the historically harmonious relationships between Christians and Muslims. Indeed, the continued existence of Christian Arabs today living peacefully within a dominant Muslim population is "living testimony of this toleration" (Thomas, 1896).

The support for freedom of religion and non-coercion in the Holy Qur'an is as follows:

There should be no compulsion in religion. (Ch.2:V.256).
And if your Lord had enforced His will, surely, all who are on the earth would have believed together. Will you, then, force men to become believers? (Ch.10:V.99).

The harmonious relation between the Muslims and Christians on which grounds they live together in Palestine and often lead anti Israel processions and outwardly rejected Zionistic designs of Israel. History itself as witness that when Prophet laid foundation of first Islamic state all the existing communities were guaranteed the right to freedom of expression inconformity with the security of the state (Ibn, 1994).

In Islam, a Muslim who leaves his or her faith is considered an apostate. The word for apostasy in Arabic is *riddah*, which literally means to "turn back". Although the offence of apostasy is mentioned 19 times in the Holy Qur'an, like the offence of blasphemy, nowhere is there a prescribed criminal punishment for it. Therefore, like blasphemy, apostasy is not an offence punishable under Qur'anic criminal law (Hadd).

The following are examples of how the Holy Qur'an addresses the issue of apostasy:

Whoso disbelieves in God after he has believed – save him who is forced thereto while his heart finds peace in the faith – but such as open their breasts to disbelief, on them is Allah's wrath; and they shall have a severe punishment. (Ch.16:V.106)
O ye who believe! Who so among you turns back from his religion, then let it be known that in his stead*, Allah will soon bring a people whom He will love and who will love Him…* (Ch.5:V.54)

In these verses, again, no criminal punishment is mentioned. Within the context of people committing apostasy or "turning back", the Holy Prophet (pbuh) is repeatedly told by God in the Qur'an that his role is confined to conveying the message, and that if people reject him in any way, he should not concern himself.
…If they submit, then they will surely be guided; but if they turn back, then thy duty is only to convey the mes sage… (Ch.3:V.20)

Admonish, therefore, for thou [Prophet Muhammad [saw]*]*

art but an admonisher; thou hast no authority to compel them. (Ch.88: Vs.21-23) (Ahmad, 2007).
(O Prophet) proclaim, 'This is the truth from your Lord, so let him who will believe, and let him who will, disbelieve… (Ch.18:V.29)

Given that the Holy Prophet Muhammad (pbuh), throughout his lifetime, always left unchallenged and unpunished instances of apostasy and rival claims of Prophet-hood, one cannot assert that they were the motivation for the Apostasy Wars; regardless of the name they were given. Therefore, to state that the Apostasy Wars are a convincing precedent for the punishment of apostasy in Islam is a stretch, to say the least.

Conclusion

Freedom of speech and expression is acknowledged in Islamic legal theory in a classified approach and endeavor is to put up society encompass incredibly high ethical base. The endeavor following is to build up love, toleration, social harmony and understanding among members for peaceful coexistence. Islam limits freedom of expression where it twirls as blasphemous and creates social disorder. Islamic law based on the Holy Qur'an and *Sunnah* maintains and upholds the right to freedom of expression but restricting it when it results in hampering the cause of the unearthing truth, even where speech is offensive and hurtful. But in Quran no worldly criminal sanction exists for it in Shari'ah as the matter is left solely to God. The Holy Qur'an teaches one should express oneself, through gentleness, courtesy and quiet discretionally through the concepts of *hisbah* and *naseehah*. The foregoing discussion also demonstrates that the Holy Qur'an maintains and upholds the right to freedom of religion, speech and expression in a decent way. Applying Islamic approach to freedom of expression on the existing conditions seems more applicable and appropriate and will help social engineers to develop theories as per Islamic design; otherwise complete freedom and discussion on all aspects of religion will turn into biasness and turmoil in the society.

Conflict of Interests

The author have not declared any conflict of interests.

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Full Length Research Paper

Reporting terrorism among Kenyan media: Should journalists be cautious?

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The study examined how journalists report terrorism and why they should be cautious in their reports in Kenya. The actions in which the media can take in covering terror attacks were also discussed and literature from selected books, journals, magazine, the internet and the press were used. We predicted that terrorism drive in the media by staging dramatic events which tend to attract large audience and in turn the media as well benefits. The media gives minor coverage to counterterrorism measures. In addition, journalists never detach themselves from reporting terrorism for they praise people known or suspected to be Al shabaab members. Moreover, the main terrorist targets are the USA, France and Israel, and those perceived to support war on terrorism including Kenya. Although current and future research has to review terrorist acts, it appears that terrorists are changing shape. The media should deny terrorists an opportunity to access publicity.

Key words: Terrorism, Terrorist, media, journalists.

INTRODUCTION

This study is motivated by terror attacks and the key responsibility of the media in adhering to the ethical issues in journalism and more importantly the Media Council of Kenya Act, 2013, which calls for all groups (whom the Act applies) to ensure the protection of national security and public order is safeguarded[i]. Besides, the role and responsibility of the media is in promoting understanding between individuals and groups in Kenya; it has been recognized in a number of documents. A particular reference should be made, in some cases, to Article 33 of the Constitution of Kenya 2010 which provides every person the freedom to seek, receive or impact information or ideas and freedom of artistic creativity among other. However, this does not extend to propaganda of war incitement, vilification of others or incitement to cause harm. The code of conduct for the practice of journalism in Kenya states, in part, that: The media should avoid presenting acts of terrorism activities in a manner that glorifies such anti-social conduct[ii]. In addition, it states that the media should not present news reports or commentaries in a manner likely to inflame passion, aggravate the tension or accentuate between the communities concern[iii]

Arguably, while media freedom and self regulations are considered important in any democratic society, the media are required to adhere to or subjected to same rights and responsibilities as envisaged in the Constitution. Yet the media still presents terrorist attacks in a way likely to strain the available relationship between various groups especially Christians and Muslims. To

illustrate further, when terrorists killed two pastors on October 20 and 21, 2013 in Mombasa, some church leaders demanded to be given guns to protect themselves and their members from attacks. Such counterattacks measures are evident that there is serious need to address the issue of terrorism not only by the government but religious groups, the media among everyone else in the society. However, the recurring of terrorist attacks in Nairobi and Mombasa, needless to say, suggest a bigger challenge for the government in the war on terror. This has been necessitated by the fact that the media usually whenever a terror attack occurs, tend to rekindle the earlier attacks by selecting a few images of terrorist while questioning the government's efforts in the war against terror.

This research provides an opportunity to examine critically why the media should play a greater role in counter-terrorism and why they ought to be cautious. It does not seek to influence the way the media report terror attacks but perhaps share results from the investigative stories. The study seeks also to highlight areas for improvement among journalists covering terrorist attacks. The research forms part of large reports which seek to explore the best practices on how media can best be used in the war on terror and on the one hand porch a relationship between the media and the government without compromising their quality of reporting. While citing Bowyer Bell, an author of the book "The Secret Army", Kenya's Chief of General Staff Julius Karangi during a breakfast meeting hosted by the Media Council of Kenya to review media coverage of Westgate said "the key to success in fighting terrorism is measured by media coverage".

The first terrorist attack occurred in Kenya in 1975 when assailants attacked Starlight Nightclub in Nairobi but since then, there have been a series of attacks. The most notable attacks occurred in 1998 when Al-Qaida group bombed US embassy in Nairobi killing over 200 people and injuring over 1000 people. And perhaps surprisingly, the attack occurred simultaneously with the bombing of US embassy in Dar-es Salaam, Tanzania. And again September 2013 attack on Westgate mall where 67 people were killed. Considering the trend of terrorist attacks in Kenya, counter-terrorism strategies should be changed completely while recognizing the place of the media. Since Westgate mall terror attacks, in which Al shabaab claimed responsibility, there has been increased attacks particularly in Nairobi, Mombasa and parts of Northern Kenya targeting churches, buildings, individuals etc.

After Westgate September 2013

The terror attack on Westgate mall on September 21, 2013 seems to have aroused investigative journalism in Kenya. For instance, it was KTN's "Jicho Pevu"; then came NTV's "The Foul Winds" and more recently special documentaries observed in most media outlets. Despite proliferation of investigative journalism in Kenya, no systematic efforts have been made to develop policies and guidelines on the reporting of terrorism among Kenyan journalism. By and large, Westgate mall terror attack and more recently Mombasa church attack have challenged the ability of the media in reporting acts of terrorism going by the images shown on the television screen or newspaper pages.

To demonstrate further, going by the dramatic scenes observed in the media, there have been attempts by journalists to exclusively focus on "shooting" the target. By this, the report does not mean the media shooting the victim but in reality, showing terrorist aiming their guns on their targets – victims of terror attack as demonstrated by some Westgate images. A considerable amount of terrorist and victim images are being replicated by the media in supporting their current stories a move questioned by analysts; hence pointing to their level of decision making. In investigative reporting, decisions on stories selected for broadcasting should be based on logic rather than emotions (Protess et al, 1991). As it will be shown later in the following sections, Kenyan journalists use positive words in describing people linked to terrorism and really such descriptions are bound to idolize them and hence motivate their followers. Similarly, they use words such as s/he possess oratory skills, is unapologetic, defiant, knowledgeable, expert etc.

Whereas the government of Kenya enacted Prevention of Terrorism Act, 2012, the frequent attacks by terrorists is a testament the Act has not deterred terrorists from carrying their activities example recruiting, attacks, business etc. Besides arrests and imprisoning of people aiding terrorists or those found in possession of property, the government have – in recent weeks – resorted in deportation of people found without legal documents (passports, IDs or any other document offered by authorities). Specifically, Interior Cabinet Secretary Joseph Lenku on April 9, 2014 announced the deportation of 82 Somali national to their country, Somalia. Analysts might have questioned the logic behind deportation as a counterattack measure to terrorism but whether the strategy will favour the war on terror is something to be attested later most likely not by this study.

Meanwhile, there has been sustained media coverage of terrorist activities following Mombasa church attack on March 23, 2014 in which 4 people killed while other injured among them one and half year old boy. Moreover, police launched operation (Operation Usalama Watch) in which mainly concentrated in Eastleigh following similar attacks in the area where six people died. Earlier, President Uhuru Kenyatta had assured Kenyans that Jubilee government was not fighting any religion or community but only terrorists who attack and kill innocent people. While some Kenyans as well as Somalis

supported the operation, those opposed cited the legality considering Kenya's relationship with Western world. Accordingly, too much media coverage seems to divert attention from the war on terror to Muslim vs Christians, Kenya vs Al shabaab or vice versa something which should not be there in the first instance. Kenyans are united when discussing terror attacks but divided when discussing strategies for combating terrorism.

Investigative reporting: Whose side are they on?

As mentioned earlier, in another section, this report sought to examine two investigative stories by KTN and NTV regarding their presentation of terrorism activities. Discussing balance in journalism is not complete unless the code of conduct for the practice of journalism in Kenya is first brought to the attention of many. According to this view, journalists are required to report news stories fairly and impartially but it does not define boundaries for the journalists. More likely the way journalists present news stories points to the history of investigative journalism in Kenya. Absolutely, there is no doubt on Kenyan journalists in reporting for they have presented insightful news stories which have extremely captured world attention; some of whom have won national, regional and international awards. Precisely, they include but limited to Linus Ole Kaikai, Kenya Television Network[iv], Tom Mboya and Evanson Nyaga of Citizen TV[v] etc. By camping Westgate mall during the terror attack, they sacrificed their time and in fact risked their lives to ensure Kenyans were informed about the events.

On the contrary, some journalists presumably while enjoying media freedom have exclusively deviated from the normative role of journalistic principles in guiding them. Of particular concern is their requirement to report all sides of the story but intelligently, they report stories that portrays weakness of one side despite giving them airtime. This report questions the extent to which the media used almost similar stories especially during recent terrorist attacks in Kenya. The media need not to describe events to be seen to support which side but selection of stories (including but not limited to videos, photos, text etc) without verbal description is certainly perfect to say that the media can take sides in their coverage of events. As the report will demonstrate in the following sections, the media have to balance their reporting as much as they don't compromise their independency but they must place primary value to national security. To this end, it is worth mention that the media ought to take caution when reporting terrorism unless there is some form of friendship among them which will be addressed in the following sections.

Why do the media cover terrorist attack?

Terrorism occurs in almost all societies: it occurs in rich and poor countries; in developed and developing nations; among Muslims and Christians and by its nature, terrorism is considered the world's big problem in which no research has ever concluded on its causes. Previous research has documented the relationship between the media and terrorist. As noted by J. Bowyer Bell (1978) the media and terrorism have symbiotic relationship and by so doing the media can help spread effects of spatially him led act to a wide public. Walter Laqueur (1987) sees the media as a terrorist's best friend. Well, if this holds true for Kenya media, the government and the media owners should rethink ways on how to incorporate media in counter-terrorism measures.

Apparently, there is evidence to suggest that terrorists value the mass media for they can sell their ideologies to the public but the only critical issue is that they don't attack randomly; they select their target carefully with the believe that it attract media coverage. For Walsh (2010) the attention the media offer to terrorists is understood by the length of broadcast segments devoted to terror attacks. Looking at newspaper page or TV screens following a terror attack tend to verify this logic considering the size of newspaper articles or time allocated to the coverage. As a matter of concern, television in the USA is 10 likely to report terrorist attack with known perpetrators (Weimann and Win, 1994). As per as this statement is concern, individuals such as late Abubakar Sharif Ahmed alias Makaburi, Abdulkadir Mohamed Abdulkadir alias Ikrima and Aboud Rogo had been identified by UN Monitorign Group as known associates of members of Al Qaida in East Africa, a group linked to Al shabaab. Most likely this explains why the media have repeatedly reproduced their stories.

Combs and Slann (2007) have compared terrorist attacks in Africa and Europe and explain that terrorist benefit from amplification of effect as a result of messages reaching audience at a large region. They looked at terrorism attacks in Angola and Mozambique which occurred a decade ago without media attention but similar attacks by Palestinians in Europe and Middle East became a topic of discussion in most of the TV stations. Indeed, they attribute this to terrorist proximity to TV news reporters. This report is cognizant of the fact that the media not only highlights terrorism activities but they play a key role in the war on terror; it only raises questions when the media presumably display nail-biting battle scenes and the stories of real people affected by terrorism. A study by Holfman et al (2010) on two USA newspapers (The Washington Post and USA Today) on media coverage of terrorism found that the media not only report government's position but they play a key role in the war against terrorism. According to Altheide (2009) by reporting in clear, most factual and most balanced information it strengthens the public's interpretation of acts of terrorism. And, perhaps surprisingly, the media determine information consumed by the public and this reduce tension arising from terror attacks.

In 1985 UK prime Margaret Thatcher termed media coverage of terrorist attacks "the oxygen of terrorists (National Communication Association, 2012); what this means is that the media can 'breed' the deed of the terror by providing useful tools that serve terror propaganda and psy-war ends (Yonah, 1978). Suppose, the media report terrorist's attacks without 'oversimplifying' events in a manner likely to give them prominence, the public still can understand occurrence of events. Why do the media while reporting new terror attacks rekindle old images of Al shabaab, for instance, holding weapons or at times in a training session? Well terrorist experts such as Brian Jenkins have warned that terrorism is not aimed at the actual victims (the death, injured or even building etc), their main target perhaps are the people watching (Jenkins, 1975); that is the public in this case Kenyan population.

Media and counter-terrorism

Can the media act as a responsible tool for fighting terrorism in Kenya? Are Kenyan journalists aware of terrorists' aims in attracting the media coverage? How should the media and the government share the same thoughts in the war against terror without compromising independents of the media as enriched in the Media Act, 2013? In his book *A First Look at Communication Theory*, Griffen (2009) states that the public depend on the media for news segment that captures their attention. Consequently, the media are able to influence the way the public interprets events (McCombs and Shaw, 1972). Furthermore, research shows that framing stories helps journalists package the content which, in effect can, influence specific interpretations by selecting and emphasizing on exclusion (Afonso et al., 2008). In essence, the ability of the media to select a section of events reporting places them in a better position in the war against terror.

Recently, there have been some instances that Kenyan media reports or uses old images of Al shabaab to support current news stories. In brief, by rekindling terrorism old stories the media tend to enhance the message sent by the terrorists to their audience but Herman and Herman (1998) advises journalists to report only new attacks. It is advisable for the media to understand values and norms of terrorist (Howard, 2001); because the media are able to identify new segments that can either support the ideologies of terrorists or assist authorities in the war on terror. Moreover, as a responsible actor who often features on the scenes of the terrorist act, plays a key role in counter-terrorism. In any case, the media advised not to romanticize or sensationalize terrorist activities (Archetti 2013). In one hand, as per as terrorism experts, fighting terrorism is a challenge for many governments around the world considering their nature of activities. There appears as if the media is in competition with the government for these

raised questions during Westgate mall terror when the media took over from government the role of information dissemination.

METHODOLOGY

With increased attention to media coverage of terrorism through special features or investigative stories, this study analyzed clips in KTN[vi] and NTV[vii] TV stations. Selected TV clips were analyzed using content analysis approach. The method is widely accepted in investigating text: It involves careful examination of human interaction; analysis of character portrayals in TV commercials, films and novels… and much more (Neuendorf, 2002. P1). Previously, content analysis has been used to analyze television video clips. For example, in 1997 DuRant et al conducted a content analysis of television music video focusing on portrayal of violence and weapon carrying among four networks: MTV, Video Hit One, Black Entertainment Television (BET) and Country Music Television (CMT) (DuRant et al, 1997). It has also been used in analyzing information extracted from image frame and spoken words that can be deciphered from audio track (Wang et al… 2000). This approach was chosen as it helps in understanding meaning, structure, and patterns within the language of text rather than the interconnection among and impact of particular texts or authors (Mahraj, 2012). Content analysis is distinctive from other qualitative analyses in that it attempts to meet standards of scientific (Bird, 1995). Based on the suggestions made by Newbold et al (2002) stages adopted during analysis were:

1. Selection of media forms – TV clips
2. Selecting issues i.e. investigative stories, events
3. Sample relevant voices of the reporter or interviewed person in the TV clip

In this study, text categories were broken down according to their relevance. The analysis resulted to over 20 voices but only 10 voices were selected for analysis. In this study, voices are strong words or responses from the reporter or person speaking in the TV clip which helps the researcher quote verbatim to support his interpretation and meaning (Mugenda, 2013).

RESULTS

Following 7 July 2005 London bombing and later September 2011 attack in the USA, academic and terrorism experts have shifted attention to role of extremist and radical mosque. And perhaps, recently universities as recruiting center for terrorists (Malik, 2011). Based on results from this study, I propose also the media to be added into this list. To illustrate, for instance, text analyzed reveals how the media offered people known or suspected to have links with terrorists a platform to justify their activities and/or seek public sympathy. Marx and Frost (1998) claims that attention should focus on the depth of learning that occurs using the video because video has the capability of generating interest and according to this view, as terrorists use the media to justify their action on one hand continue to influence public minds. This is in tandem with Albert Bandura's assertion that anybody who preaches courage and heroism inspires other people (Bandura, 1977).

According, social learning theories, "Identification occurs with another person (the model) and involves taking on (or adopting) observed behaviours, values, beliefs and attitudes of the person with whom you are identifying" (McLeod, 2011).

"ku-revenge iko katika Quran na iko dini yetu kuwa ukiwa pushed ama ukiona mwenzako akunyanyaswa, you have to stand up, sio kwa kislamu peke yake ata dini zote". (To revenge is stated in Quran and our religion explains that if you are pushed or even see you colleague being exploited, you must defend and it is not only in Islam, even other religions).
Unidentified man, NTV April, 2014

"Many of the youth here (referring to the mosque) believe Rogo died a martyr and they are following in his footsteps" (shows photo of Rogo). Unidentified man speaks: "…there is no one like him men…" (Okari April, 2014)

To put it briefly, terrorism can be seen as a propagandistic strategy as Qualter's observes, a few individuals attempts to influence behaviours and attitudes of the majority public (Schmid and de Graaf 1982 cited by Carruthers, 1994). Publicity as Laqueur (1987, p.143) puts is an essential part of terrorist strategy. It is a fact terrorist attacks are newsworthy and they perfectly fit into media logic and "news values which includes drama, visuals, sound bites, relevance and general newsworthiness" (Papacharissi and Oliveira, 2008, p.53). An empirical study of 6,714 international terrorist incidents confirms that terrorist acts apply to media logic (Weimann, 2008).

Moreover, based on the statements analyzed, it is clear that the media conveyed blatant stereotypes. For instance, visual images and languages used by Al shabaab and their members denigrated Christians; trivialized government's achievement in the fight against terrorism; they tend to glorify or justify Al shabaab terrorist violence behavior. Some tactics are considered working for terrorist groups example, identify their targets among a list provided by the media. Comparatively, the media provide terror individuals the platform to compare themselves with governments as demonstrated in the following statement:

"if terrorism is a description for aggression, brutally and those who destroy life and property for no reason, then the United States is a terrorist itself. America is just trying to show us its might and power". The man does not hide his joy by stating that: *"we are happy to be included in the list of terrorist … only regret is that we are number 41 on the list and not number 1"* Unidentified man, KTN, Oct 2013

In addition, as presented in one of the TV clips, Ilunga Hassa Kapungu, Tanzanian Muslim cleric incites their members *"akiwaua Sheik, tafuta patre muue… mkiwaua watawashika adhabu…* Ilunga (continues), *dawa ya kafiri*[viii] *kwa dunia hii ni bunduki* (if they kill Sheikhs, look for priest and kill… if you kill them, they will learn a lesson, the solution for "kafiri" in this world is a gun). Surprisingly, the media broadcast it without placing primary value to Media Act 2013 section 23

(1) The media shall avoid presenting acts of violence, armed robberies, banditry and terrorist activities in a manner that glorifies such anti-social conduct.
(2) Newspapers shall not allow their columns to be used for writings which tend to encourage or glorify social evils, warlike activities, ethnic, racial or religious hostilities.

By listing and identifying responsibilities of countries that play a key role in the war on terror, the media tend to reinforce Al shabaab's assertion that America, Israel and their partners was their target. It was evident in Makaburi's description of late Fazul Abdullah Mohammed who was killed in Somalia. He praised Fazul as a brave and courageous who only targeted America and Israel or even Kenya. Despite Pelton (2003 cited in Kondrasuk, 2005) agrees that 21% of the world's terrorism are directed at the USA, the media should not play the tune of terrorists by reinforcing the hatred of their enemies. Also, the media enhance the activities of terrorism group by praising their leaders and Mohammed Ali's and Dennis' Okari's description of Rogo attests to this fact:

"aliyekopewa sana Aboud Rogo kutokana na msimamo yake didi ya serikali na wanajeshi ya Kenya nchini Somalia" (*one who was feared so much Aboud Rogo for his stand over government and KDF's intervention of Somalia*). "licha ya kuwacha shule katika msingi, Rogo alijulikana kwa hotuba kali ambazo zilifutia hatira kila alipoufiri… Alikuwa na ufasaha na ustadi wa kusema wa kiongosi wa Palestina Sheihk Abdul Kasam" (*despite dropping out of primary school, Rogo was renown for his powerful speech which attracted several followers whenever he preached… he was knowledgeable and expert in speaking equated to Palestine Sheikh Abdul Kasam*, (Ali, October, 2013); *"Sheikh Aboud Rogo who was defiant, unapologetic and had powerful oratory skills often drawing many youths to Masjid Musa"*, (Okari, April, 2014).

Journalism in the face of terrorism

Terrorist attacks in Kenya have long and extremely been destructive in terms of human lives and property. But what are the roles of the media in the war on terror? This study found that the media provided terrorist organization and its affiliates much opportunity to sell their ideologies to the public. This was demonstrated by journalists' description of people known or suspected to be members of

the Al shabaab. In some other instances, the media play clips of Al shabaab members sharing their views. In fact, most parts of the analyzed media clip gave prominence to terrorist acts while depicting Kenya and its partners as weak and incomparable to the Al shabaab. Based on the information from the study, it was obvious that the reporter's coordination of stories allowed terrorists to attack those perceived to be their enemies while defending their members from accusation. The USA in its National Strategy for Combating Terrorism[ix] identifies the media as a challenge in the war on terrorism:

"Increasingly sophisticated use of the internet and the media has enabled our terrorist enemies to communicate, recruit, train, rally support, proselytize, and spread their propaganda without risking personal contact".

It is distressing to note that whereas the media are aware of terrorist acts; they provided much airtime. Some Muslim leaders supported recent attacks in Kenya and in fact demonized Christian; by doing so, the media tended to violate journalistic principles which requires them to take caution when handling acts of violence: *"dawa ya kafiri kwa dunia hii ni bunduki* (the solution for "kafiri" in this world is a gun). Altheide (2007) asserts that the media promote terror acts by stressing fear and uncertain future. This holds true considering Tanzanian Muslim cleric call to revenge by killing Christian leaders in the event any Muslim leader is killed. Furthermore, the cleric challenges their members to use guns in carrying its activities against Christians. Against this backdrop, US strategy on combating terrorism asserts that by denying terrorism access to the media, "Terrorist groups cannot effectively organize operations, execute attacks, or spread their ideology. We and our partners will continue to target the communication nodes of our enemy". This study observes that considering the terrorist network, it is not exaggeration to say that media's role should not be limited to reporting only but challenges acts of violence. By focusing only on the Al shabaab and its affiliates, the media emphasized on terror acts while ignoring effects of terror acts or measures aimed at combating terrorism.

CONCLUSION

Terrorism is a form of political communication where violence is used to gain attention (Kondrasuk, 2005). By dramatizing events terrorists satisfy news values of newsworthiness, in turn, attract journalists searching for news stories to tell their audiences. Terrorism in not, certainly, a recent phenomenon in Kenya but it has been occurring only that modern terrorism has become tech-nologically savvy. While the government has stressed the war on terrorism is not between religious groups, too much media coverage portrays a different picture where war on terror is seems as religious. The findings, when looked critically, reveals that the media gave prominence

terrorism while ignoring their role in building relationships among different groups in the society. For instance by identifying countries supporting war of terrorism, they reinforce their activities. Also praising people known or suspected as Al shabaab members, the media glorified terrorism activities despite giving limited space to counter-terrorism measures. In effect, Social Learning Theorist Albert Bandura (1977) sees this media coverage as inspiring to Al-shabaab members and hence might act as recruiting centres for terrorism despite reporting facts behind the terror attacks.

RECOMMENDATIONS

Given these findings, the paper recommends the media should deny anyone known or suspected to have links with terrorist organizations the platform to sell their ideologies. Despite their difference in some issues, the media should cooperate with the government in the war on terrorism for during attacks, as terrorists never isolate their targets. There is an urgent need to develop guidelines for journalists covering terrorist attacks in Kenya and in the world.

Conflict of Interests

The author have not declared any conflict of interests.

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[i] Media Council of Kenya Act, 2013 was assented on December 24, 2013 and came to commencement on January 10, 2014.

[ii] See the Media Council of Kenya Act, 2013 second schedule Article 23 (1). Government printer, Nairobi

[iii] See Section 12 (2) of the Media Council of Kenya Act, 2013 second schedule.

[iv] See CNN African Journalist of the Year Awards. http://edition.cnn.com/WORLD/africa/9903/africanawards/

[v] Overall Winner CNN MultiChoice African Journalist 2012. See http://edition.cnn.com/WORLD/africa/africanawards/finalists_2012.html for more details

[vi] KTN released 'Jicho Pevu', investigative story, only a few weeks after Westgate mall terror in September 21, 2013 in which 67 people died and media sources report Al shabaab claimed responsibility for the attacks.

[vii] NTV released 'Foul Winds', an investigative series on terrorism in Kenya and this came just hours after terrorist attack on a church in Mombasa in which four people were killed in April 2014.

[viii] Kafiri ni mtu asiye swali (Kafiri is a Kiswahili word meaning someone who doesn't pray) Retrieved from www.alhidaaya.com/sw/node/613. Accessed on 9th April 2014.

[ix] USA strategy in the war on terror and was first published in 2003. http://2001-2009.state.gov/s/ct/rls/wh/71803.htm

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