

Shar'ia is still very misunderstood by the general American public. I posted this article from Hizb ut-Tahrir America's website to provide insight into how Shar'ia will affect America's culture. Shar'ia makes it unlawful to make and paint pictures. How many Americans would be affected by such nonsense?

Q and A: Regarding hand and electronically generated drawings

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Question: I work in the field of photography and during the course of my work, I face the following:

- Editing/modifying photographs i.e. removing wrinkles, changing the color of eyes or altering certain other facial features etc.
- Crafting sketches on peoples and animals which look realistic...
- Using ready and available photographs and sketches for printing.
- Using ready and available photographs, sketches or logos for designing new ones instead preparing this myself.
- Drawing signage of people or animals, for instance road signs like 'Pedestrians Crossing' or 'Reach door in case of fire' or 'Dog-walking prohibited'.
- Drawing sketches of human or animal body parts, for example depicting hand-shake, pointing a finger, or horse head as signs.
- Drawing sketches of people and animals that do not look realistic, like caricatures.
- Drawing of fairy tale sketches which do exist in practice.

Please explain the Hukm Shara'ii with regard to these works, may Allah reward you.

Answer: Before answering these questions, we emphasize two points:

First: The following answers are the Shara'ii hukm concerning sketch drawing, i.e. drawing by hand, which is what is indicated in the ahadeeth and not the photographs captured using 'cameras'. Camera photography is permitted and is not covered by the ahadeeth.

Second: The following answers all pertain to plain photography with no embossing. As for such embossed drawings i.e. statues or sculptures, they are prohibited by the Shari'ah evidences under all situations except for children games for which permitting evidences are given at the end of these answers.

Now we answer your questions on drawing and photographs:

With Respect to these Two Questions:

- Editing/modifying photographs i.e. removing wrinkles, changing the color of eyes or altering certain other facial features etc.

- Crafting sketches on peoples and animals which look realistic...

These questions are related to drawing of pictures of living beings or altering their features by hand like removing wrinkles and other facial features... These are covered under the prohibition mentioned in the evidences irrespective of whether such alterations were made by hand using a pen or by using the 'mouse' on a computer. As long as the resulting photograph/sketch of a living being is a result of 'human effort', it is covered under the prohibition. Bukhari has reported a hadith narrated by Ibn 'Abbas (r.a) that the Prophet (saw) said:

«أَدْبَأَ أَهَيْفَ خِفَانِ بَسْ يَلِّ وَحَوْرُلَا أَهَيْفَ خَفْنِي يَتَّحُ هُبَيْدَعُمَ لَلَّ أَنْ أَفَّ رَوْصَ رَوْصَ نَمَ»

“Whoever makes a picture will be punished by Allah till he puts life in it, and he will never be able to put life in it.”

Also in another narration on the authority of Ibn 'Omar (r.a) that the Prophet (saw) said:

«مُتَّقِلْ خَ امَّ أَوْيُ حَأْمُ هَلُّ لَأَقِي. هَمَّ أَيُّ قَلَّ امَّ وَي نَوْبُدْعِي رَوْصَلَا. بَدَه نَوْعَنْ صَي نِي ذَلَّ أَنْ»

“The painters of these pictures will be punished on the Day of Resurrection. It will be said to them, ‘Put life in what you have created.’”

With Respect to these Two Questions:

- Using ready and available photographs and sketches for printing.
- Using ready and available photographs, sketches or logos for designing new ones instead preparing this myself.

i.e. copying the same from others with the questioner himself drawing the same. This is acquiring a picture and this has three aspects:

A: If your copying of pictures is for the purpose of using these in places of worship, like prayer carpet, mosque curtains, brochures for mosques etc., then such action is prohibited and not permissible.

Evidences for this are as follows:

Ibn 'Abbas (r.a) narrated that the Prophet (saw) refrained from entering the Ka'bah until the pictures present there were removed. Thus the Prophet's (saw) refusal to enter the Ka'bah until after the pictures were removed is an absolute indication (Qareenah) to refrain from putting pictures in places of worship and it an evidence on the prohibition of pictures being present in the mosques:

Imam Ahmad has reported on the authority of Ibn 'Abbas (r.a) that:

«تَي حُمَفَ أَب رَمَّ أَوْ لُ خَذِي مَلَّ هَبَّ عَكَلَا يَنْعِي تَي بَلَا يَف رَوْصَلَا يَأْرَ امَّ لَمَّ سَوْ هِي لَعُ لَلَّ اِلَّصَّ يَبْنَلَا أَنْ»

When the Prophet (saw) saw pictures in the house, i.e. the Ka'bah, he (saw) did not enter, rather he ordered removal of the pictures which were removed.

B: If the pictures were copied by the questioner from others for the purpose of using them in places other than places of worship, then the evidences indicate the permissibility:

With dislike: If the pictures were copied for use to enhance the decoration of a place, like curtains for houses, or for highlighting cultural places or on the shirts or dresses...or in schools and libraries, in advertising brochures that are not connected with worship, or as a centre-piece of a room, or beautify a dress etc. all this is disliked.

With permissibility: If the copying of pictures was for the purpose other than places of worship and in places that are not accorded veneration and respect like floor carpet which are walked upon, or other mattresses or cushion on which one sleeps or reclines against, or on the floor which is trampled upon etc., then these are permitted.

Evidences for these include:

The hadith reported by Talha (r.a) who says that he heard the Prophet (saw) say:

«عروض الوبلك هي فأتى بك ذلك الملام لخذت ال»

Angels (Malaaiakah) do not enter a house wherein lives a dog and there are pictures.

Or as in another narration reported in Muslim:

«بوت يفا مقر ال»

“Except the prints on the cloth”

This indicates that pictures drawn on a dress are exempted, and this means that angels do visit homes where there are dresses with pictures drawn on them.

This means that plain pictures ‘drawn on dresses’ are permitted because the angels do visit the house in which there are dresses with plain pictures drawn on them. But there are ahadith that explain this permissibility:

Bukhari has reported on the authority of Aishah (r.a), she says:

«رئتس لالوانت مته هه حون ولتف روص هي فمارق تي بالا ي فوملس و هيلع لاللا لصل يبن لاي ل ع ل خد»
«هك ت هف»

The Prophet entered upon me while there was a curtain having pictures (of animals) in the house. His face got red with anger, and then he got hold of the curtain and tore it into pieces. The Prophet said, “Such people as paint these pictures will receive the severest punishment on the Day of Resurrection .”

Qiram is a type of cloth which was hung on the door of the house as a curtain. The Prophet’s (saw) face became red and he (saw) pulled out the curtain, which amounts to asking for removing of such curtains on the doors which have pictures drawn on them. When this is seen in the context of the possibility of angels entering such houses where there are pictures ‘drawn on dresses’, then it implies that ‘asking for removal’ of such curtains is not absolute i.e. such curtains etc. are disliked (Makrooh). Further, since such curtains were placed on the door of the house, which is a place of honor, therefore placing of pictures on a place of honour is disliked.

The hadith of Abu Hurairah (r.a) reported in Musnad Ahmad, which are the words of Jibreel (a.s) to the Prophet (saw): “Order them to cut the curtain and make two cushions to sit on from it.” Thus Jibreel (a.s) asked the Prophet (saw) to remove the curtain from a place of respect (door) and make from it two cushions to sit upon. This indicates that using pictures drawn by others in places which are not places of respect, is permitted.

With Respect to these Two Questions:

· Drawing signage of people or animals, for instance road signs like ‘Pedestrians Crossing’ or ‘Reach door in case of fire’ or ‘Dog-walking prohibited’.

· Drawing sketches of human or animal body parts, for example depicting hand-shake, pointing a finger, or horse head as signs.

Answers to these two questions are as follows:

If the drawn pictures indicate that such pictures are of living things, then it is forbidden. This is because the ahadith described pictures of living things as forbidden, and this prohibition applies to complete picture or a partial one or that of a head besides other body parts like hands etc. which indicate a body.

But if the picture does not indicate a living being, like the picture of a hand alone or that of a finger pointing towards something or that of two hands in a handshake etc., then this prohibition will not be applicable to these.

As for the picture of a head alone without it being joined to other clear body parts, then there is a difference of opinion on its jurisprudence, and the preferred opinion is that of non prohibition of head alone without being joined with any part of a body. This is because the ahadith permit cutting up of the head of statues to render them like a tree, for instance the hadith narrated by Abu Hurairah (r.a) wherein Jibreel (a.s) says to the Prophet (saw) that a statue does not remain haraam when it's head is severed: «تَرَجَّشْ لَأَهَيْ هَكَ رِيصِيْل عَطَقِيْلَف تِيْبَلَا بَاب يِيْف يِذَلَا لَأَتْمَتَلَا سَأْرَب رُمَف»
Order the cutting up of the head of which is on the door of the house so that it becomes like a tree.

Or the hadith reported in Musnad Ahmad:

«... تَرَجَّشْ لَأَهَيْ هَكَ رِيصِيْل عَطَقِيْلَف تِيْبَلَا بَاب يِيْف يِذَلَا لَأَتْمَتَلَا سَأْرَب رُمَف...»
...Order the head to be cut so that it resembles a tree...

This hadith implies that the picture is cut so that the head alone remains or the rest of the figure remains, and both of these will not be haraam. It cannot be argued that the non-prohibition will only apply to the rest of the body whose head has been cut while the head itself will remain haraam. This is because Jibreel (a.s) asked the Prophet (saw) to cut off the head of the statue, meaning the cutting is permitted, hence the result of such cutting will also be permissible.

It must be known that Hanbali and Maliki permit pictures of head alone, but the Shafa'ii have difference of opinion on this issue... most of their Fuqaha prohibit pictures of the head, but some of them do permit it.

With Respect to these Two Questions:

- Drawing sketches of people and animals that do not look realistic, like caricatures.
- Drawing of fairy tale sketches which do exist in practice.

Answer to these questions is that if such pictures depict living beings, even if they are not realistic, then they are prohibited because the hadith of prohibition is applicable to them. In an hadith reported by Muslim, the Prophet (saw) commanded 'Aisha (r.a) to pull down the curtain which was hung on the door because it had a picture of horses with wings. Although in reality there are no horses with wings.

Muslim reported on the authority of 'Aisha (r.a), she says:

«حَنُجَالِ اتَاوَدَلِي خَلَاهِيْف الْكُونُ رُدِي بَابِي لَعَنْتُ رَتَسْ دَقُو رِفَسْ نَم مَلَسْ وَ هِيْلَع لَلَا يَلَص لَلَا لُوسَر مَدَق»
«فَتَعَزَّنَف يِنْرَمَاف»

A'isha (r.a) reported: Allah's Messenger (saw) came back from the journey and I had screened my door with a curtain having portraits of winged horses upon it. He commanded me and I pulled it away.

Darnouk (لكونرد) is type of cloth.

I repeat what I had said in the beginning that the prohibited pictures are those that are other than those for children. As for those pictures meant for children, such children's caricatures or cartoons or those imaginary pictures for children or their recreation and leisure/diversion or for their teaching... All these are permitted and the evidences for this permission include:

Abu Dawood reported on the authority of 'Aisha (r.a) who says:

«تَفَشَّكَفٌ حَيْرٌ تَبَهَفٌ رُبَيْسٌ اِهْتَوَهَسَ يَفُو رَبِّي خٌ وَأَكْوِبَتِ قَوْزَخٌ نَمَلٌ سَوْ هَيْلٌ عُلَلٌ اِلَّصَّ لَلِ اُلُّوسِرَ مَدَقٌ»
«... يَتَانِبُ تَلِاقٌ شَيْءٌ اَي اِذْه اَم لَاقِفٌ بَغَلٌ شَيْءٌ اَعْلَبَاتَانِبٌ نَعْرَتَسِ لَاقِي حَانِ»

When the Apostle of Allah (saw) arrived after the expedition to Tabuk or Khaybar, the draught raised an end of a curtain which was hung in front of her store-room, revealing some dolls which belonged to her. He asked: What is this? She replied: My dolls.

And in the hadith narrated by 'Aisha (r.a) and reported by Bukhari, she says:

«...مَلَسُو هَيْلٌ عُلَلٌ اِلَّصَّ يَبْنَلِ اَذْنِ عِبَاتَانِبِ اِبُ بَغَلِ اُتْنُكُ»

I was playing with dolls while the Prophet (saw) was present.

i.e. she was playing with toys that were in the shape of dolls.

Also the hadith narrated by Rabe'e'a bint Mu'wadh al Ansariyyah (r.a) reported by Bukhari:

«يَتَحَكُّ اِذَا هُنَّ يَطْعُ اَمَّ اَعْطَلَا اِلَّعَ مَدْحَا اِي كَبِ اِذَا فَنَزَعَلَا اَنْ مَّ تَبَغَلَلَا مَهَلٌ - عِن صَنُو مَلَسَمَ عِي اَوُرِ يَفُو - لَعَجَّ نَو...»
«رَأْفَتِ اِلَّ اَذْنِ عَن وُكَيِّ»

We used to make toys of wool for the boys and if anyone of them cried for, he was given those toys till it was the time of the breaking of the fast.”

All these ahadith permit toys for children even if they are in the shape of a living being or its statue. Thus it is more probable that plain pictures of any kind are also permitted.

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