



Static Photography and Islamic Teachings: An Analysis of the Ideologies of Muslim Scholars

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Abstract: With the advancements in science and technology, novel opportunities for improving human life style are on rise. These opportunities proures betterment in social and cultural spheres of life but at the same time, these serve as a gateway to many social, cultural and religious issues by posing serious threat to divine eastablished norms and religious values. Static Picturization is one the emerging businesses; many people are earning a living from it. The Holy Qur'an does not mention its sanctity, and in the hadith of the Prophet, the sayings of the Prophet have been mentioned at various places about the sanctity of photography. The issue under discussion will be a discussion about the Shariah status of photography. As time goes by, the problems regarding it are increasing day by day and new debates are getting origins. Islam is progressive religion that realize the vitality of industrial revolution and stresses to device methods in the light of Islamic Jurisprudence to elude all the conflicts and debates. It paves the way for a lay muslims to sail smooothly through the perilous and puzzling waves of modern era. Photos have become a part of life and it is necessary for a Muslim to do whatever he does within the realm of Sharia.

Introduction

The name of preserving the shape of a living being on a paper, wallpaper, or anything is photography. The pictures of great scholars of India, Pakistan and Arab countries are adorning newspapers and books. It is also believed that many people are brought to the photo-stache without their knowledge, but there is no doubt that many scholars are seen taking pictures of themselves in group photos or individually. In order to determine the sharia status of the photo,

Allamah Kazmi was asked whether it is permissible to make a passport with a photo for economic interests, religious or worldly necessity, taking a photo for Hajj, preaching, and foreign travel, while there is no work without them. And also inquired whether these cases mentioned above are included in ‘‘Necessities permit prohibition’’ or not?

Analysis of views related to static image in previous literature:

Before presenting the opinions of Allamah Kazmi, it would be appropriate to review the opinions of the Qur'an, the hadiths of the Messenger of Allah and the pious Scholars about the picture, because even in the past era, there have been arguments regarding the general nature of the image and exceptional cases of justification and illegitimacy, in some cases permission has been granted for the photograph.

Arguments from the Holy Qur'an:

In Surah Saba of the Holy Qur'an, Allah, the Exalted says:

Translation: "They (Jins) made for him whatever he desired of sanctuaries, statues, basins as large as reservoirs, and cooking pots fixed (into the ground). (We ordered) "Work gratefully, O family of David!" (Only) a few of My servants are (truly) grateful."¹

In this verse, the word "Tmaseela (Pictures or statues) is being discussed. The lexicographers have explained the meaning of " Tmaseela " as follows

1. Meaning of "Tmaseela " in Al- Manjad to make a statue, to give imitate²
2. The same meaning in Feroze ul Lughat is to sculpt, to imitate³
3. The meaning of " Tmaseela " in the Arab language is something like " Tmaseela is the name of any artificial thing that is made to resemble something that God has made".⁴
4. Originally, the word "Tmaseela ", which means In the Arabic language, the plural of "Tmaseela" is anything that resembles a natural object regardless of whether it is a human being or an animal, a tree or a door or any other inanimate object.⁵

Maulana Maududi, while commenting on it in Tafheem-ul-Qur'an, says that it is possible that Hazrat Suleiman (peace be upon him) only made images of inanimate objects and according to

him, the narrations from which it is known that they are living beings' pictures were Biblical narrations, so he writes that:

The word "تمائلا" used in the Qur'an is not explicit in the sense of human and animate images, but rather its application also occurs on pictures of inanimate objects, so it cannot be ruled that human and animal pictures are halal in Qur'an.⁶

Pir Karam Shah al-Azhari Zia, while commenting on this verse in the Qur'an, writes that for Hazrat Sulaiman, jinn carving statues or stones is not an argument that people were allowed to make statues too, Therefore, he is of the opinion that some people have created a justification for statues from this verse, although there is a severe punishment against it in the Holy Hadith. May Allah protect us from following the desires of ourselves.⁷

Maulana Amin says in Tadabbur Qur'an that the pictures made by Hazrat Suleiman (peace be upon him) can be animate or inanimate.

But their dominant idea is that the inanimate will be made. So, he writes that "Tmaseela" is a plural of تماثيل. تماثيل is a painted or engraved image of something or its figure and statue. Suleiman A.S must have made such pictures to enhance the decoration of his palace.⁸ In the exegesis of Shia scholars, this issue is discussed in the following words:

"It is possible that there is an aspect of decoration in front of Hazrat Suleiman, as seen in our ancient but also modern buildings, or both to create a sense of awe. There is possibility of making both type of images animate or inanimate."⁹

Taking the help of the above interpretations proves that Suleiman (peace be upon him) made images and used them for decoration, however, in all the commentaries it is not clear whether these images were of living beings or not. The possibility is mentioned that it can be of animate or inanimate, so it is clear from the above verse

that making and using pictures in the Shari'ah of Hazrat Suleiman (peace be upon him) was not forbidden.

Argument from the Ahadith of the Prophet ﷺ

ﷺ .

The hadith of the Prophet ﷺ regarding the image is as follows.

”إِنَّ أَشَدَّ النَّاسِ عَذَابًا عِنْدَ اللَّهِ يَوْمَ الْقِيَامَةِ الْهَضْرَوُونَ

The Messenger of Allah (PBUH) said, "On the Day of Judgment, those who make pictures will be the most tormented."

Another blessed hadith sanctioning on picturization is,

”إِنَّ الَّذِينَ يَصْنَعُونَ هَذِهِ الصُّورَ يُعَذَّبُونَ يَوْمَ الْقِيَامَةِ يُقَالُ لَهُمْ أَخْيُوا مَا خَلَقْتُمْ”

Translation: Allah's Messenger (ﷺ) said, "Those who make these pictures will be punished on the Day of Resurrection, and it will be said to them. 'Make alive what you have created.'"

The third narration in this regard, which is mentioned in Bukhari on the authority of Hazrat Ibn Abbas,

”مَنْ صَوَّرَ صُورَةً فِي الدُّنْيَا حُكِّفَ يَوْمَ الْقِيَامَةِ أَنْ يَنْفُخَ فِيهَا الرُّوحَ، وَلَيْسَ بِمُخْلَجٍ

Translation: "Whoever makes a picture in this world will be asked to put life into it on the Day of Resurrection, but he will not be able to do so".¹²

It is proved from the above three narrations that it is forbidden to make an image. It is also forbidden to keep and use it. The sanctity of images is a feature of the Muhammadan Shari'ah. Images were not prohibited in the sharia of the first prophets, as was the case with Suleiman.

It is proved from the story of Suleiman that Jinn used to make pictures for him. If the history of Islam is studied carefully, it is known that there was no commandments about the sanctity of the image before the migration. As Mufti Muhammad Shafi Sahib writes that there is no proof of the sanctity of the image before the

migration in Islam. After the Hijrah, the rules of sanctity have come.¹³

Probably, one of the reasons for this is that after the migration, Islam emerged as a power in Medina on the map of the world. And when the state was established, then there was regular legislation. In the Meccan life, Islam emphasized only the beliefs, while in the Madani life, various social evils and other necessary orders were described in detail. Those in which there was good, were continued, those in which there was evil were abolished.

Argument from the actions of the Sahaba:

In general, the behavior of the Sahaba regarding the image was exactly as mentioned in the hadith. As an argument few references are presented.

Hazrat Umar told the Christians that we do not enter your churches because there are pictures in them.¹⁴ Similarly Ibn Abbas used to pray in a church, but not in a church that had images in it.¹⁵

Opinions of the jurists

In general, all jurists agree on the sanctity of the image in the case of responsibility, but there are differences in exceptional cases.

The opinion of Allamah Shami in the issue under discussion is that if the upper limb of an animal is cut off, by which its life is impossible, the remaining part falls into the non-living part and the use of this image is also permissible, which is so small that if a man stood on the ground and looked the details of his limbs could be seen.¹⁶

For Imam Ahmad Raza Bareilvi

Imam Ahmad Raza Khan writes in Bareilvi Fatawi Rizwiyyah that images with the face of a living being, whether it is a person or a pencil, a person or a full statue or a non-sculpture, is worthy of worship or not worthy of worship (i.e., there is a possibility of it being done), in any case, making or making it is forbidden and impermissible.¹⁷

Allama Kazmi's Opinion

Following are the views of Allamah Kazmi regarding the depiction of living beings.

1. Taking pictures of living things that include faces is forbidden and impermissible. However, there is no coercion or temptation.
2. Hajj is permissible for foreign travel and passport license etc. with the intention of preaching and guidance. Which is included in "Necessities permit prohibition".

Allama Kazmi has given the following arguments in favor of his opinion.

- a) Allama Kazmi has presented the first argument in support of his opinion that the obligation of Hajj is absolute, and the sanctity of the image is presumed. It is false and in jurisprudence, whenever presumed sanctity comes in comparison with absolute obligation, then in this case the absolute obligation should be preferred, and the sanctity will be ignored. Taking photos to perform Hajj will be considered permissible.
- b) In the language of jurisprudence, Haram definitely refers to the prohibition of something, such as the prohibition of something that has definite evidence, such as Qur'anic verses and frequent hadiths that indicate the prohibition of something, then that thing will be called "Absolute", for example, the prohibition of interest and alcohol. If something is forbidden with an argument that is either definite evidence or not definite evidence, the proof of its prohibition is through a single or presumptive argument, then it will be called presumptuous prohibition.
- c) *For example, the prohibition of grape wine is definite, and the prohibition of other intoxicants other than wine is presumed.*
- d) Mr. Kazmi presented the second argument that permit and license is necessary for economic and economic development and in today's era it is very difficult to obtain them without a photograph, but it is

inevitable, so photographs should be taken because economically, if a person is prosperous, then he will be able to do the affairs of life in a good way and economic development is of great importance in human life, it increases the dignity of a person religiously, politically, socially and worldly.

- e) Allama Kazmi's third argument is that the great and powerful scholars and Sheikhs of India, Pakistan, Arabs, and other nations who are attending Hajj and Pilgrimages and holy places, who are visiting for growth and guidance and preaching. And obviously, in this era, it is impossible to stay outside the country without a passport or a photograph on the passport. There are people who are called "بقية السلف اور حجة الخلف". Their action is also evidence that they considered this situation permissible after pondering on it. Allama Kazmi's sanctity has been declared doubtful because it comes in comparison with obligation because it is not possible to perform Hajj without obtaining a passport and a passport visa is necessary for performing Hajj and therefore the sanctity of obligation has been declared definite and the image is presumed by Allama Kazmi.
- f) Allama Kazmi's fourth argument is that in every era, the reasons for the superiority of a nation over other nations and its rise and development are different in this political and technical era if the Muslim nation wants to remain dominant over other nations. So, it has to gain scientific and technical superiority in every field, otherwise it will be known as the defeated and helpless nation of the world. Nowadays, the scientific and technical inventions of domestic and foreign people are coming out through paintings, art pictures, therefore, the Muslim Ummah should not be ignorant of the inventions of the modern age, but should take full advantage of these inventions while staying within the limits of Sharia.

Opinions of contemporaries

Mufti Muhammad Shafi's opinion

Mufti Muhammad Shafi's opinion regarding photography and image-making is that the image of an animate is not permissible under any circumstances. Leave will be granted only in case of emergency, e.g., passport redressal is attempted first, if the attempt fails then it will be considered as emergency. His arguments in this regard are as follows.

1. Mufti Sahib's first argument is that the image is a means of idolatry, just as the original haram and sin has been forbidden, in the same way, its causes have also been forbidden. The real crime is polytheism and idolatry. When it was prohibited, the paths through which idolatry could come were also put on the Shariah guard.¹⁸
2. The second argument is that the sanctity of the image is explained because it is an imitation of the attributes of God Almighty. Painter is an attribute of God Almighty who paints a picture as if he claims that he too can paint a picture. That is why the picture is prohibited.
3. Mufti Sahib's third argument is that the angels of Allah do not come to the house where there are pictures. If the angels of mercy do not come, the blessing and light of the house will be lost. When a house is empty of angels of mercy, the devils will surround it and continue to create in the hearts of its occupants with the whisper of sins.

Opinion of Maulana Maududi

Maulana Maududi's opinion is that Islam wants to prevent the preservation of permanent images of living things because they lead to fitnah. There is no difference between photography and painting and the prohibition applies to all living things, so all pictures are haram.¹⁹

Syed Maududi Sahib further states that this rule is general, if there is any exception in it, it is only that where there is a real cultural reason for

taking a picture or it is indispensable for a great cultural benefit, then this process is only to fulfill this purpose. It will be permissible. Among which are the following cases.

1. Passport
2. Identification of criminals
3. Making pictures for doctors to treat
4. War purposes.

On the contrary, Maulana also wrote that pictures of leaders in processions are not permissible in anyway because they bring the servants of God closer to the temptation due to which the picture has been declared haram. Syed Sahib's argument is that the sanctity of images comes so that the image of arrogance of someone other than God cannot be established on the heart and mind of a person. Maulana Maududi, declaring this profession of photography is prohibited, says to leave this profession and adopt another profession.²⁰

Opinion of Maulana Rahmani

Maulana Khalid Saifullah Rahmani's opinion in this situation is that it is absolutely forbidden in Islam to make a statue of the animate. Photography is image-making and not imagery-making, therefore its industry and craft, buying and selling and making a living are all prohibited.²¹ The hadiths presented by Maulana Khalid Saifullah Rahmani as evidence have been mentioned in the previous discussion that those who make images will be punished on the Day of Judgment.

A comparative analysis of Allama Kazmi's opinion

If Allama Kazmi's opinions about photographs are compared with those of his contemporaries, the following points emerge.

1. Mufti Sahib has mentioned only those cases in which the sanctity of photographing is, while Allama Kazmi has more discussion about the cases of leave.
2. From the study of Mufti Sahib's opinions, it is known that he has determined the

Shariah rulings of the image in the light of the ancient sources of the Qur'an and Hadith, while Allama Kazmi has adopted an innovative style in his fatwa.

3. Mufti Sahib has proved the sanctity of the image with complete clarity and has given the order of compulsory image making only when there is no alternative method. While Allama Kazmi does not get such an explanation.
4. Allama Kazmi has mentioned in detail the benefits of the permission of the photo, i.e. issuance of permit or license for economic development, while Mufti Muhammad Shafi has conditioned this situation with the urgency that the first effort should be made as much as possible. That work can be done without the picture, if not, then turn to the picture.
5. Mufti Sahib has clarified the sanctity of the picture in the light of the hadith of the Messenger of Allah, that he has narrated texts, while Allama Kazmi has not presented any hadith. –
6. In Allama Kazmi's opinion, photography is allowed due to its scientific and artistic superiority, because it achieves economic happiness.
7. Allama Kazmi has named foreign travel as an auspicious step for preaching and guidance that the work of propagating and spreading Islam can be done well.
8. Allama Kazmi has also mentioned those scholars who travel to foreign countries everyday and has described their action as an argument that if it was not permissible for them to take pictures, they would never have done so.
9. Another thing in Allama Kazmi's opinion is that in this technical and scientific era, to dominate other nations, there is a need for scientific and technical excellence while staying within the realm of Sharia. While all these issues were not considered by his contemporaries.

10. Maulana Maududi, explaining the justification of image-making, has said that it is prohibited so that the image of none other than Allah can be formed on the heart and mind of man. While Allama Kazmi did not mention this.

11. Maulana Maududi and Allama Rahmani have clearly mentioned the prohibition of the profession of photography that whoever has this profession should abandon this profession and adopt another profession because this profession is wrong from the point of view of Sharia. While Kazmi Sahib has not mentioned it.

12. There are four situations where Maulana Maududi has given permission to takeout pictures and explained them in detail.

- Passport
- Identification of criminals.
- Taking pictures by doctors for treatment.
- For war purposes.

While Allama Kazmi did not explain in this way.

13. Maulana Rahmani has briefly mentioned the situation of responsibility but did not explain the problem. Maulana Rahmani has only mentioned the sanctity of the image, while not explaining the exceptional circumstances, while Kazmi Sahib has explained the exceptional circumstances. And their benefits are explained in detail.

14. Maulana Rahmani has pointed out that some people think that a photo is like a mirror. They think that a photo is not a mirror but a picture, the prohibition of which is evident from the texts, while this is not the case in the writings of Allama Kazmi.

Analyzing the opinions of Jamhur Ulama on the issue under discussion, it is evident that Allama Kazmi's style of reasoning is clearer than that of his contemporaries. The following points are evidence of this.

1. The first thing that distinguishes Allama Kazmi from his contemporaries is that he has declared the sanctity of the image to

be presumed, and on contrary the obligation of Hajj has been said to be absolute, and he has also made it clear that this opinion of the scholars that the photograph is absolutely forbidden for whatever purpose it is taken if their words are accepted then the Hajj will be abandoned but the photograph will not be taken. It is clearly proved that a person who can afford is required to perform Hajj, in this case it will not be prohibited to take a picture.

2. In the opinion of Allama Kazmi, the requirements of the modern age have been well taken into account and permission has been given to the image in the case that it is the need of the time and man should be in tune with the contemporary requirements because of this there are no problems in it. The ability to cope develops. Because today there is a need for an image in every place, if this need is not fulfilled, then a person cannot move along with the society and there will be many problems in his way, then the person will be a victim of degradation instead of development. All intellectuals know very well that it is very important for any nation to improve its economic condition. That is why, according to Allama Kazmi, international trade licenses are made, if a photo is taken for them, there will be no harm because it is the most important need of the time and without it, economic development is impossible. Because sometimes it happens that you have merchandise in abundance if you don't have a license, it is a disadvantage for you.
3. Allama Kazmi has denied the explanation of the idea that (the power of immortality) (that is, human beings should be so perfect that they can survive). This view is not correct. In this period, it cannot be called prescriptive chemistry. Today, if the whole nation remains convinced of immortality

and does not strive for the future, it will look dead even while alive.

4. Allama Kazmi gave permission to take photos for preaching and guidance, because Islam is a universal religion, its publication can only be done through preaching, if it is forbidden to take photos for this purpose, the work of preaching and spreading Islam cannot be done. Because passport and visa are required to go abroad nowadays, it is necessary to take a photo for this purpose. Even in this case, the sanctity of preaching and guidance is absolute, and the sanctity of the image is assumed, so taking the image is not prohibited. As far as breathing is concerned, it can run with infinite power, but it is not enough for a dignified and dignified life of a nation. And Allama Kazmi also said that what did he do in his life who could not celebrate his superiority over other nations.
5. Explaining the power of death, Kazimi Sahib also explained that the poverty-stricken rulers of the 3rd century, who trampled the glory of oppressive governments like Qaiser o Kasra, and raised the word of Allah. Because of the Prophet's covenant or nearer to it and the grace that he received from the light and blessings of the Prophet (peace and blessings of Allah be upon him) and the grace and knowledge of prophethood gave his spirituality the position that he received. Despite the lack of material wealth, he had made the throne of greatness and glory. Therefore, it is not correct to make assumptions about the people of this era.

The justification of Imam Ahmad Raza Khan Bareilvi's fatwa

Ahmad Raza's decrees about photography was that it is not permissible under any circumstances. Allama Kazmi defends his opinion and writes that in his era, photography was not necessary for the issues under discussion.

Therefore, there is no statement from Ahmad Raza in the state of leave.

Conclusion

The conclusion of this whole discussion is that photography is haram, but there is no such intensity that it is absolutely haram. Therefore, it will be permissible to take pictures for a legitimate purpose and to pay a certain obligation. Or it will be permissible to take pictures for cultural gain, To benefit the public, for example, for medical treatment, for war strategy. Such images should be strictly prohibited and should be banned at the government level, which should be made in such a way that their honor and glory sit on the hearts and minds of people and which lead to shirk and idolatry, especially leaders and religious people. Images of leaders should not be made because history is a witness that the images of these people have also been worshipped. May Allah protect us all from the curse of Shirk (Amen).

References

- Al Azhari, Karam Shah, Peer, Zia ul Qura'an, Volume no. 4, p 190, Zia ul Qura'an, Lahore,1999.
- Al Jamia, Al Bukhari, Book of Dress, Chapter of Pictures, Hadith no. 5951.
- Al Jamia, Al Bukhari, Book of Prayer, Chapter of Prayer, Hadith no. 54
- Al Qura'an, Surah Saba, Verse no. 31
- Brailvi, Raza, Ahamd, Fatawa Rizwia, Volume 24, P 570, Raza Foundation Lahore.
- Feroze ul Lughat, p 472, Ferouze Sons Lahore.
- Ibn Manzoor, Lisan ul Arab, Volume no. 13, p 64, Dar ul Haya Al- Sarat Al Arabi,1988.
- Islahi, Ameen, Ahsan, Tadeer ul Qura'an, Volume no. 4, p 303, Foreign Foundation Lahore 2002.
- Maodudi, Abul Aala, Syed, Rasaiel Wasaeil, Part 1st, P 120, Islamic Publications Lahore,1997.
- Maodudi, Abul Aala, Syed, Rasaiel Wasaeil, Part 1st, P 125, Islamic Publications Lahore,1997.
- Moududi, Abul Aala, Syed, Tafheem ul Qura'an,Volume no. 4, p 181, Tarjaman ul Qura'an Lahore.
- Moududi, Abul Aala, Syed, Tafheem ul Qura'an,Volume no. 4, p 80, Tarjaman ul Qura'an Lahore.
- Mufti, Shafi, Muhammad, Muarif ul Qura'an, Volume no. 8, p 249, Idarat ul Muarif, Karachi, 1982.
- Mufti, Shafi, Muhammad, Tasweer kay Shareiy Ahkam, p 12, Idarat ul Muarif, Karachi.
- Mufti, Shafi, Muhammad, Tasweer kay Shareiy Ahkam, p 80, Idarat ul Muarif, Karachi.
- Rehmani, Saif ul Allah, Khalid, Jadeed Faqihi Masaeil, Volume 1st, P 633, Maktaba Madeena Lahore.
- Tafseer Namoonah, Volume 18, P 43, 1415 AH.
- Yousafi, Saad ul Allah, khan, Al-Manjad, p 964, Dar ul Isha'at Karachi 1975.