74322 - Their government forces them to uncover their heads when having pictures taken

the question

We live in XXX and when getting a passport here we need to take a photo. But the problem is that when muslim women take photo in their headscarves the officials don't accept and permit them, saying that the woman must be without a headscarf on a photo. That's why at the current moment many muslim women aren't able to get their passports (because they don't want to take off their headscarves) and can't do some personal business where they need to use the passport. I want to ask whether or not this situation is considered by Islam as a necessety and if it is a necessity maybe it allows them in this situation to take off their headscarves. If it's not allowed again, then what should they do in this situation? And one more thing. During jahiliyya many women took pictures for passport without their headscarf, and now they've embraces Islam, but they walk with this passport everywhere and where necessary show this passport(in some institutions). What should they do in this situation? (note that government officials don't allow to be on photo with the headscarf, although according to their law there are no problems).

Detailed answer

Praise be to Allah.

Undoubtedly what some countries are doing, by preventing Muslim women from adhering to hijab, is a great evil and serious crime. If it is done by a kaafir country, there is no sin greater than kufr, but the tragedy is that such things are being done by people who call themselves Muslims. Equally abhorrent is what some countries do by forcing women to have pictures taken without hijab for official documents such as passports and ID cards. While we find kaafir countries that allow women to apply for official documents with a picture in hijab, at the same time we see some so-called Muslim countries refusing to allow that and going to extremes in that. What some kaafir countries and cities are doing now, trying to stop Muslim women from submitting pictures in hijab, is of

secondary concern when compared with these so-called Muslim countries.

On 26/4/2004 news agencies reported that German courts had allowed Muslim women to submit pictures in which they appeared in hijab when applying for passports.

The Russian Supreme Court annulled the rulings of the Ministry of the Interior which required Russian citizens to have their pictures taken without a head cover, and the Supreme Court ruled that “female citizens whose religious beliefs do not allow them to appear in front of strangers without a head cover may have a picture with a head cover in the passport.”

Look at how the courts in some kaafir countries uphold the rights of Muslim women, whilst this right is opposed in countries that are supposedly Muslim.

Whatever the case, it is not permissible for a woman to obey anyone who tells her to disobey Allaah and take off her hijab in the street or in a picture. It is not permissible for a woman to do that unless it has reached the point of necessity, such as being compelled by force to do that, or if these documents are essential for the necessities of life.

It is not permissible to go against Islamic rulings in this case unless one is certain of the necessity or thinks it most likely. It is not permissible to do that for the sake of non-essential travel, rather it should only be done in the case of necessity and for essential documents such as residence permits and ID cards.

Whoever is forced to do that should not let a stranger (non-mahram) take her picture, rather (the photographer) should be a mahram to her or a woman like her, unless she cannot find anyone who meets that criterion, in which case she is excused. And it is not permissible for her to do any more than uncover the head. Some countries accept a picture in which the ears or the front of the head can be seen, so she should not go beyond that.

We ask Allaah to grant relief to the Muslims and to make strong their religion that He has chosen for them, and to help them and make them steadfast in obeying Him.

See also question no. 45672.

And Allaah knows best.