

Pre-wedding Photography Practices of Prospective Brides and Grooms at Ullah Studio Palu in the Review of Islamic Law Sociology and Maqashid Al-Syariah

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ABSTRACT

The media plays a significant role in influencing various aspects of society, including the increasingly popular practice of pre-wedding photography. In Islam, until a valid marriage contract (*akad*) is conducted, couples remain non-mahram and are required to observe religious boundaries. This study aims to examine pre-wedding photography practices at Ullah Studio from the perspective of Islamic legal sociology. A qualitative approach was applied using literature studies and textual, contextual, and inter-contextual data analysis. The results show that pre-wedding photography at this studio adheres to Islamic ethics and legal principles, with no physical contact or interactions that violate religious norms. Pre-wedding photography is considered an acceptable cultural practice as long as it remains within the boundaries of Islamic teachings.

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1. Introduction

In all aspects of life, Islam has provided noble teachings for its followers, particularly regarding how to interact with fellow human beings. Islam views social etiquette as an essential matter that, when practiced, will have a positive impact on the well-being and success of Muslims both in this world and the hereafter. Today, technological advancements, particularly in Indonesia, continue to progress rapidly. These developments have brought significant changes to society, both positive and negative. Such conditions undeniably influence the moral standards of modern society, with technology seemingly fostering intellectual laziness, moral deviations, and a decline in ethical and sacred values.

One of the sacred values in religion is marriage. Marriage is regarded as one of the Sunnah of Allah, applicable to all living beings. Every human being created by God is made in

pairs. As is widely known, a marriage is considered valid if it fulfills its pillars and requirements. According to the Compilation of Islamic Law (KHI), Article 2 states that marriage is a very strong contract (*mitsaqan ghalidzan*) to obey Allah's commands and carrying it out is an act of worship.

The ultimate goal of marriage is to establish a household characterized by *Sakinah*, *Mawaddah*, and *Rahmah* (tranquility, love, and compassion). Indonesian society also upholds marriage rituals that precede the wedding ceremony. These pre-marriage rituals vary based on social norms and traditions, including but not limited to photography, traditional ceremonies, grooming, beauty treatments, and engagements. Pre-wedding activities not only involve traditional ceremonies but also beauty preparations for the bride and groom. As such, couples often immortalize their union through photographs and videos symbolizing their love and togetherness.

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These activities are not only seen as an expression of unity and affection but have also become a popular trend that feels incomplete if not carried out before the wedding. Pre-wedding activities are not specifically regulated by Indonesian law, leading to a lack of clarity regarding their legal standing. The practice of pre-wedding photography, in particular, continues to develop with various concepts emerging in society. Pre-wedding photos are often associated with romantic and intimate poses. However, some couples opt for photo concepts that avoid physical contact, expressing warmth and affection implicitly through body gestures and facial expressions.

Marriage, regarded as a sacred moment, involves a series of traditions and preparations that vary across cultures. Modern society tends to celebrate every life moment by capturing it through photographs or videos, shifting the focus from the essence of the moment to personal exhibition. Although pre-wedding photography has long existed, it continues to spark public debate in Indonesia, especially among religious figures, resulting in ongoing pros and cons. The Indonesian Ulama Council (MUI) has also addressed this issue.

The primary concern regarding pre-wedding photography does not lie in the inclusion of photos on wedding invitations but rather in the inappropriate poses often taken by couples who have yet to undergo the marriage contract. While progress and changes in society are generally positive, they must align with religious principles. If they contradict those principles, they cannot be accepted. Pre-wedding photography must respect the sanctity of marriage as a sacred and religiously significant event for Muslims. The sanctity of marriage must not be tainted by actions prohibited by Islamic law.

What people observe and experience often shapes their behavior, making trends easily imitated regardless of one's education level or social background. Following prevailing trends has become a way of life for people of each era. In the past, practices such as pre-wedding photography did not exist.

The media plays a significant role in shaping various aspects of society, including the popularity of pre-wedding photography. Media outlets such as newspapers, magazines,

television, and radio have become central sources of information and references regarding pre-wedding trends. As an industry, the media continuously evolves, creating job opportunities, goods, services, and influencing other industries. It also plays a role in shaping culture, traditions, fashion, lifestyle, and social norms. Its influence on daily human life is powerful and far-reaching.

In Islam, as long as a valid marriage contract (*akad*) has not been conducted, the status of a man and a woman remains that of *non-mahram*, meaning they are prohibited from engaging in physical contact. Although couples engaging in pre-wedding photography intend to marry, they must still observe the religious boundaries set by Islamic law. However, this situation should not be used as justification to cross those boundaries.

2. Literature Review

Several previous studies have examined pre-marriage practices and pre-wedding photography from various Islamic perspectives. The following literature provides an overview of these findings.

Indri Muflikhatul Khoiriah (2022) "Popular Culture in Pre-Marriage Rituals (An Islamic Ethical Perspective)" This study identifies the elements of popular culture within pre-marriage rituals from an Islamic ethical perspective. Pre-marriage rituals are considered a product of popular culture as a contemporary trend. By consensus, these rituals are related to self-existence representation, have connections with social media, and are economically beneficial for event organizer industries. Therefore, such rituals fall into the categories of *tabdzir* (wastefulness) and *israf* (excessiveness), which simultaneously contribute to the degradation of values such as virtue and justice within the framework of Islamic ethics.

Andik Hermawan Ropingi (2017) "Pre-Wedding Photography from the Perspective of Santri at Al-Ishlah Islamic Boarding School, Bandarkidul, Mojoroto, Kediri City". This study explores how pre-wedding photography is perceived and interpreted by *santri* (Islamic boarding school students) at Al-Ishlah Islamic Boarding School, Bandarkidul, Mojoroto, Kediri City, through several stages proposed by Peter L. Berger. The first stage is externalization, where

the students open themselves and adapt to new cultural practices in society, such as pre-wedding photography. The second stage is objectivation, in which they attempt to understand how pre-wedding photography is practiced. The final stage is internalization, where they provide meaning and interpretation regarding the widespread phenomenon of pre-wedding photography. According to the *santri*, pre-wedding photography is deemed unlawful (*haram*) if the process or results contain scenes or poses that violate Islamic law. Conversely, it is considered permissible as long as both the process and the resulting photographs comply with Islamic teachings and religious norms.

Elsa Martina Rosa (2021) "Analysis of the Cultural Phenomenon of Pre-Wedding Photography in Society: A Takhrij and Explanation of Hadith Study". This research analyzes the cultural phenomenon of pre-wedding photography in society through a *takhrij* (hadith verification) and *sharh* (explanation) approach. This qualitative library research confirms that the hadith concerning *khalwat* (seclusion between non-mahram individuals) is authentic (*shahih*). The hadith is classified as *shahih* because all narrators are trustworthy (*tsiqah*) and precise, and both the chain of transmission (*sanad*) and the text (*matan*) are sound, rendering the hadith acceptable (*maqbul*) for application. The study concludes that pre-wedding photography, as widely practiced in society, contains elements of *khalwat*. Since the time of the Prophet Muhammad (peace be upon him), *khalwat* has been prohibited as it may lead to immoral acts. However, pre-wedding photography is allowed provided it does not involve any forbidden elements according to Islamic law and is intended solely to facilitate guests in recognizing the bride and groom.

Ubaidulrahman (2022) "An Islamic Legal Review of Pre-Wedding Photography Practices" This study provides an Islamic legal review of pre-wedding photography practices. The findings reveal that such practices contradict Islamic law due to the physical contact that occurs between individuals who are not yet legally married as husband and wife.

Siti Aisah, Abu Bakar, and Sumiati (2022) "An Islamic Legal Review of Pre-Wedding Photography Culture (A Study in Tanjung Baru Village, Tanjung Morawa Subdistrict, Deli

Serdang Regency)". This study identifies the Islamic legal perspective on the practice of pre-wedding photography in Tanjung Baru Village, Tanjung Morawa Subdistrict, Deli Serdang Regency. From the standpoint of Islamic law, pre-wedding photography is strictly prohibited. Based on the *ijtihad* (independent legal reasoning) of Indonesian scholars, it is concluded that pre-wedding photography is forbidden (*haram*) if conducted before the formal marriage contract (*ijab qabul*) takes place. The Indonesian Council of Ulama (Majelis Ulama Indonesia, MUI) also declares pre-wedding photography to be unlawful, as the couple has not yet performed the marriage contract and therefore remains *non-mahram*, making intimate poses similar to those of a married couple impermissible.

Faisal, Debby Riana Hairani, and Zulihi (2023) "Pre-Wedding Photography in the Jayapura Community from a Socio-Religious Perspective". This study explores how the Jayapura community perceives pre-wedding photography from a socio-religious viewpoint. Within this community, pre-wedding photographs displayed on wedding invitations or at the entrance of wedding venues are seen as a form of identity for the bride and groom. The poses of the couple constitute the dominant element of pre-wedding photography, often serving as symbols constructed from various concepts. The practice often involves imitation and modification influenced by media, which sometimes lacks proper filters to protect societal values. From an Islamic perspective, any form of intimacy before marriage, even during engagement, is strictly prohibited. Consequently, pre-wedding photography that involves close physical proximity between non-mahram men and women, *ikhtilat* (mixing of unrelated men and women), *khalwat* (seclusion), and *kasyf al-'awrah* (exposing the aurah) is considered forbidden. Furthermore, the profession of pre-wedding photographers is also deemed unlawful, as it is perceived to reflect consent toward sinful acts.

3. Methodology

Research methodology can be defined as a systematically structured activity carried out by researchers to solve existing problems and produce benefits, both for society and for the

researchers themselves. In order to find answers to the predetermined research questions, this study employs a qualitative approach, as it enables the researcher to obtain the required information. The research was conducted at Ullah Studio. This location was chosen because it is considered highly relevant for the research, particularly given that no prior scientific studies have examined this location through the lens of *maqasid syariah*.

The researcher used qualitative data collection techniques, which emphasize empirical methods and historical perspectives to address research problems. These techniques include observation, interviews, and documentation. Furthermore, the researcher followed three stages of data analysis: data reduction (organizing and simplifying the collected data), data presentation, and finally, data verification to draw conclusions.

4. Results and Discussion

4.1 Socio-Legal Analysis of Pre-Wedding Photography Practices

The Indonesian Council of Ulama (*Majelis Ulama Indonesia*, MUI) has issued a *fatwa* declaring pre-wedding photography as *haram* (forbidden). According to Prof. Dr. Abdullah Syah, M.A., pre-wedding photography that is prohibited refers specifically to intimate photographs of a prospective bride and groom taken before the marriage contract (*akad nikah*). Such photography is considered *haram* because, at the time of the photoshoot, no lawful bond exists between them. This practice is impermissible under Islamic law. In several Qur'anic verses, Allah SWT has warned against the dangers of *zina* (adultery/fornication) and explicitly described it as a grave immoral act.

Meanwhile, Asrorun Ni'am Sholeh, Deputy Secretary of the MUI Fatwa Commission, holds the opinion that taking photographs for the purpose of introducing the couple is permissible as long as it does not violate Islamic legal principles. He further explains that pre-wedding photography is not categorically forbidden. It is acceptable if the photographs are intended for use on wedding invitations or during the wedding ceremony, provided that the images do

not include acts such as kissing or other behaviors that contradict Islamic teachings.

In addition, the Forum of Female Islamic Boarding Schools (*Forum Musyawarah Pondok Pesantren Putri*, FMP3), based on the outcomes of the 2011 *Bahtsul Masail* (Islamic legal discussion), issued a ruling declaring pre-wedding photography as *haram*. This ruling applies not only to the prospective bride and groom but also to the photographers involved. The ruling refers to Surah Al-Isra' (17:32), where Allah SWT explicitly prohibits *zina* and commands believers to avoid even approaching such acts. Conducting a photoshoot between two individuals who are not *mahram* (lawfully related) and who have no legal marital bond falls within the scope of this prohibition, even if the photoshoot takes place shortly before the marriage ceremony.

Taking photographs before marriage, even if the couple is soon to be wed, does not justify physical intimacy, such as embracing, hugging, or holding hands. This is because, by default, both parties are not considered *mahram* to each other, nor are they legally recognized as husband and wife. Normatively, photography is classified as a form of *mu'amalah* (social interaction or worldly matter), which is generally permissible. This aligns with one of the fundamental principles of Islamic jurisprudence (*fiqh*), which states that the original ruling for all forms of *mu'amalah* is permissibility, except where there is evidence to the contrary.

Djazuli, in his book *Kaidah-Kaidah Fikih* (Principles of Islamic Jurisprudence), also affirms that the original ruling in *mu'amalah* is *mubah* (permissible). In addition to this fundamental principle, another legal maxim states: "The original ruling for all things is permissibility until there is evidence indicating its prohibition." In line with this principle, any form of *mu'amalah* and action is considered permissible from an Islamic perspective unless there is clear evidence that prohibits it.

In the context of pre-wedding photography, the default ruling is that it is permissible, provided that no element exists which contradicts Islamic law. Prohibited elements include exposing *aurah*, sexually suggestive themes, or sinful acts such as embracing, holding hands, or any form of physical intimacy between individuals who are not *mahram*. Based on the explanation above, it

can be understood that the practice of pre-wedding photography within the Blangkejeren community of Gayo Lues Regency is largely inconsistent with Islamic legal perspectives, or is even considered prohibited in Islam. The prohibition, however, does not apply to pre-wedding photography as a concept, but rather to the actions within the photos, such as physical intimacy, embracing, holding hands, gazing into each other's eyes, and other behaviors that violate Islamic ethics and moral values.

In contrast, when pre-wedding photography is conducted separately between the bride and groom at different times or in the same session without elements of physical intimacy, embracing, or holding hands, there is no violation of Islamic legal principles or ethical values. From an Islamic perspective, any act that leads to harm or moral corruption must be prevented. This is in accordance with a well-established legal maxim known as *sadd al-dhari'ah*, which means "blocking the means"—preventing anything that serves as a pathway to sinful or harmful behavior. *Sadd al-dhari'ah* involves restricting actions or speech that could potentially lead to corruption or danger.

Ibn Qayyim provides a clear application of the theory of *sadd al-dhari'ah*, stating that many Islamic rulings are directly based on this principle. For example, Allah forbids seclusion (*khalwat*) between unrelated men and women to prevent greater immoral acts such as *zina* (fornication), making prohibitions like *khalwat* and *ikhtilat* (mixing of unrelated men and women) essential safeguards. In line with the views of Abdul-Karim Zaidan, Satria Effendi explains that acts which serve as pathways to destruction (*wasilah ila al-halak*) are divided into two categories:

- a. Actions that are prohibited not only because they serve as a means (*wasilah*) to something forbidden, but because the essence of the action itself is inherently unlawful. Therefore, the prohibition of such actions does not fall under the scope of *sadd al-dhari'ah* (blocking the means).
- b. Actions that are essentially permissible (*mubah*), yet may potentially serve as a means (*wasilah*) to something that is prohibited. These types of actions are further classified into four categories:

- 1) This action can certainly result in destruction. For example, digging a hole in a dark place in front of a gate where there is general traffic.
- 2) Actions contain the possibility, even though it is small, of leading to something that is prohibited. For example, digging a well in a place where people don't usually go, or selling grapes to people who are not known as wine or liquor producers.
- 3) Actions which are basically permissible, but which are likely to lead to destruction are greater than the benefit that will be achieved. For example, selling weapons to the enemy during war, renting out houses to parties known to bookies or pimps, insulting or ridiculing idolatrous idols and selling grapes to liquor producers.
- 4) Actions that are basically permissible because they contain benefits, but in addition, looking at their implementation, there is the possibility of leading to something that is prohibited.

The explanation above serves as a guideline for determining whether an action can be considered a means that leads to harm or moral corruption. In the context of pre-wedding photography, the practice itself is classified as a permissible (*mubah*) activity, provided it is not used as a medium for *ikhtilat* (unlawful mixing) between the prospective bride and groom, who are, in fact, not yet bound by a lawful marital contract. Their status remains as individuals who are religiously prohibited from engaging in intimate relations.

The application of the *sadd al-dhari'ah* principle to pre-wedding photography does not imply a prohibition of photography itself or a categorical ban on pre-wedding photography, but rather the closure of opportunities that may lead to behaviors violating Islamic ethics and *shariah* principles. Such preventive measures include prohibiting acts of physical intimacy, embracing, or other behaviors that may lead to sin.

However, if the concept of pre-wedding photography is inherently tied to intimate poses — meaning that without such poses it would not be considered pre-wedding photography — then the *sadd al-dhari'ah* principle fully applies, and the prohibition of pre-wedding photography

becomes necessary to prevent acts that contain sinful elements.

Conversely, if pre-wedding photography does not inherently require acts such as hugging, physical intimacy, or affectionate gestures, there is no basis for prohibiting the practice altogether. In reality, the potentially unlawful acts that may occur during pre-wedding photography can be controlled and avoided. Based on the author's investigation, there is no concept or definition that explicitly states that pre-wedding photography must involve physical intimacy, hugging, or holding hands. Moreover, there is no clear explanation stating that photos without such behaviors cannot be considered pre-wedding photos.

Although in practice, it is indeed common to see pre-wedding photography involving gestures such as holding hands or gazing into each other's eyes, many examples also exist where pre-wedding photos are taken without any of these actions. Therefore, the author concludes that the legal status of pre-wedding photography depends on whether or not the practice involves actions that violate Islamic law. From an Islamic legal perspective, pre-wedding photography is permissible as long as its implementation does not involve reasons or actions that contradict Islamic teachings, such as hugging, intimate posing, holding hands, and similar behaviors.

In many cases within society, the practice of pre-wedding photography does not align with Islamic law, ethics, and moral conduct, as it often involves physical intimacy, close interactions, hugging, and holding hands between the prospective bride and groom. However, based on observations at Ullah Studio, pre-wedding photography is carried out without violating Islamic legal boundaries or ethical principles.

4.2 Maqashid Al-Syariah Perspectives towards pre-wedding

The purpose of establishing law, or often known as Maqashid al-Syari'ah, is one of the important concepts in the study of Islamic law. Because of its importance, legal theorists make Maqashid al-Syari'ah something that must be understood by mujtahids who conduct ijtihad. The core of the theory of Maqashid al-Syari'ah is to realize goodness while avoiding evil, or to

attract benefits and reject harm. The term that is equivalent to the core of Maqashid al-Syari'ah is *maslahat*, because the establishment of law in Islam must lead to *maslahat*. Allah SWT. as the shari'a (who establishes the shari'a) does not create laws and rules just like that, but everything is created with the aim and intention for the benefit of humans in the world and the hereafter.

Al-Syatibi in his work, *kitab al-Muwafaqat*, uses different words related to *maqashid al-syari'ah*, namely *maqasid al-syariah*, *al-maqashid al-syariyyah fi al-syariah*, and *maqashid min syari al-hukm*. According to the author, even though the words are different, all three contain the same meaning, namely the purpose of the law revealed by Allah SWT. According to Al-Syatibi, "Laws are prescribed for the common good." If we examine Al-Syatibi's statement, it can be said that the content of *Maqasid al-Syari'ah* or the purpose of law is the benefit of humanity. Benefits, through the analysis of *Maqasid al-Syari'ah*, are not only seen in a purely technical sense, but in the dynamics and development of law, it is seen as something that contains the philosophical value of the laws prescribed by God for humans. Sharia is all fair, all contains mercy, and all contains wisdom. Any problem that deviates from justice, mercy, benefits, and wisdom is definitely not a provision of sharia. Meanwhile, the social changes faced by Muslims in the modern era have raised a number of serious problems related to Islamic law. On the other hand, the methods developed by reformers in answering these problems seem unsatisfactory.

5. Conclusion

The practice of pre-wedding photos when viewed from the aspect of Islamic Law Sociology that the practice in Ullah studio has been done for a long time. The practices carried out include taking certain photo poses such as standing or sitting. The form of clothing is closed (covering the genitals), usually white, couple or others according to the wishes of the prospective bride and groom. The motivation for doing pre-wedding photos is to document photos and become souvenirs, and to follow the trend. When viewed from enthusiasts or the surrounding community, pre-weddings tend to be accepted with the existence of pre-wedding photos as long

as they remain within reasonable limits and do not conflict with Islamic law as it is known that this pre-wedding photo is a culture that is very popular at this time. According to Islamic law, pre-wedding photos are permissible muamalah acts, as long as in their implementation there is no cause or reason that violates the law, for example between the two candidates not hugging each other, taking intimate photos, holding hands, and others. at Ullah Studio, the pre-wedding photos practiced are in line with Islamic law and ethics, because in the process there is no interaction, for example, affection between the two candidates, touching, getting close to each other, hugging and holding hands.

Within the framework of Maqashid Al-syariah, the general value of this practice begins with the basic goal that the main goal of marriage is to preserve offspring (hifz al-nasl). Furthermore, there is a special value at the tahsiniyyah level of Islamic law in terms of pre-wedding photos, namely the benefits of pre-wedding photos in beautifying wedding invitations. As this level explains that the purpose of Islamic law is intended to perfect human life by carrying out what is good and most appropriate according to custom and avoiding things that are reprehensible according to common sense.

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