

Practice of Pre-Wedding Photos in Indonesia: Definition, Objectives and Legal Review from an Islamic Perspective

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Abstract

This study aims to find out how the review of Islamic law on pre-wedding practices. The method used in this research is library research. Sources of data used in this study include books and journal articles. The results of the study show that pre-wedding photography is an activity of taking pictures carried out by couples who are not legally husband and wife or before marriage. Some of the goals of the community doing pre-wedding photos are to document the moments of happiness of the bride and groom, the desire of a pair of husband and wife to make memories, to beautify wedding invitations, to be attached to souvenirs distributed at weddings, to be used as decoration or display during the wedding process, to simply follow others, and to follow trends. There are differences of opinion in determining the law of the practice of pre-wedding photos. The first opinion states that pre-wedding photos are haraam because they can lead a prospective husband and wife closer to adulthood. The second opinion states that the practice of pre-wedding photos is permissible but still has to comply with the rules of religious Shari'a values such as maintaining distance, not touching, covering the nakedness, posing appropriately, straight intentions, and accompanied by a mahram.

Keywords : Islamic law, Prewedding, Islam, Marriage.

Introduction

Marriage is one of the traditions practiced in Indonesia to formalize the relationship between a man and a woman. Marriage is a contract between a man and a woman based on the willingness and preferences of both parties, which is carried out by another party (guardian) according to the nature and conditions

determined by the syara' to justify the mixture of the two, so that each other needs each other. to be a life companion in the family ¹. Marriage cannot be separated from the implementation of the rituals to start the marriage. One of the rituals to start a wedding is pre-wedding photos. Some people consider pre-wedding photo activities as a legal requirement and have become an inseparable part of a series of wedding events. Pre-wedding photos are photos taken by a prospective couple before they legally marry or before the marriage contract is pronounced ².

Taking pre-wedding photos did not exist during the time of the prophet. Moreover, this is not part of a series of marriage sunnahs like Walimatul 'urs. Although it doesn't matter if pre-wedding photos are taken, if not it will damage the harmony and conditions of the marriage. However, what needs to be underlined is that the process of taking pre-wedding photos always creates intimate scenes between the bride and groom, even though the bride and groom are not yet legally husband and wife. What makes things even sadder is that apart from intimate scenes, the bride-to-be usually wears sexy clothes. Even though it is not uncommon to find pre-wedding photos that still prioritize the rules of Islamic law by wearing clothes that cover the private parts and keeping a distance from being touched, it is pre-wedding photos that wear sexy clothes and have intimate scenes that dominate and become a tradition amidst the existing facts. So we often find scenes filled with elements of lust, such as embracing, hugging, carrying, and even making out intimately, which should not be depicted for those who are not married. In fact, without any touching contact, and exposing their private parts, pre-wedding photos will still depict that they are the bride and groom who are becoming king and queen for a day at the Walimatul 'urs event.

Pre-wedding photos of people making out have raised many questions for Islamic thinkers and ulama. This problem is because when taking photos, the bride and groom have not yet entered into a marriage contract, or are not yet married. Based on the description above, the author is interested in writing an article with the title " The Practice of Pre-Wedding Photos in Indonesia: Definition, Background and Legal Review from an Islamic Perspective " with a problem formulation including the definition of pre-wedding, the background or purpose of society in carrying out pre-wedding practices, and how Islamic law views pre-wedding photos?

¹Abidin, S. (1999). *Munakahat Fiqh*. Bandung: Cv Pustaka Setia.

²Aisah, S., Bakar, A., & Sumiati. (2022). Review Of Islamic Law On Pre-Wedding Photo Culture (Study In Tanjung Baru Village, Tanjung Morawa District, Deli Serdang Regency). *Uisu Fai Taushiah Journal* , 82-91.

Discussion

Definition of Pre-Wedding Photos

Pre-wedding photos are a form of foreign culture that is thick with western habits which is now starting to be widely followed by Indonesian people³. Linguistically, the word pre-wedding comes from English and consists of two syllables⁴. The two syllables are "Pre" (before) and "Wedding" (marriage)⁵. Pre-wedding photos mean photos that are taken before the wedding ceremony takes place⁶. The forms of photos before the wedding ceremony take place are very diverse. Sumiati (2022) said that pre-wedding can be in the form of photo documentation of traditional events before the wedding, such as an engagement ceremony⁷. Herman & Ibrahim (2022) stated that pre-wedding photos can be engagement photos, mappacci, wedding invitation photos, and other photos taken before the wedding event⁸. Thus, according to language, pre-wedding photos are all photos before the implementation of the wedding contract which have many forms such as engagement photos, invitation photos, photos of traditional events, and so on.

In terms of terms, pre-wedding photos have various definitions. Tiana & Ngatiyar (2022) define pre-wedding as a scene where the prospective bride and groom take photos together before taking the *ijab and qabul*⁹. Mubbarod, Arsyah & Baidhowi (2022) define pre-wedding photos as photos taken at a certain

³Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Masblabah*, 8 (1).

⁴Mubbarod, Ns, Arsyah, Fv, & Baidhowi, B. (2022). Pre-Wedding Photos From An Islamic Legal Perspective. *Cakrawala Law: Scientific Magazine Of The Faculty Of Law, Wijayakusuma University*, 24 (1), 1-6.

⁵Ritonga, Z. (2019). The Effectiveness Of The Fatwa Of The Indonesian Ulama Council Of North Sumatra Number 03/Kep/Mui-Su/Iv/2011 Concerning The Law For Prewedding Photo (Case Study In Sidorejo Hilir Village, Medan Tembung District). *At-Tafahum: Journal Of Islamic Law*, 3 (2).

⁶Sumiati, Sa (2022). Review Of Islamic Law On Pre-Wedding Photo Culture (Study In Tanjung Baru Village, Tanjung Morawa District, Deli Serdang District). *Tausyah: Journal Of Law, Education And Society*, 12 (1), 82-91

⁷Ibid.

⁸Herman, S., & Ibrahim, A. (2022). Analysis Of Islamic Law On The Pre-Wedding Phenomena (Study In The Photo Studios In Parepare). *Marital Journal: Islamic Family Law Studies*, 1 (1), 51-68

⁹Tiana, S., & Ngatiyar, N. (2022). Ujrah Status (Wage) At The Ijarah Agreement: A Study Of Pre Wedding Photographer Wages. *An-Nawami*, 2 (2), 97-106

location before the wedding with a predetermined concept and clothes. In this case, he explained that pre-wedding photos can be photos documenting engagement, photos of traditional events, or photos of other activities before the wedding¹⁰. Saputra (2021) defines pre-wedding photos as a photo taken by a couple who are not yet legally husband and wife or before the wedding, where this photo seems to be mandatory for the bride and groom¹¹. Rahman (2022) interprets pre-wedding photos as a picture of happiness that occurs once in a lifetime where a pair of descendants of Adam and Eve are posing happily like a legally married couple¹². Almost in line with the description above, Ritonga (2019) defines pre-wedding photos as the activity of taking photos before the wedding to be used as memories or displayed at the wedding party as the identity of the bride and groom and information that describes the photo of the prospective bride and groom¹³. Hermawan (2017) said that as time goes by, people interpret pre-wedding photos as photos in a location with a certain concept and clothes. Thus, it can be concluded that pre-wedding photos are documentary photos before the marriage ceremony takes place where a pair of descendants of Adam and Eve pose happily like a husband and wife¹⁴.

Community Aims for Pre-Wedding Practices

Researchers found that there are at least seven main reasons why a prospective husband and wife take pre-wedding photos. First, pre-wedding photos are taken to document the bride and groom's happy moments. Photography is a way of taking pictures that is currently developing. Photography itself is a process of creating images using light as a medium which is exposed to a sensor embedded in the camera¹⁵. One of the uses of photography is to document human activities. Photographic works are documentation that can be stored for a certain period of time. Almost all human

¹⁰Mubbarod, Ns, Arsyah, Fv, & Baidhowi, B. (2022). Pre-Wedding Photos From An Islamic Legal Perspective. *Cakrawala Law: Scientific Magazine Of The Faculty Of Law, Wijayakusuma University*, 24 (1), 1-6

¹¹Saputra, A. (2021). Review Of Islamic Law Regarding The Implementation Of Prewedding Photos. *Tinsel*, 4 (2), 115-132

¹²Rahman, U. (2022). Islamic Law Review Of Pre-Wedding Photo Practices. *Istidal: Journal Of Islamic Legal Studies*, 9 (1), 98-111

¹³Ritonga, Z. (2019). The Effectiveness Of The Fatwa Of The Indonesian Ulama Council Of North Sumatra Number 03/Kep/Mui-Su/Iv/2011 Concerning The Law For Prewedding Photo (Case Study In Sidorejo Hilir Village, Medan Tembung District). *At-Tafabum: Journal Of Islamic Law*, 3 (2)

¹⁴Hermawan, A. (2017). Pre-Wedding Photos From The Perspective Of Students At The Al-Ishlah Islamic Boarding School, Bandar Kidul Mojoroto, Kediri City. *Mediakita*, 1 (1), 91-114.

¹⁵Ibid.

activities in their various lives can be photographed to be used as documentation, including activities related to marriage¹⁶. According to Abraham Maslow, humans are creatures of desire. In this case, the desire to get appreciation for the wedding prompted him to take pre-wedding photos¹⁷. Moreover, marriage is considered by most people to be an important event that brings happiness and can achieve shared goals in life, so that this documentation becomes a medium of memories for the bride and groom, their family and friends in the future¹⁸. The prospective bride and groom, their family and friends in the future can look back at the condition or condition of the couple taking the pre-wedding photos before carrying out the *ijab qabul*¹⁹. Families can also use pre-wedding photos as a reference for future pre-wedding photos²⁰. Thus, it is not surprising that documentation is one of the goals in carrying out pre-wedding photos.

The second purpose of taking pre-wedding photos is the desire of a prospective husband and wife to create memories²¹. Pre-wedding photos can also be used to create memories with your girlfriend before you officially become a halal couple²². In other words, having pre-wedding photos can make prospective husband and wife remember memorable events or events before the wedding ceremony took place. Pre-wedding photos can not only be a medium of memories for the bride and groom, but can also be memories for their family or friends in their future lives²³. This is often considered important because of the belief that marriage is a precious moment, where every moment is precious

¹⁶Saputra, A. (2021). Review Of Islamic Law Regarding The Implementation Of Prewedding Photos. *Tinsel*, 4 (2), 115-132

¹⁷Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahah*, 8 (1)

¹⁸Mubbarod, Ns, Arsyah, Fv, & Baidhowi, B. (2022). Pre-Wedding Photos From An Islamic Legal Perspective. *Cakrawala Law: Scientific Magazine Of The Faculty Of Law, Wijayakusuma University*, 24 (1), 1-6

¹⁹Rahman, U. (2022). Islamic Law Review Of Pre-Wedding Photo Practices. *Istidal: Journal Of Islamic Legal Studies*, 9 (1), 98-111.

²⁰Hermawan, A. (2017). Pre-Wedding Photos From The Perspective Of Students At Al-Ishlah Islamic Boarding School, Bandar Kidul Mojoroto, Kediri City. *Mediakita*, 1 (1), 91-114.

²¹Alama, D. W., & Nail, H. (2020). Pre-Wedding Culture From The View Of Islamic Law. *Asa*, 2 (2), 69-81.

²²Herman, S., & Ibrahim, A. (2022). Analysis Of Islamic Law On The Pre-Wedding Phenomena (Study In The Photo Studios In Parepare). *Marital Journal: Islamic Family Law Studies*, 1 (1), 51-68.

²³Mubbarod, Ns, Arsyah, Fv, & Baidhowi, B. (2022). Pre-Wedding Photos From An Islamic Legal Perspective. *Cakrawala Law: Scientific Magazine Of The Faculty Of Law, Wijayakusuma University*, 24 (1), 1-6

and will not be repeated and wants to be immortalized as a memory for the future. Thus, it can be concluded that the desires of a husband and wife can be one of the things that make pre-wedding photos taken.

Third, the purpose of carrying out pre-wedding photos is to beautify the wedding invitation. An invitation accompanied by a photo of the bride and groom is the most appropriate solution for announcing the implementation of the walimatul al-'ursy or wedding party, through the invitation the news will reach everywhere, even families who are far away can find out quickly ²⁴. The function of pre-wedding photos that are usually displayed is to beautify the invitation ²⁵. Furthermore, in terms of pre-wedding photos as decoration for wedding invitations, Hidayat (2018) explained that it does not mean that the more photos an invitation has, the better it is ²⁶. The purpose of this decoration is that there are only necessary photos that are not excessive. Because as the level of harm is at a higher level, as the author explains, the harm side in pre-wedding photos must be eliminated, which in this case is related to avoiding arrogant and excessive attitudes. Apart from that, introducing the bride and groom to the invited guests is one of the reasons why pre-wedding photos are included on wedding invitations ²⁷.

Fourth, the purpose of taking pre-wedding photos is to attach them to souvenirs distributed at the wedding event. Souvenirs are usually found at weddings and are suitable if accompanied by photos of the future husband and wife ²⁸. Souvenirs are one of the mementos that the bride-to-be gives when invited guests come to her wedding. These souvenirs can be in the form of key chains, pouches or other accessories. The souvenir is neatly wrapped in plastic with a label attached with a pre-wedding photo of the bride and groom ²⁹. Making or packaging souvenirs must be done as well as possible, considering that souvenirs are one of the necessities of a wedding event ³⁰. Thus, it can be concluded that souvenirs are one of the necessities of a wedding event which would be even better if a photo of the bride and groom were included in it with the aim of serving as a memento for invited guests.

²⁴Ibid.

²⁵Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahah*, 8 (1).

²⁶Ibid.

²⁷Rahman, U. (2022). Islamic Law Review Of Pre-Wedding Photo Practices. *Istidal: Journal Of Islamic Legal Studies*, 9 (1), 98-111.

²⁸Saputra, A. (2021). Review Of Islamic Law Regarding The Implementation Of Prewedding Photos. *Tinsel*, 4 (2), 115-132.

²⁹Rahman, U. (2022). Islamic Law Review Of Pre-Wedding Photo Practices. *Istidal: Journal Of Islamic Legal Studies*, 9 (1), 98-111.

³⁰Alama, D. W., & Nail, H. (2020). Pre-Wedding Culture From The View Of Islamic Law. *Asa*, 2 (2), 69-81.

Fifth, the purpose of taking pre-wedding photos is as decoration or display during the wedding process. Pre-wedding photos are often taken by couples who are getting married with the aim of being used as decoration at the wedding reception³¹. Especially when talking about walimatul 'urs, we will not be separated from the things that decorate the corners of the room. In this case, pre-wedding photos are considered suitable for decorating the corner of the room³². Pre-wedding photos are usually kept next to the entrance, around the reception area, on the bridal stage (kwade) and so on. This is done to add decoration to the reception room³³. The photo is intended as a decorative knick-knack to make the room feel beautiful. This is further strengthened by the results of Sumiati's research (2022) which showed that the majority of respondents interviewed had the aim of using pre-wedding photos as displays or decoration during the wedding process³⁴.

Sixth, the purpose of taking pre-wedding photos is to simply follow other people³⁵. People are generally interested in taking pre-wedding photos because they follow previous people who took pre-wedding photos. Ritonga, (2019) in this case, explained that it has become the public's mind that pre-wedding is a practice carried out by middle and upper class society, so it seems like a place to show off. Many prospective husbands and wives flock to do it in order to give the impression of finding an established soul mate³⁶.

Seventh, the purpose of carrying out pre-wedding photos is to follow current developments or trends³⁷. As time progresses in human civilization, culture and culture have changed which influence people's behavior. As cultural

³¹Mubbarod, Ns, Arsyah, Fv, & Baidhowi, B. (2022). Pre-Wedding Photos From An Islamic Legal Perspective. *Cakrawala Law: Scientific Magazine Of The Faculty Of Law, Wijayakusuma University*, 24 (1), 1-6.

³²Saputra, A. (2021). Review Of Islamic Law Regarding The Implementation Of Prewedding Photos. *Tinsel*, 4 (2), 115-132.

³³Hermawan, A. (2017). Pre-Wedding Photos From The Perspective Of Students At The Al-Ishlah Islamic Boarding School, Bandar Kidul Mojoroto, Kediri City. *Mediakita*, 1 (1), 91-114.

³⁴Sumiati, Sa (2022). Review Of Islamic Law On Pre-Wedding Photo Culture (Study In Tanjung Baru Village, Tanjung Morawa District, Deli Serdang District). *Tausyah: Journal Of Law, Education And Society*, 12 (1), 82-91.

³⁵Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahah*, 8 (1).

³⁶Ritonga, Z. (2019). The Effectiveness Of The Fatwa Of The Indonesian Ulama Council Of North Sumatra Number 03/Kep/Mui-Su/IV/2011 Concerning The Law For Prewedding Photo (Case Study In Sidorejo Hilir Village, Medan Tembung District). *At-Tafahum: Journal Of Islamic Law*, 3 (2).

³⁷Ibid.

theory explains, individual behavior can be influenced by the cultural patterns in which the individual lives. Because by studying cultural patterns individuals gain experiences in personality formation which are reflected in the form of behavior. This is the case with the pre-wedding photo culture which is currently widely practiced so that people's habits of receiving and seeing pre-wedding photos on invitations trigger their behavior to imitate and be carried away by this culture³⁸. Nowadays, people tend to prefer to follow trends and are influenced by western elements³⁹. A trend is something that is current and is categorized as "mandatory" for some people who don't want to be left behind. Likewise with pre-wedding photos. This is not one of the pillars or requirements for a valid marriage. However, in the modern era, many people carry out pre-wedding photo activities, this activity has even become a trend among society and is considered trendy⁴⁰.

Islamic Law Review of Pre-Wedding Practices

The practice of pre-wedding photos basically did not exist during the time of the Prophet. Apart from that, this activity is also not part of a series of wedding sunnahs such as walimatul 'ursy. This causes the practice of pre-wedding photography to be categorized as a study of contemporary jurisprudence. The results of studies by scholars regarding the legal provisions for the practice of pre-wedding photography have differing opinions. There are those who forbid the practice of pre-wedding photos, there are also those who allow pre-wedding photos but with certain terms and conditions.

First, there are the results of studies by scholars who forbid the practice of pre-wedding photos. The Indonesian Ulema Council (MUI) of North Sumatra issued a fatwa stating that pre-wedding photos are haram⁴¹. According to Prof. Dr. Abdullah Syah, MA said that the pre-wedding photos in question are intimate photos of the future husband and future wife taken before the marriage contract. Pre-wedding photos are prohibited because at the time of taking the photos they were not yet related. That is not permitted in Islamic law. Allah SWT in several verses has explained the dangers of adultery and considers it a very bad act. Apart from that, the Women's Islamic Boarding School Deliberation Forum (FMP3), from the results of the 2011 Bahtsul Masail,

³⁸Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahah*, 8 (1).

³⁹Herman, S., & Ibrahim, A. (2022). Analysis Of Islamic Law On The Pre-Wedding Phenomena (Study In The Photo Studios In Parepare). *Marital Journal: Islamic Family Law Studies*, 1 (1), 51-68.

⁴⁰Rahman, U. (2022). Islamic Law Review Of Pre-Wedding Photo Practices. *Istidal: Journal Of Islamic Legal Studies*, 9 (1), 98-111.

⁴¹Saputra, A. (2021). Review Of Islamic Law Regarding The Implementation Of Prewedding Photos. *Tinsel*, 4 (2), 115-132.

established the haram law against pre-wedding photo shoots⁴². This applies to prospective bride and groom couples who are getting married and photographers who take their pictures. The Indonesian Ulema Council (MUI) throughout Kalimantan issued a fatwa in decision number: 05/Fatwa/MUI-Kalimantan/XII/2014, concerning "The law on making pre-wedding photos and printing them on invitations" resulting in several decisions regarding the provisions for pre-wedding photos. The results of the decision are: First, taking pre-wedding photos and printing them on invitations before the marriage ceremony violates several sharia laws, such as khalwat, ikhtilat, exposing one's private parts, touching in a way that is haram and tabarruj is haram. Second, pre-wedding photos that show affection that fuels lust even if taken after marriage and then printed on invitations or displayed for many people to see are haram⁴³. Thus, based on the fatwa of the Indonesian Ulema Council above, it leads to the prohibition of pre-wedding photos because they are considered vulnerable or even violate several sharia laws.

The reason the ulama provide haram laws for the practice of pre-wedding photos is because the practice is considered close to zina (making out without a relationship). Allah Almighty says:

وَلَا تَقْرَبُوا الزَّوْجَ إِذَا كُنْتُمْ فِي حِلِّهِ سَاءَ سَبِيلًا

Arinya: "And do not approach adultery; (adultery) is truly a heinous act, and a bad way."

The verse above explains that Allah SWT. forbids His servants from committing adultery and approaching him. Thus, it must not include things that are close to adultery, including in this case being together or being intimate during pre-wedding photos⁴⁴. Ibn Kathir has interpreted this verse to mean that: Allah Ta'ala forbids His servants from committing adultery and actions that bring them closer to adultery, namely committing ikhtilath (mixing up) with the causes and all things that lead to adultery⁴⁵. Some pre-wedding photos that usually occur in society are often too exaggerated, for example the woman lying on the man's thigh and the man kissing her forehead, it is very likely that this

⁴²Ibid.

⁴³Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahah*, 8 (1).

⁴⁴Tiana, S., & Ngatiyar, N. (2022). Ujrah Status (Wage) At The Ijarah Agreement: A Study Of Pre Wedding Photographer Wages. *An-Nawawi*, 2 (2), 97-106.

⁴⁵Mubbarod, Ns, Arsyah, Fv, & Baidhowi, B. (2022). Pre-Wedding Photos From An Islamic Legal Perspective. *Cakrawala Law: Scientific Magazine Of The Faculty Of Law, Wijayakusuma University*, 24 (1), 1-6.

can invite lust between the two ⁴⁶. In fact, if you look again at God's word above, everything that can lead to adultery must be eliminated ⁴⁷. The scholars agree on the word of Allah SWT. "Don't all of you approach adultery" is deeper than saying (don't all of you commit adultery), because if the language in the Koran uses "don't commit adultery" then what is prohibited is only adultery, but things that approach the act of adultery are like the scene in The pre-wedding photos above are not prohibited. That is why the language used in the Koran is do not approach adultery, because that language is deeper and leads to ikhtilat and seclusion behavior which often occurs when practicing pre-wedding photos ⁴⁸. Thus, it can be concluded that pre-wedding photos are considered close to adultery due to the elements of ikhtilat and khalwat.

Ikhtilat and khalwat which often occur in the practice of pre-wedding photos are two elements that are not permitted. Ikhtilat is the meeting of men and women in one place in a mixed manner and interaction occurs between the two without any barriers ⁴⁹. In this case, ikhtilat often occurs in the practice of pre-wedding photography when there is a meeting between men and women in the same place, such as the same house, in the same room and so on and there is interaction between men and women, for example talking, touching, or excessive poses ⁵⁰. Meanwhile, Khalwat is a relationship between a man and a woman who are not mahram and away from the eyes of other people. Khalwat and ikhtilat are haram in the religion of Allah because both are means of destroying the morals of Muslims in family and social life and bring the wrath of Allah SWT. . Moreover, the bride's clothes do not comply with sharia and do not cover her private parts ⁵¹. Regarding the behavior of ikhtilat and seclusion that often occurs in pre-wedding photos, the Prophet Muhammad mentioned it in, Rasulullah SAW said ⁵²:

⁴⁶Saputra, A. (2021). Review Of Islamic Law Regarding The Implementation Of Prewedding Photos. *Tinsel*, 4 (2), 115-132.

⁴⁷Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahah*, 8 (1).

⁴⁸Herman, S., & Ibrahim, A. (2022). Analysis Of Islamic Law On The Pre-Wedding Phenomena (Study In The Photo Studios In Parepare). *Marital Journal: Islamic Family Law Studies*, 1 (1), 51-68.

⁴⁹Tiana, S., & Ngatiyar, N. (2022). Ujrah Status (Wage) At The Ijarah Agreement: A Study Of Pre Wedding Photographer Wages. *An-Nawawi*, 2 (2), 97-106.

⁵⁰Ibid.

⁵¹Alama, D. W., & Nail, H. (2020). Pre-Wedding Culture From The View Of Islamic Law. *Asa*, 2 (2), 69-81.

⁵²Mubbarod, Ns, Arsyah, Fv, & Baidhowi, B. (2022). Pre-Wedding Photos From An Islamic Legal Perspective. *Cakrawala Law: Scientific Magazine Of The Faculty Of Law, Wijayakusuma University*, 24 (1), 1-6.

Meaning: "Remember, do not let any of you be alone with a woman (who is not his mahram) because Satan is his third person." (HR. Ahmad 1:18).

How dangerous is ikhtilat behavior that the Prophet Muhammad SAW even suggested that being impaled by a stake made of iron was still better than having to touch someone of the opposite sex who was not a mahram. This shows the firmness of the Prophet Muhammad to his people to avoid ikhtilat and khalwat behavior. However, ikhtilat is permitted in emergency conditions such as daruriah sharia, hajat sharia, or because of customary law⁵³. Ikhtilat is permissible if there is sharia law, or customary law that is difficult to avoid, such as lectures, markets, public transportation, and many more⁵⁴. Some examples of ikhtilat that are permitted are sharia emergencies, sharia hajat, sharia mashlahah, or because of customary law. First, sharia emergency, exemplified by the situation of a man who helps a woman when the woman is being chased by someone who wants to abuse her. Second, ikhtilat which is permitted for reasons of necessity is exemplified by the condition of men and women's ikhtilat to engage in muamalah in sharia. Third, ikhtilat which has become customary law is exemplified by a situation where men and women gather when visiting a friend with a note that their clothing and etiquette must comply with the provisions of Islamic law⁵⁵. In this case, it's a shame that pre-wedding photos are not included in emergency matters that allow for ikhtilat⁵⁶. Thus, ikhtilat and seclusion are still not permitted when taking pre-wedding photos.

Another factor that is of concern in the practice of pre-wedding photos is tabarruj, exposing the private parts, and preventing greater harm. In practice, the pre-wedding photos of scholars have concerns that they have the wrong intentions for the prospective bride. These wrong intentions include the desire to look beautiful by showing jewelry and the beauty of the body which invites men's lust, where this beauty should be hidden. This is what is then called tabarruj. Tabbaruj is adorning oneself to look beautiful which is shown by jewelry and the beauty of a woman's body which can invite men's lust, where the

⁵³Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahah*, 8 (1).

⁵⁴Herman, S., & Ibrahim, A. (2022). Analysis Of Islamic Law On The Pre-Wedding Phenomena (Study In The Photo Studios In Parepare). *Marital Journal: Islamic Family Law Studies*, 1 (1), 51-68.

⁵⁵Alama, D. W., & Nail, H. (2020). Pre-Wedding Culture From The View Of Islamic Law. *Asa*, 2 (2), 69-81.

⁵⁶Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahah*, 8 (1).

beauty of the body should be covered⁵⁷. The word of Allah SWT in Surah Al-Ahzab verse 33:

Meaning: "And you should remain in your homes and do not decorate and (behave) like the ignorant people of the past, and perform prayers, pay zakat and obey Allah and His Messenger. "Indeed, Allah intends to remove sin from you, O Ahlul Bayt, and to cleanse you as thoroughly as possible." (QS. Al-Ahzab:33).

Furthermore, in terms of exposing the intimate parts, men and women must dress in accordance with Islamic law. Covering the private parts should be done by every Muslim. Covering the private parts is an obligation for a Muslim and Muslim woman, because there is an element of evil in showing it⁵⁸. Covering the private parts is also an identity for someone that he is a Muslim and to protect himself from bad things⁵⁹. Unfortunately, in reality, the practice of pre-wedding photos in everyday settings usually means that the bride-to-be wears tight clothes that show off her curves. Even though there are also pre-wedding photos that emphasize the rules of Islamic law by wearing loose clothing that covers the private parts and keeping a distance from being touched, it is pre-wedding photos that wear tight clothes and have intimate scenes that are more dominant and entrenched⁶⁰. Aurat in Arabic literally means "a gap, a deficiency, something embarrassing or something that is considered ugly in a member of the human body that makes it embarrassing to look at."⁶¹. Exposing one's private parts or wearing tight clothing that displays the curves of the body can arouse a person's lust and cause slander so that there is no doubt that it is haram⁶². Regarding the private parts, Allah SWT says in QS Al-Ahzab verse 13:

⁵⁷Mubbarod, Ns, Arsyah, Fv, & Baidhowi, B. (2022). Pre-Wedding Photos From An Islamic Legal Perspective. *Cakrawala Law: Scientific Magazine Of The Faculty Of Law, Wijayakusuma University*, 24 (1), 1-6.

⁵⁸Sumiati, Sa (2022). Review Of Islamic Law On Pre-Wedding Photo Culture (Study In Tanjung Baru Village, Tanjung Morawa District, Deli Serdang District). *Tausbiab: Journal Of Law, Education And Society*, 12 (1), 82-91.

⁵⁹Hermawan, A. (2017). Pre-Wedding Photos From The Perspective Of Students At Al-Ishlah Islamic Boarding School, Bandar Kidul Mojoroto, Kediri City. *Mediakita*, 1 (1), 91-114.

⁶⁰Saputra, A. (2021). Review Of Islamic Law Regarding The Implementation Of Prewedding Photos. *Tinsel*, 4 (2), 115-132.

⁶¹Rahman, U. (2022). Islamic Law Review Of Pre-Wedding Photo Practices. *Istidal: Journal Of Islamic Legal Studies*, 9 (1), 98-111.

⁶²Sumiati, Sa (2022). Review Of Islamic Law On Pre-Wedding Photo Culture (Study In Tanjung Baru Village, Tanjung Morawa District, Deli Serdang District). *Tausbiab: Journal Of Law, Education And Society*, 12 (1), 82-91.

Meaning: "And (remember) when a group of them said: "O people of Yathrib (Medina), there is no place for you, so go back." And some of them asked permission from the Prophet (to return home) by saying: "Indeed, our houses are open (there are no guards)." And the houses never opened, they wanted nothing more than to run away.

In the verse above, the word *aurat* is defined by the majority of interpretive scholars as "A gap that is open to the enemy, or a gap that allows other people to take the opportunity to attack." ⁶³. Meanwhile, in another verse Allah SWT says:

Meaning: "Say to the believing women: "Let them restrain their eyes and their private parts, and let them not reveal their jewellery, except that which is (normally) visible from them. And let them cover their breasts with veils, and let them not reveal their jewellery except to their husbands. or their fathers, or their husbands' fathers, or their sons, or their husbands' sons, or their brothers, or their brothers' sons, or their sisters' sons, or their women's Muslim women, or slaves they own, or male servants who have no desire (for women) or children who do not understand about women's private parts. And let them not hit their feet so that the jewelry they hide is revealed Repent all of you to Allah, O you who believe, so that you may be successful." (QS An-Nur: 31).

Meaning: "O you who believe, let the slaves (men and women) that you have, and those who have not reached adulthood among you, ask permission from you three times (in one day), namely: before the morning prayer, when you take off your (outer) clothes in the middle of the day and after the Isha' prayer. (Those are) three *aurat* for you. There is no sin upon you nor (nor) upon them apart from those (three times). They serve you, some of you (have needs) to some (others). Thus Allah explains the verses for you. And Allah is All-Knowing, All-Wise (QS An-Nur verse 58).

The word *aurat* in the two verses above is defined as something from the human body that makes you embarrassed to look at or is considered bad if you pay attention to it. Islamic Sharia does not require certain forms of clothing or certain materials to be used as a covering for the private parts. Sharia only requires that something that is used as a covering for the private parts must be able to cover the color of the skin ⁶⁴. In this case, scholars have different opinions regarding which parts of the body should be covered. The Hanafi School, as explained by Al-Samarkandi in "*Tuhfat al-Fuqahat*", introduces two

⁶³Rahman, U. (2022). Islamic Law Review Of Pre-Wedding Photo Practices. *Istidal: Journal Of Islamic Legal Studies*, 9 (1), 98-111.

⁶⁴Rahman, U. (2022). Islamic Law Review Of Pre-Wedding Photo Practices. *Istidal: Journal Of Islamic Legal Studies*, 9 (1), 98-111.

types of aurat, namely aurat inside and outside prayer. In prayer, women's private parts are limited to all parts of the body except the face, palms of the hands and soles of the feet. Meanwhile, outside of prayer, other provisions apply, namely regarding family social etiquette. According to the Maliki school of thought, as explained by Khalili Ibn Ishaq al-Jundi in *al-Mukhatsar*, the limits of women's private parts are all parts of the body except the face and palms of the hands, the feet are no exception. According to the Syafi'i school of thought, it is almost the same as the previous school, namely that the boundaries of a woman's private parts are the entire view except the face, palms of the hands and soles of the feet. It's just that this school of thought differentiates in more detail the position of the aurat within or outside the family (Mahram). According to the Ahmad ibn Hambal school of thought, as expressed by Mansur al-Bahuti in "*Kasyaf al-Qina, Matu al-Qina*", an adult woman's private parts are her entire body except the face and palms, both inside and outside prayer⁶⁵. Thus, it can be concluded that the practice of pre-wedding photos showing the private parts is not permitted according to Islamic law.

So, how does Islamic law view the practice of pre-wedding photos that ensure that they are not *ikhtilat*, do not give rise to *khalwat*, do not intend to *tabarruj*, cover their private parts, and are accompanied by family? Please note that the basic principle in every form of *mu'amalah* in Islam is that it is permissible. Every *mu'amalah* contract carried out by humans to meet their daily needs is permissible as long as there is no argument that forbids it. This is based on the principle of *fiqh*: "In principle, everything is permissible until there is an argument stating that it is haram." The purpose of this rule is that all forms of *mu'amalah* transactions are basically permitted to be carried out, as long as there are no arguments that prohibit or forbid such transactions. This is different from worship activities where the original law is that it is haram to do so as long as there is no evidence for the command⁶⁶.

Regarding photography, the most famous opinion is the fatwa of the Mufti of the Egyptian kingdom, Sheikh Muhammad Bakhit Al-Muthi'i. The fatwa emphasized that photography law is permissible or permissible. This opinion was further reaffirmed by Yusuf Al-Qardhawi that "Taking photos is okay, as long as the target being photographed is halal." From this opinion, the author can understand that pre-wedding photos, which are a form of photography, have several criteria in Islam, so whether they are permitted

⁶⁵Herman, S., & Ibrahim, A. (2022). Analysis Of Islamic Law On The Pre-Wedding Phenomena (Study In The Photo Studios In Parepare). *Marital Journal: Islamic Family Law Studies*, 1 (1), 51-68.

⁶⁶Tiana, S., & Ngatiyar, N. (2022). Ujrah Status (Wage) At The Ijarah Agreement: A Study Of Pre Wedding Photographer Wages. *An-Navami*, 2 (2), 97-106.

photos or prohibited photos⁶⁷. Photography is permitted in Islam, however, you must also pay attention to whether the object of the image is in accordance with Islamic law or not. The object of the image has the influence to determine the law, regarding haram and halal⁶⁸.

Deputy Secretary of the MUI Fatwa Commission Asrorun Ni'am Sholeh is of the opinion that taking photos to introduce who is getting married is okay as long as it does not violate the provisions of the Sharia⁶⁹. Then he also said that taking pre-wedding photos was not prohibited. He believes that pre-wedding photos can be used for wedding invitations or during wedding events, except that photos taken with kissing or violating the Sharia are clearly not allowed. Taking pre-wedding photos before the ceremony is permissible, as long as the photos do not violate the rules of Islamic law⁷⁰. As long as it is within these limits, pre-wedding photos are allowed to be taken, as long as the purpose of having pre-wedding photos in the invitation is to make it easier for people to recognize those who want to get married⁷¹. Photos taken in positions between men and women must have distance or not be close to each other, there must not be elements that lead to pornography such as skin touching, hugging, and so on. Another condition for allowing the practice of pre-wedding photos is to be accompanied by a mahram⁷². Apart from that, prospective brides and grooms who will take pre-wedding photos should not do so to brag, but only to make it easier for people to know the identity of the bride and groom⁷³.

Conclusion

Pre-wedding photos are a picture taking activity carried out by a couple who are not yet legally husband and wife or before the wedding. Some of the

⁶⁷Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahab*, 8 (1).

⁶⁸Rosa, E.M. (2021). Analysis Of The Cultural Phenomenon Of Pre-Wedding Photos In Society: Study Of Takhrij And Syarah Hadith. *Journal Of Religion Research*, 1 (1), 223-232.

⁶⁹Saputra, A. (2021). Review Of Islamic Law Regarding The Implementation Of Prewedding Photos. *Tinsel*, 4 (2), 115-132.

⁷⁰Herman, S., & Ibrahim, A. (2022). Analysis Of Islamic Law On The Pre-Wedding Phenomena (Study In The Photo Studios In Parepare). *Marital Journal: Islamic Family Law Studies*, 1 (1), 51-68.

⁷¹Hidayat, S. (2018). Pre-Wedding Photos From The Perspective Of Palangka Raya Ulama. *El-Mashlahab*, 8 (1).

⁷²Herman, S., & Ibrahim, A. (2022). Analysis Of Islamic Law On The Pre-Wedding Phenomena (Study In The Photo Studios In Parepare). *Marital Journal: Islamic Family Law Studies*, 1 (1), 51-68.

⁷³Rosa, E.M. (2021). Analysis Of The Cultural Phenomenon Of Pre-Wedding Photos In Society: Study Of Takhrij And Syarah Hadith. *Journal Of Religion Research*, 1 (1), 223-232.

people's purposes for taking pre-wedding photos are to document the happy moments of the bride and groom, the desire of a prospective husband and wife to make memories, to beautify wedding invitations, to be attached to souvenirs distributed at the wedding event, to be used as decoration or display during the wedding process. , to simply follow other people, and to follow trends. There are differences of opinion in determining the law regarding the implementation of pre-wedding photo practices. The first opinion states that pre-wedding photos are haram because they can lead a prospective husband and wife closer to adultery. The second opinion states that the practice of taking pre-wedding photos is permissible but must still maintain religious sharia values such as maintaining distance, not touching, covering one's private parts, posing appropriately, with straight intentions, and being accompanied by a mahram.

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