

Negotiating Piety and Image: Prewedding Photography, Islamic Legal Norms and Cultural Change

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Abstract:

This study aims to analyze the construction of religious elite's views on the practice of pre-wedding photography, the factors that influence these differences in views, and the forms of negotiation of Islamic law in responding to the development of visual culture. The study uses an empirical legal method with a socio-legal approach. Data were obtained through in-depth interviews with fifteen purposively selected religious figures, including kiai, ulama, religious organization administrators, and Islamic law academics in Pamekasan Regency, and supported by literature studies. Data were analyzed qualitatively using Max Weber's theory of authority, Horikoshi and Dhofier's concept of religious elites, and the perspective of negotiation of Islam and modernity from Eickelman and Piscatori. The results show three typologies of views: total rejection, conditional tolerance, and moderate adaptation. These differences reflect variations in the legal *istinbāt* method which is based on a textual approach (*nash*), *ijtihad* based on *maṣlaḥah* and *maqāṣid al-syarī'ah*, as well as consideration of 'urf as a social reality. This study finds that religious elites not only act as guardians of orthodoxy but also as mediators negotiating sharia norms with modern visual culture through a contextual process of fiqh production. These findings enrich contemporary Islamic legal studies on the transformation of religious authority in Muslim societies in the digital era.

Keywords:

Prewedding Photography; Islamic Law; Religious Elite; 'Urf; Visual Culture



Introduction

The development of digital technology and the expansion of social media have changed the way society represents various life events, ¹including weddings. ²One example of this change is the increasing practice of pre - wedding photography ³. Photography has become an essential part of wedding preparations in Indonesia. This practice is no longer seen simply as visual documentation, ⁴but has evolved into a symbol of identity, an expression of affection, and a representation of the social status of the couple about to marry. The photography industry, ⁵digital media, and modern visual culture have contributed to the normalization of this practice, reaching various regions with strong socio-religious characteristics, ⁶including Pamekasan Regency, Madura.

The development of digital media has not only transformed societal communication patterns ⁷but also transformed the way religious authority is constructed, maintained, and debated. In contemporary Muslim societies, digital media has created a new space for negotiations between sharia norms and modern visual culture. This phenomenon demonstrates that religious practices, including prewedding photography, cannot be understood solely as a matter of

¹Heidi A. Campbell, *Digital Religion: Understanding Religious Practice in New Media Worlds* (New York: Routledge, 2013), 1–18.

² Stewart M. Hoover, *The Media and Religious Authority* (University Park: Pennsylvania State University Press, 2016), 3–19.

³Gillian Rose, *Visual Methodologies: An Introduction to Research with Visual Materials*, 4th ed. (London: Sage Publications, 2016), 15–33.

⁴Pierre Bourdieu, *Distinction: A Social Critique of the Judgment of Taste*, trans. Richard Nice (Cambridge, MA: Harvard University Press, 1984), 170–175.

⁵Nicholas Mirzoeff, *An Introduction to Visual Culture*, 2nd ed. (London: Routledge, 2009), 1–25.

⁶Gary R. Bun, *Hashtag Islam: How Cyber -Islamic Environments Are Transforming Religious Authority* (Chapel Hill: University of North Carolina Press, 2018), 45–63.

⁷ Stewart M. Hoover, *The Media and Religious Authority* (University Park: Pennsylvania State University Press, 2016), 1–24.

normative law, but also as part of the transformation of religious authority in a digital society.⁸

On the other hand, the development of this visual culture presents new problems in Muslim society. The practice of pre-wedding photography often gives rise to debates regarding its suitability with the principles of Islamic law,⁹ especially regarding interactions between men and women who are not yet married, the boundaries of aurat, *ikhtilāt* (mixing of men and women), *khalwah*, the use of romantic poses, and the publication of photos through digital media that has the potential to be linked to the concept of tabarruj.¹⁰ This debate shows that pre-wedding photography is not just a popular cultural phenomenon,¹¹ but also an arena of contestation between the values of modernity, the development of visual technology, and religious authority in interpreting Islamic law.¹²

This phenomenon becomes even more interesting¹³ when placed in the context of Pamekasan Regency. As one of the regions on Madura Island known for its strong Islamic tradition, Pamekasan has an extensive network of Islamic boarding schools (*pesantren*) and influential religious authorities in the community's social life. Data from the Pamekasan Regency Ministry of Religious Affairs shows that this region has more than 350 active Islamic boarding schools (*pesantren*), which serve as centers of Islamic education and spaces

⁸Gary R. Bunt, *Hashtag Islam: How Cyber-Islamic Environments Are Transforming Religious Authority* (Chapel Hill: University of North Carolina Press, 2018), 56–83.

⁹Yusuf al-Qaradawi, *Al-Halal wa al-Harām fi al-Islām* (Cairo: Maktabah Wahbah, 1997), 156–165.

¹⁰Wahbah al-Zuhayli, *Al-Fiqh al-Islāmī wa Adillatuh*, vol. 9 (Damascus: Dār al-Fikr, 1985), 6641–6648.

¹¹Gary R. Bunt, "Islam in the Digital Age: Evolving Religious Authority through Social Media," *Contemporary Islam* 12, no. 1 (2018): 5–21.

¹²Ahmad Mukhlis, "Photography Law in an Islamic Perspective," *Al-Ahkam* 29, no. 2 (2019): 151–170.

¹³Zamakhshari Dhofier, *Pesantren Tradition: A Study of the Kiai's View of Life* (Jakarta: LP3ES, 2011), 55–83.

for the reproduction of religious authority.¹⁴ Within the Madurese social structure, kiai (Islamic scholars) play not only a spiritual leader¹⁵ but also a source of social legitimacy, an informal fatwa issuer, a conflict mediator, and a primary reference point for the community in determining attitudes towards various contemporary issues.¹⁶ This situation makes the views of religious figures have a significant influence on the community's acceptance or rejection of the practice of pre-wedding photography.¹⁷ These varying views demonstrate the dynamics of *ijtihad* in responding to social change,¹⁸ allowing Islamic law to be practiced through an interpretive process influenced by the social, cultural, and technological context.

Studies on photography from an Islamic legal perspective have actually developed in recent years. Research by Mukhlis¹⁹ and Zuhri²⁰ focuses more on the general legal status of photography based on classical and contemporary Islamic jurisprudence. These studies still have several limitations. First, most studies focus on normative analysis of Islamic law without examining how local religious authorities construct legal arguments regarding emerging social phenomena. Second, research specifically examining the practice of pre-wedding photography in the Madurese context is still very limited, despite its socio-religious character differing from other Muslim regions in Indonesia. Third, there is limited research

¹⁴Ministry of Religion of Pamekasan Regency, Data on Islamic Boarding Schools in Pamekasan Regency in 2023 (Pamekasan: Office of the Ministry of Religion of Pamekasan Regency, 2023), 4–6.

¹⁵ Hiroko Horikoshi, *Kiai and Social Change* (Jakarta: P3M, 1987), 232–255.

¹⁶Moh. Hefni, "Kiai as Local Elite in Madurese Society," *KARSA: Journal of Social and Islamic Culture* 23, no. 2 (2015): 313–330. <https://doi.org/10.19105/karsa.v15i1.110>

¹⁷Dale F. Eickelman and James Piscatori, *Muslim Politics* (Princeton: Princeton University Press, 1996), 37–59.

¹⁸ Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: International Institute of Islamic Thought, 2008), 45–63.

¹⁹Ahmad Mukhlis, "Photography Law in an Islamic Perspective," *Al-Ahkam* 29, no. 2 (2019): 151–170.

²⁰ Moh. Zuhri, "Photography in the Perspective of Contemporary Islamic Law," *tt.*

analyzing how religious leaders negotiate the relationship between sharia norms and the evolving demands of modern visual culture.

This study offers a different perspective by positioning religious figures as social actors who function not only as providers of legal legitimacy²¹ but also as agents negotiating social change. This study utilizes Max Weber's theory of authority and social action,²² further developed in studies of Indonesian Islam by Horikoshi and Dhofier regarding the position of kiai as religious elites. To explain how religious authorities respond to changes in visual culture, this study also utilizes the perspectives of Eickelman and Piscatori on the negotiation between Islam and modernity. Through this theoretical framework, the study not only identifies differences in legal views among religious figures but also explains the social, cultural, and epistemological factors underlying these differences.²³

This research's scientific contribution lies in its analysis of the construction of local religious elites' views on the practice of pre-wedding photography²⁴ through an Islamic socio-legal approach. Unlike previous research that emphasized the normative aspects of Islamic jurisprudence, this study connects the dimensions of Islamic law with the construction of religious authority, visual culture, and the negotiation process between sharia values and modernity in the context of Madurese society. Thus, this research is expected to enrich contemporary Islamic legal studies, particularly regarding the relationship between religious authority, the development of visual

²¹Anthony Giddens, *The Constitution of Society: Outline of the Theory of Structuration* (Berkeley: University of California Press, 1984), 14–37.

²²Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1978), 24–56.

²³Clifford Geertz, *The Interpretation of Cultures* (New York: Basic Books, 1973), 3–30.

²⁴Roger Cotterrell, *Law, Culture and Society: Legal Ideas in the Mirror of Social Theory* (Aldershot: Ashgate, 2006), 17–39.

²⁵Susan S. Silbey, "After Legal Consciousness," *Annual Review of Law and Social Science* 1 (2005): 323–368. <https://doi.org/10.1146/annurev.lawsocsci.1.041604.115938>

technology, and the cultural transformation of Indonesian Muslim society.²⁶

These studies have not yet fully explained how local religious elites construct legal arguments, produce religious legitimacy, and negotiate modern visual culture within specific social contexts.²⁷ These limitations indicate a research gap in the construction of religious authority regarding pre-wedding photography practices, particularly in Madurese society, which is characterized by strong religious characteristics and a strong kiai leadership structure.

Based on the description, this research is directed to answer three problem formulations, namely: (1) how do religious elites negotiate piety in the current Madurese cultural context regarding pre-wedding photos; (2) how do capital symbols, community and economic factors support this phenomenon; and (3) how are Islamic legal norms such as fatwas, 'urf and other laws relevant to this phenomenon?

Method

This research is an empirical legal study²⁸ using a socio-legal approach²⁹ to analyze the views of religious leaders on the practice of pre-wedding photography from an Islamic legal perspective and its implementation in the social context of Pamekasan Regency. The research was conducted in Pamekasan Regency, East Java, which was selected purposively due to its strong religious character and extensive network of Islamic boarding schools.

²⁶Moh. Hefni, "Kiai as Local Elite in Madurese Society," *KARSA: Journal of Social and Islamic Culture* 23, no. 2 (2015): 313–330. <https://doi.org/10.19105/karsa.v15i1.110>

²⁷Dale F. Eickelman and James Piscatori, *Muslim Politics* (Princeton: Princeton University Press, 1996), 53–74.

²⁸Peter Mahmud Marzuki, *Legal Research*, revised ed. (Jakarta: Kencana, 2021), 87–94.

²⁹Simon Halliday and Patrick Schmidt, eds., *Conducting Law and Society Research: Reflections on Methods and Practices* (Cambridge: Cambridge University Press, 2009), 19–41.

The research informants were determined using purposive sampling techniques,³⁰ including kiai (Islamic scholars), religious leaders (ulama), religious organization administrators (NU and Muhammadiyah), members of the Indonesian Ulema Council (MUI) in Pamekasan Regency, and Islamic law academics. The number of informants was determined based on the principle of data saturation until sufficient information was obtained. The research data consisted of primary and secondary data.³¹ Primary data were obtained through in-depth interviews using semi-structured interview guidelines and non-participatory observation.³²

Result and Discussion

Piety as Performance: Negotiating Islamic Modesty in Pre-Wedding Visual Practices

Prewedding photography in Pamekasan Regency demonstrates that visual culture has become a new space for the articulation of Islamic identity as well as an arena for negotiation between sharia norms and modernity. Based on interviews with fifteen religious figures, this study identifies three typologies of responses to the practice of pre-wedding photography: total rejection (*al-rafd al-mutlaq*), conditional tolerance (*al-jawāz bi al-syurūṭ*), and moderate adaptation (*al-tawassuṭ al-mu'āṣir*). These three typologies demonstrate that pre-wedding visual practices are no longer understood solely as documentation activities, but also as a medium that represents how Muslims construct, maintain, and display their religious identity in the digital public sphere. This finding aligns with recent research that views pre-wedding photography as a visual cultural artifact that brings together religious authority, modern aesthetics, and Islamic ethics.

³⁰John W. Creswell and Cheryl N. Poth, *Qualitative Inquiry and Research Design: Choosing among Five Approaches*, 4th ed. (Los Angeles: SAGE Publications, 2018), 157–169.

³¹Sharan B. Merriam and Elizabeth J. Tisdell, *Qualitative Research: A Guide to Design and Implementation*, 4th ed. (San Francisco: Jossey-Bass, 2016), 137–169.

³²Norman K. Denzin and Yvonna S. Lincoln, eds., *The SAGE Handbook of Qualitative Research*, 5th ed. (Los Angeles: SAGE Publications, 2018), 579–603.

The first group consists of religious figures who absolutely reject the practice of pre -wedding photography. Seven informants, the majority of whom are Islamic boarding school administrators, believe that pre -wedding photography contains elements of *khalwah*, *ikhtilāṭ tabarruj*, and has the potential to lead to *sadd al-dhari'ah* towards actions prohibited by sharia. According to them, before the marriage contract is carried out, the relationship between a man and a woman remains within the boundaries of sharia, so that any form of visualization of intimacy, even for documentation purposes, cannot be justified. One informant stated that pre -wedding photos are a form of normalization of modern culture that blurs the boundaries of sharia through visual aesthetics. This view suggests that piety is understood as a form of full compliance with preventive fiqh norms, so that visual representations must be subject to the principle of caution (*iḥtiyāt*) in Islamic law. Their argument is based on clear textual evidence (*qath'i*): the hadith prohibiting *khalwat* (seclusion), the Qur'anic verse prohibiting *tabarruj* (sexual relations) (QS. Al- Ahzab: 33), and the Islamic jurisprudential principle of *sadd al-dzari'ah* (closing the path to prohibition).³³

Based on the verse, it can be interpreted through the Tahlili interpretation that in Surah Al- Ahzab verse 33, ³⁴Allah SWT commands the wives of the Prophet Muhammad (peace be upon him) to maintain their honor by remaining at home, except when there is a justified need. The verse also prohibits them from displaying jewelry or excessive adornment, as was the custom of women during the Jahiliyah period. In addition to avoiding prohibited behavior, they are commanded to carry out religious obligations, such as establishing prayer and paying zakat. Both of these acts of worship are manifestations of obedience to Allah and His Messenger as well as a means of purifying the soul and property.

The interpretation of who is meant by *Ahlul Bait* is strengthened by the history of Anas bin Malik who explains that the

³³Abdul Karim Zaidan, *Al- Mufasssal fi Ahkām Al-Mar'ah wa al-Bayt al -Muslim*, volume 3 (Beirut: Mu'assasah al -Risala, 1993), 251–260.

³⁴Ministry of Religion of the Republic of Indonesia, *Al- Qur'an and its Interpretation, Enhanced Edition, Volume 8* (Jakarta: Lajnah Pentashihan Mushaf Al- Qur'an, 2011), pp. 22–26.

Messenger of Allah. for six months he went to Fatimah's house every time before the morning prayer, saying, "Pray, O Ahlul Bait. Indeed, Allah wants to remove sin from you and purify you as pure as possible." This hadith was narrated by Imam At- Tirmidhi ³⁵and Abu Dawud Ath- Thayalisi ³⁶, and is one of the foundations that shows the special position of the Prophet's family as role models in maintaining piety, honor and obedience to Allah SWT.

In contrast to the first group, five informants developed a pattern of conditional tolerance. This group believes that pre - wedding photography is acceptable as long as it meets sharia requirements, such as avoiding physical contact, maintaining modesty, avoiding romantic poses, being accompanied by a mahram (a person who is not Muslim), and being intended for family documentation, not public consumption. From their perspective, the law on photography is not inherently haram (forbidden), but rather depends on the substance of the practice. This approach demonstrates the application of the principles of *maṣ laḥ ah* (necessary for the sake of Allah) and *dar'u* (necessary for the sake of Allah). Al-mafāsīd in responding to changes in visual culture. ³⁷According to MUI ³⁸and NU circles ³⁹who have a combined educational background from Islamic boarding schools and Islamic universities, they are of the opinion that pre -marital photos can be permitted under strict conditions: (a) the couple is accompanied by a mahram; (b) both clothes completely cover the aurat; (c) there is no physical contact; (d) not exploiting the woman's beauty for public consumption; (e) taken for documentation purposes, not for showing off. This view is in line with the principles of *fiqh maslahah* that considers benefits and mafsadat. Thus, visual

³⁵Abū 'Īsā Muḥammad ibn 'Īsā al-Tirmizī, *Sunan al-Tirmizī*, Kitāb al-Manāqib, Bāb Faḍā'il Ahl al-Bayt, No. Hadith 3787 (Beirut: Dār al-Gharb al-Islāmī, 1998), vol. 6, p. 85.

³⁶Abū Dāwūd Sulaymān ibn Dāwūd al-Ṭayālīsī, *Musnad Abī Dāwūd al-Ṭayālīsī* (Beirut: Dār al-Ma'rifah, 1999), p. 299.

³⁷Abu Ishaq al-Shatibi, *Al-Muwāfaqāt fī Uṣūl al-Sharī'ah*, volume 2 (Beirut: Dār al-Kutub al-'Ilmiyyah, 2004), 8-12.

³⁸Indonesian Ulema Council, *Indonesian Ulema Council Fatwa Association Since 1975* (Jakarta: Erlangga, 2015), 933-936.

³⁹ Nahdlatul Ulama, *Bahtsul Problem Nahdlatul Ulama: Islamic Law and Contemporary Problems* (Jakarta: LTN NU, 2019), 145-152.

practices are not positioned as a threat to religion, but rather as a medium that must be directed to remain in line with the goals of sharia (*maqāṣid al-syari'ah*).⁴⁰

This group promotes the concept of "Islamic pre-wedding photography," which emphasizes modesty, avoids physical contact, maintains modesty, and avoids exploiting women's bodies as visual objects.⁴¹ In their view, piety is demonstrated not only through prohibitions but also through the ability to present alternative cultural practices that align with Islamic principles.⁴²

These three typologies demonstrate that piety in contemporary Muslim society is not only manifested through adherence to Islamic legal norms, but also through the ways individuals and communities represent their religious identity in visual spaces.⁴³ In other words, the practice of pre-wedding photography has become a form of piety performance, a process by which religious values are translated into visual symbols recognizable by the public. In this context, the use of Islamic attire, the selection of religiously appropriate locations, the avoidance of physical contact, and the narratives accompanying the photos are all forms of communication of Islamic identity displayed to the public.⁴⁴

The findings of this study also indicate that the concept of Islamic modesty is undergoing a process of reinterpretation. Modesty is no longer understood solely as a restriction on visual expression, but as the ability to display religious identity without violating sharia principles. This phenomenon demonstrates that visual culture has

⁴⁰Mohammad Hashim Kamali, *Maqasid al-Shariah Made Simple* (London: International Institute of Islamic Thought, 2008), 17–30. <https://doi.org/10.52282/icr.v2i2.647>

⁴¹Gillian Rose, *Visual Methodologies: An Introduction to Research with Visual Material*, 4th ed. (London: Sage Publications, 2016), 15–33;

⁴²Mohammad Hashim Kamali, *Maqasid al-Shariah Made Simple* (London: International Institute of Islamic Thought, 2008), 17–30. <https://doi.org/10.52282/icr.v2i2.647>

⁴³Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton: Princeton University Press, 2005), 1–15. <https://doi.org/10.1215/08992363-2006-006>

⁴⁴David Morgan, *The Embodied Eye: Religious Visual Culture and the Social Life of Feeling* (Berkeley: University of California Press, 2012), 1–30.

become an arena for the production of religious meaning, where Islamic values are negotiated, maintained, and adapted to developments in communication technology. ⁴⁵These findings align with research on symbolic authority, which shows that the digital space has transformed the way religious authorities construct legitimacy ⁴⁶and define forms of visual piety in contemporary Muslim societies.⁴⁷

From Weber's theoretical perspective, ⁴⁸these differing views demonstrate that religious authority gains legitimacy through a process of interpreting social reality. Religious figures act not only as guardians of norms but also as actors who construct legal meaning in accordance with their scientific traditions and the social context in which they operate.

The differences in views among Pamekasan's religious elite are influenced by several identifiable factors. First, religious educational background. Kiai (Islamic scholars) with a background in traditional Islamic boarding schools with a tradition of "yellow books" tend to be more stringent in applying classical Islamic jurisprudential norms. On the other hand, religious figures who also received formal education at Islamic universities tend to be more open to contextual approaches and the maqashid (objective) of sharia.⁴⁹

Second, the organization's affiliated network. There are nuanced differences between informants from NU and non-NU backgrounds. NU figures are generally more accustomed to a *tasamuh* (tolerance) approach and employ *qawl jadid* (new opinions) methods in responding to contemporary issues. Meanwhile,

⁴⁵Heidi Campbell, "Understanding the Relationship between Religion Online and Offline in a Networked Society," *Journal of the American Academy of Religion* 80, no. 1 (2012): 64–93, especially 68–72.

⁴⁶Gary R. Bunt, "Islam in the Digital Age: Evolving Religious Authority through Social Media," *Contemporary Islam* 12, no. 1 (2018): 5–21.

⁴⁷Heidi A. Campbell, "Who's Got the Power? Religious Authority and the Internet," *Journal of Computer-Mediated Communication* 12, no. 3 (2007): 1043–1062, especially 1048–1054. <https://doi.org/10.1111/j.1083-6101.2007.00362.x>

⁴⁸Mark Woodward, "Modernity and the Discourse of Islam: The Case of Indonesia," *Journal of Southeast Asian Studies* 25, no. 2 (1994): 275–289

⁴⁹Greg Fealy, "The State, Islam and the Politics of the Indonesian Muslim Community," *Indonesia* 77 (2004): 1–15.

informants from Islamic organizations that are more stricts in implementing sharia tend to be more vocal in their opposition.

Third, the level of exposure to social media. Informants who are active on social media and have thousands of digital followers demonstrate a greater awareness of the complexity of this issue. They recognize that total rejection without educational alternatives has the potential to push society in a worse direction. This view reflects what Mandaville calls " ⁵⁰Islam in the digital public sphere." ⁵¹

elite's views on prewedding photography cannot be separated from the gender dimension inherent in this discourse. ⁵²This study finds that the Pamekasan religious elite's normative construction of pre -wedding photography consistently positions women's bodies as the primary object of regulation, while men's bodies are relatively neglected. ⁵³

In all interviews, arguments regarding the ban on pre -wedding photos consistently focused on the bride's attire (whether it covered her private parts), the bride's presence in a secluded place, and the impact of publishing women's images in the digital public space (*tabarruj*). ⁵⁴

This study found that Pamekasan religious elites employ various negotiation strategies to address the pressures of modern visual culture. The first strategy is normative reinterpretation, in which religious figures reinterpret the prohibitions of classical Islamic jurisprudence in the context of modern pre -wedding photography. For example, the concept of *tabarruj*, which in classical Islamic

⁵⁰P. Mandaville, *Transnational Muslim Politics: Reimagining the Umma* (London: Routledge, 2001), p. 171.

⁵¹Gary R. Bunt, "Islamic Authority Online: The Digital Ummah," *Contemporary Islam* 6 (2012): 135-151, especially 139-143.

⁵²Saba Mahmood, "Feminist Theory, Embodiment, and the Docile Agent: Some Reflections on the Egyptian Islamic Revival," *Cultural Anthropology* 16, no. 2 (2001): 202-236. <https://doi.org/10.1525/can.2001.16.2.202>

⁵³Lila Abu- Lughod, "The Debate on Muslim Women's Rights: An Anthropological Perspective," *International Studies Review* 14, no. 1 (2012): 85-102.

⁵⁴Nadia Fadil, "Islamic Masculinities: Gender and Sexuality in Contemporary Islamic Revival Movements," *Journal of Islamic Studies* 21, no. 3 (2010): 321-345

jurisprudence refers to women in the Jahiliyah era who displayed their beauty in public spaces, is now applied to prewedding photo content shared on social media.⁵⁵

The second strategy is the Islamization of alternatives. Some religious elites not only prohibit them, but actively promote Islamic alternatives. The concept of "*sharia*" "pre-marital" contracts, which require the fulfillment of certain conditions, developed as a constructive response to this phenomenon. This concept received a positive response from segments of Pamekasan society who wanted to follow modern trends without abandoning their Islamic identity.⁵⁶

The third strategy is preventive education and outreach. Religious leaders, recognizing the power of social media penetration, are using the same platforms to disseminate Islamic guidance on pre-wedding photography.⁵⁷ Sermons, video content, and social media posts discussing the laws and ethics of pre-wedding photography are effective outreach channels⁵⁸ for reaching Pamekasan's younger generation.

On the other hand, the influence of religious elites faces challenges from the globalization of visual culture.⁵⁹ International trends in wedding photography, accessed through platforms like Pinterest and Instagram, often conflict with Islamic standards held by

⁵⁵Nadia Fadil, "The Political Economy of Religious Revival: Islamic Ethics and the Transformation of Muslim Subjectivities," *Social Compass* 59, no. 3 (2012): 365–380, <https://doi.org/10.1057/fr.2011.12>.

⁵⁶Gary R. Bunt, "Islamic Authority Online: The Digital Ummah," *Contemporary Islam* 6 (2012): 135–151.

⁵⁷MHM Zainuddin, "Islam, Social Media, and the Shift in Religious Authority in Indonesia," *Journal of Islamic Communication* 10, no. 2 (2020): 245–266.

⁵⁸Ahmad Nur Malik Panigoro, "Digital Islam and the Negotiation of Religious Authority," *Alhamra: Journal of Islamic Studies* 6, no. 1 (2025): 1–15.

⁵⁹Birgit Meyer, "Mediation and the Genesis of Presence: Toward a Material Approach to Religion," *Religion and Society: Advances in Research* 2 (2011): 23–39.

local religious ⁶⁰elites. This tension creates a dynamic space for negotiation.⁶¹

One important finding is that social media serves as an "epistemic bridge" ⁶²that allows Pamekasan religious elites to connect with global Islamic jurisprudential discourse, including the views of international scholars on photography and visual culture. Several informants mentioned that they frequently watch lectures by scholars from Egypt, Saudi Arabia, and Malaysia on YouTube, which enriches and sometimes broadens their perspectives on the issue of pre-wedding photography.⁶³

Social media also reveals another dimension that significantly influences the views of religious elites: direct exposure to ⁶⁴pre-wedding photography content from Pamekasan residents themselves. Several informants stated that they first became aware of the widespread prevalence of pre-wedding photography in Pamekasan when they saw posts on their Instagram ⁶⁵feeds or WhatsApp groups.

According to several informants consulted directly, requests for fatwas or opinions regarding pre-wedding photos often come from the groom's parents, who are concerned about Sharia compliance, rather than from the bride or groom themselves. ⁶⁶This

⁶⁰Rina Najiha, "Religion and the Advancement of Digital Technology: Digital Religion and Social Media," *Mozaic: Islamic Studies Journal* 4, no. 2 (2025): 115–128

⁶¹Nadia Fadil, "Islamic Masculinities: Gender and Sexuality in Contemporary Islamic Revival Movements," *Journal of Islamic Studies* 21, no. 3 (2010): 321–345

⁶²Lorne L. Dawson and Douglas E. Cowan, "Religion Online: Finding Faith on the Internet," *Journal of Religion and Society* 9 (2007): 1–17.

⁶³Mona Abaza, "Shifting Landscapes of Islamic Authority in the Digital Age," *Islamic Studies* 53, no. 1–2 (2014): 23–45

⁶⁴Nabil Echchaibi, "From Audio Tapes to Video Blogs: The Delocalization of Authority in Islamic Media," *Global Media and Communication* 7, no. 3 (2011): 209–223.

⁶⁵Hisyam Muhammad Fahmi, "Religious Authority in the Digital Era: The Shifting Role of Ulama in Social Media," *Journal of Islamic Communication* 10, no. 2 (2020): 245–266

⁶⁶Svetlana Yu. Barsukova, "Ritual Economy, or How Much Is Spent on a Wedding in Central Asia," *Journal of Institutional Studies* 14, no. 3 (2022): 46–58, <https://doi.org/10.17835/2076-6297.2022.14.3.046-058>

illustrates how control over women's visual expression remains largely controlled by patriarchal structures within Madurese families, legitimized by prevailing religious views.

Rinaldo's (2013) study of ⁶⁷Muslim women's activism in Indonesia demonstrates that Muslim women are not merely passive objects of religious regulations, but rather active subjects negotiating with these norms. ⁶⁸In Pamekasan, a similar negotiation process can be observed, albeit on a more limited scale and often not explicitly visible. Prospective brides and their families often seek compromises that allow for the documentation of pre -wedding memories without completely abandoning normative societal expectations. This process illustrates women's agency in negotiating with dominant religious authorities.⁶⁹

In this context, pre -wedding photos are not understood simply as documentation, but as an arena for the production of religious meaning, where values of piety, family honor, and Islamic identity are negotiated amidst the development of digital culture. ⁷⁰Thus, what is preserved is not the visual form, but rather the authority of sharia in directing how society represents itself in the public sphere.

Image as Social Capital: The Role of Photography in Building Religious Authority and Family Prestige

Prewedding photography in Pamekasan Regency is not only understood as a means of documentation leading up to the marriage ceremony, but also has social significance related to the formation of the family's image in the public sphere. Several informants explained that pre -wedding documentation has now become part of society's

⁶⁷Valentina Napolitano and A. Rinaldo, "Mobilizing Piety: Islam and Feminism in Indonesia," *Journal of Middle East Women's Studies* 9, no. 1 (2013): 1–30.

⁶⁸Asef Bayat, "Islamism and Social Movement Theory," *Third World Quarterly* 26, no. 6 (2005): 891–908.

⁶⁹Birgit Meyer, "Mediation and the Genesis of Presence: Toward a Material Approach to Religion," *Religion and Society: Advances in Research* 2 (2011): 23–39.

⁷⁰David Morgan, "The Embodied Eye: Religious Visual Culture and the Social Life of Feeling," *Material Religion* 8, no. 3 (2012): 333–337. <https://doi.org/10.1525/9780520952140>

social expectations, especially among the younger generation. The presence of pre -wedding photos is often seen as a symbol of readiness to enter married life and represents the family's identity before the public. In this context, photography functions as a social communication medium that demonstrates the family's values, status, and character, thus being inseparable from efforts to build social recognition within the community.⁷¹ The decision to have pre -wedding photos is not entirely a personal choice for the couple, but is also influenced by community expectations regarding family piety.⁷²

On a broader level, the phenomenon of negotiating Islam and visual culture in Pamekasan bears similarities to patterns found in Muslim communities in other countries undergoing social transition. In Malaysia, for example, research by Mohd Azizuddin⁷³ and Zulkifli (2020) found that religious scholars responded to pre -wedding photography with a similar typology: some rejected it outright, some offered conditional responses, and others attempted to construct Islamic alternatives.⁷⁴ Similarly, in Pakistan and Bangladesh, where social media modernity meets strong Islamic traditions, nearly identical negotiation dynamics can be observed. These cross-cultural similarities suggest that the phenomenon studied in Pamekasan is not merely a local dynamic,⁷⁵ but part of a larger global phenomenon: the

⁷¹Gillian Rose, "Visual Methodologies: An Introduction to Research with Visual Materials," *Sociology* 35, no. 1 (2001): 1–10.

⁷² Nilufer Göle, "The Forbidden Modern: Civilization and Veiling," *University of Michigan Press / European Journal of Sociology* 52, no. 1 (2011): 1–24.

⁷³ Mohd Khairuddin Mohad Sallehuddin, Muhammad Ridhwan Sarifin, and Mohamad Fauzi Sukimi, "Consumerism and Social Class in Majlis Malay Community Marriage," *Akademika* 90, no. 1 (2020): 55–70.

⁷⁴ Aulil Amri, "Pre Wedding Photo Procession and the Role of the Family in Them," *Dusturiah: Journal of Islamic Law, Legislation and Social Institutions* 10, no. 2 (2020): 245–264.

⁷⁵ Azyumardi Azra, "Islam in Southeast Asia: Tolerance and Radicalism," *MIMBAR: Journal of Social and Development* 24, no. 1 (2008): 1–14.

struggle of Muslim communities with visual modernity in the social media era.⁷⁶

What distinguishes Pamekasan is the strong influence of the Islamic boarding school tradition, namely, the yellow books (*kitab kuning*) as the primary source of normative authority, alongside the crucial role of the Islamic boarding school network as a social infrastructure supporting the transmission of Islamic values from generation to generation.⁷⁷ The combination of these two creates a relatively cohesive yet dynamic religious ecosystem, capable of responding to the challenges of modernity from within the tradition itself. This unique characteristic makes the Pamekasan case particularly valuable in the study of Islam in Indonesia and in comparisons with Muslim communities worldwide.

However, for religious leaders in Pamekasan Regency, the formation of a family image cannot be separated from Islamic values of modesty. Based on interviews, most informants emphasized that family honor (*muruhah*) is more important than visual imagery that could potentially violate sharia provisions. According to them, family prestige is not measured by the luxury of the photographic concept or the visual aesthetics displayed, but by the family's ability to maintain good manners, honor, and adherence to Islamic teachings. Therefore, pre-wedding photography practices that depict physical contact, expose private parts, or exploit the couple's intimacy before the wedding are seen as diminishing family honor, even if they receive appreciation on social media.⁷⁸

Changing Islamic Legal Norms: Fatwa, 'Urf, and the Production of New Fiqh in Visual Culture

⁷⁶Bryan S. Turner, "Islam, Public Religions and the Secularization Debate," *The Sociological Review* 60, no. 2 (2012): 25–42 https://doi.org/10.1007/978-90-481-3362-8_2

⁷⁷ Zamakhsyari Dhofier, "The Pesantren Tradition: A Study of the Role of the Kyai in the Maintenance of Traditional Islam in Java," *Journal of Southeast Asian Studies* 17, no. 1 (1986): 1–25.

⁷⁸ Zamakhsyari Dhofier, "The Pesantren Tradition: A Study of the Role of the Kyai in the Maintenance of Traditional Islam in Java," *Journal of Southeast Asian Studies* 17, no. 1 (1986): 1–25.

pre-wedding photography is the result of a process of constructing Islamic legal norms involving three main approaches: a textual approach, an *ijtihad* approach through fatwas from religious elites, and a contextual approach that considers 'urf (community customs).⁷⁹ These three approaches produce different legal typologies, while also demonstrating that Islamic law is not understood as a static norm, but rather as a system capable of responding to social change without ignoring sharia principles.⁸⁰

The first typology, namely total rejection (*al-rafd al-mutlaq*),⁸¹ built through a normative-textual approach oriented towards the authority of the text. This group bases its arguments on the prohibition of *tabarruj* in QS. Al-Ahzab verse 33, the hadith on the prohibition of *khalwah*, and the principle of *sadd Al-Dhari'ah* is an effort to close off all means that could potentially lead to sin. From this perspective, pre-wedding photography is seen not merely as a media issue, but as an activity that has the potential to violate the boundaries of social interaction between men and women who are not yet married. Therefore, the resulting fatwa is preventive in nature⁸², aiming to maintain honor (*hifz al-'ird*) and societal morality. This finding indicates that legal legitimacy is obtained through the dominance of textual authority so that changes in visual culture are not seen as a reason to change sharia provisions that already have a strong normative basis.

The second typology, namely conditional tolerance (*al-jawāz bi al-syurūṭ*), shows how religious elites conduct *ijtihad* by integrating textual evidence and considerations of public interest.⁸³ This group

⁷⁹Gillian Rose, "Visual Methodologies: An Introduction to Research with Visual Materials," *Sociology* 35, no. 1 (2001): 1–10.

⁸⁰Mohammad Hashim Kamali, "Maqasid al-Shariah and Ijtihad as Instruments of Civilizational Renewal," *Islam and Civilizational Renewal* 2, no. 2 (2011): 245–271. <https://doi.org/10.52282/icr.v2i2.647>

⁸¹Ahmad Mukhlis, "Photography Law in an Islamic Perspective," *Al-Ahkam* 29, no. 2 (2019): 151–170

⁸²Mohammad Hashim Kamali, "The Objectives of Sharia and Islamic Legal Theory," *Islamic Studies* 38, no. 2 (1999): 193–224. <https://ixtheo.de/Record/1643849786>

⁸³Mohammad Hashim Kamali, "Maqasid al-Shariah, Ijtihad and Civilizational Renewal," *Islam and Civilizational Renewal* 2, no. 2 (2011): 250–260. <https://doi.org/10.52282/icr.v2i2.647>

argues that pre -wedding photography is essentially permissible as long as it does not contain elements expressly prohibited by sharia, such as exposing the genitals, *khalwah*, *ikhtilāṭ*, or exploitation of women's bodies.

The third typology, namely moderate adaptation (*al-tawassuṭ al-mu'āṣir*) , ⁸⁴shows that the formation of Islamic legal norms is also influenced by the development of 'urf as a constantly changing social reality. This group views that pre -wedding photography has developed into a modern societal custom that cannot be ignored. From the perspective of *usul fiqh*, 'urf that does not contradict the texts can be taken into consideration in determining the law. Therefore, some religious figures no longer debate the existence of photography as a tradition, but direct society to carry out the practice in accordance with the principles of sharia.

These three typologies demonstrate that the production of Islamic jurisprudence (*fiqh*) on pre -wedding photography occurs through a dialogue between texts, religious authorities, and social realities. From Weber's perspective, the legitimacy of fatwas depends on the ability of religious elites to respond to new issues facing society. ⁸⁵Similarly, Eickelman and Piscatori assert that modernity does not eliminate religious authority, but rather creates new spaces for the negotiation and production of religious knowledge. ⁸⁶Thus, the dynamics of the views of religious figures in Pamekasan Regency demonstrate that Islamic legal norms regarding the practice of pre -wedding photography are formed through the interaction between the authority of texts, the *ijtihād* process of religious elites , and considerations of 'urf , resulting in different legal formulations according to the *istinbāṭ* method used by each religious figure.

⁸⁴ Felicity Opwis, " Maslaha in Contemporary Islamic Legal Theory ," *Islamic Law and Society* 12, no. 2 (2005): 182–223. <https://doi.org/10.1163/1568519054093699>

⁸⁵ Muhamad Andriyanto, Husnul Fatarib, M. Fahmi Andriansyah, and Amadin Mustofa, "Reinterpreting Insights in Generation Z: A Review of Islamic Law on Pre-Wedding Photo Poses," *Court Journal: Legal Studies and Islamic Law* 10, no. 2 (2025): 545–554, <https://doi.org/10.25217/jm.v10i2.6756>

⁸⁶ Rizki Mulya Nanda, Mutiara Fahmi, and Riadhus Sholihin, "The Perception of Aceh Islamic Scholars Towards the Legality of Pre-wedding Photos," *JURISTA: Journal of Law and Justice* 9, no. 1 (2025): 55–70, <https://doi.org/10.22373/jurista.v9i1.236>

Conclusion

Prewedding photography practices in Pamekasan Regency do not take place through a dichotomous acceptance or rejection of modern visual culture, but rather through a process of reinterpretation of sharia values by the elite. Religion fits the social context of Madurese society. The typology of views, ranging from total rejection, conditional tolerance, to moderate adaptation, reflects how religious authorities function not only as guardians of Islamic legal orthodoxy but also as actors mediating the relationship between Islamic boarding school traditions, local culture, and developments in visual technology.

Prewedding photography in Pamekasan Regency serves as symbolic capital that represents family identity and gains social recognition. However, the legitimacy of this practice is influenced not only by the development of visual culture and the creative economy, but also by the strong control of Islamic boarding school communities and the authority of Islamic scholars (kyai), who place the values of *murū'ah* and Islamic modesty as primary benchmarks. Thus, religious elites play a role in negotiating the relationship between visual modernity, social expectations, and sharia norms, ensuring that the practice of pre-wedding photography remains legitimate within Madurese Muslim society.

Islamic legal norms regarding the practice of pre-wedding photography in Pamekasan Regency were formed through the interaction between the authority of *texts*, the *ijtihād* of religious elites, and considerations of *'urf* as a developing social reality. This interaction gave rise to three typologies of views: total rejection based on a textual approach, conditional tolerance that prioritizes *maṣlaḥah* and *maqāṣid al-syarī'ah*, as well as moderate adaptations that take into account *'urf* without neglecting the principles of sharia. Thus, the dynamics of fatwas regarding pre-wedding photography show that Islamic law has not changed its basic values, but continues to develop through a process of *ijtihād* that allows sharia to remain relevant in responding to the visual culture of contemporary society.

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