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LEGAL REASONING ON LINEAGE VERIFICATION AND MARRIAGE GUARDIANSHIP AT THE PERCUT SEI TUAN OFFICE OF RELIGIOUS AFFAIRS

Azra Danin Dita, Jamaluddin, Sumiati
Universitas Islam Sumatera Utara
Email. ditadanin470@gmail.com, najwandua@gmail.com, sumideksisi@gmail.com

Abstrak

Penelitian ini mengkaji dasar hukum dan pertimbangan penghulu dalam memeriksa nasab serta menentukan wali nikah pada Office of Religious Affairs Kecamatan Percut Sei Tuan, Kabupaten Deli Serdang. Penelitian menggunakan pendekatan kualitatif dengan wawancara, observasi, dan telaah dokumen, dipadukan dengan pembacaan normatif terhadap hukum perkawinan Islam di Indonesia. Hasil wawancara memperlihatkan bahwa petugas menempatkan status perkawinan orang tua, hubungan nasab yang diakui menurut ketentuan yang berlaku, dan kesesuaian dokumen keluarga sebagai dasar pemeriksaan. Keterangan para petugas juga menunjukkan pentingnya membedakan hubungan biologis, hubungan keperdataan, dan kewenangan menjadi wali nikah. Penggunaan wali hakim dipertimbangkan apabila syarat perwalian nasab tidak terpenuhi, berdasarkan prosedur hukum yang relevan. Temuan tersebut menggambarkan alasan dan praktik pemeriksaan yang dilaporkan petugas, bukan verifikasi akhir atas keabsahan suatu akad nikah tertentu. Berkas kasus, kronologi kelahiran dan perkawinan orang tua, serta dokumentasi keputusan perwalian belum dijelaskan secara memadai dalam naskah sumber. Karena itu, penelitian ini menekankan kehati-hatian penafsiran, pentingnya verifikasi dokumen, dan perlindungan martabat calon mempelai tanpa mengklaim telah membuktikan putusan kasus secara menyeluruh.

Kata kunci: Wali Nikah, Pembuktian Nasab, Wali Hakim

Abstract

This study examines the legal foundations and considerations used by marriage registrars to verify lineage and determine marriage guardians at the Office of Religious Affairs in Percut Sei Tuan, Deli Serdang, Indonesia. It adopts a qualitative approach using interviews, observation, and documentary review, alongside normative interpretation of Indonesian Islamic marriage law. Interview accounts suggest that officials consider parental marital status, legally recognized lineage, and the consistency of family documents when assessing guardianship eligibility. Their explanations distinguish biological relationships, civil legal relationships, and the specific authority to act as a marriage guardian. A judicial guardian may be considered when the applicable requirements for lineage guardianship are not met, subject to the relevant legal procedure. These findings describe the officials' stated reasoning and verification practices; they do not independently establish the legal outcome or validity of a particular marriage. The source manuscript does not adequately document a complete case chronology, underlying family records, or a specific guardianship determination. The article therefore emphasizes cautious legal interpretation, evidence-based verification, and respect for prospective brides rather than claiming comprehensive proof of case outcomes.

Keywords: Marriage Guardianship, Lineage Verification, Judicial Guardian

INTRODUCTION

Marriage in Islamic law constitutes a legally and religiously binding contract that requires the fulfillment of specific pillars and conditions to ensure its validity. Among these essential elements is the marriage guardian, whose authority is fundamental to the solemnization of marriage under the Islamic legal framework applied in Indonesia. Marriage guardianship encompasses both lineage guardians and judicial guardians, with the latter assuming responsibility when an eligible lineage guardian is legally unavailable. The determination of an appropriate guardian becomes particularly complex when the prospective bride was born outside a legally recognized marriage. Such circumstances raise fundamental questions concerning lineage, parental recognition, religious legitimacy, and the relationship between Islamic jurisprudence and national family law.

The Indonesian legal framework addresses marriage guardianship in the Compilation of Islamic Law, particularly Articles 19–23. Article 100 concerns lineage attributed to children born outside marriage, while Article 186 concerns inheritance; these provisions regulate different legal consequences and should not be treated as interchangeable guardianship rules. Constitutional Court Decision No. 46/PUU-VIII/2010 concerns the recognition of civil relationships involving a child and a biological father subject to legally admissible proof. Such civil recognition cannot, without further legal analysis, be equated with authority to act as a wali nasab. Determining guardianship therefore requires a separate assessment of the parents' legally relevant marital circumstances, applicable lineage rules, the prescribed order of guardians, and any conditions for appointing a wali hakim. The evidence available for the present study supports discussion of this legal distinction, but not a categorical ruling covering every form of birth outside a registered marriage.

Within contemporary Islamic family law, the interaction between religious norms and state regulations reflects broader processes of legal pluralism and institutional transformation. Hooker (2008) demonstrates that Indonesian Islamic law operates within an evolving relationship between religious interpretation and state authority, while Cammack and Feener (2012) emphasize the institutional development of Islamic legal administration in Southeast Asia. These perspectives suggest that marriage registrars function not merely as administrative officers but also as institutional actors responsible for interpreting and implementing overlapping legal norms. Consequently, their decisions concerning guardianship require careful consideration of documentary evidence, Islamic jurisprudence, statutory regulations, and the circumstances surrounding each marriage application.

This issue is examined at the Office of Religious Affairs in Percut Sei Tuan District, Deli Serdang Regency, North Sumatra. The source account refers to a prospective bride whose biological father reportedly acted as marriage guardian, making the legal basis for paternal guardianship a pertinent question. However, the manuscript does not reproduce a sufficiently detailed chronology of the parents' relationship, any religious marriage, the bride's birth, the marriage registration process, or the actual decision document. An unregistered but religiously valid marriage and a relationship without a legally valid marriage must not be presumed to have identical consequences. Accordingly, the episode serves here as the context for examining

registrars' reasoning; it is not presented as an independently verified instance of invalid guardianship or unlawful administrative action.

From a theoretical perspective, this study employs the concept of maqasid al-shariah, particularly the principle of maslahah, to examine the relationship between legal validity and substantive justice. The framework emphasizes the protection of religion (*hifẓ al-din*), lineage (*hifẓ al-nasl*), and individual welfare. Opwis (2005) explains that considerations of public interest have historically influenced Islamic legal reasoning, while Auda (2008) highlights the importance of interpreting Islamic legal objectives within changing social circumstances. Applied to marriage guardianship, these principles provide an analytical foundation for evaluating whether legal determinations protect marriage validity, preserve lineage clarity, and safeguard women's rights without perpetuating discrimination based on birth circumstances.

Prior work considers Islamic family law, paternal recognition, and legal pluralism in Indonesia (Bowen, 2003; Bedner & van Huis, 2010; Taufiki, 2012; Jarir et al., 2023). Those studies provide important doctrinal context, while the question addressed here concerns how Office of Religious Affairs officers describe the stages of document examination and legal reasoning before identifying a guardian. The contribution is therefore limited but specific: it connects a practical verification sequence with the distinction among biological paternity, legally recognized lineage, and guardianship authority. Unlike an adjudication of a completed marriage case, the present interview-based material does not permit the author to determine the legal validity of the underlying marriage or independently confirm every claimed procedural step. That evidentiary limit guides the interpretation of the findings.

This study has three objectives: (1) to identify the relevant Indonesian Islamic legal provisions and jurisprudential considerations governing lineage and marriage guardianship; (2) to examine the verification steps and reasoning described by Office of Religious Affairs officers when assessing biological fathers, paternal relatives, and judicial guardians; and (3) to explain the distinct potential implications for substantive marriage validity, administrative processing, and protection of prospective brides. The analysis describes the evidence available in the reported interviews and institutional accounts, without claiming that an individual guardianship dispute was conclusively resolved.

METHOD

This study employed a qualitative research approach using a field research design to examine the legal considerations of marriage registrars in determining marriage guardians for daughters born outside legally recognized marriages. The qualitative approach was selected to explore legal interpretations, institutional practices, and contextual factors influencing guardianship decisions. Rather than emphasizing numerical measurements, the research focused on understanding participants' experiences, perspectives, and reasoning concerning Islamic family law and Indonesian marriage regulations. The study integrated empirical legal inquiry with

normative analysis to investigate the relationship between Islamic jurisprudence, statutory provisions, and administrative practices.

The research was conducted in 2026 at the Office of Religious Affairs (Office of Religious Affairs) in Percut Sei Tuan District, Deli Serdang Regency. The manuscript identifies statements attributed to the head of the Office of Religious Affairs, marriage registrars, a religious counselor, a marriage administration officer, and a local religious figure. However, it does not specify the complete list of interviews, number of interviews per participant, interview dates, or recruitment outcomes. References to family members as potential informants do not demonstrate that those persons were actually interviewed. Accordingly, the present account is confined to the participant statements explicitly reported in the source; it makes no unverified claim that a bride or family members confirmed the case details. Further documentation of the participant selection process remains necessary.

The manuscript reports interviews, observations of administrative procedures, and examination of legal and institutional documents. The interviews concern legal grounds for determining guardianship, lineage verification, and the choice between eligible lineage guardians and judicial guardians. The documentary sources identified include the Compilation of Islamic Law, marriage regulations, and family records described by participants. However, the material available for revision does not contain an authenticated case file, dated observation log, identifiable decision record, or reproducible chronology of the motivating guardianship case. Statements regarding the verification of birth certificates and parental marriage records are consequently reported as institutional practices described by informants, not as proof that each document was examined in a particular disputed case. Any personal or familial details should remain confidential.

The analysis combined descriptive thematic interpretation of interview and observation accounts with normative examination of the legal categories governing marriage guardianship. Statements by participants were organized around: legal grounds and lineage, verification of parental marriage and family documents, the order and eligibility of guardians, possible appointment of a judicial guardian, and implications for marriage registration. The maqasid al-shariah themes of religious protection, lineage preservation, welfare, and avoidance of harm function as the author's analytical framework. They should not be attributed verbatim to participants unless supported by their recorded statements. Because coding records and a complete case dossier are unavailable in the supplied material, the discussion avoids claims of exhaustive procedural reconstruction or a conclusive legal ruling.

Credibility was considered through comparison of the officials' interview accounts with the types of documents and legal provisions described in the manuscript. The source refers to source, methodological, and temporal triangulation, but does not provide a complete verification trail, observation calendar, or copies of case-specific legal records. These procedures therefore cannot be independently audited from the manuscript alone. Convergence among officials is treated as evidence of broadly similar stated interpretations, not proof that every marriage application was processed identically. The absence of independently verified family chronology and a documented guardianship decision limits the strength of case-specific conclusions. Ethical

reporting further requires protecting the prospective bride's identity and separating legal analysis from potentially stigmatizing assumptions about birth circumstances.

RESULTS AND DISCUSSIONS

Results

Islamic Legal Foundations and Statutory Provisions Governing Marriage Guardianship for Daughters Born Out of Wedlock

The available interviews suggest that Office of Religious Affairs officers regard guardianship verification as a substantive legal responsibility rather than a document-checking formality. Their descriptions refer to religious validity, recognized lineage, legal certainty, welfare, and avoidance of harm. These are presented below as analytical themes constructed from the reported accounts; the evidence does not establish that each participant independently used the precise maqasid terminology. Because no complete guardianship decision or case dossier is reproduced, the findings describe officers' stated considerations and do not independently verify the eventual ruling in the motivating case.

The first consideration concerns the protection of religion (*hifẓ al-din*). Amru Hasibuan, Head of the Office of Religious Affairs in Percut Sei Tuan District, emphasized that marriage registrars must prioritize Islamic legal requirements when determining guardianship. His explanation indicated that biological fathers should not automatically be recognized as marriage guardians when legally established paternal lineage is absent. Instead, the appointment of a judicial guardian becomes the appropriate mechanism when the applicable requirements are satisfied. This interpretation reflects an institutional commitment to preventing marriages from being solemnized through legally unauthorized guardians.

Adnan Hakim, a marriage registrar at the same institution, expressed a similar understanding. He emphasized that guardianship constitutes a fundamental requirement of marriage under the Islamic legal framework applied by the Office of Religious Affairs. His account suggests that registrars consider the use of a judicial guardian necessary when the prospective bride lacks an eligible lineage guardian. The convergence between these interview accounts indicates a relatively consistent institutional interpretation of guardianship requirements.

The second consideration involves preserving lineage (*hifẓ al-nasl*). Zulfikar, a senior marriage registrar, explained that determining the legal relationship between a prospective bride and her biological father represents an essential preliminary step. His account emphasized that biological relationships and legally recognized paternal lineage must be distinguished before guardianship authority can be established. Halimatul Khairiah, a religious counselor, similarly highlighted the importance of verifying lineage to prevent errors in marriage guardianship.

These findings demonstrate that lineage verification functions as both a religious requirement and an administrative safeguard. The participants associated proper guardianship determination with the preservation of family relationships, legal accountability, and the prevention of subsequent disputes.

The third consideration concerns legal benefits and the protection of prospective brides. Adnan Hakim explained that appointing a judicial guardian, when legally required, allows marriage procedures to proceed without exposing the parties to avoidable questions concerning the guardian's authority. His account demonstrates that institutional decisions are influenced by anticipated consequences for the bride and her family, including the security of marital status and future legal protection.

The fourth consideration involves legal certainty. Zulfikar described document examination and family clarification as essential procedures before identifying the appropriate guardian. His explanation indicates that marriage registrars seek consistency between religious requirements, documentary evidence, and applicable administrative regulations.

Finally, preventing harm emerged as an important consideration. Zulfikar emphasized that inappropriate guardianship decisions could generate legal uncertainty, family disputes, and psychological consequences for prospective brides. Accordingly, the Office of Religious Affairs's decision-making process incorporates concern for both legal validity and social welfare.

Taken together, the statements suggest a shared emphasis on verifying lineage, identifying the relevant legal provisions, and protecting a prospective bride from avoidable uncertainty. Such convergence concerns the officers' accounts and should not be taken as evidence that every application follows an identical sequence. The categories of hifz al-din, hifz al-nasl, and maslahah provide a normative interpretation by the author, while the interviews chiefly document reported administrative and legal considerations. The available evidence does not permit a definitive finding regarding the legal status of the case that prompted the study.

Marriage Registrars' Legal Considerations Regarding Lineage Status and Guardian Eligibility

The reported accounts describe a staged inquiry: determine the relevant facts concerning the parents' marital relationship and the prospective bride's birth; inspect available family and marriage documentation; assess whether legally recognized paternal lineage and an eligible guardian are established; and examine whether the requirements for a judicial guardian are satisfied. This ordering is a synthesis of the participants' explanations, not a verified workflow reconstructed from a specific case file. In particular, an unregistered but religiously valid marriage must not be automatically categorized with a relationship lacking a valid marriage contract.

Amru Hasibuan explained that registrars must first establish the prospective bride's legally recognized lineage before identifying an eligible guardian. According to his account, the Office of Religious Affairs examines the parents' marital history, relevant family documentation, and information provided by relatives. This process is intended to distinguish biological paternity from legally recognized lineage, particularly when a child was born before the establishment of a valid marital relationship.

Adnan Hakim similarly emphasized the importance of verifying paternal relationships before determining guardianship eligibility. His explanation suggests that marriage registrars do not automatically accept a biological father's claim to guardianship without examining the legal

foundation of that relationship. Where paternal lineage cannot be legally established, registrars consider whether another eligible lineage guardian exists before proceeding toward judicial guardianship.

Zulfikar reinforced this interpretation by explaining that the eligibility of a grandfather or another male relative depends on the existence of a legally recognized guardianship relationship. His account demonstrates that kinship terminology alone does not establish guardianship authority. Instead, the relevant relationship must satisfy the applicable legal requirements governing the order and eligibility of lineage guardians.

A particularly important analytical distinction concerns paternal and maternal relatives. Although the interview material mentions examining the possible involvement of grandfathers and other family members, maternal kinship does not automatically establish eligibility as a lineage marriage guardian under the Indonesian Islamic guardianship framework. Consequently, the identification of an eligible grandfather requires verification of the legally recognized paternal lineage and the prescribed guardianship order.

Halimatul Khairiah identified birth certificates, family registration cards, and parental marriage certificates as important sources of documentary information. Her account indicates that marriage registrars compare these documents with explanations provided by family members to establish the relevant circumstances. Documentary inconsistencies may require additional clarification before a guardianship decision can be made.

The qualitative evidence therefore suggests that administrative verification operates as an essential component of legal interpretation. Rather than relying exclusively on formal documentation, registrars examine the relationship between recorded information and the circumstances surrounding the prospective bride's birth and parental marriage.

According to the officers' accounts, a judicial guardian may be considered when a legally eligible lineage guardian is unavailable under the applicable conditions. However, the absence of an eligible lineage guardian must be distinguished from other situations, including a guardian's refusal, because the relevant legal procedures may differ. The source materials do not provide the appointment instrument or an authenticated decision from the motivating case. For this reason, the text describes the conditions for legal consideration rather than asserting that a judicial guardian was appointed in that case.

Nevertheless, the interview findings should not be interpreted as demonstrating that every child born before parental marriage automatically has identical legal status. Guardianship determinations require examination of the specific circumstances, including the timing and validity of the parents' marriage and the legal rules applicable to the child's status.

The findings also reveal that registrars consider the potential social consequences of guardianship decisions. Family misunderstandings, incomplete documentation, and concerns regarding public stigma may complicate the verification process. Accordingly, registrars emphasized careful communication with families to prevent disputes and maintain confidence in marriage administration.

The accounts point to a sequence of legally constrained decisions rather than a blanket rule based on biological parentage. Assessment of a father's authority, or that of a paternal grandfather, requires legally relevant lineage and application of the prescribed guardianship order. Administrative records provide information but are not, by themselves, a substitute for legal interpretation. Since no complete file or final determination has been provided, this study identifies considerations described by Office of Religious Affairs personnel rather than verifying the eligibility of the specific father or grandfather mentioned in the research context.

Implications of Marriage Registrars' Legal Considerations for Marriage Validity

The interview accounts associate careful guardianship examination with potential protection of marriage validity and administrative certainty. These are distinct forms of legal significance. An incomplete identity document may delay registration, whereas a lack of authority in the individual acting as guardian concerns a substantive requirement of the marriage contract. The manuscript does not establish that either deficiency occurred in the motivating case, nor does it supply a judicial or administrative decision confirming that marriage's legal status. The discussion therefore evaluates possible implications of the officers' reasoning instead of asserting a demonstrated case outcome.

The first theme concerns fulfillment of the essential requirements of marriage. Amru Hasibuan explained that marriage registrars must examine the eligibility of both prospective spouses, the authority of the marriage guardian, the presence of qualified witnesses, and the proper execution of the marriage contract. His account indicates that the Office of Religious Affairs considers these requirements interconnected rather than independent administrative formalities.

Adnan Hakim reinforced this interpretation by explaining that marriage proceedings should not continue when essential legal requirements remain unresolved. According to his account, registrars provide clarification and request the completion of outstanding requirements before the marriage ceremony. This practice reflects an institutional preference for preventive verification rather than attempting to resolve legal deficiencies after solemnization.

The second theme concerns administrative completeness. Siti Nurhaliza, an officer responsible for marriage administration, explained that prospective spouses must provide accurate identification documents, family registration information, and other required marriage documentation. Her account indicates that incomplete or inconsistent information may delay the registration process until the relevant documents are corrected.

Zulfikar similarly emphasized that administrative examination is necessary to prevent discrepancies between recorded identities and actual family circumstances. The interview findings suggest that administrative completeness contributes to legal certainty by establishing a documented foundation for marriage registration.

A distinction is required between substantive religious requirements and administrative documentation. Missing or inconsistent documents may require clarification and correction before registration; they do not automatically establish that the religious elements of a marriage contract are absent. Conversely, an ineligible guardian raises a different substantive question even when the

registration file appears complete. The applicable consequences and corrective procedures depend on the nature of the deficiency and the governing rules. The source does not document a completed case analysis sufficient to determine which, if any, of these conditions applied to the motivating event.

The third theme concerns the legitimacy of marriage guardians. Amru Hasibuan identified unclear guardianship status as a recurring challenge in marriage administration. His explanation indicated that incomplete family information and limited public understanding of lineage requirements can complicate the identification of legally eligible guardians.

Zulfikar similarly described situations in which families experience difficulties identifying or presenting an appropriate guardian. Such circumstances require additional examination and clarification to determine whether lineage guardianship remains available or judicial guardianship is legally justified.

These findings demonstrate that the registrar's role extends beyond confirming the physical presence of a guardian. The central responsibility involves establishing whether the individual possesses legally recognized authority to perform the marriage contract.

The fourth theme concerns the prospective spouses' legal status. Siswandi Hamzah, a local religious figure, highlighted difficulties arising from unclear marital histories, incomplete documentation, and inaccurate personal information. His account indicates that these circumstances can delay marriage administration and increase the risk of legal inconsistencies.

Taken together, the findings demonstrate that guardianship decisions influence marriage validity through their relationship with substantive legal requirements and administrative verification. The participants' accounts emphasize the importance of preventing unauthorized guardianship, ensuring accurate documentation, and protecting prospective brides from avoidable legal uncertainty.

The study also identifies the importance of public education. Marriage registrars indicated that misunderstandings concerning guardianship eligibility can create unnecessary procedural difficulties. Consequently, clearer communication regarding lineage requirements, judicial guardianship, and marriage documentation may strengthen institutional effectiveness.

The reported evidence underscores why officers examine guardian eligibility, documentary consistency, and the conditions for a judicial guardian. It also suggests the importance of confidential, respectful communication where family history is sensitive. The material does not directly document improvements in legal protection or a particular resolved dispute; such effects remain normative implications of careful administration, not independently measured outcomes of this study.

Discussion

Islamic Legal Foundations and Statutory Provisions Governing Marriage Guardianship for Daughters Born Out of Wedlock

The findings demonstrate that the determination of marriage guardianship at the Office of Religious Affairs in Percut Sei Tuan District involves the interaction of Islamic jurisprudence, statutory regulations, and institutional legal reasoning. This relationship illustrates the practical operation of legal pluralism within Indonesian Islamic family law, where religious requirements are implemented through state-authorized administrative institutions. Bedner and van Huis (2010) explain that Indonesian marriage law reflects the coexistence of religious norms and state registration requirements. Accordingly, marriage registrars must ensure that guardianship decisions satisfy the applicable substantive requirements while maintaining administrative accountability.

The interview findings indicate that the protection of religion (hifz al-din) constitutes a fundamental consideration. Marriage registrars understand the appointment of an eligible guardian as necessary for preserving the religious validity of the marriage contract. This interpretation is consistent with the institutional framework of the Compilation of Islamic Law, particularly Articles 19–23, which regulate marriage guardianship and distinguish lineage guardians from judicial guardians. Aspandi (2017) similarly discusses judicial guardianship as an established mechanism within Islamic marriage jurisprudence and Indonesian legal practice.

The second consideration involves protecting lineage (*hifz al-nasl*). The interview participants emphasized that biological paternity cannot automatically be equated with legally recognized paternal lineage. This distinction is significant because Islamic jurisprudence establishes particular requirements for determining familial relationships and their legal consequences. Taufiki (2012) explains that lineage recognition may involve acknowledgment, evidentiary verification, and specific jurisprudential mechanisms. Consequently, the legal status of a prospective bride requires careful examination rather than reliance exclusively on biological relationships.

Constitutional Court Decision No. 46/PUU-VIII/2010 addresses legally provable civil relationships involving children born outside marriage and their biological fathers. The consequences of civil recognition should not be conflated with every consequence of nasab in Islamic family law. In particular, neither biological evidence alone nor a statement of civil recognition necessarily establishes that the same person qualifies as a wali nasab under the applicable marriage guardianship framework. The study therefore evaluates guardianship separately, by considering the legally relevant circumstances of the parents' marriage, rules on lineage and guardian order, and requirements for a judicial guardian. This distinction is analytical and does not purport to settle ongoing interpretive disputes.

The findings also reveal that marriage registrars interpret guardianship through the principles of legal benefit, certainty, and harm prevention. These considerations correspond with the broader objectives of *maqasid al-shariah*, particularly the pursuit of *maslahah*. Within this framework, appropriate guardianship determination serves multiple objectives: preserving

marriage validity, protecting family relationships, preventing legal disputes, and safeguarding prospective brides.

However, *maslahah* should not be interpreted as unrestricted administrative discretion. Marriage registrars remain responsible for applying the governing legal provisions and determining whether the requirements for judicial guardianship have been satisfied. The public interest must therefore be pursued through legally authorized procedures rather than through decisions based exclusively on perceived social convenience.

The qualitative findings further demonstrate that registrars consider psychological and social consequences when communicating guardianship decisions. Family reluctance to disclose sensitive information may complicate lineage verification. Accordingly, effective legal administration requires both procedural accuracy and respectful communication.

The findings contribute to understanding how Islamic legal principles are translated into institutional practices. Rather than operating solely through abstract doctrinal interpretation, guardianship law is implemented through document examination, family clarification, and the exercise of legally constrained administrative judgment.

Therefore, the legal foundations of guardianship determination should be understood as an integrated framework involving Islamic jurisprudence, statutory regulation, evidentiary assessment, and the protection of individual rights. The experience of the Office of Religious Affairs in Percut Sei Tuan District demonstrates the importance of maintaining consistency between religious validity and administrative implementation while ensuring that prospective brides receive legally appropriate and nondiscriminatory treatment.

Marriage Registrars' Legal Considerations Regarding Lineage Status and Guardian Eligibility

The officers describe checking several kinds of information before identifying an authorized guardian: parental marital circumstances, the prospective bride's birth record, the possible basis for legally recognized paternal lineage, and the appropriate sequence of guardians. The manuscript provides no authenticated timeline or underlying case file establishing how these elements were resolved in the motivating case. Accordingly, the paragraphs below reconstruct the reported considerations rather than claiming to document every action in an actual determination.

The interviews demonstrate that registrars begin by examining the parents' marital status, the circumstances surrounding the prospective bride's birth, and the available family documents. This approach reflects the importance of distinguishing biological relationships from legally recognized lineage. Taufiki (2012) discusses the complexity of lineage establishment within Islamic jurisprudence, particularly in circumstances involving acknowledgment, disputed paternity, or legally irregular marital relationships.

The findings suggest that marriage registrars adopt a cautious interpretation of paternal guardianship. Biological fathers are not automatically considered eligible when the relevant legal

requirements for paternal lineage have not been established. This approach corresponds with the legal distinction between biological paternity and the authority to act as a marriage guardian.

Nevertheless, the classification of children born outside marriage requires careful legal interpretation. The circumstances of a child born from an unregistered but religiously valid marriage may differ from those of a child born from a relationship without a valid marriage contract. Jarir et al. (2023) emphasize that debates concerning children born outside marriage involve competing interpretations of Islamic jurisprudence and constitutional protections. Consequently, the specific legal circumstances must be established before determining guardianship eligibility.

Another important finding concerns the eligibility of grandfathers and other male relatives. The interview accounts indicate that registrars examine whether an alternative lineage guardian exists when the biological father cannot legally perform the guardianship function. However, eligibility depends on the prescribed order of guardianship and the existence of legally recognized paternal lineage.

Within the Indonesian Islamic guardianship framework, the paternal grandfather may qualify as a lineage guardian when the relevant legal relationship and guardianship requirements are established. Conversely, a maternal grandfather does not automatically acquire marriage guardianship authority merely through biological kinship. This distinction demonstrates why the verification of lineage must precede the appointment of an alternative guardian.

The findings further indicate that documentary examination plays an important role in guardianship decisions. Birth certificates, family registration cards, and parental marriage records provide relevant information concerning family relationships. Nevertheless, these documents must be interpreted within the applicable legal framework. Administrative recognition of a biological father does not necessarily determine his eligibility as a marriage guardian.

When legally eligible lineage guardians cannot be established, judicial guardianship provides an alternative recognized within Indonesian Islamic marriage law. Aspandi (2017) explains that the use of judicial guardians is connected to circumstances in which lineage guardianship cannot be exercised according to the applicable requirements. Accordingly, the appointment of a judicial guardian must be supported by an identifiable legal basis.

An important procedural distinction concerns a situation in which no legally eligible lineage guardian can be established and a situation in which an existing eligible guardian refuses to authorize the marriage. These circumstances should not be collapsed into a single explanation of wali hakim. Each requires examination of the legal basis and procedure applicable to that case. The present interviews illuminate officers' awareness of the difference, but no appointment decision or supporting case file has been provided to establish the procedure actually applied to the episode motivating this study.

From a qualitative perspective, the interview accounts reveal that registrars combine legal interpretation with practical problem-solving. They examine documentation, seek clarification from families, and consider the possible consequences of incorrect guardianship decisions. This

process reflects the institutional responsibility to prevent legal uncertainty while maintaining respect for the prospective bride's dignity.

The study consequently demonstrates that guardianship eligibility cannot be determined through biological relationships or administrative documentation alone. Instead, it requires an integrated assessment of legally recognized lineage, the prescribed guardianship order, documentary evidence, and applicable statutory provisions. Such an approach strengthens legal certainty and reduces the possibility of unauthorized guardianship in marriage proceedings.

Implications of Marriage Registrars' Legal Considerations for Marriage Validity

The third research objective examines the implications of marriage registrars' legal considerations for the validity of marriages involving daughters born outside legally recognized marital relationships. The findings indicate that guardianship determination influences marriage validity through its relationship with substantive Islamic legal requirements, administrative procedures, and the legal recognition of marital status.

The interview accounts demonstrate that marriage registrars regard the presence of an eligible guardian as a fundamental requirement under the Islamic marriage framework applied in Indonesia. This interpretation corresponds with the Compilation of Islamic Law, which recognizes marriage guardianship as an essential element of the marriage contract. Consequently, the appointment of an unauthorized guardian may create questions concerning the validity of the marriage ceremony.

The findings further suggest that marriage registrars adopt preventive verification procedures to minimize such risks. Before marriage solemnization, they examine the identities of prospective spouses, guardianship eligibility, witness requirements, and relevant supporting documents. These procedures reflect the importance of establishing legal compliance before the marriage contract is concluded.

Religious validity and administrative registration are related but legally distinct questions. A registrar may require accurate identity documents for administrative processing without treating every missing document as proof of an invalid religious contract. By contrast, the authority of the person acting as wali concerns substantive guardianship requirements. Where an error is alleged, the appropriate next step must be identified from the specific facts and governing procedures rather than presumed to be the same in every case. The present material does not support a finding that the motivating marriage was invalid or that a specific remedy was required.

The findings indicate that marriage registrars consider these dimensions simultaneously. Administrative completeness contributes to documentary certainty, whereas guardianship verification addresses the authority of the individual performing the marriage contract. Both processes are important for preventing subsequent disputes concerning marital status.

Another significant implication concerns the protection of prospective brides. Incorrect guardianship decisions may expose women to uncertainty regarding the validity of their marriages

and the legal consequences arising from marital relationships. Such uncertainty may affect family stability and create difficulties in subsequent legal proceedings.

The principle of maslahah provides a framework for understanding why marriage registrars emphasize preventive verification. Proper guardianship determination can protect the interests of prospective brides by reducing the risk of legal disputes and ensuring that marriage procedures comply with the applicable requirements.

However, the protection of women's interests also requires careful attention to nondiscrimination. A prospective bride's birth circumstances should not become a basis for stigmatization or unnecessary restrictions on marriage. Legal verification must therefore be conducted respectfully and confidentially, with attention to the individual's rights and dignity.

The findings also identify administrative difficulties as potential obstacles to effective marriage services. Incomplete documents, inconsistent family information, and limited public understanding of guardianship requirements may delay registration procedures. These circumstances suggest that legal certainty depends not only on the existence of formal regulations but also on their consistent and accessible implementation.

The distinction between paternal recognition and guardianship authority remains particularly important. Constitutional Court Decision No. 46/PUU-VIII/2010 expanded the recognition of certain civil relationships involving children born outside marriage. Nevertheless, the consequences of this recognition for Islamic marriage guardianship remain subject to the relevant legal framework and interpretive debates. Jarir et al. (2023) demonstrate that these debates reflect broader tensions between traditional jurisprudential reasoning and contemporary rights-based interpretations.

The evidence supports a cautious case-by-case approach: biological parentage, civil recognition, valid paternal lineage for guardianship, and documentary registration cannot be treated as identical concepts. The legal consequences of an unregistered religious marriage may differ from those of a union without a valid marriage contract. Officers' reported practices demonstrate attention to those distinctions, but the missing family chronology and decision documentation prevent an independent legal conclusion about the motivating case. Respectful handling of sensitive family circumstances is essential to the protection of the prospective bride's dignity.

CONCLUSIONS

This study identifies a consistent emphasis in Office of Religious Affairs officers' reported reasoning on verifying parental marital circumstances, examining documentary evidence, assessing legally recognized paternal lineage, and determining whether an eligible lineage guardian exists before considering a judicial guardian. The relevant legal analysis distinguishes biological paternity and civil recognition from the specific authority to act as wali nikah. It also distinguishes incomplete registration documentation from defects in the substantive requirements of a marriage contract. These conclusions are confined to the interviews and descriptions available in the source manuscript. The study does not supply a fully verified chronology, an authenticated guardianship

decision, or complete case records, and therefore cannot determine the validity of the particular marriage that motivated the inquiry. Further case-file verification is required before drawing such a conclusion. The practical implication is the need for careful application of governing law, transparent documentation of reasons, and confidential communication that protects the prospective bride's rights and dignity.

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