

Wali Adhol in Islamic Family Law and Its Relevance to Indonesian Marriage Law

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Abstract	<i>This study analyzes the concept of wali adhol in Islamic family law and its relevance to the Marriage Law in Indonesia. A wali adhol is a guardian who refuses to marry a woman under his guardianship without a valid reason according to Islamic law. This study uses a normative juridical method with a conceptual and comparative approach. The results show that the concept of wali adhol in Islamic law has been adopted and integrated into the Indonesian positive legal system through Article 23 of the Compilation of Islamic Law (KHI) and the Regulation of the Minister of Religious Affairs. Religious Courts have the authority to appoint a guardian judge as a substitute for wali adhol to protect women's rights in marriage. This study concludes that the regulation of wali adhol in Indonesia reflects the harmonization of Islamic law and positive law that is oriented towards the protection of human rights and the principle of justice.</i>
Keywords	<i>Wali Adhol, Islamic Family Law, Marriage, Compilation of Islamic Law, wali hakim</i>

Introduction

Marriage is a fundamental institution in Islamic law that serves not only as a legal contract but also as a sacred bond aimed at establishing a harmonious family and preserving human dignity. In Islam, marriage is considered an act of worship and a social institution that ensures the continuation of lineage, protects moral values, and maintains social order within society (Ahmad, 2024). The Qur'an and the traditions of the Prophet Muhammad emphasize the importance of marriage as a means to achieve tranquility, affection, and mercy within family life. Consequently, Islamic law regulates marriage in a comprehensive manner, including the requirements, pillars, and procedures that must be fulfilled in order for a marriage to be considered legally valid (Rossa, Sutisna and Hambari, 2024).

One of the essential elements in Islamic marriage law is the presence of a marriage guardian, commonly known as *wali*. The wali plays a crucial role in representing the bride during the marriage contract and ensuring that the marriage takes place in accordance with Islamic legal principles. Classical Islamic jurists have emphasized the importance of the wali as a safeguard for the bride's rights and interests (Asman, 2024). In many interpretations of Islamic jurisprudence, the presence of a guardian is considered one of the pillars (*rukun*) of marriage, particularly according to the Shafi'i, Maliki, and Hanbali

schools of thought. These schools argue that a marriage conducted without a wali is considered invalid because the guardian serves as a protector and decision-maker who ensures that the marriage is conducted responsibly and in the best interest of the bride.

Despite the normative role of the wali as a protector of women's interests, practical issues often arise in the implementation of guardianship in marriage. One such issue is the phenomenon of *wali adhol*, which refers to a situation in which a legitimate guardian refuses or deliberately obstructs a woman's marriage without a valid Islamic legal reason. This refusal may stem from various social, economic, or cultural considerations, such as differences in social status, economic conditions, ethnic background, or personal disputes between families. In many cases, the guardian's refusal may create serious difficulties for women who wish to marry, as the absence of the guardian's consent can prevent the marriage from being legally performed according to religious norms (Asmara, 2021).

The issue of *wali adhol* is not merely a theoretical problem in Islamic jurisprudence but also a real social phenomenon that occurs in many Muslim societies, including Indonesia. In practice, some guardians refuse to approve a marriage due to subjective considerations that are not recognized as legitimate reasons in Islamic law (Hanapi, 2017). Such situations may lead to legal disputes and require judicial intervention to resolve the conflict between the guardian and the prospective bride. As a result, the concept of wali adhol becomes an important subject of discussion in Islamic family law, particularly in relation to the protection of women's rights and the prevention of arbitrary authority exercised by guardians.

Classical Islamic jurists have discussed the issue of wali adhol in considerable detail. Many scholars agree that if a guardian unjustifiably refuses to marry off a woman who has found a suitable partner, the authority of the guardian may be transferred to a judge (*wali hakim*). This principle aims to prevent injustice and ensure that a woman's right to marry is not obstructed by the arbitrary actions of her guardian. The transfer of guardianship authority to a judge reflects the broader objective of Islamic law (*maqasid al-shariah*), which seeks to promote justice, protect individual rights, and prevent harm within society (Halim, Al Amruzi and Jalaluddin, 2024).

In Indonesia, the issue of wali adhol is also addressed within the framework of positive law, particularly in the regulation of marriage under national legislation. The Indonesian Marriage Law and related regulations governing religious courts provide mechanisms to resolve cases in which a guardian refuses to perform his role without legitimate justification. In such situations, the Religious Court may intervene and authorize a *wali hakim* to replace the guardian so that the marriage can proceed lawfully. This legal mechanism demonstrates the effort of the Indonesian legal system to harmonize Islamic legal principles with modern legal institutions in order to ensure fairness and legal certainty (Sallom and Syu'aib, 2022).

However, despite the existence of legal regulations addressing wali adhol, challenges remain in the practical implementation of these rules. Differences in legal interpretation, social pressures, and limited public understanding of legal procedures often complicate the resolution of such cases. Furthermore, the interaction between classical Islamic jurisprudence and modern state law raises important questions regarding how Islamic legal principles are interpreted, adapted, and institutionalized within contemporary legal systems. These challenges highlight the need for deeper academic analysis regarding the relationship between Islamic family law and national legal frameworks in regulating the issue of wali adhol.

Several previous studies have examined various aspects of guardianship in marriage within Islamic law and Indonesian legal practice. Some studies focus on the

doctrinal analysis of guardianship in classical Islamic jurisprudence, while others examine the role of religious courts in resolving marriage disputes. Nevertheless, many of these studies tend to analyze the concept of guardianship separately from its practical implementation within modern legal systems. As a result, there remains a need for a more integrated analysis that explores both the theoretical foundations of wali adhol in Islamic jurisprudence and its relevance within the Indonesian legal context.

Based on these considerations, this study aims to analyze the concept of wali adhol in Islamic family law and examine its relevance to Indonesian marriage law. Specifically, this research seeks to explore how the principles of Islamic jurisprudence regarding guardianship are interpreted and implemented within the Indonesian legal system. By examining both the doctrinal foundations of Islamic law and the regulatory framework of Indonesian marriage law, this study intends to contribute to a deeper understanding of how Islamic legal principles are harmonized with state law in addressing issues related to marriage guardianship.

Research methods

This study employs a normative juridical research approach to examine the concept of *wali adhol* in Islamic family law and its relevance to Indonesian marriage law. Normative juridical research focuses on the analysis of legal norms, principles, and doctrines derived from authoritative legal sources, including statutory regulations, classical Islamic jurisprudence, and scholarly literature. This approach is considered appropriate because the issue of *wali adhol* involves both doctrinal interpretations within Islamic law and regulatory frameworks established in Indonesian positive law.

The research applies a conceptual and statutory approach. The conceptual approach is used to analyze the theoretical foundations of guardianship in marriage as developed in classical Islamic jurisprudence (*fiqh*), particularly within the major schools of Islamic legal thought. This approach allows the study to explore how Islamic scholars define the authority, duties, and limitations of a marriage guardian, including circumstances in which a guardian may be considered to have committed *adhal* (unjust refusal). Meanwhile, the statutory approach is used to examine the legal provisions governing marriage guardianship within the Indonesian legal system, including national marriage legislation and regulations related to the authority of religious courts in resolving cases involving *wali adhol*. The primary sources of data in this research consist of classical Islamic legal texts, national legal regulations, and relevant legal documents that regulate marriage and guardianship. In addition, secondary sources are obtained from academic books, peer-reviewed journal articles, and previous research discussing Islamic family law, guardianship in marriage, and the role of religious courts in Indonesia. These sources are used to provide a comprehensive understanding of both the normative foundations of Islamic law and the contemporary legal practices related to marriage guardianship (Muhamad Hasan Sebyar and A. Fakhrudin, 2020).

Data collection in this study is conducted through a library research method, which involves identifying, reviewing, and analyzing relevant legal materials and scholarly works related to the topic of *wali adhol*. The collected materials are then examined using qualitative legal analysis. This analytical method allows the researcher to interpret legal norms, compare doctrinal perspectives within Islamic jurisprudence, and evaluate how these principles are applied within the Indonesian legal framework. Through this methodological approach, the study aims to provide a systematic analysis of the concept of *wali adhol* in Islamic family law and to assess its relevance and implementation within

Indonesian marriage law. By integrating doctrinal analysis with the examination of statutory regulations, this research seeks to contribute to a clearer understanding of how Islamic legal principles are harmonized with modern legal systems in addressing issues related to marriage guardianship.

Results and Discussion

Concept of Wali Adhol in Islamic Jurisprudence

The concept of *wali adhol* occupies an important position in Islamic family law, particularly in discussions regarding the authority and responsibilities of a marriage guardian (*wali*). In Islamic jurisprudence, the presence of a guardian in the marriage contract is considered a crucial element that ensures the validity and legitimacy of the marital relationship. The guardian acts as a representative of the bride in the marriage contract and is responsible for protecting her interests, ensuring that the marriage is conducted appropriately, and preventing potential harm that may arise from unsuitable marital arrangements. Therefore, the institution of guardianship in marriage reflects the broader objective of Islamic law in safeguarding individual rights and maintaining social order within the family structure (Khoi, 2022).

In classical Islamic jurisprudence, the role of the guardian is closely linked to the concept of responsibility and protection. The guardian is generally a male relative who has a lineage relationship with the bride, such as her father, grandfather, brother, or other close male relatives. The guardian's authority is not absolute but is limited by the ethical and legal principles established in Islamic law. Jurists emphasize that the guardian must act in the best interests of the woman and must not abuse his authority for personal or arbitrary reasons. This principle is rooted in the broader objectives of Islamic law (*maqasid al-shariah*), which prioritize justice, welfare, and the prevention of harm in social relations (Asmara, 2021).

Despite the protective role assigned to guardians, Islamic jurists also recognize the possibility that a guardian may misuse his authority by refusing to approve a marriage without a legitimate reason. This situation is known in Islamic jurisprudence as *wali adhol*. The term *adhal* linguistically refers to obstruction, prevention, or unjustified restriction. In the context of marriage guardianship, *wali adhol* refers to the act of a guardian who deliberately prevents a woman under his guardianship from marrying a man who is considered suitable according to Islamic legal standards (Sallom and Syu'aib, 2022). Such actions are regarded as a form of injustice because they interfere with the woman's right to marry and establish a family.

Islamic legal scholars have discussed the issue of *wali adhol* extensively in classical legal literature. Many jurists argue that a guardian who refuses to marry off a woman without a valid reason has committed an abuse of authority (Andiko, Nurdin and Abdul Malik, 2023). According to the majority of scholars, if a woman wishes to marry a man who fulfills the requirements of compatibility (*kafa'ah*) and the marriage does not violate Islamic legal principles, the guardian should not obstruct the marriage. Compatibility in this context generally includes considerations such as religious commitment, moral character, and social suitability. When these criteria are met, the refusal of the guardian is considered unjustified and may be classified as *adhal* (Hanapi, 2017).

The issue of guardianship in marriage is interpreted differently among the major schools of Islamic jurisprudence. The Shafi'i, Maliki, and Hanbali schools generally consider the presence of a guardian to be an essential pillar (*rukun*) of marriage. According to these schools, a marriage conducted without a guardian is considered invalid (Asman, 2024). This view is based on several prophetic traditions that emphasize the role of the

guardian in the marriage contract. Consequently, in cases where the guardian refuses to fulfill his role unjustifiably, Islamic law provides a mechanism for transferring guardianship authority to another eligible guardian or to a judicial authority (Halim, Al Amruzi and Jalaluddin, 2024).

In contrast, the Hanafi school adopts a slightly different perspective regarding guardianship in marriage. According to the Hanafi jurists, an adult and mentally competent woman has the legal capacity to contract her own marriage without the involvement of a guardian, provided that the marriage meets the requirements of compatibility and does not harm her interests (Fajri, 2021). Nevertheless, even within the Hanafi framework, the concept of guardianship still plays an important role in ensuring that marriages are conducted responsibly and within acceptable social and legal norms. The difference between these schools illustrates the diversity of interpretations within Islamic jurisprudence regarding the balance between individual autonomy and family authority in marriage.

Table 1. Comparative Views of Islamic Schools of Law on Marriage Guardianship

Islamic School	Position on the Role of Wali	Legal Status of Marriage Without Wali	Implication for Wali Adhol
Shafi'i	The wali is an essential pillar (<i>rukun</i>) of marriage and must be present in the marriage contract.	Marriage without a wali is considered invalid.	If the guardian refuses to marry the woman without a valid reason, the authority may be transferred to another guardian or to a judge (<i>wali hakim</i>).
Maliki	The wali is a necessary element in marriage and represents the bride during the marriage contract.	Marriage conducted without a guardian is generally invalid.	The refusal of a guardian without a legitimate reason is considered <i>adhal</i> and may justify judicial intervention.
Hanbali	The presence of a guardian is mandatory to ensure the validity of marriage.	Marriage without a wali is not legally valid.	If the guardian obstructs the marriage unjustly, guardianship can be transferred to a judge or state authority.
Hanafi	An adult and competent woman may contract her own marriage without a guardian under certain conditions.	Marriage without a wali may still be valid if the requirements of compatibility (<i>kafa'ah</i>) are fulfilled.	The concept of <i>wali adhol</i> is less emphasized because women have greater autonomy in contracting marriage.

The comparison presented in Table 1 illustrates the diversity of interpretations among the major schools of Islamic jurisprudence regarding the role of the marriage guardian. While the Shafi'i, Maliki, and Hanbali schools emphasize the mandatory presence of a guardian as a pillar of marriage, the Hanafi school provides greater autonomy to adult women in conducting their marriage contracts. Nevertheless, all schools of thought recognize the importance of safeguarding the rights and welfare of women in marital arrangements. The concept of *wali adhol* particularly emerges within legal traditions that emphasize the necessity of guardianship, as a mechanism to prevent the misuse of guardian authority and to ensure that the right of a woman to marry is not unjustly obstructed (Asman, 2024).

In situations where a guardian refuses to perform his duty without a legitimate reason, Islamic jurisprudence provides a legal solution by transferring the guardianship authority to a judge or state authority. This guardian appointed by the judicial authority is commonly referred to as *wali hakim*. The concept of *wali hakim* is intended to prevent injustice and ensure that the rights of women to marry are not obstructed by the arbitrary actions of guardians. The intervention of judicial authority reflects the role of legal institutions in maintaining fairness and protecting individual rights within the framework of Islamic law (Putra, Januri and Arcaropeboka, 2026).

The discussion of *wali adhol* in Islamic jurisprudence also reflects broader ethical principles regarding justice and responsibility within family relationships. Islamic law recognizes that the authority granted to guardians must be exercised in accordance with moral and legal obligations. The misuse of this authority contradicts the objectives of Islamic law, which emphasize the protection of human dignity, the promotion of social welfare, and the prevention of harm. Therefore, the concept of *wali adhol* serves as an important legal doctrine that limits the power of guardians and ensures that their authority is exercised responsibly.

Furthermore, the existence of the concept of *wali adhol* demonstrates that Islamic law provides mechanisms to address potential injustices within family relations. By allowing the transfer of guardianship authority to a judge when necessary, Islamic jurisprudence ensures that the rights of women to marry are not suppressed by arbitrary decisions. This principle highlights the flexibility of Islamic legal doctrine in responding to social realities while maintaining the fundamental values of justice and fairness.

In contemporary discussions of Islamic family law, the concept of *wali adhol* remains highly relevant, particularly in societies where marriage guardianship continues to play an important role in marital arrangements. The interpretation and application of this concept often involve interactions between classical Islamic jurisprudence and modern legal institutions. Therefore, understanding the doctrinal foundations of *wali adhol* within Islamic jurisprudence is essential for analyzing how these principles are adapted and implemented within contemporary legal systems, including the legal framework governing marriage in Indonesia.

Regulation of Wali Adhol in Indonesian Marriage Law

The regulation of marriage in Indonesia reflects an effort to harmonize Islamic legal principles with the national legal system. As a country with a majority Muslim population, Indonesia recognizes the importance of Islamic family law in governing marital relationships, particularly for Muslim citizens. At the same time, the state also establishes formal legal regulations to ensure legal certainty, social order, and protection of individual rights within the institution of marriage (Halim, Al Amruzi and Jalaluddin,

2024). Within this framework, the issue of *wali adhol* becomes an important legal matter because it involves both religious doctrine and state legal mechanisms in addressing disputes related to marriage guardianship (Fajri, 2021).

The primary legal foundation governing marriage in Indonesia is Law Number 1 of 1974 concerning Marriage. This law establishes the general principles of marriage applicable to all Indonesian citizens while allowing religious law to play a significant role in determining the validity of marriage for adherents of different religions. Article 2 of the Marriage Law states that a marriage is considered valid if it is conducted according to the laws of the respective religion and belief of the parties involved. For Muslims, this means that the requirements and pillars of marriage are largely derived from Islamic legal principles, including the presence of a marriage guardian for the bride (Ahmad, 2024).

In addition to the Marriage Law, more specific regulations regarding Islamic family law are contained in the Compilation of Islamic Law (*Kompilasi Hukum Islam* or KHI), which serves as a primary legal reference for religious courts in Indonesia. The KHI provides detailed provisions concerning marriage, divorce, inheritance, and other family matters for Muslim citizens. Within the context of marriage guardianship, the KHI regulates the types of guardians who may perform the marriage contract and the circumstances under which guardianship authority may be transferred. This regulation reflects the influence of classical Islamic jurisprudence while adapting its principles to the Indonesian legal environment.

The KHI recognizes several categories of marriage guardians, including *wali nasab* (lineage guardian) and *wali hakim* (judicial guardian). The *wali nasab* refers to male relatives who have a direct lineage relationship with the bride, such as the father, grandfather, brother, or other close male relatives according to the established order of guardianship (Djati, 2020). In normal circumstances, the marriage contract must be conducted by the *wali nasab* who holds the closest legal relationship with the bride. However, when the guardian is absent, unavailable, or refuses to perform his duty without a valid reason, the authority of guardianship may be transferred to the *wali hakim*.

The concept of *wali hakim* is particularly relevant in addressing cases of *wali adhol*. In Indonesian legal practice, *wali adhol* occurs when a guardian deliberately refuses to marry off a woman under his guardianship even though the prospective husband meets the legal and religious requirements for marriage (Putra, Januri and Arcaropeboka, 2026). Such refusal may arise from various social or personal reasons, including economic considerations, differences in social status, family disputes, or cultural preferences. However, when the refusal is not based on legitimate Islamic legal grounds, it may be classified as *adhal*, which constitutes an abuse of guardianship authority.

To resolve such disputes, Indonesian law provides a mechanism through the Religious Courts (*Pengadilan Agama*). The Religious Courts have the authority to examine and decide cases involving marriage guardianship, including disputes related to *wali adhol*. When a woman believes that her guardian has unjustifiably refused to approve her marriage, she may submit a petition to the Religious Court requesting a legal determination that the guardian has committed *adhal* (Mubaidillah, 2025). If the court finds sufficient evidence supporting the claim, it may issue a decision transferring guardianship authority from the original guardian to a *wali hakim* so that the marriage can proceed legally.

The role of the Religious Court in handling cases of *wali adhol* reflects the institutionalization of Islamic legal principles within the Indonesian legal system. Through judicial procedures, the court ensures that the rights of individuals are protected while maintaining adherence to religious legal norms. The involvement of the judiciary

also provides legal certainty and prevents potential conflicts between family members that may arise due to disagreements regarding marriage arrangements.

In practice, the appointment of a *wali hakim* is typically carried out by an authorized official, such as the head of the Office of Religious Affairs (*Kantor Urusan Agama* or KUA), after receiving a decision from the Religious Court. The *wali hakim* then acts as the legal guardian who performs the marriage contract on behalf of the bride. This mechanism ensures that the marriage can proceed lawfully even in situations where the original guardian refuses to fulfill his responsibility (Rossa, Sutisna and Hambari, 2024).

The regulation of *wali adhol* in Indonesian law demonstrates an important interaction between Islamic jurisprudence and state legal institutions. While the doctrinal foundation of guardianship originates from Islamic legal traditions, its implementation within Indonesia is facilitated through formal legal procedures and institutional mechanisms. This legal framework allows the state to uphold religious values while simultaneously ensuring that individual rights are protected through judicial oversight.

However, the practical implementation of these regulations is not always without challenges. In some cases, social pressures and cultural norms may discourage women from bringing guardianship disputes to court. Additionally, limited legal awareness among the public may result in misunderstandings regarding the procedures for resolving cases of *wali adhol*. These challenges highlight the importance of legal education and public awareness in ensuring that the legal protections provided by the Indonesian legal system can be effectively utilized by those who need them (Ade and Menad, 2025).

To provide a clearer overview of the legal framework governing guardianship in marriage within Indonesia, the following table summarizes several key legal provisions related to guardianship and *wali adhol*.

Table 2. Legal Framework Governing Marriage Guardianship in Indonesia

Legal Instrument	Key Provision	Relevance to Wali Adhol
Law No. 1 of 1974 on Marriage	Marriage must be conducted according to the laws of each religion.	Confirms the application of Islamic marriage requirements for Muslims, including the presence of a guardian.
Compilation of Islamic Law (KHI)	Regulates types and hierarchy of marriage guardians.	Provides the legal basis for recognizing <i>wali nasab</i> and <i>wali hakim</i> .
Religious Court Authority	Religious courts have jurisdiction over Muslim family law disputes.	Courts may determine whether a guardian has committed <i>adhal</i> .
Office of Religious Affairs (KUA)	Authorized to conduct marriage registration and appoint <i>wali hakim</i> .	Implements the court decision by appointing a judicial guardian to perform the marriage contract.

Source: Indonesian Marriage Law and the Compilation of Islamic Law.

The legal framework summarized in Table 2 illustrates how the Indonesian legal system integrates Islamic legal principles with formal legal institutions in regulating marriage guardianship. By providing clear procedures for resolving cases of *wali adhol*, the legal system seeks to prevent injustice while maintaining the religious legitimacy of

marriage. This integration demonstrates the dynamic interaction between religious norms and state law in shaping the practice of Islamic family law in contemporary Indonesia.

Legal Implications of Wali Adhol and the Protection of Women's Rights

The issue of *wali adhol* has significant legal and social implications within the framework of Islamic family law, particularly in relation to the protection of women's rights in marriage. In principle, Islamic law recognizes marriage as a mutual agreement between two individuals who are legally eligible to form a family. Although the presence of a guardian is considered an important element in many schools of Islamic jurisprudence, this requirement does not grant absolute authority to the guardian to control or restrict the marital decisions of the woman under his guardianship. Instead, Islamic law emphasizes that the guardian's authority must be exercised in accordance with justice, responsibility, and the welfare of the woman (Khalisha, 2022).

The concept of *wali adhol* demonstrates that Islamic law acknowledges the possibility of misuse of authority within family relationships. When a guardian refuses to marry off a woman without legitimate legal justification, such behavior is considered a form of injustice that contradicts the objectives of Islamic law. In this context, Islamic jurisprudence establishes mechanisms to prevent the abuse of guardianship authority and to ensure that women retain their fundamental right to marry. The recognition of *wali adhol* within Islamic legal doctrine reflects the broader commitment of Islamic law to uphold justice and prevent harm within social relations.

One of the important legal implications of recognizing *wali adhol* is the limitation it places on the authority of guardians. Although guardians play a protective role in the marriage process, their authority is not unlimited. Islamic scholars generally agree that the guardian must prioritize the interests and welfare of the woman under his guardianship (Aini and Umar, 2021). If the woman wishes to marry a man who fulfills the criteria of compatibility (*kafa'ah*), such as good character, religious commitment, and social suitability, the guardian is expected to facilitate the marriage rather than obstruct it. A refusal based solely on personal preferences, social prestige, or economic considerations that do not contradict Islamic law may be considered unjustified.

The limitation of guardianship authority is closely related to the broader objectives of Islamic law, commonly referred to as *maqasid al-shariah*. One of the primary objectives of Islamic law is the protection of human dignity and the preservation of family life. Marriage is considered a lawful means of fulfilling emotional, social, and biological needs while ensuring the continuation of human lineage. Therefore, obstructing a lawful marriage without valid justification may be seen as contradicting these objectives. The doctrine of *wali adhol* functions as a corrective mechanism that ensures guardianship authority is exercised within the boundaries of justice and moral responsibility (Oktaviani, 2017).

In the Indonesian context, the recognition of *wali adhol* also has important implications for the protection of women's rights within the national legal system. Indonesian marriage law and the authority of religious courts provide institutional mechanisms through which women can seek legal remedies when their guardians unjustifiably refuse to approve their marriage (Mubaidillah, 2025). By allowing women to petition the Religious Court for a determination of *wali adhol*, the legal system ensures that guardianship authority does not become a tool for arbitrary control over women's marital choices.

The involvement of the Religious Court in resolving cases of *wali adhol* represents an important institutional safeguard within the Indonesian legal system. Through judicial

review, the court can examine the reasons behind the guardian's refusal and determine whether the refusal is legally justified according to Islamic law. If the court concludes that the guardian has acted unjustifiably, it may authorize the appointment of a *wali hakim* to replace the guardian in performing the marriage contract. This judicial intervention serves to protect the woman's right to marry while maintaining the legitimacy of the marriage according to both religious and legal standards.

From a legal perspective, the appointment of a *wali hakim* represents a balance between respect for family authority and the protection of individual rights. The legal system does not immediately disregard the role of the guardian but instead provides a process through which the legitimacy of the guardian's decision can be evaluated. This process ensures that family relationships are respected while preventing potential injustices that may arise from the misuse of guardianship authority. In this way, the doctrine of *wali adhol* operates as a mechanism for maintaining fairness within the structure of Islamic family law.

Another important implication of regulating *wali adhol* is its role in promoting gender justice within the framework of Islamic law. While Islamic family law recognizes certain gender-based roles within family relationships, it also emphasizes the protection of women's dignity and rights. The recognition that a guardian may not arbitrarily prevent a woman from marrying reflects the broader principle that women possess legal agency and personal rights within Islamic law. By providing mechanisms to challenge unjustified refusals, Islamic legal doctrine ensures that women's interests are not subordinated to the personal preferences of their guardians.

In contemporary legal discourse, discussions of *wali adhol* are often connected to broader debates regarding women's rights and legal reform within Muslim societies. Some scholars argue that the recognition of women's autonomy in marital decisions should be strengthened in order to align Islamic family law with modern principles of human rights and gender equality. Others emphasize that the classical doctrine of guardianship already contains sufficient mechanisms to protect women from injustice, provided that these mechanisms are implemented properly within legal institutions. These debates highlight the dynamic nature of Islamic legal interpretation in responding to changing social conditions.

In Indonesia, efforts to strengthen the protection of women's rights within family law have been supported by the institutional framework of the Religious Courts and the regulatory provisions contained in the Compilation of Islamic Law. These legal instruments aim to ensure that Islamic legal principles are applied in a manner that promotes justice and social welfare. The recognition of *wali adhol* within this framework reflects the state's commitment to preventing injustice in marital arrangements while maintaining the religious legitimacy of Islamic marriage practices.

Despite the existence of legal protections, challenges remain in ensuring that women fully benefit from the legal remedies available in cases of *wali adhol*. Social stigma, cultural expectations, and limited awareness of legal rights may discourage women from seeking judicial intervention when conflicts with guardians arise. In some communities, strong patriarchal norms may also influence the perception of guardianship authority, making it difficult for women to assert their rights within family structures. These social challenges highlight the need for greater public education regarding legal rights and the proper application of Islamic family law principles.

To further illustrate the relationship between guardianship authority and women's legal protection in cases of *wali adhol*, the following table outlines the legal implications associated with this doctrine.

Table 3. Legal Implications of Wali Adhol in Islamic Family Law

Legal Aspect	Description	Implication for Women's Rights
Limitation of Guardian Authority	Guardians are required to act in the best interest of the woman and may not obstruct marriage without valid reasons.	Prevents arbitrary control over women's marital choices.
Judicial Intervention	Religious courts may examine cases of guardian refusal and determine whether <i>adhal</i> has occurred.	Provides legal protection through formal dispute resolution mechanisms.
Appointment of Wali Hakim	Courts may authorize a judicial guardian to replace the original guardian.	Ensures that women can proceed with marriage even if the guardian refuses unjustifiably.
Legal Certainty	Marriage conducted with <i>wali hakim</i> remains valid according to Islamic law and Indonesian legal regulations.	Guarantees legal recognition and protection of the marital relationship.

Source: Synthesized from Islamic jurisprudence and Indonesian marriage law.

The legal implications summarized in Table 3 demonstrate how the doctrine of *wali adhol* functions as a protective mechanism within Islamic family law. By limiting the authority of guardians and providing institutional solutions for resolving disputes, Islamic legal doctrine seeks to balance the principles of family responsibility, individual rights, and social justice. Within the Indonesian legal system, this balance is reinforced through the role of the Religious Courts and the regulatory framework governing Islamic family law. Ultimately, the regulation of *wali adhol* highlights the adaptability of Islamic legal principles in addressing contemporary legal challenges. By integrating doctrinal teachings from classical jurisprudence with modern legal institutions, the Indonesian legal system demonstrates how Islamic family law can evolve while maintaining its foundational values of justice, fairness, and the protection of human dignity.

Conclusion

The discussion of *wali adhol* in Islamic family law demonstrates that the institution of marriage guardianship is not merely a formal requirement but also a mechanism designed to protect the interests and welfare of women in marital relationships. Classical Islamic jurisprudence recognizes the important role of guardians in ensuring that marriages are conducted responsibly and in accordance with Islamic legal principles. However, the authority granted to guardians is not absolute. Islamic legal doctrine clearly establishes that guardians are obligated to act in the best interests of the woman under their guardianship and may not obstruct her marriage without legitimate reasons recognized by Islamic law. When such unjustified refusal occurs, the concept of *wali adhol* provides a legal basis for limiting the guardian's authority and transferring guardianship to another eligible authority.

The diversity of interpretations among the major schools of Islamic jurisprudence also illustrates the dynamic nature of Islamic legal thought in addressing issues related to marriage guardianship. While the Shafi'i, Maliki, and Hanbali schools emphasize the necessity of a guardian as a pillar of marriage, the Hanafi school provides greater autonomy for adult women in contracting their marriages. Despite these differences, all schools generally agree that guardianship must not be exercised in a manner that causes injustice or prevents lawful marriage. This consensus highlights the fundamental principle of justice that underlies Islamic family law.

Within the Indonesian legal system, the concept of *wali adhol* has been institutionalized through the integration of Islamic legal principles and national marriage regulations. Indonesian marriage law, supported by the Compilation of Islamic Law and the authority of the Religious Courts, provides formal mechanisms for resolving disputes related to marriage guardianship. Through judicial procedures, women who experience unjustified refusal from their guardians may seek legal remedies that allow the appointment of a *wali hakim* to conduct the marriage contract. This legal framework demonstrates how Islamic legal principles can be implemented within modern state institutions while maintaining both religious legitimacy and legal certainty. Overall, the regulation of *wali adhol* reflects the broader objective of Islamic family law in promoting justice, protecting individual rights, and ensuring the welfare of family relationships. The Indonesian experience illustrates how the interaction between Islamic jurisprudence and national legal systems can produce a balanced framework that respects religious norms while safeguarding the rights of individuals. Therefore, strengthening legal awareness and ensuring effective implementation of these regulations remain important steps in guaranteeing that the principles of justice embedded in Islamic family law are fully realized in contemporary society.

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