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Marriage Validity and Guardian Identity Falsification in Marriage Administration under the Compilation of Islamic Law

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Abstract: Discrepancies in marriage guardian identification raise important questions concerning the distinction between the validity of an Islamic marriage contract and the accuracy of its administrative registration. Although previous studies have examined biological fathers' guardianship, the appointment of *wali hakim*, and marriage annulment involving unauthorized guardians, the distinction between administrative inaccuracies and substantive defects in marriage contracts remains insufficiently explored. This study examines the legal consequences of guardian identification discrepancies under Indonesian Islamic family law. Employing normative legal research with statutory and conceptual approaches, it analyzes the Compilation of Islamic Law, Law No. 1 of 1974 as amended by Law No. 16 of 2019, Minister of Religious Affairs Regulation No. 30 of 2024, and Constitutional Court Decision No. 46/PUU-VIII/2010. The findings demonstrate that recognition of a civil relationship between a child born outside marriage and a proven biological father does not automatically confer marriage-guardianship authority. Where an authorized *wali hakim* performs the marriage contract and all substantive requirements are fulfilled, an inaccurate guardian entry constitutes an administrative defect rather than an automatic ground for invalidity. Conversely, a contract performed by an unauthorized guardian may provide grounds for judicial annulment, subject to applicable legal requirements. Deliberate identity falsification requires separate evidentiary and legal assessment. This study contributes a substantive–administrative distinction as a normative framework for assessing marriage validity, correcting registration discrepancies, and strengthening legal certainty in Indonesian Islamic family law.

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Introduction

Marriage constitutes an important legal institution in Islamic family law because it establishes a legally recognized relationship between husband and wife and determines various rights and obligations within the family. In Islamic teachings, marriage is also understood as an act of worship intended to establish a family characterized by *sakinah*, *mawaddah*, and *rahmah*. Its implementation must therefore comply with religious principles and applicable legal requirements. Within the Indonesian legal system, Article 2(1) of Law Number 1 of 1974 concerning Marriage stipulates that a marriage is valid when performed according to the laws of the respective religions and beliefs of the parties, while Article 2(2) requires marriage registration in accordance with applicable regulations. These provisions establish a relationship between the substantive validity of marriage and administrative

compliance, with registration serving as an important instrument for providing legal certainty and protecting marital rights (Rofiq, 2015; Syarifuddin, 2014).

One of the essential requirements for marriage validity under Islamic law is the presence of a legally authorized marriage guardian (*wali nikah*). Article 14 of the Compilation of Islamic Law (KHI) identifies the marriage guardian as one of the essential pillars of marriage, alongside the prospective husband, prospective wife, two witnesses, and the exchange of offer and acceptance (*ijab* and *kabul*). Article 19 further emphasizes that the presence of a marriage guardian is a requirement for the prospective bride, while Article 20 distinguishes between lineage guardians (*wali nasab*) and judicial guardians (*wali hakim*). A lineage guardian derives his authority from a legally recognized paternal lineage relationship, whereas a judicial guardian exercises guardianship under circumstances prescribed by law. Consequently, the determination of an appropriate guardian involves more than identifying a biological relationship; it requires verification of the legal basis of guardianship authority to ensure the validity of the marriage contract (Presiden Republik Indonesia, 1991; Syarifuddin, 2010).

The determination of marriage guardians becomes more complicated when the prospective bride's lineage status is disputed or when her family documents do not accurately reflect her legal circumstances. Article 100 of the KHI provides that children born outside marriage have lineage relationships only with their mothers and maternal families. Accordingly, where a biological father does not possess legally recognized lineage-based authority, he cannot automatically act as the marriage guardian, and guardianship may be exercised by an authorized *wali hakim* under Article 23 of the KHI (Manan, 2017). Nevertheless, a distinction must be maintained between children whose paternal lineage is not legally recognized and those born from a religiously valid marriage whose administrative documents contain incomplete information. Research concerning the omission of fathers' names from birth certificates demonstrates that administrative inaccuracies do not necessarily eliminate legally established paternal lineage or the father's guardianship authority (Khasin & Mulyadi, 2025). Therefore, guardianship decisions must be based on the actual legal status of the parents' marriage and the child's lineage rather than administrative information alone.

The complexity of lineage and guardianship issues is further illustrated by Constitutional Court Decision Number 46/PUU-VIII/2010, which recognizes that children born outside marriage may have civil relationships with their biological fathers when biological relationships can be established through legally admissible evidence. However, the recognition of civil relationships raises questions about its relationship with lineage and guardianship rules under Islamic family law. Previous scholarship has examined the relationship between the Constitutional Court's decision and Islamic legal principles, particularly the protection of children's rights and the preservation of legitimate lineage (Fitriyah et al., 2023). Other research examining judicial guardianship in cases involving

pregnancies before marriage demonstrates that differences between positive legal provisions and Islamic jurisprudential interpretations may influence how marriage registrars determine guardianship authority (Janah & Akbar, 2025). These discussions indicate that the recognition of biological or civil relationships should not automatically be equated with the establishment of marriage-guardianship authority without examining the applicable legal framework.

A related legal problem arises when the identity of the person who performs the marriage contract differs from the identity recorded in official marriage documents. For example, an authorized judicial guardian may perform the marriage contract for a woman whose biological father lacks legally recognized guardianship authority, while the registration documents identify the biological father as the marriage guardian. This discrepancy requires an assessment of whether the problem concerns the substantive requirements of marriage or the accuracy of administrative records. Three circumstances must be distinguished: an authorized guardian performs the contract but is incorrectly identified in the documents; an unauthorized individual performs the marriage contract; or false information is deliberately submitted to conceal the actual guardianship circumstances. These situations may involve different legal consequences because the validity of the marriage contract depends on the authority of the guardian who actually performs it, whereas administrative discrepancies require separate examination of their causes and legal implications (Efendy & Rahmah, 2024).

Previous studies have investigated different aspects of marriage guardianship and its relationship with marriage validity. Research on the authority of biological fathers as guardians for children born outside marriage emphasizes the importance of legally recognized lineage in determining guardianship rights (Oktaviani, 2017). Studies of the implementation of judicial guardianship at the Office of Religious Affairs (*Kantor Urusan Agama*, KUA) illustrate the practical importance of verifying the prospective bride's legal status and appointing an authorized guardian under applicable regulations (Hatta & Masrokhin, 2025). Other research highlights the implications of guardianship errors for the fulfillment of marriage requirements and the possibility of subsequent legal disputes (Efendy & Rahmah, 2024). Taken together, these studies establish that guardianship authority is a substantive legal issue that cannot be resolved solely through administrative identification. However, they approach the relationship between guardianship, marriage validity, and official registration from different analytical perspectives.

Research concerning identity falsification and marriage annulment provides another important perspective. An examination of marriages involving falsified identities demonstrates that deliberate misrepresentation may produce serious legal consequences, including questions about marriage validity and the protection of affected parties (Sudarso & Surahmad, 2024). Similarly, research on marriage certificates following judicial annulment highlights the relationship between identity falsification, court decisions, administrative records, and legal protection within the marriage registration system (Ruchban et al., 2026). Nevertheless, such studies primarily address identity falsification and annulment in broader

marital circumstances rather than the specific situation in which a marriage contract is performed by a legally authorized guardian but another person's identity is recorded as the guardian. This distinction requires particular attesntion because an inaccurate administrative record does not necessarily establish that the marriage contract itself was performed without a valid guardian.

Based on the reviewed literature, a more integrated normative analysis is needed to distinguish substantive defects in marriage guardianship from administrative discrepancies in guardian identification. Existing studies provide important explanations of lineage, judicial guardianship, identity falsification, and marriage annulment, but the legal relationship among these issues requires more specific examination when the person recorded as guardian differs from the person who actually performed the marriage contract. The novelty of this study lies in developing a distinction among three legal circumstances: a marriage performed by an unauthorized guardian, a marriage performed by an authorized guardian but recorded inaccurately, and an administrative discrepancy involving deliberate falsification. This analytical distinction is intended to clarify the relationship between the essential requirements of marriage under the KHI and the administrative provisions governing marriage registration, particularly Regulation of the Minister of Religious Affairs Number 30 of 2024. By distinguishing the legal grounds and consequences of these circumstances, the study contributes to a more systematic interpretation of marriage validity and administrative legal certainty.

Accordingly, this study aims to examine three interrelated issues: first, the legal status of marriage guardians for women born outside marriage under the Compilation of Islamic Law; second, the validity of marriages involving discrepancies between the guardian who performs the marriage contract and the guardian identified in marriage registration documents; and third, the legal consequences and appropriate administrative responses arising from such discrepancies. Using normative legal research through statutory and conceptual approaches, the study examines the relationship between lineage, guardianship authority, substantive marriage validity, and administrative compliance. Its findings are expected to contribute to Islamic family law scholarship while providing practical considerations for KUA officials in verifying guardianship authority, identifying administrative inaccuracies, and determining appropriate legal procedures to safeguard legal certainty and the rights of the parties involved.

Research Methods

This study employs a normative legal research method, focusing on the examination of legal norms, statutory regulations, legal principles, and doctrines related to marriage validity and the authority of marriage guardians. This method is applied to analyze discrepancies in the identification of marriage guardians within marriage administration under the Compilation of Islamic Law (KHI). Normative legal research aims to identify and

examine legal rules and principles to develop legal arguments addressing the issues under investigation (Marzuki, 2017). The approaches employed in this study include the statutory approach and the conceptual approach. The statutory approach is conducted by examining legal provisions concerning the essential pillars of marriage, the authority of lineage and judicial guardians, and marriage registration. Meanwhile, the conceptual approach is used to understand the relationships among lineage, the validity of marriage contracts, discrepancies in guardian identification, and legal certainty in marriage administration.

The legal materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include Law Number 1 of 1974 concerning Marriage, as amended by Law Number 16 of 2019; the Compilation of Islamic Law, disseminated through Presidential Instruction Number 1 of 1991; and Regulation of the Minister of Religious Affairs Number 30 of 2024 concerning Marriage Registration. The KHI provisions serving as the main focus of analysis include Articles 14, 19–23, 71, and 100, which regulate the essential pillars of marriage, the authority of marriage guardians, marriage annulment, and the lineage status of children born outside marriage. Secondary legal materials consist of books on Islamic marriage law, Islamic jurisprudence literature, scholarly journal articles, and relevant previous studies. Tertiary legal materials include legal dictionaries and encyclopedias used to clarify the legal terms and concepts discussed. These legal materials are classified to establish a systematic analytical foundation for examining issues related to marriage law (Soekanto & Mamudji, 2015).

Legal materials are collected through library research by identifying, compiling, and examining relevant statutory regulations and legal literature related to the research problems. The collected materials are subsequently classified into three areas of discussion: the legal status of marriage guardians for women born outside marriage, the validity of marriage contracts involving discrepancies in guardian identification, and the legal consequences of such discrepancies for marriage administration. Information concerning marriage registration practices and the views of the Head of the Office of Religious Affairs (KUA), obtained from previous field research, is treated as supplementary contextual information rather than as the primary basis for determining marriage validity. The legal materials are analyzed qualitatively using a descriptive-analytical method through the interpretation and systematic examination of relevant legal provisions. The analysis focuses on distinguishing the legal consequences of marriage contracts performed by unauthorized guardians from discrepancies in the recording of guardian identities within administrative documents. Through these procedures, this study seeks to develop legal arguments concerning marriage validity and the resolution of administrative discrepancies based on the provisions of the Compilation of Islamic Law.

Result and Discussion

Legal Status of Marriage Guardians for Women Born Outside Marriage

A marriage guardian is one of the essential elements determining the validity of marriage under Islamic law. The guardian's role is not limited to performing the marriage contract but also involves the legal authority to marry off the prospective bride. Under Islamic marriage law, the presence of a guardian constitutes one of the essential pillars that must be fulfilled for a marriage contract to be conducted in accordance with Islamic legal provisions. Therefore, the determination of an eligible marriage guardian must be based on legally recognized lineage relationships and guardianship authority rather than solely on biological relationships or identities recorded in marriage administration documents (Syarifuddin, 2014).

The legal status of marriage guardians is explicitly regulated in the Compilation of Islamic Law (KHI). Article 14 of the KHI stipulates that the essential pillars of marriage consist of the prospective husband, prospective wife, marriage guardian, two witnesses, and the exchange of offer and acceptance (*ijab* and *kabul*). Furthermore, Article 19 emphasizes that the presence of a marriage guardian is an essential requirement for the prospective bride. Regarding guardianship authority, Article 20 distinguishes between lineage guardians (*wali nasab*) and judicial guardians (*wali hakim*). A lineage guardian is an individual who has a legally recognized kinship relationship through the male lineage with the prospective bride, whereas a judicial guardian is an authorized official empowered to perform the marriage contract under certain circumstances. This distinction demonstrates that guardianship authority must be determined according to applicable legal provisions to ensure that the marriage fulfills the requirements for a valid contract (Rifqi, 2019; Syarifuddin, 2010).

Issues concerning guardianship authority become more complex when the prospective bride was born outside a legally valid marriage. Article 100 of the KHI stipulates that a child born outside marriage has a lineage relationship only with the mother and her family. Where the child does not have a legally recognized lineage relationship with the biological father, the father has no authority to act as a lineage guardian. This provision indicates that biological relationships do not necessarily establish legal guardianship rights in marriage. Nevertheless, the determination of lineage status must be conducted carefully by considering the marital circumstances of the parents and the relevant legal provisions. Therefore, the legal status of a marriage guardian cannot be determined merely through the acknowledgment of biological ties without examining the underlying legal status (Manan, 2017).

This provision is consistent with previous research examining the determination of marriage guardians for children born outside marriage from the perspectives of Islamic law and Indonesian positive law. The findings indicate that, according to the majority of Islamic scholars, a biological father who does not possess a legally recognized lineage relationship under Islamic law is not authorized to act as the marriage guardian of his daughter. Under

such circumstances, the appointment of a judicial guardian provides a legal mechanism to ensure that the marriage can be conducted in accordance with applicable provisions. The study also emphasizes the importance of protecting children's rights and applying the principles of *maqāṣid al-sharīʿah* to prevent discrimination against women born outside marriage in the determination of marriage guardianship (Herlinda et al., 2025).

The determination of marriage guardians for children born outside marriage must also consider developments in Indonesian national law. Constitutional Court Decision Number 46/PUU-VIII/2010 expanded the recognition of civil relationships between children born outside marriage and their biological fathers, provided that the biological relationship can be established through science and technology or other legally admissible evidence. However, recognition of such civil relationships must be distinguished from the concepts of lineage and marriage guardianship under Islamic law. Consequently, the expansion of civil relationships cannot automatically be interpreted as granting biological fathers the authority to act as marriage guardians. This distinction is essential to maintain consistency between the protection of children's rights and Islamic legal provisions governing marriage guardianship (Herlinda et al., 2025).

In addition to normative legal provisions, the practical determination of marriage guardians also requires consideration of public welfare. Research examining the application of *maslahah mursalah* in determining marriage guardians for children born outside marriage at the Sidomukti Office of Religious Affairs (KUA), Salatiga, indicates that KUA officials employ a careful and dialogue-based approach when addressing issues concerning lineage status and guardianship authority. Considerations of public welfare are used to balance Islamic legal provisions with the need to protect members of society without disregarding applicable regulations. These findings demonstrate that resolving marriage guardianship issues requires not only an understanding of normative legal provisions but also careful implementation to ensure legal certainty and prevent harm to the prospective bride (Layyinah et al., 2026).

The importance of examining lineage status is also demonstrated by research on the role of marriage registrars in determining guardianship for women born outside marriage at the Kahu District Office of Religious Affairs, Bone Regency. The study indicates that marriage registrars assigned guardianship authority to judicial guardians in cases involving women born as a result of pregnancies outside their parents' marriage. This decision was based on the consideration that the children did not have legally recognized lineage relationships with their biological fathers under the legal provisions applied in the study. These findings highlight the important role of marriage registrars in examining the legal status of prospective brides before determining which guardian is legally authorized to perform the marriage contract (Wati et al., 2022).

The use of judicial guardians is a legal mechanism regulated under Article 23 of the KHI. This provision authorizes judicial guardians to act when lineage guardians are absent, cannot be presented, have unknown whereabouts, are missing, or face other circumstances

recognized by law. Research examining the practices of marriage registrars in Yogyakarta City demonstrates that these officials may act as judicial guardians when the legal requirements establishing their authority have been fulfilled. The study also explains the distinction between a marriage contract performed by a judicial guardian and the delegation of authority from a lineage guardian to a marriage registrar through *taukil wali*. This distinction is important because a judicial guardian exercises authority conferred by law, whereas *taukil wali* involves the delegation of the performance of the marriage contract by a guardian who originally possesses the legal authority to act (Zamani, 2020).

The transfer of guardianship authority from a lineage guardian to a judicial guardian is not always caused by the absence of a legally recognized lineage relationship. Under certain circumstances, such a transfer may occur when a lineage guardian refuses to marry off the prospective bride without legally justifiable grounds, a condition known as *wali adhal*. Research conducted at the Syiah Kuala District Office of Religious Affairs, Banda Aceh City, indicates that a guardian's refusal may be influenced by family conflicts, disapproval of the prospective husband, and socioeconomic considerations. However, the circumstances involving a *wali adhal* differ from those of women who have no legally authorized lineage guardian from the outset. In cases involving a *wali adhal*, the existence and authority of the lineage guardian are generally recognized, but the exercise of guardianship is obstructed. In accordance with Article 23(2) of the KHI, the appointment of a judicial guardian due to a guardian's unjustified refusal requires a determination by the Religious Court (Zubaidi & Kamaruzzaman, 2018).

These different circumstances demonstrate that the appointment of a judicial guardian must be based on clear legal grounds. For women who have no lineage guardian because their biological fathers do not possess legally recognized lineage-based authority, judicial guardianship arises from the absence of an eligible lineage guardian. Meanwhile, in cases involving a *wali adhal*, judicial guardianship is associated with an obstacle preventing an existing lineage guardian from exercising his authority. Therefore, authorized officials must establish the legal grounds for appointing a judicial guardian to avoid errors in determining the individual entitled to perform the marriage contract. Previous research concerning the authority of biological fathers as marriage guardians also emphasizes that guardianship must be determined according to the legal status of lineage relationships rather than merely the acknowledgment of biological ties between fathers and their children (Oktaviani, 2017).

Based on the foregoing analysis, the legal status of marriage guardians for women born outside marriage must be determined by examining lineage status, guardianship authority, and applicable legal provisions. Where the biological father does not possess the status of a lineage guardian under Article 100 of the KHI, the marriage contract may be performed by an authorized judicial guardian in accordance with Article 23 of the KHI. Under such circumstances, the appointment of a judicial guardian constitutes a legal mechanism for fulfilling the essential pillars of marriage rather than a deviation from guardianship provisions.

However, the accurate determination of guardianship authority must also be accompanied by the registration of an identity that corresponds to the individual who actually performed the marriage contract. If the marriage contract was performed by a judicial guardian but the marriage documents identify the biological father as the guardian, this discrepancy creates separate issues concerning administrative accuracy and proof of marriage validity. Thus, determining the legally authorized guardian is essential not only for fulfilling the requirements of a valid marriage contract but also for ensuring administrative compliance and legal certainty in marriage registration.

Marriage Validity Arising from Discrepancies in Marriage Guardian Identification within Marriage Administration

The validity of marriage under Islamic law is fundamentally determined by the fulfillment of its essential pillars and legal requirements at the time the marriage contract is performed. Among these requirements, the presence of a legally authorized marriage guardian (*wali nikah*) constitutes an essential element of the contract. A marriage guardian is not merely an individual who formally participates in the marriage ceremony but a person whose authority derives from legally recognized lineage or other circumstances established by Islamic law. Consequently, the presence of an individual acting as a guardian does not necessarily establish the validity of the marriage if that individual lacks the required legal authority. Research concerning the legal status of marriage guardians emphasizes that the appointment of an unauthorized guardian may prevent a marriage from satisfying its substantive requirements, particularly when an individual assumes the role of *wali hakim* without the authority prescribed by law (Inayatillah, 2024). Therefore, the assessment of marriage validity must begin with an examination of the guardian's legal status and the circumstances under which the marriage contract was performed (Syarifuddin, 2014).

Within Indonesia's legal framework, Article 2(1) of Law Number 1 of 1974 concerning Marriage establishes that a marriage is valid when performed according to the religious laws and beliefs of the parties. For Muslim marriages, this provision is closely related to the essential pillars of marriage regulated in Articles 14 and 19 of the Compilation of Islamic Law (KHI). Article 14 identifies the marriage guardian as one of the essential pillars, while Article 19 establishes guardianship as an essential requirement for the prospective bride. Meanwhile, Article 2(2) of the Marriage Law requires marriage registration in accordance with applicable regulations. These provisions demonstrate that marriage validity and administrative registration are legally related but analytically distinguishable. The substantive validity of a marriage concerns the fulfillment of religious and legal requirements during the contract, whereas administrative registration provides official documentation and legal certainty regarding the marriage (Rofiq, 2015). Accordingly, an inaccurate administrative record should not automatically be interpreted as proof that the marriage contract failed to satisfy its essential legal requirements.

A particularly important issue arises when the identity of the marriage guardian recorded in official marriage documents differs from that of the person who actually performed the marriage contract. For example, a woman who does not have a legally authorized lineage guardian may be married by an authorized judicial guardian (*wali hakim*), while her marriage registration documents incorrectly identify her biological father as the guardian. This situation creates a discrepancy between the legal circumstances of the marriage contract and the information recorded by the Office of Religious Affairs (*Kantor Urusan Agama*, KUA). However, the discrepancy alone does not establish whether the marriage is invalid, because its legal consequences depend on the authority of the person who actually performed the contract. The assessment must therefore determine whether the recorded information constitutes an ordinary administrative mistake, an incorrect representation of guardianship authority, or intentional falsification intended to conceal a substantive legal defect.

The distinction between a legally authorized guardian and an individual who merely assumes guardianship authority is supported by previous research examining invalid guardianship in Islamic marriage law. Research analyzing the rejection of an *itsbat nikah* application in Determination Number 49/Pdt.P/2021/PA.Mkm demonstrates the significance of establishing whether the individual who performed the marriage possessed recognized guardianship authority. In that case, the individual acting as guardian was a neighbor of the prospective bride rather than an authorized lineage or judicial guardian, leading the court to reject the application for marriage confirmation. The findings illustrate that the mere performance of a marriage ceremony does not establish a legally valid marriage when an essential requirement concerning guardianship has not been fulfilled (Maharani et al., 2025). Similarly, research examining the involvement of an adoptive father as a marriage guardian emphasizes that emotional or familial relationships do not automatically create the lineage-based authority required to perform a marriage contract. The legal status of the guardian must therefore be distinguished from the existence of social or biological relationships (Fauziah & Taufiki, 2024).

The importance of guardianship authority is also reflected in research examining Banda Aceh Sharia Court Decision Number 24/Pdt.G/2020/Ms.Bna. The study explains that the marriage was annulled because the individual who performed the marriage contract did not possess legally recognized guardianship authority. The person acting as guardian was the brother of the woman's biological father, whose own lineage-based guardianship authority was not legally recognized under the circumstances of the case. Consequently, the purported guardianship was considered inconsistent with Islamic marriage requirements. The study demonstrates that the involvement of an unauthorized guardian concerns a substantive defect in the performance of the marriage contract rather than merely an inaccurate administrative entry. This distinction is particularly important when determining whether a

discrepancy provides grounds for seeking marriage annulment under the KHI (Zainuddin, 2023).

A separate examination of the same Banda Aceh case further emphasizes the relationship between guardianship authority, administrative verification, and judicial annulment. The study identifies the importance of examining the prospective bride's lineage status and verifying the individual legally entitled to act as her marriage guardian before the contract is performed. Administrative examination is therefore not simply a procedural formality but an important preventive measure for ensuring compliance with substantive marriage requirements. The study also highlights that inadequate verification may permit unauthorized individuals to perform marriage contracts, creating disputes that subsequently require judicial resolution (Raihan et al., 2024). These findings demonstrate that marriage administration plays a preventive role in safeguarding validity, even though the accuracy of registration documents must remain distinguishable from the fulfillment of the essential requirements of the marriage contract itself.

The relationship between formal documentation and substantive validity becomes more complicated when allegations of identity falsification are involved. Research examining Medan Religious Court Decision Number 335/Pdt.G/2013/PA.Mdn discusses a marriage annulment associated with discrepancies in marital status and marriage guardian identification. The court considered identity falsification relevant to the failure to fulfill marriage requirements and consequently annulled the marriage. However, the study critically examines the judicial reasoning and argues that inaccuracies in administrative information should be distinguished from defects affecting the essential pillars of marriage. Where the marriage contract has been performed by a legally authorized guardian, the existence of an inaccurate administrative entry may require correction rather than necessarily justify annulment. The analysis therefore emphasizes the need to examine the actual circumstances of the marriage contract before determining the appropriate legal consequence (Ramadi, 2020).

Similar issues arise when the authenticity of marriage documents is disputed. Research examining Medan Religious Court Decision Number 1121/Pdt.G/2023/PA.Mdn addresses an annulment dispute involving an allegedly falsified marriage certificate. The study demonstrates the importance of examining documentary authenticity and the relationship between administrative irregularities and the legal grounds for marriage annulment (Maulana et al., 2025). Although the dispute does not concern precisely the same guardianship circumstances examined in the present study, it offers a relevant comparison concerning the evidentiary function of official marriage documentation. Inaccurate or falsified documents may indicate a substantive legal problem, but their existence does not independently establish which essential marriage requirement was violated. Consequently, the legal assessment must connect the alleged documentary irregularity with the specific marriage requirement and the evidence establishing whether that requirement was fulfilled.

These different legal circumstances demonstrate that discrepancies in marriage guardian identification cannot be addressed through a uniform conclusion concerning marriage validity. When a marriage contract is performed by an individual who lacks legal guardianship authority, the problem concerns the fulfillment of an essential marriage requirement. Conversely, when the contract has been performed by an authorized judicial guardian but the administrative documents identify another individual, the discrepancy may concern the accuracy of official registration rather than the substantive performance of the contract. Research on guardianship errors similarly emphasizes the importance of distinguishing violations of marriage requirements from mistakes in the implementation or documentation of marriage procedures (Efendy & Rahmah, 2024). Therefore, the validity of marriage should be assessed through the legal authority of the actual guardian and the fulfillment of all essential requirements, while the accuracy of administrative documents should be examined through the appropriate legal and evidentiary procedures.

The examination of discrepancies must also consider whether the inaccurate information resulted from negligence or intentional falsification. Identity falsification involves a different legal problem from an inadvertent mistake because it may entail the deliberate submission of information intended to conceal circumstances affecting marriage requirements. Research examining identity falsification in marriage annulment cases indicates that the legal response must consider the nature of the false information, law enforcement practices, and the circumstances surrounding the alleged violation (Rifqi, 2019). More recent research analyzing Lubuk Pakam Religious Court Decision Number 2506/Pdt.G/2025/PA.Lpk demonstrates that intentional falsification concerning prior marital status may affect the validity of consent and provide legal grounds for annulment under the Marriage Law and the KHI (Munawir et al., 2026). These findings indicate that deliberate misrepresentation may have substantive consequences when it conceals legal impediments to marriage. Nevertheless, such consequences must be established through appropriate evidence rather than inferred solely from a discrepancy between the information recorded and the actual circumstances.

The distinction between substantive marriage requirements and administrative accuracy is particularly relevant to the responsibilities of KUA officials. Regulation of the Minister of Religious Affairs Number 30 of 2024 requires examination of marriage requirements and the identities of the parties involved in the marriage process. Research concerning the implementation of this regulation demonstrates that administrative verification may involve challenges related to confirming personal identity while respecting religious practices and individual rights. Although the study focuses on marriage examination procedures involving women who wear face veils, it illustrates the broader importance of combining administrative verification with a careful understanding of the legal requirements governing marriage (Wardana & Izzuddin, 2025). Within the context of marriage guardianship, such verification should establish not only the identity recorded in official

documents but also the legal relationship and authority that entitle a particular individual to act as the marriage guardian.

Judicial proceedings provide an additional safeguard when disagreements concerning marriage validity cannot be resolved through administrative examination. Research examining Makassar Religious Court Decision Number 1454/Pdt.G/2018/PA.Mks demonstrates that allegations of identity falsification do not automatically result in marriage annulment. In that case, procedural deficiencies affected the consideration of the annulment application, illustrating that the judicial process requires compliance with applicable procedural requirements. The legal grounds for annulment must therefore be supported by sufficient evidence and presented through appropriate proceedings (Baharuddin et al., 2023). This finding is relevant to discrepancies involving marriage guardians because the existence of conflicting administrative information does not eliminate the need to establish the actual guardianship circumstances and identify the legal provision supporting a request for annulment.

Further complexity is illustrated by research examining the withdrawal of marriage annulment proceedings involving allegations of a fictitious guardian and falsified documents. An analysis of Decision Number 2981/Pdt.G/2024/PA.JS identifies tensions between the assessment of substantive marriage validity under Islamic law and the unresolved formal status of a marriage when annulment proceedings are withdrawn. The study argues that such circumstances may generate legal uncertainty because allegations of an invalid guardian remain unresolved through a final judicial determination (Fathiariq & Cahyadi, 2025). This perspective demonstrates that an allegation of invalid guardianship and a legally effective annulment decision must be distinguished. Even where serious questions exist concerning the substantive requirements of a marriage contract, the formal legal consequences of annulment depend on the applicable judicial process. Accordingly, neither the existence of an administrative record nor an allegation of falsification can substitute for an examination of guardianship authority and the appropriate legal resolution.

The Compilation of Islamic Law provides the principal normative framework for determining these consequences. Article 71(e) establishes that a marriage may be annulled when it is performed without a guardian or by a guardian who is not legally entitled to act. However, Article 74 regulates the submission of annulment applications to the Religious Court and the legal effect of annulment decisions. Under Article 74(2), annulment takes effect after a court decision has obtained final and binding legal force and generally applies from the date of marriage, subject to the exceptions regulated in Articles 75 and 76. Consequently, the existence of substantive grounds for annulment must be distinguished from the legal consequences arising after a competent court has issued a final decision. This distinction prevents the automatic characterization of every guardianship discrepancy as a legally effective annulment.

The consequences of deliberate identity falsification may also extend beyond the determination of marital status. Research examining the legal consequences of marriage annulment resulting from identity falsification emphasizes that judicial annulment may have implications for the marital relationship, the protection of children, and other civil rights. The study also identifies the possibility of separate legal accountability when deliberate falsification satisfies the elements of an applicable criminal offense (Muhammad et al., 2026). Nevertheless, the possibility of criminal liability should not be equated with proof of an offense in every case involving inconsistent identity information. In the context of marriage guardian identification, a distinction must be maintained between inaccurate recording, intentional submission of false information, and the involvement of an unauthorized guardian in the performance of the marriage contract. Each circumstance requires examination of its own legal elements and supporting evidence.

Based on these legal provisions and previous studies, the present research identifies three distinct circumstances requiring different legal assessments. First, where the marriage contract was performed by an individual who lacked legally recognized guardianship authority, the problem concerns a substantive defect that may provide grounds for judicial annulment under Article 71(e) of the KHI. Second, where an authorized lineage or judicial guardian performed the contract and all essential requirements were fulfilled, but another individual was recorded as the guardian, the discrepancy does not automatically invalidate the marriage. In this circumstance, the accuracy of the administrative information must be examined and any correction pursued through the applicable procedures. Third, where inaccurate guardian identification results from deliberate falsification, the legal assessment must establish the nature of the false information, the responsible parties, and whether the falsification concealed a substantive legal impediment. The legal consequences cannot be determined solely from the presence of inconsistent identities in official documents.

Accordingly, the validity of marriage involving discrepancies in guardian identification must be assessed primarily according to the legal authority of the individual who actually performed the marriage contract and the fulfillment of its essential pillars and requirements. Previous judicial studies demonstrate that unauthorized guardianship may constitute grounds for annulment, whereas inaccurate registration requires a separate assessment when the marriage contract was performed by a legally authorized guardian. Allegations of deliberate falsification introduce an additional question concerning evidence, intent, and the substantive legal implications of the misrepresentation. This study therefore emphasizes that distinguishing defects in guardianship authority, administrative recording errors, and intentional identity falsification provides a more precise normative framework for determining marriage validity under the Compilation of Islamic Law. Such a distinction also supports legal certainty by helping KUA officials, courts, and affected parties identify the appropriate procedures for verifying guardianship authority, correcting administrative information, and resolving disputes concerning marriage validity.

Legal Consequences of Discrepancies in Marriage Guardian Identification within Marriage Administration under the Compilation of Islamic Law

Marriage registration constitutes an essential element of Indonesia's marriage law system because it provides legal certainty, establishes official evidence of marital status, and protects the rights and obligations arising from marriage. Article 2(2) of Law Number 1 of 1974 concerning Marriage requires marriages to be registered in accordance with applicable legislation. Registration therefore serves not merely as an administrative procedure but also as a legal instrument for establishing marital relationships and protecting the interests of spouses, children, and other parties. The accuracy of marriage records is particularly important when the recorded information concerns an essential element of marriage, such as the identity and legal authority of the marriage guardian. Inaccurate information may create difficulties in establishing the circumstances under which the marriage contract was performed, even when the contract itself satisfies substantive legal requirements. Consequently, the legal implications of recording discrepancies must be assessed by distinguishing the validity of the marriage contract from the accuracy of its official documentation (Manan, 2017).

Within Islamic marriage administration, the Office of Religious Affairs (*Kantor Urusan Agama*, KUA) is responsible for examining marriage requirements and ensuring that registration procedures comply with applicable regulations. Articles 5 and 7 of the Compilation of Islamic Law (KHI) emphasize the importance of orderly marriage registration and recognize marriage certificates as documentary evidence of marriage. These provisions are further supported by Regulation of the Minister of Religious Affairs Number 30 of 2024 concerning Marriage Registration. Article 6 requires Marriage Registration Officers (*Pegawai Pencatat Nikah*, PPN) to examine the completeness and accuracy of marriage documents, including verification involving the prospective husband, prospective wife, and marriage guardian. This requirement indicates that administrative examination must address both personal identity and the legal conditions underlying the proposed marriage. Research on the validation of prospective spouses' information through the *rapak* procedure demonstrates that such examinations may reveal inconsistencies in marriage requirements and circumstances requiring the transfer of guardianship authority to a judicial guardian (Nurkhovivah et al., 2023). Accordingly, verifying the identity and authority of a marriage guardian should be understood as part of the preventive legal function of marriage administration.

Legal problems arise when the marriage guardian recorded in official documents differs from the individual who actually performed the marriage contract. For example, a woman whose biological father lacks legally recognized lineage-based guardianship authority under Article 100 of the KHI may be married by an authorized judicial guardian (*wali hakim*) pursuant to Article 23. However, if the marriage administration documents identify her biological father as the guardian, the official record does not accurately represent the

circumstances of the marriage contract. Such discrepancies may create uncertainty regarding the identity of the authorized guardian, the accuracy of marriage documentation, and the evidentiary value of the official record. Nevertheless, an incorrect entry does not necessarily establish that the marriage was performed without an authorized guardian. The legal assessment must first determine who actually performed the contract, whether that individual possessed guardianship authority, and how the discrepancy arose (Rofiq, 2015).

The legal consequences of discrepancies in marriage guardian identification can be distinguished according to their substantive and administrative characteristics. First, when the marriage contract is performed by an authorized guardian but another individual is recorded as the guardian, the principal issue concerns administrative accuracy. Second, when the contract is performed by an individual who lacks legally recognized guardianship authority, the discrepancy reflects a possible substantive defect in the marriage requirements. Third, when false information is deliberately submitted to conceal the actual guardianship circumstances, the matter may involve intentional identity falsification requiring a separate assessment of the conduct, evidence, and applicable legal provisions. Article 71(e) of the KHI provides grounds for marriage annulment when a marriage is performed without a guardian or by a guardian who is not legally entitled to act. However, the existence of grounds for annulment must be distinguished from the legal effect of annulment, which requires judicial proceedings under Article 74 of the KHI. This distinction prevents administrative discrepancies from being treated automatically as evidence of an invalid marriage.

The importance of verifying marriage requirements is illustrated by research examining Purwakarta Religious Court Decision Number 354/Pdt.G/2020/PA.Pwk. The study identified a marriage annulment associated with identity falsification involving a woman who remained legally married to another man. The discrepancy had not been detected during the administrative verification conducted by KUA officials. Although the case did not specifically involve marriage guardian identification, it demonstrates that inadequate examination of marriage requirements may allow a substantive legal impediment to remain undiscovered. Consequently, inaccurate administrative information may have serious legal consequences when it conceals circumstances affecting the legal requirements for marriage. This finding supports the importance of distinguishing ordinary recording errors from misrepresentations that prevent officials from identifying substantive legal impediments (Hamdani et al., 2023).

The legal responsibilities of the KUA also become relevant when suspected identity falsification is discovered after marriage registration. Research examining Medan Religious Court Decision Number 2856/Pdt.G/2022/PA.Mdn demonstrates that the KUA may play a role in initiating marriage annulment proceedings when identity falsification is associated with violations of marriage requirements. The study identifies inadequate document examination as one of the circumstances contributing to the dispute and emphasizes the need for greater diligence in administrative verification. Nevertheless, the authority to determine marriage

annulment rests with the competent court, and an administrative finding of inconsistent information does not independently invalidate a registered marriage (Suryaningsih & Hayati, 2023). A comparable issue appears in research concerning Batam Religious Court Decision Number 1670/Pdt.G/2024/PA.Btm, where identity falsification concealed an existing marriage and the absence of the required authorization for polygamy. The case illustrates how deliberate misrepresentation may conceal a substantive legal impediment rather than merely produce an inaccurate administrative entry (Miranda et al., 2025). These findings demonstrate that the legal consequences of identity falsification depend on the actual violation established and cannot be determined solely from the existence of conflicting documents.

Judicial assessment is equally important in determining the consequences of alleged identity fraud. Research examining South Jakarta Religious Court Decision Number 4302/Pdt.G/2021/PA.JS demonstrates that marriage annulment proceedings involving fraudulent identity information require examination of the evidence submitted by the parties and the legal grounds supporting the application. The study emphasizes the role of judicial evaluation in determining whether the alleged fraud justifies annulment and what consequences follow from the resulting decision (Asyhadi & Guntara, 2022). Although the case concerned the husband's identity rather than the authority of a marriage guardian, it provides a relevant comparison regarding the need for evidentiary examination before legal consequences are imposed. In cases involving marriage guardians, a similar distinction is necessary between proving that false information was recorded and establishing that the marriage contract was performed by an unauthorized guardian.

When a marriage is annulled through judicial proceedings, its legal consequences must also be assessed according to the provisions governing the effect of annulment. Article 74(2) of the KHI stipulates that annulment takes legal effect after a Religious Court decision has obtained final and binding legal force and generally applies from the date on which the marriage was performed. However, this retroactive effect is subject to the exceptions provided in Article 75, while Article 76 protects the legal relationship between children and their parents. Accordingly, marriage annulment should not be interpreted as automatically eliminating every legal consequence arising during the marital relationship. These provisions further demonstrate why the classification of an identity discrepancy is important: an administrative recording error may require correction, whereas a substantive defect established through judicial proceedings may affect marital status and other legal relationships. The distinction is essential for maintaining legal certainty and protecting parties who may have relied on the official marriage record in good faith.

The resolution of administrative inaccuracies has also been examined in previous research concerning the modification of personal information in marriage certificates. A study conducted at the Krian District Office of Religious Affairs, Sidoarjo Regency, identified obstacles in implementing corrections under Regulation of the Minister of Religious Affairs

Number 20 of 2019, which governed the procedures examined during the research period. Among the principal difficulties were incomplete supporting documents and inconsistencies between marriage records and civil registration information. The study indicates that modifications to official marriage documents require authentic evidence and cannot be undertaken solely on the basis of an unsupported request from the parties concerned (Firdaus et al., 2024). Although the regulatory framework has subsequently changed, these findings remain relevant in demonstrating the importance of documentary verification and procedural compliance when correcting administrative information.

Under the current regulatory framework, Regulation of the Minister of Religious Affairs Number 30 of 2024 provides mechanisms for addressing certain inaccuracies in marriage records. Article 45 regulates the correction of digital or handwritten errors in Marriage Books (*Buku Nikah*) or Marriage Cards (*Kartu Nikah*) through procedures involving authentic supporting documents and verification by KUA officials. Article 46 separately regulates changes to the names of husbands, wives, or parents recorded in marriage certificates or Marriage Books, including circumstances requiring a court decision and supporting civil registration documents. These provisions demonstrate that administrative corrections must follow the procedures applicable to the specific type of information concerned. However, an incorrect entry concerning the person who acted as the marriage guardian cannot automatically be treated as equivalent to a spelling error or a change to a parent's name. The KUA must first establish whether the discrepancy concerns a clerical mistake, an incorrect identification of the guardian who actually performed the contract, or a dispute regarding the legal basis of guardianship authority.

This distinction has significant implications for selecting an appropriate legal response. Where the available evidence establishes that a legally authorized guardian performed the marriage contract and the discrepancy is limited to inaccurate recording, the appropriate response should focus on verifying and correcting the administrative information through the applicable procedures. The examination may involve marriage registration forms, the marriage examination record, relevant civil registration documents, and other legally acceptable evidence of the circumstances surrounding the contract. Conversely, when the available information raises a genuine dispute concerning the authority of the individual who performed the marriage contract, administrative correction alone cannot conclusively resolve the substantive legal issue. A judicial determination may be necessary when the circumstances provide grounds for annulment or another matter requiring court intervention. Therefore, the appropriate legal mechanism must be determined according to the nature of the discrepancy and the authority of the institution responsible for resolving it.

Inaccurate information in official family law documents may also create broader difficulties concerning legal certainty and the protection of civil rights. Research examining errors in divorce certificates indicates that inaccurate identity information can obstruct the verification of marital status, subsequent marriages, property-related matters, and other civil

arrangements. The study also identifies difficulties arising from ineffective correction procedures, particularly when affected individuals depend on official documents to establish their legal status (Rohman et al., 2025). Although the research focuses on divorce certificates, its findings provide a relevant comparative perspective for understanding the consequences of discrepancies in marriage guardian identification. An incorrect guardian entry may complicate subsequent verification of the circumstances under which a marriage was performed and generate disputes if the guardian's legal authority is questioned. These risks demonstrate that administrative accuracy has an important protective function, even when a recording error does not invalidate the marriage contract itself.

The prevention of administrative discrepancies also requires improvements in marriage registration systems and the verification practices of responsible officials. The Marriage Management Information System (*Sistem Informasi Manajemen Nikah*, SIMKAH) has been developed to support the administration and management of marriage registration data. Research examining its implementation at the Gantarangkeke District Office of Religious Affairs, Bantaeng Regency, indicates that digital registration, data validation, and administrative controls can contribute to preventing data manipulation and improving the reliability of marriage records. Nevertheless, the effectiveness of electronic systems depends on the accuracy of the information entered and the diligence of the officials responsible for verification (Zainuddin et al., 2026). Consequently, electronic validation should be understood as an administrative safeguard rather than a substitute for the legal examination of lineage status and guardianship authority.

Other studies provide further evidence of the opportunities and limitations associated with digital marriage administration. Research conducted at the South Sangatta District Office of Religious Affairs identifies manipulation involving marriage registration dates in SIMKAH, influenced by administrative requirements, limited public understanding, and local marriage practices. Although the manipulation examined in that study differs from falsification of a guardian's identity, it demonstrates how inconsistencies may arise between administrative information and actual marriage circumstances (Ghozali et al., 2024). Meanwhile, research at the Sokan District Office of Religious Affairs, Melawi Regency, finds that SIMKAH can support efforts to prevent marriage data manipulation through administrative coordination, while its effectiveness remains affected by internet connectivity, infrastructure, and institutional capacity (Kobat et al., 2024). These studies indicate that digitalization alone cannot eliminate recording discrepancies. Accurate verification requires coordination between administrative systems, reliable supporting documents, and officials who understand the legal significance of the information being recorded.

Preventive measures must therefore begin before the marriage contract is performed. KUA officials should verify the prospective bride's legal status, identify the legally authorized marriage guardian, and establish the grounds for appointing a judicial guardian when no eligible lineage guardian is available. Research concerning the implementation of judicial

guardianship in marriage services emphasizes that the appropriate designation of a *wali hakim* depends on careful examination of the prospective bride's circumstances and compliance with applicable guardianship requirements (Hatta & Masrokhin, 2025). Similarly, findings concerning prospective spouses' data validation indicate that discrepancies identified during the marriage examination process may affect the determination of the appropriate guardian (Nurkhovivah et al., 2023). These findings support the need for a verification process that examines not only the identity stated in the documents but also the legal basis of the guardian's authority. Such examinations should be completed before the contract whenever possible to reduce the risk of subsequent administrative corrections or legal disputes.

Based on the foregoing analysis, discrepancies in marriage guardian identification require a differentiated legal response rather than a uniform conclusion concerning marriage validity. Where an authorized guardian has performed the marriage contract and all essential requirements have been fulfilled, inaccurate administrative information does not automatically invalidate the marriage, although appropriate correction is necessary to maintain reliable official records. Where an unauthorized guardian has performed the contract, the circumstances may constitute grounds for judicial annulment under Article 71(e) of the KHI, subject to the procedures and legal consequences regulated in Articles 74–76. Where deliberate identity falsification is alleged, its existence, purpose, and legal implications must be established through appropriate evidence and procedures. This study therefore emphasizes that distinguishing substantive defects, administrative inaccuracies, and intentional falsification is essential for determining the proper legal response. The distinction provides a normative basis for strengthening KUA verification, improving marriage registration practices, protecting affected parties, and ensuring legal certainty within Indonesia's Islamic family law system.

Conclusion

Based on the findings of this study, the legal status of marriage guardians for women born outside marriage is determined by lineage relationships recognized under the Compilation of Islamic Law (KHI). Article 100 of the KHI stipulates that children born outside marriage have lineage relationships only with their mothers and maternal families. Where no legally recognized lineage relationship exists between a child and her biological father, the father does not possess the authority to act as a lineage guardian (*wali nasab*). Consequently, guardianship authority may be exercised by a judicial guardian (*wali hakim*) in accordance with Article 23 of the KHI. This provision emphasizes that the validity of a marriage contract must be based on guardianship authority recognized under Islamic law rather than merely on biological relationships or the identity recorded in marriage administration documents.

Discrepancies in the identification of marriage guardians within marriage administration do not automatically invalidate a marriage if the marriage contract has been performed by a legally authorized guardian and all essential pillars and requirements of

marriage have been fulfilled. However, if the marriage contract is performed by an individual who lacks legal guardianship authority, the marriage may be subject to annulment under Article 71(e) of the KHI. These findings highlight the importance of distinguishing the substantive validity of a marriage contract from the accuracy of administrative records. Furthermore, discrepancies in identity information cannot automatically be classified as identity falsification without evidence establishing intentional misconduct and the relevant underlying legal circumstances.

Inaccuracies in recording the identity of a marriage guardian may create legal uncertainty, particularly in establishing marital status and resolving family law disputes. Therefore, the Office of Religious Affairs (KUA) must exercise diligence in verifying lineage relationships, guardianship authority, and the accuracy of administrative documents before a marriage contract is performed. When recording errors are identified, corrections must be carried out through applicable administrative procedures to ensure that marriage documents accurately reflect the actual legal circumstances. This study emphasizes that distinguishing the validity of marriage contracts from administrative compliance is essential for providing legal certainty and protection to the parties involved. Future research may examine the practical resolution of discrepancies in marriage guardian identification through empirical approaches to complement the normative legal analysis presented in this study.

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