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Efforts by the *Penghulu* to Prevent the Appointment of a *Wali hakim* Through Mediation in *Wali 'adhal* Cases: A Sociological Perspective on Islamic Law in Harau Subdistrict

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Abstrak:, The cases involving a *wali 'adhal* or reluctant guardian are resolved normatively through the appointment of a *wali hakim* by the Religious Court to replace the biological guardian; however, the KUA Harau Subdistrict seeks to prevent such an appointment through mediation facilitated by the *Penghulu*. This study aims to analyze the role of the *penghulu* as a mediator, the success of mediation in preventing *wali 'adhal* cases from being filed with the Religious Court, and to examine their resolution from the perspective of Islamic legal sociology. This is a field study with primary data sources from *penghulu*s serving at the KUA, as well as secondary data from various relevant books and journals. Data collection was conducted through in-depth interviews with the *Penghulu*s and analyzed descriptively. The results show that religious officials play an active role in clarifying issues, seeking clarification (*tabayun*), providing counsel, and mediating between the parties before cases are referred to the Religious Court. They also evaluate the grounds for rejecting a *wali* (guardian) based on Islamic law, where religiously valid (*syar'i*) reasons are accepted, while emotional or subjective reasons are addressed through persuasive and family-oriented approaches. The mediation process was deemed quite successful because it facilitated communication, reduced conflict, and maintained family harmony without the need for litigation. From the perspective of Islamic legal sociology, cases involving the reluctant guardian are influenced by social factors such as economic status, education, customs, and family conflicts. Thus, the *penghulu*'s mediation plays a crucial role in minimizing disputes over the *wali 'adhal* that occur at the KUA.

Keywords: *Penghulu, wali hakim*, *wali 'adhal,* mediation, Islamic legal sociology

Introduction

The issue of the reluctant guardian (called *wali 'adhal*) is one of the challenges in Islamic family law that still frequently arises in society. A marriage guardian (called *wali*) refusal to consent to his daughter's marriage is generally influenced by factors such as differences in social and economic status, choice of partner, or family conflicts (Mazidah and Izzudin 2023). Normatively, cases involving a *wali 'adhal* are resolved through the Religious Court to appoint a judge guardian (called *wali hakim)* to replace the blood guardian (called *wali nasab)*

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(Herawati 2025). In practice, however, a marriage administrator (called *Penghulu)* at the Religious Affairs Office (KUA) often mediate first by offering advice, bringing the parties together, and fostering communication so that the guardian will agree to marry off their child without having to go through litigation (Hafifi and Saepullah 2022). This phenomenon highlights a discrepancy between normative provisions and actual practice, in which *Penghulu* prioritize a mediation approach in order to preserve family harmony and avoid broader social repercussions (Usman 2021).

Previous researchers have conducted numerous studies on *wali 'adhal* and the resolution of such cases. Several previous studies have examined the resolution of *wali 'adhal* disputes through mediation by Marriage Registrars and *penghulu*s. Mujib and Hidayat investigated non-litigious mediation in *wali 'adhal* disputes (Yahya et al. 2025), while Hafifi and Saepullah discussed the role of the *penghulu* as a mediator (Hafifi and Saepullah 2022); Rinwanto and Masruchan examined *wali 'adhal* from the perspectives of fiqh and the Compilation of Islamic Law (Rinwanto et al. 2023), while Mazidah and Izzudin reviewed *wali 'adhal* from the perspective of maqashid sharia (Mazidah and Izzudin 2023). This study, however, differs in that it focuses more on the role of the *penghulu* at the Religious Affairs Office KUA Harau Subdistrict in conducting mediation to prevent a *wali* from becoming an *adhal* before a case is filed with the Religious Court.

This study aims to examine the resolution of *wali 'adhal* cases at the Religious Affairs Office (KUA), specifically through non-litigious resolution via mediation. To clearly define the scope of the discussion, this study is structured around three main issues: the role of the *penghulu* as a mediator in resolving *wali 'adhal* cases at the KUA Harau Subdistrict, second, how successful is the *penghulu*'s mediation in preventing *wali 'adhal* cases from being filed in the Religious Court; and third, how are *wali 'adhal* cases resolved through the *penghulu*'s mediation at the KUA Harau Subdistrict from the perspective of Islamic legal sociology? The urgency of this study is supported by a number of relevant arguments. Amir Syarifuddin states that Islamic marriage law aims to maintain family harmony (Syarifuddin 2006), while Abdul Manan explains that mediation in Islamic family cases is important for creating more effective resolutions and preserving relationships among the parties (Manan 2005). Based on these perspectives, research on the role of the *penghulu* as a mediator in resolving *wali 'adhal* cases is important to examine comprehensively in order to understand the form of mediation carried out by the *penghulu*, its success in preventing cases from proceeding to the Religious Court, and its relevance in maintaining harmonious family relationships.

Methods

This research is a field study in which the primary information was gathered outside the library. The data sources for this study consist of both primary and secondary sources. According to Sugiyono (2019), primary data sources in qualitative research are obtained directly from informants who have a deep understanding of the research subject, thereby ensuring that the resulting data is more valid and authentic. In this study, primary data were obtained from the marriage administrator (*penghulu*) and relevant parties handling cases involving the reluctant guardian at the Religious Affairs Office (KUA) Harau Subdistrict. Secondary data, meanwhile, were obtained from books, scientific journals, laws and regulations, and research articles related to the reluctant

guardian and mediation by the marriage administrator. Data collection techniques included in-depth interviews and documentation. According to Moleong (2018), in-depth interviews are used to obtain more comprehensive and detailed information regarding informants' experiences and perspectives on a social phenomenon.

After all the research data had been collected, it was classified according to the focus and research questions and then systematically organized for the purpose of writing this article. This study employed a descriptive analysis method, which is an analytical technique aimed at objectively describing and explaining phenomena based on data obtained in the field without making broad generalizations (Moleong 2018). The data was then presented in narrative form to provide a clear picture of the role of the *penghulu* as a mediator in resolving cases involving the *wali 'adhal*.

Result and Discussion

The Role of the *Penghulu* as a Mediator in Resolving *Wali 'adhal* Cases at the Religious Affairs Office (KUA) Harau Subdistrict

Cases involving an *wali 'adhal*, which occur frequently, often serve as an obstacle to marriage. The *wali*`s who are reluctant to marry off women under their guardianship are causing harm, especially when such reluctance is based solely on personal opinion and not on Sharia law. In this regard, it is important for the Religious Court to appoint a *wali hakim* for a woman whose blood-related guardian is *adhal*, so that the truth behind the guardian's reluctance can be ascertained, as there is concern that the guardian may be lying, for example, the bride-to-be may not want to be married by her father or there may be other personal issues involved.

The Religious Affairs Office (KUA) Harau Subdistrict is committed to helping reconcile and resolve issues that arise within its jurisdiction by sincerely assisting in finding solutions to these problems so that they can be resolved. The *Penghulu*, as the official responsible for overseeing and conducting marriage ceremonies, will take action to resolve any issues that arise during the marriage process, starting from the registration of the marriage, to ensure the matter is resolved. The author will present the results of an interview with the *Penghulu* serving at the KUA Harau Subdistrict regarding several questions about his role as a mediator in resolving cases involving an *wali 'adhal*.

Based on the results of the first interview with Mr. Munzir, the Head of the Religious Affairs Office (KUA) Harau Subdistrict, he explained:

> *"After the Penghulu receives the documents and all required marriage registration paperwork from the prospective bride and groom, the Penghulu summons the relevant parties, such as the prospective bride and groom and the bride's guardian. If the marriage wali is absent or expresses reluctance to serve as the marriage wali, this indicates the presence of an wali 'adhal. Firstly, the Penghulu summons the parties involved in the dispute, such as the guardian, the bride-to-be, and the groom-to-be, to gather statements regarding the wali's reasons for refusing the marriage. According to him, this step is taken so that the Penghulu can obtain balanced information before taking action to resolve the matter. Furthermore, Mr. Munzir explained that if the wali does not appear after being summoned, the Penghulu will conduct a fact-finding visit by going directly to the wali's residence. During this process, the Penghulu provides counsel and an explanation regarding the wali's role in*

> *the marriage, as well as the negative consequences if the wali refuses to marry off their child without a reason justified by Islamic law. According to him, mediation is conducted so that the parties can be open with one another and not simply let their emotions take precedence. In addition, he also stated that the Penghulu makes every effort to ensure that cases involving a wali 'adhal can be resolved at the KUA level without having to proceed to the Religious Court. However, if mediation fails to reach an agreement and the wali still refuses to act as the wali nikah* (guardianship)*, the Penghulu will issue a letter of refusal to marry as a prerequisite for filing a petition for a court-appointed wali with the Religious Court"* (Munzir 2026).

Descriptively, the above quote affirms that the *Penghulu*'s action, which does not immediately conclude the existence of an *wali 'adhal* but instead first seeks clarification from all parties by summoning the prospective bride and groom, the guardian, and relevant parties, demonstrates an effort to apply the principles of prudence and objectivity. This reflects the application of the principle of *tabayun*, which involves seeking clarity of information before taking action. Furthermore, the *Penghulu*'s decision to visit the *wali*'s residence in person demonstrates a humanistic and non-litigious approach to dispute resolution. This approach not only serves to obtain more in-depth information but also functions as a means of providing legal and religious education to the *wali* regarding his responsibilities in the marriage of his daughter.

Meanwhile, the results of the second interview with Mr. Putra Kurnia Pratama, as a *Penghulu*, also indicated that if the *wali* responds to the KUA's summons, the *Penghulu* will examine the reasons for the *wali*'s refusal to serve as the *wali nikah* (guardianship). If the reason is justified according to Islam, such as if the child is already engaged to someone else, or if the child's prospective husband is a non-Muslim, or if the prospective husband is a sinner, for example, an adulterer or someone who engages in drunkenness, gambling, or drug use, then such a reason may be accepted. However, if the refusal is based solely on emotional factors, such as disliking the prospective husband's attitude, feeling that he is not a good match for the daughter, differences in economic status, or differences in educational background between the two, the *Penghulu* will explain and advise that these reasons are not strong enough and that the issues can still be resolved satisfactorily (Pratama 2026).

The above statement suggests that when handling cases involving an *wali 'adhal*, the religious official does not rely solely on administrative considerations but also takes into account the provisions of Islamic law. The *penghulu* first assesses the reasons for the *wali*'s refusal, determining whether they are justified under Islamic law or based solely on emotional and subjective factors. Reasons related to the prospective husband's religion and morality, such as being a non-believer or a sinner, are considered valid under Islam. Conversely, refusals based on differences in economic status, education, or personal dislike are deemed insufficient to prevent the marriage. In such situations, the *Penghulu* plays a role in providing guidance and insight to the guardian, encouraging them to prioritize the greater good and seek a wise resolution to preserve family harmony.

The interview results also indicate that mediation serves as the primary means of preventing the appointment of a court-appointed guardian in reluctant guardianship cases at the KUA level. The *penghulu* strives to create a space for dialogue so that each party can openly express their reasons and feelings without

being overwhelmed by emotions. This mediation approach is important because many *wali 'adhal* cases are influenced by emotional factors, such as the *wali*'s dislike of the prospective groom, family conflicts, differences in social status, or economic factors. Furthermore, the fact that religious officials strive to resolve cases at the KUA level alone indicates a commitment to peaceful and efficient dispute resolution. Out-of-court settlements are considered faster, simpler, and better at preserving family relationships compared to litigation in Religious Courts.

The Harau Subdistrict Religious Affairs Office conducts mediation in cases involving the appointment of an *wali 'adhal* not to rule out the use of a *wali hakim*, but rather as an initial effort to determine the cause of the *wali*'s refusal and to seek a resolution through mutual discussion. The reason for this is that not every refusal by a *wali* can be immediately categorized as a *wali 'adhal*, as it may be influenced by family conflicts, misunderstandings, or communication issues that can still be resolved. If mediation is successful, the marriage can proceed with *wali nasab*; however, if the *wali* continues to refuse without a valid reason, the parties may pursue the mechanism for appointing a "*wali 'adhal*" in the Religious Court as the basis for appointing a *wali hakim*. Thus, mediation serves as an initial resolution effort and does not replace the legal mechanism for appointing a *wali hakim*.

The Success of the *Penghulu*'s Mediation in Preventing *Wali 'adhal* Cases from Being Filed in Religious Courts

The mediation conducted by the *penghulu* at the KUA Harau Subdistrict can be considered quite effective in preventing cases involving a *wali 'adhal* from proceeding to the Religious Court. This is evident in the *penghulu*'s efforts to prioritize a persuasive and family-oriented approach before taking legal action. The religious officials strive to bring the *wali* and the prospective bride and groom together to find the best solution through deliberation and effective communication. Through mediation, many conflicts, which were initially caused by misunderstandings, emotions, or a lack of communication, can be resolved peacefully without litigation (Abbas 2009).

Mr. Munzir also provided several examples of cases involving an *wali 'adhal*, such as a marriage registered by SI (the wife) and MF (the husband) that was to be recorded at the KUA Harau Subdistrict, Lima Puluh Kota Regency, but was blocked by SI's biological father, who refused to serve as SI's *wali nikah* (guardianship) on the grounds that he was still harboring resentment toward his ex-wife (SI's mother). When SI tried to persuade her father to serve as her *wali*, SI's mother instead said, "Even without your father, you will still get married," causing SI's father to feel that he was not recognized as SI's biological father and making him even more reluctant to serve as her *wali* at her wedding (Munzir 2026).

Subsequently, the marriage registered by WS (the wife) and IN (the husband), which was to be recorded at the KUA Harau Subdistrict, Lima Puluh Kota Regency, was blocked by WS's biological father, who refused to serve as WS's *wali nikah* (guardianship) on the grounds that he did not approve of WS's prospective husband, who did not yet have a steady job and was still living in rented housing. WS's father is concerned that his daughter's future is not secure because IN, the prospective husband of his daughter's choice, is, in his view, not yet financially stable. Meanwhile, WS's father has already chosen a partner for his daughter who is financially stable with an office job and owns his own home, so WS's father

believes that WS's future life will be more secure. However, WS refused because she did not like her father's choice (Munzir 2026).

In another case, involving a *wali 'adhal*, RD (the bride) and HA (the groom) registered their marriage at the KUA Harau Subdistrict, Lima Puluh Kota Regency, but without a *wali* present. After inquiring about the *wali* from the bride-to-be (RD), it turned out that RD's biological father was unwilling to serve as the *wali* because the groom-to-be (HA) was not of a suitable social standing compared to RD's family—RD's family comes from a prominent lineage of datuaks, whereas HA, RD's groom-to-be, is of commoner descent. This social class disparity caused RD's father to refuse to act as the *wali nikah* (guardianship) (Munzir 2026).

The success of mediation is evident in the fact that the *Penghulu* does not simply wait for the parties to come to the KUA, but actively seeks clarification or visits the *wali*'s residence directly if the *wali* fails to appear in response to the summons (Munzir 2026). During this process, the *Penghulu* explains the rights and obligations of the *wali* in marriage, as well as the negative consequences if the *wali* continues to refuse to allow their child to marry without a valid religious reason. This approach is considered effective in fostering communication between the *wali* and the child, thereby leading to a better understanding.

In addition, the *Penghulu* also provides religious guidance and legal advice to the parties involved so that they do not prioritize their own egos or social considerations alone. Many cases involving an *wali 'adhal* at the KUA Harau Subdistrict stem from a lack of compatibility, differences in social, economic, or educational status, or family conflicts resulting from the parents' divorce. In such situations, the *Penghulu* strives to instill the value of the common good and the importance of maintaining family ties so that the *wali* may reconsider their refusal. The success of mediation is heavily influenced by the good faith of the parties involved, particularly the *wali* of the prospective bride. The religious official acts as a neutral mediator by giving each party the opportunity to present their reasons and opinions. Through this mediation process, the religious official strives to create a solution acceptable to all parties (a win-win solution) so that the conflict does not escalate into a protracted dispute (Sayyaf 2023).

Normatively, mediation is not explicitly listed as a separate duty of the *Penghulu* in cases involving a *wali 'adhal*, but it can be understood as part of the marriage and reconciliation counseling and guidance functions that constitute the duties of the *Penghulu* Functional Position, as regulated in Minister of State Apparatus Reform and Bureaucracy Regulation Number 9 of 2019 concerning the *Penghulu* Functional Position and Minister of Religious Affairs Regulation Number 16 of 2021 concerning Technical Guidelines for the *Penghulu* Functional Position. In practice, the *Penghulu* at the KUA Harau Subdistrict conducts mediation to help the parties resolve conflicts before resorting to legal proceedings. The mediation process is also supported by the competence of the *Penghulu*, who holds a mediator's certificate and is thus capable of facilitating peaceful conflict resolution, without diminishing the authority of the Religious Court to appoint a *wali 'adhal*.

The practice of resolving *wali 'adhal* cases at the KUA Harau Subdistrict through *tabayun* and mediation follows a pattern consistent with that of several other KUAs in Indonesia. The Kedung Subdistrict KUA, for example, also summons the *wali*, conducts *tabayun*, and engages in mediation as an initial resolution effort, while the Bungah Subdistrict KUA provides education and mediation before referring the case to the Religious Court if a resolution cannot be reached (Velayat

et al. 2026). Thus, the practices of the KUA Harau Subdistrict can be viewed as part of a pattern of non-litigious dispute resolution that is emerging in various KUAs, namely prioritizing deliberation and reconciliation first without diminishing the authority of the Religious Court to appoint a *wali 'adhal*.

A similar thought was expressed by Muhammad Habibi Miftakhul Marwa, an academic at the Faculty of Law, Ahmad Dahlan University, in his research on models for resolving marital disputes from the perspectives of customary law and Islamic law. According to him, dispute resolution in Islamic law prioritizes consultation and mediation to maintain family harmony and avoid divorce. Mediation is viewed as an effective method because it involves a neutral third party to help the parties find a peaceful, mutually beneficial solution (a "win-win solution"), thereby preserving family ties and preventing conflicts from escalating into protracted disputes (Marwa 2021).

Nevertheless, not all mediation efforts succeed in reaching a settlement. Based on an interview with the Head of the KUA Harau Subdistrict, mediation generally results in more successful settlements than failures, although the KUA Harau Subdistrict does not yet have quantitative data recording the number of successful and unsuccessful mediations each year. Failed mediations generally occur because the guardians are unwilling to participate in the mediation process or lack the good faith to participate in conflict resolution. As explained by the Head of the KUA Harau Subdistrict, the success of mediation is fundamentally determined by the good faith of both parties; if only one party is willing to resolve the issue, the mediation process will be difficult to continue (Munzir 2026).

Resolution of the *Wali 'adhal* Cases Through Mediation by the *Penghulu* at the KUA Harau Subdistrict from the Perspective of Islamic Legal Sociology

From the perspective of the sociology of Islamic law, law is understood not only as a set of normative rules, but also as part of a social reality shaped by culture, values, traditions, and social relationships (Syawqi 2022). Several cases described by the Head of the KUA Harau Subdistrict indicate that a *wali*'s refusal in cases involving an *wali 'adhal* is influenced by various social factors and family relationships. These factors are evident in family conflicts between the parents of the prospective bride and groom, concerns regarding the prospective husband's economic situation, which is deemed insufficient to provide for the child, as well as differences in social status and customs, such as the disparity in status between a family descended from a datuak, influential traditional leader, and a prospective husband from the general public. Therefore, the mediating role of the *penghulu* in situations involving a *wali 'adhal* does not focus solely on normative legal aspects but also encompasses social functions aimed at preserving relationships among family members and preventing prolonged discord. The *penghulu*'s approach, which prioritizes deliberation, counsel, and a sense of family, reflects a more humanistic application of the law that is oriented toward the common good (Yahya et al. 2025).

Soerjono Soekanto (2017) states that the effectiveness of the law is influenced by societal factors and the legal culture that develops within a social environment. This is evident in cases involving the *wali 'adhal*, where the *wali*'s refusal is often influenced by social factors such as economic status, education, customs, and family conflicts, leading the marriage administrator to opt for a mediation approach so that the law can be socially accepted. Furthermore, according to Satjipto Rahardjo (2010) through the concept of progressive law, the

law should exist to provide benefits and resolve societal issues in a humane manner, rather than merely enforcing rules in a formalistic manner. Ibn Khaldun's thinking is also relevant in that law is greatly influenced by the social conditions of society (*'umran*). This means that the application of Islamic law must take into account social realities and social relationships so that the purpose of the law, namely, maintaining social harmony and order, can be achieved (Khaldun 2011).

The sociological approach to Islamic law adopted by the KUA Harau Subdistrict in handling cases involving the *wali 'adhal* can be linked to the ideas of Hefni (2018), an Indonesian academic and expert in Islamic law known for developing a sociological approach to the study of Islamic law. According to Mudzhar, Islamic law is not only understood as a set of norms but also as a social phenomenon influenced by societal conditions and interactions. This approach is evident in the practices of the *Penghulu* at the KUA Harau Subdistrict, who first seek to understand the social background of the *wali*'s refusal, such as family conflicts, the prospective husband's economic considerations, and differences in social and customary status, before conducting mediation. In this context, *'urf* is understood as the reality of values and customs embedded in society that help the KUA Head understand the root causes of the conflict, while mediation serves as a means to resolve it. Thus, *'urf* (custom) and mediation in practical application at the KUA Harau Subdistrict do not compete with one another but rather complement each other in linking the legal norms of marriage with the social reality of the community.

Conclusion

The findings of a study conducted at the KUA Harau Subdistrict on the efforts of the *Penghulu* to prevent the appointment of a court-appointed *wali* through mediation in resolving *wali 'adhal* cases indicate that the *Penghulu* plays a crucial role as a mediator in resolving *wali 'adhal* cases through clarification, *tabayun*, counseling, and deliberation to reach an agreement without having to resort to litigation. The mediation process has proven quite successful in preventing cases from proceeding to the Religious Court, as it facilitates communication, defuses conflicts, and preserves family harmony. From the perspective of Islamic legal sociology, the KUA Harau Subdistrict handles *wali 'adhal* cases not only based on legal norms but also by understanding the social context of the conflict. The Pengulu investigates the causes of the *wali*'s refusal and reconciles the parties through deliberation and mediation. Thus, the Islamic legal sociology approach is evident in the KUA Harau Subdistrict's efforts to bridge marriage law norms with the social realities of the community to achieve peace.

This study still has limitations in several respects, including its reliance on data obtained solely from the Religious Affairs Office (KUA) Harau Subdistrict and its failure to directly compare this data with information from other relevant parties, such as the *wali 'adhal* themselves. Furthermore, this study did not trace these *wali 'adhal* cases to the Religious Court. Therefore, there remains other research opportunities on the same topic using broader and more comprehensive data.

Statement on the Use of Artificial Intelligence

During manuscript development, the author(s) used a Claude AI tool to assist in organizing selected sections and improving the logical progression of the

text. The proposed structure was critically reviewed and adapted by the author(s), who remain accountable for the content and conclusions of the article. Also DeepL Pro was used to support translation between languages, while Grammarly was employed to improve grammar, spelling, punctuation, and linguistic clarity. Mendeley was used to manage references and citations, and Turnitin was utilized to check textual similarity.

Author Contribution Statement

This study was conducted by two researchers, with the first author (Fazhariah Irdamsyah) responsible for collecting research data by conducting interviews with informants and transcribing the interview recordings. The first author also wrote the initial draft of the study. The second author (Azizah Khairiyah) performed the data analysis and identified relevant references in addition to those already prepared by the first author.

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Conflict of Interest

In this study, there were no conflicts of interest with any party

References

Abbas, Syahrizal. 2009. *Mediasi Dalam Perspektif Hukum Syariah, Hukum Adat Dan Hukum Nasional*. Kencana.

Hafifi, Ikmal, and Usep Saepullah. 2022. "Fungsi *Penghulu* Menurut Permenpan Nomor 62 Tahun 2005 Sebagai Fungsi Mediator Di Tingkat Kecamatan Dalam Kasus Perceraian (Studi Pada KUA Kecamatan Karang Tengah Kabupaten Cianjur)." *Jurnal Hukum Keluarga Dan Peradilan Islam* Vol. 3 (1). 32-46. https://doi.org/10.15575/as.v3i1.16289.

Herawati, Rahmi. 2025. "Urgensi Penetapan *Wali 'adhal* Perspektif Maqashid Syari'ah: Studi Penetapan Di Pengadilan Agama Tanjung Pati." *Al-Muhkam: Journal of Islamic Law and Jurisprudence* Vol. 1 (2). 97-107. https://doi.org/10.65980/almuhkam.v1i2.39.

Khaldun, Muhammad bin. 2011. *Mukaddimah Ibnu Khaldun*. Edited by Masturi Irham. Pustaka Al-Kautsar.

Manan, Abdul. 2005. *Penerapan Hukum Acara Perdata Di Lingkungan Peradilan Agama*. Kencana.

Marwa, Muhammad Habibi Miftakhul. 2021. "Model Penyelesaian Perselisihan Perkawinan Perspektif Hukum Adat Dan Hukum Islam." *Jurnal USM Law Review* Vol. 4 (2). 777-94. https://doi.org/10.26623/julr.v4i2.4059.

Mazidah, Dwi Ayu, and Ahmad Izzudin. 2023. "Penetapan *Wali 'adhal* Dengan Alasan Tidak Sekufu Perspektif Maqashid Syariah." *Journal of Family Studies* Vol. 7 (1). 82-95. https://doi.org/10.18860/jfs.v7i1.2904.

Moleong, Lexy Johannes. 2018. *Metodologi Penelitian Kualitatif*. Bandung: Remaja Rosdakarya.

Hefni, Wildani. 2018. "Genealogi Studi Hukum Islam di Perguruan Tinggi Keagamaan Islam Indonesia." *Al-Ihkam: Jurnal Hukum dan Pranata Sosial* 13 (1). 205-229. https://doi.org/10.19105/al-lhkam.v13i1.1788.

Rahardjo, Satjipto. 2010. *Hukum Progresif: Hukum Yang Membebaskan*. Kompas.

Rinwanto, Yudi Arianto, and Masruchan. 2023. "Urgensi *Wali 'adhal* Studi Komparasi Perspektif Kompilasi Hukum Islam Dan Fikih." *The Indonesian Journal of Islamic Law and Civil Law* Vol. 4 (No. 1). 40-56. https://doi.org/10.51675/jaksya.v4i1.402.

Sayyaf, R. Tanzil Fawaiq. 2023. "Mediasi Dan Sulh Sebagai Alternatif Terbaik Penyelesaian Sengketa Hukum Keluarga Islam." *Jurnal Hukum Islam* Vol. 9 (2). 180-98. https://doi.org/10.55210/assyariah.v9i2.1022.

Soekanto, Soerjono. 2017. *Pokok-Pokok Sosiologi Hukum*. Jakarta: Raja*wali* Press.

Sugiyono. 2019. *Metode Penelitian Kualitatif*. Yogyakarta: Alfabeta.

Syarifuddin, Amir. 2006. *Hukum Perkawinan Islam Di Indonesia*. Jakarta: Kencana.

Syawqi, Abdul Haq. 2022. "Multiparadigma Sosiologi Hukum Keluarga Islam." *Journal of Indonesian Islamic Family Law* Vol. 4 (1). 66-89. http://dx.doi.org/10.19105/al-manhaj.v4i1.6200.

Usman, Achmad Murtadho. 2021. "Kewenangan Pencatatan Nikah Melalui *Penghulu* Dan Kepala KUA Dalam Perspektif Peraturan Menteri Agama Dengan Peraturan Pendayagunaan Aparatur Negara." *Jurnal Multikultural & Multireligius* Vol. 20 (No. 1). 145-65. https://doi.org/10.32488/harmoni.v20i1.468.

Velayat, Naili, Nur Faizah, and Hudi Hidayat. 2026. "Penyelesaian Sengketa *Wali 'adhal* Di Kantor Urusan Agama: Studi Terhadap Peran Kua Kecamatan Bungah Dalam Perlindungan Hak Perempuan." *Journal of Family Law and Islamic Law* 1 (1). 12-20

Yahya, Yustika Wardah, Misbachul Mujib, Agus Ilham Rifqiyanto, Nabil Malik Hidayat, and Siti Zumrotun. 2025. "Penyelesaian Sengketa *Wali* Adhol Dengan Mediasi Non-Litigasi Oleh Pegawai Pencatatan Nikah Di KUA Kedu." *Jurnal Hukum Keluarga Islam* Vol. 6 (No. 1). 1-13. https://doi.org/10.46773/usrah.v6i1.1439.

Interviews:

Munzir. 2026. "Peran *Penghulu* Sebagai Mediator Dalam Menyelesaikan Kasus *Wali 'adhal*."

Pratama, Putra Kurnia. 2026. "Peran *Penghulu* Sebagai Mediator Dalam Menyelesaikan Kasus *Wali 'adhal*."