

Remarriage in Emete Village: Socio-Economic Impacts and Islamic Law Perspectives

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Abstract

Remarriages are often found in big cities or developed regions. However, the phenomenon of remarriage is common in a remote village in Emete Village, Obaa District, Mappi Regency, South Papua Province. This study investigates the phenomenon of remarriage among women in Emete Village, Obaa District, Mappi Regency, South Papua, focusing on the socio-economic and cultural dynamics that drive such practices and their implications under Islamic law. Unlike the widely studied contexts of urban and developed regions, remarriages in this remote village present unique challenges and cultural nuances. The study explores key questions: what factors compel women in Emete Village to remarry, and how do these marriages align with Islamic principles? Utilizing qualitative research with an ethnographic approach, data were collected through in-depth interviews, observations, and analysis of religious and social practices. The findings reveal two forms of remarriage: those following legal divorces and those occurring without formal divorce, each shaped by economic pressures, failed previous marriages, and the quest for social recognition. Further, the study underscores the significant legal, social, and economic implications, including non-compliance with iddah (waiting period) rules, lack of financial justice, and risks associated with unregistered marriages. These practices challenge Islamic principles concerning fairness, legal status, and protection for women and children. This research contributes to the broader discourse on Islamic family law by highlighting the need for integrative socio-religious solutions to address the complexities of remarriage in remote communities.

Keywords: Remarriages; Emete Village; Socio-economic factor; Islamic law

Pendahuluan

Women who undergo multiple marriages are often faced with emotional and social challenges. In Emete Village, Obaa District, Mappi Regency, cases of women marrying more than once are not uncommon. Some women are forced to remarriages due to economic pressure, the stigma of widowhood, and social expectations that require women to have partners (Salamah, 2020; Irvan & Riauan, 2022). This condition is also found in the women headed family (PEKKA) community in Madura, where

many women choose to remarry in the hope of improving the family's economic stability (Halfiah, 2019).

In the literature on repeat marriage, scholars identify several factors that drive this decision, including economic stability, the desire to have children, and the emotional need for support in married life (Praptiningsih, 2018). Gary Becker's economic theory highlights the importance of marriage as a form of social and economic investment that can add to a couple's well-being (Teixeira, 2022). In addition, John Gottman's concept of 'The Four Horsemen of the Apocalypse' which includes criticism and defensiveness in relationships can influence dissatisfaction and instability in marriage, contributing to the decision to remarry (Rueda et al., 2021).

In a preliminary study conducted in Emete Village, it was found that women who remarry often face high social burdens, such as the stigma of being 'married' and anxiety regarding the future of the children they have to raise alone (Maharani & Nurchayati, 2022). This early research suggests that women who choose to remarry after divorce often face greater challenges than women who marry once, especially in terms of emotional and social stability. (Halfiah, 2019; Warsono, 2020).

The phenomenon of repeat marriages has been studied by several studies that take case studies in big cities and more developed areas. As Desmaisi et al., (2023) research shows in the Minangkabau community in Padang Ganting, remarriage are driven by several factors such as lack of space in the parents' house, the desire to find a mate, and stigmatisation of widows, which leads to second marriages and so on. examined remarriage that occurred among widows in Madura. The findings obtained where remarriage are hall umrah because widow status tarnishes family pride. Syah & Mulyadi (2016) also conducted research on couples who married repeatedly in Malang Regency due to the desire to get a life partner who can take care of and manage needs at an advanced age. Syam (2015) also examined the relationship between daily stress and remarriage intensity in ingle mothers in Makassar City. The results showed no relationship, meaning that there are other factors that influence the remarriage, not because of daily stress.

While previous studies have predominantly focused on remarriages in urban or developed areas, limited attention has been given to the unique cultural and socio-economic dynamics of remarriage in remote rural communities such as Emete Village. Uniquely, the phenomenon of remarriage is very rare in villages or villages far from urban areas. However, in Emete Village, Mappi Regency, which is very far from cities

and remote, the phenomenon of bear marriages often occurs. So the novelty of this research lies in the focus on women who undergo remarriage in a remote area, namely Kampung Emete. This study not only describes the factors driving remarriages, but also explores how specific local culture and social norms contribute to this phenomenon, differentiating it from previous studies that have been conducted in urban areas. This research also combines economic perspectives according to Becker and Gottman's theories to better understand the complexity of women's lives in the context of remarriage.

The main issue raised in this study is the high frequency of remarriages experienced by women in Emete Village and the implications for their lives, especially in the context of economic, social, and Islamic law. Although repeat marriages are undertaken in the hope of gaining a more stable life, women in this area often face complex social challenges, including community stigma and economic burdens. This study aims to analyse the factors that drive repeat marriages, evaluate the forms of socio-economic pressure women face after marriage, and understand the implications from an Islamic legal perspective. The results of this study are expected to make an important contribution to science, particularly in enriching the understanding of repeat marriages in remote areas, as well as providing a basis for the development of relevant assistance programmes for women in similar situations.

Methods

This research uses a qualitative method with an ethnographic approach. The qualitative method was chosen because it allows the collection of in-depth descriptive data through direct observation and interviews of research subjects (Denny & Weckesser, 2022). The ethnographic approach was used to examine the social, economic and cultural aspects of the community in Emete Village, Obaa District, Mappi Regency. Through this approach, the research sought to describe the meanings, behaviours, and traditions behind the practice of remarriage (Marin-Lacarta & Yu, 2023).

Furthermore, the phenomenon of repeated marriages is examined from the standpoint of Islamic law, employing an empirical juridical approach. This approach is utilized to assess how Islamic law is implemented or interpreted by society in the context of prevailing cultural practices (Saadah et al., 2022). The juridical empirical study encompasses an analysis of sharia principles, including those pertaining to validity,

justice, and the fulfillment of the pillars of marriage, as well as interviews with religious leaders and pertinent stakeholders.

The research was conducted in Emete Village, Obaa District, Mappi Regency, South Papua. This location was chosen due to the high phenomenon of remarriage among women in this area, making it relevant to uncover the cultural, social and economic factors that influence the phenomenon. Primary data was obtained through in-depth interviews with women who experienced repeated marriages and their families. Informants were selected by purposive sampling, based on direct involvement in the phenomenon under study and describing the experiences and views of various parties. Direct observation in Emete Village was also conducted to record the social, cultural activities and dynamics of community life, thus providing a deep understanding of the local context. Secondary data included official documents, statistical records, related reports, and relevant literature to support the analysis and explanation of the phenomenon under study.

Data collection by observation was conducted directly to record daily activities, environmental conditions, infrastructure, and social dynamics of the community. These observations aim to understand the cultural and social backgrounds that influence remarriages. Furthermore, interviews were conducted with informants who were selected based on their involvement in the repeat marriage phenomenon. These interviews were designed in a semi-structured manner to explore the motivations, forms and implications of remarriages. Documentation involved analysing official documents, social reports and demographic data that supported the interpretation of the research results.

The informants in this study were selected based on their involvement in the phenomenon of repeated marriage, which is the focus of the research. The main informants were women who had been married more than once, with insights and first-hand experience of the motivations, forms and impacts of repeat marriages. In addition, community leaders such as traditional leaders or village heads who understand local culture and norms were involved to provide perspectives on social views of repeat marriages. The study also involved family members of women who had repeated marriages, such as new husbands, previous husbands, or their children, to provide insights into family dynamics.

Data analysis was conducted using the interactive model of Miles et al., (2014) which includes three main stages:

1. Data reduction

The collected data were selected, classified, and thematically organised to get the focus of the analysis.

2. Data Presentation

Data were presented in the form of descriptive narratives, tables, or interview quotes to provide a comprehensive picture of the phenomenon under study.

3. Verification and Conclusion Drawing

Conclusions are made through a process of interpretation that connects data with the theories or concepts used. The analysis was conducted iteratively until a deep understanding of the phenomenon of remarriage in Emete Village was found.

Results and Discussion

1. Factors Driving the Occurrence of Remarriage

Remarriage, or the process of remarrying after divorce, is a social phenomenon that is influenced by various factors. Rinaldo et al., (2023) showed in their research that education, economic strength, and social support can lead to divorced couples wanting to remarry. In Emete Village, the factors driving remarriage include the failure of previous marriages, emotional and social needs, and the desire to achieve relationship stability. In certain cases, according to Norouzi et al., (2022) marital conflict, lack of effective communication, and differences in values are the main causes that drive individuals to seek new, more harmonious relationships. Remarriage is also seen as a means to fulfil emotional needs, such as overcoming loneliness and gaining support from a new partner (Syah & Mulyadi, 2016).

a. Previous Marriage Failure

Previous marriage failure is one of the main drivers of remarriage in Emete Village. Psychological, social and emotional factors influence women's decision to remarry. As stated by Informant 1, *I am already divorced from my second husband. I was married officially to the first one, divorced also officially in the religious court. Married the second time officially, but not officially divorced because I was abandoned by my husband.* This situation illustrates how the experience of an unsuccessful marriage can motivate individuals to seek new relationships to achieve stability in their lives (Bean et al., 2020). Similarly, Informant 3 shared, *My previous divorce taught me the importance of communication and understanding in relationships.* This experience shows that previous failures can provide valuable lessons for individuals, encouraging them to improve themselves and build healthier and more meaningful relationships in the future. John Gottman's 'The Four

Horsemen of the Apocalypse' theory is relevant in understanding the conflicts that lead to marriage failure. Criticism, defensiveness, contempt, and the inability to communicate effectively are often the triggers for marital instability (Rueda et al., 2021).

In addition, remarriage can also be seen as a form of social and emotional investment. By remarrying, individuals hope to gain stable emotional support, which is important for recovery and personal growth after marriage failure (Rasuleva, 2019). The human need for connection and commitment in relationships, as outlined by Praptiningsih (2018), is the main motivation for individuals in Emete Village to remarry. This phenomenon shows that although divorce is a challenging experience, individuals still have optimism towards marriage as a form of recovery and a path to achieving happiness.

b. Economic needs

In situations where individuals struggle to fulfil basic needs such as food, housing or children's education, economic pressures often push them to seek solutions through remarriage. As stated by Informant 1, *'I have three children from my first husband. I remarried because of economic problems and status issues. Although I am a civil servant, I feel that if I have a husband, I can increase my income. Moreover, I have children who are my responsibility.'* Similarly, Informant 4 said, *'My husband is now a successful trader. His income is very helpful in fulfilling the family's needs. At first, I was hesitant to remarry because of bad experiences in the past, but after getting to know my current husband, I am confident to take this step.'*

Remarriage in this context reflects the importance of financial stability for individuals. Gary Becker's economic theory is relevant to understanding this decision, where marriage is seen as a form of social and economic investment that provides benefits to the couple's well-being (Chiappori, 2015). In addition, the ability to manage financial responsibility for children from a previous marriage is an important consideration in this decision. The financial security resulting from a new marriage allows individuals to focus on other aspects of their lives, such as building harmonious relationships and supporting family growth. Du & Mace (2019) said in their research that remarriage can be a strategy to improve quality of life and provide greater economic stability for families.

c. The desire for happiness and peace

The drive to find happiness and peace in life is an important motivation for individuals who decide to remarry. Second marriages are often seen as an opportunity to rebuild a life with someone who can provide emotional support and share similar values

and visions of the future. As confirmed by Informant 2, *'Hopefully this is the last marriage, so that we have a quiet family and can live happily. And we can build a family that is sakinah mawadah wa rahmah. Because marriage is an act of worship in obedience to the commands of Allah subhanahu wa ta'ala.'* Similarly, Informant 3 said, *'I decided to remarry because I felt lonely and often had difficulty dealing with various problems on my own. After my first marriage ended, I felt like my life had lost its direction. When I met my current husband, I started to feel calm.'*

Conflicts in previous relationships often provide valuable lessons, allowing individuals to be wiser in choosing suitable partners and building stable relationships (Widiastuti, 2021). Remarriages not only fulfil emotional needs but also reflect an individual's determination to achieve better life goals with a new partner. This phenomenon shows that even if the first marriage fails, individuals remain optimistic and committed to building a stable and happy family.

d. Gaining Community Recognition

Marriage is not only seen as a form of relationship legality, but also as an important means of gaining recognition and acceptance from society. In a social context, marriage is often a marker of relationship legitimacy, strengthening of social status, and acceptance of individuals in their community. According to research by Haggerty et al., (2023) marriage causes changes in the couple's social network.

This was reflected in an interview with Informant 4, who stated: *'My husband rarely goes to the city. He only comes twice a month. Because the distance is farther than the page. But for me it is not a problem. What is important to me is that I am guaranteed in terms of the economy. And there is already a new status. I am no longer a widow.'* For Informant 1, marriage was not just about the physical presence of a partner, but rather the acquisition of a new status that removed the social stigma of being a widow. This status gave her a sense of security, both economically and socially, despite limited interaction with her husband. Meanwhile, Informant 2 highlighted the sense of isolation felt after the divorce, saying: *'One of the reasons I remarried was to gain confidence and be more accepted by the surrounding community. After being divorced from my first marriage, I often felt judged by my neighbours. My status as a widow made me feel alienated, as if I had no place in the village community.'* In sociological theory, this view is in line with the concept of symbolic interactionism, where social status acquired through marriage creates new meanings that influence the way individuals are perceived by their social environment (Carter & Fuller, 2016).

2. Forms of Remarriage

Remarriage reflects the diversity of individual situations and desires, occurring in different forms that reflect each person's unique life experiences and needs. In the context of Kampung Emete, Mappi District, this phenomenon is evident through two main forms: remarriage after divorce and remarriage without a formal divorce.

a. Remarriage After Divorce

Remarriage after divorce is often a step that individuals take to start a new life, build a more harmonious relationship, and seek happiness that was not found in the previous marriage. As stated by Informant 2, *'The marriage process was that we first reported to the KUA, but because we did not fulfil the requirements, we could not get married at the KUA. Finally we looked for people who knew about how to get married legally. And finally we got married where my guardian was my father's uncle.'* Informant 2's marriage process illustrates an attempt to overcome formal barriers while maintaining religious and social legitimacy. The dowry of a set of prayer tools and a 2-gram gold ring reflects the symbolic value upheld in the community. This marriage also demonstrates family support as an important factor in ensuring social legitimacy.

b. Remarriage without an Official Divorce

Remarriage without an official divorce shows the legal and social complexities in the lives of women in Emete Village. This can be seen in the case of Informant 1, who stated, *'I was officially married to my first husband, divorced officially at the religious court. Married a second time officially, but not divorced because I was abandoned. I have been separated for almost five years. I remarried because of economic and status issues.'* This story reveals how the absence of a legal settlement in a previous marriage encourages individuals to seek emotional and economic stability through a new marriage. Informant 3 added, *'My first husband left without any news for many years, leaving me and my children without any support. Due to the unclear status of the marriage, I decided to remarry in order to get legal and economic certainty.'* This phenomenon reflects the urgent need for legal protection for women facing similar situations.

In Gary Becker's perspective, remarriage becomes an economic strategy to ensure financial and social stability, especially for women with dependent children (Teixeira, 2022). The decision to marry without a formal divorce is often made with pragmatic considerations, such as avoiding conflict with an existing partner or limited access to the formal legal system. This points to the need for more inclusive and supportive legal approaches for women in difficult situations. While the integration of formal legal

approaches may provide additional context, this research aims to prioritise people's lived experiences and their alignment with Islamic principles to capture the nuanced dynamics of remarriage in remote rural areas. The study of formal legal approaches could be a follow-up research.

3. Remarriage in the Perspective of Islamic Law

a. The Validity of Marriage in Islamic Law

In Islamic law, the validity of a remarriage depends on the fulfilment of the pillars and conditions stipulated by sharia, as well as the resolution of the previous marital status (Akhgar, 2024). A valid divorce process is a key prerequisite to ensure that the previous relationship has been clearly terminated and there is no overlap in legal status. According to the studies of Hasbi & Hasbi (2016) dan Nurhadi (2020), divorce can be done through three ways: talak, which is imposed by the husband; khulu', which is requested by the wife by providing compensation; or fasakh, the cancellation of marriage filed through a religious court for certain reasons. In QS. Al-Baqarah: 231, Allah SWT emphasises that divorce should be finalised in a good manner, to protect women's rights and prevent future conflicts.

After divorce, women are required to undergo an iddah period, which is a waiting period aimed at ensuring clarity of legal status, cleanliness of the womb, and protection of the child's lineage. The study by Rohman & Yuliana (2024) adds that Iddah is a waiting period after divorce or the death of a husband, which aims to ensure certainty of lineage and provide time for emotional healing and social adjustment. The iddah period has different durations depending on the condition: three menstrual cycles for non-pregnant women (QS. Al-Baqarah: 228), until childbirth for pregnant women (QS. At-Talaq: 4), or four months and ten days if the husband dies (QS. Al-Baqarah: 234). Ignoring the iddah period, as found in some cases in Emete Village, is not only contrary to Shari'ah but also risks the new marriage being deemed invalid and the issue of offspring (Pomahiya et al., 2022).

In addition, repeated marriages must fulfil the pillars of marriage, such as the presence of a marriage guardian, Ijab Kabul, fair witnesses, and the provision of a dowry (QS. An-Nisa: 4). The guardian plays an important role in ensuring the validity of the marriage, as the Messenger of Allah (SAW) affirmed: *'No marriage is valid without a guardian.'* (HR. Ahmad). Neglect of any of these pillars, such as the exclusion of the guardian or the absence of a fair witness, may result in the marriage being deemed void.

In the context of repeated marriages, Informant 1's case demonstrates a violation of these principles. The second marriage was entered into without an official settlement of the previous marriage, which led to uncertainty about legal status. In Wardana et al., (2020) research, a marriage between a couple who had not been legally divorced was legal in Pohsanten Village, as the woman concealed her original marital status with her first husband. This situation not only violates sharia rules but can also lead to confusion of lineage and conflict in the future. According to Shalehah (2022) a second marriage without the permission of the first wife can lead to criminal sanctions and the first wife can demand the cancellation of the marriage. Therefore, it is important to ensure that repeat marriages not only fulfil the pillars and conditions of Islamic law, but also provide protection to the women and children involved.

The validity of remarriages also has significant implications for the rights of women and children, such as maintenance, inheritance, and recognition of legal status. By ensuring the validity of the marriage through the correct procedure, Islamic law provides fair and comprehensive protection for all parties, and guarantees blessings in the marriage relationship.

b. Justice and Transparency in Remarriage

In Islamic law, justice is a key principle in marriage, especially when a husband decides to marry more than once. In QS. An-Nisa ayat 3 confirms that a man is allowed to marry more than one woman only if he is able to be fair to them. Otherwise, Allah SWT recommends marrying only one woman to avoid injustice. The justice in question includes providing maintenance, protection, and a decent place to live, as well as equal treatment in material and non-material aspects (Robikah, 2021). The Prophet SAW warned in a hadith: *'Whoever has two wives, then he leans towards one of them, then he will come on the Day of Resurrection with his body tilted.'* (HR. Abu Dawud).

In the context of remarriage in Emete Village, this principle of justice is often not fully applied. Take the case of Informant 2, where the husband married a second time in secret without the knowledge of the first wife. This action violates the principle of transparency taught in Islam. The Prophet Muhammad said: *'Announce the marriage, and hold a walimah even if it is only with a goat.'* (HR. Tirmidhi). Non-transparency in marriage not only harms the first wife, but also has the potential to cause injustice to the second wife, who may feel emotionally and financially disadvantaged (Kemala & Lumingkewas, 2022).

The husband's obligation to be fair also includes the fulfilment of financial rights. In the case of Informant 1, it was found that the husband from the previous marriage did not fulfil his financial responsibilities to his children, which is contrary to QS. Al-Baqarah: 233: *'And it is the duty of the father to feed and clothe the mothers in a fair manner.'* This failure to fulfil financial responsibilities not only violates sharia but also affects the well-being of the children (Hasibuan, 2022). Even in a new marriage, good, transparent and fair financial management is essential to ensure that the needs of the wife and children from the previous marriage are still met.

Justice is also relevant in the context of divorce before repeated marriages are performed. According to Sulalah & Halida (2023), husbands who divorce their wives are obliged to provide maintenance during the iddah period and settle other financial obligations, such as outstanding dowry or compensation as agreed. Neglect of these obligations, as found in some cases, not only violates sharia but also places women in a vulnerable position economically and socially.

Overall, justice in remarriage is not only a moral principle, but also a legal and social foundation that must be upheld to maintain household harmony. By ensuring fairness in the aspects of maintenance, protection, and respect for the rights of wives, remarriage can be a path to blessing and prosperity for all parties involved. Evaluation of the implementation of this justice is essential to ensure that women's rights, both from previous and new marriages, are maintained within the framework of Islamic law..

c. Siri marriage (without official registration)

Siri marriages, although valid in terms of sharia if they fulfil the pillars and conditions of marriage, have significant legal and social implications. In Islamic law, the pillars of marriage include the presence of a guardian, Ijab Kabul, valid witnesses, and the provision of dowry. The Prophet said: *'There is no marriage except with a guardian and two fair witnesses.'* (HR. Ahmad). However, in the context of state law, siri marriages that are not officially registered can pose great risks, especially for women and children. They lose important legal protections, such as the right to maintenance, inheritance, and recognition of marital status (Susilo et al., 2022).

In the case of Informant 2, where the marriage was conducted in secret without official registration, serious potential legal and social problems arose. The lack of official registration leaves the wife and children of the marriage vulnerable to losing their rights. This is contrary to the purpose of Islamic law, which not only emphasises the validity of marriage but also protects the rights of women and children.

In addition, siri marriages require clarity on the legal status of women, especially if the previous marriage has ended in divorce. This clarity is realised through the implementation of the iddah obligation, which is a waiting period for a divorced woman before she can remarry. QS. Al-Baqarah: 228 states: *'Let the divorced women refrain (wait) three quru' (menstrual cycles).'*' In the context of repeated marriages in Emete Village, there are many cases where women who enter into siri marriages have not completed the iddah period from their previous marriages. The neglect of the iddah period shows a lack of understanding of the importance of sharia rules that protect women from confusion of legal status and social conflict.

The neglect of official registration also exacerbates the vulnerability of women in society. In the state legal system, marriage registration serves to ensure that the rights of women and children are protected, both in terms of maintenance, inheritance, and recognition of legal status (Mariadi, 2023). To prevent these negative impacts, contemporary scholars advocate marriage registration as a measure that is in line with the maqashid of sharia, namely protecting women's rights and welfare and maintaining justice in marriage (Mohamad Kasim et al., 2022).

It is also important to remember that iddah not only provides clarity of legal status but also gives women time for reflection and emotional recovery after divorce. Conversely, neglect of the iddah period and the absence of official registration can exacerbate social stigma against women, especially in societies that uphold customary and religious norms (Pomahiya et al., 2022). Therefore, iddah and official marriage registration are key elements in ensuring the validity and blessing of repeat marriages, while protecting women's rights from the perspective of Islamic law and state law.

Conclusion

The phenomenon of remarriage in Emete Village, Obaa District, Mappi Regency, South Papua, is influenced by various factors, forms, and psychological implications. The main factors driving remarriage include the failure of previous marriages, where women feel dissatisfied due to unresolved conflicts; economic pressures that drive them to seek financial stability, especially for those with dependent children; the desire for happiness and emotional peace that has not been achieved in previous marriages; and the drive to gain social recognition and avoid the stigma of being a widow.

The two main forms of remarriage found are remarriage after a legal divorce, and marriage without a legal divorce, which often leads to legal and social problems. Remarriage in Islamic law is permissible as long as it fulfills the principles of validity,

justice and responsibility in accordance with Shari'ah. Clarity of previous marital status through a legal divorce process is essential to avoid legal conflicts. Husbands are obliged to be fair and transparent, especially in second or multiple marriages, to protect the rights of wives and children. Official marriage registration is recommended to ensure legal protection for all parties and guarantee a harmonious and blessed marriage. Further research is needed to develop effective interventions to address these challenges. With a comprehensive approach, it is hoped that remarriage can provide a path to a more stable, just and prosperous life for all parties involved.

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