

Investigation of Social, Financial and Emotional Rights of a Wife in Divorce Based on Shahid Sani's Viewpoint and Mohaghegh Ardabili

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Abstract:

Divorce as the most important factor in the dissolution of marriage, creates rights for the wife that no particular jurisprudence has provided specific qualifications for those categories of rights so far. The ambiguity in this issue and the lack of clarity of the scope of the wife's rights were caused by divorce to use the descriptive-analytical method To study the works of Mohaghegh Ardabili and Shahid Sani as two of the great scholars of the Islāmic Imams. After the reviews we could consider three categories of "social rights", "financial rights" and "emotional rights" for women, It can also be said that although in principle the wife's rights there is no difference between the opinion of Shahid and Mohaghegh, But they differ in the scope of these rights, This difference seems to be based on the common rules of law at the time of each of these two jurisprudence. As far as Mohaghegh considers certain matters as obligatory duties on the man However, Shahid considers these matters with moral implications.

keywords:

Dissolution of marriage, divorce, social rights, financial rights, emotional rights