



A Critical Analysis of Jurisprudential References to Verses 3 and 129 of Surah An-Nisa Concerning Justice Among Wives

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Introduction

This article critically examines the jurisprudential reliance on verses 3 and 129 of Surah An-Nisa concerning justice among wives, focusing on financial maintenance and the equitable division of time. Drawing upon exegetical and jurisprudential literature within Shi'a thought, the paper argues that verse 3 primarily addresses obligatory financial rights rather than non-financial equality. Meanwhile, verse 129 emphasizes the unattainability of emotional equity, without negating the responsibility of fair treatment. The findings clarify interpretive inconsistencies and contribute to a more precise application of Qur'anic guidance in jurisprudential rulings. Keywords: Justice among wives, polygyny, Surah An-Nisa, Shia jurisprudence, husband's obligations, marital rights of women Introduction Verses 3 and 129 of Surah An-Nisa address justice among wives. Verse 3 obligates men to uphold justice; failure to do so necessitates limiting themselves to one wife. Verse 129, while denying the possibility of perfect justice, insists that no wife should be left neglected. Hadith literature emphasizes equitable division of nights and financial maintenance (Nafaqah). Despite their limited explicit relevance, these verses are frequently cited in rulings on conjugal time and maintenance. Some jurists connect them directly to the right of division of time and financial obligations, whereas others deny this link and delve into interpretive discussions. A critical reassessment of these attributions is

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vital to clarify jurisprudential foundations. Research Questions How do verses 3 and 129 relate to Nafaqah and the right of equitable time division, and how can contradictory fatwas be evaluated in light of these verses? If verse 129 is unrelated to these issues, which exegetical interpretations are defensible, and what is its correct jurisprudential implication? Literature Review Previous works have addressed this subject from ethical, legal, and exegetical perspectives. Among notable contributions are studies by Naqibi (2009), Emami (2014), Pourabdollah & Mohammadhasani (2018), and graduate theses by Khajeh Kallaei (2009), Mirhuseini (2018), Zahari (2019), and Karimi (2020). Methodology This study employs descriptive-analytical methods to analyze Shi'a juristic opinions extracted using the Noor Comprehensive Jurisprudential Library. Rulings are classified and assessed through textual and contextual interpretation of the verses. 1. 2. 1 Findings and Discussion Verse 3 indicates obligatory financial justice rather than absolute equality or emotional fairness. Juristic references claiming it implies equal time division or conjugal rights lack substantiation from textual or narrational sources. Verse 129 addresses emotional inclinations, stating that complete fairness is impossible but warning against total neglect of any wife. Jurists who derive from this verse the permissibility of neglecting conjugal time or financial duties err in interpretation. Internal textual evidence and supporting narrations affirm the verse pertains to expressions of affection, not tangible obligations. A wife deprived of affection and marital intimacy, despite cohabitation, falls under the Qur'anic description of "suspended." The Qur'an denounces such treatment. Thus, a man with multiple wives must ensure justice in Nafaqah, conjugal time (Baytuta), and relations. Minimum jurisprudential standards include spending at least one night per four with each wife and engaging in conjugal relations at least once every four months. Conclusion This analysis concludes that verse 3 establishes the obligation of financial justice, without implying the necessity for complete equality. Verse 129 pertains to emotional and expressive aspects of love, not legal duties. Jurists must distinguish between unattainable emotional equity and enforceable obligations, refining the application of Qur'anic principles in marital jurisprudence. Recommendations Future jurisprudential discussions should clarify the distinction between ethical ideals and enforceable duties. Exegetes must emphasize contextual readings of verses alongside narrational evidence.

Keywords: Justice among wives, polygyny, Surah An-Nisa, Shia jurisprudence, husband's obligations, marital rights of women

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