What We Know about Maʿrūf

A. Kevin Reinhart

Dartmouth College

a.kevin.reinhart@dartmouth.edu

Abstract

Conventionally, Qurʾānic ethics is derived from the Qurʾān and Prophetic *ḥadīth*, (along with certain rules of application) to form norms of moral conduct—*sharīʿah*. This paper argues that a study of the term *maʿrūf*, (meaning literally, “known”) which occurs in three contexts in the Qurʾān, suggests that the Qurʾān itself assumes that revelational knowledge is to be supplemented with conventional moral understandings of what is right and wrong.

Aside from one set of usages that seem to mean “candor” in the making of commitments, the emphatic summons to “do the *maʿrūf*” does not stipulate what that “known” thing is. The implication is that one knows, from social conventions and moral intuitions extrinsic to revelation, what to do. It follows then that “Islamic ethics” ought to be composed of revelational sources, supplemented by the moral knowledge of Muslims at any given time and in any given place.

Keywords

maʿrūf – ethics – Qurʾān – epistemology – sociology

* A. Kevin Reinhart, is an Associate Professor, Dartmouth College, NH USA. He trained at the University of Texas and Harvard University. His research includes work on Ritual, Ethics, Late Ottoman Intellectual History, and the Study of Islam within the Study of Religion. Current research deals with varieties of Islam and Islamic ritual.

It is a pleasure to thank the Research Center for Islamic Legislation & Ethics (CILE) and all its helpful staff, and particularly to my host Dr Mutaz al-Khatib. I am also grateful to the learned colleagues who also participated in the conference from whom I learned a great deal. I was honoured by the incisive comments of Shaykh Yūsuf Qaradawī and Professor Tariq Ramadan. This paper is also informed by the discussion around a somewhat similar paper, delivered in Qum, 2013. I would like to thank my host there at the International Foundation of Esra Revelational Sciences, Professor Mohsen Javadi and my interlocutors there, especially Dr. Muḥammad Legenhausen and Ayatollah Aḥmad Aḥmadī.

1 Introduction

Those who attempt to “legislate” from the Qur’ān assume that *fiqh*—the Islamic legislative-ethical system used to determine *sharī‘ah*, is a closed system. In this system the sources of legislation are, classically, the Qur’ān and the *Sunna* of the Prophet (the practice of the Prophet between the first revelation and his death in 632—augmented by the *sunna* of those of his generation, the Companions—and then, internally, by analogy from a known assessment to an unknown one. This is the closed system sketched out by al-Shāfi‘ī (d. 204/820). Though the various *madhāhib*, including the Ja‘farīs, have minor differences, this is the basic model of ethical reasoning that is the norm to this day among those trained to seek ethical or legislative guidance from the Qur’ān. It is a closed system because all points of reference in this ethical reasoning system are to seventh and early eighth century data and practices. This remains true even if techniques such as “bearing in mind the aims of the sharī‘ah (*maqāṣid al-sharī‘ah*)” and the “general principles of legislative reasoning” are included. (On *qawā‘id* and *maqāṣid* see El Shamsy, 2005; Heinrichs, 2001; Masud, 2000; Elgarani, 2012).¹

It is my contention here that, despite the success and profound insights achieved by the jurists during the past centuries, this model, whatever its virtues, is somewhat at odds with the model of ethical knowledge presented in the Qur’ān. The operative model is derived in a comprehensible way from the Qur’ān, but it is, on some important methodological points, ignoring the Qur’ān’s own injunctions, I believe. If there is any merit to this argument, perhaps Muslims in Islam’s 15th century will find something here upon which to

1 On the formal “rootedness” of *qawā‘id* in 7th-century sources see El Shamsy, p. 1: “The genesis of the maxim ‘certainty is not erased by doubt’ involves four stages, beginning with the Hadith which states: ‘If one of you has doubts regarding his prayer, let him discard the doubt and build on the certainty.’ This Hadith refers to a specific situation where one is uncertain whether one has completed three prayer cycles or four; it contains no suggestion of wider applicability beyond this particular case. In the second stage, ash-Shāfi‘ī (d. 204/820) expanded the scope of this verdict to cover a closely related question, regarding doubts about the ritual cleanliness of a place of prayer: ‘If he prayed in a place and then doubted whether or not it had been affected by impurity, his prayer is valid and the ground is [considered] pure until impurity is ascertained.’ In the third stage, ash-Shāfi‘ī progressively drew out and isolated the certainty/doubt distinction implicit in the original Hadith by using it to resolve cases which bore less and less resemblance to the initial question. For example, regarding confession he concludes: ‘The default case in matters of confession is to adhere to certainty and to discard doubt.’ The final step, which was taken by scholars following ash-Shāfi‘ī, was to turn this implicit principle into an explicit maxim, expressed in abstract and generally applicable terms: ‘Certainty is not erased by doubt.’”

reflect. The task for the religious of all denominations is constantly to attempt to fathom the full scope of revelation's guidance. For Muslims, as for other revelationally guided believers, there have demonstrably been changes and, one might say, growth in their understanding of Scripture over time. Consequently there is every reason to reconsider the Qur'ān's guidance to humankind.

2 The Problematic

The prevailing understanding of Qur'ānic ethics among both fundamentalists and critics of Islam is that the Qur'ān provides a set of specific and quite rigid rules for living the Islamic life. These rules constitute the *sharī'a*, usually translated as "Sacred Law," and they justify the claim that "Islam is more than a religion," that "Islam is a way of life."

Yet from the point of view of the History of Religions, and Comparative Ethics, this commonly-held belief that the Qur'ān is made up of rules poses a historiographical problem. Islam was arguably the first "world religion," and it has proved a meaningful way to live in an astonishing set of geographical and sociological environments—urban and rural, tropical and desert, pastoral, agricultural and urban. One would expect that diversity and flexibility would characterize such a religious system, rather than the rigidity and prescriptivism that its haters and some of its proponents ascribe to it. This is not just an expectation, but a requirement for any institution not simply to survive but to thrive in immensely varied social and ecological circumstances. The assertion that the Qur'ān is primarily about "rules," must be, in whole or in part, wrong, on *a priori* grounds. Reading the Qur'ān itself, without presupposing subsequent Islamic intellectual and epistemological developments makes it clear, however, that the Qur'ān's account of norms of behaviour, ethics, and virtue is more complex than either its fundamentalist adherents or its prejudiced critics understand. That more complex Qur'ānic ethical methodology is the subject of this paper.

It is not just *a priori* assumptions about the Sociology of Religion that rebut the notion that the Qur'ān's ethics are a set of rules Muslims carefully follow. The recognition that the Qur'ān's ethics is not about "rules" also fits with the arguments of those like Robert Dworkin, who asserts that mere rules are never enough to create ethical and law-abiding humans. (Dworkin, 1986 and *idem*, 1977). Dworkin argued that, more than rules, what he calls "principles," are also an indispensable part of the law. The notion of reading the Qur'ān for principles and not rules was also the argument of Fazlur Rahman. (Rahman 1985). It is not, however, that the result of a new examination of the Qur'ān's ethical

principles would result in a Qur'ān-only approach to Qur'ānic legislation, to a rejection of *sunna*, *ijmā'*, and other positivist sources of Islamic legislation. That is not my point here.

Instead, the fact that early Islamic intellectuals supplemented the Qur'ān must be seen, I believe, as proof they understood the Qur'ān to be pointing outside itself, that the Qur'ān required further elaboration and supplementation. In short, when early Muslims turned toward sources of knowledge other than the Qur'ān to understand how to act in accord with Qur'ānic intentions this was not a misunderstanding, nor was it due to some sort of deficiency in the Qur'ān itself. Rather, the point is that the search for other, complementary sources, of ethical knowledge is part and parcel of Qur'ānic ethics; the turn to the use of extra Qur'ānic moral knowledge is stipulated by the Qur'ān itself.

The most striking fact of the Qur'ān is not that it contains rules—often quite detailed rules about family, property, and society—that should really surprise only Christians and especially contemporary Protestantized Christians whose normative model of religion is of religion comprised only of concepts, sentiments and dogmas—in other words, mental rather than bodily practices. For those antagonists, rules of practical action are distinctly secondary and even hazardous, since “the written law inflicts death.” (Paul 2 Corinthians 3:6 Knox translation). That distaste for rules is simply a theology-driven choice. Certainly the belief that rules lead necessarily to rigidity, or even transgression, is based itself on a naive view of reading, as we will see. More to the point, I will argue that the Qur'ān's ethical discourse, even when it is providing what seem to be “rules,” is in fact open-ended and contextual, and yet it demands a careful situational analysis shaped by local and temporal norms. The Qur'ān, as I see it, calls for ethical knowledge based not solely on revelation itself but on revelation informed by norms extrinsic to the revelational text.

This essay is an offshoot of a larger project examining Islamic variation. It is my contention that, seen from the outside, the set of beliefs, practices, attitudes, and values that constitute what we mean by “Islam,” is like a language, constituted of Standard forms, Dialect forms, and what I call Koiné forms—practices and notions to which, on the surface, nearly all Muslims commit—even if the way they conceive it, understand it and so on, is actually quite variable.

A methodological note: It should be obvious that the time-worn study of Qur'ānic meanings using *tafsīr*, dictionaries, poetry etc. cannot by itself help understand the Qur'ān as its listeners understood it at the time of revelation. Surveys of *tafsīr*—Mujāhid said this, al-Ṭabarī said that, al-Naysābūrī said another thing—is from one perspective, just an exercise in *taqlīd*, whether Muslim or Orientalist. A survey of *tafsīr* to understand this aspect of the

Qur'ān is a dead-end. There is value in such surveys of course—they are valuable sources to understand not the Qur'ān but the *reception* of the Qur'ān over time. Given the self-authenticating notion of Qur'ān—it's authority is not established by *ḥadīth* or *tafāsīr* or any other extraneous source—the attempt to recover the ur-meaning of a Qur'ānic concept requires an intra-Qur'ānic inquiry rather than a stratigraphic inquiry into the third century, fourth century, sixth century and following, understanding of the concept at issue.

To break from the accretions of the post-Qur'ānic cultural and religious developments and other forms of pious imitation, I have used primarily only the Qur'ān itself, to the extent possible, as a source. Later works, dictionaries, *ḥadīth*, poetry, *tafāsīr*, necessarily reflect the later Islamic tradition as it created itself over time; to cite them for understanding the Qur'ān is a circular process that only confirms later understandings and projects them onto the time of the Qur'ānic revelation. Indeed, as we will suggest, these penumbral sources are often the products of a process that may be at odds with Qur'ānic intention. Yet it is interesting to note that even some of the scholars who immersed in the closed-system methodology nonetheless recognized the open-texturedness that I believe to be a neglected aspect of the Qur'ān's ethical injunctions.

This paper, then, is about a feature of the Qur'ān—which understood in its own context—I believe reflects the flexibility and adaptability implicit in Islam's successful integration into the world's various cultural environments. The Qur'ān's own ethico-epistemological injunctions justify a re-examination of “Qur'ānic” or “Islamic” legislation's methodology, whether performed by scholars or elected legislators.

3 Rules in the Qur'ān

The notion that the Qur'ān is “full of rules” is hard to sustain if one examines the Qur'ān carefully. The belief that the Qur'ān a book of stipulations arises partly from the accident of the Qur'ān's arrangement: the first several *sūras* in the redacted Qur'ān—*al-Baqara*, *Āl 'Imrān*, *al-Nisā'*, *al-Mā'ida*, etc.—have a relatively high percentage of rules that (following traditional dating) arose during the creation of the Islamic polity in Madīna: rules for marriage and divorce, inheritance and incest rules, food rules, contract and diplomatic relations, and so on. The presence of these rules obscures the other *ethical* injunctions that are in fact far more frequent in Qur'ānic discourse. Even focusing on the obvious prescriptive rule-making texts, however, there is a general agreement that even the most generous accounting of Qur'ānic prescription gives one only some 500 rules in the entire Qur'ān. (Al-Zarkashī 1984/1404, 2: 3–4). This is

nowhere near enough to be the basis for a rule-driven religion or system of ethics. Consequently, in the early days of Islam the Qur'ān was mostly understood not as a “rulebook,” despite having norms (called *sharā'i* and *ḥudūd* in early texts) that defined one's commitment to the Islamic vision. (See Reinhart 2001 and 2014).

An obvious proof of this point is that all the various early Islamic communities quickly developed theories of Qur'ānic augmentation. Some invoked charismatic guides and leaders—the Imāms and in some views the caliph (Crone and Hinds 1986); some invoked the *sunna* of the early generations, the anecdotes about Companions and the Prophet. All sought to “fill in the gaps” in the Qur'ānic revelation. In short, early Muslims and their Qur'ānic interpretative practice was *never* limited only to the subset of the Qur'ān concerned with explicit rules (*aḥkām*), and early Muslims knew it.

3.1 *The Vocabulary of Qur'ānic Virtues*

Let us consider only a few of the large number of Qur'ānic words that denote “virtue” in the broad sense. In this way we may come to understand what the Qur'ān understands to be “the good.” It is helpful, for the purposes of contrast, to begin with a word that the Qur'ān defines quite explicitly, to help understand virtue-concepts more directly relevant to the argument at hand.

An important Qur'ānic “virtue word” is derived from the root letters *b-r-r* (Izutsu 1966).² The most common form is the nominative, *al-birr*, used eight times in the Qur'ān (Q 2:44, 177 [twice], 189 [twice]; 3:92; 5:2; 58:9). In all cases these usages come from Medinan revelations. In Qur'ānic usage, *birr* connotes virtue, or righteousness, in the context of religious attitudes and acts, as in the verbal form Q 2:224: { ... act well (*tabarrū*), fear God, and reconcile people,} or Q60:8: { ... to be good to [your opponents] and be equitable toward them.}

The term came from pre-Islamic religiosity and ethics, and seems to have meant “piety”—especially towards one's parents,³ benignity, but also a state of heightened and disabling purity resulting from ritual consecration practices, especially of the Ḥums. (See *EP* s.v. Ḥums). Q 2:189 addresses what seems to be a pre-Islamic taboo connected perhaps to the *ḥajj*, according to which people in the state of consecration (*iḥrām*) had to leave and return to their houses via back doors and even holes under walls. (Snouck Hurgronje 2012, 45; Juynboll 2007). The cultic usage is directly confronted by the Qur'ān: {It is not

2 My short account of *birr* is at most *supplemental* to the exhaustive study my colleague Dr. Abdalrahmān al-Ḥelal presents elsewhere in this volume (on pp. xx–xx).

3 From the same root comes the verb *barra*, which seems to mean, literally, “to be pious,” that is, filial toward parents (see Q 19:14, 32). God Himself is called *al-Barr* (Q52:28).

birr to go to houses from their backs but rather, pious is the one who fears God (*wa-allādhinna' l-birra mani 'ttaqā*).} The verse continues with an exhortation to enter houses by their doors (*abwāb*) and to fear God. This passage follows the general Qur'ānic presentation of piety which is often a redefinition of the term by using a series of lists (*birr* is not X but Y). Here it is clear that the Qur'ān redefines a cultic practice and reconceptualises it as a matter of interior disposition rather than, or in addition to the ritual act. From cultic act, *birr* becomes the Qur'ānic understanding "God-consciousness" (*taqwā*) as Rahman and Asad translate the term.

More elaborately, at Q 2:177 *birr* is once again defined over against cultic practice, in this case the previous *qibla* from which Muslims have been redirected and turned in worship to Mecca:

{It is not *birr* that you turn your faces to the east and the west, but *birr* is [found in] one who has faith in God and the last day and the angels and the Book (q.v.) and the prophets, and [one who] gives wealth from love of Him to kin and orphans, and the unfortunate and *ibn al-sabīl* [probably those who have recently immigrated to Medina], and to those who ask; [the one] who frees slaves and undertakes worship and pays *zakāt*, and those who fulfil their compact (*'ahd*) when they make compacts, and the steadfast (*al-ṣābirīn*) in adversity, in stress, and time of tribulation; those who have integrity (*ṣadaqū*)—these are the ones who fear God (*al-muttaqūn*).}

The cultic prescriptions so dear to legists are not dismissed—one is still to perform *ṣalāt*, pay *zakāt*, and turn in a certain direction when praying, but those practices are subordinated in what one of my teachers called the "semantic re-filling" of the term *birr*. The *muslim*⁴ internal disposition toward God, the *muslim*'s ethical judgment—these are the new meanings assigned to *birr*. Virtues such as generosity towards the vulnerable are listed along with the cultic worship and payment of one's religious dues in such profusion as to overwhelm the merely cultic and to subordinate it to the dispositional and the ethical.

This is confirmed in three instances (Q3:92; 5:2; 58:9) where *birr* is paired with *taqwā*, "piety" or "an awareness of God," or some derivative of the root letters *w-q-y*; in all cases it is overtly virtue, not cultic conformity in a religious

4 I take WC Smith's point seriously, that the Qur'ān is concerned with the "submitter" (*muslim*) more than with members of a certain "religion" (Muslims).

context that is implied. {You do not attain *birr* until you spend (*tunfiqū*) from that which you love; and whatever you spend, God is aware of it. (Q3:92).}

It seems that by the end of the period of Qur'ānic revelation, a vocabulary defining virtuous membership in the community had been developed. *Birr* was among the terms that signified "religious" practice, in the pre-Islamic world but were redefined to convey a new, Qur'ānic, ethical sense. Piety in the Qur'ān is not just doing the right act, or observing the right taboos, but the inner disposition and attitude that transcends that act. In the Qur'ānic understanding, it is not rules, but attitude that is central to virtue.

3.2 *The "Emptiness" of Qur'ānic Virtue Terms*

Though *birr* has been redefined away from its cultic and familial origins, it retains—through lists of conceptual synonyms—a degree of specificity that allows us to recognize the new perspectival, understanding the term. But other important terms seem so amorphous, so underdetermined that one begins to suspect that their under-determination is the point. (For one survey of Qur'ānic ethical terms see Reinhart 2002, 55–79).

For example, the very common term for good and good works (*khayr*, *khayrāt*) are as vague in the Qur'ān as the English terms we use to translate them: {Vie with one another in good works} (Q2:148); see also Q3:114 where it is linked with "enjoining the *ma'rūf*." (See below for a discussion of this term.) The term usually is stereotyped with the word "vie in" or "hasten to" (e.g. Q23:56). *Khayr* itself means "good," and in certain contexts has an explicitly moral sense, as in Q3:26: "In your hand (God) is the good (*al-khayr*)."¹ Izutsu points out that this term usually refers to bounty and wealth, or to bounty and wealth, properly used. (Izutsu 1966, 217f; but see also Q5:48; 8:70). It is things we like or of which we approve. *Khayr*, then, is what we might call a natural good, but beyond that not much more can be said.

Likewise, it is difficult to translate *ḥ-s-n* and its derivatives more precisely than with the word "good." Aside from aesthetic description and mere approval in a number of places, the root sometimes suggests ethical action: {Then we gave Moses (q.v.) the book complete for those who do good (*alladhī aḥsana*) ...} (Q6:154). The most obvious "ethics" usage of the root is with the form *iḥsān*, which occurs twelve times (Q2:83, 178, 229; 4:36, 62; 6:151; 9:100; 16:90; 17:23; 46:15; 55:60 [twice]), e.g. "kindly treatment of parents" (Q 2:83, *bi-l-walidayni iḥsānan*), or "Divorce twice, then take back with *ma'rūf* or release with *iḥsān*" (Q2:229). The point of these passages is to incite the listener to proper behaviour. Izutsu suggests that the root *ḥ-s-n* refers to pious acts and includes ethical acts informed by the pre-Islamic virtue of prudent forbear-

ance (*ḥilm*). (Izutsu 1966, 224ff). More often, it is overtly a reference to religiously-approved behaviour, especially when this form is used in the plural, e.g. Q3:172: {Those who responded to God and the messenger after the wound befell them, for those among them who did well (*aḥsanū*) and feared God—a mighty reward!}

One passage that suggests a progression of virtuous development, or a hierarchy of ethical values is the following: {For those who have faith and do good deeds (*ṣāliḥāt*), there shall be no transgression (*junāḥ*) concerning what they have eaten. Therefore [be one of those who] fear God and have faith and do good deeds (*ṣāliḥāt*), then fear God and have faith, then fear God and do kindness (*aḥsanū*); God loves those who do kindness. (Q5:93).}

The most frequent word for virtuous conduct is *ṣāliḥ* or other words from the root which occur some 171 times in the Qur'an. The root appears in verbal forms as in, {Who does right (*man ṣalaḥa*) from among their fathers, wives, and offspring [shall enter the garden]} (also Q40:8; 13:23). Its most common form is a nominal plural in stereotype with 'amala as "do good deeds," or "those who do virtuous acts" (*alladhīna 'amalū l-ṣāliḥāt*). (E.g. Q2:25 and numerous other instances). *'Amala l-ṣāliḥāt* is so common as to amount almost to a chorus in Qur'anic discourse. *Ṣāliḥ*-type acts explicitly earn the doer paradise. (Q2:25; 5:93; 18:107.) Very often *ṣāliḥ* is joined to other fundamental Qur'anic concepts, as in Q5:93 which we've already seen: { ... Therefore—[be one of those who] fear God and have faith and do good deeds (*ṣāliḥāt*); ...}

The twinning of faith and good works leads Izutsu to speculate that *ṣāliḥ* is the outward expression of the faith (*īmān*) so often enjoined by the Qur'an. (Izutsu 1966, 204). In passages that read like catechisms of what it means to be a virtuous Muslim, *ṣāliḥ* is frequently found among the qualities listed. (See, for instance, Q2:277; 5:89). Yet, for all its prominence in the Qur'an, the *ṣāliḥ* act, attitude, mentality, is undefined, vague, unspecified, and this amorphousness it shares with the other important terms for virtue that is the real focus of this paper.

3.2.1 Ma'rūf

The term that best helps us to understand the nature of Qur'an ethical prescriptions is *ma'rūf*, a word that appears repeatedly (in slightly varying forms) in the Qur'an, yet that seems to require little explanation from either the Qur'anic text or from commentators.⁵ If we follow either Nöldeke or the tradi-

5 See the discussions on the first occurrence of the term, Q2:178, in al-Ṭabarī 1968/1388; al-Naysābūrī 1962–1964; al-Qurṭubī 1414/1994). No ancient Qur'anic commentary of which I am aware spends any time discussing the term on its first occurrence. This means both that

tional Muslim arrangements, it is striking that all of these usages of *ma'rūf* are from the Medinan period—supposedly the period of Qur'ānic legislation *par excellence*. (Nöldeke et al., 2013; al-Suyūṭī 1426, 43ff). *Ma'rūf*, therefore, is likely to be a term of ethical and legal legislation. A close reading of its semantic scope, and consideration of its location in the Qur'ānic text may prove enlightening for the problem of Qur'ānic legislation and ethics.

At first glance the term appears not to be complex lexicographically. *Ma'rūf* is simply the passive participle to the usual verb “to know” (*ʿarafa*). Yet its usage, and the turns of phrase translators and commentators are compelled to use, as well as the diverse periphrastics used by the commentators, suggests that mere etymology will not be enough to understand this term of ethical evaluation.

The word in all three grammatical cases, definite and indefinite, adjective, adverb, and noun, appears 39 times in 36 *āyas*. (See the appendix for a complete list of *ma'rūf* occurrences in the Qur'ān). It is often paired with *ihsān*, usually translated as “kindness,” and is itself often translated merely as “kindness.” It is frequently an adjective, e.g., “*Qawl^{un} ma'rūf^{un}*” (e.g., Q47:21; 2:263) but it is most interesting when it straddles the line between adverb and noun. “*Bi-l-ma'rūf*” functions Qur'ānically both to tell us *how* something is to be done and *what* is to be done: { ... so long as you give them what you provide them *bi-l-ma'rūf*. (Q2:233)} Indeed, in the *aḥkām* verses, *ma'rūf* often modifies a command—pay *bi-l-ma'rūf*, for instance. (See also Q2:228, 2:178 and elsewhere): {*Wa-ʿāshirūhunna bi-l-ma'rūf* (and consort with them in kindness) Q:4:19]}

Commonly cited for the Islamic ethico-legal tradition is the injunction to “command the *ma'rūf* and forbid the *munkar*.” (Q3:104 and seven other times): {O my son: Establish worship and command the *ma'rūf* and forbid wrong. (Q31:17)} Here *ma'rūf* cannot mean “kindness.” What *does* it mean? Michael Cook says concisely: “There is no indication that [*ma'rūf*] is itself a technical or even a legal term.... Thus it seems that we have to do with the kind of ethical term that passes the buck to specific standards of behaviour already known and established.” (Cook 2000, 15).

Ma'rūf does not occur in the sorts of equational lists we saw with *birr*: “It is not this, it is that.” Close attention to the Qur'ānic text, confirms that the Qur'an always uses the text “the *ma'rūf*” without further explanation. Our only clue in the Qur'ānic text is that *ma'rūf* means “the known.” But how is it known? Nothing in the use of *ma'rūf*, stipulates how the *ma'rūf* is known—the Qur'an does not say “*ma'rūf bi-l-sharʿ*” or “*ma'rūf min al-nabī*” or *min ūlī al-amr*

the commentators found the term self-explanatory and that, consequently, they are of little value when we try to understand the term as the Qur'an intended it at the time of revelation. See appendix for a complete list of *ma'rūf* occurrences in the Qur'an.

or *min ahl al-ʿilm* or anything else. It similarly does not specify what exactly is “known.” “Do good deeds. Do kindness.” “How anodyne!” one might think. How boring: “Be a good person.” Is this helpful to a person facing a temptation or an ethical dilemma? I believe the answer to be “yes, this *is* helpful.”

The first thing to notice is precisely that the Qurʾān does not need to spell out what and how everything is to be done. The Qurʾān assumes that *some part of the good enjoined by the Qurʾān is known without revelational stipulation. It is ordinary knowledge to which the Qurʾān refers.* “You know what to do and how to do it,” says the Qurʾān. “Do it the right way. You know the difference between doing something with kindness and doing it grudgingly, obeying the spirit of the law and not merely the letter.” In other words, the Qurʾān not only provides a particular and unique species of knowledge through revelation, but it also points to the moral knowledge of the Meccans and Medinans and indeed all the Arabs hearing the Qurʾān between 612 and 632 c.e. (See Hodgson 1974, vol. 1, 163).

The appeal to extra-textual moral knowledge was recognized, and indeed canonized, as an epistemic principle by al-Shāfiʿī in his *Risāla* when he said that understanding the Qurʾān depended upon grasping the various implications of a Qurʾānic declaration that were apparent to a speaker of the language in which the Qurʾān was revealed, but might not be apparent to a non-native. (Al-Shāfiʿī 1399/1979, §53–4). Al-Shāfiʿī’s response to revelation’s lack of specificity was to argue that the Qurʾān’s auditors understood the Qurʾān mostly in the context of the Prophet’s normative activities and sayings—the Prophet’s *Sunna*. Yet recent research has shown that Shāfiʿī was making an argument, not necessarily reflecting the early Muslims’ practice. (Lucas 2008).

All kinds of knowledge from all sorts of people augmented and informed the quest to be a good Muslim. Certainly when the Qurʾān was revealed, those norms were the norms of Muslims in Arabia, but also ordinary Arabian social norms, Muslim or non-, that were acceptable from a Muslim perspective. In short, *it was the ethical culture of Arabia* that the Qurʾān assumed to underpin Qurʾānic dictates when it told Muslims to do something *bi-l-maʿrūf* or to command the *maʿrūf*. “*Maʿrūf, ṣāliḥ, birr, ḥasan/iḥsān*”—none of these terms points to a single source of knowledge. In fact, in their very non-specificity they point to ethical knowledge, generally.

Both al-Shāfiʿī, with his emphasis on the Prophet’s *sunna*, and the early jurists, with their emphasis on the normativity of the early Muslims in Arabia, were compelled by the vision of an *illud tempus*—a religious Golden Age—when they sought to augment the Revelation as the Qurʾān seems to require. Does the Qurʾān share this point of view? Of course it enjoins obedience to the Prophet, but in the ethical passages we have cited, the absence of the

Prophetic model of ethical amplification is striking. The Qur'ān does not say "command what the Prophet liked and forbid what he despised;" nor does the Qur'ān say "If you want to know what "known is" (*wa-mā adrāka mā al-ma'rūf*) look to the customs of your forefathers among the Arabs," though surely in the seventh century environment that is the relevant context.⁶ Yet if the Qur'ān is understood as making universal claims—and I believe it is—the culture to which it appeals for fleshing-out cannot be merely the culture of 7th-century Arabia: the Qur'ān does not say, "as the Meccans do," it says, "in the way that is well-known."

3.3 *Commentarial Contributions*

The commentarial tradition, of which the *ḥadīth* cannon forms a part, can be expected to share with al-Shāfi'ī the tendency to turn to 7th-century norms—the Prophet's or the Companions—when it comes to those verses that direct the morally perplexed human's gaze outward and into society. When one turns to the commentators, one can argue, punningly, that the meaning of *ma'rūf* is simply "known," and that it means "nicely, favouringly" as in Lebanese colloquial Arabic: "*i'mallī ma'rūf*," "do me a favour." Nonetheless, there are several commentarial notes that do move us in the direction argued here.

For example, when al-Naysabūrī's commentary (728/1328) comes to the verses at Q2:183, concerning the agent acting on behalf of the murder victim's family and his decision to accept the bloodwit in lieu of execution, he states: "It is incumbent on the forgiver to follow *al-ma'rūf* so that he is not severe in his demands. Rather, he should act in the matter according to the familiar custom." He goes on to say that if the murderer (or the murderer's family) is poor that should be taken into account; if he murderer has the sum in kind, but not in cash, he should be given a delay to exchange the goods for cash, and so on. In other words, the agent is to look broadly to social norms and particularly to circumstances when making his demands. (Al-Naysabūrī 1962–1964; relevant section begins at 2:83; quotation on 2:87f).

The outward direction of ethical inquiry is clearly seen also at Qur'ān 2:180 regarding a couple who have separated for the first time. When the injunction to "receive [her] *bi-l-ma'rūf*" is explained, al-Qurṭubī says "What is incumbent upon you is to receive [her] with what is known that it is rightful (*al-ḥaqq*). (Al-Qurṭubī 1414/1994, 3:130 apud Q:2:229). Again, in defining that to which the once or twice divorced woman is entitled, al-Qurṭubī appeals to something extrinsic, at least, to this verse. He cites neither Qur'ān nor Sunna.

6 This is not to say that revelation, or the Prophet, or experts, including infallible ones, have nothing to say, of course.

Al-Ṭabarsī likewise appeals to social knowledge: “Take them back (*imsaku-hunna*) *bi-l-ma'rūf*, that is take them back before the term of the marital quarantine according to what people know among themselves to be acceptable and what is not intellectually offensive. (Al-Ṭabarsī 1379/1960, 2:142 *apud* Q 2:231).

When we turn to something more contemporary, we see in the Qur'ānic commentary of 'Allāmah Ṭabaṭabā'ī—his *Mīzān*, discussing 2:228, the following: “The *ma'rūf* is that which people know by insight earned by experience (*al-dhawq al-muḥtasab*) in social life as they live it. God the most High repeats [the word] *ma'rūf* in these verses twelve times ... The word refers to the gifts of the intellect as well as to the assessment of the *shar'*, the generous admirable character, and the norms of good conduct (*wa-sunan al-adab*).... *Ma'rūf* refers to what people know to do intuitively (*idha salakū maslak al-fiṭra*),” and then he goes on to list some of the virtues that humans know by their nature. (Al-Ṭabaṭabā'ī n.d., 2:232 *apud* Q2:228).

Ṭabaṭabā'ī it seems to me, is quite clearly convinced that human beings are enjoined by the Qur'ān to reflect ethically, grounded in the norms of their society as well of course in the *shar'*. To take this seriously is to create a space for all Muslims to engage with all the sources of contemporary ethical knowledge—social norms, the works of contemporary philosophers, people's personal insight—in order to discover how to obey the Qur'ānic command to deal with wives, homicides, parents and others, *bi-l-ma'rūf*.

A *tafsīr-by-tafsīr* presentation of each of the 39 citations would be pointless. It would also, as I suggested above, amount to a form of unhelpful *taqlīd*. *Ma'rūf* is a plain-Jane word that seems to compel little interest on the part of the *mufasssīrīn*. However, there are some more general categories into which *ma'rūf* can be fitted that shed some light on how the Qur'ān uses the term.

Before that, a caveat: it is perhaps too easy to read the passive participle as a past participle, or, more precisely to read *ma'rūf* as referring to '*urf* (custom, a recognized source of law in *uṣūl al-fiqh* literature). This assumption shows up occasionally in the commentaries and it showed up frequently when this paper was discussed; I had acquiesced in those assumptions. On further reflection, however, it seems to me that this fettering of *ma'rūf* to custom is a mistake. *Ma'rūf* is something “known” but not necessarily practiced (as '*urf* is practiced); it might be something recently known or discovered, or something known only upon reflection. '*Urf* knowledge includes various forms of expertise (butchers testifying on butchers' practices, for instance) but *ma'rūf* is a broader category. To link *ma'rūf* to '*urf*, I think, falls too close to Levy's condescending assertion that *ma'rūf* in the Qur'ān is an embrace of Jāhili tribal values in which the familiar is good, the unfamiliar bad. (Reuben 1971, 194–5; Izutsu 1966, 214–5). The opposite of *ma'rūf* in the Qur'ān is not *ghayr ma'rūf* or

gharīb but *munkar*. Of course in the fourth form *munkar* means to reject, repudiate. But it is worth recalling that the root meaning of *n-k-r* is also understanding, and crafty insight (*dahā'* and *fiṭra*). (Ibn Manẓūr 2000, s.v. n-k.r). There is a sense, I would argue, that *munkar* is that which we know to avoid, as *ma'rūf* is what we know we should perform. *Munkar* is not merely what we reject, but what is seen-through, what is rejected, because we know all too well what its actual value is.

4 Categories of Usage: Three Uses of Ma'rūf in the Qur'ān

In addition to marking off this space for ethical reflection grounded in extrinsic moral knowledge, a deeper, contextual, examination of the sense of the word *ma'rūf* shows that there are three domains of virtue involved by the term *ma'rūf*. To explicate this argument requires a careful consideration of each of the usages found in the Qur'ān.

Ma'rūf is found in three Qur'ānic contexts. The *first*, and best known, is the context of "commanding the good and forbidding the reprehensible." This employment of "commanding the good" may be the most directly influential of the usages of *ma'rūf*, yet the phrase represents fewer than a third of Qur'ānic utilizations of the word. And even here, the meaning of the term is unspecified. We know only that "good communities" with members that are "protégés of each other," (Q9:71) require the good and inhibit that to which one is averse, the reprehensible. But this command is very much an open-textured command. What is commanded—the action that is known to be good—has a quality, but no specific definition. There is more to be said about this "knowing" below, but for now it suffices to say that the known good is of sufficient clarity that it can be commanded for the community, even though it is not specified.

The *second* group of contexts in which the Qur'ān uses the word *ma'rūf* has been neglected but it is quite important when defining more substantially the semantic scope of *ma'rūf*. Here, what is meant by the term is public or manifest, candid, behaviour: To use well-known, unambiguous statements, not unclear or secret (*sirr*) commitments. The idea here must be: no mumbo-jumbo, no opaque, lawyerly or private commitments. What demanded are public declarations understood by all as constituting a commitment (*'uqdah*). {They swear by God solemnly that, if you order them, they will go forth. Say: Swear not; un-dissimulated obedience (*tā'at^{un} ma'rūf^{un}*) [is better]. Lo! God is informed of what you do. (Q24:53)} *Tā'at^{un} ma'rūf^{un}* here is public, candid behaviour, easily comprehended; it proves what is being asserted (obedience);

oaths and protestations are mere words. Again it is manifest behaviour that matters, not something hedged about with promises or explanations of good intentions. The same holds for the Q47:20–1: {O And those who have faith say: If only a *sūrah* were revealed! But when a decisive *sūrah* is revealed and war is mentioned therein, you see those in whose hearts is a disease looking at you with the look of men fainting to death. Therefore woe to them! (20) Obedience and *candid speech*. Then, when the matter is determined, if they are loyal to God it will be well for them.} Similarly in Q24:53: {They swear by God solemnly that, if you order them, they will go forth. Say: Swear not; *manifest obedience* (is better). Lo! God is informed of what you do.} In both these passages it is dissembling, concealing, insincerity that are condemned. It is not just the statement of commitment, but a commitment that is in accord with speech, that is called for. It is the pusillanimous equivocations of cowards that are condemned when it is candour that is demanded.

The *third* category has a circumstantial feature that I believe has been neglected by commentators and scholars alike, one that further enriches our understanding of *ma'rūf*. This category includes all of the remaining passages, that is, 22 of 37 citations that do not fit into the first two categories (“the good” and “candour”). The most frequent Qur'ānic usage is this third one. The usual Qur'ānic translations, including the Pickthall I have used with modifications, usually see *ma'rūf* and *bi-l-ma'rūf* as meaning “kindly” or in kindness, and so forth. And this is not wrong. In these passages there are unspecified social norms one is to follow—when demanding the bloodwit, or when divorcing a wife, at a death or when dividing an estate.

Yet to say “in kindly fashion” is to defer understanding. The term of course assumes “the good” and public candour, and in that sense it is informed by the first two categories of *ma'rūf*'s usage we described above. What is different about this third category, however, is that in all cases it refers to scenarios of social stress and the potential for divisiveness. In these instances we see a situation when family members refuse to become members of the faith community,⁷ when families are divided by death and surviving members need support. E.g., Q:240: {Those of you who are about to die and leave behind them wives, they should bequeath to their wives a provision for the year without turning them out, but if they go out [of their own accord] there is no sin for you in that which they do of themselves so long as it is kindly done. God is Mighty, Wise.} There is the sticky situation when an orphan, perhaps prematurely, demands control over his/her assets, in Q4:5: {Give not to the foolish [what is in] your [keeping of their] wealth, which God hath given you to maintain; but

7 Q31:15, the one verse in this group that might be Meccan. See Nöldeke a.o. 2013, 127.

feed and clothe them from it, and speak kindly to them ...} The particularly delicate guidance at Q33:6 and Q33:32 causes us to imagine the messy situation of a public figure—the Prophet—who is dependent on political support. In that context, some male members of the community are seeking improper relations with his wives.⁸ In such a situation, despite its outrageousness, it would be impolitic, to say the least, to denounce these impertinent men or ban them from the politico-military-moral centre of the new community, the Prophet's house. Therefore the Prophet's wives are expected to speak appropriately, to be civil to such persons without banter or content that might encourage their inappropriate attentions.⁹

Yet in such fraught circumstance, what *is* the right thing to do, the right thing to say, the tactful thing, the emollient gesture? By Pierre Bourdieu we are reminded of what everyone instinctively knows: that while conventional situations may produce conventional responses—word of a family death may elicit, “I’m so sorry for your loss”—within the limits of propriety, some people are skilled at saying or doing “just the right thing” for the moment or the occasion. And some are not. (Bourdieu 1977; I am thinking of Section 1.I and sections 2 and 3). It is precisely the ability to respond dynamically and appositely to a situation that reveals the person gifted at such interactions. There are no *rules* for being a sympathetic responder, a talented gift-giver, a wise counsellor, a healing member of a family when death or divorce have sundered it. If there were *rules*, and following the rules was sufficient, everyone would be excellent at these things. Excellence in these domains, however, requires sensitivity to circumstances, empathy, an awareness of context, a perception of the stakes at risk, a receptivity and sensitivity, creativity, combined with a clear sense of what is nonetheless inflexibly required or prohibited. In such situations there is no rule possible—at best there are guidelines. So, when the Qur’ān points to socially fraught situations and requires of Muslims a *qawl ma’rūf*, Revelation cannot be specific, it cannot give a *ḥukm*, it only demands tact, creativity,

8 Q33:32: {O you wives of the Prophet! you are not like any other women. If you keep your duty (to God), then be not soft of speech, lest he in whose heart is a disease aspire (to you), but utter appropriate speech [or “speech that you would not mind if it were public”].}

9 Q33:32: {O you wives of the Prophet! you are not like any other women. If you keep your duty (to God), then be not soft of speech, lest he in whose heart is a disease aspire (to you), but utter appropriate speech [or “speech that you would not mind if it were public”].} It is a curious fact that neither in Ibn Hishām's *Sīra*, nor in any of the *asbāb al-nuzūl* literature I consulted, nor in any of the commentaries to hand, is this verse discussed in a biographical/historical context.

openness to situations and so on—qualities, by the way, that the *Sīrah* emphatically attributes to the Prophet himself.

This *third category* of *ma'rūf* usage, the one requiring ameliorative and constructive responses to potentially divisive and stressful situations is the largest category of *ma'rūf* usages. Certainly to command the good is important, but to “say/do the right thing,” is clearly very important too for the Qur'ān. And the “right thing” cannot be specified; it must be spontaneously found.

In sum, a reading of the term drawn solely from the Qur'ān itself suggests several Qur'ānic facts: The *first* is that the phrase so often used as the *locus classicus* for *ma'rūf*—*al-amr bi-l-ma'rūf* etc.—is neither the most frequent nor the most important of Qur'ānic usages for *ethical* knowledge. It is a stereotypic phrase sketching the bottom-line constituents of an Islamic community—performing *ṣalāt*, paying *zakāt*, commanding that which is known to be good and preventing that to which people are averse.¹⁰ More important in the ethical domain are the *injunctions to candour*, and to *eschew empty verbal posturing* and emphatic but meaningless declarations, and to respond sensitively to social, familial, and marital distress, as well as fraught situations with widows, orphans, and former spouses.

The word *ma'rūf* in these contexts, with all the semantic overtones previously discussed, gives the sense of discretionary virtue, that is, acting generously, disinterestedly, of taking the high ground, in order to provide social solidarity and to emolliate what might otherwise be an interaction filled with friction and heat. *Ma'rūf* is invoked in the context of moments fraught with the potential for social disruption. At such moments, the right thing to say, the right thing to do, is not obvious, nor can it be prescribed or legislated; it is nonetheless exactly what the Qur'ān demands of Muslims.

5 Open Texturedness of the Qur'ān

Ma'rūf, then, points outside the Qur'ān itself when enjoining Muslims to act ethically. Yet to what does it point? Al-Shāfi'ī and his cohort, living in a period of cultural transformation, when Arabian culture had to take account of Syrian, Egyptian, and Persian civilization, sought refuge from plurality and uncertainty in the closed circle: the Qur'ān's revelatory seventh century as understood through putative records of seventh-century norms, including the

10 Cook, of course, has much more to say about this phrase, though he is less interested in the other contexts of *ma'rūf*. (Cook 2000, chapter 2).

Prophet's. This present essay questions whether the Qur'ān's appeal to cultural knowledge was restricted to seventh century knowledge, or whether it invokes what is known by Muslims when they reflect upon the Qur'ān in the world in which they live?

Viewed over time, the history of Muslims' encounter with of the Qur'ān is—it seems to me—of Muslims gradually discovering that the Qur'ān is more than they had known. There is no doubt that most early Arab Muslims saw the Qur'ān as their Scripture, as the text for an Arabian ethnic religion. We know that in the eighth century conversion to Islam was actually discouraged and that few non-Arabs were allowed to convert to Islam without first converting to 'Arabism' by becoming *mawālī*. If the accounts are to be believed, at least one of the Umayyad caliphs disagreed with this position, but it was the position generally held by Muslims and one enforced by the state. (Crone 2012, 10–17). By the 9th century, on the other hand, conversion was openly advocated and Islam had become a world religion, rather than an ethnic religion. Muslims had discovered that the Qur'ān applied to humankind, not just to Arabs. A similar instance of an insight developed from Qur'ānic principles but unknown to the text of the Qur'ān, is the contemporary Muslim disdain for slavery. The Qur'an is seen by many Muslims indeed as a libratory intervention in human history. (Esack 1997). Yet slavery is assumed throughout the Qur'ān and is Islamic law; nonetheless, if there is a Muslim consensus on anything, it is that slavery is no longer an Islamic institution. Similarly Kecia 'Alī has pointed out that many contemporary Muslims define Islamic marriage using contemporary cultural assumptions incongruent with the assumptions of the 9th- and 10th-century when Islamic law was formulated in the standard texts of Islamic law. (Ali 2010). In both cases ethical developments that long post-date Islam's formative period have become taken-for-granted assumptions that inform contemporary efforts at constructing Islamic legislation.

Could it be, then, that the Qur'ānic expectation—when it commands the *ma'rūf* or stipulates that something be done *ma'rūfan* or *bi-l-ma'rūf*—is that contemporary Muslims will look to the ethical and societal truths of the 15th Islamic and 21st *milādī* century? Surely it is plausible—given what we have seen of the Qur'ānic trajectory to moral improvement in general, and the Qur'ān's outward-lookingness, as we've seen, that changes in our ethical assumptions and knowledge, about slaves, about women, about equity and justice, are supposed to inform the reading of the Qur'ānic text now, just as they did when the first Muslims heard the Qur'ān. If this is so, then the Qur'ān's repeated use of unspecified terms for good should be seen not as mere imprecision, but must instead be seen as a goad to ethical reflection and the open-textured search for ethical knowledge in the contemporary environment.

This would mean that a Qur'ān-based mode of ethical life, and Qur'ānic legislation, must take seriously the implication of *ma'rūf*, as well as all the other terms for virtue in the Qur'ān: that the social environments in which Muslims find themselves are to be understood as sources of the external moral knowledge with which the Qur'ān expects Muslims to condition the Qur'ān's own guidance: {You are the best community that has been produced for human-kind. You enjoin the virtuous conduct that is known (*al-ma'rūf*) and forbid the reprehensible; and you are committed in faith to God. (3:110).}

With only 500 rules, virtuous conduct cannot be known solely from the Qur'ān, given the myriad circumstances in which Muslims find themselves. There is no doubt that Muslims appealed to Arab culture of the 7th-century to understand the details of Qur'ānic stipulation; there can be no scholarly doubt that many of the norms of 8th and 9th century Iraq, Syria and Egypt also found their way into the Sunna and were passed off as practices of 7th-century Arabia. Why should this surprise us: where else should the Iraqi Muslims, the Syrian Muslims, or the Egyptian Muslims have looked to augment the Qur'ān and to situate themselves ethically than the very world in which they lived? But it follows that Muslims in the 15th/21st century should look to the norms of the world in which they now live to enrich, situate, and understand the Qur'ān's norms.

6 Objections

There are two obvious objections to this position. The first, and theoretically the most powerful is that the Qur'ān is hardly a document ratifying the society in which it found itself. Whether in its condemnation of infanticide or its stipulations about witnessing contracts, the Qur'ān explicitly or implicitly critiques and condemns the society in which it arose. And, for the purposes of this argument, let us stipulate that those critiques all stand and their force remains intact. Yet the fundamentalists and the Islamophobes distort the Qur'ān when they depict it as nothing more than commands, prohibitions, and religious poetry. To the contrary, the loci of many of the Qur'ān's most impressive, emphatic, and profoundly insightful ethical teachings are obliterated if the Qur'ān's open stance toward socio-ethical knowledge is ignored. Nothing in that open stance by itself abrogates a single Qur'ānic command—linguistically or logically. And nothing in that open stance ratifies the whole of any society's values and practices, or gives license to practices the Qur'ān condemns.

The second, and more politically powerful is that this argument is somewhat at odds with the received methodology of Islamic legislation. Al-Shāfi'ī and so

many other great and pious scholars laboured to fashion a system that, in theory, removed legislation from the caprices (*awhām*) of human activity. Indeed, for fundamentalists, legislation is a condemnable activity. This point must be conceded. In the seismic cultural changes occasioned by the Arab conquests, some aficionados of Muslim values sought to canonize the world to which the Qurʾān pointed by imbedding it in texts that were treated more and more as augmentary Scripture. (Brown 2007). Many insights and much ethnographic data collected by these aficionados and their successors were incorporated into the *ḥadīth* corpus as well. This closing of the epistemological corpus—a 7th century document understood by means of putatively 7th-century accounts of the Qurʾān's *Sitz im Leben*—allayed the anxieties of uncertain ethical choice that confronted them. However, it is far from clear that this is what the plain sense of the Qurʾān means when it urges *maʾrūf* practice, *ṣāliḥ* deeds, and the like. Nonetheless, that paradigm—a not unreasonable one particularly, given the development of the “myth of the pristine early community” (Hodgson 1974, I: 315ff)—came to dominate Qurʾānic exegesis and eventually the sciences of jurisprudence. Rigid and fanatical enactment of Late Antique social practices have lately repelled the world, including particularly the Muslim world, whose inhabitants have suffered most severely from the mythologizing stance. The limitations of the closed circle of ethical epistemology may be now apparent. It is not merely that reading the Qurʾān as having an outward-looking epistemology opens up new avenues of Muslim reflection but that, if the foregoing argument is correct, the open stance view is truer to the Qurʾān's ultimate intention. That is surely important.

7 Conclusion

Although it runs against a dominant strain in most religious thought—what Hodgson called the ‘old-man’s view of history’—1300 hundred years after the Qurʾānic revelation ended, Qatari Muslims, Iranian Muslims, American Muslims, Indian Muslims, as well as contemporary Jews, Christians, and other religiously observant men and women, live in a world ethically somewhat advanced, and arguably in many ways superior to the world of 7th-century Arabia. This is due in part very much to 13 centuries of reflection on the Qurʾān and its ethical guidance.

The interval of thirteen centuries does not make the Qurʾān irrelevant; to the contrary, properly understood, the Qurʾānic insight is strengthened by attention to the diversity of Muslims and the variability and development of the world in which they live. The Qurʾān enjoins them, and those who would

understand and draw the lessons of the Qur'an, to turn their attention also to "what is known," when applying Islamic ethics to the reality of the 15th Islamic century. What is known is not always known through revelation. The Qur'an urges us to look for ethical knowledge wherever it may be found.

Appendix: Ma'ruf in the Qur'an

Ma'ruf is used in three Qur'anic contexts.

The instances of this usage are these (Translation Pickthall (with modifications))

1 "Commanding the Good ..."

22:41 (الحج)

الَّذِينَ إِنْ مَكَّاهُمْ فِي الْأَرْضِ أَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ وَأَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنِ الْمُنْكَرِ ۚ
وَلِلَّهِ عَاقِبَةُ الْأُمُورِ

Those who, if We give them power in the land, establish worship and pay the poor-due and **enjoin kindness** and forbid iniquity. And leave to God the consequences.

3:104 (آل عمران)

وَلَتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ ۚ وَأُولَٰئِكَ هُمُ
الْمُفْلِحُونَ

And there may spring from you a nation who **command goodness**, and enjoin right conduct and forbid indecency. Such are they who are successful.

3:110 (آل عمران)

... كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَنَهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ ۚ
You are the best community that has been raised up for mankind. You **enjoin right conduct** and forbid indecency; and you have faith in God...

3:114 (آل عمران)

يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُسَارِعُونَ فِي الْخَيْرَاتِ
وَأُولَٰئِكَ مِنَ الصَّالِحِينَ

They believe in God and the Last Day, and **enjoin right conduct** and forbid indecency, and vie one with another in good works. These are of the righteous.

(لقمان) 31:17

يَا بُنَيَّ أَقِمِ الصَّلَاةَ وَأْمُرْ بِالْمَعْرُوفِ وَانْهَ عَنِ الْمُنْكَرِ وَاصْبِرْ عَلَى مَا أَصَابَكَ إِنَّ ذَلِكَ مِنْ عَزْمِ الْأُمُورِ

O my dear son! Establish worship and **enjoin kindness** and forbid iniquity, and persevere whatever may befall you. Lo! that is of the steadfast heart of things.

(النساء) 4:114

لَا خَيْرَ فِي كَثِيرٍ مِنْ نَجْوَاهُمْ إِلَّا مَنْ أَمَرَ بِصَدَقَةٍ أَوْ مَعْرُوفٍ أَوْ إِصْلَاحٍ بَيْنَ النَّاسِ ۚ وَمَنْ يَفْعَلْ ذَلِكَ ابْتِغَاءَ مَرْضَاتِ اللَّهِ فَسَوْفَ نُؤْتِيهِ أَجْرًا عَظِيمًا

There is no good in much of their secret conferences save (in) Him who **enjoins** almsgiving and **kindness** and peace-making among the people. Whoso does that, seeking the good pleasure of God, We shall bestow on him a vast reward.

(التوبة) 9:112

الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ وَالَّذِينَ هُمْ يُؤْتُونَ الْمَالَ ذَرًّا وَلَمْ يَكُنْ لَهُمْ الْهَمُّ إِلَّا فِي أَنْفُسِهِمْ أُولَٰئِكَ سَنَجْزِيهِمْ أَجْرًا كَبِيرًا ۚ وَالَّذِينَ هُمْ يُؤْتُونَ الْمَالَ ذَرًّا وَلَمْ يَكُنْ لَهُمْ الْهَمُّ إِلَّا فِي أَنْفُسِهِمْ أُولَٰئِكَ سَنَجْزِيهِمْ أَجْرًا كَبِيرًا ۚ وَالَّذِينَ هُمْ يُؤْتُونَ الْمَالَ ذَرًّا وَلَمْ يَكُنْ لَهُمْ الْهَمُّ إِلَّا فِي أَنْفُسِهِمْ أُولَٰئِكَ سَنَجْزِيهِمْ أَجْرًا كَبِيرًا ۚ

[Triumphant] are those who turn repentant [to God], those who serve [Him], those who praise [Him], those who fast, those who bow down, those who fall prostrate [in worship], those who **enjoin the right** and who forbid the wrong and those who keep the limits (ordained) of God—And give glad tidings to believers!

(التوبة) 9:67

الْمُنَافِقُونَ وَالْمُنَافِقَاتُ بَعْضُهُمْ مِنْ بَعْضٍ ۚ يَأْمُرُونَ بِالْمُنْكَرِ وَيَنْهَوْنَ عَنِ الْمَعْرُوفِ وَيَقْبِضُونَ أَيْدِيَهُمْ ۚ نَسُوا اللَّهَ فَنَسِيَهُمْ ۚ إِنَّ الْمُنَافِقِينَ هُمُ الْفَاسِقُونَ

The hypocrites, both men and women, proceed one from another. They **enjoin** the wrong, and they forbid **the right**, and they withhold their hands (from spending for the cause of God). They forget God, so He hath forgotten them. Lo! the hypocrites, they are the transgressors.

(التوبة) 9:71

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ

And the believers, men and women, are protecting friends one of another; they **enjoin the right** and forbid the wrong, and they establish worship and they pay the poor-due, and they obey God and His messenger. As for these, God will have mercy on them. Lo! God is Mighty, Wise.

(الاعراف) 7:157

الَّذِينَ يَتَّبِعُونَ الرَّسُولَ النَّبِيَّ الْأُمِّيَّ الَّذِي يَجِدُونَهُ مَكْتُوبًا عِنْدَهُمْ فِي التَّوْرَةِ وَالْإِنْجِيلِ يَأْمُرُهُمْ بِالْمَعْرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنْكَرِ

Those who follow the messenger, the native Prophet, whom they will find described in the Torah and the Gospel (which are) with them. He will enjoin on them **that which is right** and forbid them that which is wrong.

[I would include the following, where *al-ma'ruf* must mean what is does in the “commanding” verses.]

(المتحنة) 60:12

يَا أَيُّهَا النَّبِيُّ إِذَا جَاءَكَ الْمُؤْمِنَاتُ يُبَايِعْنَكَ عَلَى أَنْ لَا يُشْرِكْنَ بِاللَّهِ شَيْئًا وَلَا يَسْرِقْنَ وَلَا يَزْنِينَ وَلَا يَقْتُلْنَ أَوْلَادَهُنَّ وَلَا يَأْتِينَ بِهَتَّانٍ يَفْتَرِيْنَهُ بَيْنَ أَيْدِيهِنَّ وَأَرْجُلِهِنَّ وَلَا يَعَصِيَنَّكَ فِي مَعْرُوفٍ ۖ فَبَايِعْهُنَّ وَاسْتَغْفِرْ لَهُنَّ اللَّهُ ۖ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

O Prophet! If women of the faith come to you, taking oath of allegiance to you that they will ascribe nothing as partner to God, and will neither steal nor commit adultery nor kill their children, nor produce any lie that they have devised between their hands and feet, nor disobey you in **what is right**, then accept their allegiance and ask God to forgive them. Lo! God is Forgiving, Merciful.

2 "Candor"

(البقرة) 2:235

وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا عَرَّضْتُمْ بِهِ مِنْ خُطْبَةِ النِّسَاءِ أَوْ أَكْتُمْتُمْ فِي أَنْفُسِكُمْ ۖ عَلِمَ اللَّهُ أَنَّكُمْ سَتَذْكُرُونَهُنَّ وَلَكِنْ لَا تُؤَاوِدْهُنَّ سِرًّا إِلَّا أَنْ تَقُولُوا قَوْلًا مَعْرُوفًا ۖ وَلَا تَعْرِمُوا عَقْدَةَ النِّكَاحِ حَتَّى يَبْلُغَ الْكِتَابُ أَجْلَهُ ۚ وَاعْلَمُوا أَنَّ اللَّهَ يَعْلَمُ مَا فِي أَنْفُسِكُمْ فَاحْذَرُوهُ ۚ وَاعْلَمُوا أَنَّ اللَّهَ غَفُورٌ حَلِيمٌ

There is no sin for you in that which you proclaim or hide in your minds concerning your troth with women. God knows that you will remember them. But plight not your troth with women except by uttering a **known** form of words. And do not consummate the marriage until (the term) prescribed is run. Know that God knows what is in your minds, so beware of Him; and know that God is Forgiving, Clement.

(النور) 24:53

وَأَقْسَمُوا بِاللَّهِ جَهْدَ أَيْمَانِهِمْ لَئِنْ أَمَرْتَهُمْ لَيَخْرُجُنَّ قُلْ لَا تُقْسِمُوا طَاعَةٌ مَعْرُوفَةٌ ۚ إِنَّ اللَّهَ خَيْرٌ بِمَا تَعْمَلُونَ

They swear by God solemnly that, if thou order them, they will go forth. Say: Swear not; **manifest obedience** (is better). Lo! God is Informed of what you do.

(محمد) 47:20-1

وَيَقُولُ الَّذِينَ آمَنُوا لَوْلَا نُزِّلَتْ سُورَةٌ فَإِذَا أُنْزِلَتْ سُورَةٌ مُحْكَمَةٌ وَذُكِرَ فِيهَا الْقِتَالُ ۖ رَأَيْتَ الَّذِينَ فِي قُلُوبِهِمْ مَرَضٌ يَنْظُرُونَ إِلَيْكَ نَظَرَ الْمَغْشِيِّ عَلَيْهِ مِنَ الْمَوْتِ فَأُولَئِكَ لَهُمْ طَاعَةٌ وَقَوْلٌ مَعْرُوفٌ ۚ فَإِذَا عَزَمَ الْأَمْرُ فَلَوْ صَدَقُوا اللَّهَ لَكَانَ خَيْرًا لَّهُمْ

O And those who have faith say: If only a *sūrah* were revealed! But when a decisive *sūrah* is revealed and war is mentioned therein, you see those in whose hearts is a disease looking at you with the look of men fainting to death. Therefor woe to them! (20) Obedience and a candid speech. Then, when the matter is determined, if they are loyal to God it will be well for them.

(النور) 24:53

وَأَقْسَمُوا بِاللَّهِ جَهْدَ أَيْمَانِهِمْ لَئِنْ أَمَرْتَهُمْ لَيَخْرُجُنَّ قُلْ لَا تُقْسِمُوا طَاعَةٌ مَعْرُوفَةٌ ۚ إِنَّ اللَّهَ خَيْرٌ بِمَا تَعْمَلُونَ

They swear by God solemnly that, if thou order them, they will go forth. Say: Swear not; **manifest** obedience (is better). Lo! God is Informed of what you do.

3 "The right thing in complex circumstances"

2:178 (البقرة)

يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلِ ۖ الْحُرُّ بِالْحُرِّ وَالْعَبْدُ بِالْعَبْدِ وَالْأُنثَىٰ بِالْأُنثَىٰ ۚ فَمَنْ عَفِيَ لَهُ مِنْ أَخِيهِ شَيْءٌ فَاتَّبَاعُ بِالْمَعْرُوفِ وَأَدَاءٌ إِلَيْهِ بِإِحْسَانٍ ۚ ذَلِكَ تَخْفِيفٌ مِّن رَّبِّكُمْ وَرَحْمَةٌ ۚ فَمَنِ اعْتَدَىٰ بَعْدَ ذَلِكَ فَلَهُ عَذَابٌ أَلِيمٌ

O you who are faithful! Retaliation is prescribed for you in the matter of the murdered; the freeman for the freeman, and the slave for the slave, and the female for the female. And for him who is forgiven somewhat by his [injured] brother, proceed **kindly** and let payment [be given] him in kindness. This is an alleviation and a mercy from your Lord. He who transgresses after this will have a painful doom.

2:180 (البقرة)

كُتِبَ عَلَيْكُمْ إِذَا حَضَرَ أَحَدُكُمُ الْمَوْتُ إِن تَرَكَ خَيْرًا الْوَصِيَّةُ لِلْوَالِدَيْنِ وَالْأَقْرَبِينَ بِالْمَعْرُوفِ ۚ حَقًّا عَلَى الْمُتَّقِينَ

It is prescribed for you, when death approaches one of you, if he leave wealth, that he bequeath to parents and near relatives in **kindness**. (This is) a duty for all those who ward off (evil).

2:228 (البقرة)

وَالْمُطَلَّاتُ يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ ۚ وَلَا يَحِلُّ لَهُنَّ أَنْ يَكْتُمْنَ مَا خَلَقَ اللَّهُ فِي أَرْحَامِهِنَّ إِن كُنَّ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۚ وَبُعُولَتُهُنَّ أَحَقُّ بِرَدِّهِنَّ فِي ذَلِكَ إِن أَرَادُوا إِصْلَاحًا وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ ۚ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ ۚ وَاللَّهُ عَزِيزٌ حَكِيمٌ

Women who are divorced shall wait, keeping themselves apart, three [monthly] courses. And it is not lawful for them that they should conceal that which God has created in their wombs if they trust in God and the Last Day. And their husbands would do better to take them back in that case if they desire a reconciliation. And [women] have rights similar to those [of men] over them in **kindness**, and men are a degree above them. God is Mighty, Wise.

2:229 (البقرة)

الطَّلَاقُ مَرَّتَانٍ فَإِمْسَاكَ بِمَعْرُوفٍ أَوْ تَسْرِيٍّ بِإِحْسَانٍ ۖ وَلَا يَحِلُّ لَكُمُ أَنْ تَأْخُذُوا بِمَا آتَيْتُمُوهُنَّ شَيْئًا إِلَّا أَنْ يَخَافَا أَلَّا يُقِيمَا حُدُودَ اللَّهِ ۖ إِنْ خِفْتُمْ أَلَّا يُقِيمَا حُدُودَ اللَّهِ فَلَا جُنَاحَ عَلَيْهِمَا فِيمَا افْتَدَتْ بِهِ ۚ تِلْكَ حُدُودُ اللَّهِ فَلَا تَعْتَدُوهَا ۚ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ

Divorce must be pronounced twice and then [a woman] must be retained in honor or released in **kindness**. And it is not lawful for you that you take from women aught of that which you have given them; except when both fear that they may not be able to keep within the limits [imposed by] God. And if you fear that they may not be able to keep the limits of God, in that case it is no sin for either of them if the woman ransom herself. These are the limits [imposed by] God. Transgress them not. For whoso transgresses God's limits: such are wrong-doers.

2:231 (البقرة)

وَإِذَا طَلَقْتُمُ النِّسَاءَ فَلَبَسْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ سَرِّحُوهُنَّ بِمَعْرُوفٍ ۚ وَلَا تُمْسِكُوهُنَّ ضِرَارًا لِّتَعْتَدُوا ۚ وَمَنْ يَفْعَلْ ذَٰلِكَ فَقَدْ ظَلَمَ نَفْسَهُ ۚ وَلَا تَتَّخِذُوا آيَاتِ اللَّهِ هُزُوًا ۚ وَذُكِّرُوا نِعْمَتَ اللَّهِ عَلَيْكُمْ وَمَا أُنْزِلَ عَلَيْكُمْ مِنَ الْكِتَابِ وَالْحِكْمَةِ يَعِظُكُمْ بِهِ ۚ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ

When you have divorced women, and they have reached their term, then retain them **in kindness** or release them **in kindness**. Retain them not to their hurt so that you transgress (the limits). He who does that hath wronged his soul. Make not the revelations of God a laughing-stock [by your behavior], but remember God's grace upon you and that which He hath revealed to you of the Scripture and of wisdom, whereby He exhorts you. Observe your duty to God and know that God is Aware of all things.

2:232 (البقرة)

وَإِذَا طَلَقْتُمُ النِّسَاءَ فَلَبَسْنَ أَجَلَهُنَّ فَلَا تَعْضُلُوهُنَّ أَنْ يَنْكِحْنَ أَزْوَاجَهُنَّ إِذَا تَرَاضَوْا بَيْنَهُمْ بِالْمَعْرُوفِ ۚ ذَٰلِكَ يُوعِظُ بِهِ مَنْ كَانَ مِنْكُمْ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۚ ذَٰلِكُمْ أَزْكَىٰ لَكُمْ وَأَطْهَرُ ۚ وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لَا تَعْلَمُونَ

And when you have divorced women and they reach their term, do not place difficulties in the way of their marrying their husbands if it is agreed between them **in kindness** [or perhaps, "candidly"]. This is an admonition for him among you who has faith in God and the Last Day. That is more virtuous for you, and cleaner. God knows; you know not.

(البقرة) 2:233

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ ۖ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ ۚ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا ۚ لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَلَدِهِ ۚ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ ۚ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا ۚ وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَأَلْتُمْ مَا آتَيْتُم بِالْمَعْرُوفِ ۚ وَاتَّقُوا اللَّهَ ۚ

وَأَعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

Mothers shall suckle their children for two whole years; [that is] for those who wish to complete the suckling. The duty of feeding and clothing nursing mothers in a **seemly manner** is upon the father of the child. No-one should be charged beyond his capacity. A mother should not be made to suffer because of her child, nor should he to whom the child is born [be made to suffer] because of his child. And on the heir is incumbent the like of that [which was incumbent on the father]. If they desire to wean the child by mutual consent and consultation, it is no sin for them; and if you wish to give your children out to nurse, it is no sin for you, provide that you pay what is due from you **in kindness**. Observe your duty to God, and know that God is Seer of what you do.

(البقرة) 2:234

وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا ۖ فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَلَا جُنَاحَ عَلَيْكُمْ فِيمَا فَعَلْنَ فِي أَنْفُسِهِنَّ بِالْمَعْرُوفِ ۚ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ

Such of you as die and leave behind them wives, they (the wives) shall wait, keeping themselves apart, four months and ten days. And when they reach the term (prescribed for them) then there is no sin for you in aught that they may do with themselves **in decency**. God is informed of what you do.

(البقرة) 2:236

لَا جُنَاحَ عَلَيْكُمْ إِنْ طَلَقْتُمُ النِّسَاءَ مَا لَمْ تَمْسُوهُنَّ أَوْ تَفْرِضُوا لَهُنَّ فَرِيضَةً ۚ وَمَتَّعُوهُنَّ عَلَى الْمَوْسِعِ قَدَرُهُ وَعَلَى الْمُقْتَرِ قَدَرُهُ مَتَاعًا بِالْمَعْرُوفِ حَقًّا عَلَى الْمُحْسِنِينَ

It is no sin for you if you divorce women while yet you have not touched them, nor appointed to them a portion. Provide for them, the rich according to his means, and the straitened according to his means, **in kindly fashion**. [This is] a bounden duty for those who do good.

(البقرة) 2:240

وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا وَصِيَّةً لِأَزْوَاجِهِمْ مَتَاعًا إِلَى الْحَوْلِ غَيْرَ إِخْرَاجٍ ۖ فَإِنْ خَرَجْنَ فَلَا جُنَاحَ عَلَيْكُمْ فِي مَا فَعَلْنَ فِي أَنْفُسِهِنَّ مِنْ مَعْرُوفٍ ۗ وَاللَّهُ عَزِيزٌ حَكِيمٌ

Those of you who are about to die and leave behind them wives, they should bequeath to their wives a provision for the year without turning them out, but if they go out [of their own accord] there is no sin for you in that which they do of themselves so long as it is **kindly done**. God is Mighty, Wise.

(البقرة) 2:241

وَالْمُطَلَّقاتِ مَتَاعٌ بِالْمَعْرُوفِ ۖ حَقًّا عَلَى الْمُتَّقِينَ

For divorced women a provision **in kindness**: a duty for the God-fearing.

(البقرة) 2:263

قَوْلٌ مَعْرُوفٌ وَمَغْفِرَةٌ خَيْرٌ مِنْ صَدَقَةٍ يَتْبَعُهَا أَذًى ۗ وَاللَّهُ غَنِيٌّ حَلِيمٌ

A **kind** [or “candid”] word with forgiveness is better than almsgiving followed by injury. God is Independent, Clement.

(لقمان) 31:15

وَإِنْ جَاهَدَاكَ عَلَى أَنْ تُشْرِكَ بِي مَا لَيْسَ لَكَ بِهِ عِلْمٌ فَلَا تُطِعْهُمَا ۖ وَصَاحِبُهُمَا فِي الدُّنْيَا مَعْرُوفًا ۖ وَاتَّبِعْ سَبِيلَ مَنْ أَنَابَ إِلَيَّ ۚ ثُمَّ إِلَيَّ مَرْجِعُكُمْ فَأُنَبِّئُكُمْ بِمَا كُنتُمْ تَعْمَلُونَ

But if they strive with you to make you ascribe to Me as partner of which you have no knowledge, then obey them not. Consort with them in the world **kindly**, and follow the path of him who inclines to Me. Then to Me will be your return, and I shall tell you what you used to do.

(الاحزاب) 33:32

يَا نِسَاءَ النَّبِيِّ لَسْتُنَّ كَأَحَدٍ مِنَ النِّسَاءِ ۚ إِنِ اتَّقَيْتُنَّ فَلَا تَخْضَعْنَ بِالْقَوْلِ فَيَطْمَعَ الَّذِي فِي قَلْبِهِ مَرَضٌ وَقُلْنَ قَوْلًا مَعْرُوفًا

O you wives of the Prophet! you are not like any other women. If you keep your duty (to God), then be not soft of speech, lest he in whose heart is a disease aspire (to you), but utter **appropriate speech** [or “speech that you would not mind if it were public”].

case]. This is for him among you who fears to commit sin. But to have patience would be better for you. God is Forgiving, Merciful.

(النساء) 4:5

... وَلَا تُؤْتُوا السُّفَهَاءَ أَمْوَالَكُمُ الَّتِي جَعَلَ اللَّهُ لَكُمْ قِيَامًا وَارْزُقُوهُمْ فِيهَا وَاكْسُوهُمْ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا

Give not to the foolish [what is in] your [keeping of their] wealth, which God hath given you to maintain; but feed and clothe them from it, and **speak kindly** to them ...

(النساء) 4:6

وَابْتَلُوا الْيَتَامَىٰ حَتَّىٰ إِذَا بَلَغُوا النِّكَاحَ فَإِنْ آنَسْتُمْ مِنْهُمْ رُشْدًا فَادْفَعُوا إِلَيْهِمْ أَمْوَالَهُمْ وَلَا تَأْكُلُوهَا إِسْرَافًا وَبِدَارًا أَنْ يَكْبَرُوا ۚ وَمَنْ كَانَ غَنِيًّا فَلْيَسْتَعْفِفْ ۖ وَمَنْ كَانَ فَقِيرًا فَلْيَأْكُلْ بِالْمَعْرُوفِ ۚ فَإِذَا دَفَعْتُمْ إِلَيْهِمْ أَمْوَالَهُمْ فَأَشْهَدُوا عَلَيْهِمْ ۚ وَكَفَىٰ بِاللَّهِ حَسِيبًا

Prove orphans till they reach the marriageable age; then, if you find them of sound judgment, deliver over to them their fortune; and devour it not by squandering and in haste lest they should grow up. Whoso [of the guardians] is rich, let him abstain generously [from taking of the property of orphans]; and whoso is poor let him take thereof **out of kindness** [for his needs]. And when you deliver up their fortune to orphans, have [the transaction] witnessed in their presence. God is a sufficient Reckoner.

(النساء) 4:8

وَإِذَا حَضَرَ الْقِسْمَةَ أُولُو الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينُ فَارْزُقُوهُمْ مِنْهُ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا

And when kinsfolk and orphans and the needy are present at the division (of the heritage), bestow on them therefrom and **speak kindly** to them.

(الطلاق) 65:2

فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ فَارِقُوهُنَّ بِمَعْرُوفٍ وَأَشْهَدُوا ذَوِي عَدْلٍ مِنْكُمْ وَأَقِيمُوا الشَّهَادَةَ لِلَّهِ ۚ ذَٰلِكُمْ يُوعَظُ بِهِ مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۚ وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا

Then, when they have reached their term, take them back **in kindness** or part from them **in kindness**, and call to witness two just men among you, and keep your testimony upright for God. Whoso has faith in God and the Last Day is exhorted to act thus. And whosoever keeps his duty to God, God will appoint a way for him.

Bibliography

- Ali, Kecia. 2010. *Marriage and Slavery in Early Islam*. Cambridge, Mass.: Harvard University Press.
- Asad, Muhammad. 1980. *The Message of the Qur'ān*. Gibraltar and London: Dar al-Andalus; distributed by E.J. Brill, Leiden.
- Bourdieu, Pierre. 1977. *Outline of a Theory of Practice*. Translated by Richard Nice. Cambridge, UK: Cambridge University Press, 1977.
- Brown, Jonathan. 2007. *The Canonization of al-Bukhārī and Muslim: the Formation and Function of the Sunnī Ḥadīth Canon*. Leiden; Boston: Brill, 2007.
- Cook, Michael. 2000. *Commanding Right and Forbidding Wrong in Islamic thought*. Cambridge, UK; New York: Cambridge University Press, 2000.
- Crone, Patricia. 2012. *The Nativist Prophets of Early Islamic Iran*. Cambridge, New York: Cambridge University Press.
- Crone, Patricia, and Martin Hinds. 1986. *God's Caliph: Religious Authority in the First Centuries of Islam*. Cambridge and New York: Cambridge University Press.
- Dworkin, Ronald Myles. 1977. "Is Law a System of Rules?" In *The Philosophy of Law*, edited by Ronald Myles Dworkin, 38–65. Oxford: The University Press.
- Dworkin, Ronald Myles. 1985. *A Matter of Principle*. Cambridge, Mass.: Harvard University Press.
- Dworkin, Ronald Myles. 1986. *Law's Empire*. Cambridge, Mass.: Belknap Press.
- Elgariani, Fawzy Shaban. 2012. *Al-Qawā'id al-Fiqhiyyah* (Islamic Legal Maxims): Concept, Functions, History, Classifications and Application to Contemporary Medical Issues." Exeter University, Doctoral Dissertation.
- El Shamsy, Ahmed. 2005. "The Relevance of Legal Maxims for the Qadi." 1–6, (Draft Paper of Feb. 14, 2005).
- Esack, Farid. 1997. *Qur'ān, Liberation & Pluralism: an Islamic perspective of interreligious solidarity against oppression*. Oxford, England; Rockport, MA: Oneworld, 1997.
- Heinrichs, Wolfhart P. 2001. "Qawā'id as a Genre of Legal Literature." In *Studies in Islamic Legal Theory*, edited by Bernard Weiss, 365–84. Leiden: E. J. Brill.
- Hodgson, Marshall G.S. *The Venture of Islam: Conscience and History in a World Civilization*. 3 vols. Chicago: University of Chicago Press, 1974.
- Ibn Manẓūr, Muḥammad ibn Mukarram. 2000. *Lisān al-'Arab*. Ṭab'ah jadida muḥaqqqa, 18 vols. Beirut: Dār al-Šādir.
- Izutsu, Toshihiko. 1966. *Ethico-Religious Concepts in the Qur'ān*. Montreal: McGill University Press.
- Juynboll, G. H. A. 2007. *Encyclopedia of Canonical Ḥadīth*. Leiden and Boston: Brill.
- Levy, Reuben. 1971. *The Social Structure of Islam (being the second edition of The Sociology of Islam)*. Cambridge: The University Press.

- Lucas, Scott C. 2004. *Constructive Critics, Ḥadīth Literature, and the Articulation of Sunnī Islam: the Legacy of the Generation of Ibn Sa'd, Ibn Ma'in, and Ibn Ḥanbal*. Leiden and Boston: Brill.
- Lucas, Scott. 2008. "Where are the Legal Ḥadīth? A study of the *Muṣannaḥ* of Ibn Abī Shayba." *JILS* 15: 283–314.
- Masud, Muhammad Khalid. 2000. *Shāṭibī's Philosophy of Islamic Law*. Kuala Lumpur: Islamic Book Trust.
- Nisābūrī, Nizāmaddīn al-Ḥasan b. Muḥammad b. al-Ḥusayn, al-. 1962–4. *Tafsīr gharā'ib al-qur'ān wa-raghā'ib al-furqān*. Edited by Ibrāhīm 'Aṭwah 'Awaḍ, 24 vols. Cairo: Sharikat Maktabat wa-Maṭba'at Muṣṭafā al-Bābī al-Ḥalabī, 1962–4.
- Nöldeke, Theodor, Friedrich Schwally, Gotthelf Bergsträsser, and Otto Pretzl. *The History of the Qur'an*. Translated by Wolfgang Behn. Leiden and Boston: Brill.
- Qurtubī, Abū 'Abdallāh Muḥammad b. Aḥmad al-Anṣārī al-. 1414/1994. *al-Jāmi' li-aḥkām al-Qur'ān*. Edited by Muḥammad Ibrāhīm al-Ḥifnāwī, 22 vols. Cairo: Dār al-Ḥadīth.
- Rahman, Fazlur. "Law and Ethics in Islam." 1985. In *Ethics in Islam*. Edited by Richard G. Hovannisian, 3–15. Malibu: Undena Publications.
- Rahman, Fazlur. *Major Themes of the Qur'an*. 2009, 2nd ed. Chicago: The University of Chicago Press.
- Reinhart, A. Kevin. 2001. "Like the Difference Between Heaven and Earth: Ḥanafī and Shāfi'ī discussions of *farḍ* and *wājib*." In *Studies in Islamic Legal Theory*, edited by Bernard Weiss, Bernard, 205–34. Leiden: E. J. Brill.
- Reinhart, A. Kevin. 2002. "Ethics and the Qur'an." In *Encyclopedia of the Qur'an*, edited by Jane Dammen McAuliffe, vol. 2, 55–79. Leiden: E. J. Brill.
- Reinhart, A. Kevin. 2014. "Ritual Action and Practical Action; the Incomprehensibility of Muslim Devotional Action." In *Islamic Law in Theory: Studies on Jurisprudence in honor of Bernard Weiss*. Edited by A. Kevin Reinhart and Robert Gleave, 55–103. Leiden: E.J. Brill.
- Shāfi'ī, Muḥammad b. Idrīs al-. 1399/1979. *al-Risālah*. Edited by Aḥmad Muḥammad Shākir. Cairo: Maktabat Dār al-Turāth.
- Snouck Hurgronje, Christiaan. *The Mecca Festival*. 2012. Translated by Wolfgang H. Behn. Wiesbaden: Harrossowitz.
- Suyūṭī, Jalāladdīn 'Abdarrahmān b. Abī Bakr Abū al-Faḍl al-. 1426. *al-Itqān fī 'ulūm al-Qur'ān*. Al-Madīna: Markaz al-Dirāsāt al-Qur'āniyya.
- Ṭabarsī, al-Sa'id Abū l-Faḍl b. al-Ḥasan al-. 1379/1960. *Majma' al-bayān li-'ulūm al-qur'ān*. 12 vols. Cairo: Dār al-Taqrīb bayn al-madhāhib al-islāmiyya.
- Ṭabāṭabā'i, Muḥammad Ḥusayn, al-. No date. *al-Mizān fī tafsīr al-qur'ān*. Bayrut: al-Maṭba'a al-Tijāriyya.
- al-Zarkashī, Muḥammad ibn Bahādur. 1984/1404. *al-Burhān fī 'ulūm al-qur'ān*. Edited by Muḥammad Abū l-Faḍl Ibrāhīm. Cairo: Maktabat Dār al-Turāth.