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**INTERPRETATION OF THE PUNISHMENT
FOR ADULTERY (AL-NUR, 2)
IN MODERN QUR'ANIC EXEGESIS**

E. Geller opens his monograph “Muslim society” with the statement that “Islam is the blueprint of a social order” [Gellner 1981, 1]. Although at the current stage of discussion this idea seems to be far-fetched and highly criticized by many scholars [Asad 1996, Zubaida 1995], it nonetheless correctly underscores the strong social dimension in the structure of Islamic religious teaching. Moreover, being deeply rooted in the Quran as “the eternal word of God”, this dimension cannot be easily ignored or displaced. In other words, even though the Islamic social norms clearly owe their origin to some specific historical situations, they still might be considered fully valid in the contemporary period. This conception of the sacred texts explains why, despite the significant variability of approaches to defining Islam, there is a widespread, if not predominant, view that Islam provides all structural components that are needed for building an ideal (at least in terms of social justice) society.

The social norms in the Quran vary substantially in their content and do not add up to a systematic legal code. They clearly represent a complex of rather random and fragmentary statements given on the issues that appear to be of significance for the community of Muhammad at different periods of its development in Medina. Among these norms regulating inheritance, gender and family relations, a special place is given to certain transgressions that were considered serious enough to be punished with corporal penalties. Needless to say that these punishments along with the issues of gender equality, sacred warfare and attitudes towards other religions lay in the center of the contemporary debates about the adaptation of Islam to the modern world. The key questions here are posed by the rapid liberalization of the western societies and spreading of the high standards of human rights around the world:

1) Should Muslims give up on those verses of the Quran that prescribe harsh corporal punishments in order to make Islam a modern religion?

2) Are those punishments to be considered historical and specific to certain type of society rather than universal norms given by God for all times?

3) What is the role and place of these punishments in the general social system of Islam?

It is obvious that in the light of the numerous challenges to the Islamic civilization that has appeared after the fall of the Ottoman Empire and the rise of Islamic Revivalism these questions could not be bracketed or ignored as irrelevant. On the contrary, it might be of interest to see how the pressure of the western culture and value systems has influenced the approaches to the interpretation of the punishment verses of the Quran in modern Muslim exegetical treatises. In its turn, this paper looks into the particular verse al-Nur, 2 that prescribes the punishment for sexual activity outside of marriage which can be subsumed under the category of either fornication or adultery.

Generally speaking, the modern Sunni tafsir remains rather inflexible and conservative in its treatment of the Quran [Wielandt 1996; Wielandt 2002]. Therefore, in this paper I will focus on those exegetical works that have been intended by their authors to address the pressing issues of modernity through the interpretation of the sacred texts in an innovative way. The majority of such treatises belong to the representatives of the Islamic revivalist thought of the middle and second half of the XX century, such as Sayyid Qutb (d. 1966), Abu Ala Mawdudi (d. 1979), Said Hawwa (d. 1989) and other authors who have shared similar views on the universality and comprehensiveness of Islam as covering all spheres of human activity.

However, before analyzing approaches to al-Nur, 2 taken by modern Quranic commentators, it might be in place to see what actually is included in the verse:

الرَّانِيَةَ وَالرَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِئَةً
جَلْدَةً وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ
تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلَيْشَسْهَدَ عَذَابَهُمَا
طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ

Strike the adulteress and the adulterer a one hundred times. Do not let compassion for them keep you from carrying out God's law – If you believe in God and the Last Day – and ensure that a group of believers witnesses the punishment (translation of Abdel Haleem [Abdel Haleem 2004, 220]).

To begin with, as well as al-Maida, 38, this verse mentions male and female adulterers separately. This is usually considered by exegetes as emphasizing gender equality in Islamic punishment for adultery. Getting ahead of the discussion, one might notice that there is no indication in this verse as to the *marital status* of individuals to whom this punishment is applicable. In other words, al-Nur, 2 does not state clearly whether it regulates all forms of adultery in general or merely the cases of *fornication* where unmarried men and women are concerned. In Arabic, both senses are covered by the same term *zinah*.

Another important aspect is that this ayah states a very specific punishment in the form of flogging (*jald*) with hundred lashes that should be applied to the transgressor. This attention to details is often contrasted with al-Nisa', 14–15 which fell short of giving a precise guidance for believers in this respect. In addition to that, al-Nur, 2 seems to rule out any possibility of not executing punishment because of the softness of the members of Muslim community or their pity to the adulterers. Finally, this verse requires execution to be carried out publicly in the presence of at least some group of Muslims. As will be shown further, these aspects of the verse completely predetermine the internal framework and range of issues, which the commentators were willing to elaborate.

Legal influences. The first issue that needs to be addressed in connection to this topic is the relationship of the exegesis of the punishment verses to the injunctions of the sharia. It would not be an exaggeration to state that in dealing with the adultery penalty the commentators of the Quran are completely dependent on the legal tradition and almost never try to challenge it or to deviate from the well-trodden path. The obvious reason for that has to do with the fact that the juridical sphere of Islam has developed much earlier than the genre of the Quranic exegesis. To put it differently, the fact that flogging had become a legal norm in the first place hogtied already medieval mufassirs in their attempts to interpret the punishment verses.

Modern tafsirs of the Quran are not exception to this rule. For one thing, all Muslim exegetes selected for this paper are eager to confirm the statement that the penalty for adultery revealed in al-Nur, 2 is reserved exclusively for *unmarried* individuals whereas married ones, according to the Sunnah, should be executed through stoning to

death¹. For instance, S. Qutb argues that the punishment for married individuals is justifiably more severe because married individuals have got sexual experience and, therefore, developed a deeper sense of lust or sexual desire that drives adultery. Consequently, his or her fault for committing this crime is stronger and deserves a worse punishment than that of an unmarried individual who is supposed to be a virgin [Qutb 1968, 2487].

Other exegetes make little or no effort to rationally justify the difference in punishment for married and unmarried people. However, many of them go the full length to present various legal aspects that have been elaborated by Muslim jurists of the early Islamic period in tiresome details [Mawdudi 1959, 23–45]. There are at least two possible explanations for that. On the one hand, this fairly traditional step of classical mufasssirs was meant to simply fill the gaps in interpretation of this verse which leaves little to imagination due to the unequivocal tone of the Quranic statement itself. In other words, legal particularities stand here for theological speculations about the verse.

On the other hand, the tedious legal details may play a much more important function in the exegesis of this ayah. For instance, it might be assumed that Mawdudi devotes a lot of attention to various procedural aspects of proving the fact of adultery and the details of execution process in order to convince the modern reader that this punishment of flogging cannot be in any way regarded as “barbarous” or “uncivilized” way of dealing with criminal offences [Mawdudi 1988]. To put it differently, the complicated procedure, in Mawdudi’s view, fully compensates for the brutality of this penalty, thus, making it perfectly in keeping with modernity².

Justifying harshness. Although none of the mufasssirs dares to acknowledge flogging as “barbarous” or as a remnant of pre-modern

¹ This issue has been in details analyzed in my other paper (see: [Исследования 2012]).

² This approach to executing punishment is rather interesting for understanding Islam’s adaptation to the modern world. For instance, as B. Wilson argues, one of the side effects of secularization is particularly visible in the fact that the western legal systems are moving towards “impersonal and amoral control, a matter for routine techniques and unknown officials” [Wilson 1976, 20]. It might be assumed that Mawdudi tries to achieve the same impression about flogging as punishment for adultery.

society, the vast majority of them nonetheless recognize the *harshness* of this corporal punishment. In the situation when Qur'anic norms cannot be disputed, this leads commentators to find a way to somehow justify this severity with sophisticated rational argumentation. The most common approach to accomplishing this goal for them was to elaborate on various negative consequences of sexual misbehavior and its damaging impact on society.

For instance, both S. Qutb and Mawdudi position the problem of the regulation of sexual behavior as an issue of utmost social significance and a cornerstone of any social system [Qutb 1968, 2488–2489; Mawdudi 1959, 23–25]³. In this respect, Qutb portrays an apocalyptic picture of the spreading of adultery which, in his view, would inevitably lead to the complete destruction of the human civilization. The reason of this, as Qutb asserts, is that *zinah* represents a pure manifestation of animal instincts, a blind following of desires without any rational account of one's actions; in this respect, it is completely antithetic to what is human [Qutb 1968, 2489].

Elaborating this point of view, Qutb argues that adultery results from those sexual impulses that hold no benefits for society because the people who indulge in it do not intend to form a *family* [Qutb 1968, 2489–2490]. In other words, *zinah* as sexual activity outside of marriage does not only impede the progress of society, it also undermines its very basis [Qutb 1968, 2490].

Similarly to S. Qutb, Mawdudi develops the view that the whole human society is supported by the strong family relationship between men and women [Mawdudi 1959, 23–25]. In turn, weakening of family leads to decomposition of social structure and disappearance of “the whole basis of the concept of a social life” [Mawdudi 1959, 23]. He is convinced that limiting and strict regulation of sexual activity of individuals is absolutely vital for preservation of the human civilization:

“The Islamic Law views zina as an act which, if allowed to be indulged in freely, will strike at the very roots of both human race and human civilization. In the interest of the preservation of the human

³ Obviously, this comes into conflict with the currently predominant understanding of adultery or fornication in the West as fully belonging to the private sphere of every individual. Even though some western societies still preserve legislative regulation of marital infidelity, this is related to the issues of marriage as contract and not to any kind of social significance.

race and the stability of human civilization, it is imperative that relationship between man and woman should be regulated only through lawful and reliable means” [Mawdudi 1988].

Mawdudi argues that if there are opportunities for sexual intercourse without marriage, people will stop creating families at all and only will indulge themselves in promiscuous easy relationships [Mawdudi 1959, 29]. Among the reasons for that, as he asserts, is that family is a troublesome and onerous way of life, and people cope with it only because they are able to enjoy easy access to sexual relations. In Mawdudi’s view, no one would burden him or herself with obligations if sex is easily available elsewhere:

“And it is not possible to restrain this relationship if opportunities for free mixing of the sexes are allowed to exist, for it cannot be expected from a man or a woman to be prepared to bear the onerous responsibilities of the family life if he or she has the opportunities for the gratification of the sex desires without this” [Mawdudi 1959, 29].

Mawdudi also offers a different point of view which justifies the harshness of punishment by shifting the conceptual location of adultery from the sphere of moral misbehavior to the field of illegal activity. For one thing, he draws an interesting analogy, according to which as people buy tickets for plains and trains, they must obtain “permits” for sexual life [Mawdudi 1959, 29]. In this respect, flogging appears to be a fine for the “free riders”. In stating this, Mawdudi equates *zinah* with any other form of criminal actions, similar to stealing which presupposes obtaining something through illegitimate means. Therefore, he concludes, adultery should be considered and punished with the same precision like any other *criminal offence* [Mawdudi 1959, 30–31].

In his commentary “Maarifur Quran”, M. Shafi takes this idea one step further arguing for a special significance of *zinah* as a criminal act. He states that “adultery, being a big crime by itself, also brings along with it many other crimes, the result of which is destruction of the entire social order” [Shafi, VI, 344]. Moreover, in M. Shafi’s view, “if the causes of killings and atrocities are probed deeply, the majority of them will appear to be caused due to illegitimate relationship with women” [Shafi, VI, 344]. For him, adultery is not a minor transgression or private affair – “[it] is a great crime and is a combination of many crimes. That is why its punishment in Islam is very severe”

[Shafi, *VI*, 344] and this is why the specific punishment for it is fixed by Allah in the Quran and not left at discretion of the judge [Shafi, *VI*, 345]. Thus, Shafi elevates adultery to the status of the “mother of all crimes” in the scale of its damaging impact: “The ill effects and consequences of adultery are so immense in their destruction of the human values that no other crime can perhaps compete with it” [Shafi, *VI*, 345].

In addition to this, one can note that Shafi’s view of adultery is immensely patriarchal. He represents women as the major cause of all adultery situations:

“If we analyze the causes of disorder and disturbance over the world, we will note that in most cases the root cause is woman and to a lesser degree the wealth. Only those rules can guarantee the worldly peace which safeguard the woman and wealth in a befitting manner and do not allow them to cross the appointed limits” [Shafi, *VI*, 345].

As it is very common in many traditional and modern exegetical treatises, Shafi finds it necessary to comment on the fact that mentioning of female adulterer in *al-Nur*, 2 precedes mentioning the male one [Shafi, *VI*, 345]. He finds a lot of wisdom in this. For instance, Shafi argues that the nature has bestowed in the character of women “instinctive shyness and an urge to guard her chastity” [Shafi, *VI*, 346]. For this reason, he argues, women are more equipped to resist physical temptations and thus in case of committing adultery the fault is “more grave” from their side than from the side of men [Shafi, *VI*, 346].

Similar ideas about the harmful effects of adultery as “sexual intercourse between a man and a woman without the legal relationship of husband and wife existing between them” [Mawdudi 1959, 29–30] and its enormous social repercussions have been also provided by many other exegetes. Another aspect that they resort to in arguing for the severity of the punishment is the fact that this kind of misbehavior has been a condemned practice in moral, religious and social terms among all the nations in the world [Qutb 1968, 2479; Hawwa 1985, 3689–3692].

Muslim exegetes of the Quran are very keen to underscore that the punishment for adultery dates back to the earliest known societies and used to be a norm not just in the ancient civilizations of Near East, but also in the western countries. For Muslim thinkers, this clearly

testifies to the fact that the condemnation of adultery is a universal thing amongst people of the world [Mawdudi 1959, 31; Hawwa 1985, 3689]. What makes every nation special is the degree of harshness of the punishment which was determined by how deeply people were aware of the dangers of adultery [Mawdudi 1959, 29]. In other words, Islamic punishment is so strict because Islam is most conscious of the far-reaching implications of unlawful sexual intercourses.

In this respect, Mawdudi goes deep into historical details to demonstrate that other societies clearly underestimated adultery. He tries to show that the punishment for this crime in the ancient cultures and civilizations did not concern morality but rather was informed by the desire of avoiding such consequences of illegitimate children and inheritance quarrels [Mawdudi 1959, 26–30]. He also points out the fact that sexual relations of unmarried individuals were punished much less severely and mostly limited to paying off a certain amount of money [Mawdudi 1959, 26].

It is interesting to note that in treating the story from Gospels where Jesus is confronted by Pharisees in the cases of an adulteress (John, 7:53–8:11), Mawdudi obviously presents it through the lenses of Islamic theological tradition. In his view, Jesus let this woman go without a concrete punishment because “he was neither a judge of any court competent to decide the case, nor any evidence had been produced against her, nor was there any government to enforce the Divine Law” [Mawdudi 1959, 27]. In other words, Jesus was not against the stoning punishment for adultery in and of itself – he simply was not in a position to apply it under those circumstances.

Analyzing the world practice of the punishment for adultery in other societies, Mawdudi also resorts to the experience of western countries which he views as based on the Christian tradition. In his opinion, the Christians took it completely the wrong way and what is more important completely gave up on considering sexual intercourse between unmarried individuals a punishable offence [Mawdudi 1959, 28–29]. According to Mawdudi, Christians consider as inappropriate only *marital* infidelity, however not because it is bad and immoral as such but because it is violation of *legal vows* given at the altar before the priest (infringement of a contract). Mawdudi also states that neither of the contemporary western laws gives adultery any weight it deserves due to its significance [Mawdudi 1959, 29].

Yet, it must be mentioned that both Qutb and Mawdudi do not rely on negative justifications of the punishment trying to legitimize the severity of flogging from a wider perspective of social order. In this respect, they shift the focus of attention of the reader to a bigger picture of the social ideology of Islam.

For instance, S. Qutb argues that to achieve the complete elimination of adultery and regulation of sexual relations in Muslim communities, Islam does not rely on the punishment *per se* [Qutb 1968, 2489]. Instead, as Mawdudi argues, it provides all possible conditions and means for a man or a woman to satisfy his or her desires and natural instincts: encouragement to marriage, possibility of polygamy for men and relatively easy separation of couples (divorce), etc. [Mawdudi 1959, 29–30]. Thus, in Mawdudi's opinion, "Islam puts an end to all those factors which allure a man to *zinah* or provide occasions for it" [Mawdudi 1959, 31].

Along with the measures giving access to legitimate sexual relationships, Mawdudi also stresses that there are other regulations that preclude people from pursuing adultery. By this he means covering women's bodies with headscarves, limiting women to their homes, discouragement of "the free mixing of the men and women" [Mawdudi 1959, 29–31] and the highest standards of moral behavior which includes such measures as "restraining gazes" [Mawdudi 1959, 30–31]. Thus, the entire system of gender relations under Islamic social order is intended to render *zinah* impossible at least as a massive phenomenon. In this situation, Mawdudi argues only incorrigible persons would resort to an illegal sexual activity in which case they certainly deserve to be punished with an unusual harshness. In the meanwhile, for those individuals who have such propensity but do not have enough spirit to violate the norms, this corporal punishment serves as an effective deterrent from committing the crime [Mawdudi 1959, 31].

In this framework of Islamic social order, S. Qutb finds another way to divert attention of his reader from focusing too much on the corporal character of flogging and downplay its significance. He stresses that adultery is first and foremost a *social crime*, but flogging in itself represent a minor aspect of the whole complex of measures. As it can be deduced from Qutb's speculations, its major aspect is the separation of adulterer from the Muslim community, isolating him

from society. In S. Qutb's view, this is what was indicated in the verse al-Nur, 3 which states that:

الرَّانِي لَا يَنْكِحُ إِلَّا زَانِيَةً أَوْ مُشْرِكَةً وَالزَّانِيَةُ لَا يَنْكِحُهَا إِلَّا زَانٍ أَوْ مُشْرِكٌ وَحُرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ (3)

The adulterer is only [fit] to marry an adulteress or an idolatress, and the adulteress is only [fit] to marry an adulterer or an idolater: such behaviour is forbidden to believers [Abdel Haleem 2004, 220].

Commenting on this verse S. Qutb asserts that due to the fact that they cannot marry Muslims adulterers or adulteresses are put on the same level with polytheists. He argues that while corporal penalty can be really painful and hurt a person physically, it is still not as harsh as the Quranic social punishment which means ostracizing individual and isolating him or her from the community of believers [Qutb 1968, 2488–2489].

Thus, as al-Mawdudi puts it, “punishment is not merely a punishment for the criminal but is a declaration of the policy that the Islamic society has no room for debauchery and people cannot be allowed to live lives of indulgence and pleasures without restraint” [Mawdudi 1959, 31]. At the same time, he comes up with even stronger arguments for keeping the punishment of flogging on the table which boils down to the mere inadmissibility of any change or cancellation of what was revealed as an unequivocal will of God:

“If one tries to understand the Islamic scheme of reform from this point of view, one will realize that not a single part of the law can either be dispensed with or amended. Only a tool who assumes the role of a self-styled reformer, without understanding this Divine Law, will ever think of changing it, or a mischievous person, who deliberately wants to alter the very object of the social order designed by Allah, will try to tamper with it” [Mawdudi 1959, 31].

It must be assumed that this view is the bottom line of all the attempts of Muslim exegetes to provide the norm of punishment for adultery with as many rational arguments as possible. Even realizing the harshness of the Quranic injunction as such, they nonetheless have no other choice but to build up a whole range of ideas that support and justify it. In its final form, this results in representing sexual relations outside of marriage as a global threat to the social

order, a major felony or even a crime against humanity. As M. Shafi puts it, “pity or mercy and forgiveness or pardon are always laudable, but any compassion shown to criminals will result in injustice to the entire humanity; hence it is prohibited and not permissible” [Shafi, *VI*, 354].

Avoiding punishment. As it has been already mentioned above, while making substantial efforts to find new legitimations for the corporal penalties for adultery from the Quran, modern commentators nonetheless are persistent to mention that punishment, in and of itself, is not the *basis* for the Islamic social order [Qutb 1968, 2490; Mawdudi 1959, 31]. In this context, while none of the modern commentators dare to challenge the validity of the norm about flogging, they are completely aware of other methods to minimize the cases where the punishment could be actually implemented.

A case in point is a rather complicated juridical system of proving the fact of adultery which was partially developed in the Quran itself. Of principal importance here is the necessity to find four male eye-witnesses who can confirm that adultery actually took place (al-Nur, 4; al-Nisa, 15). Moreover, as the definition of *zinah* may vary in different schools of *fiqh*, those witnesses may need to state that they personally saw the actual penetration of the male sex organ into the female sex organ [Mawdudi 1959, 34–35].

It seems safe to assume that this level of standards renders the proof of adultery extremely difficult. In the meanwhile, as Mawdudi points out, if the existing evidence base is not in total accordance with the juridical requirement, the punishment of flogging from al-Nur, 2 is not applicable:

“Penetration of the glans of the penis is a sufficient legal ground for punishing the act of Zina. It is not essential that the penetration should be full or the sexual intercourse should be complete. On the other hand, if there is no penetration of the glans of the penis, mere lying of the couple in the same bed or their caressing each other or their being found naked, is not a sufficient ground for declaring them to be guilty of Zina” [Mawdudi 1959, 35].

At the same time, Mawdudi states, the judge can give those who were caught in this kind of situation another sharia punishment at his discretion [Mawdudi 1959, 35]. Similarly, there is also little consensus

among Muslim scholars as to how to deal with the forms of sexual intercourse that deviate from the nature's intentions. For instance, according to al-Mawdudi's view, *zinah* only refers to the sexual intercourse in a natural way and does not include all the other forms of sexual gratification [Mawdudi 1959, 35].

Similarly to Mawdudi, S. Qutb is fully aware of the immense legal difficulties in proving the adultery which have been established by the strict and complicated juridical procedures. However, as he asserts, this only confirms that punishment as such is not the key strategy of Islam in constructing a strong social order [Qutb 1968, 2489]. Qutb even declares that this particular Quranic injunction is not intended to punish every single libertine breaching the code of sexual behavior [Qutb 1968, 2490]. In his view, the Quranic norm is designed in a way to chastise adulterers only in those truly extraordinary cases of sexual frivolity which are so shamelessly and explicitly public that they can be witnessed by as many as four people [Qutb 1968, 2490].

In this respect, Qutb's argues, that it is the publicity of crime that conceals the main destructive impact on society [Qutb 1968, 2490]. At the same time, the *hadd* punishment here turns out to be only a forced measure implemented for the sake of public interest [Qutb 1968, 2490]. If the case has already been exposed, Qutb asserts, the softness in treating adulterers will become cruelty to the community in general [Qutb 1968, 2490]. Thus, the superficial harshness of lashing is nothing if compared to the danger of spreading of the sin of adultery among the members of a society which is inevitable if the facts of such indecent behavior go unpunished [Qutb 1968, 2490].

In conclusion of this brief analysis we can state that although the representatives of Islamic revivalist thought were really skeptical about *taqlid*, they nonetheless fiercely defended the traditional interpretation of punishments for adultery in Islam which has remained unmoved since the early Islamic period. In this respect, A. A. Mawdudi, S. Qutb, S. Hawwa and others do not just merely reproduce medieval legal approaches to al-Nur, 2, they also consistently replicate the ideas of each other. For instance, S. Hawwa which is often praised for writing an innovative exegetical treatise did not manage to add something substantial to this discussion; instead, he gives a lengthy quotation from the tafsir of S. Qutb [Hawwa 1985, 3694–3697].

This situation gives grounds to assume that at least in respect to the Quranic social norms, modern tafsir has not made substantial concessions to the pressure of the modern world. On the contrary, the exegetes whose works were the object of this paper have done their best to re-legitimize the Quranic punishment with new justifications and reasons for its implementation. Muslim thinkers tend to claim that an elaborate system of the juridical procedures and highly detailed technicality of implementation of the punishment cannot allow treating it as a barbaric relic of the pre-modern period.

At the same time, it is clear that the sophisticated approach to interpretation of this seemingly explicit and straightforward norm may be intended to minimize the number of cases where the actual punishment must be applied. This can be taken as a good illustration of the dual nature of the social doctrine of the sharia which combines the manifest and unequivocal obedience to the clear-cut demands of the Quran with application of a wide range of procedures and techniques that legitimately limit the scope of its actual implementation⁴.

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⁴ This highly debated issue of universality of the norms is not specific to al-Nur, 2 and has been raised in numerous places in connection with other Quranic verses, like al-Maida, 38 or al-Baqara, 256. For instance, commenting on al-Maida, 38, Mawdudi argues that the punishment for thieves (amputation of the right hand) is not equally applicable to all cases of stealing [Mawdudi 1959, 33]. In order to be implemented reasonably it needs a substantial clarification that would narrow its scope. In the opposite case, Mawdudi asserts, it would require cutting off hands even for those who have stolen a very insignificant amount of money or things. At the same time, he argues, a straightforward understanding of the verse al-Maida, 39 can be used to cancel the punishment even for those criminals who have stolen billions of money [Mawdudi 1959, 33–34].

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