

PREFACE

This book is about the interaction of law, lore and life in the highly significant corner of Muslim experience where human sexuality meets ritual purity. Part One examines the attitudes to sexual desire and its satisfaction evinced by Qur'ān, Ḥadīth and the legal literature proper; probes certain underlying principles of *fiqh al-ṭahāra* (purity jurisprudence); and confronts the scholarly research relevant to both. This section describes the unique and, indeed, striking juxtaposition of piety and carnality found in the earliest Islamic sources, and assigns a central role to elements of the purity code in providing for this comfortable coexistence. The investigation of such matters, valuable in itself, is undertaken primarily in order to erect the theoretical framework necessary for the analysis that follows.

That analysis is the burden of Part Two, which focuses on the extensive inter- and intra-scholastic disputes concerning *mulāmasa*, cross-gender contact that leads to ritual impurity or preclusion. Here we join the Muslim jurists as they debate the definitions and elaborate the prescriptions of this sub-precinct of *ṭahāra* law, observing their methodologies of Qur'ān interpretation, Ḥadīth utilization and inductive and deductive reasoning, as well as the way in which these disciplines contribute, together and separately, to the construction of positive law. A penultimate chapter advances tentative claims regarding the effects of *mulāmasa* on the social dynamics of pre-modern Muslim communities, and speculates on the potential uses of legal literature in general as a spade for the unearthing of social history.

Given the sensitive nature of the subject matter discussed in this work, the following clarification is probably in order. It is news to no one that religion and sex are an explosive combination—to no one, that is, except the *fuqahā'* (Muslim jurists). One of the central arguments of this book is that the positive and even playful treatment of sexually explicit material in the traditional texts of Islam promoted a remarkably easygoing attitude to the body and its urges among learned Muslims of earlier generations. The sources I have utilized for my study of this topic are more-or-less identical to the sources that *they* utilized for

their study of the same, and much of what is found in those sources is saturated with sexual vivacity.

It is not easy to do justice to such warmth and ardor in the sober tones of academia. Following the lead of the *fuqahā'*, then, and of the ḥadīth reports they drew so heavily upon, I have endeavored to articulate my findings in a professional but relaxed manner. While I have done my best to steer clear of sensationalism, I have also been unwilling to suppress the enthusiasm and frequent humor of the original texts in the name of a scientific stolidity. Most of all, I have tried to let the sources speak for themselves.

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