

Opinions of Scholars in the Era of Dahir

Rulings of "Evacuation" in Islamic Jurisprudence

A.P. Sukaina Hussein Kadhim

Abstract--- *The rulings of Evacuation (discharging excrement out of the body) are considered as important ritual rules in the Islamic Jurisprudence. This is because they contain many Islamic legal issues that have a direct relation between the Creator and His servants concerning the authenticity (validity) of worship.*

Keywords--- *Evacuation, Islamic Legal Issues, Way of Purification.*

I. INTRODUCTION

The rulings of Evacuation (discharging excrement out of the body) are considered as important ritual rules in the Islamic Jurisprudence.

This is because they contain many Islamic legal issues that have a direct relation between the Creator and His servants concerning the authenticity (validity) of worship.

This depends on the way of purification (cleansing of the body) including all its detailed elements; whether obligatory, recommended or abominable acts, and also the good manners to be done while relieving oneself in the water-closet (toilet).

This Prophetic convention is a must for the benefit of man in this life and in the Hereafter.

It also regulates all what the Sacred Legislator enjoys to ordain whether obligatory duties (acts of worship) as the prayer, or recommended acts as entering into the mosques (the houses of Allah Almighty).

The research includes the following plan:

Introduction

Preface:

The First Topic: Linguistic and terminological meaning of Evacuation.

The Second Topic: Linguistic and terminological meaning of Excretion.

The Third Topic: Types of Purification.

The Fourth Topic: Names of Purification.

The Fifth Topic: Recommendations and Abominations of evacuation.

Results

Preface:

Allah (Glorified and Exalted be He) has comprehensively clarified all the worldly and other-worldly duties of worshippers, through the teachings of Mohammed (Peace of Allah be upon him and his family).

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One of these duties is that of the rulings of purification with regard to the person himself.

These rulings are diversified, and one of which is that of "Evacuation".

To eliminate impurities from one's body, there are certain means set by the Sacred Legislator, because the ritual impurity makes it obligatory to purify one's body⁽¹⁾.

Allah Said: "...or in a state of janabah (major ritual impurity)..., until you have washed your whole body. And if you are ill or on a journey or one of you comes from the place of relieving himself... and find no water, then seek clean earth sand (Tayammum), and wipe over your faces and your hands [with it]."⁽²⁾

He also said: "And if you are in a state of janabah, then purify yourselves by having bath (washing your whole body). But if you are ill or on a journey or one of you comes from the place of relieving himself... and do not find water, then seek clean earth or sand, and wipe over your faces and hands with it.

Allah does not intend to make difficulty for you, but He intends to purify you..."⁽³⁾

It was reported of the Prophet Mohammed (Peace be upon him and his family) as saying: "Water purifies, but doesn't turn pure again if contaminated".⁽⁴⁾

Allah obligated that one must wash his face, his hands up to the elbows and his feet up to the ankles, and wipe over his head.

But in the case of travelling (on a journey), illness or necessity, Allah has replaced washing the stated parts by wiping over them,

He Almighty said: "or one of you comes from the place of relieving himself..."⁽⁵⁾.

Imam Ali (Peace be upon him) said: "Herein there is a concession which is a permission after it was made prohibited, as Allah Almighty has ordained for his servants ablution (minor purification) and washing the whole body (major purification) with pure water."⁽⁶⁾

It seems that there is unanimity (general agreement) among the scholars of the interpretation of the Qur'an that the connotation of the holy verse indicates that purification and washing one's body after relieving oneself are obligatory.

Here the word "until" is a subordinating conjunction with a conditional function⁽⁷⁾, that the condition to fulfill purification after excretion is that one must wash his organs.

So when Allah mentioned excretion (relieving oneself in toilets) after the word "until", it means that excretion is considered as a prerequisite to washing oneself to fulfill purification.

In this case we notice that the "final limit" is included within the purpose of purification.

It is said that originally the "final limit" may be included within the purpose in some cases and not included in others; and thus the "final limit" may have two different connotations⁽⁸⁾:

First: Excluding some of the items that the expression (term) includes, as in Allah's saying "wash you hands up to he elbow".

The term "hand" is a name of the organ up to the shoulder.

But here the "final limit" is mentioned to exclude whatever parts after the elbow; whereas the elbow itself is included within the "final limit".

The second connotation is when the term doesn't include the "final limit" and what's after it. Here the "final limit" is doubtful, so it is not involved in the desired meaning.

However, in this case there is no controversy that the "final limit" is meant to be washed unless there is an evidence to drop or ascertain the ruling.

Since "until" is a conditional, purification will not be effective unless its condition is fulfilled by washing the position of impurity.

Therefore, purification is fulfilled only by washing because it is a prerequisite for the validity of worship⁽⁹⁾.

The prerequisite of purification is cleansing the position (organ), and this will not be achieved except by washing it.

This makes it evident that it is an obligatory ruling to wash the position (organ) with water when water is present and abundant

Because it will be possible to eliminate the stool (filth) from the body without any difficulty or hardship.

Moreover, it is preferable to remove the stinking smelled filth with washing⁽¹⁰⁾.

Allah said: "And purify your clothes⁽¹¹⁾."

And the Prophet (Peace be upon him) said: "No Prayer is accepted without purification (ablution)⁽¹²⁾".

These evidences emphasize the ruling of obligation⁽¹³⁾.

The second verse "...then purify yourselves (by having bath)..." is clearer and more explanatory than the first verse, because it refers to "washing the whole body" as "purification" - which is another synonym of "washing", and also it repeats the imperative "purify yourselves".

It is stated that "if the steadfast reason is understood by the help of an external factor, then the prerequisite is general and recurrent⁽¹⁴⁾".

Also washing the filth from the body with water is called cleansing (purification).

Purification after excretion is one of the qualities of the natural need of humans, that even in the case of lacking of water, one must clean the position meant to be cleansed by wiping it with sand;

and this is the ruling of what is called Tayammum (dry ablution)⁽¹⁵⁾.

This was confirmed by the order of the Sacred Legislator at the end of the verse of major purification: "then seek clean earth sand (Tayammum), and wipe over your faces and your hands [with it]."

Allah meant that in case you need to purify your bodies thoroughly and you are lacking water, you must seek pure sand for purification; and this is the second ruling.

II. THE FIRST TOPIC

First: Linguistic and Terminological meaning of Evacuation:

A. Linguistic Meaning of Evacuation:

It seems that linguists agreed about the meaning of evacuation which is "emptiness and expulsion".

This expresses the meaning of emptying something.

The one who performs ablution is always doing it when he is alone in an open empty place⁽¹⁶⁾.

Imam Al-Sadiq (Peace be upon him) said: "When you come out off the water-closet (toilet) after excretion, wash your private parts with water⁽¹⁷⁾".

So evacuation refers to the state when one enters the toilet and excretes.

B. Terminological Meaning of Evacuation

It is the purification from ritual impurity resulted from urination or defecation⁽¹⁸⁾; whatever one excretes or discharges is called "impurity".

Impurity has three various types according to its degree of filth: feces – urine – wind (fart).

As these impurities are in touch with one's body, then it is a must to remove them by purification.

The Prophet (Peace be upon him) said: "Prayer is not annulled but by four things: feces, urine, wind or fart⁽¹⁹⁾".

The wisdom of using the water-closet is to remind Allah's servants with His favours and graces upon them.

Being alone in that place makes one feel what is awaiting him after his labouring in this life with great exertion.

Using the toilet is meant to conceal one's private parts from others and to turn a blind eye about the private intimate parts of Muslims.

Second: Linguistic and Terminological meaning of Excretion

A. Linguistic Meaning of Excretion (gha'et):

The origin of the Arabic word "gha'et" comes from "lowness" and "slide".

It refers to the "low land", that's why Damascus is called "Ghouta" (low valley) because its valley is very low⁽²⁰⁾.

While "gha'et" refers to the place, it also indicates the act of excretion and points to the one who performs it with refined and good manners.

The excreted substance is called stool as they used to throw it onto the yards of the houses.

Therefore, the "gha'et" is the low land that one seeks to answer the call of nature (excrete).

Using this word nowadays in its close meaning is an innovative usage and is considered as a platitude.

The same applies to the word "stool", which is originally refers to the threshold, and it was so called because they used to throw away the stools in the toilets of houses⁽²¹⁾.

B. Terminological Meaning of Excretion

It is the impurity, or as laid down by the scholars of linguistics as its literal meaning is "stool" (filth).

The reason of removing impurities from the man's body is to keep his life safe, and this is an incontrovertible issue concerning the human natural need.

These scholars have used the literal meaning because allegory is not implied on a term unless used by linguistics, and with specific rules to avoid illusion.

In the case of the term "gha'et", the word gets a different usage when mentioned in Islamic rulings.

This other usage – which has been allegory - turns to be another literal meaning and has to be applied within the rules of jurisprudence⁽²²⁾.

So, "evacuation" is purifying oneself from impurities, and is classified into two type:

Obligatory: as in the case of cleansing oneself from feces and urine.

Recommended: as in the case of wind and frat.

These types - on turn – have many varieties, forms and expressions.

III. THE SECOND TOPIC: TYPES OF PURIFICATION:

They can be displayed as follows:

First: Washing the impure private parts with water.

Second: Cleansing (wiping) the impure private parts with stones or pebbles.

Third: Perfuming oneself.

First: Washing the impure private parts with water "istinga'a"

Linguistic Meaning

"Istinga'a" is driven from the Arabic word (najah) which means being safe. Also (najah) is a rise in the ground higher than the rest of the ground⁽²³⁾.

As for jurists, it means cleansing the impurities of the private parts with water, and some call it "sweep dirt"⁽²⁴⁾, referring to the Prophet's saying: "Don't sweep impurities by using dung..."⁽²⁵⁾

Second: Cleansing (wiping) the private parts with stones or pebbles "istigmar):

The linguistic meaning is wiping the private parts with stones⁽²⁶⁾. Jurists define it as cleansing the impurities of the private parts using stones⁽²⁷⁾.

Third: Perfuming oneself "Istitabah":

The linguistic meaning is to make one's smell as if perfumed⁽²⁸⁾.

And for jurists, it is the removal of filth from the body⁽²⁹⁾.

There are two means to purify one's body and remove the impurities from it, whether with water or with stones:

A. Water: the absolute water is that water which retains its original features such as rain water, springs, sea water or any water that erupts from earth.

Allah Said: "...and We send down from the sky pure water⁽³⁰⁾".

The Prophet (All Prayers and Blessings of Allah be upon him and his family) described the sea as: "Its water is pure...⁽³¹⁾", unless there is a clear evident of its impurity.

The majority of scholars – except the Hanbalites - stated that it is obligatory for women to use water in washing the private parts after excretion, whether they are virgins or previously married.

Some of the Shiite scholars stated that washing the private parts after excretion with water is only obligatory for women⁽³²⁾; but this is a nugatory opinion.

Anas narrated: Whenever Allah's Prophet (All Prayers and Blessings of Allah be upon him and his family) went to the water-closet to answer the call of nature, I along with another boy used to accompany him with a tumbler full of water so that he might wash his private parts with it⁽³³⁾.

B. Stones are the other mean of removing impurities from the body. We will mention their characteristics when discussing the way of purification, and the recommendations and abominations of excretion while in the toilet.

The priority of purifying impurities with water is deduced from Allah's Almighty verse: "Within the mosque are men who love to purify themselves⁽³⁴⁾".

The scholars of Islam have agreed that this verse is revealed concerning the people of the town of Quba.

They used to adhere to the attitude of purification and perform it with water, which is an evident of their love and sincerity to Allah Almighty, and His goodness to them.

That is why the verse was revealed with regard to them as proved by the Tradition of the Prophet⁽³⁵⁾.

He (All Prayers and Blessings of Allah be upon him and his family) asked the people of Quba: "Allah (glorified and exalted be He) praised you! What do you do when performing purification?" They answered: We cleanse impurities with water. He said: "Allah revealed the verse "and Allah loves those who purify themselves" in praise of you⁽³⁶⁾".

The good character of the people of Quba is obvious in their using water after stones in purifying themselves, and in their adherence to remove impurities.

They were praised by Allah for performing the perquisites of worship.

Imam Al-Sadiq (Peace be upon him) commented on the verse "who love to purify themselves" by saying: They performed the ablution thoroughly, and used water to wash their private parts after excretion⁽³⁷⁾.

Those were evidences to prove the preference of using water in washing the private parts after excretion.

This preference is also confirmed by the following reasons⁽³⁸⁾:

1. Following the pattern of the Messenger of Allah (All Prayers and Blessings of Allah be upon him and his family). He used to wash his private parts with water after excretion⁽³⁹⁾.
2. Water is purer and better than other cleansers, because it eliminates the traces and the essence of filth.

The Prophet (All Prayers and Blessings of Allah be upon him and his family) said: "If anyone wants to cleanse himself after excretion, he must do that odd number of times if it is not with water⁽⁴⁰⁾".

In addition to that, scholars have two opinions about whether using water or stones.

1. Some scholars stated that it is better to use both means, i.e. water and stones, referring to the wording of Imam Al-Sadiq (Peace be upon him): "...use three new unused stones, and follow them with water⁽⁴¹⁾", and this indicates that using both means is recommended and better.
2. Other scholars stated that it is permissible to use stones only, and this can be considered as unanimity among Islamic jurists⁽⁴²⁾. Their opinion reclined on the Tradition of the Prophet (Peace be upon him): "...use three stones to purify yourself, and this will be sufficient⁽⁴³⁾".

There is almost unanimity among scholars that about the recommended acts and good manners followed during excretion in the toilet and while performing purification⁽⁴⁴⁾.

First: The Way of Entering the Toilet

There are some good recommended manners that one must abide by when he enters the toilet, and some undesirable acts he must avoid. They can be displayed as follows:

First: Mention the name of Allah by saying: "In the name of Allah, the Most Gracious, the Most Merciful" before excreting.

Scholars have two opinions with regard to this issue:

A. Some scholars said that mentioning the name of Allah must be before entering the toilet because mentioning the name of Allah is recommended by the Prophet in the beginning of any act.

Imam Al-Sadiq (Peace be upon him) said: Before entering the toilet say: "In the name of Allah and by Allah"⁽⁴⁵⁾.

B. Other scholars stated that mentioning the name of Allah must be after finishing the act of excretion, because in this case all the private parts are revealed and it is prohibited to mention the name of Allah in such situation for the Highness and Glory of the name of Allah.

Therefore, mentioning the name of Allah must be after excretion.

Second: Reciting Supplications on Entering the Toilet

Many narrations were reported on behalf of the Prophet Mohammed (All Prayers and Blessings of Allah be upon him and his family) to ascertain supplicating Allah on entering the toilet.

One of these narrations is: "I seek refuge in Allah from defilement and filth⁽⁴⁶⁾".

Third: one must enter into the toilet with the left foot before the right one. Also he has to cover his head with a veil.

It was narrated that Imam Al-Sadiq (Peace be upon him) said: "Enter with the left foot before the right one⁽⁴⁷⁾". Also he said: "...and cover you head with a veil⁽⁴⁸⁾".

Second: Concealing Oneself from others While Excretion

One should conceal his private parts from others when he answers the call of nature, as narrated about the Prophet (Peace be upon him): "Guard your private parts⁽⁵⁹⁾".

The Third Topic: Names of Purification:

Jurists stated that there are many ways, terms and different amounts of purification according to the tools used and the number of times of cleansing.

They have some opinions that can be demonstrated as follows:

First Opinion: The Shiite and the Malikite Scholars⁽⁶⁰⁾:

They stated that when intending to wash the private parts with water after excretion, one is obliged to abide by the following steps of purification:

A. The manner of washing the private parts with water after excretion:

To start performing purification, one should wipe the position from the testes with his ring and middle fingers thrice, pull his penis thrice and pour water over it twice.

He should praise and thank Allah for His favour to enable him mentioning Allah.

The praise should be corresponding to the amount of urine he discharged as it stated in the narration of Imam Al-Sadiq (Peace be upon him): "Mention the name of Allah on the same level as the wetness on the glans (head) of the penis⁽⁶¹⁾".

Then he should wash the opening of the anus with water until it is cleansed to a high quality of clarity.

Imam Abu Al-Hassan (Peace be upon him) said: "This will purify the filthy, while the smell remains. And the smell is negligible⁽⁶²⁾".

B. The way of purifying an impure position with water depends on the nature of the position;

the organ of man is purified by spraying water on it, the organ of woman is purified by washing with water, and the impure spot of ground should be purified by pouring water until the traces of impurities are vanished.

It was narrated by Anas Ibn Malik that when the Prophet saw a Bedouin urinating in the mosque, he asked for a bucket of water and poured water over the spot⁽⁶³⁾.

Second Opinion: The Hanbalite Opinion:

The Hanbalite jurists didn't consider that washing the private parts with water after excretion obligatory.

However it is one's volitional to wash the impure organ with water or wipe it.

But they mentioned that the impure spot of the ground should be purified by pouring water over it.

They deduced that ruling by the incident of the Bedouin who entered the mosque and urinated on the floor. The Prophet (All Prayers and Blessings of Allah be upon him and his family) asked for a bucket of water and poured water over that position⁽⁶⁵⁾.

Third Opinion with regard to washing the impure private parts with water is that of the Hanafite jurists:

The Hanafites stated that removing the impurities from the private parts whether by water or by stones is not obligatory⁽⁶⁶⁾; it is recommended.

They figured out that ruling from the narration of the Noble Prophet (All Prayers and Blessings of Allah be upon him and his family) when he said:

"Whoever cleans his private parts with stones should do it with odd number of stones⁽⁶⁷⁾."

The connotations of this Prophetic Tradition are:

- a) Disaffirming embracement (guilt) upon those who neglect cleansing the impure private parts with water, because if it is an obligatory act, there will be hardship if not performed, and this is not mentioned in the wording of the Prophet (All Prayers and Blessings of Allah be upon him and his family).
- b) However the Tradition indicates that it is recommended to cleanse the impure private parts with water, but there is no guilt if not done.

So the Tradition depicted a ruling that is recommended, not obligatory.

But it is praiseworthy saying that it is undesirable if one prays neglecting this manner of removing the impurities, because there must be some traces of impurity.

Second: Cleansing (wiping) the impure private parts with stones or pebbles:

Cleansing the impure private parts with stones can be performed when water of washing is lack.

Thence, the way purification or cleansing with water is replaced with wiping.

And this is the opinion of the majority of jurists⁽⁶⁸⁾.

However only the Shiite jurists⁽⁶⁹⁾ stated that it is not permissible to cleanse the impure private parts with stones, they can't replace water.

They relied on the narration of Abu Ja'far (Peace be upon him): Nothing purifies the position of discharging urine but water⁽⁷⁰⁾.

There are some rules one should abide by on using stones for the purpose of purification. Also jurists have some norms concerning the stones used in purification.

First: The Manner of Purification with Stones

The impure part of the passage of urine and feces – penis or anus – should be wiped with stones thrice as narrated by the Prophet (All Prayers and Blessings of Allah be upon him and his family): "Not to use less than three stones for the purpose of cleansing".

If the stone has three faces (edges), it is permissible to wipe with it thrice, each time with one face.

Wiping is preferred to be done in odd number of times; but it is also permissible to wipe in even number of times.

There are two opinions among jurists concerning the way of purifying the passages of excrements:

First Opinion: The majority of jurists have agreed upon the permissibility of wiping⁽⁷²⁾.

Second Opinion: It is sufficient to wipe the opening of the anus with three stones. However, the penis should be washed with water, because the urine may splatter on some parts of the body.

That's why only washing with water is permitted in the case of urine. And this is stated only by the Shiites⁽⁷³⁾.

Conditions of the stones used in cleansing impurities:

First: Stones should be pure:

It is prohibited to use an impure stone; whether this impurity is in the stone's essence as clotted blood on the shape of stone; such as the dung (solid stool) of a mouse. or the impurity is external such as the ordinary natural stone stained with blood.

These impure stones can't be used in purifying impurities. So one should wash the part that has been wiped with such impure stones.

It was narrated that the Prophet (All Prayers and Blessings of Allah be upon him and his family) by no means prohibited using solid impure substances in purification.

Gaber narrated that the Prophet (All Prayers and Blessings of Allah be upon him and his family) prevented using bones, stool, dung or coal (burnt wood) in purification.

The connotation of the word "prevented" doesn't imply but forbiddance and prohibition; this is the view of Shiites and Shafites⁽⁷⁶⁾.

This word also proved the nullification of what Abu Hanifa said about using solid impurities in purification; because the dung is originally wet stool and becomes dry and solid. Truly it will not adhere to the body, but purification will not be fulfilled; the filth will be removed, but the position will not be purified.

This meaning was ascertained by the Prophet (All Prayers and Blessings of Allah be upon him and his family) when he was asked by the Jinn about their provision, he said: "Every bone on which the name of Allah is mentioned is your provision. The time it will fall in your hand it would be covered with flesh. And the dung of (cattle) is fodder for your livestock⁽⁷⁷⁾".

This doesn't indicate prohibition because wiping with a stone that has been used before is prevented.

Therefore, if it is prevented to use the food of Jinn and the fodder of their livestock as means of purification, it is prohibited to use the food of man and the fodder of his livestock.

Second: The stone should be solid to remove the impurity and cleanse the impure position. So a loose material like coal can't help. Also scattered substance like sand or wet stuff like stool can't be used in purification.

This is because all these things remove a part of the impurity and keeps another.

Moreover they may make it more impure.

This is the opinion of the majority of jurists⁽⁷⁸⁾ except the Shafites⁽⁷⁹⁾.

Third: The stone should be scabrous with hard touch or surface.

Hence, it is not beneficial to use glass or iron, or any glossy substance that has a smooth and shiny surface like crystal and reeds.

In short, it is not permissible to use any object that doesn't remove the impurity and make the position dry, for this will increase the spot of impurity. In this case the position should be purified with water as it has become dirtier. And this unanimity among all jurists⁽⁸⁰⁾.

Fourth: The view of the majority of jurists is that the stone shouldn't be anything edible or eatable⁽⁸¹⁾.

The Noble Prophet (All Prayers and Blessings of Allah be upon him and his family) prevented using bones in purification because it is the food of Jinn. Also it is not permissible to use the sand of the graveyard of Imam Al-Hussein and the Noble Imams (Peace be upon him).

The Shafite jurists said the one who used these things is disobedient (sinful), his purification is not valid and impurity is not removed; so the position is not purified⁽⁸²⁾.

The other opinion is that of the jurists of Khurasan. They stated that using pure bones in cleansing is permissible because it fulfills the purpose of purification.

But this is considered as a concession to use something unlawful, as they all agreed on the prohibition of using bones in purification.

It is permissible to use pure tanned leather in wiping impurities.

However, Shafi – in one of his opinions – prevented using leather whether tanned or not.

Also, it is prohibited to use the hide (leather) which is still attached to an alive animal, for two reasons⁽⁸³⁾:

1. The hide is attached to an edible part of an animal.
2. The hide is wet and greasy, so neither the position will be dried thoroughly nor will the impurity be completely removed.

Thus, in this case the hide is not a proper mean for purification.

Fifth: The stones should be virgin, i.e. haven't been used before. This is the view of the majority of scholars.

Only Imam Shafie permitted using stones that have been used before; as stated in one of his views.

But the meaning of Shafie's opinion is: When the first stone is used, the impurity is removed, so on using the second and the third stones, there will be no impurity and the two stones are pure and it is permissible to use them again without washing⁽⁸⁴⁾.

Sixth: The Number of Stones

The impure position is not said to be pure clearly unless wiped with three natural stones, or any substance that have the same role such as wood or a piece of cloth.

This is the opinion of Shiite jurists, some Shafite and Hanbalite jurists.

If purification is fulfilled with less than three stones, it is recommended to complete the number to ascertain purification.

And if three stones are not enough, it is obligatory to increase the number of stones until the position is clearly pure.

This is the opinion of the Shiite, the Shafites, the Hanbalites and some Hanafite and Malkite jurists⁽⁸⁵⁾.

Only Imam Abu Hanifa didn't prescribe a number of stones because he didn't consider cleansing the private parts obligatory.

Cleansing the private parts after discharging wind or fart is not required. This is unanimity among scholars⁽⁸⁶⁾.

Allah Almighty said: "...wash your faces with water..."⁽⁸⁷⁾. Here Allah ordained only ablution, not other thing.

And this is an evident that cleansing the private parts in case of wind is not obligatory, because cleansing aims at removing impurity and wind does not cause any impurity.

The Prophet (All Prayers and Blessings of Allah be upon him and his family) said: "Whosoever cleanse his private parts because of wind or fart, is not from us"⁽⁸⁸⁾.

So cleansing the private parts after discharging wind is neither obligatory nor recommended, because it is a state that happens frequently and most people can't safeguard themselves against it.

Cleansing the private parts for a reason other than wind⁽⁸⁹⁾:

Scholars stated it is obligatory to cleanse one's private parts – penis and anus – when something is discharged out through these passages, such as:

- a) Gravels, worms and hair whether hair is wet or dry. Also when injecting a liquid through the opening of the anus, or something is discharged out through it.
- b) In the case when a man has sexual intercourse with his wife through her anus. And if something enters or is discharged out through the penis or the anus.

Third: Perfuming oneself⁽⁹⁰⁾:

It is the cleansing of the private parts by using water and stones.

It is so called because there is the meaning of pleasant touch of the body by removing impurities from it; and it has two types:

First: Absolute Perfuming:

In order to have purification with a pleasant scent, there must be something added to the other means of cleansing after the removal of the impurity.

Second: Perfuming the Evacuation:

It is the third name of purifying the body from excrement traces whether urine or feces. Here the impure position is cleansed and has a desirable odour.

Fourth: Recommendations and Abominations of Evacuation:

First: Recommendations of Evacuation:

1. The stones and their material should be pure, as impure substances do not remove impurity.

It is preferable to pass the first stone from the top to the bottom, then pass the second one from the bottom to the top, whereas the third stone cleanse the position between the testes and the anus.

2. In case of urination, it is recommended that one waits for a while before cleansing, to make sure that all the urine is discharged.

Then he cleanses the passage of urine with cold water to avoid hemorrhoid. And then cleanses the opening of the anus.

3. It is recommended to cover his head with a veil, and prepare the stones of cleansing before sitting. Also it is desirable to conceal himself from others and not to enter the toilet barefoot.
4. It is praiseworthy to mention the name of Allah, and recite supplications on entering the toilet and coming out of it.
5. It is preferable to enter the toilet with the left foot and exit with the right one; on contrary to the case of entering and exiting the mosque.

Second: Abominations of Evacuation:

While excreting, it is detestable to exercise some acts:

1. Urinating from a high place, or using the right hand in cleansing because this will cause harshness.
2. Urinating while standing for no reason, because urine may spread and cause impurity.
3. Urinating over a solid ground because this may splatter urine on the body.

Imam Al Sadiq (Peace be upon him) said that the Prophet (All Prayers and Blessings of Allah be upon him and his family) used to severely safeguard himself against urine. When he wanted to urinate, He used to go to a rise in the ground or a place abundant with sand, to avoid being contaminated with urine.

4. Urinating in barns, as this may cause ham. Also urinating into running or stagnant water.
5. Urinating by the roadsides or in places where people and their livestock seek water for drinking.
Also urinating under fruitful trees, in the yards and by the doors of houses, and by the stopovers of convoys.

6. It is abominated to eat, drink or use toothpick while excreting.
7. Talking while urinating, except in the case of reciting supplications.

The Messenger Mousa Ibn Imran asked Allah: O Allah! Are You far from me that I should call You? Or Are You near to me that I should whisper? So Allah revealed to Mousa, "I sit in close proximity with the one who mentions My Name". Mousa Said: O Allah! I am in a base state wherein I esteem You too highly to mention Your Name therein. Allah said, "O Mousa, mention My Name at all times".

This is the opinion of the scholars except Iam Shafi.

8. Urinating near cemeteries or graves. However, it can be ruled out as prohibited to urinate over them.

In addition to these, one shouldn't stay for long in toilets, because it causes hemorrhoid.

9. It is detestable to touch the genitals while urinating.

And it is prohibited to enter the toilet wearing a ring with sacred words or names on it as the name of Allah, the names of the Prophets (Peace be upon them all), the names of the Holy Shiite Imams (Peace be upon them all), or any word from the Holy Qur'an.

IV. RESULTS

1. Allah the Most Gracious (Exalted be He) has made it obligatory upon his servants to purify themselves from the minor impurity. This is settled by substantial decisive evidences from the Holy Qur'an and the Holy Prophetic Tradition.

2. The majority of jurists have agreed upon the ruling that purification from impurity is obligatory, except the Hanafites who have been of the opinion that it is recommended, and not obligatory.

3. The majority of jurists have agreed upon the ruling that the main means of purification are: Water where there is unanimity among jurists that it is preferable to any other means.

Also stones are of these means, in addition to wood and cloth.

4. Only the Shiite jurists held the opinion that only water can be used in purifying the minor impurity (urine). They opposed the majority of jurists who stated that it is permissible to purify the impurity of urine by water, stones or the like.

5. Purification is a sign of one's commitment to the right (valid) worship. Also it proves the love of the servant to his Almighty Lord as in the case of the people of Quba whom Allah revealed the verse of "Purification" with regard to them.

6. The majority of jurists have agreed upon the view that purification is not required in the case of discharging wind or in the case of solid hard impurities.

It is only permissible from the point of view of the Hanafite jurists.

Footnotes

1.	Al-Moqn'a: 7-9
2.	The chapter of Al Nisa'a (The Women): Verse 43
3.	The Chapter of Al Ma'idah (The Table Spread): 6
4.	Al Kafi: 1/3
5.	The Chapter of Al Ma'idah (the Table Spread): 6
6.	Mustarak Al-Wasae'l: 1/287
7.	Tafseer Al-Jaggas: 1/282
8.	Al-Fusul fi Al-Usul: 1-93
9.	Tafsir Al-Mizan: 5-219, Tafseer Al-Jaggas: 1/422
10.	Juama'a Al-Jama'a: 1/478
11.	The Chapter of Al Muddather (The Covered One): 4
12.	Tahdhib al-Ahkam: 2/140
13.	Ajwad Al-Taqrerat: 2/296
15.	Al-Moqn'a: 25, Kitab Al-Umm: 1/25-26
16.	Majma'a Al-Bahrain: 1/698
17.	Al Kafi: 3/364

18.	Al-Moqn'a: 7-8
19.	Al Kafi: 3/364
20.	Mu'jam Maqayees Al-Loghah: 4/402
21.	Tafsir Al-Mizan: 5/227
22.	Al-Dhari'ah: 1/13
23.	Mu'jam Maqayees Al-Loghah: 5/324
24.	Al-Moqn'a: 13
25.	Al Faiq fi Gharieb Al Hadith: 3/245
26.	Majma'a Al-Bahrain: 1-393
27.	Muntaha Al-Talab: 1/272
28.	Mu'jam Maqayees Al-Loghah: 3/435
29.	Muntaha Al-Talab: 1/271-272
30.	The Chapter of Al Furqan (The Criterion): 48
31.	Mustarak Al-Wasae'l: 1/187
32.	Al-Mughni: 1/140, Muntaha Al-Talab: 1/270
33.	Sahih Muslim: 1/156
34.	The Chapter of Al Tawba (The Repentance): 108
35.	Juama'a Al-Jama'a: 2/95-96, Tafsir Al-Mizan: 9/389
36.	Al-Sunan Al-Kubra: 1/106
37.	Mustarak Al-Wasae'l: 1/278
38.	Muntaha Al-Talab: 1/271, Bada'a Al-Sana'a: 1/201, Al-Muhalla: 2/172
39.	Sahih Muslim: 1/157-158
40.	Tahdhib al-Ahkam: 1/45
41.	Al-Muqni'ah: 579, Bada'a Al-Sana'a: 1/21, Al-Majmu': 2/102,
42.	Al-Sunan Al-Kubra: 1/103
43.	Al-Muqni'ah: 579, Bada'a Al-Sana'a: 1/21
44.	Mustarak Al-Wasae'l: 1/255
46.	Tahdhib al-Ahkam: 1/24
48.	Mustarak Al-Wasae'l: 1/247
49.	Tahdhib al-Ahkam: 1/25
50.	Al-Khilaf: 1/104-105
51.	Al Kafi: 3/16
52.	Al-Khilaf: 1/101, Al-Mughni: 1/153, Kitab Al-Umm: 1/23
53.	Al-Sunan Al-Kubra: 1/93
54.	Kitab Al-Umm: 1/7-8, Al-Mudwanah Al-Kubara: 1/7-8
55.	Al-Khilaf : 1/101, Bada'a Al-Sana'a: 1/18-19
56.	Fath Al-Aziz: 1/462, Al-Mudwanah Al-Kubara: 1/7-8
57.	Sahih Al-Bukahri: 1/46
58.	Muntaha Al-Talab: 1/240
59.	Al-Sunan Al-Kubra: 2/225
60.	Al-Hidayah: 76, Al-Mudwanah Al-Kubara: 1/8
61.	Tahdhib al-Ahkam:1/35
62.	Al Kafi: 3/17
63.	Sahih Al-Bukahri: 1/61
64.	Kashaf Al-Qina'a: 1/141
65.	Sahih Al-Bukahri: 1/62
66.	Bada'a Al-Sana'a: 1/18
67.	Al-Sunan Al-Kubra: 1/92
68.	Fath Al-Aziz: 1/462, Al-Sharh Al-Kabeer: 1/09
69.	Al-Khilaf: 1/101-102
70.	Tahdhib al-Ahkam: 1/51
71.	Al-Sunan Al-Kubra: 1/91
72.	Fath Al-Aziz : 1/507, Al-Mabsout (Al-Sarakhsi): 1/18, Al-Mughni: 1/141

73.	Al-Khilaf: 1/104
74.	Al-Hidayah: 76, Al-Majmu': 2/116, Talkhis Al-Habir: 1/499
75.	Al-Sunan Al-Kubra: 1/110
76.	Al-Khilaf: 1/104-105
77.	Sahih Muslim: 2/36
78.	Al-Khilaf: 1/105-106, Al-Mabsout (Al-Sarakhsi): 1/18-19), Al-Muhalla: 1/98-99
79.	Al-Majmu': 2/15
80.	Al-Khilaf: 1/479
81.	Bada'a Al-Sana'a: 1/18-19
82.	Al-Majmu': 1/124-125
83.	Muntaha Al-Talab: 1/235-236, Bada'a Al-Sana'a: 1/19-20, Kitab Al-Umm: 1/36-37,
84.	Al-Khilaf: 1/479-480
85.	Al-Hidayah: 76-77, Al-Majmu': 2/113, Hashiyah Radd Al-Muhtar: 1/312-313
86.	Al-Mudwanah Al-Kubara: 1/7, Hashiyah Radd Al-Muhtar: 1/363
87.	The Chapter of (The Table Spread): 6
88.	Fath Al-Qadir: 6/60
89.	Al-Mughni: 1/141
90.	Muntaha Al-Talab: 1/235-239, Kitab Al-Umm: 1/24, Kashaf Al-Qina'a: 1/64-65, Talkhis Al-Habir: 1/516
91.	Al-Khilaf: 1/106-107
92.	Al-Moqn'a: 7-8, Al-Majmu': 1/102, Al-Muhalla: 1/95-96
93.	Al Kafi: 2/496

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