213606 - How can one who is deaf and non-verbal pray?

the question

I have a friend who does not speak Arabic, and he is deaf and non-verbal, so he cannot recite Quran. Is it obligatory for him to recite in the prayer? How can he offer the prayer in his situation?

Detailed answer

Praise be to Allah.

The basic principle in Islam is that if someone is unable to do any obligatory duty, it is waived in his case, but he must do what he is able to do of it, because Allah, may He be exalted, says (interpretation of the meaning): {So fear Allah as much as you are able} [at-Taghabun 64:16].

And the Prophet (blessings and peace of Allah be upon him) said: “If I command you to do something, do as much of it as you can.” (Al-Bkhari and Muslim).

Based on that, in the case of the one who is non-verbal and cannot recite Quran, what he is unable to do is waived.

If he is able to say “Subhan Allah (glory be to Allah)” or recite words of remembrance of Allah (dhikr), then he should do that in the places in the prayer where Quran is usually recited.

If he is not able to say “Subhan Allah (glory be to Allah)” either, or is unable to learn an alternative to it, it is waived in his case, and he does not have to do anything instead of reciting Quran.

If he is able to say takbir (“Allahu akbar”) at the appropriate places in the prayer, then he must do so.

But if he is unable to speak at all, all the verbal essential and obligatory parts of the prayer are waived in his case, but he must do the physical essential and obligatory actions, such as standing,

bowing and prostrating.

So he should intend in his heart to start the prayer whilst he is standing, then he should bow and prostrate, without reciting Quran and without reciting the adhkar.

The Permanent Committee was asked: How should someone pray who cannot speak or hear, or he can speak but he cannot hear?

They said: He should pray according to what he is able to do, because Allah, may He be exalted, says (interpretation of the meaning):

{Allah does not place on any soul a burden greater than it can bear}

[al-Baqarah 2:29]

{Allah does not intend to make difficulty for you}

[al-Ma'idah 5:6]

{Allah intends for you ease}

[al-Baqarah 2:185]

{So fear Allah as much as you are able}

[at-Taghabun 64:16].

(End quote from *Fatawa al-Lajnah ad-Da'imah*, 6/403).

The scholars differed as to whether he must also move his tongue and lips at the times when Quran and adhkar are recited.

It says in *al-Mawsu'ah al-Fiqhiyyah* (19/92): If someone is unable to speak because of a speech impediment, the obligation to say words is waived in his case. This is according to the consensus of the jurists.

But they differed as to whether it is obligatory for him to move his tongue at the places when the takbir and Quran are recited.

According to the Malikis and Hanbalis – and it is the correct view according to the Hanafis – the one who is non-verbal does not have to move his tongue; rather he should intend in his heart to start the prayer, because moving the tongue is pointless in his case, and there is nothing in the religious texts to indicate that he should do that.

According to the Shafa`is, the one who is non-verbal must move his tongue and lips for takbir as much as he is able to. It says in *al-Majmu`*: The same ruling applies to his tashahhud, salaam and all other adhkar (in the prayer). Ibn ar-Rif`ah said: If he is unable to do that, then he should intend it in his heart, like one who is sick.

It seems that this view of the Shafa`is has to do with one who is temporarily non-verbal. As for one who is born without the ability to speak, he does not have to move anything. (End quote).

The view of the majority of scholars, which is that the obligation to move his tongue and lips is waived in this case, is more likely to be the correct view.

Ibn Qudamah al-Maqdisi (may Allah have mercy on him) said: If he is non-verbal or is unable to pronounce the takbir correctly in any language, it is waived in his case… And he does not have to move his tongue instead, as is the case in places where Quran is to be recited… That is because moving the tongue without pronouncing the words is pointless, and is not enjoined by Islam, so it is not permissible to do that during the prayer, like fidgeting with any of his limbs. (End quote from *al-Mughni*, 2/130).

Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) said: The one who cannot recite well or say words of dhikr, or is non-verbal, should not merely move his tongue. If it were to be said that the prayer is invalidated by doing that, that is more likely to be correct, because it is pointless fidgeting and is contrary to proper focus, and it is adding something that is not prescribed. (End quote from *al-Fatawa al-Kubra*)

Conclusion:

He should do whatever he is able to of the essential parts of the prayer, and what he is unable to do, such as pronouncing the takbir, reciting al-Fatihah and the adhkar for bowing and prostrating, and reciting the tashahhud, are waived in his case.

This is general and applies to all cases; whatever he is unable to do, he will not be called to account for it.

Shaykh Ibn `Uthaymin (may Allah have mercy on him) said: The one who is deaf and non-verbal has lost two of his faculties, namely hearing and speech. However, if his eyesight remains, then whatever he understands of Islam through his eyesight is not waived in his case, but whatever he cannot understand is waived in his case.

With regard to what is learned through listening, if he cannot understand it through sign language, then it is waived in his case.

Based on that, if he does not understand anything of religion, then we say: If his parents are Muslims, or his father or mother is Muslim, then he is Muslim by virtue of being their son. But if he is an independent adult of sound mind, then it is up to Allah, but so long as he is living among the Muslims, we deem him outwardly to be Muslim, and he may be taught some things through sign language. (End quote from *Liqa' al-Bab al-Maftuh*, 11/22)

See also the answer to question no. 13793.

And Allah knows best.