

Salaah of a Sick Person and Fidyah

Q: Salaah-637: A person has suffered a stroke and because it has affected mostly his brain, his senses have been almost totally destroyed, though there is some bit still left. Although he sometimes understands things, there are times when does not recognise anyone. He does however not have full perception capabilities and his condition changes all the time. Therefore, he is sometimes conscious of salaah and sometimes not. He does not remember the number of Rakaahs he has performed. Is salaah Fardh (obligatory) for him? Will it be possible for him to pay the Fidyah during his lifetime? Please explain.

Answer: If a person spends the major part of an entire day and night in a senseless or unconscious state, salaah will not be obligatory for him. If this is not the case, the obligation of salaah will not be waived, He will have to perform the salaah, failing which he will need to perform the Qadhaa salaah. If he is unable to perform the Qadhaa salaah, he should bequeath the Fidyah because Fidyah cannot be given during one's lifetime.

If the person is unconscious for most of the time but he does sometimes regain consciousness at a fixed time (e.g. every morning), after which he falls unconscious again, then this state of consciousness will be taken into account. If before this he is unconscious for less than a day and night the state of unconscious will not be taken into account and he will be liable to perform the Qadhaa salaah (because he is regarded to be a conscious person).

However, if the state of consciousness is not fixed and he regains consciousness at any time, such a state of consciousness will not be taken into account and he will be regarded to be as one who is perpetually unconscious. If the person is conscious most of the time and only falls unconscious sometimes, then it is evident that the obligation of salaah will not be waived.

If he forgets the number of Rakaahs performed, it is permissible for another person to inform him accordingly.

The book *ilmul Fiqh* states that if a sick person is unable to even indicate with the head, he should not perform salaah then, but wait for his condition to improve and then perform Qadhaa. If this condition persists for more than five salaahs, he will not need to perform the Qadhaa salaah. If he does not remember the number of Rakaahs he has performed, he should wait until he is well and then perform the Qadhaa salaah. However, it would be permissible for another person to inform him of the number of Rakaahs. This also applies to the person who cannot remember because of old age. It will be *mustahab* for someone else to inform him of the number of Rakaahs. If there is no one to do so for him, he may act on his judgement. (Naf'ul Muf'ti) A fatwa has passed in *Fataawaa Raheemiyah* regarding an ill person who is unable to remain clean. One may refer to that for more details. And Allaah knows best what is most correct.

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