13223 - Meat slaughtered by a mute person

the question

In the slaughterhouse there is a mute butcher. We want to know how he can say the name of Allaah over the animal being slaughtered.

Detailed answer

Praise be to Allah.

Ibn Qudaamah said:

He (al-Khirqi) said: if he is mute, then he may point to the sky.

Ibn al-Mundhir said: all of the scholars from whom we gained knowledge were agreed that meat slaughtered by a mute person is halaal. (Those scholars) include al-Layth, al-Shaafa'i, Ishaaq and Abu Thawr. This is also the view of al-Shu'bi, Qutaadah and al-Hasan ibn Saalih.

Since this is proven, then he should point towards the sky, because this gesture will take the place of speaking. His pointing towards the sky indicates that he intends to mention the One Who is above the heavens.

Al-Shu'bi said something similar to this.

This is also indicated by the hadeeth of Abu Hurayrah, that "A man brought a non-Arab slave woman to the Messenger of Allaah (peace and blessings of Allaah be upon him) and said, 'O Messenger of Allaah, I have to free a believing slave; shall I free this woman?' The Messenger of Allaah (peace and blessings of Allaah be upon him) asked her: 'Where is Allaah?' She pointed to the sky. He said, 'Who am I?' She pointed to the Messenger of Allaah (peace and blessings of Allaah be upon him) then to the sky, meaning that he was the Messenger of Allaah. The Messenger of Allaah (peace and blessings of Allaah be upon him) said: 'Set her free, for she is a believer.'" This was narrated by Imaam Ahmad, and by al-Qaadi al-Barti in their Musnads.

The Messenger of Allaah (peace and blessings of Allaah be upon him) ruled that she was a believer on the basis of her pointing towards the sky, meaning that Allaah is above the heavens. So this should be sufficient as a sign of mentioning the name of Allaah.

So if he (the mute butcher) makes a gesture that indicates mentioning the name of Allaah, and that is known, then that is sufficient.