

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Series of Questions Addressed to the Eminent Scholar Ata Bin Khalil Abu Al-Rashtah,
Ameer of Hizb ut Tahrir through his "Fiqhi" Facebook Page

Answer to Question

Fasting the First Ten Days of Dhul Hijja

To: Rasheed Al-Radhi

(Translated)

Question:

Assalam Alaikum WA Rahmatullah Wa Barakatuh

To eminent Sheikh Ata Bin Khalil Abu Al-Rashtah, May Allah protect and look after him

I have a question regarding the fasting of the first ten days of Dhul Hijja, is it mustahab (recommended) to fast them? And is it considered from the righteous actions? Or is it Bid'ah and the Prophet (saw) did not do it?

I have read Hadiths on this subject, and they seem to be contradicting each other, can we reconcile these Hadiths? Please benefit us with the answer, May Allah bless you?

Answer:

Wa Alaikum Assalam Wa Rahmatullah Wa Barakatuh

There are narrated Hadiths of fasting the nine (first) days of Dhul Hijja and especially the ninth day, the day of 'Arafah, and there were also Hadith regarding the virtue of good deeds in the first ten days of Dhul Hijjah. There is a Hadith from the mother of the believers Aisha (ra) that she did not see the Prophet (saw) fast those ten days, and we will mention some of these Hadiths, after that we will mention how to reconcile them, Allah willing:

First: A review of some Hadiths on the subject of fasting the nine (first) days of Dhul Hijjah:

1- Fasting the nine (first) days of Dhul Hijjah including the Day of 'Arafah:

Muslim extracted in his Sahih from Abi Qatada that he said: the Prophet (saw) said: **«ثَلَاثٌ مِنْ كُلِّ شَهْرٍ وَرَمَضَانَ إِلَى رَمَضَانَ فَهَذَا صِيَامُ الدَّهْرِ كُلِّهِ، صِيَامُ يَوْمِ عَرَفَةَ أَحْتَسِبُ عَلَى اللَّهِ أَنْ يُكَفِّرَ السَّنَةَ الَّتِي قَبْلَهُ وَالسَّنَةَ الَّتِي بَعْدَهُ، وَصِيَامُ يَوْمِ عَاشُورَاءَ أَحْتَسِبُ عَلَى اللَّهِ أَنْ يُكَفِّرَ السَّنَةَ الَّتِي قَبْلَهُ»** **«Fasting three days every month and that of Ramadan every year is a perpetual fasting. I seek from Allah that fasting on the day of 'Arafa may atone for the sins of the preceding and the coming years, and I seek from Allah that fasting on the day of Ashura may atone for the sins of the preceding year»**.

Muslim extracted in his Sahih from Abi Qatada Al-Ansari (ra) that he said: the Prophet (saw) was asked about fasting the Day of 'Arafa, he (saw) said: **«يُكَفِّرُ السَّنَةَ الْمَاضِيَةَ وَالْبَاقِيَةَ»**. **«The day of 'Arafa may atone for the sins of the preceding and the coming years.»**

Ahmad extracted in his Musanad from Hunaydah ibn Khalid narrated from his wife on the authority of one of the wives of the Prophet (ﷺ) who said: **«كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَصُومُ»** **«The Messenger of Allah (ﷺ) used to fast the first nine days of Dhul-Hijjah.»**

[Extracted by Al-Bayhaqi in Shu'b Al-Iman, and Abu Dawud in his Sunan]

2- The Righteous Actions in the first ten days of Dhul Hijja:

Al-Bukhar extracted in his Sahih from Sa'eed Bin Jubair from Ibn Abbas from the Prophet (saw) that he (saw) said: **«ما العمل في أيام أفضل منها في هذه، قالوا: ولا الجهاد؟ قال: ولا الجهاد إلا رجل»**

«No good deeds done on other days are superior to those done on these (first ten days of Dhul Hijja).» Then some companions of the Prophet (ﷺ) said, "Not even Jihad?" He replied, "Not even Jihad, except that of a man who does it by putting himself and his property in danger (for Allah's sake) and does not return with any of those things."

Al-Bayhaqi extracted in As-Sunan Al-Kubra from Sa'eed Bin Jabeer from Ibn Abbas that the Prophet (saw) said: «ما العمل في أيام أفضل منه في عشر ذي الحجة. قالوا: يا رسول الله، ولا الجهاد في سبيل الله؟ قال: ولا الجهاد في سبيل الله إلا رجل خرج بنفسه وماله في سبيل الله ثم لا يرجع من ذلك بشيء.»

No good deeds done in these days are superior to those done on the first ten days of Dhu al-Hijjah. They (the Companions) asked: Messenger of Allah, not even the struggle in the path of Allah (Jihad)? He said: (Yes), not even the struggle in the path of Allah, except a man who goes out (in the path of Allah) with his life and property, and does not return with any of them. Extracted by Ibn Habban in his Sahih.

3- The Hadith of the mother of the believers Aisha (ra):

Ayisha (Allah be pleased with her) reported:

Muslim extracted in his Sahih that Abu Bakr Bin Abi Shaiba, and Abu Kuraib and Ishaq-Ishaq said: He told us and the other two said Abu Mu'awiya told us from Al-A'mash, from Ibrahim, from Al-Aswad from Aisha (ra) that she said: «مَا رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَائِمًا فِي الْعَشْرِ قَطُّ.»

I never saw the Messenger of Allah (ﷺ) fasting in the ten days of Dhu'l-Hijja

Second: How to reconcile the evidences:

The first Hadiths show that the Prophet (saw) used to fast the first nine days of Dhul Hijja, especially the Day of 'Arafah...

The second Hadiths indicates the virtue of good deeds during the first ten days of Dhul Hijjah...

The Hadith of Aisha (ra) that she did not see the Prophet (saw) fasting on the first ten days of Dhul Hijjah.

As mentioned in *The Islamic Personality* (Volume III), in the Chapter of Equating and Outweighing - item 7:

(The seventh: the proven evidence (an action carried out by the Prophet (saw)) outweighs the negating (nafi) evidence (an action not taken by the Prophet (saw)). If two evidences are found, one is proven and the other is a negating one, then the proven outweighs the negating because it includes more knowledge, like the narration by Bilal that the Prophet (saw) entered the house and prayed, and the narration of Usama that he (saw) entered but did not pray, the narration of Bilal is outweighed (considered more likely true)

So the proven evidence outweighs the negating evidence, that is, the Hadiths that show the Prophet's fasting the Day of 'Arafah and the rest of the first nine days of Dhul Hijjah outweighs (considered more likely true) over the Hadiths of the mother of the believers Ayisha (ra), meaning that fasting the nine days of Dhul Hijja and especially the ninth day of 'Arafah is not bid'ah, but rather carry a great reward. Allah knows best, and is Most Wise.

I hope this is sufficient.

Your brother,

Ata Bin Khalil Abu Al-Rashtah

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The link to the answer from the Ameer's Facebook page:

<https://web.facebook.com/AmeerhtAtabinKhalil/photos/a.122855544578192/1109220435941693/?type=3&theater>