

The Legislative Ruling on The Second Congregation

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All praise is due to **Allah** alone and prayers and salutations be upon the one whom there is no prophet after, his family and Companions.

To proceed:

Al-Imaam at-Tirmidhee mentioned in his *Sunan*: “The Chapter of What Has Been Narrated Concerning the Congregational Prayer in the *Masjid* Where the Congregational Prayer Has Been Prayed Once.” Then he narrated the *hadeeth* of *Abi Sa’eed al-Khudree* who said: “A man came after the Prophet had prayed and he asked: ‘Which of you will give charity to that man?’ A man then stood up and prayed with him.”

At-Tirmidhee (220) stated that this *hadeeth* is *hasan*. It was also narrated by *Abu Daawood* (574), *ad-Daarimee*, and *Ibn Khuzaymah* in his *Saheeh* (1632) and he placed it under “The Chapter of The Permissibility of Praying in Congregation in a *Masjid* in Which the Congregational Prayer Has Been Prayed in Opposition of Those Who Claim That They Are to Pray Separately If The Congregational Prayer Has Already Been Performed in That *Masjid*.”

The *hadeeth* was also considered *saheeh* by *al-Haythamee*, *al-Albaanee* and others in addition to other supporting narrations like that of the *hadeeth* of *Anas* narrated by *ad-Daaraqutnee* (1068) and that of *‘Asmah Ibn Maalik* narrated by *ad-Daaraqutni* (1069).

It is also authentically narrated that “*Ibn Mas’ood* entered a *masjid* and the people had already prayed. So he prayed in congregation with *‘Alqamah*, *Masrooq* and *al-Aswad*.” [Narrated by *Ibn Abi Shaybah*. The author of *Tuhfatuh al-Ahwadhi* (2/8) stated that it was *saheeh*.]



Also, (it is narrated that) *Anas Ibn Maalik* came to a *masjid* where the people had already prayed, so he made the *adhaan*, *iqaamah* and then prayed in congregation.

This was narrated by *al-Bukhaaree* (*mu'allaq*) with no chain of narration. However, the wording of *al-Bukhaaree* indicates surety (of its authenticity). *Al-Haafidh Ibn Hajar* stated in *al-Fath* (2/346): “*Abu Ya'la* narrated this narration with its chain in his *Musnad* from the path of *al-Ja'd Abi 'Uthmaan*.”

Al-Imaam Ibn al-Qudaamah mentioned in *al-Mughnee* (2/117): “It is not disliked to repeat the congregational prayer in the *masjid*. And this means that if the local *imaam* prays (with a group) and then another group comes, it is recommended for them to pray as a group and this is the position of *Ibn Mas'ood*, *'Ataa*, *al-Hasan*, *an-Nakha'ee* and others. However, *Saalim*, *Maalik*, *Abu Haneefah*, *ash-Shaafi'ee* and others stated that the congregational prayer is not repeated in a *masjid* which has an appointed *imaam* and is not on a passageway, etc. Thus, if he misses the congregation, he is to pray by himself.

There is no proof prohibiting the second congregation and that they are to pray by themselves and the *hadeeth*, “who will give charity to that one” is clear textual proof of its permissibility.

The *'Allaamah Ibn 'Uthaymeen* stated in *Fatwa Nur 'ala ad-Darb* (5/355): “The question posed by our brother from *Yemen* about a group who enters a *masjid* and the first congregational prayer has ended, what do they do? We say that they make the *iqaamah* and then pray in congregation and there is no harm in doing so due to the Prophet's (ﷺ) statement: ‘The prayer of a man with another is purer than his prayer by himself and his prayer with two men is purer than his prayer with one.’ Also due to the fact that one day the Prophet (ﷺ) was sitting with his Companions and a man entered the *masjid* upon which the Prophet asked his Companions: ‘Who will give charity to this man and pray



with him?’ So one of the Companions stood up and prayed with him, indicating that the Prophet sanctioned another congregation in that *masjid* after the first congregation had prayed.”

I asked *al-‘Allaamah al-Luhaydaan* about the second congregation, to which he replied: “The second congregation is correct and there is no harm therein because if the *masjid* is full to capacity and there is no place for the individual to pray or he comes late and there is a group of people with him, then there is no harm in establishing a second congregation due to his (صلى الله عليه وسلم) statement: ‘The prayer of a man with another is purer than his prayer by himself and his prayer with two men is purer than his prayer with one.’”

Two points of benefit:

1. The scholars have permitted the second congregation in the *masjid* which is in a marketplace or highway which does not have a fixed *imam*; however they have differed regarding the neighbourhood *masjid* which has a fixed *imaam*.
2. *Imaam Ahmad* disliked the second congregation in the *Haram Masjid*, in the Prophet’s *Masjid* and *Masjid al-Aqsaa*. *Ibn al-Qudaamah* mentioned in *al-Mughnee* (2/118) that the apparent meaning of the narration of *Abu Sa’eed* and *Abu Imaamah* is that it is not disliked.

