

## 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."

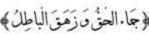
The hadeeth was also considered saheeh by al-Haythamee, al-Albaanee and others in addition to other supporting narrations like that of the hadeeth of Anas narrated by ad-Daaraqutnee (1068) and that of 'Asmah Ibn Maalik narrated by ad-Daaraqutni (1069).

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.]

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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.

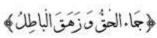
There is no proof prohibiting the second congregation and that they are to pray by themselves and the *hadeeth*, "who will give charity to that one" is clear textual proof of its permissibility.

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 (صلى الله عليه و سلم) 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 (صلى الله عليه و سلم) 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

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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 و سلم) 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.



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