
The ruling on holding a second congregational prayer

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Question: What is the legal ruling concerning holding a second congregational prayer in the (same) masjid?

Answer: Shaykh al-Albaanee (رَحْمَةُ اللَّهِ)¹: The scholars of Fiqh have differed with regard to the ruling on holding the second congregational prayer. However, before we mention the difference of opinion and clarify which is the most correct of them, we must first identify the type of congregation that they differ on.

The subject of disagreement is with regard to the congregation that is established in a masjid that has a regular employed Imaam and mu'adhin. As for the congregations that are established in any other place, be it in one's home, a masjid built on the road (i.e. musalla) or a store, then there is nothing that prevents one from having repeated congregations in those places.

The scholars who hold the opinion that it is disliked to have numerous congregations in the above type of masjid, the one that has a regular Imaam and a regular mu'adhin, derive their ruling from two evidences. The first is textual and comes from the Divine Legislator, while the other is theoretical and it is a contemplation of the narrations and the wisdom behind the prescription of the prayer in congregation.

As for the textual evidence, then they have investigated and found that the Prophet (صلى الله عليه وسلم)² went throughout his life leading the people in congregational prayer in his masjid. And along with this, whenever any individual from his Companions entered the masjid and found that the congregational prayer had finished, he would pray alone and would not wait (for others to come). Nor would he turn towards his left or right, as the people do today, looking for one or more people so that one of them can pray with them as an Imaam.

The Salaf never used to do any of this. So when one of them would enter the masjid and find that the people had prayed, he would pray by himself. This is what Imaam ash-Shaafi'ee (رَحْمَةُ اللَّهِ) concluded in his book al-Umm, and his discussion on this topic is from the most comprehensive of talks that I have seen from the discussions of the Imaams on this issue, such that he said:

"If a group of people enter a masjid and find that the Imaam has already prayed, then they should pray individually. But if they pray in a congregation, then their prayer is acceptable and valid, however, I hate that they do this for it was not from the customs of the Salaf."

Then he said: "As for the masjid that is on the highway, which doesn't have a regular employed Imaam and mu'adhin, then there is no harm in holding numerous congregational prayers in it."

Then he said: "And we have memorised that a group from the Prophet's (صلى الله عليه وسلم) Companions missed the congregational prayer, so they prayed individually. Even though they had the ability to

¹ (رَحْمَةُ اللَّهِ) (rahimahullaah) May Allaah have mercy on him

² (صلى الله عليه وسلم) May the peace and blessings of Allaah be upon him

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congregate and pray together a second time, they did not do this because they hated to hold the (same) congregational prayer in the masjid twice."

This is the saying of Imaam ash-Shaafi'ee (رَحْمَةُ اللَّهِ). And what he mentioned that the Companions used to pray individually when they would miss the congregational prayer, has been mentioned as a ta'leeq narration in shortened form. And al-Haafidh Aboo Bakr Ibn Abee Shaibah (رَحْمَةُ اللَّهِ) transferred that to his famous book al-Musannaf. He reported it with a strong chain of narration on the authority of al-Hasan al-Basree (رَحْمَةُ اللَّهِ) that when the Companions would miss prayer in congregation, they would pray individually.

Ibn al-Qaasim related this understanding in his Mudawwanat-ul-Imaam Maalik on a group of the Salaf, such as Naafi' the servant of Ibn 'Umar, Saalim Ibn 'Abdillaah and others (rad iyallaahu `anhu)³, that when they would miss the prayer, they would pray individually and they would not establish the congregation a second time.

Also, Imaam at-Tabaraanee reported in his Mu'jam al-Kabeer with a good chain of narration from Ibn Mas'ood (rad iyallaahu `anhu) that he went out one day with two of his companions from his house to the masjid in order to pray in the congregation. But when they got there, they found the people leaving the masjid for they had finished the prayer. So he returned to his home and led them in prayer. So this returning of Ibn Mas'ood (rad iyallaahu `anhu) – being who he was due to his accompaniment of the Messenger (صلى الله عليه وسلم) and his knowledge and understanding of Islaam – if he knew the prescription of praying numerous congregations in one masjid, he would have entered with his two companions and prayed in congregation with them. This is since he knew the saying of the Prophet (صلى الله عليه وسلم): **"The best prayer of a man is the one he performs in his house, except for the obligatory prayer."** So what was it that prevented Ibn Mas'ood (rad iyallaahu `anhu) from praying this obligatory prayer in the masjid? – his knowledge that if he prayed it in the masjid, he would have to pray it alone. So he held that if he congregated in his home that would be better than if he and those with him prayed individually by themselves in the masjid.

So this is a collection of the quotes that support the point of view of the majority of the scholars that have disliked numerous congregations held in the described masjid in the manner mentioned previously.

Thereafter, people will not miss finding other evidences, while doing some deduction and precise investigation. Thus, the two Imaams, al-Bukhaaree and Muslim, have reported from the hadeeth of Aboo Hurairah (rad iyallaahu `anhu), that the Prophet (صلى الله عليه وسلم) said, **"I felt a strong desire to command a man to lead the people in prayer. Then command some men to fetch firewood, then go to the people who have left off praying in congregation and set their houses on fire. By the One in whose hand the soul of Muhammad is, if one of them knew that he would find two good hunted game in the masjid, he would surely come to witness the two (prayers)."** In this hadeeth, the Prophet (صلى الله عليه وسلم) threatened those who refrained from attending the congregational prayer in the masjid with burning them with fire. I believe that this hadeeth alone informs us of the previously mentioned ruling or it informs us of what Imaam ash-Shaafi'ee (رَحْمَةُ اللَّهِ) has stated and what Ibn Abee Shaibah has related. And it was that the Companions would pray repeated congregational prayers in the masjid. This is since, if we were to assume that the second and third congregations were legislated in the masjid, then there came this severe threat from Allaah's Messenger (صلى الله عليه وسلم) to those who refrained from the congregational prayer, which congregation is it that they are refraining from attending? And for which congregation that they refrained from attending was this severe threat intended?

If it is said: "For the first congregation", then it must be said: These other congregations are not legislated. And if it is said: "This severe threat only applies to the one who refrains from every

³ (rad iyallaahu `anhu) May Allaah be pleased with him

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congregation, no matter what number in a sequence it is. So then in this case, the argument of Allaah's Messenger (صلى الله عليه وسلم) against anyone of those people who refrained from any of the congregations would not be established at all. This is since if he were to surprise one of them, after having put someone in charge to lead the prayer, by going to his house and finding him spending leisure time with his wife and children. And so he (صلى الله عليه وسلم) would reprimand him for this, saying: "Why don't you go pray in congregation?" He would simply reply to him: "I will pray with the second or third congregation." So will the Messenger's (صلى الله عليه وسلم) argument be established against him? Due to this, the Messenger's (صلى الله عليه وسلم) strong desire to authorise someone to take his place and for him (صلى الله عليه وسلم) to surprise those who refrained from attending the congregational prayer and burn their houses down, is the greatest proof that there is no second congregation at all. This is with respect to the textual reports that the scholars have relied on for support.

As for the investigation, then it is from the following angle: There are many ahaadeeth reported that state the virtue of the prayer in congregation. From them is the Prophet's (صلى الله عليه وسلم) saying: "**Prayer in congregation is better than praying alone by twenty-five – and in one report – by twenty-seven degrees.**" So this great virtue was only stated for the prayer in congregation.

And there is stated in other ahaadeeth that: "**The prayer of a man along with another man is more purer in the sight of Allaah, than his praying alone. And the prayer of a man along with two other men is purer in the sight of Allaah than his praying with one man.**" This is because every time the congregation increases in the number of individuals it has, its reward multiplies with Allaah.

So if we keep this understanding in mind and then look at the consequences of the opinion that allows the holding of numerous congregations in the masjid that has a regular Imaam, then we will see that it produces the worst of consequences. This is because the opinion for holding repetitive congregations will lead to the minimising of the amount of people who attend the first congregation. And this contradicts the incitement that we find in the hadeeth: "**The prayer of one man along with another man is purer than his praying alone**" since this hadeeth encourages that there be many people in the congregation. And holding the opinion that the congregations can be repeated in the masjid, by necessity, leads towards a minimisation of the amount of people in the prescribed first congregation and a division of the Muslims' unity.

And there is something else that requires careful examination. And it is that we must remember that the hadeeth of Ibn Mas'ood (rad iyallaahu `anhu), in Saheeh Muslim, similar to the hadeeth of Aboo Hurairah (rad iyallaahu `anhu): "I felt a strong desire to command a man to lead the people in prayer." It was reported (by Ibn Mas'ood (rad iyallaahu `anhu)) with respect to those who refrained from performing the Jumu'ah prayer. So when we know that Ibn Mas'ood, (rad iyallaahu `anhu), placed a threat, of a specific type, on every person that refrains from attending the Jumu'ah and the congregational prayer, then we realise that these two prayers are with regard to their link to the congregation. For indeed, this threat means that there is to be no second congregation after any of these two prayers. Thus, the Jumu'ah prayer – until now – is preserved in its singularity and there is no opinion held stating that it is prescribed to have numerous (Jumu'ah) prayers in one masjid. All of the scholars, in spite of their differences agree on this. Due to this, we can see the masjids crowded with people on the day of Jumu'ah. And if it doesn't escape our minds, we must remember that from the causes of the masjids being filled on the day of Jumu'ah is that there are those who attend Jumu'ah yet do not attend any of the other (regular) prayers. However, there is no doubt that the cause for the masjids being filled with people on the day of Jumu'ah is that the Muslims do not practice – and all praise is for Allaah – the act of repeating the Jumu'ah prayer (continuously) in the same masjid. So if the Muslims were to treat the congregational prayer like they treat the Jumu'ah prayer and like the way the matter was during the time of Allaah's Messenger, (صلى الله عليه وسلم), the masjids would be filled with people. This is since every person that constantly prays in congregation will always have in his mind that if he misses the first congregation, he will not be able to attain it after that. So this belief will

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serve as an incentive for him to closely guard his attending of the congregational prayer. And the opposite is true also. If a Muslim feels that if he misses this first congregation, then he can always find a second one or a third one or sometimes even a tenth one, then this is from the things that weaken his enthusiasm and aspiration in attending the first congregation.

There are two things that remain before us: First we must clarify that those who held the view that the second congregation, according to the particularisation mentioned previously, was not legislated, and who said that doing it was disliked, they are the majority of the Imaams of the Salaf. Amongst them are the three Imaams – Aboo Haneefah, Maalik and ash-Shaafi’ee. Imaam Ahmad is also amongst them according to one report. However, this report is not well known amongst his followers today, even though one of his most specialised students, Aboo Daawood as-Sijistaanee mentioned it. Thus, he reported from him in his book *Masaa’il al-Imaam Ahmad* that he (Ahmad) said: “Repeating the congregational prayer in the two sacred masjids (i.e. of Makkah and Madinah) bears the highest level of disapproval (*kiraaha*).” So this, from the aspect of preference, indicates to us that there also exists the disapproval of repeating the congregations in other masjids as well. However, it (the level of disapproval) is more severe in the two (sacred) masjids. So in this report, Imaam Ahmad is in conformity with the other three Imaams.

Secondly, the other report on Imaam Ahmad – the one which is more known to his students – he (رَحْمَةُ اللهِ) and those interpreters, who followed him, base their support for it on a hadeeth reported by at-Tirmidhee, Imaam Ahmad and others. It is the hadeeth of Aboo Sa’eed al-Khudree (rad iyallaahu `anhu), in which he said: “A man entered the masjid when the Messenger (صلى الله عليه وسلم) had already prayed and his Companions were gathered around him, (صلى الله عليه وسلم). This man wanted to pray, so the Prophet, (صلى الله عليه وسلم), said: **‘Is there not a man who can give charity to this person by praying with him?’** So a man stood up and prayed with him.” And in the report of Aboo Bakr al-Baihaqee, which is found in his Sunan al-Kubraa, it is stated that this man was Aboo Bakr as-Siddeeq (rad iyallaahu `anhu). However, this report has weakness in its chain. The report that is authentic doesn’t name the man in it. So these (scholars) have used this hadeeth as evidence and say: “The Messenger, (صلى الله عليه وسلم), has approved of the second congregation!”

The response to the use of this evidence is that we consider the congregation, which this hadeeth talks about, to not be the same congregation that is being indicated in the question. This is since the congregation that the hadeeth refers to is the congregation of a man who enters the masjid after the first congregation has finished and wants to pray alone. But the Messenger (صلى الله عليه وسلم) incited those of his Companions who had prayed with him already to let one of them get up and volunteer and pray a voluntary prayer. So someone did it and that is the way it occurred. So this congregation consists of two people: The one leading the prayer (Imaam) and the one being led (ma’moom). The Imaam is praying his obligatory prayer, while the ma’moom is praying a voluntary prayer. So who is the one who put this congregation together? If it were not for the one praying voluntarily, there would be no congregation. So therefore, this is a supererogatory and voluntary congregation, and not an obligatory congregation. And the differing (mentioned in the question) is only with regard to the second obligatory congregation. So due to this, using the hadeeth of Aboo Sa’eed al-Khudree (rad iyallaahu `anhu) as evidence for this area of dispute is not correct. And what further confirms this is the fact that the hadeeth states: **“Is there not a man who can give charity to this person by praying with him?”** In this incident that occurred, there was someone who gave charity and there was someone who received charity. So if we were to ask a person with the least amount of knowledge and understanding: “Who is the one giving the charity and who is the one receiving the charity in this situation, which the Messenger (صلى الله عليه وسلم) has approved of?” The answer would be: “The one giving the charity is the person praying the voluntary prayer, who had already prayed the obligatory prayer behind Allaah’s Messenger (صلى الله عليه وسلم) while the one who is receiving the charity is the person who arrived late.”

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Now if we were to throw this same question on the congregation that is in dispute right now: for example six or seven people enter the masjid, and find that the Imaam has already prayed. So one of them leads the prayer and the rest follow him in a second congregation. So who is the one giving the charity amongst these people? And who is the one receiving the charity? No one can give the same answer as in the first example. So this congregation (of people) that has entered after the Imaam finished praying, all of them are praying their obligatory prayer. There is no one giving charity, nor is there anyone receiving charity. On the contrary, the obscurity found here is quite obvious and clear in the first example. The one giving charity is the person who is praying the voluntary prayer, who already prayed behind Allaah's Messenger (صلى الله عليه وسلم). His prayer was recorded as twenty-seven levels (of reward). So because of that, he is rich and therefore able to give away in charity to others. And the one who leads the prayer – and if it were not for that person giving charity, he would have prayed alone – he is poor and in need for someone to give him charity. This is since he did not earn what the person who is giving him charity earned (from reward).

So the reason for this person being the one giving the charity and that person being the one receiving the charity is clear. As for the scenario that is in dispute now, then the scenario is not clear, for all of the people (praying) are poor, since they have all missed out on the virtue of the first congregation. So the saying of Allaah's Messenger (صلى الله عليه وسلم): **“Is there not a man who can give charity to this person by praying with him.”** doesn't apply here. Therefore, in a situation like this, it is not valid to use this incident (mentioned in the hadeeth) as evidence. Nor can it be used in reference to this issue, which is the area of our discussion.

We will link this to another evidence they use as proof, which is the Prophet's (صلى الله عليه وسلم) saying: **“Praying in the congregation is more virtuous than praying alone by twenty-seven degrees.”** So they use the generality (in the hadeeth) as evidence, meaning they understand that the word “the” before the word congregation is for a general inclusion (of all congregations). This means that (according to them) every congregational prayer is more virtuous than praying alone. We respond by saying, basing it on the previously mentioned evidences that “the” is not for a general inclusion, but rather it is for a specific designation. This means that the congregational prayer – which the Messenger (صلى الله عليه وسلم) prescribed, incited towards, ordered the people to attend, threatened those who abandoned it with burning their houses and which those who abandoned it were described as being hypocrites – is the prayer in congregation that is more virtuous than praying alone. And it is the first congregational prayer. And Allaah, the Most High, knows best.