

# **By-Laws/Constitution of Regina City Jamia Masjid**

## ***Appendix***

### **Article 1:**

#### **Sunnah:**

Sunnah is the sayings, deeds, approvals, and disapprovals of the Prophet Muhammad (S.A.W.S.).

### **Article 2:**

#### **Sahih Hadith:**

Sahih Hadith is a narration attributed to the prophet Muhammad through a chain of transmission which is connected from one scholar to another scholar until the chain is completely connected, unbroken to the prophet Muhammad (S.A.W.S.). Also it does not contradict any major understanding of the Holy Qur'an or an authentic Hadith, nor does it contain any crucial criticism of the Holy Qur'an.

### **Article 3:**

#### **Imam:**

Imam in this Constitution is a person elected to carry out the functions defined in this Constitution, and not the Imam ul khilafa.

#### **\*Note:**

The above definitions are based upon the generally held position of the Sahaba (the companions of the Prophet [S.A.W.S.]), the Tabiun (the followers of the companions) and the Taba Tabiun (those who follow the followers of the companions) and those righteous Muslims who follow the above mentioned three earliest generations of the Muslims.

### **Article 4: Foundation of our Mosque/Beliefs & Practices**

The foundation of all activities, goals, and objectives are based upon the eternal guidance from the Holy Qur'an and the life example, and the Sunnah of the Prophet Muhammad (S.A.W.S.) as outlined in the Sahih Al-hadith (See appendix for the definition of Sunnah and Hadith).

***Islam is our way of life. We believe in:***

- A. Allah:** The One and Eternal, Unique and Absolute. He neither begets, nor is He begotten and there is none equal to Him, we know Him by the way He has presented Himself in the Holy Qur'an through Asma ul-Husna (His most beautiful names) ...
- B. Angels:** They are creatures from amongst the creation of Allah. They are made of light. They follow Allah's Commands and cannot benefit or harm anyone except by Allah's Command.
- C. Books:** We believe in the books that He revealed for the guidance of mankind. Most of these books are lost and the rest, except the Holy Qur'an, have been changed or tampered with. Some of these are the Torah, Ingeel, Zaboor, and the books of Ibrahim and Musa. The last among the books is Al-Qur'an which has been preserved in its purity and is the guide for all mankind until the last day.
- D. Messengers:** These are men whom Allah chose to reveal His message and commanded them to convey the message. He supported them with miracles. They are impeccable. They do not commit any sin. They might do minor mistakes which are usually corrected by revelation from Allah. Adam (P.B.U.H.) was the first and Muhammad (S.A.W.S.) was the last prophet and messenger of Allah.
- E. The Last Day:** We believe this world will end and there will be a last day; and after the Last Day we shall begin another life -- The Life of The Hereafter. Allah will resurrect His creations after their death and will bring them to account for their deeds. He will reward the virtuous with Paradise and will punish evil doers. The abode of evil doers is the hellfire.
- F. Pre-Destination:** We believe that Allah knows all events before they take place and that He has determined them and has written them beforehand, and that nothing happens in His Kingdom without His Will and Knowledge.
  - a. Worship:** Our worship is founded upon the pillars of Islam.
  - b. Shahada:** Testifying that there is no god but Allah and that Muhammad is His messenger and the seal of all the prophets.
  - c. Prayer (salah)**
  - d. Zakah**
  - e. Sawm:** Fasting of Ramadhan
  - f. Hajj:** Pilgrimage to The House of Allah in Mecca, Arabia, if the means permit, once in a lifetime.

In addition, there are optional worship such as wajib, sunnah, and nafol prayers. Also, Allah has ordained in many Ayat Muhkamat to make Dhikr/Jhikr (remembrance of Allah), which we shall try to act upon.

**Article 5: Policies/Guidelines in General Conduct of Affairs**

- A.** Individual freedom within the limits of Islamic Shariah, equality, social justice, non-discrimination, and Shurah are the means of guidelines within which all activities shall be carried out.
- B.** The criterion of right and wrong is neither the individual pleasure nor the good of any social group or state but the pleasure of Allah Subhanahu wa Ta'ala. An action is right and good only if it pleases Allah Ta'ala and it is evil if it displeases Him.

- C. Islamic values are absolute, both human and moral, and are based on the Qur'an and Sunnah of the Prophet Muhammad (S.A.W.S.).
- D. Respect for the established schools of Islamic Fiqh (Jurisprudence), conforming to article 4 of this Constitution without formally committing to anyone of them.

#### **Article 6: Membership of the Masjid**

- A. The Masjid shall be open to all Muslims, irrespective of color, race, country, language, education, school of thought, nationality, background, status, position, or political views; for making prayers; and in remembering Allah Subhanahu wa Ta'ala. No membership is required for making prayers, or reading in the Masjid, nor for attending general Islamic Worship Services and activities.
- B. For those Muslims who subscribe and are in agreement with the aims and objectives of the organization, and who would like to actively involve themselves in the establishment of Islam individually and collectively, may become members of the community organization of the Masjid by fulfilling the requirements as set forth in **article 7** of the Constitution.

#### **Article 7: Qualifications and Purpose of Membership**

“Help ye one another in righteousness and piety but help ye not one another in sin and rancour. Fear Allah: For Allah is strict in punishment.” (Qur'an 5:3) “And hold fast, all together by the rope which God (stretches out for you) and be not divided among yourselves.” (Qur'an 3:103) The purpose of membership is to enlist the formal commitment and support from the general body of Muslims in order to undertake the duties and responsibilities of establishing Islam in society.

##### **A. Qualifications and requirements:**

- a. Be a Muslim.
- b. The member must be committed to Islam and must strive to implement Islamic teachings in his/her life.
- c. Accepts and is willing to work under this Constitution.
- d. Accepts to pay a membership fee, or fulfills other requirements as decided by Majlis-ash-Shura.
- e. Accepts to abide by the decisions of the collective authority.
- f. Could be male or female and of the age of at least 16 years.
- g. Approval of the applicant by Majlis-ash-Shura.

##### **B. Duties:**

- a. Strives to practice the obligatory duties of Islam.
- b. Strives to work for the development of an Islamic personality in oneself and others.
- c. Visits the Masjid at least once a week.
- d. If a sister, visit to the Masjid is optional.
- e. Participates and helps in organizing Islamic activities at the Masjid and outside.

- f. Undertakes the study of Islam.
- g. Strives to practice Islamic code of conduct and behavior and specially avoids committing major sins.
- h. Participates in charitable activities and works which yield benefits and goodness to the community.

**C. Benefits:**

- a. All members shall be involved in participating and shaping the programs of the organization.
- b. All members shall have voting rights, if the member has fulfilled his or her duties as described in **article 7B**.
- c. The member shall have a voting right if the member is a qualified member for at least six months prior to exercising his/her vote.
- d. Each voting member shall be entitled to one vote on each matter.

**Article 8: Organization/Methodology/Structure**

- A. The affairs, activities, and programs of the masjid and the community organization shall be managed by the principles of Shura. “Their affairs are decided by mutual consultation.” (Qur’an 42:39) The final word in the affairs is the Qur’an and Sunnah. “O ye who believe obey Allah, and obey the Apostle, and those charged with authority among you. If ye differ in anything among yourselves, refer it to Allah and His Apostle, if ye do believe in Allah and the Last Day, that is best, and most suitable for final determination.” (Qur’an 4:59)

In abiding by the above ayah all decisions and actions will be based on:

- a. The guidance of Al-Qur’an.
- b. The guidance from the Sunnah of the Prophet Muhammad (S.A.W.S.).
- c. The guidance of Khulafa al Rashideen.
- d. The guidance of the well-known Islamic schools of fiqh, if their findings are substantiated by the Qur’an and Sunnah.
- e. By any other truth available pertaining to the subject.

**B. Organization of the General Assembly**

- a. All Muslims who attend the Masjid form the jama’ah, but the qualified members among them shall be called the General Assembly. The General Assembly shall elect the chief executive who may be known as the Imam (**See article 9**).
- b. The General Assembly shall meet twice a year, during June and December. It shall also meet for election purposes or emergencies, when required.

- c. Sixty percent of the General Assembly shall constitute the quorum for election purposes. Failure to meet the quorum shall result in calling another meeting with proper announcements, one week later. Those present in the second meeting shall constitute the quorum.

#### **Article 9: Majlis-Ash-Shura**

Shall consist of the Imam elected by a majority vote of the General Assembly. The Majlis-ash-Shura shall consist of:

##### **A. Office Bearers**

1. Imam as the Chief Executive of the masjid
2. Naib al Imam (Vice President)
3. Secretary
4. Treasurer

- B. If in any given term the number of the qualified nominees is less than the required number, than those who qualify shall become the members of the Shurah for that specific term after the election.
- C. Term: The term of the Imam is permanent. However, every two years on the last weekend of December a vote of approval shall be taken from the General Assembly **(as defined in article 17)**.
- D. Members of Shura committee shall be elected every two years on the last weekend of December **(as defined in article 11)**.
- E. Members leaving the city or those voluntarily resigning would be replaced by the process outlined in **article 11**.

#### **Article 10: Qualifications of the Members of the Majlis-ash-Shura**

- A. He should be an adult and mature.
- B. He should have a reputation of good Islamic behavior and manners.
- C. He should meet all requirements as set forth in **article 7**.
- D. He must be committed to the Qur'an and the Sunnah of the Prophet Muhammad (S.A.W.S.), and should strive to practice the teachings of both the sources.
- E. Must commit to stay on the shura for at least six months after his election.
- F. He should be a resident of the City of Regina, SK, at least for one year prior to becoming a member of the Majlis-ash-Shura and is known to frequent the Masjid.

#### **Article 11: Functions of the Majlis-ash-Shura**

The Majlis-ash-Shura is composed of the Imam and other Shura members; together they compose the executive authority in the Masjid. All affairs of the Masjid shall be managed by the Majlis-ash-Shura. The Majlis-ash-Shura shall be responsible for:

- A. Safeguarding the ideological integrity of the Masjid and organization.
- B. Providing policy guidelines for programs and activities and perform such acts that may be necessary for the achievement of the overall objectives of the Masjid, and the requirements of the constitution.
- C. Majlis-ash-Shura may receive and accept property; real, personal, a mix by way of gift, bequest or devise from any person, firm, trust, or corporation to be held, administered, and disposed of in accordance with and pursuant to the provisions of these articles.
- D. The Majlis-ash-Shura has the right to make all those decisions which are not specified in the constitution, but which conforms to the goals of Regina City Jamia Masjid.

#### **Article 12: Meetings of the Majlis-ash-Shura**

- A. The Majlis-ash-Shura shall meet at least once a month. In addition, it shall meet under the following conditions.
  - 1. By the request of the Imam.
  - 2. By the request of  $\frac{2}{3}$  of the members of the Majlis-ash-Shura.
  - 3. In case of an emergency.

#### **Article 13: Decision Making**

Decision making shall be based on the following principles of Shura and unity: As Allah Subhanahu Wa Ta'ala says in the Holy Qur'an: "And hold fast, all together by the rope which Allah (stretches out for you) and be not divided among yourselves." (Qur'an 3:103). "Those who hearken to their Lord; and establish regular prayer; who conduct their affairs by mutual consultation." (Qur'an 42:38)

- A. All issues shall be discussed by the Imam and the Majlis-ash-Shura.
- B. Upon end of discussion, the issue shall be resolved by one of the following methods:
  - 1. Unanimous decisions.
  - 2. By voting, majority vote wins
  - 3. By the members' request to the Imam to make the final decisions (this must be all unanimous agreement of the members of the Shura)
  - 4. By the Imam exercising his authority (if the majority decision or the unanimous decision violates any Islamic law, or the Qur'anic or Prophetic traditions, etc.) and making final decision.
- C. After the decision is made, everybody is required to follow it.

#### **Article 14: Duties and Responsibilities of the Officers of Majlis-ash-Shura**

- A. The main function of the Majlis-ash-Shura shall be to plan, organize, direct, and control all activities of the Masjid in order to achieve the aims and objectives of the constitution.

- B. There shall be four office bearers and five committee heads. Each committee shall be headed by one member of the Majlis-ash-Shura. The general duties and obligations and authority of the Masjid officers and the department heads are presented in the following articles.

#### **Article 15: Qualifications of the Imam**

- A. Must be knowledgeable about Islam and have sound understanding of the Holy Qu'ran and the Sunnah (*as defined in article 4*)
- B. Must be able to make decisions.
- C. Must be ready for sacrifice.
- D. Must be available to people and open to advice.
- E. Must have great fear of Allah as manifested in his Islamic behavior and manners in his personal and public life.
- F. Must be committed to the constitution of the Regina City Jamia Masjid

#### **Article 16: Duties and Functions of the Imam**

- A. The Imam shall be responsible for planning, organizing, directing, coordinating, controlling all the affairs and activities of the Masjid.
- B. He shall be responsible for organizing and establishing all the Salaat in the Masjid.
- C. He shall be responsible for providing Islamic services needed by the community: Conducting marriage ceremonies, providing religious knowledge and information, and advising and consulting on problems and concerns of Muslims.
- D. He or his designate shall be the representative of the Masjid to the outside world.
- E. He or his designate shall be responsible for the management and supervision of the day-to-day activities of the Masjid.
- F. He shall be authorized to make appropriate decisions, without the approval of the Majlis-ash-Shura, in matters related to the management of day-to-day affairs.
- G. In cases of disturbance or disorder, he has the authority to handle the matter in the appropriate manner and inform Majlis-ash-Shura as soon as possible.
- H. He shall preside over all the meetings of the Majlis-ash-Shura.
- I. He shall form committees if needed, to carry out or to implement activities or programs of the Masjid.
- J. He shall be responsible for establishing the bureau of dawah and Irshad among Muslims, to plan, organize, train, and carry out comprehensive dawah activities under his supervision and assisted by the Naibul-Imam/Vice President.
- K. He shall work with Majlis-ash-Shura in making decisions (as defined in article 14).

#### **Article 17: Naib al-Imam**

- A. The Naib al-Imam or vice president shall assist the Imam in implementing and executing the policies, programs, and decisions of the Majlis-ash-Shura.

- B. He shall assume complete responsibilities and authority of the Imam in case of Imam's temporary absence, removal, resignation, or death. In case of the resignation, removal, or death of the Imam, the Naib al-Imam shall act as an Imam until the Imam's successor has been chosen.
- C. He shall perform any special assignments given to him by the Imam or approved by the Majlis-ash-Shura.
- D. He shall be responsible for public relations/communications.
- E. He shall be responsible for assisting the Imam in conducting the Da'wah among Muslims and/or non-Muslims.

#### **Article 18: Secretary**

- A. He shall coordinate with the Shura members to schedule Shura meetings and inform them the date, time, and place of meetings.
- B. Shall prepare the agenda for the meetings of the Majlis-ash-Shura.
- C. Shall record the minutes of the meetings of the Majlis-ash-Shura, and the General Assembly meetings.
- D. Shall receive, initiate, and respond to all correspondence to and from the Masjid and its correspondents.

#### **Article 19: Treasurer**

- A. Shall be responsible for collecting all money and valuables given to the Masjid. This includes: membership dues, monthly or non-periodical donations and contributions, etc.
- B. Shall keep records of all income and expenditures; and shall balance the books.
- C. Shall pay all the regular bills of the Masjid.
- D. Shall maintain an accounting system.
- E. With the approval of the Imam he shall be allowed to spend up to \$ 1000 monthly on expenditures other than the regular maintenance expenses without the prior approval of Majlis-ash-Shura and shall inform the Majlis-ash-Shura as soon as possible.
- F. Shall prepare the annual budget with the help of and consultation of the Imam for approval of the Majlis-ash-Shura
- G. He shall prepare the semi-annual financial report and present it to the General Assembly after the approval of the Majlis-ash-Shura.
- H. He shall prepare the semi-annual financial report and present it to the General Assembly after the approval of Majlis-ash-Shura.

#### **Article 20: Description of the Committees: Methodology, and Organization**

- A. The committees shall be established to undertake the implementation of the plans as approved by the Majlis-ash-Shura in order to achieve the aims and objectives of the Constitution.
- B. Each committee shall be responsible to carry out functions assigned to it in the following sections of article 24.



- C. Each committee head shall devise and present an overall plan and program and shall carry them out after consultation and approval of the Majlis-ash-Shura.
- D. Each committee shall be comprised of the committee head and up to four additional members.
- E. There shall be five committees. Their names are as follows.
  - 1. Committee of Education and Training
  - 2. Committee of Islamic Guidance
  - 3. Committee of Islamic Economics
  - 4. Committee of Cultural and Social Affairs
  - 5. Committee of Community Services

## **Article 21: Functions and Activities of the Committees**

### **A. Committee of Education and Training**

- 1. The Committee of Education shall be responsible for organizing and administering in collaboration with Regina Islamic School at the Masjid.
- 2. It shall also work in collaboration with all aspects of full-time daily school when it becomes a viable operation.
- 3. The committee shall also administer any other schooling, full time or part-time through appropriate measures and coordination's.
- 4. It shall be responsible for the administration and supervision of the Islamic Library.
- 5. The committee shall organize training programs for teachers, and parents, adults, and Islamic workers in the fundamentals of Islamic education, beliefs and practices, and community work.

### **B. Committee of Islamic Guidance**

- 1. The Committee of Islamic Guidance shall conduct Islamic guidance classes for brothers/sisters in the following areas:
  - a. Meaning and tafseer of the Holy Qur'an
  - b. Understanding of Hadith
  - c. Issues in Fiqh
  - d. Arabic language classes: reading, recitation, and memorization of the Holy Qur'an.
- 2. The committee shall organize, and provide programs for Islamic enlightenment and there programs shall include workshops, seminars, conferences, camps, etc.
- 3. The committee shall organize Friday night/weekend, and weekday programs and activities based upon the above-mentioned areas of Islamic guidance.
- 4. The committee shall publish a monthly newsletter and/or other Islamic literature for the Masjid.

### **C. Committee for Islamic Economics**

- 1. The Committee of Islamic Economics shall strive to carry out economic activities and programs leading to self-sufficiency, social security, and interest-free Islamic cooperatives.

2. The committee shall organize the collection and distribution of Zakah, ushr, and other sadaqat.
3. The committee shall establish a Baitul Maal for the help of the needy and to provide interest-free loans.
4. The committee shall provide help and shall engage in establishing businesses for the Muslim community.
5. The committee shall coordinate its financial affairs with the treasurer of the Masjid, if necessary.

#### **D. Committee of Cultural and Social Affairs**

1. The committee shall provide and organize facilities and programs for indoor and outdoor sports, and recreation, entertainment, picnics and outdoor activities.
2. Shall organize and conduct Iftar programs during Ramadan, and other community dinners.
3. Shall organize the celebration of Eidul Fitr and Eidul Adha and other Islamic festivals.
4. Shall provide cultural and sports activities for the children.
5. Shall arrange social visits between different Muslim communities.

#### **E. Committee of Community Services**

1. The Committee of Community Services shall provide different services and programs, beneficial to all Muslims.
2. The committee shall work to establish and maintain a Muslim graveyard or cemetery with body washing facilities.
3. The committee shall provide the cleaning and maintenance of the entire property of Regina City Jamia Masjid
4. The committee shall organize the purchases and supplies needed for the Masjid.
5. The committee shall establish and provide other services that may be needed by the community.

#### **Article 22: Duties and Responsibilities of the Committee Heads**

1. The committee heads shall be nominated by the Imam from members of the Majlis-ash-Shura.
2. Each committee head shall be responsible to plan, organize, direct, and control activities under his department, after consultation and approval from the Majlis-ash-Shura. This is to be done in accordance with the aims and objectives of the constitution.
3. He shall supervise his committee, and he will be responsible for conducting its activities.
4. Each committee head shall be responsible to form a committee of up to four members, who may be taken from the General Assembly of Muslims or may include up to two members from the Majlis-ash-Shura, to carry out its activities.
5. The committee head shall chair the meetings of the respective committees.
6. He shall make a budget of expenses, and submit it to the treasurer, and the Majlis-ash-Shura.
7. He shall consult with the Imam or Naib al Imam, for day-to-day issues and problems concerning his committee and make the appropriate decisions.

### **Article 23: Constitutional Amendment**

- A.** Once the General Assembly approves the constitution, it shall be used for governing the activities of the Masjid.
- B.** Proposal to amend (addition, deletion, or changes in articles or parts thereof) the constitution shall be submitted to the Majlis-ash-Shura, along with the purpose and reasons for such, and the Majlis-ash-Shura shall study the proposal.
- C.** Any amendment (addition, deletion, or changes in articles or parts thereof) shall require approval by  $\frac{2}{3}$  of the General Assembly. A quorum in this case shall consist of at least 75 per cent of the members of the General Assembly.
- D.** Failure to meet the quorum in the first meeting shall require for calling for a second meeting in two weeks. If the second meeting also fails to get the attendance by the quorum, the proposal of amendment shall be dropped. The condition shall be made known to the General Assembly in calling for the second meeting.