

CONSTITUTION
of the
ISLAMIC AHLUL BAYT ASSOCIATION
AUSTIN, TEXAS

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THE CONSTITUTION OF THE ISLAMIC AHLUL BAYT ASSOCIATION

AUSTIN, TEXAS

BISMILLAH-IR-RAHMAN-IR-RAHIM

IN THE NAME OF ALLAH, THE BENEFICENT, THE MERCIFUL

ARTICLE 1. NAME

1.1 The name of the Association is the "Islamic Ahlul Bayt Association", hereinafter known as "the Association".

ARTICLE 2. NATURE

2.1 The source of guidance for the Association is and shall remain the religion of Islam, as described in the Holy Quran and the *Sunnah*^{*} of Prophet Muhammad (peace and blessings of God be upon Him and his Family), as explained by the 12 Imams of the family of the Holy Prophet (*Ahlul Bayt*) and as interpreted by the accepted *Maraja-e-Taqleed* of the Ja'fari Ithna'ashari school of thought, hereinafter referred to as "The Faith".

2.2 The Association is and shall remain a non-profit religious organization.

2.3 The Association shall not at any time, at any place, or in any manner, facilitate, provide, perform, indulge in, promote, support or encourage any activity, service or function which is in conflict or inconsistent with The Faith.

2.4 The Members of the Association shall be limited to individuals who believe in and endeavor to practice The Faith.

2.5 Officials of the Association shall be Members and shall refrain from major sins (*kaba'ir*) and endeavor to avoid minor sins (*saga'ir*).

* All words in italics are defined in the Glossary.

- 2.6 The Association is an inclusive organization, and shall endeavor to invite and encourage the participation of people from different religious backgrounds who are willing to respect The Faith.
- 2.7 Activities of the Association shall be performed in an atmosphere of respect and tolerance towards the religious sensitivities of all participants, with special attention to those of fellow Muslims.

ARTICLE 3. PURPOSE

- 3.1 The Association shall encourage, promote and propagate The Faith and provide facilities for the Members and their families to observe the same.
- 3.2 The Association shall perform functions such as, but not limited to, the following:
- 3.2.1 Facilitate religious education.
 - 3.2.2 Disseminate religious knowledge through various means such as: Newsletters, Quranic Studies, Seminars, Discourses and rulings by the accepted Maraja-e-Taqleed.
 - 3.2.3 Facilitate the observation of religious activities such as: Daily Congregational (Jama'at) Prayers, Eid Prayers, Eid Reunions, Celebrations, Commemorations and Recommended Prayers.
 - 3.2.4 Provide religious services such as: Recitation of the Holy Quran, Marriages and Funerals.
- 3.3 The Association shall work to strengthen fraternal relations among Muslims, work for universal brotherhood, social justice and peace and cooperate with other organizations having similar aims and objectives.
- 3.4 The Association shall endeavor to perform functions such as, but not limited to, the following:
- 3.4.1 Perform charitable and benevolent community services.
 - 3.4.2 Provide Islamic information to individuals, groups or other organizations.

3.4.3 Provide an appropriate venue for family activities.

ARTICLE 4. MEMBERSHIP

4.1 Qualifications

4.1.1 Any individual, aged 15 years or above, who believes in and endeavors to practice The Faith, shall qualify to become a Member of the Association by fulfilling the following conditions:

4.1.1.1 Obtain the recommendation of two Members.

4.1.1.2 After such a recommendation, attend no fewer than six (6) official meetings (as designated by the Executive Committee, pursuant to Section 6.1.1) over a period of no less than six (6) months.

4.1.1.3 Obtain the approval of the Membership Committee, based only on the requirements stated in this Constitution.

4.2 Rights of Members

4.2.1 Vote in official elections, as defined herein.

4.2.2 Serve on official committees.

4.2.3 Recommend others for Membership.

4.2.4 Hold elected office, subject to further requirements.

4.2.5 Initiate an official election or referendum through a petition signed by 2/3 of the Members.

4.2.6 Have equal access to the services, activities, and facilities of the Association as all other Members.

4.3 Duties and Responsibilities of Members

4.3.1 Stay well acquainted with the Association and not work or act contrary to the tenets, or objectives of the Association.

4.3.2 Participate in the Association activities.

- 4.3.3 Support and cooperate in efforts towards the improvement and stability of the Association.
- 4.3.4 Seek the knowledge of *Usul-e-Deen, Furu-e-Deen* , and other aspects of Islam and endeavor to practice them.
- 4.3.5 Display good moral character.
- 4.3.6 Pay the Membership dues as prescribed by the Association's Bylaws.
- 4.4 Membership in the Association may be revoked. Revocation shall be based only on:
 - 4.4.1 Any matter that constitutes a violation of the Nature (Article 2) of the Association by the Member.
 - 4.4.2 Such other matter that constitutes a serious violation of the Purpose (Article 3) of the Association by the Member.
 - 4.4.3 Failure to pay dues upon request as required in the Bylaws.
 - 4.4.4 Declaration of the desire to be removed from the membership list.
- 4.5 The procedure to revoke a Membership must be initiated by two Members filing a written report to the Membership Committee. Unless the Membership Committee decides that a hearing is justified, the report and the identity of the reporter shall remain undisclosed. Should the Membership Committee vote to revoke the Member, the Member shall have the right to appeal to the Executive Committee. The Executive Committee, by a majority vote, may vote to override the Membership Committee vote.

ARTICLE 5. ORGANIZATIONAL FRAMEWORK

5.1 Executive Committee

- 5.1.1 The Executive Committee is responsible for the administration of the Association.

- 5.1.2 The Executive Committee shall consist of five (5) Members of the Association elected by the Membership for terms not to exceed 3 years.
- 5.1.3 The President shall be elected directly by the General Body.
- 5.1.4 A candidate running for the position of Executive Committee Member shall:
 - 5.1.4.1 Be at least 21 years of age.
 - 5.1.4.2 Be a Member of the Association for at least 1 year, except for the first election.
 - 5.1.4.3 Take oath of office as prescribed in Article 9.
- 5.1.5 Powers and responsibilities of the Executive Committee.
 - 5.1.5.1 Appoint a Treasurer and a Secretary.
 - 5.1.5.2 Establish and implement policies and guidelines for the efficient operation of the Association.
 - 5.1.5.3 Develop, disseminate, coordinate and implement short-range and long-range plans.
 - 5.1.5.4 Decide and announce timings of official meetings and General Body meetings.
 - 5.1.5.5 Appoint the Religious Committee, Membership Committee and any other committees as needed.
- 5.1.6 The Executive Committee may not expend, borrow, loan, donate or otherwise alienate any Association funds or assets unless provided for in the annual budget or amendment thereto, approved by the Membership.
- 5.1.7 The Executive Committee shall have the power to accommodate trusts setup for the benefit of the Association, provided the purposes are consistent with the Constitution of the Association.

5.2 Removal or Suspension of an Executive Committee Member

- 5.2.1 Any Member of the Executive Committee will be removed if:
 - 5.2.1.1 He fails to retain Membership.

5.2.1.2 Loses a recall election called to determine his status on the Committee. The recall election can be called by a majority vote of the Executive Committee.

5.2.1.3 His term ends.

5.3 Replacement of Executive Committee Member

5.3.1 Vacancies in the Executive Committee can exist because of any one or more of the following:

5.3.1.1 Insufficient number of Executive Committee Members are elected in the Association's election.

5.3.1.2 Removal of an Executive Committee Member as explained in Section 5.2 of this Article.

5.3.1.3 Loss of one or more Executive Committee Members due to death or resignation.

5.3.2 The remaining Executive Committee Members shall be empowered to select the next runner-up of the Association to fill the vacancy only for the remaining term.

5.3.3 In the event that a runner-up is not available, the vacancy will be filled by an election at a General body meeting to be held within two (2) months of the vacancy.

5.4 President

5.4.1 The President shall be the executive and administrative officer of the Association.

He shall be responsible for the efficient conduct of the affairs of the Association and represent the Association in matters related to its activities. Without restricting the generality of the aforesaid, the President shall specifically be responsible for:

5.4.1.1 Presiding all meetings of Members of the Association and of the Executive Committee when present.

5.4.1.2 The general management and supervision of the affairs and operations of the Association.

5.5 General Body

5.5.1 The General Body shall consist of the Membership.

ARTICLE 6. MEETINGS

6.1 Official Meetings

6.1.1 An Official meeting shall be held at least once a month for the purpose of fulfilling membership requirement.

6.2 General Body Meetings

6.2.1 General Body meetings shall be held at least twice a year. The purpose of these meetings will be to:

6.2.1.1 Review past performances including, but not limited to, Membership records and books of accounts.

6.2.1.2 Discuss current issues and future plans.

6.2.1.3 Transact such other business as may properly be brought before the Executive Committee

6.2.1.4 Hold elections as necessary.

6.2.2 General announcements through a newsletter, telephone recording, or bulletin board, shall be considered sufficient notice for the General Body meeting.

6.3 Executive Committee Meetings

6.3.1 There shall be a regular monthly Executive Committee meeting on the day designated in the Bylaws, with the agenda provided to the Members in advance. Members of the Association are welcome to attend as observers. Minutes of the meeting will be kept and made available to the Members upon

request. Any change to the schedule shall be communicated sufficiently in advance to all Members.

6.4 Special Meetings

6.4.1 Special meetings of the Executive Committee with any other committee maybe requested by the Committee at any time.

6.4.2 Special meetings of the Association may be called by the Executive Committee or by two thirds (2/3) of the Association's Members upon at least three (3) and not more than thirty (30) days notice along with the stated agenda. However, a special meeting called for the purpose of elections, shall require at least two (2) weeks written notice.

6.4.3 Special Executive Committee meetings may be called at any time by any Executive Committee Member upon three (3) day's notice by stating the purpose of the meeting to the other Members of the Executive Committee.

6.5 Quorum

6.5.1 At all the General Body meetings, forty percent (40%) of the Members shall form a quorum. If a quorum is not complete, the meeting shall stand adjourned and postponed to another day at which only twenty-five percent (25%) of the Members shall form a quorum. A simple majority of the Members in attendance (provided a quorum is achieved) shall rule on all matters, unless otherwise stated herein.

6.5.2 At all Executive Committee meetings, the presence of at least four (4) Committee Members shall constitute a quorum. A simple majority shall rule on all matters as described in the Bylaws, unless otherwise stated herein.

ARTICLE 7. AMENDMENT OR REPEAL OF THE CONSTITUTION

- 7.1 Amendments shall be proposed, in writing to the Executive Committee by one or more Members of the Association. Approval of the amendments shall be authorized by the Executive Committee before ratification by the General Body.
- 7.2 A quorum of 60% of the total Membership be required for this vote. An 85% vote of the Members present shall constitute ratification to the amendments as described in the Bylaws, except for Article 2 and Article 7 which cannot be changed.

ARTICLE 8. DISSOLUTION

- 8.1 If the Executive Committee unanimously conclude that the continuation of the Association has become impossible or undesirable due to financial, political, religious or any other reason, the Association shall be dissolved in the following manner:
- 8.1.1 The situation shall be announced to the General Body.
- 8.1.2 There shall be no refunds of any contributions or donations whatsoever.
- 8.1.3 Thirty (30) days after the announcement, if in the opinion of the Executive Committee, there are no promising efforts by the Members of the community to save the Association from dissolution, then the Executive Committee shall start proceedings for dissolving the Association.
- 8.1.4 The proceedings for dissolving the Association shall consist of:
- 8.1.4.1 Closing all normal activities.
- 8.1.4.2 Fulfilling all financial obligations of the Association.
- 8.1.4.3 Transferring all *waqf* assets and non-*waqf* assets according to the instructions of an accepted Maraja-e-Taqleed.
- 8.1.4.4 Filing all necessary papers with all concerned agencies of the Government.

ARTICLE 9. DECLARATION UPON OATH (AFFIDAVIT) FOR EXECUTIVE COMMITTEE MEMBERS OF THE ASSOCIATION

9.1 I, _____ son/daughter of,
_____ while accepting Membership of the Executive Committee of the Association do swear (as in Section 9.2 of this Article) in the name of Allah, that I, during my term of office,

9.1.1 Shall fulfill all my duties and responsibilities to the best of my abilities.

9.1.2 Shall consider it my duty to do the utmost to achieve the mission and successfully fulfill the activities of the Association.

9.1.3 Shall abide by the Constitution, any other Rules, Bylaws, Regulations and Policies of the Association, and shall help implement the same.

9.1.4 Shall not be absent from any of the Executive Committee meetings and the Association's programs without reasonable excuse.

9.1.5 Shall frankly present my sincere and correct opinion at the meetings relating to the Association's activities without any fear, hindrance, or prejudice (i.e. without affinity, connection, love, enmity, grudge, approach, plot, competition, rivalry, or ill-will).

9.1.6 Shall guard the Association's rules, regulations, policies and activities; and if any error or deficiency is noted, I shall try to correct it or get it corrected.

9.1.7 Shall endeavor to lead an Islamic way of life, according to the Marja-e-Taqlid.

9.2 Oh Allah! grant me the Divine Guidance, ability and capacity in the name of Mohammed (S.A.W) and Ale- Mohammed (A.S) to faithfully satisfy this oath only to please You; and include me among those who lay their foundation on the fear of Allah and His good pleasure.

9.3 "Ouq se mu Billa-hill Adheem, Wa be Haaz-ul-Quran-el-Kareem, An Akuna
Multazeemen be Qullei Ma-fi-Haaz-ul-Dustoor wa un Uma-resa-hoo be Qullei
Amanah Le Khidma-til Islam wal Muslimeen, Qurbatan Illallah Ta'ala.

Translation:

I swear by the name of the Almighty Allah and the Holy Quran to abide by all
what is in the Constitution during my term of office and to sincerely practice them
to serve Islam, only for the sake of the Almighty Allah.

9.4 Signature of the Executive Committee Member:

Full Name and Designation: _____
Address: _____

ARTICLE 10. ADOPTION OF THE CONSTITUTION

This Constitution, adopted at the Association's General Body meeting on _____ 199_,
will be put into effect immediately and will supersede any previous Constitutions of the
Association. Agreements within the limit and provisions of the previous constitution will
be binding and shall be honored by the Association.

Members of the Constitution Committee:

Asad Pleuthner	Mansour Shirvani
Asif Walji	Mohammed Hussain Sheraze
Hasan Faraji	Mohammed Raza Mirza
Jabir Yusufali	Raza Ali Manekia
Khalil Maki (President)	Youseph Yazdi
Mahmood Dhalla	

GLOSSARY

All terminology defined herein is as understood and interpreted by the Shia Ithna' shari school of thought.

Ahlul Bayt: "Members of the household of the Holy Prophet Muhammed (Peace be upon him and his family)", namely the Holy Prophet, Bibi Fatima, Imam Ali ibn Abi Talib, Imam Hasan ibn Ali, Imam Husein ibn Ali, Imam Ali ibn Husein, Imam Muhammad ibn Ali, Imam Jaffer ibn Muhammed, Imam Musa ibn Jaffer, Imam Ali ibn Musa, Imam Muhammad ibn Ali, Imam Ali ibn Muhammad, Imam Hasan ibn Ali, Imam Mehdi ibn Hasan.

Furu-e-Deen: "Branches of The Faith", namely: Salat (Prayers), Sawm (Fasting), Hajj (Pilgrimage), Zakat (Poor rate), Khums (Tax on savings), Jihad (Holy War), Amr-bil-Marooof (Enjoining the good), Nahi-anil-munkar (Forbidding the Evil), Tawalla (Loving the Friends of the Ahlul Bayt), Tabarra (Hating the enemies of the Ahlul Bayt).

Kaba'ir: Major Sins

Marja-e-Taqleed: A Mujtahid who is A'lam (the most learned)

Mujtahid: A learned person who is male, Shia Ithna' ashari, adult, sane, of legitimate birth, living and just.

Saga'ir: Minor Sins

Sunnah: The actions and sayings of the Ahlul Bayt.

Usul-e-Deen: "Roots of The Faith", namely: Tawheed (Oneness of Allah), Adl (Justice of Allah), Nubuwaat (Prophethood), Imamat (Vicegerency of the Prophet), Qiyamat (Judgment Day)

Waqf: Property which has been donated exclusively for religious use.

AMENDMENTS

In accordance with Article 7.1 of the Constitution, listed below are the amendments to the Constitution as ratified by the General Body:

- September 25th 2004: Articles 5.1.2 and 6.5.2 added

5.1.2 The Executive Committee shall consist of seven (7) Members of the Association elected by the Membership for terms not to exceed 3 years.

6.5.2 At all Executive Committee meetings, the presence of at least five (5) Committee Members shall constitute a quorum. A simply majority shall rule on all matters as described in the Bylaws, unless otherwise stated herein.