

The Charter And By-Laws

Department Of Organization
Islamic Circle of North America

Preface

The Islamic Circle of North America (ICNA) has been working according to the Islamic principles of consultation and within the democratic framework of this continent since late 1960's. These principles are unchangeable; however, the institutions and different forums based upon them have always been modified according to the needs of the organization. After a three-year review, the constitution of ICNA is being presented as the Charter and By-Laws in the following pages. This document not only incorporates the present practices but also caters for the future developments of ICNA.

The constitution of ICNA was under revision since 1990. Two constitutional review committees, appointed by the Majlis ash-Shura, have presented their recommendations during the last three years. The Shura has discussed the constitutional recommendations clause by clause in its two special meetings and finally approved a draft in its meeting of June 5-6, 1993 in Washington, DC. The proposed draft was then discussed in the General Assembly (members meeting) in Chicago on July 2-5, 1993. The Members meeting decided that after incorporating the members' suggestions the Shura should present the Charter and By-Laws by mail within three months. The Majlis ash-Shura again discussed the Charter and By-Laws in its two conference call meetings on October 5 and 18, 1993, and incorporated some of the suggestions presented by the members.

According to the decision of the General Assembly in Chicago on July 2-5, 1993, the Charter and By-Law, was then mailed to the members for their final approval. They approved the present Charter and By-Laws on November 25, 1993. The effective date of the Charter and By-Laws was January 1, 1994.

May Allah enable us to make the best possible decisions for the work of His Deen, Aameen.

Zahid Bukhari

Secretary General
ICNA
March 1994

The Charter

Name, Aqeedah, Goal, Methodology and Program

Clause 1: Name

The name of this movement shall be the “Islamic Circle of North America.” It shall be referred to as ICNA for the sake of brevity.

Clause 2: Effective Date

This Charter and By-Laws came into effect on December 4, 1977, and were revised on January 1, 1994.

Clause 3: Aqeedah (Creed)

The aqeedah (Creed) of ICNA is

“La ilaha—illallahu, Muhammaadur Rasulullah”
that is, there is no deity except Allah, Muhammad is the Messenger of Allah.

A. *La ilahia illallah* means that Allah *Subhanahu Wa Ta ‘ala* (SWI), alone is the Creator, Sustainer, Lord, and Sovereign of the whole universe. No one shares His attributes or powers. The acceptance of this fact makes it imperative that the believer should:

1. Believe that Allah begets not, nor He is begotten and that Allah is his/her sole Creator, Guardian, the Benefactor, and the Protector.
2. Repose in Allah his/her trust, hopes and fears.
3. Call for help, pray to, and seek refuge only in Allah without considering any intercessor to Him, be that an angel, a prophet or a saint.
4. Bow his/her head before none, worship none, offer homage to none except Allah, and do not indulge in any practice(s) of polytheistic nature because Allah alone deserves all *ibadah* (worship, adoration, and obedience).
5. Accept that Allah (SWT) is the Sovereign of the universe and the Supreme lawgiver.
6. Exercise his/her freedom in the submission to Allah’s will as an *abd* (faithful servant) and refrain from servitude of his/her lust and desires.
7. Recognize the fact that he/she owes his/her life, body, mental and physical capabilities to Allah and thus consider them a trust (*amanah*) from Allah.
8. Consider himself/herself answerable to Allah (SWT) for all his/her actions on the Day of Judgment (*Qiyamah*).
9. Make the pleasure and displeasure of Allah (SWT) the criterion for all his/her likes and dislikes.
10. Recognize Allah’s guidance as “The Guidance” in matters of moral, social, political and economic behavior. Thus reject anything that goes against I-us Shari ‘ah.
11. Consider the pleasure of Allah as the only basis for his/her struggle for Iqamat-ud-Deen, and the pivot of his/her entire life.

B. *Muhamrnadur Rasulullah* implies that Muhammad *Sallallahu Alaihi Wasallarn* (SAW), is the last Prophet sent by Allah (SWT), with the final and authentic guidance, and that he was entrusted with establishing a model society based on this guidance. Acceptance of this fact makes it imperative that the believer should:

1. Accept without question all those teachings which have been proven to be those of the Prophet Muhammad (p).

2. Recognize the fact that obedience to Allah and His Prophet is paramount to all other obediences. Following others can only be under the direction of Allah's Book (The Holy Qur'an) and the Sunnah of the Messenger of Allah, Muhammad (SAW), but not independent of them.
3. Declare the Book of Allah and the Sunnah of His Messenger as the validating argument, final testimony and source of all guidance in his/her life.
4. Cleanse his/her heart of all prejudices whether they are racial, personal, familial, social, national, territorial; sectarian or parochial; Abstain from developing love and adoration for anyone that dominates or rivals the love and adoration for the truth brought by the Messenger of Allah, Muhammad (SAW).
5. Recognize no person after the Prophet Muhammad (SAW) as having such a status that allegiance to him would determine the *Iman* (belief and faith) or *kufi'* (disbelief, infidelity) of any person.

Clause 4: Goal

The goal of ICNA shall be to seek the pleasure of Allah (SWT) through the struggle for Iqamat-ud-Deen (establishment of the Islamic system of life) as spelled out in the Qur'an and the Sunnah of Prophet Muhammad (SAW).

Interpretation:

Deen in the term Iqamat-ud-Deen means the truth which Allah (SWT), the Lord of the Universe, had revealed through all the messengers at different times of the human history. He revealed this truth in its final and perfect form through His last messenger, Prophet Muhammad (SAW). It is the only pristine and authentic Deen which is acceptable to Allah (SWT) and is called Islam.

This Deen encompasses the internal, external, individual, and collective aspects of the human life whether it pertains to beliefs, rituals and morals or to economic, social or political spheres.

Not only it ensures the Divine pleasure and success in the hereafter, but also, its establishment provides the best system of life for proper solution of all worldly problems, and righteous and progressive reconstruction of individual and collective life.

Iqamat of this Deen implies that this Deen should be sincerely and exclusively implemented in all aspects of human life.

The ideal and the best practical model of Iqamat of this Deen was established by the Prophet Muhammad (SAW) and the rightly-guided Caliphs (*Radi Allahu Anhum*).

Clause 5: Methodology

1. The Qur'an and the Sunnah shall be the primary source of guidance.
2. ICNA shall never utilize means that violate the Islamic principles to attain its goal.
3. To attain its goal, ICNA shall utilize only democratic, legal and peaceful means according to the Islamic principles.
4. ICNA shall disseminate the message of Islam, provide intellectual and moral training to build the Islamic character and conduct, and thus educate the public opinion to achieve its goal.

Clause 6: Program

1. Inviting mankind to submit to the Creator by using all possible means of communication.
2. Motivating Muslims to perform their duty of being witness unto mankind by their words and deeds.
3. Organizing those who agree to work for this cause in the discipline of ICNA
4. Offering educational and training opportunities to increase Islamic knowledge, to enhance character, and to develop skills of

all those who are associated with ICNA

5. Opposing immorality and oppression in all forms, supporting efforts for socio-economic justice and civil liberties in the society.
6. Strengthening the bond of humanity by serving all those in need anywhere in world, with special focus on our neighborhood across North America.
7. Cooperating with other organizations for implementation of this program and unity in the Ummah.

By-Laws

Part I

Clause 1: Membership

Any adult, living in North America, regardless of race, color, ethnicity, family or gender, can become a member of ICNA, provided that he/she:

1. Agrees with the aqeedah, goal, methodology and program of ICNA
2. Tries to practice Islam in his/her life.
3. Extends cooperation in the struggle of ICNA
4. Fills out the prescribed form which should be approved by the local or regional president.

Part II

Central Organization

Clause 2: Structure

The central organization shall comprise of the following:

1. The General Assembly
2. The Ameer/The President
3. The Majlis ash—Shura (Consultative Council)
4. The Executive Council
5. The Secretary General
6. The leads of Central Departments

Clause 3: The General Assembly

1. The General Assembly shall be the final authority in all matters concerning ICNA
2. Any member of ICNA can become a member of the General Assembly, provided that he/she:
 - a) Has acquired the minimum knowledge of *Deen* to be able to distinguish between Islam and *Jaahiliyyah* (non-Islam).
 - b) Observes the obligatory commandments of shari'ah (Islamic Law) and abstains from the major sins.
 - c) Does not earn his/her livelihood by means which may be described as immoral or sinful, e.g. involvement in riba (interest or usury), liquor, adultery, promotion of vulgarity, false witnessing, bribery, embezzlement, stealing, or gambling, etc.
 - d) Pledges to abide by the discipline of ICNA in 4 conformance with its Charter and By-laws.
3. a) A member of ICNA shall become a member of the General Assembly only after the Ameer approves his/her application.

- b) Before approval of application for membership of the General Assembly, the Ameer shall consult at least one member of the Majlis ash-Shura and the respective regional Ameer.
- c) If the Ameer chooses not to approve an application for membership of the General Assembly, he shall inform the Majlis ash—Shura the reason(s) thereof.
- d) Every member of the General Assembly shall take prescribed oath in the presence of the Ameer, his representative or the General Assembly.

4. Every member of the General Assembly shall endeavor:

- a) To improve his/her knowledge of Islam on a continuous basis.
- b) To mold his/her personal, *family* and social life in accordance with the Qur'an and the Sunnah.
- c) To introduce the da'wah of ICNA to his/her family, friends and acquaintances.
- d) To provide proper Islamic training for his/her children and to encourage their participation in the activities of ICNA.
- e) To encourage and extend all possible support to any member of his/her family who is actively involved in the activities of ICNA
- f) To reform with patience and wisdom a spouse or a guardian, who is involved in un-Islamic activities or earns his/her living through forbidden (*haram*) means.
- g) To undertake an organized struggle for the establishment of Islam and the propagation of its message;
- h) To invite those who agree with the aqeedah of ICNA to join the movement and help achieve its goal.
- i) To abstain from all such activities, which conflict with the goal and methodology of ICNA

5. a) The General Assembly shall meet at least once in two years.

b) The Ameer or the Majlis ash-Shun may call a meeting of the General Assembly whenever needed.

c) At the request of 10 percent of members of the General Assembly, the Ameer shall call a meeting of the General Assembly as soon as possible.

d) With the exceptions mentioned in this Charter and By-Laws, a simple majority of the members present in a General Assembly meeting shall be decisive.

Clause 4: The Ameer/The President

1. The Ameer shall be ultimate responsible to guide and lead ICNA with the cooperation of the members and shall be answerable to the Majlis ash-Shun and the General Assembly.

2. He shall decide the policies and all other important matters of ICNA in consultation with the Majlis ash-Shun.

3. a) The members of the General Assembly shall elect from among themselves the Ameer by secret ballot. The Majlis ash-Shun shall recommend three names for the guidance of the members of the General Assembly.

b) The term of the Ameer shall be two years. A person cannot be elected as the Ameer for a third consecutive term.

4. If at any time the Ameer cannot perform his responsibilities, temporarily, he shall appoint an acting Ameer in consultation with the Majlis ash-Shun for a maximum period of six months.

5. If the office of the Ameer becomes vacant during the session due to his resignation, removal or any other reason, the Majlis ash-Shun

shall elect an acting Ameer for a maximum period of six months. It shall be necessary that the new Ameer be elected before the expiration of this period.

6. It shall be the duty of the Ameer to:

- a) Place obedience and faithfulness to Allah (SWT) and His Messenger, Muhammad (SAW) above everything else.
- b) Consider achieving the goal of ICNA as his primary obligation.
- c) Give preference to ICNA's interests over his personal interests.
- d) Treat and command members of ICNA justly and honestly.
- e) Safeguard fully the trusts handed over to him.
- f) Abide by this Charter and By-Laws and seek to maintain proper order within ICNA

7. The Ameer shall have the following powers:

- a) To take immediate and appropriate action, when needed, concerning important matters in consultation with the Majlis ash-Shura or at least a majority of its members.
- b) To supervise all the administrative activities of ICNA
- c) To use the resources of ICNA within the limits drawn by the Majlis ash-Shura.
- d) To accept new members of the General Assembly into ICNA (Clause 3:3a) or expel any existing member from it (Clause 22:1).
- e) To appoint regional Presidents or remove them from their offices (Clause 10:1).
- f) To approve the elections or the dismissal of local Presidents (Clause 13:2,3).
- g) To appoint or remove the Secretary General of ICNA and heads of the Central Departments in consultation with the Majlis ash-Shura (Clauses 7 and 8).
- h) To use funds from I.C.N.A. Baitul Maal to pay for on-going projects.
- i) To invite a person/s to the meetings of the Shura or the General Assembly and to determine their status,
- j) To call in session a meeting of the General Assembly.
- k) To implement the decisions arrived at by the General Assembly and the Majlis ash-Shura to the best of his judgment and ability.
- l) To delegate any of his powers to any other person, in consultation with the Majlis ash-Shura.

Clause 5: The Majlis ash-Shura

1. The Majlis ash-Shura shall be the policy-making body of ICNA. The basic function of the Majlis ash-Shura shall be to help and advise the Ameer to formulate the best possible policies and working procedures to achieve the goal of I.C.N.A.
2. The Majlis ash-Shura shall consist of elected and nominated members,
 - a) The members of the General Assembly shall elect 0 the members of Majlis ash-Shura every two years.
 - b) One member of the Majlis ash-Shura shall be elected for every fifteen (or a fraction of 5 or more) members of the General

Assembly from each electoral area.

- c) The Ameer shall divide North America, in consultation with the Majlis ash—Shura, into different electoral areas as needed.
- d) The Ameer, in consultation with the Majlis ash-Shura, may nominate members of the Majlis ash-Shura from among members of the General Assembly. The total nominated members, however, shall not exceed half of the elected members of Majlis ash-Shura.
- e) The Ameer shall be the President of the Majlis ash-Shura, and the Secretary General, by virtue of his office, shall be one of its member and Secretary.

3. Powers of the Majlis ash-Shura:

- a) To formulate ICNA's policies.
- b) To advise, without apprehension, on central, regional and local appointments and other matters.
- c) To carry out *ehtisab* (criticism and accountability aimed at future improvements) of the Ameer and remove him from his office provided two-thirds of the elected members of the Majlis ash-Shura pass a no-confidence motion against him.
- d) To interpret the Charter and By-Laws and amend it, in extraordinary circumstances, with the consent of a simple majority and subject to the subsequent approval of the General Assembly.
- e) To appoint an auditor for checking the accounts of the Central Baitul Maal, to deliberate on his report and to take any necessary actions on it.
- f) To approve the central budget of ICNA
- g) To review, criticize and evaluate the reports of the central, regional and local organizations.
- h) To set up committees, as needed, in connection with various works (projects) and departments of ICNA and define their limits.
- i) To take all necessary steps to achieve the goal of ICNA in accordance with its Charter and By-Laws.
- j) To delegate its powers or some of them, along with any limits which it may deem necessary, to any committee of ICNA, the Ameer or any other person.

4. Duties of the members of the Majlis ash—Shura:

- a) To place obedience and faithfulness to Allah (SWT) and His Messenger (SAW) above everything else
- b) To keep a watch on themselves and the Ameer in order to ensure that they adhere to ICNA's ideology and strive constantly to achieve its goal.
- c) To participate regularly in the meetings of the Majlis ash-Shura.
- d) To express their honest opinion according to their best knowledge and understanding.
- e) To abstain from creating permanent groupings and causing divisions within ICNA and to help forestall any such eventuality.
- f) To bring to the immediate attention of the Ameer any issue or problem concerning ICNA and to help in rectifying the situation.
- g) To keep in touch with the Ameer on a regular basis.

h) To carry out the responsibilities assigned to them diligently.

5. Ordinary and Extraordinary Meetings:

a) Ordinarily, there shall be at least one meeting of the Majlis ash-Shura in a year. The period between any two meetings shall not exceed 15 months.

b) The Ameer shall hold the special meeting of the Majlis ash-Shura as and when deemed necessary.

c) At the request of one-half of the members of the Majlis ash-Shura, the Ameer shall call a meeting as soon as possible.

d) The quorum for a meeting shall two-thirds of the Shura members, but if a meeting has to be postponed due to lack of quorum, then no quorum is required for the next meeting.

e) Generally, the Majlis ash-Shura shall seek unanimous decisions but in case of differences the decision of the majority of the members present shall be binding.

f) If the Ameer differs with the majority-decision of the Shura, he may postpone discussion of the matter under consideration until the next meeting of the Shura. However, the decision taken by the two-third majority for the second time shall be final.

6. The members of the General Assembly shall be encouraged to attend the meetings of the Shura as observers. The Ameer has the right to debar them from attending certain meetings.

Clause 6: The Executive Council

1. The function of the Executive Council shall be to help, advise and facilitate the Ameer in implementation of the policies and decisions made by the Majlis ash-Shura.

2. Structure of the Executive Council:

a) The Ameer shall select up to five members from the Majlis ash-Shura as members of the Executive Council after every election of the Majlis ash-Shura.

b) The Ameer shall be its President, and the Secretary General, by virtue of his office, shall be its member and the Secretary.

c) A person who does not remain a member of the Shura, for any reason, shall not remain a member of the Executive Council.

3. Meetings and Rights:

a) The Ameer shall call the meeting of the Executive Council, whenever deemed necessary.

b) The Executive Council shall have all the powers of the Majlis ash-Shura except dismissal of the Ameer, approval of the budget, appointment of auditor, amendment and interpretation of the Charter and By-Laws and changes in the policy of ICNA

However, the Majlis ash-Shura shall be entitled to reject partially or completely any decision of the Executive Council.

Clause 7: The Secretary General

1. The Ameer shall appoint the Secretary General in consultation with the Majlis ash-Shura.

2. The Secretary General shall render general assistance to the Ameer. He shall perform all those duties and use all those powers entrusted to him by the Ameer, and shall be answerable to him for his work.

3. The special responsibilities of the Secretary General include maintaining contact with and supervising the central departments, and compiling proceedings of the Shura.

4. The same person may hold the office of Secretary General successively.

Clause 8: Central Departments

1. The Ameer shall determine and change the number of Central Departments as necessary, in consultation with the Majlis ash-Shura.
2. The Ameer shall appoint the Heads of the Central Departments in consultation with the Majlis ash-Shura. They shall remain in their offices subject to the satisfactory performance of their duties as assessed by the Ameer.
3. The Ameer shall inform, in writing, the Head of all departments of the nature of their responsibilities, duties, and powers, and may increase or decrease the scope of such duties and powers from time to time.

Part III Regional and Local Organizations

Clause 9: Regions

1. In order to expand, to strengthen and to better supervise the work of ICNA, North America shall be divided into various regions.
2. The Ameer, in consultation with the Majlis ash-Shura, shall determine, or change the number and boundaries of the regions.
3. The Ameer, in consultation with the Majlis ash—Shura, may make special organizational arrangements for Canada.
4. The regional organization shall normally consist of the following, except in circumstances requiring any other arrangements;
 - a) Regional President
 - b) Regional Majlis ash-Shura
 - c) Regional Secretary

Clause 10: Regional President

1. The Ameer shall appoint every two years a Regional President for each region, in consultation with the Majlis ash-Shura after having the written opinion of the General Assembly members of that region.
2. The Regional President shall have the following responsibilities and powers:
 - a) To implement the program and policies of J.C.N.A. in the assigned region.
 - b) To maintain contact with the local organizations and the individual members.
 - c) To receive instructions from the Headquarters and to guide and supervise the local organizations.
 - d) To establish new local units in his region.
 - e) To establish the Regional Baitul Maal.

Clause 11: Regional Majlis ash-Shura

1. Structure and Election:
 - a) The Regional President shall form, with the approval of the Ameer, a regional Shun and determine the number of its members as needed. The regional President shall be its president, and the regional secretary, by virtue of his office, shall be its secretary
 - b) The Regional President, in consultation with the Ameer, shall appoint the members of the Regional Shun in the light of the written opinion of the members of the General Assembly in his region.
2. Meetings:
 - a) Regional Shun shall normally meet once a year.

b) The Ameer and the regional President shall be authorized to call the meeting of the regional Shun as needed.

c) At the request of half of its members, the regional President shall call the meeting of regional Shun as soon as possible.

3. Responsibilities and Powers:

a) To plan and supervise ICNA's work in the region.

b) To adopt the regional budget.

c) The regional President shall consult the regional Shura in all important matters.

d) If regional President and the Shunt differ with each other, the matter shall be referred to the Ameer.

Clause 12: Regional Secretary

1. The regional President shall appoint or remove the regional Secretary in consultation with the regional Shura.

2. The regional Secretary shall have the same role and responsibilities in the region as that of the Secretary General in the central organization.

Clause 13: Local Units

1. A local unit shall be established at a place where there are three or more members of ICNA

2. Local members shall elect a local President through secret ballot every year. If there are three or more General Assembly members at a place, the local President shall be elected from among them. It shall be necessary to obtain the approval of this election from the Ameer.

3. The Ameer under special circumstances, in consultation with the Majlis ash-Shura, may ask local members to hold new elections,

4. The local President shall be answerable to the local members, regional President and the Ameer.

5. The local President shall have the following responsibilities:

a) To disseminate the message of Islam and to organize those who have joined ICNA in his area.

b) To nourish the brotherhood among the members of ICNA and take personal interest in their Islamic development.

c) To implement policies and decisions of ICNA at the local level.

d) To keep the regional President and the Ameer informed of his unit's progress.

e) To guide, supervise and undertake accountability of ICNA's activities at the local level.

f) To take prompt notice of the issues affecting ICNA, its aqeedah and goal, and to undertake all necessary safeguards in this respect.

g) To establish and maintain the local Baitul Maal, in consultation with the local Shura or members, according to the guidance provided by the Ameer.

6. Local Shura:

a) In a place where the total number of members is twenty or more, a local Shura consisting of five to seven members may be elected by the members as needed.

- b) The local Shura shall have similar role, responsibilities and powers, in the local area, as that of the regional Shura.

Part IV

Qualities of the Office Bearers and Elections

Clause 14: Qualities of the Office Bearers

A) Qualities of the Ameer/President:

1. He should neither desire nor seek this office.
2. He should be, on the whole, the best of all among the members of ICNA in respect of the knowledge of the Qur'an and the Sunnah, *taqwa* (piety), wisdom, vision and soundness of opinion, honesty, justice, sacrifice, patience and steadfastness in the struggle of the Iqamat-ud-Deen.
3. He should possess high administrative capabilities.

B) Qualities of the members of the Shura:

1. They should neither desire nor seek this office.
2. He should be, on the whole, the best of all among the members of ICNA in respect of the knowledge of the Qur'an and the Sunnah, *taqwa* (piety), wisdom, vision and soundness of opinion, honesty, justice, sacrifice, patience and steadfastness in the struggle of the Iqamat-ud-Deen.
3. He should possess high administrative capabilities.

Clause 15: Elections

A. Fundamental Principles of Elections:

1. All the elections shall be held by secret ballot.
2. A simple majority shall be decisive in the Central elections. In all other elections, approval of the Ameer shall also be required,
3. No member of ICNA shall have the right to do canvassing for himself or for someone else.
4. A member shall be entitled to consult and seek opinion from another member individually.
5. It shall be necessary that the new election be held before the expiration of the term of the existing office bearer. If that is not possible for any reason, the existing Ameer and other office bearers shall continue in their responsibilities. However, this period shall not exceed more than three months.
6. It shall be necessary for the Ameer and other office bearers to take their oath of office before assuming their responsibilities. This oath shall be taken in person or by phone in the presence of the Chairman of the Election Committee, the Ameer, or members as the situation may warrant.
7. The incharge of an election shall be responsible to inform the members of the principles and procedures of the elections and qualities of the office bearers. The incharge shall also make sure that the principles are observed and shall report to the Ameer if any violation takes place.

8 for another office.

B. Procedure of Elections:

I. Central Elections:

1. An Election Committee shall be responsible for holding central elections.
 2. The Election Committee shall consist of a Chairman and two members appointed by the Ameer in consultation with the Shura.
 3. The Chairman of the Election Committee shall be appointed, at least three months before the central elections.
 4. The Chairman shall count the ballots in the presence of the other members of Election . Upon receiving a written complaint from a member or an incharge of election about any electoral irregularity, the Ameer shall take appropriate action, in consultation with the MaJlis ash-Shura.
9. No member shall be elected for the same office for more than four consecutive years.

Interpretation:

A member, after having been elected for an office for four consecutive years may be elected Committee.

II. Local Elections:

1. The Ameer shall appoint a representative for the local elections.
2. The representative shall obtain the votes of local members by direct secret ballot.
3. The representative shall obtain approval of the results of local election from the Ameer prior to their announcement

Part V

Modes of expressing differences of opinion, removal of Shura members and expulsion of members

Clause 16: Modes of expressing differences of opinion

A member who disagrees with the strategies, policies and decisions of ICNA may express his/her opinion according to the following manners:

1. He/she shall bring up his/her differences in the meetings of the local members, the Shura and the General Assembly or convey his/her opinion, in writing, to all the individual members through the Secretary General. But he/she shall have no right to use the public press or any other public platform for this purpose and shall have no right to do any canvassing among individual members directly.
2. He/she shall accept the decisions arrived at through a majority opinion and will abide by them. However, he/she shall have the right within the above established limits to get those decisions modified or rescinded.
3. If a member, who holds an official portfolio, expresses his/her differences his/her the established policy of ICNA outside the forums provided by this Charter and By-Laws, then he/she shall be relieved of his/her official responsibility that obliges him/her to enforce or interpret that policy.

Clause 17: Removal of the members of the Shura

1. Any member of the Majlis ash-Shura shall he removed from its membership if:
 - a) He ceases to be a member of the General Assembly.
 - b) He remains absent from two consecutive meetings of the Shun without a valid reason.
 - c) He resigns from the membership of the Shun and the Arneer accepts his resignation.
 - d) A written motion of no-confidence is presented against him by five members of the General Assembly and is approved by a simple majority.
2. Similar rules shall be applied for the removal of regional. and local Shun members.

Clause 18: Filling a vacant seat of Shun during the session

If a seat in any of the Shun becomes vacant for any reason during the session, the Ameer or the respective President shall be entitled to fill it in consultation with the remaining members of the Shun.

Clause 19: Suspension of a member

If the Ameer deems it necessary, due to special circumstances, he may suspend a member, in consultation with the Majlis ash-Shun, for a maximum period of three months.

Clause 20: Cancellation of membership

If a member abandons his/her residence in North America on a permanent basis, the Ameer may cancel his/her membership in consultation with the Shun.

Clause 21: Expulsion of a member

The Ameer, in consultation with the Shura, and the respective regional and local President shall have the authority to expel a member, if:

1. He/she violates, despite a reminder, the conditions of membership repeatedly and deliberately.
2. He/she acts repeatedly against the interests, goal and methodology of ICNA
3. If he/she conveys, verbally or by continuous action, the impression that he/she no longer has any interest in the activities and ICNA

Clause 22: Method of Expulsion

1. The Ameer, upon learning that there are valid grounds (clause 21) for the expulsion of a member of the General Assembly, shall do so with the approval of the Shura.
2. Before the decision of expulsion is approved, the member of the General Assembly involved shall be given the opportunity to present his/her case to the Shura.
3. The local President, upon learning that there are valid grounds (clause 21) for the expulsion of a member, shall do so with the approval of the regional President.
4. Before the decision of expulsion is approved, the member involved shall be given the opportunity to present his/her case to the regional President.

Part VI

Baitul Maal

Clause 23: Finances

1. The department of Baitul Maal (Treasury) shall be established at central, regional and local levels.
2. The Ameer shall have the final authority on all the Baitul Maals.
3. The regional and local Presidents shall bear overall responsibility for the respective Baitul Maal, but each one of them shall be accountable to his higher Ameer/President.
4. The Ameer shall be accountable to the Shura.
5. The Ameer/President at each level shall be authorized to spend from his respective Baitul Maal on tile activities of ICNA
6. Sources of income to tile Baitul Maal shall be as follows:
 - a) Contribution from the members.
 - b) Donations from the community at large.
 - c) Zakat/Ushr/Sadaqat
 - d) Contribution from tile units.
 - e) Contribution from the departments/institutions.
 - f) Income from investment/properties etc.

Interpretation:

It is obligatory on the members of the General Assembly to deposit their zakat/ushr and sadaqat-e-wajibah to the Baitul Maal.

7. Donations with any strings attached shall not be accepted at any level.
8. The Head of the Central Baitul Maal shall have the following responsibilities:
 - a) To keep a complete account of income and expenditures.
 - b) To prepare the annual budget and present it to the Shura.
 - c) To present the financial statements in the General Assembly.
 - d) To keep the Ameer and the members of the Shura informed of the financial situation of I.C.N.A.
 - e) To release money for a project, as the need may arise, that has already been approved by the Shura.
 - f) To pay a pre-authorized amount on any unexpected expense with the approval of the Ameer.
 - g) To audit the accounts of the regional and local Baitul Maals.
9. The persons responsible of Baitul Maal at regional and local levels shall also perform similar responsibilities (clause 23:8) at their respective levels as applicable.

**Part VII
Miscellaneous**

Clause 24: Amendment and Addition to the Charter and By-Laws

1. Any member shall have the right to present an amendment to the Charter and By-Laws through the Ameer.
2. Such amendment shall be deliberated upon by the Majlis ash-Shura, and after securing approval of a simple majority shall be submitted to the General Assembly, if in session, or mailed to the members of General Assembly for final approval.
3. A two-thirds majority of the General Assembly in session or, in case of mailing, a simple majority of the members of General Assembly shall be required to approve an amendment.

Appendix I

Islamic Circle of North America

Membership Form

In the name of Allah the Beneficent, the Merciful

1. I agree with the aqeedah, goal, methodology and program of the Islamic Circle of North America.
2. I promise to cooperate in its struggle.
3. I shall seek to practice Islam in my life.

May Allah (SWT) enable me to fulfill this pledge, Aameen.

Signature

Date

Name: Br./Sr.

Address

City

State/Prov.

Zip/Postal Code

Tel. (Res.)

Tel. (Off.)

Date and Place of Birth

Signature of local/regional President

Date: _____

Appendix II

Islamic Circle of North America

Oath Of Member General Assembly

In the name of Allah the Beneficent the Merciful

I _____ declare that there is no deity except Allah, He is alone and He has no partner, and I declare that Muhammad (SAW) is His servant and Messenger.

With Allah Rabbul Aalameen (The Lord of the Universe) as my witness, I affirm that:

1. I have thoroughly studied the aqeedah, goal, methodology and program of ICNA. After its proper understanding, I affirm that the establishment of Allah's Deen in this world is the goal of my life. I am joining ICNA for the achievement of this very purpose. I have no other objective in mind except the attainment of Allah's pleasure and the success in the Hereafter.
2. I have studied the Charter and By-laws of ICNA and do hereby pledge that I shall fully abide by its discipline, insha-Allah.

May Allah enable me to remain faithful to this pledge, Aameen.

Signature _____ Date _____

Name _____ Unit _____

Signature of the Ameer _____

Appendix III

Islamic Circle of North America

Oath of Office for the Ameer/President

In the name of Allah the Beneficent, the Merciful

I, _____, who has been elected as Ameer/President of the Islamic Circle of North America _____ do hereby affirm, with Allah the Lord of the Universe, as my witness that I shall insha-Allah:

1. Place the obedience and faithfulness to Allah (SWT) and His Messenger (SAW) above everything else.
2. Consider achieving the goal of ICNA as my first and foremost duty.
3. Give preference to the interests and responsibilities of ICNA to myself and my personal interests.
4. Always lead members of ICNA justly and honestly.
5. Safeguard my trusts and seek to maintain proper order within ICNA
6. Remain bound and faithful to the Charter and By-Laws of ICNA

May Almighty Allah enable me to fulfill this pledge, Aameen

Signature _____ Dale _____

Appendix IV

Islamic Circle of North America

Oath of Member Majlis ash-Shura

In the name of Allah the Beneficent, the Merciful

I, _____, who has been
elected/appointed as a member of the _____ Majlis ash-Shura, do hereby affirm, with Allah the Lord
of the Universe as my witness, that I shall insha-Allah:

1. Place the obedience and faithfulness to Allah and His Messenger (SAW) above everything else.
2. Remain bound and faithful to the Charter and By-Laws of ICNA attend regularly the meetings of the Shura.
3. Express my honest opinion without fear and reservation.
4. Try my best to rectify whatever defect I may find in the order of ICNA

May Allah enable me to fulfill this pledge, Aameen,

Signature

Date

Appendix V

Islamic Circle of North America

Oath of Secretary General

In the name of Allah the Beneficent, the Merciful

I, _____, who has been
appointed as Secretary General of ICNA do hereby affirm, with Allah the Lord of the Universe as my witness, that I shall
insha-Allah:

1. Place the obedience and faithfulness to Allah and His Messenger (SAW) above everything else.
2. Remain bound and faithful to the Charter and By-laws of ICNA
3. Safeguard my trusts and responsibilities as Secretary General with sincerity and honesty.
4. Try my best to rectify whatever defect I may find in the order of ICNA

May Allah enable me to fulfill this pledge, Aameen.

Signature

Date _____

Islamic Circle of North America
Charter and By-Laws Proposed Amendments

The Members General Assembly approved the following proposed amendments to the Charter and By-Laws at the occasion of the General Assembly meeting of ICNA held on January 19, 2002, in Detroit, MI.

- Part II Clause 5:2 b.

Reads as follows: "One member of the Majlis ash-Shura shall be elected for every fifteen (or a fraction of 5 or more) members of the General Assembly from each electoral area."

To be changed to:

- "One member of the Majlis ash-Shura shall be elected for every thirty (or a fraction of 10 or more) members of the General Assembly from each electoral area."

- Part III Clause 13:1.

Reads as: "A local unit shall be established at a place where there are three or more members of ICNA."

Amendment: "A local unit shall be established at a place where there are three or more Members of General Assembly of ICNA."

- Part III Clause 13:2. To be added.

- 2.a In a place where there are twenty or more Members of General Assembly, they shall elect a local President from amongst them through secret ballot every year. It shall be necessary to obtain the approval of this election from the Ameer.

- Part IV Clause 14. To be added in A, as numbers 4 & 5 for the Ameer:

- 4. He should have been a member of the Central Majlis ash-Shura for at least two years.
- 5. He should be a citizen or permanent resident/landed immigrant of the United States of America or Canada.

- Part IV Clause 14. To be added in B, as numbers 3 & 4

- 3. He should have been a Member of General Assembly for at least two years.
- 4. He should be a citizen or permanent resident/landed immigrant of the United States of America or Canada.

- Part V Clause 19.

Reads as: "If the Ameer deems it necessary, due to special circumstances, he may suspend a member, in consultation with the Majlis ash-Shura, for a maximum period of three months."

To be amended to read as follows:

A) If the Ameer deems it necessary, due to special circumstances, he may suspend a Member of General Assembly, in consultation (non-binding) with the Majlis ash-Shura, for a maximum period of three months.

B) If the Regional President or local President deems it necessary, due to special circumstances, he may suspend a Member, in consultation (nonbinding) with the respective Shura, for a maximum period of three months.