

# Responsibilities of a Mutawalli

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## Introduction

إِنَّمَا يَعْمُرُ مَسَاجِدَ اللَّهِ مَنْ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَأَقَامَ الصَّلَاةَ وَآتَى الزَّكَاةَ وَلَمْ يَخْشَ إِلَّا اللَّهَ ۗ فَعَسَىٰ أُولَٰئِكَ أَنْ يَكُونُوا مِنَ الْمُتَهْتِدِينَ ﴿١٨﴾

*“The Masaajid of Allah are only to be maintained by those who believe in Allah and the Last Day and establish prayer and give Zakaah and do not fear except Allah, for it is expected that those will be of the (rightly) guided.”(9:18)*

*“When you see a man serving the Masjid, then bear testimony that he is a person of Imaan.” (Mishkaat)*

Honorable Mutawallis, the verse of the Qur’an and the noble words of Nabi *sallallahu alayhi wasallam* quoted are sufficient to highlight the loftiness of the office you occupy.

We should bear in mind that every privilege is coupled with responsibility. The greater the privilege, the greater the responsibility. To be entrusted with the affairs of any institute is a trust. The levels of this trust rise when it is a Deen-based organization and more so when you are at the helm of the affairs of the House of Allah.

Elevation to the post of Mutawalli is not about prestige, honour or profile, rather it is a trust.

Ma’qil bin Yasaar *radhiyallahu anhu* narrates that Nabi *sallallahu alayhi wasallam* said: “Allah forbids Paradise to the person who after having been appointed to a post of authority over the Muslims, dies after having breached the trust.” (Bukhari)

Once you have accepted the responsibility of serving the House of Allah, you should constantly remind yourself that ultimately you will have to account before Almighty Allah. This opportunity could be a means of your salvation or a means of your destruction. May Allah Ta’aala guide us all, Aameen.

أَجَعَلْتُمْ سِقَايَةَ الْحَاجِّ وَعِمَارَةَ الْمَسْجِدِ الْحَرَامِ كَمَنْ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَجَاهَدَ فِي سَبِيلِ اللَّهِ لَا يَسْتَوُونَ عِنْدَ اللَّهِ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ ﴿١٩﴾

*“Have you made the providing of water for the pilgrim and the maintenance of al-Masjid al-Haraam equal to [the deeds of] one who believes in Allah and the Last Day and strives in the cause of Allah? They are not equal in the sight of Allah. And Allah does not guide the wrongdoing people.” (9:19)*

The above verse was revealed in reference to the Mushrikeen (polytheists) who were also serving the House of Allah, nay the were serving the greatest House of Allah - the Ka’bah. They were serving the noblest of guests - the Hujjaaj, yet Allah Ta’aala chastises them for not having developed the qualities of true believers.

Thus, it is imperative for Mutawallis to be fully committed to Islam and to continually work on their own spirituality to be able to maximize on the rewards of serving the House of Allah. Mutawallis will only be able to fulfill their role adequately if they themselves are practicing Muslims and true flag bearers of the Deen.

### **Required Qualities and Capabilities of a Mutawalli**

1. He must have the right of trusteeship. This right, in sequence of priority, goes first to the person who made the endowment - Waqf. Second is the person appointed by the endower himself. Next is the Muslim ruler or the appointed Muslim governor of the district. Thereafter, this right rests with the Muslim Judge (Qaadhi), then finally with the person whom the inhabitants of the locality choose. (Fatawa Shaami, Vol. 5, Book of Waqf, Page 384)
2. He must be a sane Muslim.
3. He must be well acquainted with the regulations pertaining to endowment and trust - Waqf.
4. He must have practical and theoretical knowledge concerning the affairs of managing the endowment - Waqf. (Durrul Mukhtaar & Shaami) This means that he should not be so ignorant as to be unable to differentiate between a capable and non-capable candidate for appointment as Imaam or Muadhin. It should not be that he fails to consult learned people and disassociates himself from senior 'Ulama in related matters. He must also not be so busy that he is unavailable to attend to the affairs of the trust.
5. He must be a trustworthy person, taking care not to misappropriate a single cent.
6. He must not involve himself in such futile engagements wherein people destroy their wealth, like gambling and bribery.
7. He must be an "Allah-fearing" and pious person - not a Faasiq i.e. an open sinner who indulges in major sins such as drinking, adultery, dealing in interest, shaving the beard, neglecting Salaah, discarding the Fardh Salaah with Jamaa'ah (congregation), acquiring livelihood by unlawful means, etc. Thus, if any trustee is found to be involved in such actions it will be incumbent (Waajib) to dismiss him from office, even though he may be the endower himself. (Durrul Mukhtaar with Shaami , Vol. 5, Page 385)
8. He should not be one who requested to be given the position as a trustee.

If all these qualities are not found in any individual, then such a person cannot be a Mutawalli nor can he be appointed as one, since this will constitute an act of sin.

## A Mutawalli's obligations towards the Masjid

1. He should safeguard the income and property of the Masjid, meeting the necessary expenses and avoiding unnecessary expenditure. Many a times funds are generally squandered on expenses which have no importance in the Shari'ah, but are merely spent because unenlightened trustees deem them to be imperative. These people should fear Allah, for on the Day of Qiyamah they will be accountable for every cent. The Mutawallis of the Masjid must take the onus upon themselves to consult the 'Ulama, regarding the detailed rulings pertaining to these expenses and the running of the Masjid in general.
2. He must keep a proper record of all the income and expenditure of the Masjid.
3. In keeping with best means available a proper Imaam must be appointed. The following Hadith should prevent us from appointing an incompetent person as the Imaam. It is narrated that Nabi *sallallahu alayhi wasallam* said: "Whosoever appoints someone to a post while more deserving persons are available, he has betrayed Allah, His Nabi *sallallahu alayhi wasallam* and the Muslims in general." (Fathul Qadeer)
4. He must appoint such a Muadhin who is well acquainted with the times of Salaah and the correct pronunciation of the Athaan.
5. He should give due priority to the maintenance of the Masjid building as well as to its other associated facilities. Security should also be given due consideration.
6. Cleanliness, lighting and water facilities must also be adequately arranged.
7. It is of paramount importance for the Mutawalli to ensure the performance of the five daily Salaah in congregation and always strive towards increasing the number of Musallees in the Masjid. Each Mutawalli must look sincerely into these duties and exert his utmost efforts towards achieving these ends.

*(The above points have been extracted from the book, Khutbaat-e-Mow'izaat, as prepared under the auspices of Sheikhu Hadeeth Moulana Fadlur Rahmaan Azmi Sahib)*

On the occasion of Hijrah when Nabi *sallallahu alayhi wasallam* stopped in Quba for four days, his first activity was to construct a Masjid. Thereafter, en route to Madinah Munawwarah, Nabi *sallallahu alayhi wasallam* stopped for Jumu'ah Salaah at an area where the tribe of Salim Bin Auf resided and he built another Masjid here. A few kilometers further on, after entering Madinah Munawwarah before building a residence for himself and his family, Nabi *sallallahu alayhi wasallam* ensured that first a Masjid was erected.

A human is a combination of body and soul. Just as the body requires shelter and a home, the home and shelter of the soul is the Masjid. The Shari'ah has laid great emphasis on the significance of Masaajid terming them as the houses of Allah. A Masjid is meant to be the pivot around which the life

of a Muslim revolves. It is for this reason that Nabi *sallallahu alayhi wasallam* has mentioned: “The most beloved of places to Allah are the Masaajid.” (Ibn Khuzaimah)

Just as a powerhouse is the base upon which all homes in the locality depend for supply of electricity, the Masjid ought to play the role of the spiritual powerhouse in the community that caters for the spiritual needs of males, females, young, old, pious and negligent. We should ensure that we do not reduce the role of the Masjid to only one of its basic functions i.e. performance of Salaah.

Apart from a venue for congregational prayers, Masjid Nabawi *sallallahu alayhi wasallam* served as a:

- Madrasah: As-haabus Suffaa
- Centre for visitors: The Pillar of Wufood
- Centre for travelers
- Centre for needy
- Collection and distribution centre of Zakaah
- Distribution point of booty
- Court for settling disputes and passing of judgments
- Arena for the display of physical strengths

The Masjid acts as the place from which the minds, beliefs and actions of every individual Muslim in the locality can be corrected.

Masaajid should be considered as people’s greatest assets, not liabilities. Not just physically should a believer be attached to the Masjid, but also spiritually and mentally in his thoughts and cravings. Indeed, a true believer’s heart always yearns for the Masjid. He feels most tranquil and contented inside the Masjid. When he leaves it, his heart is attached to it until he returns to it. Masaajid are the houses of Allah - Buyutul Allah. They are Islam manifested. They thus must be perceived, created and utilized only as such.

The Masjid has to function as a community center, as it was always meant to be, subject to the extent of the people’s needs and capacities. As many as possible of the numerous religious, social, educational and welfare rolls and functions should be placed under the jurisdiction of the Masjid and its annexes. Many other functions and roles will inevitably be shared by other social institutions, some more and others less. Along with those other social institutions and establishments, the Masjid has to lead the way in transforming and revitalizing Muslim societies. The Masjid will spearhead an institutional coalition representing all the segments and strata of society.

In addition, Masaajid must be empowered to become the detectors of all religious and cultural deviational beliefs and innovations. The whole society, driven and guided by the power and charisma of the Masjid institution, must resolutely confront those tendencies and their protagonists, which show signs of being inclined to instituting, practicing and promoting such repulsive beliefs and customs.

## Appointment of an appropriate Imaam

An Imaam should personify the following qualities:

1. He should be well versed in the relevant Masaa'il pertaining to Imaamah and Salaah.
2. He must have mastered Tajweed rules - the science of Qur'aanic recitation by which to facilitate correct recitation of Qiraa'ah in Salaah.
3. He should adhere to the Faraa-idh, Wajibaat (compulsory), Sunnan and Mustahabaat (preferable aspects) of Deen.
4. He must refrain from Haraam and Makroohat (doubtful).

If the correct choice of an Imaam cannot be made, a reliable Aalim should be requested to interview a potential candidate. To use only a beautiful voice or oratory talent as a yard-stick in choosing an Imam is incorrect. However, if together with the above cardinal requirements, the Imam also possesses a beautiful voice and is articulate, then this will be an added asset. A good temperament and conduct are essential qualities required in an Imaam.

Once the right Imaam has been appointed, due respect must be shown to him. He must not be considered as a personal subordinate of the Mutawalli. He is the leader and should be followed. Such a salary should be stipulated for him that will enable him to lead a decent and peaceful life. Miserliness should never be shown with regard to this issue. If there is a need, other expenses should be curtailed but a low and unreasonable salary should never be given to the Imaam or Muadhin. If negligence prevails, it should be borne in mind that people are often forced to fulfill basic needs by other means. The Muslim jurists have stated that if somebody commits himself to the service of a community, it is obligatory - waajib - upon them that they meet his expenses.

When the Imaam stands up to reform the masses, it is incumbent upon the Mutawallis to assist him. In the event of the ignorant raising objections and undue criticism against the Imaam it is the duty of the Mutawalees to prevent them.

If any Imaam does anything contrary to the Shari'ah or introduces innovations, then he should be dismissed.

The Imaam should be allowed freedom of expression; he should never be hindered by Mutawallis in this regard. Some Mutawallis dislike and are offended by the Imaam's mentioning of any vices or faults in which they are involved in, thus they prevent the Imaam from such lectures. Such an attitude leads to the prevalence of severe sins. Such Mutawallis will be considered amongst those subjected to the severe warnings given in the following verse: *"And who is more unjust than he who forbids that in places for the worship of Allah, Allaah's name should be celebrated?"* (Al-Baqarah 2:114)

The Mutawalli should never interfere in the Imaam's Ibaadah, lectures and religious services. According to the Shari'ah, the Mutawalli has no right of intervention. His responsibility is to see to the proper maintenance and functioning of the Masjid, as mentioned above.

In order to ensure that the Masjid becomes the pivot of society, the Imaam that is appointed has to be able to fulfill a multi-dimensional role. Ideally the Imaam's only occupation should be the affairs of the Masjid. He should have no other job or occupation in order to fulfill all the needs that the Masjid has to cater for.

Imaams are compelled to take second and third jobs in order to make ends meet. Masjid committees should look towards defining a broader role for the Imaam and he should have an office based at the Masjid. The remuneration should be more than adequate to negate the need for the Imaam to pursue other means of earning an income.

For a Masjid to be vibrant and to have a profound impact on the community, the relationship between Mutawallis and the Imaam has to be sound. The essential ingredient for a sound relationship between the Mutawallis and Imaam is the understanding that this is not a typical employer/employee relationship. Rather, the Mutawalli and Imaam ought to work as partners. The relationship should be complimentary, rather than competitive.

### **Appointment of an appropriate Muadhin**

Athaan holds a very high and notable position amongst the symbols of Islam and plays a vital role in enhancing and beautifying the Deen of Islam. Lying hidden with the Athaan itself is the means for the improvement and success of the Muslim World. Indeed reverence shown to a symbol of Islam is tantamount to showing reverence and respect to Almighty Allah.

Appointing an inappropriate Muadhin to deliver the Athaan is tantamount to showing disrespect to the symbols of Islam and to Allah Ta'aala.

"A Muadhin ought to be intelligent, upright, abstentious and knowledgeable of the Sunnah of Rasulullah *sallallahu alayhi wasallam*." (Fataawaa Alamgiri, Vol. 1, Page 253)

In many Masaajid it is noticed that the Muadhin has been giving Athaan for many years and yet his pronunciation of the words of Athaan are incorrect.

The common practice of appointing persons who are willing to accept a meager wage to give the Athaan and further burdening them with the cleaning of toilets, wudhu facilities, etc. is not only deplorable, but goes contrary to the lofty rank of a Muadhin.

The status of the Muadhin is equal of that of the martyrs in the path of Allaah. Whatever he asks of Allah in du'aa, between Athaan and Iqaamah, is granted.

'Abdullah ibn 'Umar *radhiyallahu anhu* reported that our Nabi *sallallahu alayhi wasallam* said, "The Muadhni who gives Athaan with the intention of reward is equal to that martyr who is besmeared in his blood and he (the Muadhni) can ask of Allah whatever he desires and it will be fulfilled." (Jam'ul Fawaa-id)

On the Day of Qiyamah, the Muadhni shall be granted a high rank and position. In this world they raised the name of Allah so in the Hereafter their status shall be raised. Mu'awiyah *radhiyallahu anhu* reports that Rasulullah *sallallahu alayhi wasallam* said, "On the Day of Qiyamah the neck of the Muadhni shall be the longest." This will be as a sign of honour. (Jam'ul Fawaa-id)

### **Avoiding Disputes, Friction and Conflict**

It is well known that Sahabah were very disheartened when the Treaty of Hudaibiyah was signed as it apparently favoured the Makkans a great deal. However, the Qur'an refers to this treaty as a manifest victory. The 'Ulama explain that the treaty brought hostility to an end which allowed, for the first time, for non-Muslims to intermingle with Muslims and witness the beauty of Islam. This led to multitudes of people accepting Islam.

The lesson learnt from this is that when there is tension and hostility, progress will be stifled. Disputes between Mutawallis and Imams and between Mutawallis and Musallees create a hostile environment and becomes a major obstacle in realizing the objectives of a Masjid.

Salaah in congregation is meant to enhance unity. Such disputes contradict this and the very place that is designed to be a catalyst of unity becomes a trigger for disunity where Musallees are polarized and fragment into factions as a result.

### **Vision and Legacy**

The fact that the South African Muslim community has excelled via its organizations despite being a minority is ample testimony to the vision and legacy of our forefathers. Whilst we may achieve much during our life time, the perpetuation of reward and benefit depends on the vision we have and the legacy we leave behind. Therefore, whilst we may be diligently seeing to the affairs of the Masjid on a day to day basis, we should simultaneously work on a vision for the institute and put in place structures that will preserve the legacy of the institute.

In this regard, the following should be considered:

- A proper Musalli register with a clear criterion to define Musallees, voters roll and structured elections to avoid chaotic appointment of Mutawallis.
- Succession planning to ensure that capable Mutawallis, Imaams and Muadhins can take over from those currently serving.
- Ensuring that a proper constitution is in place to protect not only the assets of the organization but also to ensure that the institute is not used as a vehicle to further the agenda of deviated sects.
- Do not trivialize the sanctity of the Mimbar (Pulpit) by adopting a carte blanche approach as to who is allowed to address the congregation. The criteria that determines who is allowed to take the



Mimbar should be clearly defined by the 'Ulama of the Ahlus Sunnah wal Jama'ah and reflected as such in the constitution. Thereafter, the matter should be left to the discretion of the Imaam within the parameters outlined in the constitution. Whilst it is important to safeguard the assets of the institution, it is more important to ensure that only the correct Aqeedah (belief system) is propagated from the Mimbar.

- Try to make the Masjid as self-sustaining as possible as it is becoming increasingly difficult to collect funds due to the increasing number of institutes and collectors.

## Conclusion

The noble work of serving the House of Allah should be carried out with utmost sincerity and dedication. No task should be deemed too low. 'Umar *radhiyallahu anhu* would visit Masjid Quba twice a week. Once he noticed that the Masjid required sweeping. He took the broom and swept the Masjid himself. Only thereafter did he emphasize on the Musallees to regularly sweep the Masjid.

Reward is not only kept in seemingly major actions. Nabi *sallallahu alayhi wasallam* has said, "Whoever removes an impurity from the Masjid, Allah will build for him a home in Jannah." (Ibn Majah)

May Allah Ta'aala accept us all for the service of His Deen, Aameen.