

## **102253 - The imam and muezzin are alternating in leading the prayer and giving the adhaan (call to prayer)**

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### **the question**

May Allah bless you! My question is regarding an imam and mu'adhin who are in charge of a masjid. They alternate roles sometimes. The imam comes for Isha and Fajr prayer to call for the prayer and lead the congregation as well. The mu'adhin then comes for the 'asr and maghrib prayer to do the same. They both come together for dhuhhr prayer. This masjid is located in a military unit. The number of worshippers is very big at dhuhhr time, and very small at the rest of the prayers. There is no place to live beside this masjid, and the distance between the imam and mu'adhin's home is about 8 kilometers. What is the ruling on this, and what is your opinion about the salary they take for this?.

### **Detailed answer**

Firstly:

There is nothing wrong with one who has been appointed to give the adhaan, lead the prayers or supervise a waqf delegating someone else to do these tasks, if there is a need to do so and if the person appointed is qualified to do the job properly.

Shaykh al-Islam Ibn Taymiyah (may Allaah have mercy on him) said:

Whatever the case, appointing someone else to do these jobs that are to be done in a certain manner is permissible, even if the person who established the waqf did not allow that, provided that the one who is appointed is like the one who appoints him, and there are no negative consequences that will result from that. End quote.

Quoted from al-Mardaawi in *Tas-heeh al-Furoo'* (7/363).

Ibn Hajar al-Haytami, the Shaafa'i faqeeh, said in *Tuhfat al-Muhtaaj* (6/373):

Al-Subki favoured the view that it is permissible to appoint someone else to lead the prayers, teach and do any other task that may be delegated to someone else, even if the person who established the waqf did not give permission for that, provided that the person appointed meets or surpasses the conditions stipulated by the one who established the waqf, and that the one who appoints the second person is entitled to the stipend. And he (al-Subki) regarded as flawed the fatwa of al-Nawawi and Ibn 'Abd al-Salaam that says that neither of them is entitled to this stipend, the one who appoints someone else to take his place, because he is not doing the job directly, or the one who is appointed, because he does not have the permission of the guardian of the waqf.

Then he quoted the objections of some of the Shaafa'is to al-Subki, then he said:

There may be an exemption where it is allowed, when appointing someone who equally or more qualified, for a reason, on the basis that custom allows delegating tasks to others.  
End quote.

Secondly:

From the words of the fuqaha' it may be understood that there are some conditions which must be met in order for it to be permissible to delegate someone else to do these tasks:

1 - Appointing someone else should be done because of some need for the original person to be absent, and it should not be a regular practice from which he hopes to earn money. It is common for many people to take on more than one job and then delegate some of these jobs to others to do it for a lower wage, so that they can take the rest.

Shaykh al-Islam Ibn Taymiyah said in al-Ikhtiyaaraat al-'Ilmiyyah (p. 257): Among those who consume people's wealth unlawfully are people who have income from jobs that is many times greater than what they need, and there are people who have many tasks with high wages, but they appoint others to do these tasks for them for low wages.

Shaykh Ibn Baaz (may Allaah have mercy on him) was asked in Majallat al-Buhooth (35/99-100):

We have an imam who has taken on the role of imam in three mosques in the name of his sons, but they live outside the city, so he has brought in workers to lead the Muslims in prayer in those mosques instead, in return for half of the salary.

He replied:

That is not permissible, rather it is a bad deed. It is not permissible for a Muslim to lie to the authorities with regard to leading the prayers or giving the call to prayer by naming an imam or muezzin who is not present, then appointing someone else to do that task. Rather he should explain the situation to the authorities so that they may approve of the person whom he has appointed. End quote.

2 - The task in question should be one that is suited to having another person appointed to do it, such as leading the prayers or giving the call to prayer. As for acting as a judge or issuing fatwas, these tasks cannot be delegated to someone else, because when a mufti or qaadi is appointed, the appointment is for a specific person, and no one can take the place of the person appointed by the authorities to do that job.

3 - The one who is appointed should be qualified and fit for the task.

Shaykh Ibn 'Uthaymeen was asked:

I am a muezzin and sometimes I appoint someone else to give the adhaan; should I give him some payment for the time when he does the adhaan in stead of me?

He replied:

Firstly: Why do you delegate this task when you are the muezzin who has been appointed to give the adhaan?

Questioner: Because of necessity.

Shaykh: If it is a matter of necessity, there is nothing wrong with that, but that should only be on one or two days of the month, for example, and you should not give him anything, because custom does not permit that. If he tells you that he wants something then give him

something, but he should not say “I want something” because this is an act of worship. End quote.

Liqā’ al-Baab il-Maftooh (no. 234, question no. 5).

4 – He should ask the authorities and the people in the mosque for permission.

Shaykh Ibn ‘Uthaymeen was asked about an imam of a mosque who did not come to pray, and he delegated the muezzin of the mosque to lead the people in prayer. He said: We should ask this imam why he is staying away when he has been appointed as the imam and has taken on this commitment.

It is not permissible for the imam to fail to attend any obligatory prayer except for what acceptable according to custom, such as one or two obligatory prayers in a week, or if he has a job and cannot help being away from the mosque at the time of Zuhr prayer, and he tells the person in charge of awqaf and the congregation approves of that, in which case there is nothing wrong with it.

In other words, three conditions should be met if he regularly stays away, such as in the case of Zuhr prayer for someone who has a job:

- He should seek permission from the person in charge of awqaf,
- He should seek permission from the local people – the congregation,
- And he should appoint someone who is qualified whether it is the muezzin or someone else, because he may appoint someone who is not qualified to lead the prayers, and this is neglecting the trust.

Based on the above, it seems that there is nothing wrong with the way in which the imam and the muezzin have agreed to perform one another’s duties in this mosque, as both of them are qualified to give the adhaan and lead the prayers, and that is due to necessity as the house of one of them is far away and the number of worshippers is few, and because the aim is to establish prayer among the people in the manner required.

But that should be after seeking permission from the people in charge and the congregation of the mosque, as stated above.

And Allaah knows best.