

“The Best of Deeds”: The Practice of *Zakat* in the UK

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“A man asked the Prophet (Peace be upon him), ‘Which aspect of Islam is best?’ He said, feeding people and greeting those you know and those you do not know.”¹

Since the publication of *The 9/11 Commission Report*, states and policy makers have closely scrutinized Islamic charities and the obligation of *zakat* (obligatory alms) globally. The report states that the 9/11 hijackers “moved, stored, and spent their money in ordinary ways ... The origin of the funds remains unknown.”² Yet this did not prevent the authors from

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1. Sahih Bukhari, Kitab Al-Iman, Hadith 12.
 2. U.S. Government, *The 9/11 Commission Report* (2004), U.S. Government, accessed May 1, 2018, <https://www.9-11commission.gov/report/911Report.pdf>, 169.

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speculation stating that “Al Qaeda ... took advantage of Islam’s strong calls for charitable giving, *zakat* ... Charities were a source of money and also provided significant cover, which enabled operatives to travel undetected under the guise of working for a humanitarian organization.”³ Following 9/11, a number of financial measures were taken as a consequence of the above speculation, including the closure of all the largest Muslim charities within the United States and the expansion of the Charity Commissions regulations in line with the UK’s anti-terrorism policy of “Prevent.” This is despite the concluding remarks of this section of *The 9/11 Commission Report* stating that, “To date, the U.S. government has not been able to determine the origin of the money used for the 9/11 attacks. Ultimately the question is of little practical significance.”⁴ However, the question has had widespread “practical significance” globally as international humanitarian non-governmental organizations (NGO) have been closed, had assets frozen, had individuals arrested and charged,⁵ and, importantly, had suspicion cast upon large swathes of Muslim communities attempting to fulfill their charitable and spiritual obligations.⁶

While theological scholarship already exists regarding *zakat*, it tends not to focus on the UK or be read by policy makers and think tanks because of their theological tone and specialized terminology.⁷ This is, therefore, not an attempt at theological exegesis. A theological exegesis regarding the obligation of *zakat* tells us much about how *zakat* ought to be understood but tells us little about the *actual* practices and behaviors of Muslim individuals and

3. *Ibid.*, 170-71.

4. *Ibid.*, 172.

5. Tom Keating, “Uncharitable Behaviour,” *Demos*, last modified December 31, 2014, accessed May 1, 2018, <https://www.demos.co.uk/project/uncharitable-behaviour/>; Sahar F. Aziz, “Countering Religion or Terrorism?: Selective Enforcement of Material Support Laws Against Muslim Charities,” Institute for Social Policy and Understanding, last modified March 19, 2011, accessed May 1, 2018, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2022748; Mark Sidel, “Choices and Approaches: Anti-Terrorism Law and Civil Society in the United States and the United Kingdom After September 11,” *The University of Toronto Law Journal* 61, no. 1 (2011): 119-46; Ibrahim Warde, *The Price of Fear: The Truth Behind the Financial War on Terror* (Berkeley, CA: University of California Press, 2008).

6. Alex Delmar-Morgan, “Islamic Charities in UK Fear They Are Being Unfairly Targeted over Extremism,” *The Guardian*, last modified July 22, 2015, accessed May 1, 2018, <https://www.theguardian.com/society/2015/jul/22/muslim-charities-uk-targeted-extremism-fears>.

7. Abdul Azim Islahi, *Zakah: A Bibliography* (Jeddah: King Abdulaziz University, 2005).

communities in Britain today. The aim is, therefore, to investigate the actual lived practices of charitable giving by British Muslims with a focus on the concerted efforts individuals make in ensuring their charitable sacrifice is received by the rightful recipients. In the struggle to ensure their religious duties and obligations are fulfilled, arguably, British Muslims are themselves providing the first instance of scrutiny to ensure their financial sacrifices are not misused or abused. In doing so, British Muslims, through religious practice, mitigate against the charges against them that they are facilitating financial flows to violent movements; charges which pre-suppose that the identities of charitable recipients are “hidden” through the nature of clandestine, charitable giving.

Zakat is one of the five pillars of Islam and thus is meant to be practiced by all Muslims who can afford it. Zakat constitutes the objective reality of private Muslim religiosity whilst simultaneously being a regular, public obligation. Mainstream secular bias, (arguably a result of the historical evolution of Western disciplines of politics and international relations), results in religious activities (of all faiths) that seemingly transcend the private domain into the public being generally viewed with suspicion.⁸ The ability of the practice of zakat to transcend public/private divides situates Muslim practices in the larger discussions regarding the boundaries between secular and religious.⁹

In today’s contemporary environment, zakat is a topic of public policy. President Obama’s 2009 Cairo speech announced that, “In the United States, rules on charitable giving have made it harder for Muslims to fulfill their religious obligation. That is why I am committed to working with American Muslims to ensure they fulfill zakat.”¹⁰ Designed as an outreach speech aimed to build bridges between Muslim peoples and non-Muslim America, one consequence was scathing criticism against Obama. For instance, the Center for Security Policy wrote:

We’re still shaking our heads in disgust over Obama’s pledge to ease the scrutiny on *zakat* payments to Islamic charities. . . All too often, the destinations of *zakat* payments are to jihadists, simply because Shariah

8. Daniel Philpott, “The Religious Roots of Modern International Relations,” *World Politics* 52, no. 2 (2000): 206-45.

9. Samantha May, “Political Piety: The Politicization of Zakat,” *Middle East Critique* 22, no. 2 (2013): 146-64.

10. Barak Obama, “Text: Cairo Speech,” *New York Times*, June 4, 2009, last accessed May 31, 2017, <http://www.nytimes.com/2009/06/04/us/politics/04obama.text.html>.

mandates it. That is the reason the federal law enforcement and intelligence authorities in the US have scrutinized Islamic charities to such a degree. . . This is in fact how our enemies are being funded.¹¹

Without offering evidence to support the argument that “too often, the destination of *zakat* payments are to jihadists,” their analysis concludes that the funding of violent movements, via *zakat*, is not only encouraged by Shariah law but is a mandate. But is this how Muslims within the UK practice the pillar of Islamic charitable giving? To answer this question, I draw from Olivier Roy, who has argued that:

It is the believers’ practice of their religion that decides, and not the secular exegesis of sacred texts. The question is not: “What does the Quran really say?” but rather: “What do Muslims say about what the Quran says?”¹²

Perhaps the assumed “obviousness” of financial support to violent, political causes is a direct consequence of misunderstandings and ignorance of the *obligations* of both the donors and recipients of *zakat* funds.¹³

Definitions of charity tend to emphasize the “voluntary” nature of charitable giving, and thus *zakat* as a religious obligation ostensibly appears at odds to this classification.¹⁴ “Obligation” tends to be understood in legislation in state-centric terms, in that what is considered “obligatory” is that which is proscribed and mandated by states. For instance, the UK Charity Commission distinguishes between the terms “must” and “should,” understanding the former as a “specific legal or regulatory requirement issued from the state.”¹⁵ The nature of obligation in relation to *zakat*, however, is derived from Islamic religious law. Academics and policy actors tend to view obligation in law as residing in state legislation, which renders other forms of obligation invisible. As Scott has argued, the state-centric lens renders non-state

11. Christopher Holton, “Obama, Zakat and Islamic Charities,” *Centre for Security Policy*, last modified June 8, 2009, accessed May 1, 2018, <https://www.centerforsecuritypolicy.org/2009/06/08/obama-zakat-and-islamic-charities-2/>.

12. Olivier Roy, *Jihad and Death: The Global Appeal of Islamic State* (London: Hurst & Company, 2017), 56.

13. Nimrod Raphaeli, “Financing of Terrorism: Sources, Methods and Channels,” *Terrorism and Political Violence* 15, no. 4 (2003): 59-82.

14. For instance, the Oxford Dictionary declares that charity is the “voluntary giving of help.”

15. UK Government, *Charities Act 2011*, UK Government, last modified December 14, 2011, accessed May 1, 2018, <http://www.legislation.gov.uk/ukpga/2011/25/contents>.

activity “illegible” in daily practices.¹⁶ The term “voluntary” under the state-centric gaze thus becomes simply a synonym for “outside of government law.”

The annual financial flows of *zakat* (obligatory alms) and *sadaqah* (voluntary charity) combined run into millions of pounds in the UK alone. Fadi Itani estimated in 2012 that worldwide *zakat* and *sadaqat* collections were approximately £130 billion.¹⁷ Itani later commented (while Chief Executive Officer of Zakat House in 2013), his own estimate was a “calculated guess,” as there are many informal ways of distributing *zakat* and *sadaqah* to relatives (especially those living outside of the UK), which may be formally classed as remittances. While exact figures are currently impossible to state due to the often-private nature of alms giving, financial data is widely available via donation centers such as mosques, national charities, and overseas relief agencies, all of which are legally bound to publicize annual financial reports.

Post-Secular Lens and Methodological Approach

Over the past decade, the concept of post-secularism has been evolving from Habermas’s use of the phrase, but it moves beyond the limitations of his use of the term.¹⁸ Post-secular paradigms are, despite their emerging and divergent nature, essentially calling for a “public communicative rationality.”¹⁹ This is an attempt to create an open dialogue that both includes and treats religion and religious actors as equally respected in a democratic conversation. Post-secularism can be understood as “both a description and a response to shifting global realities” in the contemporary era.²⁰ In this understanding, post-secularism grapples with the “crisis of secular rationalism”: a crisis partly brought on by an “overemphasis on economic rationalism and neoliberalism.”²¹

16. James C. Scott, *Seeing Like A State: How Certain Schemes to Improve the Human Condition Have Failed* (New York: Yale University Press, 1998).

17. Fadi Itani, “Can Charitable Donations From Muslims Compensate for an Uncertain Giving Environment?” *The Huffington Post*, last modified July 20, 2017, accessed May 1, 2018, http://www.huffingtonpost.co.uk/fadi-itani/can-charitable-donations-_b_1686963.html.

18. S. May, Erin K. Wilson, Faiz Sheikh, and Claudia Baumgart-Ochse, “The Religious as Political and the Political as Religious: Globalisation, Post Secularism and the Shifting Boundaries of the Sacred,” *Journal of Religion, Politics, and Ideology* 15, no. 3 (2014): 331-46.

19. Zahara McDonald, *Expressing Post-Secular Citizenship: A Madrasa, An Ethic and A Comprehensive Doctrine* (Oxford: Peter Lang AG, 2014), 2.

20. Erin K. Wilson and Manfred B. Steger, “Religious Globalisms in the Post-Secular Age,” *Globalisations* 10, no. 3 (2013): 481.

21. *Ibid.*, 481.

Considering the many criticisms of classical secularization theory that have emerged over the past several decades, this paper understands that post-secularism at its core “has to do with recognizing on the one hand the limits of main secularization paradigms, and on the other the ways in which religious or spiritual practices and motifs are basic to many ongoing social processes.”²² Mainstream theories within the disciplines of politics remain flawed by the presumption of secularism at their core, and thus they fail to account adequately for, or to understand, religious meanings and practices in their own terms—a weakness that is then carried on in government initiatives and policy making:

Whatever the cause of this scholarly inattention to religion... the consequences are clear enough: some of the most important features of modern life have been misapprehended or ignored entirely... a social science inattentive to religion cannot hope to be adequate to the realities it seeks to elucidate.²³

Religion has re-entered the public domain as an alternative or reformed option to challenge existing dominant economic and political paradigms: “This can be seen particularly in the role of faith-based organizations, who are increasingly filling the gaps left by the neoliberalization of the state, and campaigning for broader change.”²⁴ Thus, it is imperative to place the rise and resilience of Islamic charitable giving and the role of Islamic NGOs into the wider global perspective of the general upsurge of the third sector, whether that be faith-based or secular. The policy and media gaze upon Islamic charities and NGOs is, in all probability, far more correlated to the general perception of Islam in Western Europe than any specific peculiarity in Islamic NGOs.

The methodology is largely informed by the theoretical lens applied, which seeks to take seriously the voiced practices of Muslim individuals. Taking on board Spalek and Lambert’s challenge:

When considering engagement work with Muslim communities, it is therefore important to document Muslim voices, as the narratives that these individuals tell about their lives might provide for a critical

22. For criticisms of the classical secularization theory, see Jose Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press, 1994) and Craig Calhoun et al., *Rethinking Secularism* (Oxford: Oxford University Press, 2011). The quotation comes from David Lyon, “Being Post-Secular in the Social Sciences: Taylor’s Social Imaginaries,” *Blackfriars* 91 (2010): 659.

23. Philip Gorski, *The Post-Secular in Question: Religion in Contemporary Society* (New York: New York University Press, 2012), 5.

24. Wilson and Steger, “Religious Globalisms in the Post-Secular Age,” 481-95.

understanding of the engagement process. At the same time, in policy arenas, a critically reflective approach seeks to make visible and critique those normative assumptions underpinning governmental approaches to engagement work.²⁵

Semi-structured interviews were conducted with a range of individual actors, mosques, Islamic institutions, organizations, and charities covering Sunni, Shi'a, Sufi, and Ahmadiyya practices and a range of schools (*madhab*), ethnicities, genders, and socio-economic backgrounds. Interviews were largely conducted on a face-to-face basis, but on three occasions telephone interviews were conducted in lieu. Respondents were primarily based in London and Bradford, but others were based in Birmingham, Nottingham, Wakefield, and areas in Scotland. The aim was to include as many diverse sets of opinions within the Muslim communities as possible without privileging one particular set of interpretations or practices in order to get a general, but accurate overall picture of the dynamics of Muslim charitable giving in the UK. Interviews were sought in the summer of 2013 with new material gained in the spring and summer of 2017. The obvious limitation to this approach is that it potentially misses individuals not associated with mosques and institutions who may practice the obligation of zakat differently, if at all.

One of the greatest challenges in such an approach is establishing what is, or is not, classed as "Muslim." Indeed, what is, or is not, considered a "faith-based" charity is notoriously hard to define. Faith manifests in many different forms, intensities, and rhetorics. The New Philanthropy Capital (NPC) distinguish between three different levels of faith-based charities which they define as: 1) Central Faith Charity—where faith is integral to a charity's work in both mission statements and projects; 2) Mission based charity—where faith is a central component of the intent and understanding of charitable actions but does not affect the projects and end users of the charity; and 3) Historical Faith Charity—where faith was important to the initial charity project but has become of historical rather than contemporary relevance.²⁶

As methodologically difficult as it is to distinguish what is, or is not, faith-based, it is harder still to break the faith-based

25. Basia Spalek and Robert Lambert, "Muslim Communities; counter terrorism and counter-radicalisation: A Critically Reflective Approach to Engagement," *International Journal of Law, Crime and Justice* (2008) 34 (4): 260.

26. Rachel Wharton and Lucy de Las Casas, "What a Difference a Faith Makes: Insights Into Faith-Based Charities," *NCP Report*, last updated on November 29, 2016, accessed May 1, 2018, <https://www.thinknpc.org/publications/what-a-difference-faith-makes>, 10.

categories down further into specific religions or faiths. Neither the Charity Commission nor Office for the Scottish Charity Registrar (OSCR) require details of which religion or faith a charity seeks to promote or base its values on. To establish specific faith-based charities requires searching the Charity Commission and OSCR’s website for key words and terms. However, this does not roll out the methodological lumps. Certain charities I spoke to, while they considered themselves humanitarian rather than faith-based, were acutely aware that their majority donor base perceived them as faith-based.

The methodological quagmire of categorizing what is, or is not, to be considered a faith-based charity or Muslim charity only feeds further into the post-secular theoretical lens. Teasing apart what is secular and what is religious is not always easy, if even possible or desirable. The strict opposing categories of “secular” and “religious” are unhelpful when investigating the various ways in which religion manifests itself in action at different junctures and levels. In part, the post-secular turn aims to question the dichotomous assumption of religion versus secular by arguing that the religious and the secular are “constitutive constructs.”²⁷ Most mainstream theoretical paradigms within the disciplines of Politics and International Relations assume that “religion” and “secular” are fixed binary categories. This binary operates in such a way that it is assumed that “*not* to be secular is to be emotional, irrational, unpredictable and backward.”²⁸ Mavelli has argued that the construction of the dichotomy of religion and secular is nothing less than an “expression of power/knowledge regimes.”²⁹ Therefore, Casanova and others have argued that theorists must cease to consider religion and secular at odds and accept the reality that individuals and institutions can be both secular and religious simultaneously.³⁰ In this sense, the emerging post-secular paradigm can be seen to be a “move beyond” the secular/religious divide.³¹ Many of the charities I interviewed considered themselves primarily humanitarian rather than religious per se, yet

27. Cecelia Lynch, “Religious Humanitarianism and the Global Politics of Secularism” in *Rethinking Secularism*, ed. Craig Calhoun et al. (Oxford: Oxford University Press, 2011), 204-24.

28. Elizabeth Shakman Hurd, “A Suspension of (Dis)Belief: The Secular Relations Binary and the Study of International Relations” in *Rethinking Secularism*, ed. Craig Calhoun et al. (Oxford: Oxford University Press, 2011), 169.

29. Luca Mavelli, “‘Security and Secularization’ in International Relations,” *European Journal of International Relations* 18, no. 1 (2011): 179.

30. Casanova, *Public Religions in the Modern World*, 38.

31. L. Mavelli and F. Petito, eds., *Towards a Post Secular International Politics: New Forms of Community, Identity, and Power* (Basingstoke: Palgrave MacMillan, 2014), 13.

this does not detract from the founders of the charities who, driven by values of faith, put that faith into action by beginning the charity in the first place. This would, by and large, fit into the NPCs category of “Historical Faith-based Charity,” yet the term “historical” implies faith had meaning and motivational value in the past but not the present.

Therefore, a broad definition is employed in what constitutes a Muslim charity, with a Muslim charity being an organization that a) specifically categorizes itself in name or goals as “Islamic,” b) is humanitarian but understands faith as the prime motivator behind charitable actions, or c) is humanitarian in nature and does not state faith as its goal or prime motivator and yet is understood as Muslim by the majority of its donors and the general public.

Zakat: An Explanation

Zakat is considered obligatory for all Muslims: the Qur’an positions it next to prayer over thirty times, firmly establishing its importance to Islamic practice as one of the five pillars of the tradition. As used in the Qur’an, the term often refers to charity in general (*sadaqah*), but a combination of subsequent Islamic legal literature has distinguished zakat (obligatory alms) from *sadaqah* and other charitable giving:

Sadaqah is a synonym for zakah [zakat]. The general usage, however, is to consider *sadaqah* a more generic term applying to alms. . . In other words, while all zakah is *sadaqah*, only the *sadaqah* which is fard [compulsory], is zakah.³²

As one respondent claimed: “For Muslims to be Muslims they must fulfil the five pillars. If you don’t fulfil this, you are not a Muslim.” To really be deemed a Muslim, the obligation and sacrifice of zakat must be fulfilled if a person is able to do so. In simplistic terms, zakat should be given on all savings held for a year, and it becomes obligatory when an individual’s assets exceed a certain minimum value, or *nisab*.³³ In the contemporary economic system of capitalism where we (largely) no longer calculate wealth according to the number of cattle or harvest one possesses, zakat

32. Ziam Sabahaddin, *Recent Interpretations of the Economic Aspects of Zakah: Management of Zakah in Modern Muslim Society* (Jeddah: Islamic Research and Training Institute, 1989), 15.

33. Sabahuddin Azmi, *Islamic Economics: Public Finance in Early Islamic Thought* (New Delhi: Goodword, 2002), 61.

in its simplest calculation is held to be 2.5 percent of an individual’s savings held for one year.

One of the most modern influential and comprehensive works on zakat, widely used by Islamic charities in understanding their duties, is Yusuf al-Qaradawi’s *Fiqh al-Zakat (The Jurisprudence of Zakat)*, based on his 1973 doctorate from Al-Azhar. Many of the individuals and institutions I spoke to referred to al-Qaradawi’s work and thoughts on zakat, making his work a primary source for understanding this issue. According to al-Qaradawi, the first two categories of zakat recipients are “*fuqaraa wal miskeen*” (the poor and the needy), delineating al-Qaradawi’s interpretation of the primary aim of zakat as eliminating poverty and destitution from society:³⁴

The objective of zakah [*zakat*] distribution is to realize an adequate and suitable standard of living and to help Muslims stay above the poverty level. ... Using contemporary terms, the other needs must include education, health care, and other social necessities that can only be determined by time and locale; no absolute can be applied to all cases.³⁵

Zakat distribution includes the much wider general debate of how to interpret poverty and identify those in need. Al-Qaradawi clearly views “poverty” more in line with the United Nations Development Programme (UNDP) human development index developed by Haq and Sen than an “absolute” definition of poverty purely based on monetary income.³⁶ Contextualization of time, place, and societal conditions must all be taken in to account when determining who constitutes the “poor” and the “needy.”

Zakat as Obligation

The main distinction between zakat and a government tax can be expressed in the following: “*Zakah* [*zakat*] is the divinely granted right of the poor on the wealth of the rich: tax is the non-divine right of the state to collect money to meet state needs.”³⁷ Thus, the distinction between *obligations* from the state and *obligations* from God is inherent in such understandings. This sentiment was echoed by Fadi Itani (then of Zakat House) who stated that:

34. Yusuf al-Qaradawi, *Fiqh al Zakah*, vol. 2 (Jeddah: King Abdulaziz University), 5.

35. *Ibid.*, 17

36. UNDP, *Human Development Index*, United Nations Development Programme (2016), accessed May 1, 2018, <http://hdr.undp.org/en/humandev>.

37. Sabahaddin, *Recent Interpretations of the Economic Aspects of Zakah*, 61.

It is not a tax, it is not a charity, it is a right of the needy and an obligation for the people who have the ability, the wealth to help them. A symbol of the Islamic social justice.

Thus, “obligation” here needs to be understood in non-state-centric terms, yet the religious legal obligations become complementary with UK legislation derived from the Charity Commission. Since the Charities Act 2011, the defining feature of “charity” has been the requirement of “public benefit,” which complements the practice and understanding of zakat as a religious obligation for the benefit of the community.³⁸

More than simply a voluntary gift, zakat is an obligatory practice which the needy have a right (*haqq*) to receive. Ultimately, zakat is fundamentally linked to both reward and punishment. The term *zakat*, in its root meaning, connotes purity and cleansing so that to give zakat is a purifying act with heavenly rewards. In contrast, to neglect the duty of zakat is thought to invoke punishment. As one respondent from Islamic Relief stated, a Muslim can go to hell if the poor are not fed. He claimed that charity “is embedded into the faith of Islam. You cannot split Islam from charitable work—it is integrated.”

Eight Categories of Rightful Zakat Recipients

Not only is zakat obligatory and the amount of zakat set in terms of percentage of one’s yearly savings, the recipients of zakat are also stipulated within the Qur’an:

Zakah expenditures are only for the poor and for the needy and for those employed to collect [zakah] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveler - an obligation [imposed] by Allah.³⁹

From 2013 discussions with Dr. al-Dubayan, the director of the London Central Mosque, it emerged that while it is not obligatory to give to the poor, it is recommended to do so by the majority of Islamic legal scholars. Yet later in the conversation, Dr. al-Dubayan quite forcefully stated that “poor people must get it.”

The Qur’anic injunction of giving zakat and the categories of rightful recipients remain the primary focus of Muslim

38. UK Government, *Charities Act 2011*.

39. Al-Tawbah 9:60.

communities. As one respondent from the Muslim Association of Britain stated:

Allah has told us who can receive *zakat* – no one can change those categories. ... The first two categories of needy and poor are important without doubt and the ones mentioned most frequently...⁴⁰

Despite the stated importance of all eight categories, among all participants it was clear that the emphasis of individual giving was largely on the first two categories. For the vast majority of those interviewed it was perceived that the poor and needy have a right (*haqq*) to receive *zakat*. Moreover, it was deemed easier for the individual donor to evaluate who is considered “poor” or “needy” than for other categories such as those in debt (which may be private debt and thus not public knowledge) or those working in the way of Allah (which can be differently interpreted and thus contested).

Perhaps the most controversial category in the post-9/11 environment is the 7th category of “*fi sabil Allah*” (lit: “in the cause of Allah”). Most scholars agree that this category includes the use of the lesser *jihad* or physical fighting in the name of Allah, which theologically requires strict conditions to be deemed legitimate. Within Islamic scholarship, however, debate exists whether this category simply encompasses all good deeds acted with the intention of sincerely struggling or striving (the greater *jihad*) for God’s cause.⁴¹ Only one participant (a Shia scholar based in Nottingham), emphasized this category and interpreted the meaning of “*fi sabil Allah*” to be “endeavor work,” which for him comprised funding of religious education and training the next generation of Shia scholars. He stated that “my own emphasis is on ‘*fi sabil Allah*’: in the way of God and the cause of God and for the sake of God.” In terms of practical significance, as the only participant to have emphasized this category, I asked how donors had responded to the weight given to these categories. The imam replied, “some people did object to this, they don’t really give us *zakat*, they don’t really accept this ... So, yes, this is a real challenge.” The point being that in *practice* Muslim charitable giving tends to focus primarily on the “poor and needy” and charitable organizations struggle to find donors for the remaining categories even if these are interpreted as striving for the future of Islamic scholarship and knowledge.

The importance of “knowing” who the correct recipients are is tied to the completion of the obligation of *zakat*. It is not enough

40. Muslim Association of Britain, in interview with author (2013).

41. Al-Qaradawi, *Fiqh al Zakah*, vol. 2, 57.

to simply give zakat, but zakat must be given to and *received* by at least one of the eight stipulated categories. For some legal schools, if zakat is given but it does not reach one of the rightful recipients, then the obligation, and thus the spiritual rewards, are incomplete. The importance of selecting the correct recipients was voiced by a local branch manager of a charity shop in Bradford:

If you don't have that knowledge [of who is the neediest] then it is acceptable that you have given it to someone you know who needs, but if you know that there are others more in need, why give it to Pakistan because of kinship ties?⁴²

The effectiveness of the British welfare state to stave off the most damaging consequences of poverty was oft cited for the reason for donating overseas, where such successful government redistribution schemes are either less effective or non-existent. The reasons for overseas donations ranged from contemporary conflicts/tragedies dominating the media and established links with kin—all linked to concepts of definitively “knowing” who are the most poor and needy.

Is Zakat for Muslims Only?

For every single one of my interviewees, the idea that their zakat could, or would, be misdirected for the funding of political violence was utterly objectionable and thus, in a way, uncontroversial. The subject that proved most contentious amongst my interviewees was the question of whether a non-Muslim could be a zakat beneficiary. Three broad opinions were identifiable from those interviewed: 1) zakat is fully open to all depending upon need; 2) zakat is restricted to Muslims only; 3) zakat donations are open to non-Muslims under specific circumstances. Interestingly, and perhaps offering scope for further research, it was largely Islamic scholars who furthered the first and third stances while lay Muslims were more likely to articulate the second.

Some respondents were adamant that zakat as a pillar of Islam could only be distributed to fellow Muslims while others held that the Qur'an states the first two recipients are the poor and needy “full stop,” without specification of their religious beliefs. It is essential to highlight that even those who forcefully argued that zakat funds could only be spent on Muslims stated that sadaqah was fully open to non-Muslims of any faith or none. This sentiment was expressed most clearly by a Shi'a imam in the Islamic Centre of England:

42. Anonymous, in interview with author (2013).

Sadaqah is to save humanity and could be given to anyone including non-Muslims, although you must take care of someone close to you, but if the suffering is going on we must give charity to them, Muslim or non-Muslim. We give charity to anyone who deserves it. “Needy and the poor.” It doesn’t say “needy and poor *Muslims*.”⁴³

It becomes obvious that general charitable giving (*sadaqah*) is open to all who are in need, but zakat holds specific understandings to Muslims, which entails unique obligations and interpretations. In his writings on zakat, al-Qaradawi argues that zakat funds, in specific circumstances, could be given to non-Muslims, especially where it could be utilized to reconcile unbelievers or non-Muslims with Muslim peoples: “The need to reconcile hearts has not ceased. . . . Wherever the need for reconciliation exists, payment is permissible. . . .”⁴⁴

This exact sentiment was echoed by Medhi Boujoomaa of the Muslim World League in London:

Poor and needy are the main people. . . . Poor and needy. It is not related to Muslim or non-Muslim, but there is also the category of “friends of Muslims.”⁴⁵

Medhi Boujoomaa justified the permissibility of giving to non-Muslims by recounting the traditions of the Prophet and that of Abu Bakr (the first *caliph*) who gave to Christians and Jews.

However, he did add that in the contemporary era it is now predominantly Muslim majority countries that are the poorest and thus most deserving of zakat funds.

However, a spokesperson for the UK-based charity, National Zakat Foundation, opposed this argument while tentatively acknowledging that exceptional circumstances may exist to give to non-Muslims:

For *zakat* you have to be a Muslim, one of the categories says that if someone is close to accepting Islam then we might give something, but scholars of the past have emphasized the obligation aspect of it. So as a Muslim, we have to give, but this doesn’t stop giving *sadaqah* money which should be given to people in your community - the whole humanity, no matter what background you are from and *sadaqah* should be given throughout the year.⁴⁶

The respondents who argued that zakat payments to non-Muslims were permissible were very much based on the perceived

43. Islamic Centre of England, in interview with author (2013).

44. Al-Qaradawi, *Fiqh al Zakah*, vol. 2, 35.

45. Medhi Boujoomaa, Muslim World League, in interview with author (2013).

46. National Zakat Foundation, in interview with author (2013).

need for reconciliation between Muslim communities and non-Muslim communities especially after the events of 9/11 and 7/7. This is pre-empted in al-Qarawadi's sentiment:

If we agree that reconciliation of hearts by payment of zakah is permissible to whom should this share be given today?... We must remember that the purpose of this share is to bring hearts closer to Islam... and prevent harm that could be inflicted on Muslims or their region. These objectives could be achieved by giving aid to non-Muslim countries, persons, organizations and tribes, to bring them closer to the cause of Islam.⁴⁷

Practices and distribution of zakat are firstly derived from religious obligations and restricted recipient categories while simultaneously being interpreted in current socio-economic political contexts where 1) the needy are perceived to be those primarily marginalized from state redistribution projects and 2) the need to "reconcile hearts and minds" in a pragmatic socio-economic manner to pave the way for a more harmonious community both locally and nationally.

Obligations of Zakat

There is an enormous focus on the obligation of the donor of zakat to ensure donations are received by the correct recipients. Not only is zakat perceived to be the "right of the poor," it is also a strong obligation of the wealthy to give. All respondents insisted that the obligation of zakat is not fulfilled by simply donating monies; the funds must also be received by the correct recipients, and thus a strong mechanism of accountability is in motion in simply making the decision regarding who, or to where, zakat donations will be distributed. For instance, the director of London Central Mosque explained:

The Muslim himself should try to find the right people to give them the money. So, if I pass the money to someone who is going to do my *zakat*, for instance if I decide to give to Nigeria or Syria and I have to do it through Mr. X, I have to decide if Mr. X is really going to give it to this family. You have to search the right way to do it: the true way... Even for relief we always stipulate it should be used for a particular purpose, we say for example, this is for the Orphans and we need a list of the Orphans names.⁴⁸

47. Ibid., 26.

48. Dr Al-Dubayan, London Central Mosque, in interview with author (2013).

Another respondent echoed much of the above sentiment:

We need to give and make sure you are giving to the right people. When you give it to a charity you are authorizing them to perform on your behalf an obligation and this is not a joke. I can't give my money to someone I don't know will be doing the duty on my behalf properly. So, I need to make sure - this is how serious it is. I cannot give money and close my eyes. If it goes to the wrong person you have not performed your duty, and this is something quite serious. Your obligation hasn't been fulfilled if you didn't really make sure.⁴⁹

The point here is zakat is more than simply an obligation; it is a form of worship and purification and also the right of Allah and the poor. The concept of the right of Allah and the poor stems from the belief that any wealth a person possesses in this world is granted by Allah, and Allah has the authority to withdraw this wealth at any moment. As one respondent stated:

We have the notion that the money is not ours. The money comes from God; the will of God. In the end it is not ours. A portion is there for other people and you have to give that portion otherwise you are a thief; you have stolen from other people.

Wealth and material belongings ultimately belong to God and are simply held in trust by human beings. As the wealth held by any individual is Allah's, then to withhold zakat is not just side-stepping a religious obligation, but also restricting the rights of the poor. As one interviewee articulated, “I have to know and make one hundred per cent sure that my money goes to the poor people.”

While every participant stressed the importance of the right of the poor to receive zakat, it cannot be forgotten that the obligation to give zakat is, for Muslims, integrally linked to the salvation of the soul and rewards in heaven. In this there is a resemblance (though I am cautious of taking comparisons too far) to medieval alms giving in Christianity. As Gronemeyer has stated, often the purpose of charity was not merely to relieve the poor or for societal economic justice but for the soul's deliverance:

It is easier for a camel to pass through the eye of a needle than for a rich man to enter the kingdom of Heaven. . . From this bleak point of view, to be in need of help applies not to the recipient of gifts, but to the giver, for it is the salvation of his soul that is at stake.⁵⁰

49. Anonymous, in interview with author (2016).

50. Marianne Gronemeyer, “Helping,” in *The Development Dictionary: A Guide To Knowledge and Power*, ed. Wolfgang Sachs (London: Zed Books, 1995), 55.

The importance of the fulfillment of the obligation of zakat and the fulfillment of the rights of the poor essentially act as a strong buffer against misuse of charitable funds. Taking into serious consideration the spiritual character of zakat allows the non-Muslim insight into the vigorous attempts individual Muslims make in their decision making regarding *zakat*. To ignore or marginalize the religiosity of zakat practice is to disregard the efforts Muslim individuals and communities already make in attempting to minimize misuse of economic funds. Ahmed Uddin in 2013, then an employee at the National Zakat Foundation, strongly argued:

[It is] really important to get it right. Donation money is taken really seriously - it is given to us as a trust and abuse of that trust . . . well, there are various verses in the Quran and Hadiths that say if you abuse that trust you will be in major sin. . . if you have exploited that wealth the consequences of that . . . (deep sigh). Idealistically every Muslim charity that is dealing with donations has to be very rigorous right down to the penny. It should be accountable to every penny, so if someone asks how much you are spending on each project we have to make that information available.⁵¹

It is not simply a case of wishing to stay within the legal confines of British law and the Charity Commission guidelines (though this is also true), but the actual theological aspects of zakat and other Islamic charity obligations fall into the same aims of transparency, accountability, and rightful use of alms as existing British legal frameworks.

“Clandestine” Nature of Giving?

One aspect of zakat that appears to trouble governing agencies is the apparent clandestine nature of zakat, which assumedly hinders transparency and accountability. However, from interviewees this matter should not be interpreted as an attempt to disguise the “real” beneficiaries of alms, but as an act of dignity, religious intent, and a reflection of the “rights” of recipients. To be truly worthy of spiritual merit, zakat must be given in such a way as not to embarrass or hurt the dignity of the recipient. Equally, zakat should not be given in an overtly public and boastful manner by the donor, which would weaken the intent of zakat and thus reduce the purifying effects of zakat. The verse of the Qur’an below was paraphrased by several of my interviewees:

51. Ahmad Uddin, National Zakat Foundation, in interview with author (2013).

Void not your charitable deeds by stressing your own benevolence and by hurting [the recipients] like the one who spends his wealth only to show off to people and believes not in God and the Last Day.⁵²

If the religious injunction and intent are not reflected upon and taken seriously in their own terms, assumption reigns as to the reasons for the secretive giving of *zakat*. As one interviewee explained:

You must not give in public because of the intention. Sometimes the one who receives the money doesn't know where it came from. Sometimes donors ask someone else “Do you know any poor persons? Are you sure if he or she is *really* deserving?” People try to make this purely for the sake of Allah. . .⁵³

This sentiment was echoed in 2013 by Imam Laiq Ahmad Tahir from the Ahmadiyyan Association in Bradford, who also explains how seemingly “secretive” giving can simultaneously be traceable and transparent:

Due to people's self-respect and dignity, it is proscribed that you should never pay *zakat* directly to your neighbour. This is purely taking into consideration their emotional feelings. You don't want to give anyone the impression that by giving them *zakat* you have performed an act of kindness on them or they owe you or are indebted to you. . . In the case of our community we have a very robust and transparent system. We make donations, we pay to the local collective in Bradford and then this is transferred to the central head office which is in London, also the head office globally, and from there they determine who the needy people are. And of course, you can recommend your neighbour without telling your neighbour that they have been recommended. . . this way you have helped them out but indirectly because you have taken into consideration their feelings, dignity, self-respect and so on. There has to be some transparency, but also in a discreet manner.⁵⁴

It is clear that centralization and bureaucratic processes are not deemed an antithesis to Muslim charitable practice. There are ways to ensure transparency and accountability whilst simultaneously remaining discreet regarding individual donors and beneficiaries.

In Sunni Islam, there is no official hierarchy within the religious specialists. Like Protestant Christianity, there is assumed to be a direct relationship between the individual and God, thus imams and religious leaders are subject to scrutiny and critique as much as anyone else. The giving of *zakat* to specific mosques requires

52. Surah al-Baraqaah 2: 264.

53. Anonymous, in interview with author (2016).

54. Imam Laiq Ahmad Tahir, Ahmadiyyan Association, in interview with author (2013).

the trust of the community, and thus individual acts of giving serve as the initial point of scrutiny for any Muslim institution. While there are some religious leaders and scholars who hold more social sway than others, there are essentially no strict hierarchical figures like popes, bishops, etc. in Sunni Islam generally. Twelver Shi'ism, on the other hand, contains within itself a much more hierarchical flow from top to bottom. While many variants of Shi'ism exist, the predominant is Twelver Shi'ism. This hierarchical difference manifests itself (amongst other differences) to include the rightful distribution of zakat. In Shi'a Islam, it is far more common for believers to donate to mosques and specific imams than to distribute alms on an individual basis. A religious cleric from the Shi'a Islamic Centre of England explained:

In Shi'a Islam there is a leader, everyone must choose a leader. All the charities are given to the leader or spent with permission of the leader, so if you have a local problem you write to your leader to explain the problem and ask for permission to use it here. So the leader has the authority to decide what is the priority so if you give enough reasons to the leader to prioritize your local need you will get the permission to use it. . . This centre is appointed by a leader. We have five different Imams from different racial backgrounds and we take care of the different circles in our community. . . There is a difference of opinion in that some scholars say that every single person has the responsibility of ensuring the money goes to the right people, if it doesn't go to the right person I am personally responsible. Others say that not everyone has the time to do that, so it is better to give to the hands of the experts who have devoted their time for recognizing this problem in the community and once you have given to that leader, of course that leader must be trustworthy, reliable, just, honest. . . then you have done your duty and the leader is responsible.⁵⁵

Findings indicate that zakat collections in Sunni mosques and other smaller Muslim institutions are redistributed according to consensus from zakat committees made up largely from volunteers. The London Central Mosque described its zakat committee and decision making as such:

The committee who makes decisions regarding *zakat* are all women. This is not intentional, but those that are spending are women. Women are better in this for they have more mercy in their hearts and if a poor woman comes to them she can feel more comfortable to tell them about her needs. There is nothing in our policy that says it should be like this, but it happened to be like that. Those who spend, we prefer them to be volunteers; they are not paid, they are from the public and we select people who are reasonable and who are wise and would like to dedicate this time just for the sake of Allah. . . Sometimes the women come to me and say we give this man *zakat*, but we think he is lying. . . Out of these

55. Islamic Centre of England, in interview with author (2013).

people coming to you definitely there will be some lying to you, but you do your best to check the papers as best you can but, some things are beyond your abilities. We have a lot of applicants and we don't give out big money, only small portions.⁵⁶

From the donors and distributors of zakat, the problem of misdirection of funds is far more about the funds being received by the correct people for the correct usage rather than fears associated with “extremist” activity. As noted above, the amounts given to any one individual are small – perhaps enough to pay a week’s rent or an electricity bill. Often no monies are given to the individual; instead the bills are paid directly.

The fear of the misuse of funds was found in the Shi’a Islamic Centre of England which recalled:

Sometimes we have non-Muslims coming to the centre to ask for charity. . . Sometimes we notice they only want to take the charity and go and drink. We have our own kitchen, so we ask: “are you hungry?” So okay, we give food rather than money because we know the money would be wasted on drink. We have been deceived.⁵⁷

The imam gave an example of a man who received zakat money but then spent it on a gambling addiction. This is the type of deception and fraud that all my respondents were afraid of. In this case, the imam accepted that the intent was “sincere” from the side of the donors and that the “deceiver may be punished by God as misuse of charity is a serious sin.”

From interviews with several mosque directors, imams, and treasurers, most of the zakat funds collected in mosques are redistributed into the local community with decisions of distribution made on a case-by-case basis through a zakat committee. Such donations may be used for such things as help with student tuition fees, assistance for tickets to an individual’s home country, or simply to any person in need with a focus on children and poor women (the reasons again are derived from Qur’anic injunction).

Conclusion

Muslim charities emerged as specifically “Muslim” due to the explicit obligations and rights that are deeply connected to prescriptions regarding charitable giving, with zakat as the paramount

56. Dr. Al-Dubayan, Director of London Central Mosque, in interview with author, (2013).

57. Islamic Centre of England, in interview with author (2013).

example. This suggests that Muslim charities did not emerge due to a desire for self-segregation, but only to ensure that their religious obligations are carried out in the correct manner.

There is a need to make sure that whoever you give your Islamic contribution to is doing it right. Muslims also give to non-Muslim charities, but when it comes to the Islamic duty of giving *zakat* there are restrictions, it *has* to be done with people who understand. Recipients of *zakat* are specific. I will feel comfortable to do my religious duty with someone who will understand it.⁵⁸

This sentiment is also echoed by al-Qaradawi, who stated that *zakat* collectors and distributors must be Muslim: “It is unreasonable that people that do not believe in *zakah* be entrusted to implement it.”⁵⁹

Despite this, several of my respondents suggested that the norm was now to give general charity (*sadaqah*) to non-Muslim charities such as those designated for cancer research, Oxfam, and other major, internationally renowned charities, but as one respondent claimed, “they will not give their *zakat* to Oxfam.”

Essentially the perceived need for specifically “Muslim” charities is derived from religious understandings and injunctions and a non-state-centric conception of *obligation*. When asked, “If there is a need for specifically Muslim charities,” one charity shop manager replied:

There is a need, *zakat*, the only fund in Islamic Relief that has to be used on Muslims. *Sadaqah* can be given every single day of your life so it balances out . . . When you’re both on the same level, religiously, then morally it gives you that confidence. I trust this person – they won’t con me.⁶⁰

Ultimately, the perceived need of specifically Muslim charities does not stem from issues of self-segregation or suspicious intent but on religious injunction and “trust” in those given authorization to distribute funds according to the obligations and rights of both receiver and donor. None of this can be accurately understood without solemn consideration of the religious character of alms giving. *The 9/11 Commission Report* statement that financial origins of violent acts is a question with “little practical significance” not only illuminates the breadth of negligence of the consequences of its speculations surrounding Islamic charitable giving, but also demonstrates a misunderstanding (and/or neglect) of Muslim pious

58. Anonymous, in interview with author (2016).

59. Al-Qaradawi, *Fiqh al Zakah*, 26.

60. Anonymous, in interview with author (2016).

practice and the communities that regularly engage in acts of religiosity. Moreover, the religious conception of obligation needs to be earnestly considered to ensure state-centric gazes do not skew our understanding — and policy engagements — with Islamic charitable giving in Britain today.