

"THE BEST OF DEEDS": THE PRACTICE OF ZAKAT IN THE UK.

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3 SAMANTHA MAY (BA (Hons), Philosophy and International Relations, University of Reading;
4 MLitt, Middle East Security, University of Aberdeen; PhD, University of Aberdeen) is
5 Leverhulme Early Careers Research Fellow at University of Aberdeen. She is author of “The
6 Politicisation of Piety,” *Middle East Critique* 22, no. 2 (2013) and “God’s Land: Blurring the
7 National and the Sacred in *Waqf* Territory” in the special edition of *Journal of Religion, Politics,*
8 *and Ideology* (2014). She co-authored “The Religious as Political and the Political as Religious:
9 Globalisation, Post Secularism and the Shifting Boundaries of the Sacred” in the special edition
10 of *Journal of Religion, Politics, and Ideology* (2014) with E. Wilson, F. Sheikh, and C.
11 Baumgart-Ochse. She also coauthored “Remembering the *umma* in the Confines of the Nation-
12 State” in *Religion in Diaspora: Culture of Citizenship*, edited by J. Garnett (with F. Sheikh,
13 2015). Her articles have appeared in *Middle East Critique* and *Journal of Religion, Politics, and*
14 *Ideology*. Special interests include political Islam, religion and politics, and post-secularism. The
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24

25 **Mailing Address:**

26 School of Social Science,
27 Edward Wright Building,
28 Dunbar St.
29 University of Aberdeen
30 Aberdeen
31 AB24 3QY
32
33

34 **Telephone:** 07803 703239
35

36 **Email:** s.may@abdn.ac.uk
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5 **“THE BEST OF DEEDS”: THE PRACTICE OF ZAKAT IN THE U.K.**
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11 “A man asked the Prophet (Peace be upon him), ‘Which aspect of Islam is best?’
12 He said, feeding people and greeting those you know and those you do not know.”¹
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19 Since the publication of *The 9/11 Commission Report*, states and policy makers have closely
20 scrutinized Islamic charities and the obligation of *zakat* globally. The report states that the 9/11
21 hijackers “moved, stored, and spent their money in ordinary ways The origin of the funds
22 remains unknown.”² Yet this did not prevent the authors from speculation stating that “Al Qaeda
23 . . . took advantage of Islam’s strong calls for charitable giving, *zakat* Charities were a
24 source of money and also provided significant cover, which enabled operatives to travel
25 undetected under the guise of working for a humanitarian organization.”³ Following 9/11, a
26 number of financial measures were taken as a consequence of the above speculation including
27 the closure of all the largest Muslim charities within the U. S. and the expansion of the Charity
28 Commissions regulations in line with the U.K.’s anti-terrorism policy of “Prevent.” This is
29 despite the concluding remarks of this section of *The 9/11 Commission Report* stating that, “To
30 date, the U.S. government has not been able to determine the origin of the money used for the
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49 ¹ Sahih Bukhari, Kitab Al-Iman, Hadith 12.
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51 ² U.S. Government, *The 9/11 Commission Report* (2004), U.S. Government, accessed
52 May 1, 2018, <https://www.9-11commission.gov/report/911Report.pdf>, 169.
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55 ³ *Ibid.*, 170-171.
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3 9/11 attacks. Ultimately the question is of little practical significance.”⁴ However, the question
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5 has had widespread “practical significance” globally as international humanitarian non-
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7 governmental organizations (NGO) have been closed, had assets frozen, had individuals arrested
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9 and charged,⁵ and, importantly, had suspicion cast upon large swathes of Muslim communities
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11 attempting to fulfill their charitable and spiritual obligations.⁶
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15 While theological scholarship already exists regarding *zakat*, it tends not to focus on the
16
17 U.K. or be read by policy makers and think tanks because of their theological tone and
18
19 specialized terminology.⁷ This is, therefore, not an attempt at theological exegesis. A theological
20
21 exegesis regarding the obligation of *zakat* tells us much about how *zakat ought* to be understood
22
23 but tells us little about the *actual* practices and behaviours of Muslim individuals and
24
25 communities in Britain today. The aim is, therefore, to investigate the actual lived practices of
26
27 charitable giving by British Muslims with a focus on the concerted efforts individuals make in
28
29 ensuring their charitable sacrifice is received by the rightful recipients. In the struggle to ensure
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31 their religious duties and obligations are fulfilled, arguably, British Muslims are themselves
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37 ⁴ Ibid., 172.
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40 ⁵ Tom Keating, “Uncharitable Behaviour,” *Demos*, last modified December 31, 2014,
41 accessed May 1, 2018, <https://www.demos.co.uk/project/uncharitable-behaviour/>; Sahar F. Aziz,
42 “Countering Religion or Terrorism?: Selective Enforcement of Material Support Laws Against
43 Muslim Charities,” Institute for Social Policy and Understanding, last modified March 19, 2011,
44 accessed May 1, 2018, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2022748; Mark
45 Sidel, “Choices and Approaches: Anti-Terrorism Law and Civil Society in the United States and
46 the United Kingdom After September 11,” *The University of Toronto Law Journal* 61, no. 1
47 (2011): 119-46; Ibrahim Warde, *The Price of Fear: The Truth Behind the Financial War on*
48 *Terror* (Berkeley, CA: University of California Press, 2008).
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51 ⁶ Alex Delmar-Morgan, “Islamic Charities in UK Fear They Are Being Unfairly Targeted
52 over Extremism,” *The Guardian*, last modified July 22, 2015, accessed May 1, 2018,
53 <https://www.theguardian.com/society/2015/jul/22/muslim-charities-uk-targeted-extremism-fears>.
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56 ⁷ Abdul Azim Islahi, *Zakah: A Bibliography* (Jeddah: King Abdulaziz University, 2005).
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3 providing the first instance of scrutiny to ensure their financial sacrifices are not misused or
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5 abused. In doing so, British Muslims, through religious practice, mitigate against the charges
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7 against them that they are facilitating financial flows to violent movements; charges which pre-
8
9 suppose that the identities of charitable recipients are “hidden” through the nature of clandestine,
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11 charitable giving.
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15 *Zakat* (obligatory alms) is one of the five pillars of Islam and thus is meant to be
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17 practiced by all Muslims that can afford it. *Zakat* constitutes the objective reality of private
18
19 Muslim religiosity whilst simultaneously being a regular, public obligation. Mainstream secular
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21 bias, (arguably a result of the historical evolution of Western disciplines of politics and
22
23 international relations), results in religious activities (of all faiths) that seemingly transcend the
24
25 private domain into the public being generally viewed with suspicion.⁸ The ability of the practice
26
27 of *zakat* to transcend public/private divides situates Muslim practices in the larger discussions
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29 regarding the boundaries between secular and religious.⁹
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34 In today’s contemporary environment, *zakat* is a topic of public policy. President Obama’s
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36 2009 Cairo speech announced that, “In the United States, rules on charitable giving have made it
37
38 harder for Muslims to fulfill their religious obligation. That is why I am committed to working
39
40 with American Muslims to ensure they fulfill *zakat*.”¹⁰ Designed as an outreach speech aimed to
41
42 build bridges between Muslim peoples and non-Muslim America, one consequence was scathing
43
44 criticism against Obama. For instance, the Center for Security Policy wrote:
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49 ⁸ Daniel Philpott, “The Religious Roots of Modern International Relations,” *World*
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51 *Politics* 52, no. 2 (2000): 206-45.

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53 ⁹ Samantha May, “Political Piety: The Politicization of *Zakat*,” *Middle East Critique* 22,
54
55 no. 2 (2013): 146-64.

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57 ¹⁰ Barak Obama, “Text: Cairo Speech,” *New York Times*, June 4, 2009, last accessed May
58
59 31, 2017, <http://www.nytimes.com/2009/06/04/us/politics/04obama.text.html>.

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3 We're still shaking our heads in disgust over Obama's pledge to ease the scrutiny on
4 *zakat* payments to Islamic charities. . . . All too often, the destinations of *zakat*
5 payments are to jihadists, simply because Shariah mandates it. That is the reason the
6 federal law enforcement and intelligence authorities in the US have scrutinized
7 Islamic charities to such a degree This is in fact how our enemies are being
8 funded.¹¹
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11 Without offering evidence to support the argument that "too often, the destination of *zakat*
12 payments are to jihadists," their analysis concludes that the funding of violent movements, via
13 *zakat*, is not only encouraged by Shariah law but is a mandate. But is this how Muslims within
14 the U.K. practice the pillar of Islamic charitable giving? To answer this question, I draw from
15 Olivier Roy, who has argued that:
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18 It is the believers' practice of their religion that decides, and not the secular exegesis
19 of sacred texts. The question is not: "What does the Quran really say?" but rather:
20 "What do Muslims say about what the Quran says?"¹²
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49 ¹¹ Christopher Holton, "Obama, Zakat and Islamic Charities," *Centre for Security Policy*,
50 last modified June 8, 2009, accessed May 1, 2018,
51 <https://www.centerforsecuritypolicy.org/2009/06/08/obama-zakat-and-islamic-charities-2/>.
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54 ¹² Olivier Roy, *Jihad and Death: The Global Appeal of Islamic State* (London: Hurst &
55 Company, 2017), 56.
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5 Perhaps the assumed “obviousness” of financial support to violent, political causes is a direct
6 consequence of misunderstandings and ignorance of the *obligations* of both the donors and
7 recipients of *zakat* funds.¹³
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12 Definitions of charity tend to emphasize the “voluntary” nature of charitable giving, and
13 thus *zakat* as a religious obligation ostensibly appears at odds to this classification.¹⁴
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16 “Obligation” tends to be understood in legislation in state-centric terms, in that what is
17 considered “obligatory” is that which is proscribed and mandated by states. For instance, the
18 U.K. Charity Commission distinguishes between the terms “must” and “should,” understanding
19 the former as a “specific legal or regulatory requirement issued from the state.”¹⁵ The nature of
20 obligation in relation to *zakat*, however, is derived from Islamic religious law. Academics and
21 policy actors tend to view “obligation” in law as residing in state legislation, which renders other
22 forms of obligation invisible. As Scott has argued, the state-centric lens renders non-state activity
23 “illegible” in daily practices.¹⁶ The term “voluntary” under the state-centric gaze thus becomes
24 simply a synonym for “outside of government law.”
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38 Combined, two main Islamic charitable injunctions of *zakat* (obligatory alms) and
39 *sadaqah* (voluntary charity) as financial flows run into the millions across the U.K. Fadi Itani
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44 ¹³ Nimrod Raphaeli, “Financing of Terrorism: Sources, Methods and Channels,”
45 *Terrorism and Political Violence* 15, no. 4 (2003): 59-82.
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47 ¹⁴ For instance, the Oxford Dictionary declares that charity is the “voluntary giving of
48 help.”
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50 ¹⁵ U.K. Government, *Charities Act 2011*, U.K. Government, last modified December 14,
51 2011, accessed May 1, 2018, <http://www.legislation.gov.uk/ukpga/2011/25/contents>.
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54 ¹⁶ James C. Scott, *Seeing Like A State: How Certain Schemes to Improve the Human*
55 *Condition Have Failed* (New York: Yale University Press, 1998).
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3 estimated in 2012 that worldwide *zakat* and *sadaqat* collections were approximately £130
4 billion.¹⁷ Itani later commented (while Chief Executive Officer of Zakat House in 2013), his own
5 estimate was a “calculated guess,” as there are many informal ways of distributing *zakat* and
6 *sadaqah* to relatives (especially those living outside of the U.K.), which may be formally classed
7 as remittances. While exact figures are currently impossible to state due to the often-private
8 nature of alms giving, financial data is widely available via donation centers such as mosques,
9 national charities, and overseas relief agencies, all of which are legally bound to publicize annual
10 financial reports.
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24 *Post-Secular Lens and Methodological Approach*

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26 Over the past decade, the concept of post-secularism has been evolving from Habermas’s use of
27 the phrase, but it moves beyond the limitations of his use of the term.¹⁸ Post-secular paradigms
28 are, despite their emerging and divergent nature, essentially calling for a “public communicative
29 rationality.”¹⁹ This is an attempt to create an open dialogue that both includes and treats religion
30 and religious actors as equally respected in a democratic conversation. Post-secularism can be
31 understood as “both a description and a response to shifting global realities” in the contemporary
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46 ¹⁷ Fadi Itani, “Can Charitable Donations From Muslims Compensate for an Uncertain
47 Giving Environment?” *The Huffington Post*, last modified July 20, 2017, accessed May 1, 2018,
48 http://www.huffingtonpost.co.uk/fadi-itani/can-charitable-donations-_b_1686963.html.
49

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51 ¹⁸S. May, Erin K. Wilson, Faiz Sheikh, and Claudia Baumgart-Ochse, “The Religious as
52 Political and the Political as Religious: Globalisation, Post Secularism and the Shifting
53 Boundaries of the Sacred,” *Journal of Religion, Politics, and Ideology* 15, no. 3 (2014): 331-46.
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55 ¹⁹ Zahara McDonald, *Expressing Post-Secular Citizenship: A Madrasa, An Ethic and A*
56 *Comprehensive Doctrine* (Oxford: Peter Lang AG, 2014), 2.
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3 era.²⁰ In this understanding, post-secularism grapples with the “crisis of secular rationalism”: a
4 crisis partly brought on by an “overemphasis on economic rationalism and neoliberalism.”²¹
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6 Considering the many criticisms of classical secularization theory that have emerged over the
7
8 past several decades, this paper understands that post-secularism at its core “has to do with
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10 recognizing on the one hand the limits of main secularization paradigms, and on the other the
11
12 ways in which religious or spiritual practices and motifs are basic to many ongoing social
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14 processes.”²² Mainstream theories within the disciplines of Politics remain flawed by the
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16 presumption of secularism at their core, and thus they fail to account adequately for, or to
17
18 understand, religious meanings and practices in their own terms—a weakness that is then carried
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20 on in government initiatives and policy making:
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27 Whatever the cause of this scholarly inattention to religion . . . the consequences are
28 clear enough: some of the most important features of modern life have been
29 misapprehended or ignored entirely . . . a social science inattentive to religion cannot
30 hope to be adequate to the realities it seeks to elucidate.²³
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32 Religion has re-entered the public domain as an alternative or reformed option to challenge
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34 existing dominant economic and political paradigms: “This can be seen particularly in the role of
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42 ²⁰ Erin K. Wilson and Manfred B. Steger, “Religious Globalisms in the Post-Secular
43 Age,” *Globalisations* 10, no. 3 (2013): 481.

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45 ²¹ *Ibid.*, 481.

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47 ²² For criticisms of the classical secularization theory, see Jose Casanova, *Public*
48 *Religions in the Modern World* (Chicago: University of Chicago Press, 1994) and Craig Calhoun
49 et al., *Rethinking Secularism* (Oxford: Oxford University Press, 2011). The quotation comes
50 from David Lyon, “Being Post-Secular in the Social Sciences: Taylor’s Social Imaginaries,”
51 *Blackfriars* 91 (2010): 659.
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54 ²³ Philip Gorski, *The Post-Secular in Question: Religion in Contemporary Society* (New
55 York: New York University Press, 2012), 5.
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3 faith-based organizations, who are increasingly filling the gaps left by the neoliberalization of the
4 state, and campaigning for broader change.”²⁴ Thus, it is imperative to place the rise and
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6 resilience of Islamic charitable giving and the role of Islamic NGOs into the wider global
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8 perspective of the general upsurge of the third sector, whether that be faith-based or secular. The
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10 policy and media gaze upon Islamic charities and NGOs is, in all probability, far more correlated
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12 to the general perception of Islam in Western Europe than any specific peculiarity in Islamic
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14 NGOs.
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19 The methodology is largely informed by the theoretical lens applied, which seeks to take
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21 seriously the voiced practices of Muslim individuals. Taking on board Spalek and Lambert’s
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23 challenge:
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26 When considering engagement work with Muslim communities, it is therefore
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28 important to document Muslim voices, as the narratives that these individuals tell
29
30 about their lives might provide for a critical understanding of the engagement
31
32 process. At the same time, in policy arenas, a critically reflective approach seeks to
33
34 make visible and critique those normative assumptions underpinning governmental
35
36 approaches to engagement work.²⁵
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39 Semi-structured interviews were conducted with a range of individual actors, mosques,
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41 Islamic institutions, organizations, and charities covering sunni, shia, sufi and ahmadiyya
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43 practices and a range of schools (*madhab*), ethnicities, genders, and socio-economic
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45 backgrounds. Interviews were largely conducted on a face-to-face basis, but on three occasions
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50 ²⁴ Wilson and Steger, “Religious Globalisms in the Post-Secular Age,” 481-95.
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52 ²⁵ Basia Spalek and Robert Lambert, “Muslim Communities; counter terrorism and
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54 counter-radicalisation: A Critically Reflective Approach to Engagement,” *International Journal*
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56 *of Law, Crime and Justice* (2008) 34 (4): 260.
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3 telephone interviews were conducted in lieu. Respondents were primarily based in London
4 and Bradford, but others were based in Birmingham, Nottingham, Wakefield, and areas in
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6
7 Scotland. The aim was to include as many diverse sets of opinions within the Muslim
8 communities as possible without privileging one particular set of interpretations or practices in
9
10 order to get a general, but accurate overall picture of the dynamics of Muslim charitable giving
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12 in the U.K. Interviews were sought in the summer of 2013 with new material gained in the spring
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14 and summer of 2017. The obvious limitation to this approach is that it potentially misses
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16 individuals not associated with mosques and institutions who may practice the obligation of
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18 *zakat* differently, if at all.
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24 One of the greatest challenges in such an approach is establishing what is, or is not, classed
25 as “Muslim.” Indeed, what is, or is not, considered a “faith-based” charity is notoriously hard to
26 define. Faith manifests in many different forms, intensities, and rhetorics. The New Philanthropy
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28 Capital (NPC) distinguish between three different levels of faith-based charities which they
29
30 define as: 1) Central Faith Charity – where faith is integral to a charity’s work in both mission
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32 statements and projects; 2) Mission based charity – where faith is a central component of the
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34 intent and understanding of charitable actions but do not affect the projects and end users of the
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36 charity; 3) Historical Faith Charity – where faith was important to the initial charity project but
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38 has become of historical rather than contemporary relevance.²⁶
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45 As methodologically difficult as it is to distinguish what is, or is not, faith-based it is
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47 harder still to break the faith-based categories down further into specific religions or faiths.
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49 Neither the Charity Commission nor OSCR (Office for the Scottish Charity Registrar) require
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53 ²⁶ Rachel Wharton and Lucy de Las Casas, “What a Difference a Faith Makes: Insights
54 Into Faith-Based Charities,” *NCP Report*, last updated on November 29, 2016, accessed May 1,
55 2018, <https://www.thinknpc.org/publications/what-a-difference-faith-makes>, 10.
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3 details of which religion or faith a charity seeks to promote or base its values on. To establish
4 specific faith-based charities requires searching the Charity Commission and OSCR's website
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6 for key words and terms. However, this does not roll out the methodological lumps. Certain
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8 charities I spoke to, while they considered themselves humanitarian rather than faith-based, were
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10 acutely aware that their majority donor base perceived them as faith-based.
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14 The methodological quagmire of categorizing what is, or is not, to be considered a faith-
15 based charity or "Muslim" charity only feeds further into the post-secular theoretical lens.
16
17 Teasing apart what is secular and what is religious is not always easy, if even possible or
18
19 desirable. The strict opposing categories of "secular" and "religious" are unhelpful when
20
21 investigating the various ways in which religion manifests itself in action at different junctures
22
23 and levels. In part, the post-secular turn aims to question the dichotomous assumption of
24
25 "religion" versus "secular" by arguing that the religious and the secular are "constitutive
26
27 constructs."²⁷ Most mainstream theoretical paradigms within the disciplines of Politics and
28
29 International Relations assume that "religion" and "secular" are fixed binary categories. This
30
31 binary operates in such a way that it is assumed that "not to be secular is to be emotional,
32
33 irrational, unpredictable and backward."²⁸ Mavelli has argued that the construction of the
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35 dichotomy of "religion" and "secular" is nothing less than an "expression of power/knowledge
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37 regimes."²⁹ Therefore, Casanova and others have argued that theorists must cease to consider
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46 ²⁷ Cecelia Lynch, "Religious Humanitarianism and the Global Politics of Secularism" in
47 *Rethinking Secularism*, ed. Craig Calhoun et al. (Oxford: Oxford University Press, 2011), 204-
48 24.
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51 ²⁸ Elizabeth Shakman Hurd, "A Suspension of (Dis)Belief: The Secular Relations Binary
52 and the Study of International Relations" in *Rethinking Secularism*, ed. Craig Calhoun et al.
53 (Oxford: Oxford University Press, 2011), 169.
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56 ²⁹ Luca Mavelli, "'Security and Secularization' in International Relations," *European
57 Journal of International Relations* 18, no. 1 (2011): 179.
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3 religion and secular at odds and accept the reality that individuals and institutions can be both
4 secular and religious simultaneously.³⁰ In this sense, the emerging post-secular paradigm can be
5 seen to be a “move beyond” the secular/religious divide.³¹ Many of the charities I interviewed
6 considered themselves primarily humanitarian rather than religious *per se*, yet this does not
7 detract from the founders of the charities who, driven by values of faith, put that faith into action
8 by beginning the charity in the first place. This would, by and large, fit into the NPCs category of
9 “Historical Faith-based Charity,” yet the term “historical” implies faith had meaning and
10 motivational value in the past but not the present.

11
12 Therefore, a broad definition is employed in what constitutes a “Muslim” charity with a
13 “Muslim” charity being an organization that a) specifically categorizes itself in name or goals as
14 “Islamic,” b) is humanitarian but understands faith as the prime motivator behind charitable
15 actions, or c) is humanitarian in nature and does not state faith as its goal or prime motivator and
16 yet is understood as “Muslim” by the majority of its donors and the general public.

17 18 19 *Zakat: An Explanation*

20
21 *Zakat* is considered obligatory for all Muslims: the Qur’an positions it next to prayer over thirty
22 times, firmly establishing its importance to Islamic practice as one of the five pillars of the
23 tradition. As used in the Qur’an, the term often refers to charity in general (*sadaqah*), but a
24 combination of subsequent Islamic legal literature has distinguished *zakat* (obligatory alms) from
25 *sadaqah* and other charitable giving:

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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.

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3 Sadaqah is a synonym for zakah [zakat]. The general usage, however, is to consider
4 sadaqah a more generic term applying to alms . . . In other words, while all zakah is
5 sadaqah, only the sadaqah which is fard [compulsory], is zakah.³²
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8 As one respondent claimed: “For Muslims to be Muslims they must fulfil the five pillars. If you
9 don’t fulfil this, you are not a Muslim.” To really be deemed a Muslim, the obligation and
10 sacrifice of *zakat* must be fulfilled, if a person is able to do so. In simplistic terms, *zakat* should
11 be given on all savings held for a year, and it becomes obligatory when an individual’s assets
12 exceed a certain minimum value, or “*nisab*.”³³ In the contemporary economic system of
13 capitalism where we (largely) no longer calculate wealth according to the number of cattle or
14 harvest one possesses, *zakat* in its simplest calculation is held to be 2.5% of an individual’s
15 savings held for one year.
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19 One of the most modern influential and comprehensive works on *zakat*, widely used by
20 Islamic charities in understanding their duties, is Yusuf al-Qaradawi’s *Fiqh al-Zakat (The*
21 *Jurisprudence of Zakat)*, based on his 1973 doctorate from Al-Azhar. Many of the individuals
22 and institutions I spoke to referred to al-Qaradawi’s work and thoughts on *zakat*, making his
23 work a primary source for understanding this issue. According to al-Qaradawi, the first two
24 categories of *zakat* recipients are “*fuqaraa wal miskeen*” (the poor and the needy), delineating
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49 ³² Ziam Sabahaddin, *Recent Interpretations of the Economic Aspects of Zakah: Management of Zakah in Modern Muslim Society* (Jeddah: Islamic Research and Training
50 Institute, 1989), 15.
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54 ³³ Sabahuddin Azmi, *Islamic Economics: Public Finance in Early Islamic Thought*. (New
55 Delhi: Goodword, 2002), 61.
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3 al-Qaradawi's interpretation of the primary aim of *zakat* as eliminating poverty and
4
5 destitution from society:³⁴
6

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8 The objective of *zakah* [*zakat*] distribution is to realize an adequate and suitable
9 standard of living and to help Muslims stay above the poverty level. . . . Using
10 contemporary terms, the other needs must include education, health care, and other
11 social necessities that can only be determined by time and locale; no absolute can be
12 applied to all cases.³⁵
13

14
15 *Zakat* distribution includes the much wider general debate of how to interpret poverty and
16
17 identify those in need. Al-Qaradawi clearly views "poverty" more in line with the UNDP human
18
19 development index developed by Haq and Sen than an "absolute" definition of poverty purely
20
21 based on monetary income.³⁶ Contextualization of time, place, and societal conditions must all be
22
23 taken in to account when determining who constitutes the "poor" and the "needy."
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28 *Zakat as Obligation*

29
30 The main distinction between *zakat* and a government tax can be expressed in the following:

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32 "Zakah [*zakat*] is the divinely granted right of the poor on the wealth of the rich: tax is the non-
33
34 divine right of the state to collect money to meet state needs."³⁷ Thus, the distinction between
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48 ³⁴ Yusuf al-Qaradawi, *Fiqh al Zakah*, vol. 2 (Jeddah: King Abdulaziz University), 5.

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50 ³⁵ *Ibid.*, 17

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

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55 ³⁷ Sabahaddin, *Recent Interpretations of the Economic Aspects of Zakah*, 61.
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3 *obligations* from the state and *obligations* from God is inherent in such understandings. This
4
5 sentiment was echoed by Fadi Itani (then of Zakat House) who stated that:

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8 It is not a tax, it is not a charity, it is a right of the needy and an obligation for the
9 people who have the ability, the wealth to help them. A symbol of the Islamic social
10 justice.
11

12 Thus, “obligation” here needs to be understood in non-state-centric terms, yet the religious legal
13 obligations become complementary with U.K. legislation derived from the Charity Commission.
14 Since the Charities Act 2011, the defining feature of “charity” has been the requirement of
15 “public benefit,” which complements the practice and understanding of *zakat* as a religious
16 obligation for the benefit of the community.³⁸
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24 More than simply a voluntary gift, *zakat* is an obligatory practice which the needy have a
25 right (*haqq*) to receive. Ultimately, *zakat* is fundamentally linked to both reward and punishment.
26 The term *zakat*, in its root meaning, connotes purity and cleansing so that to give *zakat* is a
27 purifying act with heavenly rewards. In contrast, to neglect the duty of *zakat* is thought to invoke
28 punishment. As one respondent from Islamic Relief stated, a Muslim can go to hell if the poor
29 are not fed. He claimed that charity “is embedded into the faith of Islam. You cannot split Islam
30 from charitable work – it is integrated.”
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42 *Eight Categories of Rightful Zakat Recipients*

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44 Not only is *zakat* obligatory and the amount of *zakat* set in terms of percentage of one’s yearly
45 savings, the recipients of *zakat* are also stipulated within the Qur’an:
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53 ³⁸ U.K. Government, *Charities Act 2011*.
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5 Zakah expenditures are only for the poor and for the needy and for those employed to
6 collect [zakah] and for bringing hearts together [for Islam] and for freeing captives
7 [or slaves] and for those in debt and for the cause of Allah and for the [stranded]
8 traveler - an obligation [imposed] by Allah.³⁹
9
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11 From 2013 discussions with Dr. al-Dubayan, the Director of the London Central Mosque, it
12 emerged that while it is not obligatory to give to the poor, it is recommended to do so by the
13 majority of Islamic legal scholars. Yet later in the conversation, Dr. al-Dubayan quite forcefully
14 stated that “poor people must get it.”
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20 The Quranic injunction of giving *zakat* and the categories of rightful recipients remain the
21 primary focus of Muslim communities. As one respondent from the Muslim Association of
22 Britain stated:
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27 Allah has told us who can receive *zakat* – no one can change those categories. . . .
28 The first two categories of needy and poor are important without doubt and the ones
29 mentioned most frequently. . .
30
31

32 Despite the stated importance of all eight categories, among all participants it was clear that the
33 emphasis of individual giving was largely on the first two categories. For the vast majority of
34 those interviewed it was perceived that the poor and needy have a right (*haqq*) to receive *zakat*.
35
36 Moreover, it was deemed easier for the individual donor to evaluate who is considered “poor” or
37 “needy” than for other categories such as those in debt (which may be private debt and thus not
38 public knowledge) or those working in the way of Allah (which can be differently interpreted
39 and thus contested).
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55 ³⁹ Al-Tawbah 9:60.
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6 Perhaps the most controversial category in the post-9/11 environment is the 7th category
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8 of “*fi sabil Allah*” (lit: “in the cause of Allah”). Most scholars agree that this category includes
9
10 the use of the lesser *jihad* or physical fighting in the name of Allah, which theologically requires
11
12 strict conditions to be deemed legitimate. Within Islamic scholarship, however, debate exists
13
14 whether this category simply encompasses all good deeds acted with the intention of sincerely
15
16 struggling or striving (the greater *jihad*) for God’s cause.⁴⁰ Only one participant (a Shia scholar
17
18 based in Nottingham), emphasized this category and interpreted the meaning of “*fi sabil Allah*”
19
20 to be “endeavor work,” which for him comprised funding of religious education and training the
21
22 next generation of Shia scholars. He stated that “my own emphasis is on ‘*fi sabil Allah*’: in the
23
24 way of God and the cause of God and for the sake of God.” In terms of practical significance, as
25
26 the only participant to have emphasised this category, I asked how donors had responded to the
27
28 weight given to these categories. The Imam replied, “some people did object to this, they don’t
29
30 really give us *zakat*, they don’t really accept this . . . So, yes, this is a real challenge.” The point
31
32 being that in *practice* Muslim charitable giving tends to focus primarily on the “poor and needy”
33
34 and charitable organisations struggle to find donors for the remaining categories even if these are
35
36 interpreted as striving for the future of Islamic scholarship and knowledge.
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42 The importance of “knowing” who the correct recipients are is tied to the completion of the
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44 obligation of *zakat*. It is not enough to simply give *zakat*, but *zakat* must be given to and *received*
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46 by at least one of the eight stipulated categories. For some legal schools, if *zakat* is given but it
47
48 does not reach one of the rightful recipients then the obligation, and thus the spiritual rewards,
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55 ⁴⁰ Al-Qaradawi, *Fiqh al Zakah*, vol. 2, 57.
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3 are incomplete. The importance of selecting the correct recipients was voiced by a local branch
4
5 manager of a charity shop in Bradford:
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8 If you don't have that knowledge [of who is the neediest] then it is acceptable that
9 you have given it to someone you know who needs, but if you know that there are
10 others more in need, why give it to Pakistan because of kinship ties?
11

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

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30 For every single one of my interviewees the idea that their *zakat* could, or would, be misdirected
31 for the funding of political violence was utterly objectionable and thus, in a way,
32 uncontroversial. The subject which proved most contentious amongst my interviewees was the
33 question of whether a non-Muslim could be a *zakat* beneficiary. Three broad opinions were
34 identifiable from those interviewed: 1) *zakat* is fully open to all depending upon need; 2) *zakat* is
35 restricted to Muslims only; 3) *zakat* donations are open to non-Muslims under specific
36 circumstances. Interestingly, and perhaps offering scope for further research, it was largely
37 Islamic scholars who furthered the first and third stances while lay Muslims were more likely to
38 articulate the second.
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6 Some respondents were adamant that *zakat* as a pillar of Islam could only be distributed to
7 fellow Muslims while others held that the Qur'an states the first two recipients are the poor and
8 needy "full stop," without specification of their religious beliefs. It is essential to highlight that
9 even those who forcefully argued that *zakat* funds could only be spent on Muslims stated that
10 *sadaqah* was fully open to non-Muslims of any faith or none. This sentiment was expressed most
11 clearly by a Shi'a Imam in the Islamic Centre of England:
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19 *Sadaqah* is to save humanity and could be given to anyone including non-Muslims,
20 although you must take care of someone close to you, but if the suffering is going on
21 we must give charity to them, Muslim or non-Muslim. We give charity to anyone
22 who deserves it. "Needy and the poor." It doesn't say "needy and poor *Muslims*."
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28 It becomes obvious that general charitable giving (*sadaqah*) is open to all who are in need, but
29 *zakat* holds specific understandings to Muslims which entails unique obligations and
30 interpretations. In his writings on *zakat*, al-Qaradawi argues that *zakat* funds, in specific
31 circumstances, could be given to non-Muslims, especially where it could be utilized to reconcile
32 unbelievers or non-Muslims with Muslim peoples: "The need to reconcile hearts has not ceased. .
33 . . . Wherever the need for reconciliation exists, payment is permissible . . ." ⁴¹
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43 This exact sentiment was echoed by Medhi Boujomaa of the Muslim World League in London:

44 Poor and needy are the main people . . . Poor and needy. It is not related to Muslim
45 or non-Muslim, but there is also the category of "friends of Muslims."
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49 Medhi Boujomaa justified the permissibility of giving to non-Muslims by recounting the
50 traditions of the Prophet and that of Abu Bakr (the first *caliph*) who gave to Christians and Jews.
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55 ⁴¹ Al-Qaradawi, *Fiqh al Zakah*, vol. 2, 35.
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3 However, he did add that in the contemporary era it is now predominantly Muslim majority
4 countries that are the poorest and thus most deserving of *zakat* funds.
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8 However, a spokesperson for the UK based charity, National Zakat Foundation, opposed
9 this argument while tentatively acknowledging that exceptional circumstances may exist to give
10 to non-Muslims:
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14 For *zakat* you have to be a Muslim, one of the categories says that if someone is
15 close to accepting Islam then we might give something, but scholars of the past have
16 emphasized the obligation aspect of it. So as a Muslim, we have to give, but this
17 doesn't stop giving *sadaqah* money which should be given to people in your
18 community – the whole humanity, no matter what background you are from and
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27 *sadaqah* should be given throughout the year.

28 The respondents who argued that *zakat* payments to non-Muslims were permissible were very
29 much based on the perceived need for reconciliation between Muslim communities and non-
30 Muslim communities especially after the events of 9/11 and 7/7. This is pre-empted in al-
31 Qarawadi's sentiment:
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38 If we agree that reconciliation of hearts by payment of *zakah* is permissible to whom
39 should this share be given today? . . . We must remember that the purpose of this
40 share is to bring hearts closer to Islam. . . . and prevent harm that could be inflicted
41 on Muslims or their region. These objectives could be achieved by giving aid to non-
42 Muslim countries, persons, organizations and tribes, to bring them closer to the cause
43 of Islam.⁴²
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55 ⁴² Ibid., 26.
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5 Practices and distribution of *zakat* are firstly derived from religious obligations and restricted
6 recipient categories while simultaneously being interpreted in current socio-economic political
7 contexts where 1) the needy are perceived to be those primarily marginalized from state
8 redistribution projects and 2) the need to “reconcile hearts and minds” in a pragmatic socio-
9 economic manner to pave the way for a more harmonious community both locally and
10 nationally.
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21 *Obligations of Zakat*

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24 There is an enormous focus on the obligation of the donor of *zakat* to ensure donations are
25 received by the correct recipients. Not only is *zakat* perceived to be the “right of the poor,” it is
26 also a strong obligation of the wealthy to give. All respondents insisted that the obligation of
27 *zakat* is not fulfilled by simply donating monies; the funds must also be received by the correct
28 recipients, and thus a strong mechanism of accountability is in motion in simply making the
29 decision regarding who, or to where, *zakat* donations will be distributed. For instance, the
30 director of London Central Mosque explained:
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40 The Muslim himself should try to find the right people to give them the money. So, if
41 I pass the money to someone who is going to do my *zakat*, for instance if I decide to
42 give to Nigeria or Syria and I have to do it through Mr. X, I have to decide if Mr. X
43 is really going to give it to this family. You have to search the right way to do it: the
44 true way . . . Even for relief we always stipulate it should be used for a particular
45 purpose, we say for example, this is for the Orphans and we need a list of the
46 Orphans names.
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3 Another respondent echoed much of the above sentiment:
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5 We need to give and make sure you are giving to the right people. When you give it
6 to a charity you are authorizing them to perform on your behalf an obligation and this
7 is not a joke. I can't give my money to someone I don't know will be doing the duty
8 on my behalf properly. So, I need to make sure – this is how serious it is. I cannot
9 give money and close my eyes. If it goes to the wrong person you have not
10 performed your duty, and this is something quite serious. Your obligation hasn't been
11 fulfilled if you didn't really make sure.
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21 The point here is *zakat* is more than simply an obligation; it is a form of worship and purification
22 and also the right of Allah and the poor. The concept of the right of Allah and the poor stems
23 from the belief that any wealth a person possesses in this world is granted by Allah, and Allah
24 has the authority to withdraw this wealth at any moment. As one respondent stated:
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30 We have the notion that the money is not ours. The money comes from God; the will
31 of God. In the end it is not ours. A portion is there for other people and you have to
32 give that portion otherwise you are a thief; you have stolen from other people.
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37 Wealth and material belongings ultimately belong to God and are simply held in trust by human
38 beings. As the wealth held by any individual is Allah's, then to withhold *zakat* is not just
39 sidestepping a religious obligation, but also restricting the rights of the poor. As one interviewee
40 articulated, "I have to know and make one hundred per cent sure that my money goes to the poor
41 people."
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49 While every participant stressed the importance of the right of the poor to receive *zakat*, it
50 cannot be forgotten that the obligation to give *zakat* is, for Muslims, integrally linked to the
51 salvation of the soul and rewards in heaven. In this there is a resemblance (though I am cautious
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3 of taking comparisons too far) to medieval alms giving in Christianity. As Gronemeyer has
4
5 stated, often the purpose of charity was not merely to relieve the poor or for societal economic
6
7 justice but for the soul's deliverance:
8
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10 It is easier for a camel to pass through the eye of a needle than for a rich man to enter
11 the kingdom of Heaven. . . . From this bleak point of view, to be in need of help
12 applies not to the recipient of gifts, but to the giver, for it is the salvation of his soul
13 that is at stake.⁴³
14

15
16 The importance of the fulfillment of the obligation of *zakat* and the fulfillment of the rights of
17 the poor essentially act as a strong buffer against misuse of charitable funds. Taking into serious
18 consideration the spiritual character of *zakat* allows the non-Muslim insight into the vigorous
19 attempts individual Muslims make in their decision making regarding *zakat*. To ignore or
20 marginalize the religiosity of *zakat* practice is to disregard the efforts Muslim individuals and
21 communities already make in attempting to minimize misuse of economic funds. Ahmed Uddin
22 in 2013, then an employee at the National Zakat Foundation, strongly argued:
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32 [It is] really important to get it right. Donation money is taken really seriously – it is
33 given to us as a trust and abuse of that trust . . . well, there are various verses in the
34 Quran and Hadiths that say if you abuse that trust you will be in major sin. . . if you
35 have exploited that wealth the consequences of that . . . (deep sigh). Idealistically
36 every Muslim charity that is dealing with donations has to be very rigorous right
37 down to the penny. It should be accountable to every penny, so if someone asks how
38 much you are spending on each project we have to make that information available.⁴⁴
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53 ⁴³ Marianne Gronemeyer, "Helping," in *The Development Dictionary: A Guide To*
54 *Knowledge and Power*, ed. Wolfgang Sachs (London: Zed Books, 1995), 55.
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56 ⁴⁴ Ahmad Uddin, National Zakat Foundation, in interview with author (2013).
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5 It is not simply a case of wishing to stay within the legal confines of British law and the Charity
6 Commission guidelines (though this is also true), but the actual theological aspects of *zakat* and
7
8 other Islamic charity obligations fall into the same aims of transparency, accountability, and
9
10 rightful use of alms as existing British legal frameworks.
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17 “Clandestine” Nature of Giving?

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19 One aspect of *zakat* that appears to trouble governing agencies is the apparent clandestine nature
20
21 of *zakat*, which assumedly hinders transparency and accountability. However, from interviewees
22
23 this matter should not be interpreted as an attempt to disguise the “real” beneficiaries of alms,
24
25 but as an act of dignity, religious intent, and a reflection of the “rights” of recipients. To be truly
26
27 worthy of spiritual merit, *zakat* must be given in such a way as not to embarrass or hurt the
28
29 dignity of the recipient. Equally, *zakat* should not be given in an overtly public and boastful
30
31 manner by the donor, which would weaken the intent of *zakat* and thus reduce the purifying
32
33 effects of *zakat*. The verse of the Qur'an below was paraphrased by several of my interviewees:
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37
38 Void not your charitable deeds by stressing your own benevolence and by hurting
39 [the recipients] like the one who spends his wealth only to show off to people and
40 believes not in God and the Last Day.⁴⁵
41

42 If the religious injunction and intent are not reflected upon and taken seriously in their own
43
44 terms, assumption reigns as to the reasons for the secretive giving of *zakat*. As one interviewee
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46 explained:
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55 ⁴⁵ Surah al-Baraqah 2: 264.
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5 You must not give in public because of the intention. Sometimes the one who
6 receives the money doesn't know where it came from. Sometimes donors ask
7 someone else "Do you know any poor persons? Are you sure if he or she is *really*
8 deserving?" People try to make this purely for the sake of Allah . . .
9
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14 This sentiment was echoed in 2013 by Imam Laiq Ahmad Tahir from the Ahmadiyyan
15 Association in Bradford, who also explains how seemingly "secretive" giving can
16 simultaneously be traceable and transparent:
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21 Due to people's self-respect and dignity, it is proscribed that you should never pay
22 *zakat* directly to your neighbour. This is purely taking into consideration their
23 emotional feelings. You don't want to give anyone the impression that by giving
24 them *zakat* you have performed an act of kindness on them or they owe you or are
25 indebted to you. . . . In the case of our community we have a very robust and
26 transparent system. We make donations, we pay to the local collective in Bradford
27 and then this is transferred to the central head office which is in London, also the
28 head office globally, and from there they determine who the needy people are. And
29 of course, you can recommend your neighbour without telling your neighbour that
30 they have been recommended . . . this way you have helped them out but indirectly
31 because you have taken into consideration their feelings, dignity, self-respect and so
32 on. There has to be some transparency, but also in a discreet manner.⁴⁶
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56 ⁴⁶ Imam Laiq Ahmad Tahir, Ahmadiyyan Association, in interview with author (2013).
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5 It is clear that centralization and bureaucratic processes are not deemed an antithesis to Muslim
6 charitable practice. There are ways to ensure transparency and accountability whilst
7
8 simultaneously remaining discreet regarding individual donors and beneficiaries.
9
10

11
12 In Sunni Islam, there is no official hierarchy within the religious specialists. Like
13
14 Protestant Christianity, there is assumed to be a direct relationship between the individual and
15
16 God, thus Imams and religious leaders are subject to scrutiny and critique as much as anyone
17
18 else. The giving of *zakat* to specific mosques requires the trust of the community, and thus
19
20 individual acts of giving serve as the initial point of scrutiny for any Muslim institution. While
21
22 there are some religious leaders and scholars who hold more social sway than others, there are
23
24 essentially no strict hierarchical figures like Popes, Bishops, etc. in Sunni Islam generally.
25
26 Twelver Shi'ism, on the other hand, contains within itself a much more hierarchical flow from
27
28 top to bottom. While many variants of shi'ism exist, the predominant is Twelver Shi'ism. This
29
30 hierarchical difference manifests itself (amongst other differences) to include the rightful
31
32 distribution of *zakat*. In hi'a Islam, it is far more common for believers to donate to mosques and
33
34 specific Imams than to distribute alms on an individual basis. A religious cleric from the shi'a
35
36 Islamic Centre of England explained:
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42 In shi'a Islam there is a leader, everyone must choose a leader. All the charities are
43
44 given to the leader or spent with permission of the leader, so if you have a local
45
46 problem you write to your leader to explain the problem and ask for permission to
47
48 use it here. So the leader has the authority to decide what is the priority so if you give
49
50 enough reasons to the leader to prioritize your local need you will get the permission
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52 to use it. . . . This centre is appointed by a leader. We have five different Imams from
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3 different racial backgrounds and we take care of the different circles in our
4
5 community . . . There is a difference of opinion in that some scholars say that every
6
7 single person has the responsibility of ensuring the money goes to the right people, if
8
9 it doesn't go to the right person I am personally responsible. Others say that not
10
11 everyone has the time to do that, so it is better to give to the hands of the experts who
12
13 have devoted their time for recognizing this problem in the community and once you
14
15 have given to that leader, of course that leader must be trustworthy, reliable, just,
16
17 honest . . . then you have done your duty and the leader is responsible.
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21 Findings indicate that *zakat* collections in sunni mosques and other smaller Muslim institutions
22
23 are redistributed according to consensus from *zakat* committees made up largely from
24
25 volunteers. The London Central Mosque described its *zakat* committee and decision making as
26
27 such:
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31 The committee who makes decisions regarding *zakat* are all women. This is not
32
33 intentional, but those that are spending are women. Women are better in this for they
34
35 have more mercy in their hearts and if a poor woman comes to them she can feel
36
37 more comfortable to tell them about her needs. There is nothing in our policy that
38
39 says it should be like this, but it happened to be like that. Those who spend, we prefer
40
41 them to be volunteers; they are not paid, they are from the public and we select
42
43 people who are reasonable and who are wise and would like to dedicate this time just
44
45 for the sake of Allah . . . Sometimes the women come to me and say we give this
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47 man *zakat*, but we think he is lying . . . Out of these people coming to you definitely
48
49 there will be some lying to you, but you do your best to check the papers as best you
50
51 can but, somethings are beyond your abilities. We have a lot of applicants and we
52
53 don't give out big money, only small portions.⁴⁷
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56 ⁴⁷ Dr. Al-Dubayan, Director of London Central Mosque, in interview with author, (2013).
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5 From the donors and distributors of *zakat*, the problem of misdirection of funds is far more about
6 the funds being received by the correct people for the correct usage rather than fears associated
7 with “extremist” activity. As noted above, the amounts given to any one individual are small –
8 perhaps enough to pay a week’s rent or an electricity bill. Often no monies are given to the
9 individual; instead the bills are paid directly.
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17 The fear of the misuse of funds was found in the shi’a Islamic Centre of England which
18 recalled:
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21 Sometimes we have non-Muslims coming to the centre to ask for charity . . .

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23 Sometimes we notice they only want to take the charity and go and drink. We have
24 our own kitchen, so we ask: “are you hungry?” So okay, we give food rather than
25 money because we know the money would be wasted on drink. We have been
26 deceived.
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33 The Imam gave an example of a man who received *zakat* money but then spent it on a gambling
34 addiction. This is the type of deception and fraud that all my respondents were afraid of. In this
35 case, the Imam accepted that the intent was “sincere” from the side of the donors and that the
36 “deceiver may be punished by God as misuse of charity is a serious sin.”
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42 From interviews with several mosque directors, Imams, and treasurers, most of the *zakat*
43 funds collected in mosques are redistributed into the local community with decisions of
44 distribution made on a case-by-case basis through a *zakat* committee. Such donations may be
45 used for such things as help with student tuition fees, assistance for tickets to an individual’s
46 home country, or simply to any person in need with a focus on children and poor women (the
47 reasons again are derived from Qur’anic injunction).
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6 *Conclusion*

7 Muslim charities emerged as specifically “Muslim” due to the explicit obligations and rights that
8 are deeply connected to prescriptions regarding charitable giving, with *zakat* as the paramount
9 example. This suggests that Muslim charities did not emerge due to a desire for self-segregation,
10 but only to ensure that their religious obligations are carried out in the correct manner.
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17 There is a need to make sure that whoever you give your Islamic contribution to is
18 doing it right. Muslims also give to non-Muslim charities, but when it comes to the
19 Islamic duty of giving *zakat* there are restrictions, it *has* to be done with people who
20 understand. Recipients of *zakat* are specific. I will feel comfortable to do my
21 religious duty with someone who will understand it.
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28 This sentiment is also echoed by al-Qaradawi, who stated that *zakat* collectors and distributors
29 must be Muslim: ‘It is unreasonable that people that do not believe in *zakah* be entrusted to
30 implement it.’⁴⁸
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35 Despite this, several of my respondents suggested that the norm was now to give general charity
36 (*sadaqah*) to non-Muslim charities such as those designated for cancer research, Oxfam, and
37 other major, internationally-renowned charities, but as one respondent claimed, “they will not
38 give their *zakat* to Oxfam.”
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44 Essentially the perceived need for specifically “Muslim” charities is derived from religious
45 understandings and injunctions and a non-state-centric conception of *obligation*. When asked, “If
46 there is a need for specifically Muslim charities,” one charity shop manager replied:
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56 ⁴⁸ Al-Qaradawi, *Fiqh al Zakah*, 26.
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3 There is a need, *zakat*, the only fund in Islamic Relief that has to be used on
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5 Muslims. *Sadaqah* can be given every single day of your life so it balances out . . .
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8 When you're both on the same level, religiously, then morally it gives you that
9
10 confidence. I trust this person – they won't con me.
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12 Ultimately, the perceived need of specifically-Muslim charities does not stem from issues of
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14 self-segregation or suspicious intent but on religious injunction and “trust” in those given
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16 authorization to distribute funds according to the obligations and rights of both receiver and
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18 donor. None of this can be accurately understood without solemn consideration of the religious
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20 character of alms giving. *The 9/11 Commission Report* statement that financial origins of violent
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22 acts is a question with “little practical significance” not only illuminates the breadth of
23
24 negligence of the consequences of its speculations surrounding Islamic charitable giving, but
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26 also demonstrates a misunderstanding (and/or neglect) of Muslim pious practice and the
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28 communities that regularly engage in acts of religiosity. Moreover, the religious conception of
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30 *obligation* needs to be earnestly considered to ensure state-centric gazes do not skew our
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32 understanding—and policy engagements—with Islamic charitable giving in Britain today.
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