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Faith-Based Organisations in Kashmir: Mapping the Intersectionalities of Philanthropy, Religion, and Politics

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Abstract

This working paper seeks to engage with the ways in which religious notions of philanthropy are interpreted by faith-based organisations (FBOs) in Kashmir, both in terms of aid ideologies and the philosophy of benevolence, as well as in service delivery. The study examines formal (non-governmental) institutionalised forms of philanthropy and their mobilisation of *zakaat* and *sadaqat* through a case-study approach of Muslim FBOs. In doing so, this project maps different forms of giving in contemporary Kashmiri Muslim society by focussing on the attempts of re-institutionalisation of *zakaat* . It brings forth the ways in which religious doctrines are invoked in the vision and mission statements of these organisations, which also enables the larger public to identify with them as it reflects their own beliefs and value systems. Further, even as these organisations engage in partnerships with secular organisations with different philanthropic motivations, yet they maintain their religious outlook, adjusting the interventions according to the local context and reiterating the importance of such work both for this world and for the Hereafter. This study is a contribution to the growing literature on Muslim humanitarianism that is not just inspired by the Islamic scripture but is shaped and reshaped by the context-specific dynamics of a pervasive political conflict. This study, therefore, is an exploration of the interaction of these myriad factors and how they inform the design and implementation of the pious interventions by these FBOs.

Keywords: Faith-based organisation; philanthropy; Islam; Muslim humanitarianism; *zakaat*; Kashmir

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1. Introduction

> "The acts of philanthropy and giving are regulated and determined by different state- or community-based mechanisms and influenced by specific sociopolitical dynamics. The act of giving represents a complex intersection of social, political, economic, and cultural systems. These systems then interact with aspects of philanthropy and several questions are born out of this interaction: Who gives and why? What shapes these choices? How is it perceived? What are the forms of institutionalisation? Engaging with these questions can provide critical insights for deciphering how benevolent actions are 'inseparable from [...] interactions that configure human behaviour' (Singer 2008, 3). There have been extensive studies on the nuances of religious philanthropy including, but not limited to, the nature, trends, definitions, demographic data on giving, and contestations and similarities among various faiths. However, the major focus of these intellectual and academic engagements has been on Western societies, and more so on philanthropic traditions of Christianity (Davis 2013). There have also been substantial, if not as many, studies of the religious ecologies of charity and philanthropy; however, some geographies of philanthropy and aid remain underexplored. There appears a similar unevenness in scholarship on Muslim philanthropy with its focus primarily being on the giving patterns in Muslim societies in the West and the Middle East. There is scant attention paid to 'other' Muslim sites that could offer rich perspectives owing to the differences in the social, political, and cultural milieus, which are yet connected by the overarching Islamic values and belief systems."

The Muslim-majority Kashmir region[1] is one such case with limited scholarly engagement on philanthropy. One of the reasons for this could be the hypervisibility of narratives focusing on religion and identity, primarily as mobilisation factors for conflict and violence.[2] Over the course of time, in dealing with crisis situations, the human security role of Muslim philanthropy in Kashmir has evolved, restructured, and responded to such situations, right from the oppressive Dogra monarchy to the intensive militarisation and violence in the wake of an insurgent movement against Indian rule that erupted in 1989. Not only have philanthropic initiatives been organised and even institutionalised to address immediate humanitarian needs, but attempts have also been made to invest in long-term developmental projects.

It is in this context that this paper examines the role of Islam-inspired philanthropic work by tracing its meanings, motivations, articulations, and interventions in Kashmir following the political and humanitarian crisis witnessed since 1989. I specifically focus on the ways in which the notion of religious 'giving' including *zakaat*[3] and *sadaqat*[4] has informed the work of Muslim faith-based organisations (FBOs), and how it is aimed at collective healing. It is important to note that despite a single source of scripture from which guidelines on *zakaat* and *sadaqa* emanate, their practice in Muslim

1 An iteration for the ten districts of Kashmir valley of the erstwhile state of Jammu and Kashmir, variously described as an armed conflict, a disputed territory, or a bilateral issue between India and Pakistan.

2 For more on this, see Zutshi 2004; Rai 2005; Bose 2005; Staniland 2012; Ahmad 2017.

3 Among the five core values of Islam, zakaat is the third-most important pillar. It is a mandatory form of taxation obligated on well-to-do Muslims after they reach a certain threshold of accumulated wealth over a period of one lunar year. In Islamic jurisprudence, this threshold is referred to as nisab. Since almsgiving is quantified, a muzakki (the person paying zakat) ought to pay one-fortieth or 2.5 per cent of his accumulated wealth to a mustahiq (the person receiving zakat). Zakaat is an Arabic word originally taken from the verb zaka, which means to purify or increase. Thus, Muslims consider that giving zakaat purifies one's self as well as wealth.

4 In comparison to the mandatory nature of zakaat, sadaqa is a form of voluntary giving, considered an act of ibadah (worship) that could include giving anything ranging from one's possession or material wealth to as much as a kind word. Sadaqat is the plural of sadaqa.

societies is not homogenous.

There are juristic, legal, interpretive, as well as historical, contentions with different traditions and schools of thought in Islam. But this 'does not invalidate core characteristics that transcends [sic] internal divisions between Muslim practitioners' (May 2019, 2). Though important, these internal debates are outside the scope of this study, especially as they are not significant in the working of the FBOs under study for this project.[5] This study engages with the ways in which these religious notions of philanthropy interpreted by organisations in Kashmir, both in terms of aid ideologies and the philosophy of benevolence as well as in service delivery. The study examines formal, institutionalised forms of philanthropy and their mobilisation of *zakaat* and *sadaqat* through a case-study approach including four Muslim FBOs, bringing forth this giving as instrumental in the institutionalisation of philanthropy through these FBOs.

1.1 Methodology

The FBOs that this paper explores are 'Muslim NGOs'[6] – organisations that in their formation, structure, and functioning derive motivations from Islam 'by explicitly referring to Islamic authorities, traditions, figures or concepts in their practices, structures and community' (Petersen 2011) for addressing inequities, and other forms of community intervention. Kashmir has been selected as a geographical site for this study for three reasons: this region has been a site of violence; its population is predominantly Muslim; and as a native and with both volunteer and research engagements with the NGO sector, I approach this study from the vantage point of studying the familiar.

This project examines four Muslim FBOs – Jammu and Kashmir Yateem Trust (JKYT), Athrout, Jammu and Kashmir Yateem Foundation (JKYF), and the Muslim Welfare Society (MWS), taking a case-study approach to qualitative research.[7] Though not representational of the entire gamut of Muslim FBOs[8] in Kashmir, they are the largest in form and structure and the oldest in operations, based on observations from my earlier work. They were selected because 'they [were] expected to contain the most information, the richest narratives, the broadest range of characteristics' (Petersen 2011). The study relies on publicly available documents of these organisations including annual reports, brochures, fund-raising appeals, project documents, and internal assessment studies, which are an important source for examining their interventions and the underlying ideology of aid. All four organisations have websites that not only carry policy-level information and archived data but, along with their social media handles, provide crucial insights into how they position, promote, and market them

5 Samantha May (2013, 2019, 2021) has extensively explored the nuances of these crucial and important debates on zakaat within different traditions and early as well as contemporary Islamic polities.

6 I use the term NGOs while referring to the selected FBOs because not only are they institutionalised but they are also formally registered as either a society or a trust (the two ways NGOs are registered in Kashmir). Further, they have, to a large extent, employed the modern forms of 'non-governmental governance' in their functioning, similar to their counterparts anywhere in the world.

7 Initially, the project also included Ehsaas International (EI), introduced to me as an FBO from the Shi'i jurisprudence of Islam that follows slightly different forms of charity and giving than the Sunni traditions. As the project progressed, it became clear, first through the website analysis of EI and later through my interaction with one of its founders, that it does not identify itself as an FBO but does run some projects wherein it approaches 'Islam as a strategy and motivation'. The origins of EI are interesting and unique, as two people belonging to Sunni and Shi'i traditions came together to establish a secular organisation and 'use' religion as a strategy to foster solidarity between the followers of these two traditions. Yet, they identify as a secular NGO and hence it has not been engaged with in this paper.

8 It is also important to mention that this paper looks into Muslim giving from the perspective of the Sunni tradition/jurisprudence/school of thought. The non-exploration of Muslim charity through the Shi'I tradition remains a limitation of the study. The project did begin with an idea of examining both schools of thought in terms of philanthropic outlook and intervention, but the Shia NGO I came across in my initial quest turned out to identify itself as secular. The COVID-19 pandemic made it difficult to access more options. And since Shi'i philanthropy is different from Sunni philanthropy and the NGOs under study here are from the Sunni school of thought, it is outside the scope of this study at the moment. But it is definitely an important opening for future scholarship to explore.

selves, and thus their websites an important source for this research.

Further, in-depth interviews were conducted that included research participants from the management and staff in these organisations. The interviewees were selected purposively[9], and interviews were conducted with the help of an interview guide, covering a range of themes from history, vision, motivations, scriptural understanding of Islamic philanthropy, notions of giving, *zakaat*, policy formation, levels of operation, and range of programmes. However, owing to issues around security amid a shifting political climate, interviews with one of the organisations had to be dropped, despite an initial agreement, after its parent organisation found itself in political trouble.[10] To address this fieldwork disruption, some reflections have been used from my doctoral work on NGOs in Kashmir (Amin 2021).

I begin this working paper by briefly bringing in the context and background in which this project was conceived and begun. This section then introduces the key research questions and the methodology that was followed to address these questions. The second section maps some relevant scholarship that has informed the framing of this research, which takes us to some critical debates on philanthropy and religion in general and Muslim humanitarianism in particular. Despite the recent growing interest in Muslim humanitarianism, wherein different regional empirical case studies have informed this domain of scholarship (Benthall 2016, 2012, 2019; Singer 2008, 2013; Osella 2018; Taylor 2015, 2019; Peterson 2011, 2012, 2014; Mostowlansky 2020; Krafess 2005), Kashmir has not featured as a point of discussion in this domain. This is why the next section on conceptual framework attempts to frame the question of religious giving in Kashmir through Muslim humanitarianism, while retaining a focus on 'theory of *zakaat*'. The fourth section brings in the first set of empirical findings by mapping different forms and patterns of giving in Kashmir. The paper then demonstrates different ideological and operational philosophies that shape the working of FBOs in Kashmir and examines their projects and interventions. This enables the study to bring out the interaction and intersection of myriad faith-based as well as political determinants that go into the making and unmaking of interventions by these FBOs.

9 The purposive selection was informed and influenced by my previous experience (of doctoral research data collection) and contacts with the people in these organisations. This was purposive in the sense that I preferred to talk to people who have had the longest associations with their respective organisations and were in a better position to talk about their foundations, motivations, philosophies, and ideologies that guide them.

10 Owing to these factors and for upholding the convention of confidentiality, the identity of the research participants been protected. The affiliations and the designation have been given where the interviewees themselves wanted to be identified in this manner.

2. Review of Literature

There is a rich body of scholarly work on religious philanthropy, including Muslim philanthropy, in different contexts – be it places with a governing Muslim polity or Muslim communities within Western or other secular political frameworks. In the former, there is an institutionalisation of *zakaat* where its collection and distribution is a state prerogative, while in the latter setting, Islamic vocabularies of charity come into conversation with the states' constitutional norms.[11] Different studies have engaged with the various conceptualisations of faith-based organisations, definitions, typologies, characteristics, and their comparisons with non-governmental organisations (Clarke 2006, 2007; Clarke and Jennings 2008; Johnsen 2014; Petersen 2014). These scholarly engagements with religion-inspired NGOs help operationalise the definition and concept of FBOs for the current project. Clarke and Jennings define an FBO as 'any organisation that derives inspiration and guidance for its activities from the teachings and principles of the faith or from a particular interpretation or school of thought within the faith' (2008, 6). Further, Johnsen makes an important addition to this definition, which the current study also maintains as their distinctive feature in what it means by FBOs; 'One should be careful to avoid conflating religious congregations and FBOs'. The FBOs are essentially organisations that are involved in community services, providing humanitarian assistance; they mobilise or advocate in the spirit of social solidarity and in doing so their values and inspirations come from a particular religion. Such organisations, however, are not established for the propagation and preaching of faith or for the purpose of 'worship' (Johnsen 2014).

Focussing on the faith-based sector in the US, Bielefeld and Cleveland (2013) review over 600 studies and provide a snapshot of trends on how this field has been engaged with in academic inquiries. They specifically look into how faith-based groups have been defined and classified and how different methodologies have been used to study them. Based on the manifestation of religion in non-profit organisations, Sider and Unruh (2004) propose a six-fold typology of non-profits and their programmes – faith-permeated, faith-centred, faith-affiliated, faith-background, faith-secular partnership, and secular categorisations. In an attempt to understand the similarities and distinctions between FBOs and secular NGOs, Clarke and Ware (2015) review around 50 studies and suggest their own typologies, capturing a diverse range of views on FBOs.

In a doctoral study at Clemson University, Mcleigh (2011) draws from a sample of 428 international NGOs to compare faith-based and secular international NGOs engaged in humanitarian assistance, based on their focus, orientation, activities, objectives, and government funding, with religion as both dichotomous and as a multinomial variable. Works by Ferris (2011) and Burchardt (2013) specifically

11 Despite many downfalls and periods of decline, the institution of zakaat as a prerogative of the Islamic state continued till 1924 till the Ottoman empire ceased to exist. In modern times, the attempted re-institutionalisation of zakaat is credited to Muslim intellectuals who responded to what they perceived as challenges to the Muslim cultural identity such as 'modernization, secularization, and westernization' (Malik 2016: 69). In the contemporary nation-state polities of Muslim countries like Pakistan, Malaysia, Sudan, Saudi Arabia, and a few others, zakaat collection and distribution are controlled and regulated by the state but are not homogenous in structure. Despite the presence of 'national zakaat' in these countries, there are also non-state modes as well. In countries governed by a secular constitution, zakaat remains an individual practice, and non-state Islamic institutions are more profound in collecting and distributing it in such a scena io. For more on the patterns and differences in regulation of national zakaat in Muslim countries, see May 2013; Malik 2016.

examine the role of Christian faith-based organisations and their relevance in the NGO world. Through a case study of South Africa, Burchardt argues that local faith-based groups in the region adopt the 'technocratic and official templates' of northern NGOs by deploying strategies that contradict their 'paper versions'. Amy Singer's (2008; 2013) rich scholarship is a fascinating entry point for mapping the giving practices and charity in a Muslim society. Singer (2018) examines the politics of philanthropy to identify and define key institutions and terms of Muslim philanthropy. An explorative study of four transnational Muslim NGOs by Petersen (2011) attempts to understand the interplay of aid and Islam in such organisations and how the actors involved attach meanings and significance to these terms and different factors that determine the ideologies of aid.

This project hugely relies on, and benefits from, the pioneering work that Jonathan Benthall (1999; 2003; 2012; 2016; 2019) carried out in varied contexts, including in conflict zones like Palestine, on Islamic humanitarianism, FBOs, *zakaat*, and the politics of aid in the Muslim world. Benthall and Bellion-Jourdan's (2003) seminal work, The Charitable Crescent, is a standout contribution in the field, explaining the conflict between Muslim philanthropy and the politics of aid, taking up important questions on who could be the beneficiaries of Muslim aid, the priorities, relationship with the state, and the actors responsible for the distribution of aid. The question of *zakaat* as a religious duty as well as a cultural practice is directly dealt with in Benthall's (1999) article 'Financial Worship: The Quranic Injunction to Almsgiving', as part of a larger project to study organised charity from a comparative perspective. In a rather recent work, Benthall (2016) explores the question of cultural proximity in post-tsunami reconstruction in the Aceh province of Indonesia in terms of whether FBOs have privileged access to the beneficiaries of same religious culture.

On the issue of accountability of institutes dealing with the collection and redistribution of *zakaat*, Emanuel Schaeublin (2016) highlights how the contesting politics in Palestine results in 'disconnected accountabilities'. Making the case through the *Zakaat* Committee of Nablus in Palestine, he argues that such institutions are subject to observation by the local populace, by the regional government, and also face scrutiny and surveillance by the Israeli state in the garb of combatting terror financing. Samantha May's (2013, 2019, 2021) extensive work on Islamic charity in the United Kingdom, foregrounding its role in the aftermath of 9/11, when Muslim charity was perceived as a threat to national security, argues how *zakaat* and *sadaqa*, besides providing economic succour, contribute to social solidarity and cohesion in the community. She contends that Islamic charity offers a radical 'non-violent and non-conflictual alternative' to neoliberalism (May 2019, 1). These insights are crucial for the present project given how NGOs in general, and Muslim FBOs in Kashmir in particular, have been accused by the state of supporting 'anti-national' activities[12] and how they navigate these terrains.

In studies focusing on the Indian context, Danielle Widmann Abraham's (2018) ethnographic study of a *zakaat* foundation in India explores how *zakaat* redistribution moves beyond the simple act of charity and challenges the evil of dowry, thus helping in the 'formation of Islamic social ethics, including critique of gender'. Christopher B. Taylor's (2015) doctoral dissertation traces how philanthropic institutions like the waqf declined and were followed by the re-emergence of a *zakaat* economy among Indian Muslims. In his thesis, Taylor posits *zakaat* as a paradox of 'obligated voluntarism'.

The questions of faith-based aid and Muslim philanthropy have been dealt with in a global framework

12 In 2020, India's National Investigation Agency conducted several raids in Kashmir, accusing various non-profit groups and charitable trusts working in Kashmir of collecting funds and using them to carry out secessionist and separatist activities. For more on this, see Al Jazeera (2020).

and through localised case studies as well. In the review of the existing literature, which is not a complete representation of existing scholarship around faith-based aid and Muslim philanthropy, few studies on Muslim charity and *zakaat* in the Indian context were found using a minority framework. When it comes to Kashmir, there are some case studies looking into the working of orphanages without engaging much with religion as a variable. The humanitarian cost of this conflict factored in the emergence of these FBOs and even shaped their interventions and the kinds of beneficiaries. Over decades, their strategies and operations were transformed in significant ways as first responders in a violent political setting. Therefore, this project seeks to address the gap in studying Muslim philanthropy in a region mired in armed conflict.

3. Theoretical framework

The present study has largely benefitted from discussions in scholarship on definitions, typology, contestations, and the rich historical and theoretical insights into religious giving. A recent intellectual intervention in the form of a series of anthropological articles, published by Allgera lab[13], covering different questions on philanthropy in Muslim settings, provides crucial insights for the conceptual framework of this project. While introducing the thematic thread, Till Mostowlansky, drawing on Scott (2004), proposes the idea of 'Muslim Humanitarianism' as a 'conceptual-ideological ensemble which is defined by an object that comes with specific questions' (Mostowlansky 2019). Building on this, the current study is an exploration of Muslim Humanitarianism in a specific context that is shaped and reshaped by various factors while trying to retain the basic ideological moorings from the scripture, i.e., Qur'anic injunctions and Hadith (the words and actions of the Prophet). In the present context, Muslim Humanitarianism is studied, as mentioned earlier, through the work of institutionalised non-state entities. Invoking the sacred Islamic scripture, these organisations tap on different forms of giving, mainly *zakaat*, to invest in society and redistribute wealth among those deserving of it. In doing so, they end up organising scattered and individual acts of benevolence, compassion, and religious duty.

Yousuf Al-Qaradawi argues for *zakaat* being the first proper policy of social security in the world as its collection and distribution is the prerogative of a state transcending an individual's benevolence or philanthropic efforts (Qaradawi 1981; Benthall 1999). However, unlike a Muslim polity where it is a state prerogative, Kashmir presents an interesting case because in the operationalisation of such philanthropic work, the collection and redistribution of *zakaat* is left to individual (Muslim) conscience.[14]

13 *The articles published as a thematic thread on Muslim Humanitarianism #MUHUM originated and resulted from a workshop on practices of aid, welfare, and care in Muslim settings by the authors of this series in Geneva that was funded by the Swiss National Science Foundation. The thread contains crucial debates ranging from vocabulary of Muslim philanthropy to theoretical insights from different Muslimsocieties/contexts, to how everyday interaction with other cultures shape Muslim humanitarianism beyond the differences within the various Islamic traditions. I particularly borrow from Taylor's (2019) and Mostowlansky's (2019) framings in this thread. For more, see https://allgralaboratory.net/muslim-humanitarianism-muhum/.*

14 *While I posit Kashmir as a Muslim society, it is not a Muslim or an Islamic state, that is, it is not governed by Islamic laws in general, and the collection of zakaat is neither governed by the secular constitution nor regulated by the state like it is in some Muslim countries as already mentioned (See Footnote11). This why it is left to the individual conscience of Muslims.*

In such a setting, the question of *zakaat* becomes paradoxical – mandatory, yet left to individual discretion which has to do with their adherence to the scripture and its practice in their everyday lives. This gives rise to a paradoxical situation for the FBOs as well. These organisations attempt to fill in the gap that exists because a secular state cannot and does not regulate *zakaat*; yet the fact that these FBOs cannot force people into giving *zakaat* as per the scripture creates a challenge as well. This is where the present study echoes the model and theory of *zakaat* developed by Taylor (2019) through his ethnographic research with 'Islamic charities' in Muslim communities of northern India. He refers to the case of *zakaat* in such societies as a 'paradox of obligated voluntarism' (Taylor 2015, 2019) and further presents two modes of Islamic charity called the 'purity ethos' and the 'developmentalist ethos'. The purity ethos is 'mostly focused on the purification effected upon the donor, as their soul and their wealth are purified' (Taylor 2019) wherein the recipient remains invisible. On the other hand, in the developmentalist ethos, the FBOs 're-orient the focus of *zakaat*-giving away from the donors' purity to make the recipients more visible (Taylor 2019). The current study observes that FBOs in Kashmir equally follow and build on both these modes of *zakaat*, and this provides an insightful model for studying *zakaat* and, by extension, these Islamic social institutions as well.

4. *Muslim 'Giving' in Kashmir: Forms and Patterns*

As laid down in the preceding sections, this paper studies Muslim humanitarianism through non-state philanthropic institutions working in their local communities to meet the immediate emergency needs as well as invest and plan for long-term goals of making the recipients self-reliant and fulfilling other development goals. The giving practices and behaviour of Muslims in Kashmir are largely determined by faith; however, other factors such as the prevailing conflict and natural disasters also shape it (Amin 2021). This section briefly attempts to map different forms and patterns of Muslim giving in Kashmir. Among these varied forms, *zakaat* remains the focus of this study because it is this particular form of giving that makes up the bulk of the funds[15] raised by the FBOs that are studied. Nevertheless, an idea about the other forms and patterns of giving becomes necessary as they also contribute to and inform the working of these FBOs, though not to the same extent as *zakaat*.

In Jammu and Kashmir, Muslims make up 68.31 per cent[16] of the population as per the religion census of 2011. The proportion of Muslim population in the ten districts of Kashmir valley is 96.87 per cent, which explains why Muslim giving has become quite a visible aspect of philanthropy in the society.

15 This was revealed by the organisations during the interviews. In fact, the 48th annual report of the JKYT has shared a few financial statements in the appendix that confirm this (JKYT 2020).

16 For the district wise religious distribution of population, see https://www.census2011.co.in/data/religion/state/1-jammu-and-kashmir.html). Accessed 29 September 2021.

This is suggestive of the fact that giving and charity by people in contemporary Kashmir would be majorly influenced and determined by Islamic traditions and doctrines. Social and public welfare have been among the primary tenets of Islam with a reiterated focus on wealth redistribution. Therefore, the mapping of the forms of giving brings forth how they resemble other Muslim societies, albeit the contextual and cultural differences bring in variation in patterns. Islamic humanitarianism dates back to the birth of Islam, with the *zakaat* as the mandatory tax and *sadaqa* and waqf (endowments) being the means of voluntary social welfare. *Zakaat* is the first and foremost form of giving, central to Muslim philanthropy and, by extension, to this study as well. Islam even outlines clear guidelines about the beneficiaries of *zakaat*.[17] The institutionalisation of *zakaat* was begun by the Prophet himself after the creation of the state of Madinah, and was further carried forward by his four companions (Abu-Bakr, Umar, Uthman, and Ali) during their rule. There are various verses in the Quran and Hadith that confirm the obligatory nature of *zakaat* in a Muslim state:

> Take from their wealth, 'O Prophet', charity to purify and bless them, and pray for them—surely your prayer is a source of comfort for them. And Allah is All-Hearing, All-Knowing.
> (Quran 9, 103)[18]

One of the earliest examples of the institutionalisation of *zakaat* was the appointment of *zakaat* officials – a'ameleen – by the Prophet, who used to approach, calculate, and collect the *zakaat* from the individuals/households/traders who would satisfy the criteria that had been laid down (Malik 2016). The giving of *zakaat* and the rates are stipulated on categories such as cash, jewellery, merchandise, minerals, ancient treasure, cattle, and crops from land as modes of income generation evolve with the passage of time (Malik 2016).

Marie Juul Peterson (2014) argues that the history of contemporary Islamic aid dates back to Islamic resurgence[19], with the emergence of the Muslim Brotherhood (MB) and Jamaat-e-Islami (JeI) being one of the important factors. Jannei Clark, in her work (2004), uses a social movement theory to explain the rise of Islamic social institutions in the Middle East. She asserts that in a move to establish Islam as the solution to all the socio-economic and political problems of a society, Islamist movements come up with alternative institutions 'to those of the secular state in order to demonstrate the viability and superiority of Islamism in the face of a struggling secular state, particularly with regard to the provision of social welfare services of all kinds' (Clark 2004, 5).

Similar to the Middle East, the movement in South Asia led by the Jamaat-e-Islami (JeI) also relied on Islamic social institutions to appeal to common Muslims. JeI made inroads into Kashmir in the 1940s, and a formal unit of the Jamaat was established in 1946.[20] The first thing that Jamaat tried was the

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17 As an example, Quran (9, 60) mentions, 'As a matter of fact, zakaat collections are only for the needy and indigent, and for those who are employed to collect them and for those whose hearts are to be won over and for the ransoming of slaves and for helping the debtors and for the way of Allah and for the hospitality of wayfarers.'

18 The English translations are from Mustafa Khattab's the Clear Quran, see here; https://www.theclearquran.org/. Accessed 26 November 2021.

19 'Starting in the early 20th century, the Islamic resurgence denotes a global movement of renewed interest in Islam as a relevant identity and model for community, manifested in greater religious piety and Islamic solidarity; in the introduction of Islamically defined organizations and institutions; and in a growing adoption of Islamic culture, dress codes, terminology, and values by Muslims worldwide' (Lapidus 2002, as cited in Petersen 2014, 73).

20 When Kashmir emerged as a region of dispute after the partition of British India, the Jamaat-e-Islami Jammu and Kashmir constituted an independent organisation, autonomous from both the Jamaat-e-Islami Hind (JIH) and the Jamaat-e-Islami Pakistan (JIP). The Jamaat-e-Islami Jammu and Kashmir framed its own constitution in 1954 and continues to work independently from JIH and JIP.

institutionalisation of *zakaat* through the creation of localised Bayt al-Maal (House of Wealth), which is a form of central treasury in Islamic states, institutionalised by Muslim societies for wealth distribution. Despite the work of such movements, the commitment to pay *zakaat* is not followed in practice as per the scripture. One of the research participants for this study, who leads an FBO, lamented the lack of commitment towards *zakaat*, claiming that 'only 5 per cent affluent Muslims (who satisfy the *zakaat* threshold/criteria) in Kashmir pay *zakaat* and among them 50 per cent pay as per their choice and do not follow the calculations as per the scripture'.[21] This view was echoed by others as well; however, most of them also indicated an increasing trend in *zakaat* donations in recent years, which they claimed 'could be confirmed from the yearly financial records that show a 10 to 15 per cent increase in *zakaat* payments every year'.[22]

In addition to *zakaat*, Muslims are encouraged to give voluntarily, irrespective of the amount of wealth they possess, generally referred to as *sadaqa*. It is not prescriptive and can include anything from monetary help to a generous act, or even a kind word. Like in other places, the majority of giving in Kashmir takes place during the Islamic month of fasting (Ramadhan), though it is not prescribed. One mandatory form of giving specific to this month is the *zakaat al-fitr* associated with sawm (fasting), the fourth pillar of Islam. It is incumbent upon every member of a Muslim household to give some goods/-gifts/monetary assistance that can enable a needy person to have a meal on Eid.

Another visible form of Muslim philanthropy is the institution of waqf. Dating back to 3 AH (the 3rd year of the Prophet's pilgrimage), it is highly regulated through a legal deed through which the donor transfers all the rights to 'an inalienable claim of God' (Khan 2015). In most cases, the institution of the central waqf transforms the properties into revenue-generating units and manages mosques, shrines, educational institutions, and madrasas. In Kashmir, the institution of waqf is controlled and regulated by the government under the auspices of the J&K Muslim Waqf Board (JKMWB).[23] There are studies highlighting the lack of transparency and dismal performance of this institution in Kashmir (Shah 2016). Given the fact that this is a government-run institution, it is not being explored as a philanthropic institution for this project.

One of the visible contributions of Islam-inspired religious-political organisations in Kashmir has been their humanitarian interventions, for instance, movements like the Jamaat and their role in the re-institutionalisation of *zakaat*. In 1962, the Jamaat established its first formal Islamic social institution and got it registered as a society in the form of Falahi Aam Trust (FAT). The funds for the trust were raised by making appeals at the Jamaat gatherings, particularly at the annual conventions. The trust was initially engaged in helping the poor and the destitute but, with education as the core activity for the Jamaat, FAT was transformed into an educational trust in 1979.[24] The trust now focussed on the educational sector and started a chain of schools throughout the valley. As FAT became a trust exclusively catering to education, a separate NGO – the Muslim Welfare Society – was formed for carrying out other humanitarian efforts.

21 Personal interview with a JKYT patron 18 August 2021.
22 Personal interview with a JKYT patron 18 August 2021.
23 It runs and manages various institutions providing formal and non-formal education, shrines, and other properties in the form of shops, halls, godowns, and showrooms. A substantial part of the funds for the waqf is raised through nazr-o-niyaz – charity in both cash and kind, usually donated by people at the shrines managed by the board. For a detailed history of the JKMWB and the range of properties and units it controls, see the official website: http://www.jkwakaf.net/history.aspx.
24 During the Emergency, the Jel-JK was banned and in a move to save the educational institutions that were under its direct control. FAT was carved out as an independent trust, apparently without any control by the Jamaat. The trust that earlier worked for the relief and rehabilitation of poor and destitute was now entrusted with the responsibility of running the schools.

In 1972, the Jammu and Kashmir Yateem Trust (JKYT) was established to cater to the needs of orphan children in Kashmir.[25] It started as a village-level initiative and went on to become one of the biggest local NGOs that has a presence in almost all the districts of Jammu and Kashmir. The Trust reflects on the attempts by the Kashmir society to adhere to the values of social justice enshrined in religion in order to deal with the challenges thrown up in the course of the conflict. For example, in this case, the word Yateem finds mention in the Quran on several occasions where the care of orphans has been emphasised. The organisation cites different verses of the Quran[26] in its philosophy which is generally expressed in the form of mission and vision statements.

While Kashmir's landscape was dominated by FBOs prior to the armed insurgency, the post-1990s period witnessed humanitarian efforts resulting from both 'sacred' aid of the FBOs and the 'secular' aid of the other NGOs that did not derive their motivations from religion but mostly from the liberal democratic values enshrining the freedom and dignity of all individuals. In some cases, the sacred and the secular came together as implementing partners to make certain interventions. Two case scenarios emerged; one, the already existing socio-religious organisations stepped up their efforts to provide humanitarian assistance to these people and second, there was an emergence of new organisations whose primary and only focus was assisting the victims of violence. The emergence and expansion of these organisations, predominantly Muslim, coincided with the global moment of NGO expansion from the mid-1980s to the mid-1990s. The absence of other organisations from other faiths, particularly Hindu, can be attributed to the mass migration of Kashmiri Pandits to the Jammu region and to other Indian states.[27] This was the period of recognition of faith-based organisations for their role in development and humanitarian assistance (Lunn 2009; McLeigh 2011), given their effectiveness in implementing development projects and outreach to the poor and needy sections of society. The knowledge these organisations possessed about the 'local' made international NGOs partner with them for varied interventions.

25 It was founded by Tak Zainageeri, a revenue official and philanthropist from Sopore, who once received a letter from a poor and orphan student requesting for financial help to continue his studies after qualifying his matriculation examination. With his help, the student was able to continue his studies, and he eventually became a doctor. This incident made Zainageeri worry about other orphan children who were not able to continue their studies due to economic hardships, and hence he founded the trust. Besides orphanages and hostels, JKYT presely runs twelve major programmes covering aspects ranging from scholarships, craft centres, and counselling, to integrated community-based resilience projects for conflict-affected people.

26 For instance, 'therefore treat not the orphan with harshness' (Al-Quran, 93:7), 'Come not nigh to the orphans' property except to improve it, until he attains the age of full strength' (Al-Quran, 17: 34), 'Did he not find thee orphan and give thee shelter?' (Al-Quran, 93:6).

27 The migration of Kashmiri Pandits during insurgency is much contested and mired in multiple narratives. The government and most of the Pandits blame the 'Islamist militants' for killing many of its members and subsequently forcing the entire community to leave Kashmir. The popular narrative in Kashmir blames the Indian government, especially the then governor, Jagmohan, for the 'exodus' or at least for facilita ing it. For more, see Mridu Rai, 'Kashmir: The Pandit Question' (Al Jazeera, 1 August 2011), retrieved from www.aljazeera.com/indepth/spo light/kashmirtheforgottenconflict/2011/07/2011724204546645823/. Accessed 12 July 2021.

5. Operational Philosophies and Ideologies of Aid of Muslim FBOs in Kashmir

An examination of the vision and mission statements of the organisations for this study presents an interesting insight into the ways of articulation of their work and how certain concepts with religious connotations are put to use. Addressing a population that is predominantly Muslim, these local FBOs work on the concept of khayr (benevolence), whether they are a typical faith-based organisation or not.[28] JKYT, one of the oldest NGOs, founded in 1972, almost two decades before the armed conflict ensued, reaches out to the highest number of people compared to any other local organisation through its orphanages, livelihood generation units, and other community-level programmes. It considers itself one of the first and biggest responders to the situation post-1989 in Kashmir when an armed conflict erupted. In one of its messages, its present patron, hailing the foresight of its founder, asserts the critical role played by the organisation in helping conflict-hit victims. He notes that it was

> the far-sightedness of Tak Sahib [founder of the JKYT] that almost two decades before eruption of mass-scale violence in the State which gave rise to tens of thousands of orphans, widows and destitute, that he brought into existence an institutionalised system of orphan care.
> (Chairman, JKYT, 2018) [29]

Its policy-level shift and evolution become clear through the types of projects and programmes it has constituted since 1989. They are also apparent through its operations, given the range of beneficiaries it reaches. What started as an orphanage is now engaged in more than ten community-based assistance programmes, ranging from education scholarships, medical assistance, wedding assistance, craft training, aid to widows, disaster management, counselling, interest-free loans, and mental health, rehabilitation of people affected by the ongoing conflict.

The vision and mission statement of JKYT underlines a simple humanitarian principle of helping orphan children and other destitute families without espousing any explicit Islamic values or anything about the conflict in Kashmir.[30] In their messaging about the philosophy of operation, the organisation uses many terms, sometimes ambiguous, from being non-discriminatory, non-sectarian, non-governmental, and 'non-political', non-profit, and democratic at one place, and mentioning it as a social, political, and religious organisation in the same document later. Despite this overlap and multiple terminologies that represent both religious and secular values, JKYT is in practice a Muslim organisation, adhering to certain Islamic values but open to secular aid that comes through international donors and grants from the government as well. One of its main sources of public funding is *zakaat*, and the funds are 'strictly' spent as per scripture.

> Even when the culture of this mandatory zakaat giving is not highly developed, it makes the majority portion of our public donations. There are other types of giving like sadaqa but they are miniscule.
> (Personal interview, Chairman, JKYT, 18 August 2021)

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28 Though there continue to be some disagreements on the definition of FBOs, there are some basic characteristics that most of them share including association with a religious body, the mission and vision statement, decision-making process, and the fact that their governing boards are guided by religious values, and the funds generated have religious sources, partially or in full (Ferris 2005).

29 This is taken from the message of the Chairman JKYT from its 2018–19 Annual Report and can also be found in the 'About Us' section of the website. See http://www.jkyateemtrust.org/About.aspx. Accessed 5 August 2021.

30 See the Mission Statement of JKYT here, http://www.jkyateemtrust.org/Mission.aspx. Accessed 10 August 2021.

While the JKYT had a long history even before 1989, the Jammu Kashmir Yateem Foundation (JKYF) was established primarily in response to the huge human cost of the conflict. As per the JKYF, the victims of the conflict fall prey to state machinations including 'state-sponsored' NGOs and are thus unable to see the ulterior motives behind the rehabilitation schemes and other benefits.[31] It is also argued that another more urgent reason for the formation of a faith-based organisation along the lines of the JKYF was the entry of Christian missionaries into Kashmir under the garb of humanitarian assistance for conflict victims that a Muslim society needed to respond to through local organisations based on Islamic principles.[32] With these motivations, the founders of the JKYF started mobilising support in the public and for the registration of the organisation, making use of the government statistics of orphans as well as a study conducted by sociologist B.A. Dabla in 1999 that gave an astounding number of more than one lakh orphans in Kashmir.[33] These statistics are repeatedly employed so as to reinforce the need for, and public support to, such an organisation.

In the public perception, these organisations are regarded as credible Muslim FBOs based on the religious posturing used during the appeals for public donations and other fundraising events among the masses.[34] A regular donor of JKYF notes,

> I have been a regular contributor to JKYF for more than five years now. I keep a significant share of my zakaat money for them. Unlike other organisations, they make good use of public funds as per our deen [Islam].
> (Personal interview, Hussain, June 2021)

Athrout (Kashmiri word for 'the helping hand') primarily started to work for free or affordable health care to people, making use of explicit references to Islamic terms like eiyadat, meaning enquiring about the welfare of an ailing person. On its website, it invokes the Quranic verse, '... and whoever saves a life, it will be as if they saved all of humanity' (Quran 05: 32), as being its guiding light. It makes general references to being an organisation that stands for humanitarian services and also references to reaching out to conflict victims.

The case of the Muslim Welfare Society (MWS) is crucial in further understanding how conflict has shaped the working of FBOs in Kashmir. The MWS was registered as a humanitarian NGO by the Jamaat after the FAT was exclusively transformed into an educational trust. Given the Jamaat's ideological politics and how it has confronted and challenged the Indian state in Kashmir, it has faced backlash from the state. The organisation has confronted the Indian state at two levels. First, the Jamaat's Islamist politics opposed 'the political doctrine of Indian secularism' and second, it opposed the Indian state's control of Kashmir stemming from the much-contested accession (Majid 2020). In response, the state has, on many occasions, acted against it by limiting its scope of work, resorting to violence, and, until now, the organisation has been banned at least three times, most recently in February 2019

31 Personal Interview with former Chairman of JKYF, 19 June 2021.

32 Personal Interview with former Chairman of JKYF, 19 June, 2021.

33 Personal Interview with former Chairman of JKYF, 19 June 2021. The study referred to in this interview was titled 'Impact of Conflict Situation on Women and Children in Kashmir'. This was a research project carried out at the Department of Sociology, University of Kashmir, and was the first such study in the backdrop of the political violence in Kashmir. The reference to this study has been a consistent official line of the JKYF at several other occasions as well. For Instance, see 'Together with Orphans, Widows and Destitute', 14 March. Available at https://ww.greaterkashmir.com/news/gk-magazine/together-with-orphans-widows-and-destitute/. Accessed 6 August 2021.

34 This is also concretised by the kind of messaging in their publications and official communications. There is a repeated reference to terms like sadaqa, zakaat, khayr, sadqa-e-jariya, husn-e-salooq, muaawnat, ushur, haququl-ibaad. They also invoke Islamic injunctions and verses from the Quran that espouse giving as a duty towards fellow Muslims, destitute, poor, and people in need.

under the Unlawful Activities (Prevention) Act (UAPA) by India's interior ministry[35]. In order to continuetheir philanthropic work, in the wake of persistent contestations by the state, the Jamaat established autonomous and government-registered institutes like the FAT and the MWS among others. In 1998, it further bifurcated the work and scope by establishing Jammu and Kashmir Yateem Khana (Rahat Manzil) under the auspices of the MWS that primarily catered to the needs of orphans and widows. Despite the Jamaat's own politics and contestations with the Indian state, Rahat Manzil is officially declared as 'a non-political, charitable, and constitutional institution'[36] (Emphasis mine). The organisation has adapted to the dynamics of the ongoing conflict keeping its philanthropic initiatives separate from the politics it practises and the ideology it professes. Samantha May's work (2019; 2021), exploring how Muslim charity is seen with suspicion and subjected to heightened scrutiny post 9/11, offers important insights that can be extended to the present study. The securitisation of Muslims in the United Kingdom (UK), which she examines, resonates with the Indian state's recent securitisation perceptions and subsequent measures vis-à-vis civil society groups including the Muslim charities in Kashmir. In such a situation, giving is not just a religious duty or an aspect of worship but, as she argues, 'a performative act' through which 'identities and forms of belonging are constructed' (May 2019, 9). It is, perhaps, for this reason that, despite the constraints by the state, the FBOs in Kashmir continue their work to encourage social solidarity.

It was noticed during the document analysis and interactions with the management that these FBOs do not perform any da'wa[37] activities. The only semblance to the religious seminaries was found in the orphanages run by some of these organisations where children were imparted religious education particularly the memorisation of the Quran. The supervisors of these orphanages maintain that it was not the main goal of the orphanages and cannot be framed as a da'wa activity.

> "In a Muslim society, religious education should be a part and parcel of education system. We do not deprive them from anything. We only add to what the system offers. That said, our end goal is child development and their protection and religious teachings only help in achieving that goal."

Interestingly, despite conflict being the primary reason for the creation of organisations like the JKYF, the public communication and messaging does not mention conflict in explicit terms, primarily in order to appear 'neutral' for the sake of survival in a situation of high political ramifications.

> "Our motive is to reach maximum [number of] people irrespective of religion or ideology. We help everyone in need but you know who are the ones in need here. But we do not need to publicise the type of victims. It is risky in a scenario like Kashmir. No one should get an excuse to shut us down while we continue to offer help."
> (Personal interview, June 2021)

Overall, an analysis of these FBOs brings forth the multiple ways in which religious invocations are brought up in their vision and mission statements, and how they articulate their work in Islamic terms, even as they do not restrict themselves to religious activities or da'wa being central to their

35 For details, see https://indianexpress.com/article/india/jamaat-e-islami-jk-banned-militants-home-ministry-5605844/.

36 See more details about the history, mission, vision, and activities here. Available at http://.www.jkyateemkhanah.org/#azme-yateem. Accessed 18 August 2021.

37 The word da'wa refers to preaching or propagation of Islamic values (based on the scripture as well as the life and actions of the Prophet) to fellow Muslims as well as a call to non-Muslims to accept Islam. Literally, it can mean 'issuing a summons', 'invitation', or 'call' in Arabic'. For more, see here https://link.springer.com/referenceworkentry/10.1007%2F978-3-319-08956-0_254-1. Accessed 28 September 2021.

goal of reaching out. This has to do with religion being an important marker of identity and deeply rooted in the Kashmiri community, and therefore, also reflected in explicit or implicit terms in the language in which these organisations frame their work for the people and, accordingly, mould their principles of giving. This religious articulation enables these organisations to be seen by people as reflecting their own value systems and understanding more acutely their needs and concerns, thus also helping build trust in the community. Therefore, these initiatives, as they address multiple vulnerabilities induced by an ongoing conflict, bring forth how religion and its principles of altruism are relied upon to sustain the community, where social solidarity networks are constantly sought to be undermined by the conflict.

6. 'Not Just This World, but for Hereafter': 'Pious' Philanthropy in Action

Varied factors shape the philanthropic activities of the FBOs, as the preceding section highlights. The majority of their interventions focus on children. This is reflected even in the origins of these organisations, where three of them – JKYT, JKYF, and JKYK – have the word yateem (orphan) in their very names. The care of orphans has been the 'most favoured area of Muslim charitable works' (Benthall 2019: 5). This is, however, not specific to FBOs and holds true for other NGOs working in Kashmir as well, as I have argued elsewhere (Amin 2021). One of the respondents for this study noted how the rise in armed conflict and associated human loss left many families destitute and children orphaned and more donations were channelled to orphan care within institutions and destitute families. In their messaging, many of the NGOs including these FBOs commonly refer to two survey-based studies (Dabla 1999 and Save the Children 2010) that estimated the number of orphan children at between one hundred thousand and two hundred thousand, with a significant percentage of them attributed to conflict. The sheer number of orphans and the 'innocence' of these children are used for the mobilisation of empathy. Further, the FBOs do this by invoking Qur'anic injunctions.[38]

Under its 'orphanage programme', the JKYT currently runs a chain of 13 orphanages (9 for boys and 4 for girls) with 260 and 198 in residence, respectively.[39] Interestingly, the section on orphanages in their latest 2020 annual report claims that their orphanage programme 'is not an output of the present political turmoil' (JKYT 2020, 9). Given the origins and history of the JKYT, this is a factual statement to make, but it is very telling of the present situation in Kashmir where it has to be mentioned as a disclaimer in the annual report, which was not the case in previous reports. In the interview with the patron of the trust, it was revealed that their 'FCRA[40] registration has not been renewed for more than a year now as it is under scrutiny'.[41]

38 For example, 'People ask you what they should spend. Say: 'Whatever wealth you spend let it be for your parents and kinsmen, the orphans, the needy and the wayfarer; Allah is aware of whatever good you do'" (Quran 2, 15).

39 The figures are from the annual report of 2020 of the JKYT that was obtained from their central office in Srinagar. Twelve orphanages are based in different districts of the Kashmir valley, and one in the Jammu division.

40 The Foreign Contribution (Regulation) Act, first enacted in India in 1976, has seen many amendments till date and has faced criticism for its strict provisions and political manipulations by different governing regimes. The Voluntary Action Network India (VANI), an apex body of voluntary organisations, considers certain provisions of this Act as 'regressive and obsolete'.

41 Personal Interview with JKYT Patron, 18 August 2021.

The 'motif of just treatment of orphans' in the scripture and the fact that the Prophet was himself an orphan 'has had a long-term impact on later Islamic ethics, law, and practice' (Giladi 2007, 22, quoted in Benthall 2019, 5) in Muslim societies and Kashmir has been no exception. Beyond these ideological doctrines, the context of a conflict zone generates a peculiar terminology terms like 'innocent' and 'legitimate victim', which are the labels utilised by NGOs in their 'strategies of persuasion' to garner support, legitimacy, funds, and acceptance in the society as well as the state apparatus (Zarzycka 2016).

A recurring theme with the research participants affiliated with the FBOs was their emphasis on how knowledge and education is valued and highly recommended in Islam. The majority of the resident children in the orphanages are enrolled in 'mainstream' schools in the communities where the orphanages are located. Besides enabling them to pursue quality education at par with their peers in the society, this also helps them adjust in their communities. Going beyond its orphanage programme, JKYT started its community interventions identifying orphan children who could afford to live with their relatives and guardians by sponsoring their education at home. The identification and selection are facilitated by the schools/institutes/community leaders in the respective communities. One educational project the Trust boasts of as a 'success story' is the establishment of banaat (daughters) complex in the Budgam district in 2002. The complex houses a hostel for females, a senior secondary school, and a sub-office of the JKYT. The establishment of this complex presents an example of how these Muslim FBOs have ventured into philanthropic endeavours beyond *zakaat* and other religious giving. In many of its documents including annual reports, JKYT credits the construction of this institute and subsequent education of 275 girl students to the funds provided by the Austrian Kashmir Social Project (AKSP). It was mainly due to the efforts of one Kashmiri businessman living in Austria who happened to visit Kashmir, was impressed by the work of JKYT, and mobilised support for this project. He subsequently created a sustained sponsorship programme supporting the education of girls.

> "They have donated nearly INR 20 million on this. Without knowing the girls, without ever meeting them. And the only link between them is JKYT. They are mostly Christians supporting Muslims here. This is humanity. Not for the sake of religion."
> (Personal interview JKYT Patron)

On the child-sponsorship programmes, Benthall (2019) argues that this system had been a tradition of secular and Christian humanitarian organisations before it was adopted and legitimised by the Islamic charities who rationalised it as a form of Kafala (fostering). TheAKSP, therefore, provides an important moment in the study regarding care and protection of children from the perspective of a Muslim setting because the focus has been concentrated 'so far almost entirely in the context of Christian and secular institutions' (Benthall 2019, 5). In the special bilingual pamphlet published by JKYT highlighting the achievements of this project, the AKSP support is linked to the conflict in clear terms (JKYT 2020, 5). In navigating the terrain of philanthropy in conflict zones, these FBOs encounter varied challenges where they delink themselves from the politics of conflict to maintain 'cordial relationships' with the state, but at the same time, the conflict becomes the persuasion strategy for seeking international donations. One of the scholars working in the sector notes that while international funding to organisations working in India has been limited by putting restrictions on co-funding, there are especially high restrictions on granting FCRA to Kashmir-based religious and non-religious organisa-

tions.[42] Despite these challenges, they continue to work, invoking a sense of accountability owing to religion and articulating it as a responsibility they are entrusted with – not just in this world, but one that they will be asked about in the Hereafter.[43]

Both JKYF and JKYT have implemented programmes through collaboration with well-known organisations working globally that credit their presence in Kashmir to the ongoing conflict. One such example of an extensive collaboration not only brings forth how the ongoing conflict shapes interventions, but highlights how it even determines the kind of collaborations that are fostered. The project 'Strengthening humanitarian protection and livelihood support for conflict affected children and their families in the state of Jammu and Kashmir' was funded by the European Civil Protection and Humanitarian Aid Operations department (ECHO) since 2002 and has been supported by INGOs including Handicap International, Save the Children UK, ActionAid International, MSF (Médecins Sans Frontières), ICRC (International Committee of the Red Cross) during different phases. On the ground, JKYT and JKYF along with a few other local NGOs implemented the programme. The choice of partners, reach, and target population gradually evolved over the years. The categories of beneficiaries progressed from 'orphans and children of missing persons' (2007–08), to 'orphans and children of underprivileged families' (2008–09), to 'conflict-affected and other vulnerable children' (2009–10) and finally to 'conflict-affected children and their families' (2010–11). Likewise, the expansion of activities was also moderated by the prevailing political situation in the region. During the fourth year, psychosocial care and support became the key interventions of the project so as to build resilience among children affected directly or indirectly in the ongoing conflict. This was done by creating Child Friendly Space (CFS) centres in these areas where the children in a particular community/locality were engaged by a trained instructor in games, painting, drawing, and other recreational activities, besides being offered minimal religious teachings. The different activities in the CFS centres were designed by the international NGOs supporting the project but were modified as per the local context by all regional and local partners in consultation with the community leaders from the localities. This is evident from the type of games that the children played and also from the kind of basic Quranic Arabic text reading and recitations that the facilitator provided them (Amin 2021).[44] Therefore, what becomes clear is that even in the projects in which these FBOs partner with secular NGOs, they maintain their religious outlook while implementing the projects.

The religious overtures in the messaging and appeals of Athrout are even more profound. It makes appeals for donation to 'Muslim brothers and sisters', and refers to the need to take away the woes of the Muslim ummah by following the Quran and the sayings of the Prophet, so as to be worthy of the blessings of Allah on the day of judgment.[45] With a primary focus on interventions to meet the medical needs of people who cannot afford them, the organisation in its mandate creep has also instituted operations vis-à-vis education, monthly subsistence, women's livelihood units, marriage assistance, and help in natural disasters. The organisation has gained more visibility after its response to devastating floods of Kashmir in 2014, then again during the 2016 political strife when dozens of youths were killed and hundreds injured by pellet-shot guns, and now through its response to the COVID-19 pandemic. Organisations such as Athrout and localised community-based Muslim charities

42 Personal Interview with a Kashmir-based academic who has extensively worked in the philanthropy sector, 25 August 2021.
43 Personal Interview with a Kashmir-based academic who has extensively worked in the philanthropy sector, 25 August 2021.
44 Most of the insights and information about this project are borrowed from my doctoral thesis. This was done because during the interactions for the current study, interviewees from both FBOs alluded to this project repeatedly.
45 See 'Appeal to all Muslim brothers and sisters' on the website of the organisation, http://athrout.com/appeal.aspx. Accessed 10 August 2021.

and *Bayt al-maal* were credited with helping 'Kashmir tide over the Covid-19 second wave'[46] by spreading awareness on COVID-appropriate behaviour (CAB), offering medication, rations, oxygen cylinders, and even putting up makeshift hospitals for patients.[47]

On examining the various programmes of these FBOs, it becomes clear they have not only collaborated and partnered with their secular counterparts, particularly the international humanitarian agencies, in implementing projects but have also attempted to learn, adopt, and replicate the 'professionalisation' and project management policies of their non-governmental governance. Yet, I refer to their projects as 'pious' because they remain committed to their faith-based affiliations, with their philanthropic motivations, as they claim, being rooted in their scripture. They use religion in their messaging even in projects where they partner with secular humanitarian agencies.

7. Conclusion

From an analysis of these organisations, the articulation of what guides their work and the kind of programmes they implement and the partnerships they engage in, what emerges is that in a Muslim context as Kashmir, the 'pious' and 'righteous' outlook of the FBOs offers them advantages like 'cultural proximity, historical rootedness, popular legitimacy, infrastructure, networks and motivation' (Petersen 2014). This helps mobilise support, both monetary and otherwise, acceptability in the communities, and the ability to reach more areas and people in need of humanitarian assistance during emergencies and for long-term development. This paper has explored the work of the Muslim FBOs in Kashmir and examines how *zakaat* is central to their institutionalisation and subsequently informs their emergency relief interventions as well as the long-term development efforts. In noting why many people prefer to give their *zakaat* and *sadaqa* to these FBOs, the research echoes with observations made by Samantha May in her work on local *zakaat* committees in other Muslim societies. She notes that such institutions have 'managed to retain a certain connection between the donor of *zakaat* and those in its receivership even if that connection is simply that the alms giver is directly aware of where the *zakaat* collections are to be spent. The donor still has the option to give to local causes or to whomever she feels is in most need' (May 2013, 162).

The organisations under study make references to faith, which gives them easier access in society in terms of both givers and recipients. It provides them with the required credibility where people entrust them with giving, particularly *zakaat*, given its importance as the third canonical pillar of the Muslim faith. At the same time, this adherence to the Islamic value system has not just led to their

46 See https://scroll.in/article/1002616/how-religious-charities-helped-kashmir-tide-over-the-covid-19-second-wave.

47 See 'Kashmir Charity Group Athrout Converts Haj House into 100-bed Covid Centre within 3 Days'. Available at https://w.news18.com/news/india/kashmir-charity-group-athrout-converts-haj-house-into-100-bed-covid-centre-within-3-days-3710081.html. Accessed 10 August 2021.

heightened scrutiny by the state but has lately resulted in repressive measures against them. Many active FBOs in the present moment emerged in the backdrop of the ongoing conflict and even the existing ones moulded and expanded their operations. Yet, at the operational level, their projects do not prioritise the conflict-related victims; instead, recipients are selected as per the prioritisation of their needs.

On the question of cultural proximity, Benthall (2016) also confirms 'that a common religion can be an advantage' but cautions that it does not 'outweigh the importance of technical proficiency' of the international organisations. However, in exploring the work of FBOs in Kashmir, this research concludes that cultural proximity works in more profound ways than the context Benthall is talking about. First, Muslim charities in Kashmir have not resisted international NGO 'professionalisation', so much so that both JKYT and JKYF have mandated a separate projects' team that specifically looks after their collaborative projects with INGOs and maintains 'professional standards'. Second, the FBOs studied in this project have enjoyed privileged access because of the ongoing conflict. In the current politics around conflict in Kashmir, the secular NGOs from 'outside' have faced acceptance issues. It is in fact this privileged access of Kashmir-based NGOs, particularly the FBOs, that has pushed the INGOs to foster collaborations with them.

One interesting fact that came to the fore during this research is that three out of the four FBOs studied were independent and had no affiliations with any parent religious organisation and, further, none of the four indulged in da'wa or what is commonly referred to as religious propagation. The managers of the FBOs qualify their work as pure religious commitment and consider themselves not just accountable to God but to the society where people repose their trust with them. In doing so, they follow the 'modern' forms of financial accountability and declare their financial statements and audit reports to the public through different media. The establishment of the organisations has more to do with the sense of Muslim solidarity, wherein both obligatory and voluntary Muslim philanthropy is deemed to be a source for eradicating economic inequalities and deprivations as well as for bringing about social cohesiveness.

References

Abraham, Danielle Widmann. 2018. 'Zakat as Practical Theodicy: Precarity and the Critique of Gender in Muslim India'. *Journal of Muslim Philanthropy & Civil Society* 4(2): 120–48.

Ahmad, Khalid Bashir. 2017. *Kashmir: Exposing the Myth behind the Narrative*. New Delhi: SAGE Publications India.

Al Jazeera. 2020. 'Himalayan Lie: India raids over Kashmir 'terror funds' slammed.' 30 October. Available at https://www.aljazeera.com/news/2020/10/30/himalayan-lie-india-raids-over-kashmir-terror-funds-slammed. Accessed 26 November 2021.

Amin, Mudasir. 2021. 'NGOs in a Conflict Zone: Aspects of Humanitarian Assistance and Conflict Resolution (A Case Study of Kashmir)'. PhD dissertation, Department of Social Work, Jamia Millia Islamia, New Delhi.

Arnold, David. 1993. *Colonizing the Body: State Medicine and Epidemic Disease in Nineteenth-Century India*. Berkeley: University of California Press.

Benthall, Jonathan. 2019. 'The Care of Orphans in the Islamic Tradition, Vulnerable Children, and Child Sponsorship Programs'. *Journal of Muslim Philanthropy & Civil Society* 3(1): 4–24.

———. 2016. 'Have Islamic Aid Agencies a Privileged Relationship in Majority Muslim Areas? The Case of Post-tsunami Reconstruction in Aceh'. In *Islamic Charities and Islamic Humanism in Troubled Times*. Manchester: Manchester University Press.

———. 2012. '"Cultural Proximity" and the Conjuncture of Islam with Modern Humanitarianism'. In *Sacred Aid: Faith and Humanitarianism*, 65–89. New York: Oxford University Press

———. 1999. 'Financial Worship: The Quranic Injunction to Almsgiving'. *Journal of the Royal Anthropological Institute* 5(1): 27–42.

Benthall, Jonathan, and Jérôme Bellion-Jourdan. 2003. *The Charitable Crescent: Politics of Aid in the Muslim world*. London: IB Tauris.

Bielefeld, Wolfgang, and William Suhs Cleveland. 2013. 'Defining Faith-Based Organizations and Understanding Them through Research'. *Nonprofit and Voluntary Sector Quarterly* 42(3): 442–67.

Bose, Sumantra. 2005. *Kashmir: Roots of Conflict, Paths to Peace*. Cambridge, MA: Harvard University Press.

Burchardt, Marian. 2013. 'Faith-based Humanitarianism: Organizational Change and Everyday Meanings in South Africa'. *Sociology of Religion* 74(1): 30–55.

Clark, Janine A. 2004. *Islam, Charity, and Activism: Middle-class Networks and Social Welfare in Egypt, Jordan, and Yemen*. Bloomington, IN: Indiana University Press.

Clarke, Gerard. 2007. 'Agents of Transformation? Donors, Faith-based Organisations and International Development'. *Third World Quarterly* 28(1): 77–96.

———. 2006. 'Faith Matters: Faith-based Organisations, Civil Society and International Development'. *Journal of International Development: The Journal of the Development Studies Association* 18(6): 835–48.

Clarke, Gerard., and Michael Jennings, Eds. 2008. *Development, Civil Society and Faith-based Organizations: Bridging the Sacred and the Secular*. Hampshire: Palgrave MacMillan.

Clarke, Matthew, and Vicki-Anne Ware. 2015. 'Understanding Faith-Based Organizations: How FBOs Are Contrasted with NGOs in International Development Literature'. *Progress in Development Studies* 15(1): 37–48.

Davis, Thomas J. 2013. *Religion in Philanthropic Organizations: Family, Friend, Foe?* Bloomington, IN: Indiana University Press.

Dabla, Bashir. Ahmad. 1999. 'Impact of Conflict Situation on Women and Children in Kashmir. *Save the Children Fund, Srinagar.*

Ferris, Elizabeth. 2011. 'Faith and Humanitarianism: It's Complicated'. *Journal of Refugee Studies* 24(3): 606–25.

———. 2005. 'Faith-based and Secular Humanitarian Organizations'. *International Review of the Red Cross* 87(858): 311–25.

James, Rick. 2009. 'What Is Distinctive about FBOs'. *International NGO Training and Research Centre.* Praxis Paper 22. Available at https://www.intrac.org/wpcms/wp-content/uploads/2009/02/Praxis-Paper-22-What-is-Distinctive-About-FBOs.pdf. Accessed 28 August 2021.

Johnsen, Sarah. 2014. 'Where's the "Faith" in "Faith-based" Organisations? The Evolution and Practice of Faith-based Homelessness Services in the UK'. *Journal of Social Policy* 43(2): 413–30.

Khan, Muhammad Tariq. 2015. 'Historical Role of Islamic Waqf in Poverty Reduction in Muslim Society'. *The Pakistan Development Review* 54(4): 979–96.

Krafess, Jamal. 2005. 'The Influence of the Muslim Religion in Humanitarian Aid'. *International Review of the Red Cross* 87(858): 327–42.

Lunn, Jenny. 2009. 'The Role of Religion, Spirituality and Faith in Development: A Critical Theory Approach'. *Third World Quarterly* 30(5): 937–51.

Majid, Iymon. 2020. 'Confronting the Indian State: Islamism, Secularism, and the Kashmiri Muslim Question'. *International Journal of Asian Studies*: 1–14.

Malik, Bilal Ahmad. 2016. 'Philanthropy in Practice: Role of Zakat in the Realization of Justice and Economic Growth'. *International Journal of Zakat* 1(1): 64–77.

May, Samantha. 2021. *Islamic Charity: How Charitable Giving Became Seen as a Threat to National Security*. London: Zed Books.

———. 2019. 'Islamic Charitable Giving in the UK: A 'Radical' Economic Alternative?' *New Political Economy*: 913–25.

———. 2013. 'Political Piety: The Politicization of Zakat'. *Middle East Critique*: 149–64.

McLeigh, Jill. 2011. 'Does Faith Matter? A Comparison of Faith-Based and Secular International Non-governmental Organizations Engaged in Humanitarian Assistance'. PhD dissertation, Clemson University.

Mostowlansky, Till. 2020. 'Humanitarian Affect: Islam, Aid and Emotional Impulse in Northern Pakistan'. *History and Anthropology* 31(2): 236–56.

———. 2019. 'Introduction: Muslim Humanitarianism #MUHUM'. *Allegra lab (Anthropology for Radical Optimism)*. Available at https://allegralaboratory.net/muslim-humanitarianism-muhum/. Accessed 25 November 2021.

Osella, Filippo. 2018. 'Charity and Philanthropy in South Asia: An Introduction'. *Modern Asian Studies* 52(1): 4–34.

Petersen, Marie Juul. 2014. 'Sacralized or Secularized Aid? Positioning *Gulf-based Muslim Charities'. Gulf Charities and Islamic Philanthropy in the 'Age of Terror' and Beyond*. Berlin: Gerlach Press.

———. 2012. 'Islamizing Aid: Transnational Muslim NGOs after 9.11'. *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 23(1): 126–55.

———. 2011. 'For Humanity or for the Umma? Ideologies of Aid in Four Transnational Muslim NGOs'. PhD Dissertation, Faculty of Humanities, University of Copenhagen.

Qaradāwī, Yūsuf. 1981. *Economic Security in Islam*. Translated by Muhammad Iqbal Siddiqi. Lahore: Kazi Publications.

Rai, Mridu. 2004. *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir*. New Delhi: Orient Blackswan.

Schaeublin, Emanuel. 2019. 'Islam in Face-to-Face Interaction: Direct Zakat Giving in Nablus (Palestine)'. *Contemporary Levant* 4(2): 122–40.

Save the Children. 2010. *Orphaned in Kashmir: The State of Orphans in Jammu and Kashmir*. New Delhi: Save the Children.

Shah, Adfer Rashid. 2016. 'Social Dynamics of the Institution of Waqf in Kashmir: A Sociological Study'. PhD dissertation, Department of Sociology, Jamia Millia Islamia, New Delhi.

Sider, Ronald J., and Heidi Rolland Unruh. 2004. 'Typology of Religious Characteristics of Social Service and Educational Organizations and Programs'. *Nonprofit and Voluntary Sector Quarterly* 33(1): 109–34.

Singer, Amy. 2018. 'The Politics of Philanthropy'. *Journal of Muslim Philanthropy & Civil Society* 2(1): 2–20.

———. 2013. 'Giving Practices in Islamic Societies'. *Social Research: An International Quarterly* 80(2): 341–58.

———. 2008. *Charity in Islamic Societies: Themes in Islamic History*. Cambridge: Cambridge University Press.

Staniland, Paul. 2012. 'Organizing Insurgency: Networks, Resources, and Rebellion in South Asia'. *International Security* 37(1): 142–77.

Taylor, Christopher, B. 2019. 'Reflections on a Theory of Zakat #MUHUM'. *Allegra lab (Anthropology for Radical Optimism*. Available at https://allegralaboratory.net/reflections-on-a-theory-of-zakat-muhum/. Accessed 8 September 2021.

———. 2015. 'Islamic Charity in India: Ethical Entrepreneurism & the Ritual, Revival, and Reform of Zakat among a Muslim Minority'. PhD dissertation, Boston University.

Wani, Zahoor. 2017. 'Role of Dharmarth Trust (1846–1947AD) in the Shaping of Economic Policies of Dogra State'. *International Journal of Applied Business and Economic Development* 15(21): 569–77

Zarzycka, M. 2016. 'Save the Child: Photographed Faces and Affective Transactions in NGO Child Sponsoring Programs'. *European Journal of Women's Studies* 23(1): 28–42.

Zutshi, Chitralekha. 2004. *Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir*. London: C. Hurst & Co.