

Comparative Perspective on the Growth and Legal Transformations of Arab (Islamic) Charities

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In the last decade, much attention has been given, in the previous workshops or generally in the social science literature, about Islamic charities in the Arab world. Many scholars speak of the rise of this sector either in relation to the surge of 'political Islam', or in relation to the 'downsizing' of the states under neoliberal conditions (e.g. Janine Clark, *Islam, Charity, and Activism*, 2004).

This paper would like to adopt a comparative perspective on the charitable sector in a few Arab countries, namely Jordan, Egypt, Palestine (understood at the Occupied Territories), Syria and Yemen. To understand the growth of the Islamic charitable sector, I argue that one needs to take into consideration the influence and changing patterns of aid, and understand the state's differentiated policies vis-à-vis different sectors of the charitable societies.

First, I contend that the numeral growth of Islamic charities is part of a broader evolution of the charitable sector altogether. Historically, we have witnessed a general increase in the number of charitable organizations in Arab countries. Be they secular or religious, be they Christian or Muslim, charities have multiplied in all countries under scrutiny here. There is nothing specifically Islamic in this first phase of this paper, which documents numerically the growth of the charitable sectors in all countries under scrutiny.

The second step is to suggest that Islamic charities have developed a peculiar model of social work, based on the rejection of strict political affiliations, and often on a diversified input from their local constituencies. In a nutshell, they promote a distinct subjectivity, which is not politically partisan (or connected to *hizbiyya* the Arabic word for partisan, or militancy for a political party). Part of this model has been made possible by the capacity to tap, on the one hand, into local resources much more than professional developmental NGOs, and, on the other, the growth of intra-Arab funding from the late 1970s onwards.

I will specifically focus on the direct *Hizbiyya* in the third step of my talk (which will connect to previous papers dedicated to the zakat committees in the Palestinian

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context). Here I will suggest that, because Islamic charities have defined and sustain a different type of subjectivity, they have been gradually pressured, by the international aid apparatus, along with the domestic regimes in which they are rooted, towards increasing politicization. This distinct subjectivity becomes an object of political contention, so that, at this stage, *hizbiyya* becomes a growing theme for Islamic charities.

Contrasting Christian, secular and Islamic charities, I hope to show that different state responses (with a high degree of 'bureaucratization of religion', to take the felicitous phrase adopted by Richard Antoun in his studies of Jordanian charities), and shifting types of western and Arab aid lead to a differentiated degree of criminalization of charities targeting almost exclusively Islamic institutions.