

Charitable Practices of Muslim Americans in the Greater Kansas City Area

By

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Abstract

The purpose of this research is to explore the state of post-9/11 Muslim American philanthropy within The Greater Kansas City Area. Since 2001, the U.S. government has expanded its counterterrorism policies to target sources of terrorist funding and in particular the charitable sector. Many Muslim Americans practice the Islamic traditions of *zakāt* (obligatory alms) and *ṣadaqah* (discretionary charity) as a means of honoring faith, strengthening the community and preserving religious identity. There is a perception, however, that these practices are in direct conflict with U.S. counterterrorism policy. The outcome of the decade long War on Terrorism is telling; to date, The U.S. Treasury's Office of Foreign Assets Control (OFAC) has shut down seven US-based Islamic charities and frozen over \$2.3 billion in charitable assets (TAR, 2012: 2) in the effort to stem terrorist funding. These actions were taken under the auspices of national security, however, they gave a perception that U.S. policies trump Muslim American civil rights and discourage Islamic philanthropy; "The passage of both USA Patriot Acts, the closing of several Muslim charities, and the curbing of civil liberties beginning with the Bush administration and continuing through the Obama administration have caused contributions to Muslim American charities, especially those with an international scope, to decrease by up to 50 percent in the initial years." (Jamal, 2011: 5).

The Greater Kansas City Area is no stranger to Islamic culture; according to The Association of Religion Data Archives (ARDA), it has the 98th largest Muslim population out of 133 U.S. metropolitan centers with eighteen active Islamic congregations (thearda.com). The significant Kansas City Muslim population coupled with a recent stigmatization of Islam drives this primary research question: *How have post-9/11 U.S. policies impacted Islamic charitable practices of Muslim Americans in the Greater Kansas City Area.* This study employs a mixed-

method research approach to answering this thesis question. First, it examines 30 years of U.S. policies that culminates in the ‘securitization’ of the nonprofit sector. This research then conducts a comparative analysis of annual budgets from six Muslim and six non-Muslim charities in Kansas City to identify donation patterns since 9/11. Lastly, this study analyzes the results of focus group discussions conducted with fourteen volunteers from the Islamic Center of Johnson County (ICJC), Kansas City, Kansas to identify changes in individual charity over the last 10 years.

The results of this research suggest that Kansas City’s Islamic charities benefited from Muslim philanthropy in spite of post-9/11 U.S. counterterrorism policies. Additionally this research suggests that Muslim Americans in Kansas City continue to practice innovative forms of charity regardless of prevailing concerns of civil-rights infringement. This research on the Kansas City Muslim American minority complements an academic narrative derived from research in other major U.S. metropolitan centers (Najam, Abraham, Howell, Shryock, and Hadaad). Its findings can be used to inform the opinions of local community leaders and serve as a starting point for broader, more comprehensive research on Kansas City’s Muslim community.

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To Kansas City, a microcosm of the globe. She is a beautiful, multicolored and rich fabric. I love our ‘Paris of the Plains’

Always,
Deeply Grateful

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Introduction

The goal of this research is to inquire into a key tenet of the Islamic faith: charity. Specifically, it seeks to gage the condition of Kansas City's Muslim American charitable practices in a post-9/11 environment. Over thirty years ago U.S. lawmakers made a concerted effort to craft legislation that addressed increasing incidents' of international terrorism. Since 1993, U.S. laws have broadened focus to include domestic terrorism and potential supporters of terrorism. After the 9/11 terrorist attacks, U.S. legislation essentially securitized the nonprofit sector, targeting anti-terrorist funding through charitable organizations. With Islam's strong emphasis on charitable giving, the Muslim American community was ascribed immediate 'guilt by association' in U.S. war on terrorism. The broader campaign to prevent any charity from potentially supporting terrorism had an immediate, adverse effect on Islamic philanthropy in the U.S: "The passage of both USA Patriot Acts, the closing of several Muslim charities, and the curbing of civil liberties beginning with the Bush administration and continuing through the Obama administration have caused contributions to Muslim American charities, especially those with an international scope, to decrease by up to 50 percent in the initial years." (Jamal, 2011; 5).

The results of the anti-terrorist funding policies are mixed; to date, \$2.3 billion in charitable funds are frozen by the U.S. Treasury (TAR, 2012: 3) yet there have been no substantiated claims of U.S. charities funding terrorism. The resulting civil liberty debate between Muslim Americans and the U.S. government has been ongoing since the late 1990s and has occupied headlines of major news media outlets. The Greater Kansas City Area is home to a diverse Muslim community that seems to have eluded this media and national attention. This is a phenomenon that entreats further inquiry: How have post-9/11 U.S. counterterrorism policies affected the charitable practices of Muslim Americans in the Greater Kansas City Area?

This topic reveals America's challenge with protecting itself against sophisticated and evolving terrorist threats while honoring religious plurality and the guarantee of civic freedoms. This research shows that the U.S. has failed to achieve both of these goals simultaneously. This American dichotomy was suggested over 170 years earlier by the French philosopher and witness to U.S. Democracy, Alexis de Tocqueville: "If ever freedom is lost in America, one will have to blame the omnipotence of the majority that will have brought minorities to despair and have forced them to make an appeal to material force." (Translated by Winthrop, Mansfield 2011: 249)

It was Mustafa Hussein, director of the Islamic Society of the Greater Kansas City (ISGKC), which first introduced me to this contentious topic. By the time I had befriended him at this mosque in the spring of 2011, I had completed several college courses on Middle East history, Islam and two semesters of the Arabic language. I could rattle off the five pillars of Islam in Arabic and I was vaguely aware that *zakāt* meant 'alms'. When I greeted Mustafa with my first *Assalamu alaikum*, I was determined to discover meaningful graduate research that highlighted Kansas City's unique Islamic community. Over the course of many enjoyable visits, he proved to be an active community partner or constituent (Bringle, Clayton, Price, 2009: 2) in helping me frame a civic-oriented research question. Mustafa did more than just correct my poor Arabic grammar; over the course of multiple enjoyable visits, he explained to me in detail the Islamic concepts of *zakāt* and *ṣadaqah*. He showed me objective and researchable 'leads' that I could pursue to define a cultural misunderstanding within the United States. What started as a binder full of meeting notes has evolved into research topic that most Americans pay little attention to; a program of government policies that seem to attack Muslim American civil liberties and discourage Islamic charitable practices. The resultant research explores the impact

of social policy on a segment of Kansas City's Muslim American community. It is a preliminary case study into 'service learning' and 'civic engagement' (Bingle, Clayton and Price, 2009: 1) with Kansas City's Islamic community that is nested within the academic discipline of Sociology.

The U.S. Challenge:

The average American does not fully grasp the complexity of the Muslim American community. Attempting an approximation of the Muslim American population produces a wide range of results. Author Yvonne Haddad describes this challenge with a range of figures and sources: "...from two million, as reported by B'nai Brith, to as many as eleven million, as reported by Warith Deen Mohammad, Leader of the Muslim American Society (MAS), the largest African-American Muslim organization. The Council on American-Islamic Relations (CAIR), in all of its communiqués, gives the figure as seven million Muslims." (Haddad, 2011: 2) Another source, The 2009 Pew Research Center Poll cited the Muslim American population at "...about 2.5 million..." (Pew: 2009, 24) Religious scholar Jocelyn Cesari puts the number at an 'estimated 4-5 million' (Cesari, 2011: 24). Even the smallest population figure presented above would be a significant stakeholder within America's religious plurality.

This Muslim presence in the U.S. dates back to the slave industry in the 1700s (Diouf, 1998: 45; Leonard, 2011: 2003). Since then, successive waves of Muslim immigrants have been driven to America by economic opportunity, conflict, and persecution. This Muslim population is further broken down into ethnically and culturally diverse communities spread throughout U.S. metropolitan centers. The current Muslim American demograph includes first and second generation immigrants of all races, American converts of all races, members of the Nation of Islam and Muslim American Society. Muslim American families originate from all regions of

the globe. Aside from traditional Sunni Islam, other branches are represented as well, to include Shi'ite, Sufi and Druze (Haddad, 2011: 4-5). The Muslim American population includes a group often misunderstood as exclusively Islamic: Arabs. Most Americans don't realize that the Arab ethnic identity is comprised of many other religions aside from Islam. Arabs, unlike most Muslims, share the Arabic language and culture. Arab families generally originate from around the Arabian Peninsula and practice many faiths in addition to from Islam (e.g. Christianity and Judaism). Arabs make up an estimated 12-25% of the Muslim American population. (Leonard, 2003: 7; Cesari, 2004: 24) Suffice it to say, not all Muslims are Arabs and not all Arabs are Muslim.

With this diverse Muslim American presence and an enduring tradition of Islamic philanthropy, one might conclude that the U.S. could benefit from tremendous charitable potential. On the other hand, if the U.S. is in a protracted war with "Transnational extremist and terrorist networks" (Terroronomics, 2007: 59) that identify with an extreme version of Islam, then Muslim American philanthropy could be perceived as a threat. The phrase that quickly moved to the forefront of the U.S. counterterrorism effort was 'terror financing' which: "... occurs when a person by any means, directly or indirectly, unlawfully and willfully, provides or collects funds with the intention that these should be used or in the knowledge that these will be used in full or in part, to carry out a terrorist act as defined in the above-mentioned convention." (Combating Money Laundering, 2009: 6)

The notion of associating Islamic nonprofit organizations with terror financing was embraced quickly by U.S. legislators during the post-9/11 investigations conducted by the Government. Specifically, 2004 National Commission on Terrorist Attacks Upon the United States drew the hasty conclusion that Middle East charities were guilty of resourcing the 9/11

attacks; “Fund-raisers and facilitators throughout Saudi Arabia and the Gulf raised money for al Qaeda from witting and unwitting donors and diverted funds from Islamic charities and mosques.” (Terrorist Financing Staff Monograph, 2004: 8) This conclusion, whether justified or not, informed the opinion of U.S. policy makers. The anxiety created in Washington DC stemmed from a belief that benevolent, transnational charities (with branch offices in the U.S.) used discreet finance channels to fund terrorist attacks. The natural reflex for lawmakers was to look inward at potentially suspect U.S.-based Islamic charities: “...the possibility that the attacks [9/11] could have been facilitated by charitable organizations exempt from paying taxes threatens to erode public confidence in both the integrity of the charitable community and the ability of the Internal Revenue Service (IRS) to regulate this community.” (TIGTA Audit Report 2007-10-082: 1)

The damage to the Muslim American community was done and end result is now public record: since the 9/11 attacks, seven U.S.-based Islamic charities have been shut down by the U.S. Treasury and branded Specially Designated Global Terrorists (SDGT) for allegedly financing terrorist organizations. This policy dynamic will be explored in greater detail in Chapter 1, but so far no Islamic charity in Kansas City has been shut down. The closest shuttered charity to Kansas City was the Islamic American Relief Association (IARA) of Columbia, Missouri: roughly 200 miles to the east. (DOJ Press Release, Jan 11, 2012) This charity was shut down in October 4, 2004 facing 33 criminal indictments with included allegations of support to al Qaeda. (IARA v. FBI Agent, 2005: 21) In spite of a relative calm in Kansas City’s Muslim American community, there are indicators of anxiety associated with Islamic charity. I observed some of this anxiety during an FBI visit to the Islamic Center of Johnson County (ICJC) one afternoon in January 2013. On that day FBI agents were teaching

congregants about civil rights, hate crimes, and how to report offenses. The agents discussed hate crime statistics for 2012 and different ways to contact the FBI Civil Rights Unit. Overall, the presentation was a success, however, the ensuing question and answer session revealed a different concern within the congregation: U.S. counterterrorism law. General questions from these congregants included: Which Islamic practices would make them appear suspicious to the government? How should they deal with a ‘radical’ Muslim visiting our mosque? What kind of powers does law enforcement have under the Patriot Act? What are the repercussions for donating to the wrong charity? This question and answer session suggested that this small congregation feared that their Muslim way of life would run counter to U.S. law. This perceived anxiety; coupled with the well-publicized closure of seven Muslim organizations and the proximity of the defunct IARA beg this research question about Kansas City’s Muslims:

How have post-9/11 U.S. policies impacted Islamic charitable practices of Muslim Americans (zakāt and ṣadaqah) in the Greater Kansas City Area?

My conviction from the outset of this research has been that Muslim Americans in Kansas City perceive their civil liberties to be at risk when honoring the religious obligations of *zakāt* and *ṣadaqah*. Notwithstanding, I am convinced that Islamic philanthropy in Kansas City has not waned; that the city’s Muslims have found creative workarounds to distribute charity to those in need at a local, national and international level. This is an observable trend seen from similar research conducted in other U.S. metropolitan centers such as New York, Los Angeles and Houston: “Indeed, our survey suggests that while the bulk of our respondents (62 percent) say that their giving has remained unchanged since 9/11, far more respondents report that their giving has increased (24 percent) than those who say their giving has actually decreased since 9/11 (14 percent).” (Najam, 2006: 180) To explore the answer to this question and gage the

condition of Kansas City's Muslim American philanthropy, I pursued the following research venues:

- First, I examined 30 years of U.S. policy at a national level (above state and local legislation) that led to the 'securitization' of the nonprofit Sector. I then researched the individual stories of those U.S.-based Islamic charities closed down and designated terrorist organizations by the government. The purpose of this examination is to show to the reader a precedence of U.S. policies that have grown to discourage the Islamic faith-based practice of charity. This examination also provides reference and background for further discussion and analysis throughout this thesis.

- Second, I compared and contrasted the charitable budgets of six Kansas City Islamic nonprofit organizations with the budgets of six similar non-Muslim organizations. The purpose of this correlative analysis was to identify trends that could help determine if donation patterns of the six Kansas City Muslim charities had been adversely impacted by post-9/11 policies and if the six non-Muslim organizations had fared differently.

- I then conducted focus group discussions with fourteen volunteers from the Islamic Center of Johnson County (ICJC). The ICJC is a mosque and a 501(c) (3) non-profit organization that has provided religious, educational, and social services to Johnson County Muslim Americans since 2000. I analyzed the results of these discussions in order to gauge any noticeable impact to charitable practices over the last 10 years as a result of U.S. counterterrorism policies. These discussions garnered the personal perceptions of the ICJC volunteers, specifically inquiring if their religious obligations of *zakāt* and *ṣadaqah* had changed since 9/11 and did they perceive their civil rights to be at risk? *Zakāt* and *ṣadaqah* will be further explained in this chapter.

To begin approaching this issue, it is important to explain why philanthropy is so integral to Islam. Most American readers from a Judeo-Christian background view alms giving as something optional and the thesis topic mentioned above evokes no sense of urgency. What mainstream American readers do not realize is that Muslims the world over are mandated by their religion to provide charity for those in need and for the general good of the community (*maṣlahā*).

This is prescribed in the Qur'an, the holy text of Islam, and reinforced in the sayings of the Prophet Muhammad (the *Sunna*). The Qur'an and *Sunna* constitute the 'Basic Code' of Islam (Khan, Ramadan 2012: 21-22) that provides guidance to all faithful Muslims. The Qur'an specifies that the recipients of Islamic charity are: "the poor and the needy, and those employed to manage the (funds [*zakāt*]); For those whose hearts have turned (to truth and belief recently [Islam]); For those in slavery (and for the freedom of captives) and in debt; And for (fighters in) the cause of Allah; And for the wayfarer: (It is so) ordered by Allah, and Allah is All Knowing, All Wise," (Qur'an, Sura 9.60). Basically, if one practices Islam, is not poor, and is breathing, then he is mandated to give charity. The two forms of Islamic philanthropy mentioned in basic code of Islam are called *zakāt* and *ṣadaqah* (Singer, 2008: 21)

Zakāt is the primary form of Islamic charity. It is the third pillar of Islam, preceded by the *shahādah* (profession of faith) and *ṣalāt* (daily prayer). Similar to Christian concepts of alms or tithing, *zakāt* is the apportionment of the 'first fruits' of one's wealth, specifically: "...2.5 percent tax levied on certain assets..." (Dallal, Bowen, Richardson, Underwood and Heynemen, 2004 :156) for charity. Muslims, like other monotheistic adherents, attribute personal wealth directly to the generosity of God. Giving *Zakāt* is the Muslim way of acknowledging this. *Zakāt* purifies and legitimizes one's wealth: "According to Hebraic teaching, which deeply if often

obscurely underlies the Qur'an, the first fruits, like the firstborn of a family and the firstlings of animals, belongs to God and are subject to sacrifice.” (Bellion-Jourdan, Benthall, 2003: 22)

Faithful Muslims generally wait to give *zakāt* during the ninth (and most holy) month of the Islamic calendar; *Ramadan*, (Esposito, 2004: 35). During *Ramadan* the spiritual benefits of *zakāt* are at their optimal for both donor and recipient, a belief echoed in a popular *hadīth* (saying of the Prophet Muhammad): “Narrated to Anas, I asked the Prophet (PBUH), which is the better charity? He said; Charity in *Ramadan*.” (Jami' at-Timidhi, *zakāt*). Although *zakāt* is compulsory, Muslims believe that this, and all charity should be given with genuine benevolent intent to fully benefit from any spiritual reward. When viewed from a devout Christian perspective, tampering with *zakāt* during *Ramadan* is much like interfering with the Christmas church services; it is highly discouraged.

Zakāt collection dates to the Prophet Muhammad's lifetime, and since then, Muslim governments have established state sponsored collection agencies or approved charitable institutions to collect and manage *zakāt*. With the advent of the internet, however, there is no longer need for a *zakāt* collector; Muslims in America can donate charity on line to just about any *zakāt* manager (e.g. *Zakāt* Foundation of America, *Zakāt* Fund Foundation Qatar, and the Department of *Zakāt* and Income Tax Saudi Arabia) provided that the charity does not fall on the U.S. government's list of suspected terrorist supporters, which will be discussed in the next chapter.

Ṣadaqah is the more discretionary form of Islamic Charity. *Zakāt* has limitations in that it is normally given once a year (*Ramadan*) and predominantly goes to Muslim causes. Conversely, *ṣadaqah* is a means of providing short-notice, voluntary charity to anyone, be they Muslim or not (Bellion-Jourdan, Benthall, 2003: 77) This type of charity can take any form, so

long as there is a genuine desire or intent to help someone in need. A prime example is provided by Parisian Imam Fouad Immaraine: “We should think of everything we do as a *ṣadaqah*, even kind words – and even something we do for a non-Muslim, as long as we do it for God’s sake.” (Bowen, 2010: 46) Muslims believe that truly effective *ṣadaqah* occurs when the donor remains anonymous; charity for self-aggrandizement is tantamount to sinning. The impromptu and anonymous nature of *ṣadaqah* allows Muslims to help out with emergencies and atone for wrong-doings throughout the year: “The *Qur’an* and *hadīth* together send a clear message to Muslims that the choice to do *ṣadaqah* is one they can ill afford to ignore...., *ṣadaqah* becomes a crucial means for redressing one’s personal balance sheet before God.” (Singer, 2008: 112) The takeaways on Islamic charity are that *zakāt* and *ṣadaqah* are part of the ‘genetic make-up’ of Islam; they are enduring traditions that help Muslim Americans retain an Islamic identity while living in a non-Islamic country. Moreover, it is important to note that the charitable acts of *zakāt* and *ṣadaqah* originate from a genuine intent to do benevolent good. These takeaways are a sentiment that I have heard repeatedly while interacting with Muslims in Kansas City.

Kansas City Muslim Americans:

As mentioned previously, The Greater Kansas City Area has a substantial Muslim American population that requires some discussion for purposes of this thesis. The book of Kansas City’s Muslims has yet to be written as there is no single source that captures arrival, integration, nationalities, and growth of Muslim communities since the city’s founding. The few pieces of information available come from varied sources, mostly from news clippings or the Internet. The Missouri Valley Special Collection of the Kansas City Library contains a 1976 ethnic survey recounting the emigration of 50 Lebanese families to Kansas City beginning in the latter half of the 18th Century. These emigrants brought a tradition of Arabic writing, however,

they all were Roman Catholics. (Lamb-Shirmer, 1976: 1-4) Adding to this is a 2009 local news report that discusses the presence of 700 Iraqis (Wilson, 2009).

Determining the size of Kansas City's Muslim population has proven to be challenging. Open source research on the Muslim population becomes a game of chasing the numbers. For example, the U.S. Census bureau doesn't survey populations for ethnic or cultural information. The Year 2000 U.S. Census was the last survey to monitor 'Arab Heritage' statistics, which does not necessarily correlate to being a Muslim. This census cited the total numbers of Lebanese, Syrian and Egyptian descendants in Kansas, Missouri and all other U.S. states (census.gov, 2000). The Kansas City Star quoted in both 2001 and 2009 that the city had 15,000 Muslims. (Bradley, KC Star, 2001, 2009) In May 2010, the president of Kansas City's Midland Islamic Council estimated: "...the area's Muslim population at more than 25,000, including 5,000 Somalis" (Gray, Kansas City Star, 2010). That same year, the Association of Religion Data Archives (ARDA) reported that an: "...estimated 7,078 Muslim adherents (worshippers) formed an estimated 35% of the city's religious worshippers" (thearda.com).

Breaking down national affinities within Kansas City is equally difficult. Clues can be derived from a 2007 Pew Research study on the total Muslim American population. This report breaks the Muslim population into; American converts, Pakistanis, Indians, Iranians, Lebanese, Yemenis, Bangladeshis, Iraqis and Bosnians. (Pew, Muslim Americans, 2007: 15) While living in Kansas City, I have shaken hands with people from each of the above listed nationalities except Bangladeshis and Lebanese. This list is incomplete too in that it excludes associates (non-students) I know from Egypt, Morocco, Turkey, Syria and Somalia.

It is much easier to identify Kansas City's Islamic faith based organizations, most of which, practice varying degrees of *zakāt* or *ṣadaqah*. Typically, these organizations are

mosques, schools, cultural centers, civic centers, charities or immigration centers. Locating these organizations is easy if one has a Muslim friend, a phonebook, internet or a car. Many of these Islamic organizations are 501(c) (3) tax-exempt, nonprofit entities. A quick search of the IRS's online database can reveal helpful details of these tax-exempt organizations (irs.gov/charities-&-non-profits/exempt-organizations). Throughout this research, Muslim colleagues have helped me locate Kansas City Islamic organizations as well. The results of this research revealed that Kansas City has at least 28 Islamic faith-based organizations as depicted in the two graphics below:

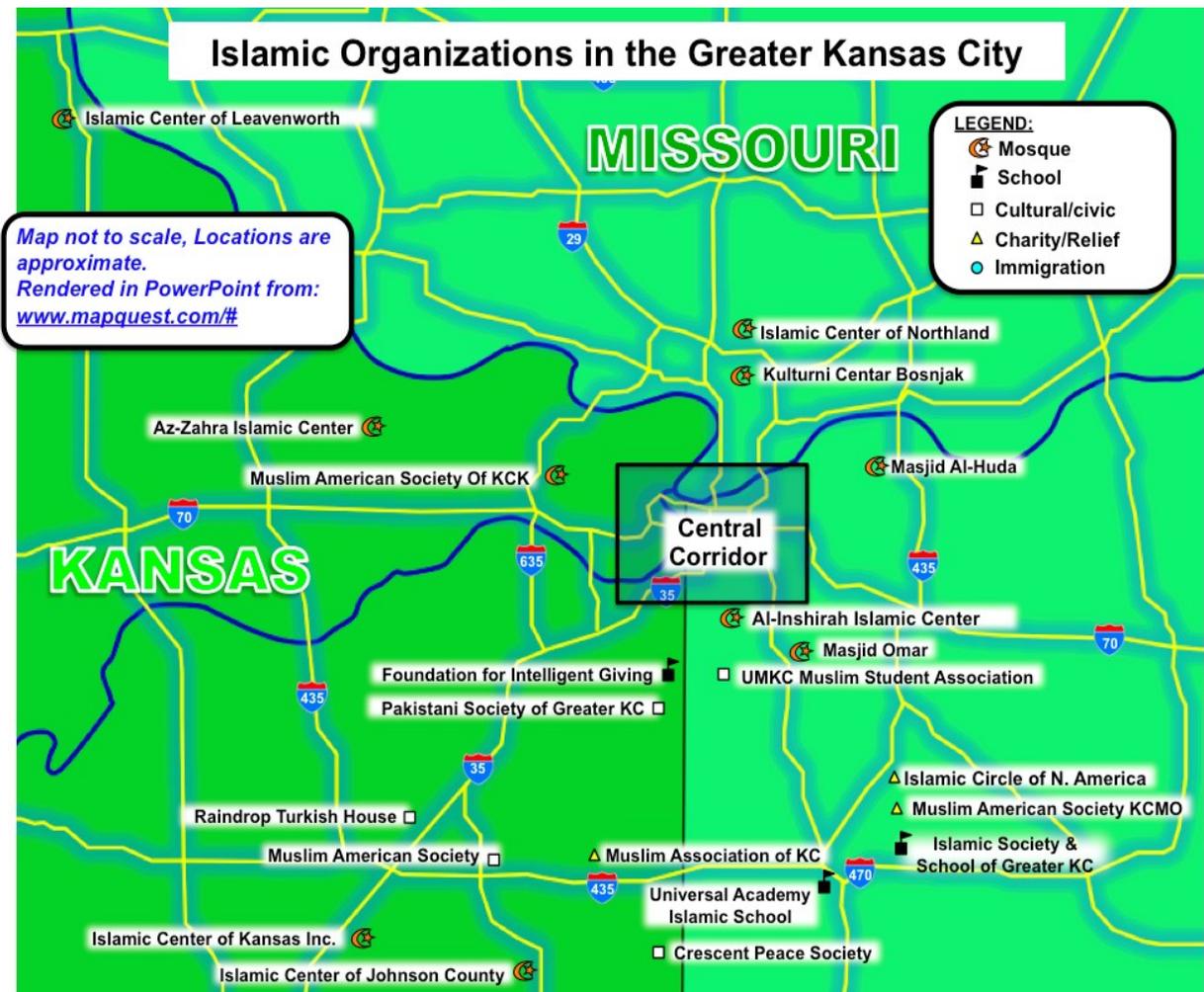
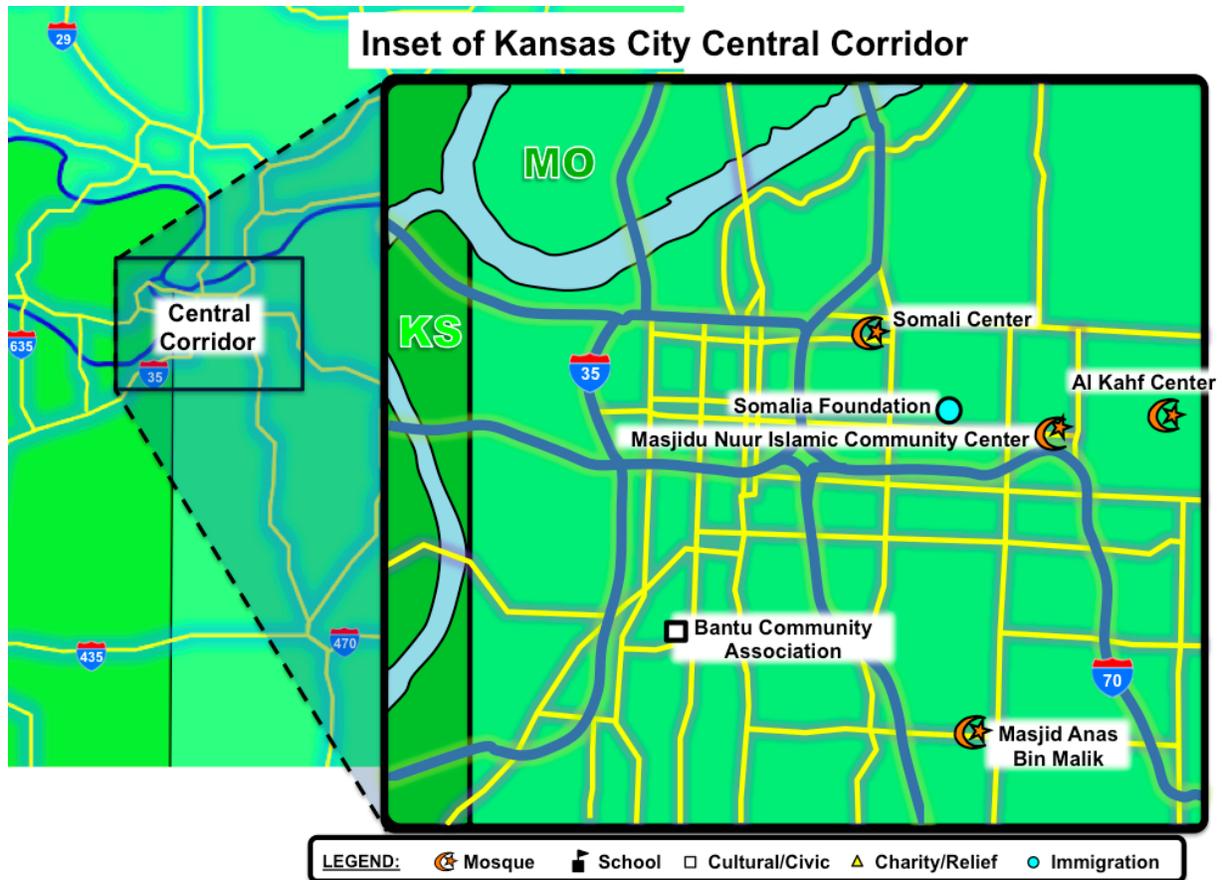


Figure 1-a: Islamic organizations in the Greater Kansas City Area



Map not to scale, Locations are approximate
 Inset rendered in PowerPoint from: www.mapquest.com/#

Figure 1-b: Islamic organizations in the Kansas City Central Corridor

Additional details of the 28 organizations depicted above are also listed in Appendix A of this research document. Suffice it to say, Kansas City has substantial charity-generating potential, given its Muslim population and multiple faith-based organizations. On that premise, an inquiry into this thesis question is fully warranted:

How have post-9/11 U.S. policies impacted Islamic charitable practices of Muslim Americans (zakāt and ṣadaqah) in the Greater Kansas City Area?

This thesis is organized into three chapters that should draw a conclusion about the impact of post-9/11 U.S. policies on Kansas City’s Muslim Americans.

Chapter 1: This is an open source examination of the history of U.S. policies since 1977 that have effectively ‘securitized’ the nonprofit sector. This chapter explores the history of

international and domestic terrorist events that have created national security ‘anxiety’ and triggered responses to U.S. policy. It also reviews litigation documents, press releases and media sources to compile the individual stories for each U.S.-based Islamic charity that was shut down and designated a terrorist organization by the government. Chapter 1 accounts for the current stigma ascribed to Islamic charity and it offers a compelling explanation as to why Muslim Americans might hesitate when giving *zakāt* and *ṣadaqah*. I have attempted to arrange all of this information (U.S. policies, Terrorist events and closed charities) in a chronological sequence so the reader may derive causes, effects and relationships within this timeline. The timeline created in this chapter also serves as a discussion tool used in both field research and analysis.

Chapter 2: Examines observations and trends taken from Islamic nonprofit organizations, individual Muslim American volunteers and the general research environment within Kansas City’s Muslim American community. Up front, this chapter makes comment on a perceived insularity or natural caution from the city’s Muslim community. The general trends and observations in Chapter 2 serve as an informative precursor to the analysis in Chapter 3. First, chapter 2 highlights trends from the annual budgets of twelve nonprofit organizations in The Greater Kansas City Area since 9/11 (six Islamic and six Non-Islamic charities). This comparison of charitable budgets seeks to address my thesis question on an organizational level under the following premise: if Islamic charities manage *zakāt* and *ṣadaqah*, then their annual budgets may be indicative of Muslim American philanthropic practices and the charitable climate in Kansas City since 9/11. Chapter 2 also discusses the challenges of gaining the fourteen Muslim volunteer respondents and navigating the network of Kansas City’s Islamic community. These volunteers took some difficulty in recruiting over a half year period, and are not fully representational of all aspects of Islam in America. Specifically, this group is mostly

male and non-Arab. By all outward appearances (accents and mannerisms), these respondents are first generation Muslim Americans with a predominantly Indo-Pakistani origin. Specific ages were not asked, however, all volunteers indicated they were over 21 years of age. The Sunni mosque they attend, the Islamic Center of Johnson County (ICJC) is also in the extreme southwest corner of Kansas City. This chapter discusses common themes from data collected during focus group discussions with these volunteers. Collectively, these themes and trends reveal how Kansas City's Muslims give charity in a post-9/11 environment and a perceived concern for individual rights in light of recent U.S. policy and adverse media.

Chapter 3: Synthesizes observations, trends, and themes from Chapters 1 and 2 to show how U.S. policies have impacted the giving practices of Kansas City Muslim Americans. It offers explanation into the heavy-handed approach of U.S. counterterrorism policy and substantiates the phenomena of a disenfranchised Muslim American community within Kansas City. This chapter accounts for regional socioeconomic factors in the last 10 years that may have influenced data and trends from the previous two chapters. Chapter 3 cross-references those friction points between the U.S. government and Muslim Americans with salient features in the basic constitutional rights afforded all American citizens. The analysis in this chapter will show that Kansas City Muslims perceive their civil rights to be at risk, yet suggest that charitable contributions overall have not diminished. Moreover, Chapter 3 will conclude with a description of those positive attributes that make up Kansas City's Islamic philanthropy.

Chapter 1

Evolution of U.S. Antiterrorism Financing Policy

The U.S. has acknowledged the need to maintain policies that provide effective security against terrorism since the end of the Cold War. Only in the last 15 years, however, has terror financing moved to the forefront of counterterrorism dialogue and even more recently, the perception that Islamic charity that has been hijacked to support terrorism (Burr and Collins, 2006: 143; Levitt, 2006; 19; Emerson, 1998: 17) Current U.S. terrorist lists are purportedly made up of terrorists, sponsors of terrorism and criminal organizations (treasury.gov/resource-center/faqs/Sanctions); Most Americans don't know the details of terrorist lists, nor do they question religious plurality and free association in the U.S. This chapter catalogues government efforts to stop terror financing and highlights the trend of targeting Muslim American philanthropy. Simultaneously, it chronicles the growth of transnational Islamic charitable and relief organizations that have frequently become the target of U.S. law. Its purpose is to describe a precedence of policies that discriminate against Islamic charity, and underscore the relevance and importance of the thesis question: How have post-9/11 policies impacted Islamic charitable practices of Muslim Americans in the Greater Kansas City Area? This chapter is not a referendum on the success or failures of U.S. policy nor does it weigh the merits of the last 13 years worth of litigation in defense of U.S. policy. Such broad studies go beyond the scope of this research. It is not a treatise on the history of terrorism, or an indictment of Islamic philanthropy. The focus of this chapter is to show how the U.S. shifted its practice of combatting state-supported terrorism in a bipolar world order to the current practice of indicting U.S.-based Islamic charities in a post 9-11 environment.

Terrorist support at the close of the Cold War

The law that occupies the center of anti-terrorism discussion is the famous (or infamous) U.S. Patriot Act, followed by less controversial laws like the Antiterrorism and Effective Death Penalty Act. All current policies applicable to counterterrorism derive their legitimacy from an Act written at the height of the Cold War: The International Emergency Economic Powers Act (IEEPA), Public Law 95-223. Passed on December 28, 1977, this legislation addressed a body of outdated laws that gave presidents a free hand in responding to crises: “Congress passed IEEPA in 1977 as part of the broad post-Watergate attempt to limit unilateral presidential power over foreign affairs. In particular, IEEPA was Congress’s attempt to reign in the steadily expanding executive discretion to declare and respond to national emergencies under the Trading with the Enemy Act (‘TWEA’).” (Sandberg-Zakian, 2011: 99) Since then, U.S. presidents have used the IEEPA to take action against increasing incidents of international terrorism.

The IEEPA allows the Executive authority to make broad interpretation of threats and apply action with little involvement of the legislative and judicial branch. Section 202 of this law provides the defining text: “...any unusual and extraordinary threat, which has its source in whole or substantial part outside United States, if the President declares a national emergency with respect to such threat.” (IEEPA, 1977: Sec 202 [a]). Presidents have used this law multiple times to respond quickly to national crises, for example; Jimmy Carter invoked the IEEPA on November 14, 1979 to block Iranian assets in response to the Tehran hostage crisis. President Reagan used it in January 1986 to sanction Libya for state sponsored terrorism. George H. W. Bush employed the IEEPA to protest the 1990 Iraq invasion of Kuwait, the October 1990 coup in Haiti, and the May 1992 Serbian and Montenegrin aggressions in Bosnia Herzegovina (U.S. Trade Statutes, 2010: 254-260).

The two decades after this law’s inception would bring a series of crises that challenged

the efficacy of both the U.S. and a growing Islamic relief industry. Most anti-terrorism literature describes a crescendo of extremist activity in the early 1980s that is difficult to attribute to a single, unifying cause. This decade's headlines might include, but certainly aren't limited to the following events: the February 1979 Iranian revolution (Yaroslav, 2008: 423), the seizure of Mecca's Grand Mosque by Armed Radicals (Mahdists) in November 1979 (Cleveland, 2004: 462), the Soviet invasion of Afghanistan in December 1979 (Mamdani, 2004: 119), the assassination of President Anwar Sadat by the group al Jihād on October 6, 1981 (Burr, Collins, 2006: 147), the October 1983 bombing of U.S. Marines in Beirut by Islamic Jihād (9/11 Commission, 2004: 96) and October 1985 hijacking of Achille Lauro by Palestinian gunmen (Martin, 2006: 515). With U.S. attention focused on the Soviet threat, all other terrorist incidents became ancillary, falling into what counterterrorist experts Daniel Benjamin and Steve Simon call 'the accepted taxonomy of terror' (Benjamin, Simon, 2003; 222).

Bipolar world order from 1980 to 1990 dictated that states aligned with the two super powers deal locally with terrorism. Consequently, the United Kingdom handled the IRA, Spain was responsible for the Basque ETA, Egypt contained its Muslim Brotherhood and the U.S. sanctioned Libya for the downing of Pan Am Flight 103 over Lockerby Scotland in 1988, (Martin, 2006: 223). If U.S. citizens were victims of terrorism, then the affiliated country would be immediately admonished and possibly placed on the State Department's list of 'state sponsors of terrorism.' (Martin, 2006: 113). Responses available to the U.S. president were reactive and just as varied as those threats emerging in the Middle East, i.e. sanctions, punitive bombing strikes, or simply removing its citizens, as in the case of the Marine barracks bombing in 1983 (9/11 Commission, 2004: 96)

Islamic relief organizations in this same decade were limited in number and more locally based. Many Arab countries had their own version of the Red Crescent Society, which is the counterpart to the Red Cross. In The Charitable Crescent: Politics of Aid in the Muslim World, Jonathan Benthall and Jerome Bellion-Jourdan describe a simple network of Islamic relief agencies dating to this period, tied to a region and state: "... *haiat al-ighatha al islamiya al-'alamiya* (International Islamic Relief Organization or IIRO, set up in 1979 in Saudi-Arabia): *haiat al-ighatha al-islamiya al-'ifriqiya* (Islamic African Relief Agency, set up in 1981 in Sudan): and again *al-ighatha al-islamiya* (Islamic Relief, set up in Britain in 1984)." (Bellion-Jourdan, 2003: 69)

Of all the crises mentioned in the early '80s, the Soviet-Afghan conflict proved to be the most galvanizing for International Islamic outreach. This notion is apparent in Benthall and Bellion-Jourdan's writings: "After the continent of Africa, it was the first great cause that mobilized support for Muslims in need." (Bellion-Jourdan, 2003: 70) It spurred multiple new Islamic relief organizations that channeled Middle East resources towards Afghanistan. In the Charitable Crescent, author Jerome Bellion-Jourdan indicates Islamic relief in Afghanistan came in three forms: humanitarian relief (*ighatha*), the spread the Islamic faith (*da'wah*) and when required, aid in armed struggle (*jihād*). Bellion-Jourdan refers to *ighatha* repeatedly in Charitable Crescent to mean relief in the form of material support or medical treatment. (Bellion-Jourdan, 2003: 69-74, 138-9, 142). *Da'wah* is best summarized by The Oxford Encyclopedia of the Modern Islamic World as: "...a component of Islamic missionary activities – aimed at currying proselytes" (Esposito, 2001: 347).

Of the three terms listed above, *jihād* is probably the most contentious. There are many publications on terrorist funding that interpret *jihād* in multiple ways, taking on both positive and

negative connotations. The evolving interpretation of *jihād* as viewed through Western eyes alone could form a separate body of research. This thesis draws from a definition provided by political scientist Mahmood Mamdani, who breaks the term down into greater *jihād* (*jihād Akbar*) and lesser *jihād* (*jihād Asgar*): “The greater *jihād*, it is said, is a struggle against weaknesses of self; it is about how to live and attain piety in a contaminated world. The lesser *jihād*, in contrast is about self-preservation and self-defense; ... it is the source of Islamic notions of what Christians call ‘just war’” (Mamdani, 2002: 768). For purposes of the Soviet-Afghan conflict, the lesser *jihād* seems to apply. Essentially, on the same battlefield, an Islamic charity provided humanitarian relief while operating religious schools and supporting the *mujāhidīn* or Islamic holy warriors. The lesser *jihād* may also be a benefit if one’s common enemy was the Soviet Union. As Mamdani contends, those Islamic charities that went to Afghanistan to promote *ighatha*, *da’wah*, and the lesser *jihād*, did so with the United States’ tacit approval. He writes: “Simply put, after the defeat in Vietnam and the Watergate scandal, the United States decided to harness, and even to cultivate, terrorism in the struggle against regimes it considered pro-Soviet.” (Mamdani, 2002: 769)

Support to terrorism after the fall of communism:

Given the disparate nature of the threat, there was little need for stand-alone U.S. legislation to address terrorism. Anne Clunan, Professor at the U.S. Naval Post Graduate School provides this insight: “The only governmental body focused on the issue [of terrorist financing] more or less consistently was the White House, particularly the National Security Council (NSC), which since 1985 has coordinated government efforts to counter terrorism.” (Clunan, 2006: 583) The Omnibus Diplomatic Security and Antiterrorism Act of 1986, Public Law 99-399, did spell out antiterrorism enhancements for the diplomatic corps, in addition, it directed the

development of an International Antiterrorism Committee, but there were no stipulations to target and defeat support to terrorists. Most likely, this owed to the fact that at the date of its legislation, the U.S. had not experienced a credible terrorist threat on American soil.

This changed On January 25, 1993 when a Pakistani gunman armed with an AK47, attacked CIA headquarters in Virginia,. Two CIA employees were killed and several people were injured (Martin, 2006: 375). A month later, Kuwaiti-born Ramzi Yousef, with three accomplices of Middle Eastern origin exploded a truck bomb directly under Tower #I of the World Trade Center. This bomb did not have the same devastation as the subsequent 9/11 attacks would, but it did kill six people and injure over one hundred others. Terrorism experts Benjamin and Simon describe the bomb as: "...ripping a 150-square-foot crater in the nearly foot-thick concrete floor and demolishing much of the surrounding structure. The blast blew through the concourse level of the Vista Hotel two floors up, as well as three floors down." (Benjamin, Simon, 2003; 14). The scale of this event was enough to force a reassessment of the U.S. counterterrorism strategy. Investigation into the first WTC attack revealed a fledgling terrorist network that the U.S. would come to know as al Qaeda. Nineteen months after this bombing, in September 1994, The Violent Crime Control and Law Enforcement Act became public Law.

This legislation introduced a provision stating that it is a federal crime for anyone in the U.S. to support or assist a terrorist. This was a significant change in U.S. counterterrorism strategy, as put forward by Clunan: "During the 1990s, the Clinton administration began to slowly redefine the threat of terrorism as one separate from the traditional paradigm of state sponsors against which economic and military sanctions could be applied." (Clunan, 2006: 587). With a transforming understanding of the transnational terrorist threat, President Clinton signed

Executive Order (EO) 12947, in January 1995, thereby prohibiting transactions with terrorists that threatened the Middle East Peace Process. Viewed as an essential measure in the OSLO Peace Accords, this order made it a federal offense to have “any transaction or dealing” with twelve specific Palestinian terrorist organizations identified within its annex. This order officially designated the transnational organizations Hamas and Hezbollah as Foreign Terrorist Organizations (FTO). President Clinton also invoked the 1977 IEEPA in executive order 12947. He revised this order significantly three years later as EO 13099, adding “*Usama bin Muhammad bin Awad bin Ladin* (a.k.a. *Usama bin Ladin*) and three al-Qaeda affiliated organizations to the terrorist list.

International conditions in the early 1990s also transformed Islamic relief organizations. Some Muslim countries perceived the 1992 conflict between Serbian Christians and Bosnian Muslims as attempts to eradicate Islamic culture in the western Balkans. A similar view was taken in the 2004 Russian occupation of Muslim Chechnya. The Islamic relief community that evolved in Afghanistan transplanted itself into these new conflicts introducing the same *ighatha*, *da'wah* and lesser *jihād* that had been perfected since the Soviet-Afghan conflict, with two major distinctions. First, Bosnia involved a greater number of Western relief agencies and multinational forces, drawing increased scrutiny to the practices of and *jihād*. Second, the federation of Islamic charities deployed to the Balkans coalesced to a greater degree than Afghanistan would have permitted.

This coalescence had the benefit of combining and professionalizing Islamic relief efforts (Benthall, 2003: 75). In some instances, however, this became an opportunity to propagate potentially extreme schools of thought. Jerome Bellion-Jourdan suggest as much in The Charitable Crescent, describing a 1992 conference of Islamic organizations for Bosnian relief:

“A common identification with Sunni Islam united these diverse organizations. Moreover, it is at this pole that we find those that promoted a Salafi or Wahhabi concept of Islam.” (Bellion-Jourdan, 2003: 139) U.S. federal agencies experienced a similar unease as the FBI monitored Hamas fundraising conventions in Oklahoma City in 1988, Kansas City in 1989 and Philadelphia in 1993. (Levitt, 2006; 147-150)

Even as the National Security Council attempted to preserve the Middle East peace process, the rash of mid-1990 terrorist attacks worldwide made the U.S. appear ineffectual. The March 1995 sarin gas attack on the Tokyo Subway by the cult Aum Shinrikyo caught international intelligence experts off guard (Martin, 2006: 211). When Timothy McVeigh bombed the Murrah Federal Building in Oklahoma City in April 1995, the nation came to an emotional standstill (Benjamin, Simon, 2003: 444). In November 1995, Al Qaeda in the Arabian Peninsula bombed central Riyadh, killing seven U.S. citizens (Martin, 2006: 375). Although these major incidents were isolated and unrelated U.S. intelligence saw the emergence of persistent, stateless international terrorist organizations. In short order, al Qaeda overtook Hamas and Hezbollah on the U.S. list of credible threats.

The Antiterrorism and Effective Death Penalty Act (AEDPA) was passed into law on 24 April 1996. It served as an inoculation to the American justice system in light of the recent spike in international terrorism. This law brought substantial changes in antiterrorism policy including new procedures for writs of habeas corpus (summoning prisoners in front of a judge), compensation for U.S. victims of terrorism, plus new restrictions on chemical weapons and plastic explosives. The AEDPA also issued grants to strengthen terrorist response capabilities within law enforcement. It introduced the term Foreign Terrorist Organization (FTO), a designation given to organizations that threaten “... the security of the United States nationals or

the security of the United States.” (AEDPA, Title III, [302]) This law also took a step closer to securitizing the nonprofit sector, making it a crime to raise funds for terrorism: “...some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds within the United States, or use the United States as a conduit for the receipt of funds raised in other nations; and foreign organizations that engage in terrorist activity are so tainted by their criminal conduct that any contribution to such an organization facilitates that conduct.” (AEDPA, Title III, [302]).

Gus Martin, Professor of criminal justice at California State University explains the difference between anti-terrorism and counterterrorism in the book Understanding Terrorism. According to Martin, the first term anti-terrorism means physical protective measures such as hardened sites, increased surveillance, or enhanced security. Meanwhile, he states that: “...counterterrorism refers to proactive policies that specifically seek to eliminate terrorist environments and groups.” (Martin 2006: 476) By all outward appearances, the AEDPA was adequate legislation commensurate to the threat of post-Cold War terrorism yet safely grounded within the individual rights provided by the U.S. Constitution. Within the context of Martin’s explanation, however, the AEDPA was solely an anti-terrorist policy. It provided for preparation against a possible terrorist attack, but lacked the proactive measures to eliminate causes of terrorism.

After its legislation, the merits of the AEDPA were tested in terrorist incidents over the next five years. This included the June 1996 bombing of the Khobar Towers in Dhahran, Saudi Arabia (Zabel, Benjamin, 2008: 15) the June 1996 attack on tourists in Luxor by al-Gamaat al-Islamiyya (Mamdani, 2004: 168) and the July 1996 bombing during the Atlanta Olympic Games (Benjamin, Simon, 2003: 250). It was during the latter part of the 1990s, however, when Al

Qaeda's influence was seen, along with AEDPA shortfalls. On 23 Feb 1998 Osama bin Laden issued a dubious and unqualified *fatwa* calling for Muslims to kill Americans and U.S allies. (Benjamin, Simon, 2003: 148). Later that year, in August 1998, al Qaeda funded terrorist cells simultaneously bombed U.S. embassies in Nairobi, Kenya and Dar es Salaam, Tanzania (9/11 Commission Report, 2004: 115). In the ensuing investigations, President Clinton pushed for a coordinated effort to defeat terrorist funding: "An NSC-led interagency group on terrorist financing was established, which included the NSC, the Treasury Department, the CIA, the FBI, and the State Department. While the CIA cooperated in this group, the FBI would not meaningfully participate." (Clunan, 2006: 584)

The reactive AEDPA could not stop an elusive enemy network that funded violent attacks on vulnerable U.S. targets through discreet financial channels with no accountability procedures. This lacuna was captured later in the 2004 Commission on the 9-11 Terrorist Attacks: "Intelligence agents, long accustomed to the Cold War reality of collecting intelligence for extended periods of time before public action was necessary, were now faced with a new demand for intelligence that needed not only to be immediately and publicly acted on but to be defended in court as well." (Greenburg, Roth and Wille, 2004: 48) The NSC retaliation for the embassy bombings was still a reaction: a cruise missile strike on Bin Laden's compound in Afghanistan and a pharmaceutical plant in Sudan, (Woodward, 2004: 26, Benjamin, Simon, 2003: 259-60). Two years later on October 2000, the U.S.S. Cole was struck with a skiff full of explosives while at port in Yemen. The attackers were identified as al Qaeda affiliated terrorists (9/11 Commission Report, 2004: 153). The U.S. thus faced a unique challenge entering the new millennium. It had experienced terrorism within its borders and saw the rise of stateless transnational terrorism. There was, however, no system in place to distinguish terrorist funding

activities from the activities of legitimate non-state entities, including international Islamic charities.

Post-9/11 support to terrorism:

On September 23, 2001, almost two weeks after the 9/11 terrorist attacks, President Bush issued EO 13224; Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism. This executive order also invoked the IEEPA to declare a national emergency in response to the 9/11 terrorist attacks. This policy acknowledged the challenges in following the elusive terrorist finance trail; "... because of the pervasiveness and expansiveness of the financial foundation of foreign terrorists, financial sanctions may be appropriate for those foreign persons that support or otherwise associate with these foreign terrorists." An independent task force of the Council on Foreign Relations later identified this approach as "following the money" (Greenberg, Factor, Wechsler and Wolosky, 2004: 38)

Section 7 of EO 13224 is unique in that it delegates presidential authorities normally found under the IEEPA to executive departments of the government; "The Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and UNPA (United Nations Participation Act of 1945) as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government." Section 7 came into play in the next eight years as the Treasury issued blocking orders, sealed or delayed search warrants, and leveled indictments at U.S.-based Islamic charities. This executive order is where the U.S. began branding suspect organizations as

Specially Designated Global Terrorists (SDGT). It is a federal offense for a U.S. citizen to provide any support to the 27 Muslim organizations identified as SDGTs in EO 13224.

While its lengthy title is The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism, in daily conversation, it's called the USA Patriot Act. Within 46 days of the 9/11 attacks the U.S. Patriot act was signed. Louis Gerdes, in The Patriot Act: Opposing Viewpoints suggests this Act to be a miracle in modern legislation; "The Patriot Act passed in the Senate without debate. After minor changes were made in the House, the complex, 342-page bill passed 357 to 66 and was signed into law on October 26, 2001" (Gerdes, 220: 14). The many provisions of this law were intended to make U.S. agencies more proactive in preventing terrorism. Here are key counterterrorism measures within the bill:

- Budget enhancements for federal agencies and first responders.
- Expanding the definition of terrorism to include "domestic terrorism".
- Expanding the definition of material support to terrorism to include: "...currency or other financial securities, financial services, lodging, training, safe houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials." (Section 323, 2339[A][b])
- Updated surveillance protocols to accelerate warrant procedures and account for current and emerging communications technology.
- Allowance of 'roving' wiretaps, which broaden the number of phone accounts and devices that can be monitored on an individual.
- Stronger money laundering control measures.
- Use of classified evidence, *in camera* and *ex parte* (not available to the party under investigation) to support official terrorist designations and prosecutions.
- Federal Agency access to bank records, library activity, and bookstore transactions to monitor for suspicious transactions.
- Conducting searches with 'delayed' or sealed warrants.
- Instituting a bulk cash smuggling offense which requires banks and customs officials to report cash quantities of \$10,000.00 or greater.

By design, the USA Patriot Act was a more proactive counterterrorist policy than its predecessors. It allowed government agencies (FBI, DEA, ICE, IRS, and U.S. Attorney Offices) to collaborate and delve deeper into domestic affairs to stop terrorism. Under the Patriot Act, the

Treasury's Office of Foreign Assets Control (OFAC) became the lead agency for identifying and freezing assets of potential domestic organizations that support terrorism. OFAC became responsible for compiling and managing the government's terrorist designation list. OFAC started investigations on a suspected organization by building evidentiary packages derived from: "... 'all-source' research that exploits a variety of classified and unclassified information sources in order to determine how the activities or relationships of a specific target meet the criteria of the EO [president's executive order]" (Newcomb, Richard, 2004). Once implemented, the Patriot Act formed the cornerstone for post-9/11 U.S. counterterrorism strategy. The U.S. government's first test-run of measures within the Patriot Act would take place 35 days after its signing with the forced closure of three charities: Holy Land Foundation (HLF), Global Relief Foundation (GRF) and Benevolence International Foundation (BIF).

Holy Land Foundation (HLF):

Secretary of the Treasury Department Paul O'Neill issued a press release on December 4, 2001 announcing the closure of a U.S. based terrorist organization, "The Holy Land Foundation (HLF) masquerades as a charity, while its primary purpose is to fund Hamas. This is not a case of one bad actor stealing from the petty cash drawer and giving those stolen monies to terrorists. This organization exists to raise money in the United States to promote terror." (Treasury Press Release, HLF, 2001). President George W. Bush issued a similar announcement that morning about HLF from the Rose Garden with an official state guest in attendance, "The former President's press conference coincided with Israeli Prime Minister Ariel Sharon's visit to the White House, and took place the week after three Hamas suicide bombings killed 25 people and wounded 200 more." (Ratner, 2012: 586)

On that same day in the middle of the Islamic month of Ramadan, OFAC designated HLF

a Specially Designated Global Terrorist (SDGT) organization, announcing that all of HLF's assets were blocked pending investigation (BPI). FBI and Treasury agents raided HLF headquarters and the home of its executive: Shukri Abu Baker. Sally Howell, of the Center for Arab American Studies at the University of Michigan, provides a good description of this process on a similar Islamic charity raid, "...its records and computers confiscated, its staff and donors interrogated, and its bank accounts temporarily frozen." (Howell, 2010: 4) A day later, the New York Times provided more details of the HLF raid; "Movers using a tractor-trailer arrived with the seizure notice at about 8 a.m. and worked into the night." (Sanger, Miller, 2001)

Once billed as the largest Muslim charity in the U.S. (Ratner, 2011: 576) Holy Land Foundation for Relief and Development (HLF) was a 501(c)(3) nonprofit organization headquartered in Richardson, Texas with branch offices in San Diego, California, Bridgeview, Illinois, and Patterson, New Jersey. HLF originated in California in 1989 under the name Occupied Land Fund ("OLF") but relocated to Richardson, TX on September 16, 1991, renaming itself Holy Land Foundation for Relief and Development. According to the treasury, HLF provided financial support to Hamas-controlled charities in the West Bank and Gaza since 1989. Additionally, HLF was accused of funding charities that provided for the families of Hamas prisoners and martyrs. (Holy Land v. Ashcroft, 2002)

Preliminary allegations about HLF stemmed from evidence taken during Israeli security raids and Hamas interrogations as well as classified evidence collected by U.S. federal agents. The HLF case involved the testimony of undisclosed, sequestered witnesses. The surveillance records used in the indictment (under the warrantless wiretapping program) had been unwittingly revealed to HLF defense counsel early in the investigation process. HLF was eventually granted license to access blocked funds to mount a legal defense. They filed for an injunction against the

government, protesting that the blocked assets and the SDGT designation were unconstitutional. By the fall of 2008, HLF was on its second trial, where: "...the Department of Justice struggled to obtain a guilty verdict in a criminal case against the Holy Land Foundation, winning a conviction in a retrial only after the first prosecution ended with a hung jury and allegations of government misconduct." (Sandberg-Zakian, 2011: 103)

A civil suit brought against HLF by the parents of deceased Israeli student David Boim further compounded HLF's case. Boim, a dual citizen of Israel and the United States was murdered five years before the HLF closure on May 13, 1996 by a Hamas gunman in the West Bank. The Boim family charged HLF with aiding and abetting Hamas in their son's murder. On this issue, the charity was never sentenced, and the Seventh U.S. Circuit Court remanded on the possibility of HLF's liability for Boim's death. The process of shutting down and defaming Holy Land Foundation set the template for a "designations-and-asset-freezing approach" (Clunan, 2006: 592) to closing U.S. based charities. This approach would be repeated seven more times between 2001 and now. In the same month that HLF was shut down, U.S. law enforcement agencies also shut down the Global Relief Foundation (GRF)

Global Relief Foundation (GRF):

Global Relief Foundation (GRF) was a 501(c)(3) nonprofit organization incorporated in Bridgeview, Illinois in 1992. GRF's charter was to conduct humanitarian relief operations worldwide. On December 14, 2001, towards the end of the holy month of Ramadan, the charity's assets were frozen "pursuant to an OFAC blocking order pending investigation" (ACLU, 2009: 52) for suspected associations with al Qaeda. FBI agents conducted a warrantless search of the GRF office in Bridgeview and the home of its co-founder, Lebanese-born Rabih Haddad confiscating business records, money, computers, and anything that could aid in an

investigation. (GRF v. O’Neill, Powell, Ashcroft, Newcomb & Mueller, 2001) Haddad was of particular interest to authorities because of his former charity work in Afghanistan and Pakistan in the 1980s and 1990s. Haddad was immediately detained by Immigration and Naturalization Services (INS) for overstaying his tourist visa. After three closed hearings, INS determined Haddad’s immigration status: “Haddad was held in solitary confinement in immigration detention, and was finally deported after 19 months of detention.” (ACLU, 2009: 52)

The Treasury alleged that Haddad belonged to *Makhtab Al-Khidamat*, the precursor to al Qaida in the early 1990s. GRF was accused of dealing with the Taliban in the fall of 2001 in addition to having had correspondence with terrorists linked to the 1998 U.S. embassy bombings in Kenya and Tanzania. Accusations included providing assistance to Hizbul Mujāhidīn in the Kashmir region and receiving funds from another designated global terrorist organization, the aforementioned Holy Land Foundation. (U.S. Treasury Press Release, AHIF, 2002) In November 2001 GRF filed a defamation suit against several news agencies for publicizing the Treasury’s press release.

The GRF proceeded to file injunctions that challenged the constitutionality of the blocked assets, seizures, and designation as a terrorist organization. The GRF defense challenged *Ex Post Facto Clause* (ascribing guilt for past acts before they were made unlawful) aspects of the federal investigation, specifically; How could GRF’s affiliations be criminal *if* they pre-dated the U.S.’s terrorist designation list? The charity also challenged the use of classified government evidence. U.S. court eventually overturned all GRF injunctions in favor of the government, but the charity was granted license to access blocked funds to pay for legal defense. (GRF v. O’Neill et al., 2002) OFAC designated GRF a SDGT almost a year after the Treasury’s blocking action even though no terrorist charges were ever established. GRF has not resumed charitable

operations since December 2011 due to frozen financial resources and defamation of professional reputation. For all practical purposes, GRF is a defunct charitable organization.

Benevolence International Foundation (BIF):

Benevolence International Foundation (BIF) was shut down simultaneously with the Global Relief Foundation. BIF was a Saudi-based charity created in the 1980s, with offices in ten other countries. The U.S. branch of BIF was incorporated in March 1992, with a main office in Palos Hills, southwest Chicago and another in New Jersey. This charity was a 501(c)(3) nonprofit organization with a mission to provide for “humanitarian relief projects throughout the world”. (Treasury Press Release, BIF, 2002) The charity’s director, Syrian-born Enaam Arnaout had long been suspected by the CIA to have close ties with Osama bin Laden dating back to the Soviet-Afghan conflict (Lichtblau, Eric, NY Times, 2002). Arnaout used the aliases ‘*Abdel Samia* and *Abu Mahmoud*’ during charity work overseas. These same aliases were linked to incriminating documents confiscated from BIF offices in Bosnia.

On 14 December 2001 OFAC notified BIF that all of its assets were blocked pending investigation (BPI) for possible terrorist affiliations. Federal agents immediately conducted the all-too-familiar search and seizure of Arnaout’s residence and BIF properties. On 26 March 2002, BIF filed a civil suit against the U.S. Treasury and the Department of Justice with a motion to reverse the blocking action. The charity’s lawyers contested the use of classified evidence, sequestered witnesses, hearsay, and premature release of photographs to the media. The charity was designated a SDGT almost a year later in November 2002. Federal prosecutors charged Arnaout with a seven-count indictment convinced that BIF: “...was a financial front for Osama bin Laden's terrorist activities.” (Lichtblau, 2002) Allegations against Arnaout included consorting with bin Laden and Afghan Warlord Gulbuddin Hekmatyar, as well as providing

funds to support the 1998 Embassy bombings in Kenya and Tanzania. The government also alleged that BIF funds were used to support "... Muslim rebels in the separatist Russian region of Chechnya." (Cohen, 2002) Government evidence included photographs taken from the Soviet-Afghan conflict in the 1980s. These pictures showed Arnaout posing with Afghan Mujāhidīn and walking alongside with Osama bin Laden.

Arnaout accepted a plea bargain agreement but U.S. prosecutors did not get the terrorist conviction they were looking for. On August 18, 2003 he was sentenced to eleven years in prison for racketeering. The federal case against BIF revealed shortcomings in U.S. counterterrorist strategy: "But the ambiguous outcome of the case, which left both sides claiming victory, underscored the difficulties that federal prosecutors faced in trying to establish clear financial links between terrorists and their suspected backers in the United States." (Charity Leader, NY Times, 2003) As with GRF, all charges of terrorism support were dropped. BIF suffered the same defamation and blocked finances, making it defunct as well.

The first nine months of the war on terrorism brought hard lessons within the U.S. domestic counterterrorism program. Prosecutors were hard pressed to gain a terrorist conviction solely relying on a 'guilt by association' approach as summarized by former New York attorneys Richard Zabel and James Benjamin: "Thus, without direct evidence of the defendant's knowledge that his fundraising is intended to benefit a designated terrorist organization, such as an audiotape, it can be difficult for prosecutors to present a compelling case, especially if the prosecution relies solely on confusing financial records of contributions to an organization that in part is dedicated to bona fide humanitarian relief efforts." (Zabel & Benjamin, 3008: 37).

An attempt to address this challenge was put forward in The Suppression of the Financing of Terrorism Convention Implementation Act of 2002. Ratified on June 25, 2002, this

act expanded liability for terrorist support in the event a person aids terrorism: "...by any means, directly or indirectly, unlawfully and willfully provides or collects funds with the intention that such funds be used, or with the knowledge that such funds are used in full or in part, in order to carry out-". (Public Law 107-197, 2002; Sec 201) From here, Section 201 proceeds to list various terrorist acts, but the approach is clear; if intent to support can be proven then so can guilt.

Public opinion and media at the time did not look favorably on the U.S. government's heavy-handed approach. Other U.S.-based Islamic charities were searched and investigated by the government without incident, but public attention was focused on the three charities described above. The government's own 2004 commission on terrorist financing provided comment on this heavy-handed approach: "The government is able to (and has, on at least three occasions) shut down U.S. entities without developing even the administrative record necessary for a designation. Such action requires only the signature of a midlevel government official...But when the interim blocking lasts 10 or 11 months, as it did in the Illinois charities cases...real issues of administrative due process and fundamental fairness arise." (Greenburg, Roth, Wille, 2004: 51) At question to many Muslim Americans was how to honor charitable obligations of *zakāt* and *ṣadaqah* without appearing guilty in the broader public domain. The community of U.S.-based Islamic charities engaged the Department of Treasury, compelling the publication of the 2002 Anti-Terrorist Financing Guidelines: Voluntary Practices for U.S.-Based Charities. These guidelines publication provided broad, common sense approaches to soliciting, receiving, managing, and dispersing charitable contributions within nonprofit organizations. It also described the steps necessary to remain in compliance with counterterrorism law, however, it did not reveal anything profound that credible charities were not already practicing.

A 2004 independent task force report by the Council on Foreign Relations highlighted the near impossible challenge of linking stateside charity with overseas terrorist activities. "...U.S. efforts to combat terrorist financing had yet to accomplish the basic mission of stopping the flow of money to terror groups. The U.S. General Accounting Office, the investigative arm of Congress, concluded that federal authorities still did not have a clear understanding of how terrorists move their financial assets and continue to struggle to halt terrorist funding." (Greenberg, Factor, Wechsler, Wolosky, 2004: 6) Even so, this task force recommended that the Treasury continue investigating terrorist financial networks through current practices and sustain the practice of designating SDGTs.

The 9/11 Commission Report (July 2004) was another government effort to analyze the 9/11 terrorist attacks as well as the effectiveness of the USA Patriot Act. It recommended many procedural changes across federal agencies to better prosecute the War on Terrorism (9-11commission.gov). Although the White House viewed this report with skepticism, some of the commission's recommendations would end up in U.S. legislation: "Reading the tea leaves, the Bush Administration reversed course and indicated its willingness to consider legislation that would implement the 9/11 Commission's recommendations. Congress passed the Intelligence Reform and Terrorism Prevention Act (IRPTA), and President Bush signed it into law on December 17, 2004, just a few weeks after winning a second term." (Negroponte, Wittenstein, 2010: 387)

The IRPTA directed administrative changes across the U.S. intelligence community (approximately 17 agencies) to bring reporting, information sharing, and accountability under one office; the Office of the Director of National Intelligence (ODNI). On the topic of material support to terrorism, this law made negligible changes to the definitions of material resources,

terrorist training, and providing expert assistance. The noticeable change with IRPTA is that it criminalized the act of giving charity when a donor has: “knowledge that the organization is a designated terrorist organization..., that the organization has engaged or engages in terrorist activity ..., or that the organization has engaged or engages in terrorism...” (Public Law 108-458, 2004, Sec 66303). Armed with this tool, the Justice Department and Department of Treasury proceeded to investigate four more U.S.-based Islamic charities:

Al-Haramain Islamic Foundation (AHIF)

Saudi Arabian-based Al-Haramain Islamic Foundation (AHIF) was a 501(c) (3) non-profit public benefit corporation established in Ashland Oregon in 1999. With over a dozen offices worldwide, AHIF had an outreach mission to: “...promote greater understanding of the Islamic religion through operating prayer houses, distributing religious publications, and engaging in other charitable activities.” (Al-Haramain v. Treasury, 2011).

On February 18, 2004, U.S. Treasury and FBI agents raided the Oregon AHIF office. Simultaneously, OFAC blocked all of the charity’s assets pending investigation (BPI): “Consistent with its general practice, OFAC did not provide AHIF Oregon prior notice or obtain a warrant before blocking its assets.” (Brez, Casey, 2012: 1) By June 9, 2004, all AHIF offices worldwide were designated a SDGT on the suspicion of funding organizations on the U.S. terrorist list including: “...Jemmah Islammiya, Al-Ittihad Al-Islamiya, Egyptian Islamic Jihād, Hamas, and Lashkar E-Taibah..” (Greenberg, Factor, Wechsler, Wolosky, 2004: 18) The charity’s director, Iranian-born Pirouz Sedaghaty, was accused of supporting al-Qaeda, money laundering, funding Islamic fighters in Chechnya and Somalia, smuggling money to Saudi Arabia and violating U.S. Tax laws. Stuart Levy, the Treasury's Under Secretary for Terrorism and Financial Intelligence charged AHIF in a press release that same day: “Al Haramain has

been used around the world to underwrite terror, therefore we have taken this action to excommunicate these two branches and Suliman Al-Buthe (the Saudi AHIF director) from the worldwide financial community" (U.S. Treasury Press Release, AHIF 2004).

AHIF appealed for removal of the terrorist designation and sought license to use blocked assets for a legal defense. The Treasury did not respond to AHIF appeals until completing its investigation four years later; on June 19, 2008, AHIF was re-designated an SDGT. The charity countered with a suit that protested warrantless government surveillance: "First, prosecutors accidentally revealed to the al-Haramain Foundation that phone conversations between the charity's Saudi Arabia-based director and its American citizen lawyers in Washington, D.C. had been taped as part of the NSA's warrantless wiretapping program." (Sandberg-Zakian, 2011: 103) AHIF filed an injunction declaring the blocked assets and SDGT designation to be unconstitutional. AHIF accused OFAC of sloppy due process of law that included mishandled classified materials, unwarranted surveillance, and paid FBI informants. Although no links to financing terrorism were ever substantiated, AHIF became defunct due to frozen assets and public stigma. In February 2012 the director of AHIF, Sedaghaty was found guilty of money laundering and tax fraud. (Freeman, 2012)

Islamic American Relief Agency (IARA)

Islamic American Relief Agency (IARA) was a nonprofit charity headquartered in Columbia, Missouri. The organization was founded in 1985, and up until May 2000 The IARA went by the name Islamic African Relief Agency (Similar to a different charity in Khartoum, Sudan with alleged terrorist ties). The charity's mission was to provide: "...charitable and humanitarian aid to refugees, orphans, victims of human and natural disasters, and other poor and needy persons and entities throughout the world, without regard to faith or political

affiliation." (IARA v. FBI Agent, 2005: 12). IARA was designated a SDGT by OFAC on 13 October 2004, just days before the start of the Islamic holy month of Ramadan. Its offices were shut down that same day and all assets were blocked pending investigation (BPI).

The government suspected that IARA had affiliations with the above mentioned African Relief Agency in Sudan. Federal agents (using a sealed warrant) raided the IARA office and the home of its president, Sudanese-born Mubarak Hamed. With the IARA's case, the FBI deemed it necessary to preserve the element of surprise: "prompt action by the Government was necessary to protect against the transfer of assets subject to the blocking order. Money is fungible, and any delay or pre-blocking notice would afford a designated entity the opportunity to transfer, spend, or conceal its assets..." (IARA v. FBI Agent, 2005: 21) After further investigation, Federal prosecutors charged Hamed and the three IARA board members with a 33-count indictment in March of 2007. The IARA was accused of using its tax-exempt status to raise and illegally transfer money to Iraq from 1991 to 2003 in violation of Iraqi sanctions. Other indictments included money laundering, unlawful use of USAID relief money, theft of public funds, alleged support to al Qaida, use of tax-exempt funds for personal expenses and submitting false testimony. (DOJ Press Release, IARA, 2007)

The IARA case involved the criminal trial of former Michigan Congressman Mark Siljander (R), found guilty of: "obstruction of justice and for acting as an unregistered foreign agent, related to his work for an Islamic charity with ties to international terrorism." (DOJ Press Release, IARA, 2012) Siljander admitted to receiving payments to help get IARA removed from a Senate Finance Committee terrorist list. IARA filed an appeal, challenging the constitutionality of the OFAC blocking and the SDGT designation. The charity contended that IARA USA was not a branch of IARA Sudan and that classified evidence had been used in the

federal indictment. All appeals were overturned and in June of 2010, Hamed and the three board members were convicted of conspiracy to illegally transfer funds to Iraq in violation of federal sanctions. The court could not, however, substantiate charges of terrorist support. Like the previously listed charities, IARA is no longer in operation. Former Congressman Siljander was sentenced to a year in federal prison for "...obstruction of justice and for acting as an unregistered foreign agent." (DOJ Press Release, Jan 11, 2012)

KindHearts of Toledo:

Kindhearts, an Islamic faith-based nonprofit corporation in Toledo Ohio was incorporated in January 2002 by Khaled Smaili, former head of the two aforementioned charities; the Global Relief Foundation (GRF) and the Holy Land Foundation (HLF). Similar to GRF and HLF, Kindheart's mission was to: "... provide humanitarian aid without regard to religious or political affiliation." (Kindhearts v. U.S. 2009: 45) On February 19, 2006, federal agents conducted a warrantless raid of Kindhearts offices and the residence of Khaled Smaili. Simultaneously, Kindhearts assets were blocked pending investigation (BPI) based on incriminating "...information developed from abroad". (Treasury Press Release, Kindhearts, 2006) The U.S. Treasury alleged that Kindhearts subsumed the fundraising efforts of the closed HLF and GRF charities in order to provide support to Hamas organizations and Salafist groups in Lebanon. The charity filed a countersuit challenging the constitutionality of the blocking action, use of classified evidence, and the inability to use blocked funds to pay for a legal defense. After a year of investigation and multiple, unanswered legal inquiries from Kindhearts, OFAC eventually designated the charity a SDGT on May 25, 2007. Upon SDGT designation, Kindhearts received license to use blocked funds and the organization's attorneys were given access to *in camera* and *ex parte* evidence for legal defense. Although links to terrorism were

never substantiated, Kindhearts ceased to function as a charity since its blocking in February 2006.

The USA Patriot Act of 2001 proved effective in terms of freezing the charitable funds of U.S.-based Islamic charities. It was, however, stopgap legislation, and had an expiration date (In congressional legalese; Sunset Date) of December 2005. Legislative efforts had been underway since 2001 to pass an enduring version of the Patriot Act. On March 2, 2006, the president signed into law The USA Patriot Improvement and Reauthorization Act of 2005, Public Law 109–177 (Referred to as Patriot Act II). The government still viewed this law as essential to the War on Terrorism: “This legislation reauthorizes all expiring provisions of the USA Patriot Act, adds dozens of additional safeguards to protect Americans' privacy and civil liberties, strengthens port security, and provides tools to combat the spread of methamphetamine.” (DOJ Fact sheet: Patriot Act II) In addition to preserving counterterrorism measures from the original Patriot Act, the 2005 law added

- Expanded money laundering measures to include Hawalers and informal money networks
- Mandated a process of ‘minimization’ to reign in rampant evidence collecting by federal investigators and permit suspect US citizens a chance for legal defense. According to Patriot Act II, minimization is: “...procedures that are reasonably designed in light of the purpose and technique of an order for the production of tangible things, to minimize the retention, and prohibit the dissemination, of non-publicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information;” (Public Law 109-177, Sec 106 [g] [2] [A])
- Delayed notice search warrants – Tantamount to unannounced searches, this authorizes investigators to delay release of a search notice up to 30 days after a search should circumstances dictate. If ‘*good cause*’ can be shown, courts can delay release of a search warrant for multiple 90-day periods. (Public Law 109-177, Sec 114)

Goodwill Charitable Organization (GCO)

The last Islamic charity shut down during the Bush Administration was The Goodwill Charitable Organization (GCO). GCO was a 501(c)(3) non-profit organization headquartered in

Dearborn, Michigan, a city with: “the nation's largest concentration of Arab-Americans”, (Karush, 2006). The U.S. Treasury had cause to believe that GCO was: “...a Hizballah front organization that reports directly to the leadership of the Martyrs Foundation in Lebanon.” (GCO, www.treasury.gov) The Martyrs Foundation had long been suspected of incentivizing terrorism and providing money to families of suicide bombers. (Perry, Suzanne, Chronicle, 2007) On July 24, 2007, FBI agents searched GCO offices while the US Treasury blocked all GCO Assets, pending investigation. Immediately after the raid, FBI agents hosted an informational meeting with Muslim leaders in the Dearborn community to alleviate community concerns. Although no criminal charges were filed, GCO is still on the U.S. Treasury’s SDGT list and it remains shut down indefinitely.

Conclusion:

Since 1977, the U.S. government has issued twelve major policy changes in the form of legislature, executive orders, and federal publications that are designed to combat “Terrorist exploitation of the charitable sector” (U.S. Treasury Protecting Charitable Giving, FAQ, 2010). The Bush Administration has shut down a total of seven U.S.-based Islamic charities since 9/11. These closures do not include the six U.S.-based Islamic charities that have been subject to intrusive federal investigations: “...KinderUSA (Texas), Life for Relief and Development (Michigan), Al-Mabarrat (Michigan), Child Foundation (Oregon), Help the Needy (New York), and Care International (Massachusetts) have been declared under investigation or raided.” (ACLU, 2009: 12) The Obama administration to the date of writing has not shut down any Islamic charities; however, it did close down the Maryland-based Tamil Foundation, designating it an SDGT on February 11, 2009 for alleged ties to the terrorist organization Liberation Tigers of Tamil Eelam (LTTE) (treasury.gov).

In fact, the U.S. government has continued the practice of “Naming and shaming” (Clunan, 2006: 577) well beyond President Obama’s first term: “As of December 31, 2012, a total of 731 individuals and entities had been designated and remained listed as “Specially Designated Global Terrorists” or “SDGTs”...” (Terrorist Asset Report [TAR], 2012: 5) This number of SDGTs reflects an increase by 105 from the previous year (The largest since the SDGT list started in 2001). The table below summarizes the evolution of U.S. antiterrorism financing policies since the Cold War juxtaposed with eight U.S.-based charities shut down by OFAC. This figure served as a discussional tool for field research and is further analyzed in chapter three of this paper:

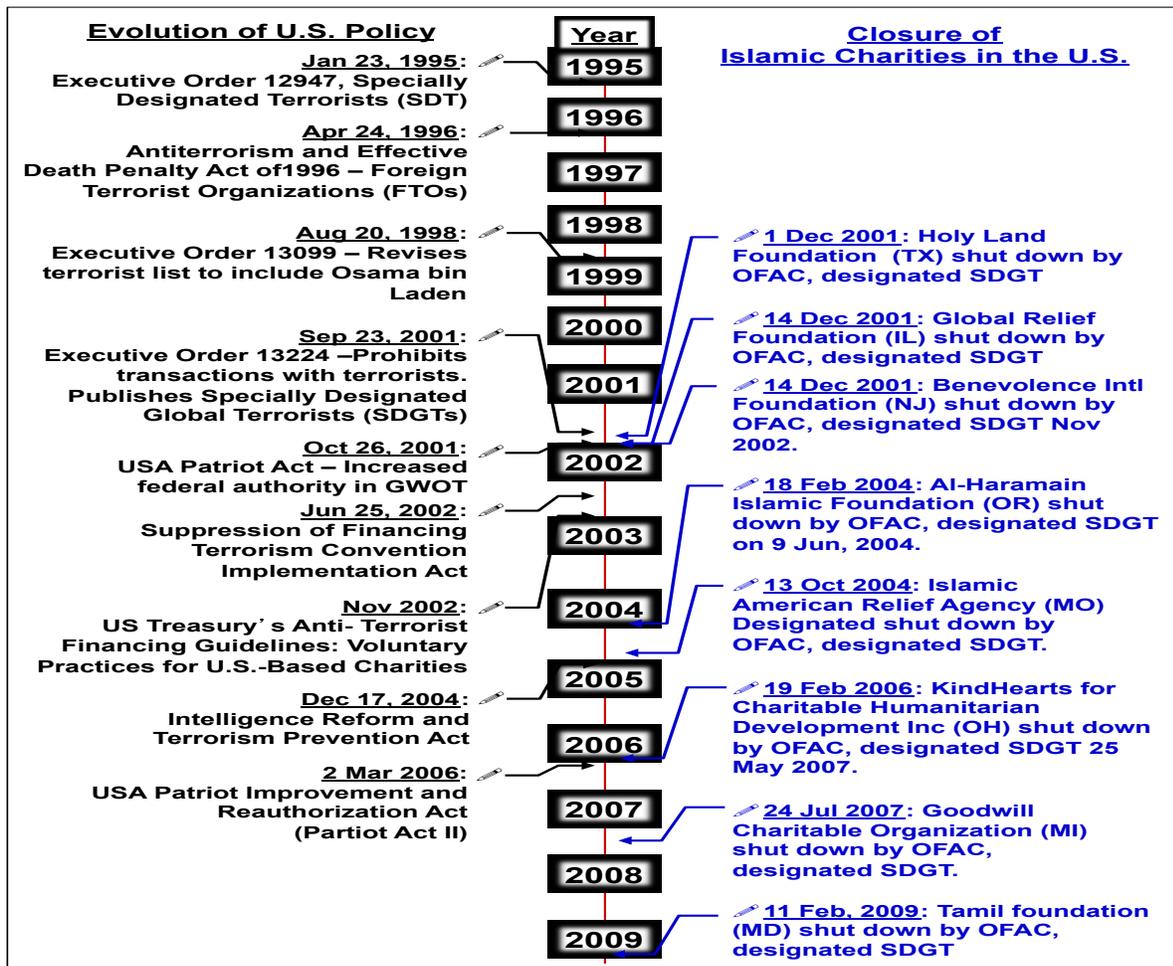


Figure 2: Timeline of U.S. antiterrorism funding policy and closed U.S.-based charities

U.S. antiterrorism policy has shifted from Cold War, executive level solutions (sanctions, retaliatory strikes, etc.) aimed at state sponsors to a decentralized agency-level counterterrorism program focused on domestic non-state organizations and individuals. Conversely, Islamic charities have evolved from rudimentary, state-sponsored entities into credible, transnational, non-state organizations that preserve a long-standing culture of Islamic philanthropy: “There is certainly merit in showing respect for a great, often neglected non-western religious and cultural tradition, with the aim of persuading Muslims that they ‘own’ International Humanitarian Law as much as Westerners do.” (Benthall, 2003: 57)

Since 2001, OFAC has cited blocked charitable funds each year as a measure of success in the U.S. counterterrorism program in its annual Terrorist Asset Report (TAR). As of the 2012 TAR, the treasury could boast: “...approximately \$2.3 billion in assets is blocked pursuant to economic sanctions imposed by the United States and administered by OFAC.” (TAR, 2012: 2) The enhanced powers of surveillance, seizure and prosecution decentralized to lower agencies have strengthened the government’s ability to scrutinize for possible domestic support to terrorism. Concurrently, media coverage has raised concerns that these powers run contrary to U.S. Bill of Rights: “By passing the Patriot Act last November, Bush and his compliant Congress have suppressed or abrogated or abridged whole sections of the First, Fourth, Fifth, and Eighth Amendments, ...”(Said, 2010: 155)

So far, the major points of friction between Islamic charities and U.S. counterterrorism mentioned in this chapter have generally been on the coasts or borders of the continental United States (New York, Michigan, Oregon, Texas, Chicago and Massachusetts). The Greater Kansas City area, which has a sizeable Muslim American population, appears to be surrounded by, but isolated from these events. Kansas City is cited as having the 98th largest Muslim population out

of 133 U.S. metropolitan centers. (Thearda.com) Surprisingly, however, Kansas City seems to be free of these friction points, a phenomenon that continues to drive the question: How do Muslim Americans in the Greater Kansas City Area view U.S. counterterrorism policies that securitize the nonprofit sector and stigmatize charitable giving? The next chapter will reveal research trends that lend insight to answering this question.

Chapter 2

Trends in Kansas City's Islamic Philanthropy

The previous chapter revealed anxiety within two sectors of American society: The U.S. Government obsession with national security and Muslim American anxiety over religious freedom and free association. This chapter shows the results of data collection and field research within Kansas City's Muslim American community. It provides trends and observations taken from an analysis of twelve nonprofit organization's tax records plus small group discussions with fourteen Muslim American volunteers. This research was driven by a single line of inquiry regarding Kansas City Muslim Americans: Did post-9/11 counterterrorism policies alter their charitable practices (*zakāt* and *ṣadaqah*) and do they perceive their civil rights to be at risk? The first hurdle in pursuing this thesis research was gaining access into this community

A degree of insularity:

Interaction with Kansas City Muslim Americans revealed a degree of insularity that made it a challenge to find volunteers and budgets for charitable organizations. One good example of such insularity is an office call that I had made to a mosque director in early October 2012. After giving a 30-minute research presentation and answering several pointed questions, I asked this director if he would give consent for his mosque's participation. This director did not agree to participate, nor did he disagree. Rather, he explained that he did not think this research applied to the patrons of his mosque. Notwithstanding, the director felt the topic was important to Kansas City and he agreed to provide research references and contacts. Determined not to walk away empty-handed, I presented other compelling reasons why this research was relevant to his mosque. Again, he restated that his community was probably not the audience I required. I asked for clarification; was he declining to participate in this study? This director simply

restated that he saw no research benefit coming from his mosque. The obtuse response lacked finality; I could not determine if he declined to participate or was looking for a stronger argument. After our meeting, I continued to include this director in all ‘networking’ emails related to my research; however, I have not heard from him since.

Similarly, I sought to recruit the coordinator of a major Islamic charity in southern Kansas City. What started as phone calls and emails in early summer of 2012 proceeded to a face-to-face introduction at a September 2012 charity banquet. I made repeated attempts to pitch my research, but this coordinator remained aloof. In mid-October I located him at a Muslim outreach seminar at the Islamic Society of the Greater Kansas City (ISGKC). This outreach (*da’wah*) was a response to the recent controversy over a July 2012 Internet video that mocked the prophet Muhammad: “The Innocence of Muslims” (Kovalesky, Barnes, 2012). The purpose of the seminar was to address public misconceptions of Islam and highlight the Prophet Muhammad’s benevolent nature. After the seminar I solicited this coordinator one last time to participate in my research:

Me: “I would love to get on your schedule to show you my research efforts.”

Coordinator: “Yes, of course. So, you are a Muslim right?”

Me: “No sir I’m a Christian. But I told you this from when we first met.”

Coordinator: (Smiling, looking off in the distance) “Well my office is too busy; we don’t have time for this research. But I can answer any questions you have about Islam.”

Me: (dumbstruck) “Uh...no...but thank you (name struck) for your time.”

While these responses could be viewed as evasive, I believe they are a natural degree of caution endemic to the Muslim American community. Several Muslims I had encountered asked specifically why I chose to conduct this research; what did I hope to achieve with my studies? One individual went so far as to protest, “You are not even Muslim!”

There are several legitimate explanations for this perceived insularity and ambivalence. First and foremost, opinion polls, surveys and research studies can be intrusive and annoying. Second, efforts to gather names, contact information and personal opinions might be perceived as intelligence collection against members of the community. Lastly, Muslim Americans are hard-working, tax-paying citizens: showing up to conduct a survey can be perceived as a direct challenge to one's Muslim identity and citizenship. The 2011 anthology Arab Detroit 9/11: Life in the Terror Decade, provides a possible explanation for the Muslim frustration with research inquiries: "What is unexpected, however is the odd way in which every attempt to assert American identity must involve a simultaneous stigmatization of any sense of Arab identity that includes a strong identification with religious beliefs, political ideologies, and cultural practices that are genuinely alternative to those prevalent in America today. To reassert their status as 'good' and 'loyal' and worthy of respect, Arab Americans must distance themselves not only from negative stereotypes, but also from the people who are most likely to suffer from these images and their consequences." (Abraham, Howell, Shryock, 2011: 9) Given this barrier, I proceeded with data collection and field research that did not necessitate personal interviews or surveys.

Charitable Budget Comparisons

The first part of this research was a comparison of the charitable budgets of Islamic organizations in the Greater Kansas City Area with an aim to determine if post 9/11 policies had adversely impacted donation patterns over the past five to ten years. It quickly became apparent that organizations, as with individual interviewees were reticent to provide budget information; of the three mosque directors solicited in Southeast Kansas City, each declined to share this

information. Consequently, this research effort relied on data mining income tax information for organizations that are 501(c)(3) nonprofit organizations.

The IRS defines a 501(c)(3) organization as: “...tax- exempt organizations such as religious, charitable, scientific, literary, educational, amateur athletic organizations, and testing for public safety.” (IRS Pub 557, 2011: 23) The IRS Form 990 is specifically designed to report the annual budgets for nonprofit organizations. The tax records used for this research were accessed through the online database mentioned in chapter 1: www.irs.gov/Charities. The current standing of all twelve 501(c)(3) organizations was corroborated through other credible websites (www.guidestar.org, charityblossom.org, and nonprofitfacts.com). The form 990s provide useful information about an organization to include address, contact information, nonprofit mission, board members, Employer Identification Number (EIN) and nonprofit category (referred to as National Taxonomy of Exempt Entities [NTEE]).

When filed correctly, the Form 990 can also provide a five-year snapshot of an organization’s annual budget. In particular, Schedule A, Part III of this form lists those “Gifts, grants, contributions, and membership fees received”. A call to the IRS office in November 2012 revealed that this is where one would find charitable funds. To illustrate the point, an extract is provided below that shows a charity’s funds from 2006 to 2010:

Schedule A (Form 990 or 990-EZ) 2010							Page 3
Part III Support Schedule for Organizations Described in Section 509(a)(2)							
(Complete only if you checked the box on line 9 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)							
Section A. Public Support							
Calendar year (or fiscal year beginning in) ▶	(a) 2006	(b) 2007	(c) 2008	(d) 2009	(e) 2010	(f) Total	
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants")	108,226	105,920	198,349	139,737	122,008	674,240	

Figure 3: Extract from Schedule A, IRS Form 990 (guidestar.org/FinDocuments)

Another challenge encountered in open source research was finding records that showed successive tax data from 2001 to present. Initial data mining yielded IRS Form 990s for eleven

Islamic faith-based organizations in the Greater Kansas City Area. There were, however, no tax returns that predated 2003, and three of these were newly formed nonprofit organizations with only two years' of tax returns. Moreover, two 'mature' organizations only had Form 990s for two consecutive years. With these limitations, I narrowed my list down to six Kansas City Islamic organizations with income tax data that covered a four to seven year period.

Budgetary analysis necessitated a comparison of these organizations to similar non-Muslim organizations in order to highlight similarities and disparities. Accordingly, I sought to pair each of the six Muslim charities with the records of six similar non-Muslim organizations (religious or secular) with a close match in zip code, NTEE category and charitable mission. This was an attempt to ensure contrasted organizations were subject to comparable economic and social factors. I believe that if U.S. policies and closed charities discouraged Islamic philanthropy, then one might witness adverse trends with Muslim charities and more favorable trends with non-Muslim organizations. Identifying non-Muslim organizations revealed same challenges encountered in locating successive and complete tax records for Muslim organizations. The six non-Muslim organizations identified are similar, but not identical to their Islamic counterparts. In most (but not all) cases, there is a match in type, (e.g. place of worship, Ethnic and immigration services or civil rights advocacy). In most (but not all) cases there is an exact match in zip code. These six pairings are the closest and optimal match given the limited tax data available to the public. A spreadsheet of all twelve nonprofit organizations is depicted below, showing Employer Identification Number (EIN), name, zip code, NTEE category, and charitable budgets for available fiscal years. Charities are also paired together in this table for comparison and analysis (e.g. the Somali Bantu Foundation of Kansas is listed above the Strawberry Hill Ethnic and Cultural Society). The earliest income tax return on this spreadsheet

dates back to 2003, with the Muslim American Society in Overland Park, Kansas. Conversely, two Islamic organizations and four non-Muslim organizations have tax data as recent as fiscal year 2011. There are also external factors beyond this research that likely affect the flow of philanthropic contributions from year to year (closed charities, natural disasters, and unemployment rates [bls.gov]). An effort has been made to depict these factors in all budget tables and charts for the reader's reference. These factors will be discussed later in Chapter 3: Analysis.

EIN	Name	Zip Code	NTEE Category	Founded	2003	2004	2005	2006	2007	2008	2009	2010	2011
20-5548667	Somali Bantu Foundation	66101	Q-19, Public Charity	2007						\$7,510.00	\$6,122.00	\$7,412.00	\$7,220.00
48-1055577	Strawberry Hill Ethnic and Cultural Society	66101	A-50, Cultural, Historical	1988			\$32,884.00	\$47,839.00	\$37,591.00	\$24,205.00	\$26,988.00	\$25,771.00	\$24,808.00
36-3885457	Muslim American Society	66212	X-99, Religion	1995	\$2,368,948.00	\$2,073,634.00	\$2,802,909.00	\$2,765,517.00	\$4,048,824.00	\$4,659,565.00	\$4,477,767.00		
31-1653805	National Fellowship of Catholic Men	66210	X22, Catholic	1999		\$117,357.00	\$80,431.00	\$110,269.00	\$142,251.00	\$107,394.00	\$63,826.00	Not Reported	\$49,368.00
43-1716484	Islamic School of Greater Kansas City	64134	B-20, School	1999					\$158,374.00	\$134,210.00	\$130,280.00	\$141,768.00	
43-6041686	Stonecroft Ministries	64134	X-20, Religion	1955				\$4,938,153.00	\$4,346,915.00	\$3,840,114.00	\$2,517,699.00	\$2,594,923.00	\$2,185,152.00
43-1754015	Islamic Women's Society of Greater Kansas City	64128	R-20, Civil Rights Advocacy	1997			\$36,800.00	\$3,053.00	\$2,625.00	\$864.00	\$1,982.00	\$3,035.00	\$2,408.00
43-1401328	Jackson County CASA	64108	P30, Childrens Services	1986			\$737,579.00	\$709,686.00	\$649,584.00	\$619,622.00	\$634,695.00	\$902,574.00	\$1,236,274.00
43-1844824	Somali Foundation, Inc	64127	P-84, Ethnic Immigration	1999		\$44,503.00	\$157,002	\$108,226.00	\$105,920.00	\$198,349.00	\$139,737.00	\$122,008.00	
44-0558260	Don Bosco Centers	64124	P-84, Ethnic Immigration	1975		\$1,608,842.00	\$1,134,749.00	\$1,610,691.00	\$1,666,811.00	\$1,910,858.00	\$1,710,540.00	1,837,623.00	
56-2346638	Islamic Center of Johnson County	66221	X-40, Islamic	2003					\$131,377.00	\$156,244.00	242,476.00	\$181,256.00	
48-0608889	Kansas City College and Bible School Inc	66204	B-24, School (Christian)	1947					\$406,785.00	\$782,069.00	\$704,532.00	\$813,844.00	

Year	KC Unemployment Rate
2003	5.5%
2004	6%
2005	6.10%
2006	5.7%
2007	5%
2008	5.7%
2009	8.9%
2010	8.9%
2011	8.10%

LEGEND: Islamic Christian Nondenominational OFAC Block/designation of U.S. Charity KC Unemployment Rate

Table 1: Annual charitable budgets for Kansas City Charities

To gain a visual comparison between Islamic and non-Islamic organizations, these pairings are plotted side by side on line graphs depicted in Appendix B-1 through B-6. It must

be noted that the scales on each Y-axis are different in order to accentuate differences in budgetary organizational performance. In other words, some charities manage budgets in thousands of dollars, others in millions. The research technique used is not comprehensive, nor entirely conclusive and there are some erratic peaks and valleys in the data points from year to year. When viewed from a half-decade perspective, however, (2005 to 2011) this research presents some encouraging observations about Kansas City's Islamic organizations:

- Four of the six Islamic organizations had a marked increase in revenue from 2006 to 2010 ranging from a 15% to a 61%. (Appendices B-1, B-2, B-5 and B-6)
- Two Islamic organizations had growth patterns similar with their non-Muslim counterpart (e.g. The Somali Foundation grew over 170% from 2004 to 2010, while the Don Bosco Centers grew 14% in that same period) (Appendices B-5 and B-6)
- The Somali Bantu Foundation took a divergent path from its non-Muslim counterpart, growing 44% from 2007 to 2010. In that same period, its counterpart, The Strawberry Hill Ethnic and Cultural Society (nondenominational organization) experienced a 34% loss. (Appendix B-1) A similar divergent pattern occurred between the Muslim American Society and the National Fellowship of Catholic Men in Overland Park, Kansas. The former grew by 61% from 2006 to 2009 while the latter shrank by 42%. (Appendix B-2)
- The 10% decrease in revenue experienced by the Islamic School of Greater Kansas City from 2007 to 2010 coincides with Stonecroft Ministries 40% decline in revenue during that same period. (Appendix B-3)
- Of all data sets, the Islamic Women's Society of Greater Kansas City appears to be an anomaly. (Appendix B-4) Tax records suggest that it started with a \$36,800.00 grant in

2005, 90% of which was expended by the organization within the first year. After 2005, all income for the Women’s Society appears to be generated from “...admissions, merchandise sold or performed, or facilities furnished in any activity that is related to the organization’s tax-exempt purpose.” (guidestar.org/FinDocuments). Oddly enough, the budget for the Women’s Society behaved similarly to its non-Muslim counterpart, The Jackson County Court Appointed Special Advocates (CASA). From 2006 to 2008, both the Women’s Society and CASA experienced budget losses of 71% and 16%, respectively. Conversely, from 2008 to 2010, both experienced budget growth by 250% and 45%, respectively.

Given observations from the available income tax data, it appears that Islamic faith-based organizations in Kansas City generally performed as well as their non-Muslim counterpart organizations in the decade following 9/11. In some cases, Muslim charities performed better. If there was an atmosphere of anxiety in Kansas City resulting from U.S. counterterrorism policies or anti-Muslim sentiment, it did not seem to affect these six charities. Even so, these observations are far from comprehensive. The six Muslim organizations described above reflect only 22% of the 28 Islamic organizations identified in Chapter 1. Furthermore, there is no reliable way of gaging how much of each organization’s “gifts, grants, contributions, and membership fees”, constituted genuine charitable donations. Further analysis of these budget observations and external socioeconomic factors will have to be discussed in the next chapter.

Focus Group Discussions:

The goal of this field research was to facilitate focus group discussions comprised of one to five individuals in size and using broad questions to gage Kansas City Muslim’s perceptions, specifically:

1. Awareness of U.S. antiterrorism funding policies
2. Knowledge of U.S.-based Islamic charities that had been shut down.
2. Any perceived risks to civil rights.
3. Any noticeable impact to charitable practices over the last 10 years.

Trends and observations obtained from focus group discussions lend insight into the thesis topic:
Did post-9/11 policies and national media attention impact Islamic charitable practices in Kansas City?

I initially sought to conduct focus group discussions over other verbal measures as they encourage a greater degree of interaction. This conviction is stressed by Adil Najam in his philanthropic research: "...participants were able to discuss the issues related to diaspora philanthropy in more general terms, could ask questions and gain a sense of comfort about the nature and purpose of the research, and could contribute to a more nuanced analysis of current and emerging trends." (Najam, 2006: 14). As mentioned earlier in this chapter, finding participants was a challenge.

By the end of November 2012 I began to worry that I would not find volunteers for this research. For over six months, I had inserted myself into routine Muslim American events in southern Kansas City. I was not achieving ethnographic immersion, but in the spirit of Emerson, Fretz, and Shaw's, Writing Ethnographic Field Notes, I may categorize my presence as 'watered-down participant observation'. In that half year, I visited prayer halls, made office calls, attended banquets, and even participated in an interfaith walk. The time in between was filled with dozens of emails and telephone correspondence. One mosque director agreed to publish a notice for my research in the mosque circular and another director had scheduled an introduction at a Friday *Jum'ah* prayers in early November. However, this introduction was postponed twice. I spent the evening of 25 October 2012 laying out prayer mats at the Overland Park Convention

Center for the Feast of the Immolation *Eid al Adha*. Twelve hours later, I attended the *Eid* Morning Prayer with one mosque and then proceeded to the brunch at another mosque. The results of my labor were not encouraging; six months of networking had yet to yield a single volunteer for my research. Although I had selected four Islamic organizations in Southern Kansas City from which to solicit volunteers (three mosques and one relief organization), but only one mosque showed potential for participation.

At 1:45 pm on Friday, 30 November 2013, I found myself in the Islamic Center of Johnson County's (ICJC) prayer hall during *Jum'ah* prayer. I had attended prayer sessions before and always sat at the back of the hall in quiet reflection. This time, however, the hall was full to capacity. The ICJC is a repurposed ranch style home and at one time, the men's prayer hall was a walk-in basement. There was no place to sit in the back or to wait off to the side. I took a prostrate position among the worshippers; however, I did not know the details of Muslim prayer. I barely managed to follow the prayer cycle (*rak'ahs*) of the men in my periphery. With my forehead to the clean carpet, it seemed an opportune time to put in a request for divine help with my research. I did so, and managed to make it through the sermon (*khutbah*) and prayers without embarrassing myself. Getting off the ground, I made introductions with nearby congregants and within seconds the mosque director (Aref) turned on the PA system to make an announcement. I anticipated that he would announce my research.

Before visiting the mosque, I emailed Aref some carefully measured talking points to make my introduction. He announced my presence, but what came over the loudspeaker was not my talking points. Rather, Aref stated (paraphrased): "People, I want to draw your attention to Joe Hall. He is a KU graduate student doing important research about charity. He needs your help and this research will be used to make important changes for Muslims in America." My gut

sank upon hearing the extravagant promise of my research. Notwithstanding, Aref seemed to know it was the right thing to say. I was flooded with a small crowd that afternoon, and began soliciting for volunteers. I was quick to explain to the group that the *real* purpose and outcome of my research was to inquire about Islamic charity in Kansas City. By the close of that Friday, I had gained enough contacts from the Islamic Center of Johnson County (fourteen volunteers) to begin my research.

Islamic Center of Johnson County (ICJC): Meeting the needs of a community

The physical building of the ICJC mosque has been used for religious purposes since 2004. As a group, however, the ICJC began worshipping three years prior to that. A survey conducted by prominent Muslims in Johnson County in 2002 revealed a sizeable Muslim American community in need of a place of worship: “Counting family members of the respondents, the group determined more than 3,500 Muslims live in the county.” (Hansen, 2005) Before this inchoate congregation obtained a mosque, worshipers attended mosques in other counties or in makeshift prayer halls. With the guidance of a few strong community leaders, the Islamic Center of Johnson County coalesced in March 2000, to form a Kansas-based 501(c) (3) tax exempt organization with a stated goal to: “...serve the spiritual, religious, and communal needs of Muslims in the cities of Overland Park, Leawood, and Olathe by establishing and operating a permanent Islamic Center in south Overland Park, KS.” (icjc.org)

The ICJC went without a permanent home for over four years, but by early 2004, the organization purchased a small house with a four acre plot from a married couple in Oxford Ranch, a subdivision of Overland Park, Kansas. The house was a late 1980s one story ranch style home with four bedrooms and a finished, walkout basement. Overall, the price tag ran slightly over \$500,000.00, but enough community support was generated to secure a mortgage.

The Kansas City Star announced the inauguration of the ICJC accordingly: “In accordance with Islamic prohibition against loan interest (*Ribā*) the Johnson County Muslim community raised enough money to make the first loan payment in 2005” (Hansen, 2005). By early 2005, the mosque was in full operation, with the distinction of being Johnson County’s “first permanent mosque” (Hansen, 2005).

Not to be hampered by the architectural design of a ranch style home, the congregation repurposed all aspects of this building to create a place of worship and cultural education. The garage was refurbished to accommodate multiple ablution or washing stations. The walkout basement became the main prayer room for males, and the rooms on the first floor became the women’s prayer room, classroom area, and administrative offices. In recent years, the mosque added a 30-car capacity parking lot, which gets noticeably full at each Friday prayer (*Jum’ah*). Despite this success, plans are in the works to relocate the mosque to a future ICJC Campus; stunning architectural renderings can be found online at: icjc.org. Repurposed buildings such as this have become a nation wide trend for Muslim Americans as observed in the 2011 U.S. Mosque Study: “Suburban mosques are re-tracing the old pattern of purchasing or renting a building initially and then embarking at a later date on building their own facility. This process is likely due to the fact that almost all mosques do not seek loans from financial institutions, because of the Islamic ban on interest (*Ribā*). Mosques must, therefore, first increase membership and confidence in order to start the process of building a mosque.” (Mosque Study, 2011: 11) It became quickly apparent in my focus group discussions that most of the volunteers for this study have been with ICJC since its formation.

Focus group discussions:

The focus groups ranged in size from one to four people and were conducted at various locations in the Johnson County area (restaurants, coffee shops, libraries, and in one case, a residence). Interview times were scheduled generally outside of prayer times, work hours, and family schedules, but in all cases, they accommodated the needs of these participants. Although the group of respondents was small, it was surprisingly diverse. Three volunteers were female and eleven were male. Ten were Pakistani born, three were from India, and one did not disclose nationality. Thirteen of the interviewees attended the Islamic Center of Johnson County, and one attended the director of Islamic Society of Greater Kansas City. Two of the respondents are mosque board members. Although no ages were asked, all respondents affirmed they were over 21 years of age and all attended the mosque regularly. The only personal information asked was first name, last name, number of years living in Kansas City and number of years attending their mosque.

After reviewing and signing an informed consent statement (Appendix C), these volunteers were given an overview of research objectives and then shown the time line from Chapter 1 depicting the evolution of U.S. policies since 9/11. Three broad questions formed the focal point of my group discussions. The questions were intended to stimulate a diversity of responses and capture prevailing concerns regarding Islamic philanthropy in Kansas City and individual rights. An expected outcome of these meetings was to determine if the volume of charity had changed over the last eleven years of U.S. policy changes, mosque closures and negative media. Specifically, the three questions asked were:

- 1. What kinds of charitable donations does the mosque receive, and which form of charity is the most frequently given/bestowed?**
- 2. How do you distribute these charitable contributions to the poor or needy?**
- 3. Are there any impediments to receiving and distributing charitable resources?**

During all interviews, I restricted myself to brief, handwritten notes to keep volunteers focused. Shortly after each meeting, I committed all observations to detailed field notes. Discussions were kept informal and open, allowing interviewees to converse freely while supplying leading questions. In some cases, respondents drifted off topic, but small group discussions always returned to the three interview questions above. For purposes of this research, the fourteen volunteers were given a common Muslim pseudonym to preserve confidentiality and for quick reference. The figure below depicts general demographic information of these interviewees.

Pseudonym	Interview Date	Occupation	Mosque	Country of Origin	Years with Mosque	Years in KC
FARHAN ♂	12/08/12-A	Engineer with Sprint	ICJC	Pakistani	7	11
IMRAN ♂	12/08/12-A	Engineer with Sprint	ICJC	Pakistani	5	5
ASIF ♂	12/08/12-A	Retired City Planner	ICJC	Pakistani	10	40+
TARIQ ♂	12/9/12	Undisclosed	ICJC	Indian	9	14
AFSANA ♀	12/9/12	Home maker	ICJC	Indian	9	14
LAILA ♀	12/9/12	Home maker	ICJC	Pakistani	6	6
YUSUF ♂	12/9/12	Undisclosed	ICJC	Pakistani	6	6
HAMZA ♂	12/13/12	Teacher; KU Med / Public Health Researcher	ICJC	Pakistani	10	16
ASAAD ♂	12/15/12	Professor, Math & Science, KCKCC	ICJC	Indian	10	19
ESHAL ♀	12/1/12	Charity coordinator	ICJC	Pakistani	7	7
AREF ♂	12/1/12	Chief of Orthopedics, KC VA Med Center	ICJC	Pakistani	10	10
ADNAN ♂	11/9/12	Manager: ISGKC	ISGKC	Did not disclose	11	22
OMAR ♂	12/08/12-B	Board Member at Islamic Center of KS, INC	ICJC	Pakistani	5	5
IBRAHIM ♂	1/27/13	Electrical Engineer, Ericsson	ICJC	Pakistani	10	15

Table 2: Volunteers from the Islamic Center of Johnson County (ICJC)

Even though these respondents had volunteered to participate, there was still an element of insularity within the focus group discussions. Seven of the fourteen individuals were observed to

speaking freely and with candor while rest demonstrated varying degrees of hesitancy. This was the case in spite of my best efforts to pose broad, open-ended questions. By volume, these were the overall responses:

Question 1: What kind of charitable donations does the mosque receive, and which is the most frequent?

- Cash contributions were the most frequent response; all fourteen respondents indicated that cash contributions were the most common form of charity. One individual went as far as to say: “*zakāt* equals cash” (Omar, interview with author, December 8, 2012). Six said that cash was often given to avoid any kind of paper trail that could lead to federal scrutiny. Another six volunteers said that they gave blank checks to the mosque director to eliminate the burden of researching legitimate or approved charitable causes.
- Ten respondents said that monetary contributions were given directly to the mosque director. This was done with the conviction that a director understood the community’s most pressing need and also because the mosque assumed responsibility for finding a credible charity. The implication from discussion was that donors would not be guilty of mishandled charity if they left it up to the mosque to decide.
- Ten respondents discussed clothing articles as charitable items (one added appliances & household items). Another stated that he regularly took used winter coats to needy people in his Pakistani hometown.
- Eight cited volunteering as a form of charity; in two cases, this was within the Greater Kansas City Area. One respondent mentioned a group of volunteers sent in response to the May 2011 Joplin tornado disaster (Harrop, Dallas Morning News: 2011).

- Seven interviewees mentioned stable food items as a charitable good, although prevailing opinion was that this was less frequent because Kansas City's food shelters were better suited to manage food items than mosques.
- Five volunteers stated that educational charity in the form of school supplies and backpacks was also a common practice in Kansas City and abroad.

Question 2: How do you distribute charitable contributions to the poor or needy?

- Seven interviewees claimed that charity was sent directly to their country of origin; four had personally brought charitable funds to their home cities in Pakistan and India.
- Another half of the respondents claimed to personally know the recipient of their charity – whether it was a family member, close friend or a neighbor in need.
- Ten volunteers indicated that they contributed to short notice charity drives at Friday prayers (*Jum'ah*). These drives were generally for natural disasters such as the 2010 Pakistan floods or the 2011 tornado in Joplin, Missouri. Roughly half of these respondents felt uncomfortable donating because it was difficult to verify the credibility of charitable organizations on such short notice. As mentioned previously, cash or blank checks were given in these cases to reduce paper trails or defer decision making to the mosque.
- When asked to expand on who the 'needy' were the interviewees provided compound answers. Two were adamant that the mosque knew best who needed charity. Three individuals believed that the needy were those suffering from conflict or natural disasters in their native countries. Another three felt that the newly arrived Muslim Americans (e.g. Somalis) were in need of charity. Two interviewees were concerned for at-risk Muslim American women that were victims of abuse and poverty. Three indicated that

the infirmed and those without health insurance were in need of charity. Another three respondents highlighted education (instruction to the Muslim youth and educational outreach [*da'wah*]) as a legitimate form of charity. An unexpected response given by seven respondents was that the mosque itself was the focus of charity. The conviction being that the mosque was an important component of Islamic communal stability and cultural identity. Charitable contributions for mosque upkeep, repairs and expansion were deemed essential, a sentiment echoed by Adil Najam in his work: "To the extent they give to faith-based organizations, the vast bulk of this giving is to places of worship in the US that are as much centers of community and social congregation as of religious congregation." (Najam, 2006: 178)

Question 3: Are there any impediments to receiving and distributing charitable resources?

- Eight volunteers expressed concern over government backlash associated with inadvertent contributions to a prohibited organization. These respondents feared possible blacklisting, censure, penalty fines and even detainment.
- Thirteen respondents expressed suspicion that the government conducted surveillance of the Muslim American community in general.
- All fourteen interviewees indicated that they exercised greater caution in locating credible charities within the last 5-10 years.

Regardless of the specter of surveillance and discrimination, nine respondents expressed optimism about a future in the United States. Specifically, that America offered more philanthropic opportunities than their country of origin. Moreover, two respondents believed that conditions in the U.S. were improving; more non-Muslims were making an effort to

understand Islam and make cultural accommodations (e.g. prayer rooms added to hospitals). On the question of the volume Islamic contributions since 9/11, focus group results are less conclusive: Two volunteers felt there was no change in the volume of philanthropy in the past ten years. Six respondents did not answer the question and only one contended that charity had increased in Kansas City. Five individuals were convinced that charity had decreased since 9/11.

Overall observations from the fourteen ICJC volunteers suggest that Kansas City Muslim Americans practice a diverse range of philanthropy (*zakāt* and *ṣadaqah*), through innovative channels. This charity is directed at: the family level, the Kansas City Area, disasters across the U.S. and impoverished communities overseas. Although the volume of Islamic charity since 9/11 is difficult to gauge from focus group results, U.S. counterterrorism policies have made a discernible impact on Kansas City's Muslim American community. Prevailing concerns of surveillance and government backlash create a perception that Muslim American donors are ascribed 'guilt by association' to terrorist organizations. Consequently, most respondents have invested more effort in researching nonprofit organizations while expanding charitable contributions to causes outside of the Muslim community since 9/11. Additionally, Kansas City's Muslims have diversified charitable methods beyond monetary practices that involve government oversight (e.g. volunteerism and second-hand goods). Encouraging trends from budget analysis coupled with focus group discussion findings suggest that *zakāt* and *ṣadaqah* are resilient traditions that continue in The Greater Kansas City Area in spite an anti-Muslim sentiment expressed through U.S. policy and media. Further analysis and discussion of these trends will be covered in the next chapter.

Chapter 3

Analysis

The two previous chapters have been an attempt to describe the national security mindset and outline trends in Kansas City's Islamic philanthropy. This chapter makes an interpretation of the counterterrorism timeline, and research data from Chapters 2 to draw a conclusion regarding the primary thesis question; How have U.S. counterterrorism policies affected Muslim American charitable practices and civil rights in Kansas City since 9/11? First, this section discusses the fallout from America's counterterrorism policies since 9/11 and the resultant impact on Muslim American civil rights. Second this chapter explores the findings from budget analyses and focus group discussions against the backdrop of various socioeconomic factors to account for the performance of Muslim American philanthropy since 9/11. Lastly, this chapter highlights the positive attributes of Kansas City's Muslim Americans derived from this analysis.

Islam as a racial minority:

The chronology of U.S. policy listed in Chapter 1 betrays a Muslim stereotype that easily predates the 1977 International Emergency Economic Powers Act (IEEPA). Prior to the Second World War, the U.S. governmental perspective of the Muslim demographic was generally through an ethnical and cultural lens: "'Ethnicity' theory replaced biological, race-based theories [for the U.S.] in the 1930s; however, 'ethnicity,' like 'race,' remains a nebulous term, often denoting 'group formation based on culture and descent.'" (Saliba, Suleiman, 1999: 307) This pejorative view continued forty years later with U.S. media portraying Muslim and Arab types as: "...sadistic, treacherous, low. Slave trader, camel driver, moneychanger, colorful scoundrel..." (Said, 1978: 286) Still, with this ethnic typecast, white America viewed its Muslim diaspora as benign: "...post-1965 American Muslim immigrants..., came not as political or

religious refugees, but as economic migrants who became acculturated to the norms of American society...” (Akhtar, 2011: 772) Until the 1990s, America would continue to view Islam as: “...deficient and archaic” (Haddad, 2011: 54), often characterized by: “...mob scenes contextualized by themes of anger, violence, and rote behavior.” (Cainkar, 2011: 153) The government’s ethnic approach to identifying the Muslim demographic is evident in the 2000 U.S. Census (described in the introduction), which lists ancestral nations of origin for ‘select groups’.

The U.S. government perspective on Islam shifted from ethnicity to race within the decade running up to the 9/11 attacks. Consider this extract from a 1999 study on antiterrorism law: “Now fear of terrorism surfaces in the airlines passenger profiling of Arab Americans started in the aftermath of the Oklahoma City bombing and the TWA 800 disaster.” (Suleiman, 1999: 87) The statement is a haunting precursor to racial themes that emerged in focus group discussions and the literature I have encountered in this research (Greenburg, Roth, Wille, 2004: 57; Ratner, 2012: 611; Cesari, 2004: 40; Cainkar, 2009: 153). Interestingly, the 2010 census altogether eliminates the ethnic question, breaking down Kansas City’s population into nine race groups and the total number of foreign-born persons. (factfinder2.census.gov) Kansas City’s Muslims could self-identify any one of the 2010 Census groups: White, black, African American, Asian or foreign-born. Ironically, U.S. leaders projected cultural respect for Islamic tradition, as demonstrated in the preamble to the 2001 USA Patriot Act:

- (1) *the civil rights and civil liberties of all Americans, including Arab Americans, Muslim Americans, and Americans from South Asia, must be protected, and that every effort must be taken to preserve their safety;*
 - (2) *any acts of violence or discrimination against any Americans be condemned;*
and
 - (3) *the Nation is called upon to recognize the patriotism of fellow citizens from all ethnic, racial, and religious backgrounds.*
- (Public Law 107-46, 2001: Section 102)

This law singles out Arabs and Muslims on its first page; an unnecessary measure because the Patriot Act is meant to protect all American citizens. This preamble alone could be admission of efforts to racialize Islam and Muslim Americans. The heavy-handed approach to U.S. counterterrorism policy and concerted efforts to target Muslim Americans, suggests that the Patriot Act may be tongue-in-cheek legislation. Islamic Scholar Iqbal Akhtar puts forward an interesting view on the ‘racialization’ of Islam in the United States: “In reaction to September 11, first and second generation American Muslims of South Asian and Arab extraction were placed in the political category of the racial ‘other.’” (Akhtar, 2011: 769)

Aside from the Oklahoma City bombing (Cainkar, 2009: 108) and the TWA disaster mentioned above, other experiences may account for the change of U.S. racial conscience to include; the 1991 Gulf War, the 1998 embassy bombings in Tanzania and Kenya, and the 1993 Middle East Peace Process (Burr, Colins, 2006: 213). For whatever reasons, this new U.S. perspective towards race corresponded with a noticeable change in younger Muslim Americans: “Second-generation American Muslims, in contrast [to first-generation], are thoroughly Americanized, generally adopting the civil religion and the civic ideal of equality. When confronted with perceived discrimination, they react negatively and viscerally.” (Akhtar, 2011: 773) The implementation of U.S. policies (that treat Islam as a race) on a population of Muslim Americans (dissatisfied with the status quo) has created ongoing, civic debate. Critiques of U.S. counterterrorism policies are recurrent throughout the literature on this topic and continue to beg the question; How have these policies affected Muslim Americans in The Greater Kansas City Area? They form the dialogue central to the Muslim American civil liberty debate and warrant further review.

Policy Analysis:

As described in chapter one, the Holy Land Foundation (HLF), Global Relief Foundation (GRF), Benevolence International Foundation (BIF), Al-Haramain Foundation (AHIF), Islamic American Relief Agency (IARA), Kindhearts of Toledo and Goodwill Charitable Organization (GCO) were shut down under the auspices of U.S. antiterrorist funding policies for allegedly providing support to terrorist organizations. These closures reveal multiple instances when U.S. policies appear to trump basic constitutional rights for Muslim Americans. The resulting damages are now well codified in civil-liberty publications and legal journals, but they merit a brief review for purposes of this analysis. Those U.S. Constitutional rights that appear to be jeopardized by measures in U.S. counterterrorism policy are discussed below.

1. Attacks on first amendment rights: *“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”* (senate.gov/civics)

A charitable donation to a nonprofit organization is an act of free association. Communicating with charitable organizations or other donors that share similar values is also freedom of speech. Each step in the government’s “designation-and-asset-freezing approach” (Clunan, 2006: 592) to shutting down charities is an opportunity to suppress free speech and association. The three steps below are the most contentious:

a. Specially Designated Global Terrorist (SDGT) designation: Terrorist designations are an immediate means of suppressing association. This program automatically prohibits anyone from transacting with an organization labeled an SDGT. Five of the closed Islamic charities (HLF, GRF, BIF, AHIF, and IARA) filed injunctions against their SDGT designation, convinced that their histories with alleged terrorist organizations were in fact, lawful associations. These injunctions were overruled. To this day all seven Islamic Charities remain

on the Treasury's terrorist list. The SDGT designation is also a measure that stigmatizes suspected organizations. According to legal expert Eric Sandberg-Zakian this process: "...publicly brands a designee with the letters of shame, "SDGT," discourages members of the community from interacting with the designee, and creates a direct confrontation between the designee and the public through press releases and office raids." (Sandberg-Zakian, 2011: 108)

b. Material support Statute: All seven closed charities were shut down on the premise that they provided material support to terrorist organizations. The material support statute has evolved with each U.S. Antiterrorism law over the past 18 years to become a broad, yet at times dangerously ambiguous metric for determining guilt. Four of the accused Islamic charities (HLF, GRF, BIF and AHIF) legally challenged indictments of material support on the grounds that the statute was vague and all past charitable actions were within the law. These were also overruled in court. Given its ambiguity, the material support statute could be used to interpret any charitable gesture as an illicit action: "Because the material support statute contains no general exception for humanitarian assistance, many benign activities that are crucial for humanitarian aid and disaster relief are labeled material support, including provision of food aid, latrines, blankets, clothing, or tents. (ACLU, 2009 p. 11)

c. Press Releases: The U.S. government issued press releases for all seven U.S.-based Islamic charities on the same day they were shut down. Without any legal ruling or comprehensive investigation, the government issued press releases that stated emphatically that each charity supported terrorism. Naturally, these press releases were echoed in local and national media. The resulting public stigmatization was further exacerbated by the timing of several Islamic charity closures. As discussed in chapter 1, four Islamic charities were shut down and designated terrorist supporters prior to or during the holy month of Ramadan (HLF,

GRF, BIF and IARA). As such, the Muslim American community (who had faithfully set aside *zakāt* all year long) witnessed the forced closure and public defamation of four reputable Islamic charities during the very season they are mandated to give charity. Whether calculated or not, these closures had an immediate impact on Muslim American's rights of free speech and more importantly free association. Most participants in the focus group discussions indicated they were adversely influenced by media and here say accounts of forced charity closures. One volunteer lamented: "When the Holy Land Foundation was shut down, I did not know what I was going to do for the next Ramadan!" (Tariq, interview with author, December 9, 2012)

1. Attacks on fourth amendment rights: *"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized"* (senate.gov/civics/)

The USA Patriot Act of 2001 and the USA Patriot Improvement and Reauthorization Act of 2005 prescribed enhanced search capabilities to federal agencies. These statutes allowed U.S. authorities to conduct search and seizures using with delayed or sealed warrants. This is tantamount to a no-notice search and seizure, a violation of the U.S. 4th amendment rights. (Jamal, 2011: 6; Zabel, Benjamin, 2008: 81) The delayed warrant also meant that any forcibly closed charity would not discover the details of probable cause for at least 30 days, possibly more. All seven closed Islamic charities were subject to search and seizures under these new statutes; the few that legally contested were overruled by the U.S. Courts. In this same vein, two of the Islamic charities (HLF and AHIF) also accused the government of conducting warrantless surveillance. These appeals were also overturned.

3. Attacks on fifth amendment Rights: *"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in*

time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.” (senate.gov/civics/)

Elements of the ‘designation-and-asset-freezing’ process described above are also considered violations of fifth-amendment rights. HLF, GRF, BIF, AHIF and IARA contested that their SDGT designation was a predetermination of guilt. They also protested that blocked assets were premature punitive measures, occurring long before any of comprehensive investigation or fair trial would be conducted. (Al-Marayati, 2005: 338; Sandberg-Zakian, 2011:14; Zabel, Benjamin, 2008: 38) The GRF and GCO also appealed against the government’s use of the *Ex-Post Facto Clause*, which in this case, signified incrimination for consorting with an organization before it was designated terrorist). The combined effects of these statutes create a ‘guilty until proven innocent’ perception within the Islamic charitable community. Moreover, the courts generally supported a legal precedence in favor of federal government actions. An extract from GRF’s injunction demonstrates the prevailing interpretation of the Patriot Acts in favor of the U.S. government: “Although Global Relief’s assets are temporarily blocked during OFAC’s investigation, such a blocking does not constitute a punitive confiscation of property because no forfeiture in favor of the government has occurred...” (GRF v. O’neill, 2002; 22)

4. Attacks on sixth amendment rights: *“In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.”* (senate.gov/civics/)

Government interpretations of the 2001 and 2005 Patriot Acts have prevented several Islamic charities from mounting a fair and timely legal defense (Ratner, 2012: 595-7, 612;

Sandberg-Zakian, 2011:14; Zabel, Benjamin, 2008: 111). Three of the seven closure cases (GRF, BIF and AHIF) suffered some form of administrative delay on the part of the government ranging from one to four years. These delays included; lagging federal investigations, slow release of evidence, prolonged INS hearings or delayed terrorist designations. Ultimately, they eliminated any semblance of a speedy trial. Each Islamic charity was subject to an administrative ‘limbo’ where guilt was predetermined and no philanthropic association could occur. Federal agencies used sequestered or anonymous witnesses in three of the closures (HLF, BIF and AHIF), severely hampering the ability to confront accusing witnesses. Loyola University Law graduate Emily Ratner coined this as: “...Artfully eroding the right to constitutionally sufficient cross-examination” (Ratner, 2012: 608). Four charities (HLF, GRF, BIF and IARA) contested the use of classified documents and sealed evidence in their indictments; mounting a defense when one is barred from seeing incriminating evidence is nearly impossible. Moreover, charities placed in a ‘blocked pending investigation’ (BPI) status, were unable to access funds and pay for timely legal defense counsel, a matter that was contested by HLF, GRF and AHIF.

Shallow victory:

A damaging precedence has been set in the decade long civil-liberty debate between Muslim Americans and the U.S. Government, an assertion put forward by Ratner: “The cautions taken by these courts have potentially permanently damaged the ability of one segment of American society to fully engage in civic and religious life, and may encourage future courts to disregard a fundamental constitutional right of U.S criminal defendants.” (Ratner, 2012: 621). Although the U.S. Treasury and Justice Department can cite the number of closed organizations and frozen assets as a measure of success, it has been nearly impossible to establish any direct

links to terrorism. The ACLU provides a summary of this challenge: “Of nine U.S.-based charities whose assets have been seized by the Department of Treasury, seven are Muslim charities, and two are Tamil charities. In the majority of these cases, the government has not brought charges; only three designated U.S.-based Muslim charities have faced criminal prosecution, and only one has been convicted.” (ACLU, 2009: 8) The few successful prosecutions against Islamic charities involved crimes that had nothing to do with terrorism: government misconduct, racketeering, money laundering, tax fraud and illegal money transfers. Both sides of the issue could view these facts as a victory but given the government’s tarnished image and the Muslim American community’s damaged psyche, it is a shallow victory at best.

This precedence seems to have touched every corner of America and certainly was an element of concern in the focus group discussions conducted for this research. Chapter 2 revealed that over half of the ICJC volunteers were fearful of U.S. government backlash associated with charitable giving. Likewise, a majority of the fourteen respondents harbored a strong suspicion of government surveillance. When inquiring about the volume of charity since 9/11 five respondents believed donations had declined. Two ICJC volunteers felt that donations remained the same while another six avoided the question altogether. Given that only one individual felt charity had increased, attention must be given to the six volunteers that would not comment. This group could have avoided the question because they thought it ludicrous or too sensitive. When looking at the observation of ‘hesitancy’ (shown by 50% of the volunteers) my impression is that this was indeed a sensitive topic. Most likely, the majority of Muslims interviewed held the conviction that individual charity had declined since 9/11 as a result of U.S. counterterrorism policy.

What is uncontested is that a majority of those Muslim Americans interviewed felt that

practicing *zakāt* and *ṣadaqah* would put their first, fourth, fifth and sixth amendment rights at risk. This situation is further exacerbated by a general misunderstanding of Islamic philanthropy as demonstrated during the FBI's visit to the ICJC in January 2013 (See introduction). During the question and answer session, the senior FBI agent was responding to a question about charity using a hypothetical scenario (paraphrased).

Agent: "OK, suppose you meet this hitchhiker who is down on his luck and on his way to Florida. Let's say you get crazy and give him \$500 dollars, and..."

Mosque Attendee: "(Interrupting) But sir that is something we would do."

There was no confusion; the attendee meant that a Muslim would have no problem giving \$500 to someone in need if he had the means. The agent was taken aback but acknowledged the mistake, and continued with the hypothetical scenario. That moment in January 2013 not only reinforced this mosque's concern for balancing religious obligation with U.S. law; it also revealed the government's unfamiliarity with Islamic charity. Muslims do give to the needy. They give lots. The specter of racial discrimination and the fear of losing constitutional rights have not degraded the giving spirit of Kansas City Muslim Americans. An analysis of observations taken from the focus group discussions with the fourteen ICJC volunteers reveals other positive attributes of Kansas City's Islamic philanthropy.

Opening up to the secular and non-Muslim: Each person interviewed seemed to ascribe to a religious conviction that honored *zakāt* and *ṣadaqah*. In several instances volunteers even made references to the Prophet Muhammad, the Qur'an or *hadīth* in order to underscore discussion points. There were, however, multiple instances throughout the interview process that suggested the drive to give charity was reinforced (or derived) by a personal, life-altering experience such as natural disaster or death of a loved one. This did not imply that these

volunteers forfeited their personal religious conviction. On the contrary, the personal identification with loss and suffering seemed to reinforce a strong religious obligation towards *zakāt* and *ṣadaqah*; Kansas City Muslim Americans practice a resilient form of philanthropy not limited to a religious mandate.

Moreover, the focus of charitable giving has shifted to include the needs of the non-Muslims. Multiple respondents indicated at one time or another that their charitable contributions shifted to include secular and nondenominational causes. On an individual level, discretionary charity (*ṣadaqah*) was given to non-Muslim friends or bystanders in need. On a local level, donors gave to Kansas City charities or collection efforts to gather food, clothing and school supplies. At a national and international level, donations were sent to non-Muslim disaster relief organizations. This broadened application of Islamic charity to non-Muslim causes is echoed in similar studies in other U.S. metropolitan areas (Cainkar, 2009: 185; Najam, 2006: 179)

Voluntarism: A majority of the respondents discussed some form of volunteering within Kansas City as a means of honoring Islamic charity. Interviewees gave varied examples of volunteering venues to include: invalid care, free medical clinics, soup kitchens, charity drives, classroom instruction, mosque duties and local disaster relief. This encouraging trend is corroborated by Adil Najam's findings within the U.S. Pakistani diaspora. (Najam, 2006: 155) Several respondents mentioned that volunteering is charity that will not get one in trouble (it leaves no paper trail). More importantly, this volunteering trend suggests a communal investment to improve the condition of Kansas City and the Muslim American community therein. On an individual level, Muslim Americans reap spiritual benefits by volunteering. On a

communal level, these volunteers improve the standing of the Muslim American community and detract from an ongoing discourse of racial stereotypes.

The Mosque is a charitable cause: As mentioned in Chapter 2, half of the respondents gave to causes within the mosque. This demonstrates the importance that Muslim Americans hold toward their mosques. A nonprofit status is not enough to sustain a mosque; consequently, charitable giving becomes a vital resource for Islamic institutions. Donations are often applied to mosque repairs or facility upgrades (e.g. air conditioning systems). At least two of the mosques within this research area maintain a *zakāt* fund specifically for construction of newer and larger worship facilities. Five of these respondents indicated that the mosque was the center of the Muslim community and essential to preserving Islamic identity. Cesari describes the full-service capabilities of U.S. mosques: “Moreover, Islamic centers now also provide such activities as courses on the Qu’ran for children and adults, conference series and seminars, courses for new converts (primarily in the United States) assistance with funeral rites, recreational activities for children and women, social assistance, and even psychological counseling.” (Cesari, 2004: 128) The mosque was not only the recipient of charity, but often a collector and distributor as well. Several respondents recalled giving to mosque charity drives on a regular basis for natural disasters or relief agencies overseas.

Moving beyond the role of the victim: The matter of ‘insularity’ mentioned at the outset of Chapter 2 was demonstrated by half of the volunteers during focus group discussions. Several authors used in this research seem to broach the topic of insularity in one manner or another. Jocelyn Cesari describes Muslims with: “...an ambivalence that is neither hypocrisy nor dishonesty, but a means of survival.” (Cesari, 2004: 158) Iqbal Akhtar mentions a phenomenon of: “...political apathy and ambivalence...” (Akhtar, 2011: 773) Lisa Suhair Majaj

hints that Arab Americans have an inability to “... elicit responses to their concerns without affiliating with other minority groups.” (Majaj, 1999: 326) Whatever the phenomenon is called, be it insularity, hesitancy, ambivalency or apathy, it was a point of contention for two outspoken Muslim American volunteers: Eshal and Aref. Both volunteers acknowledged that Muslim discrimination and profiling continue to this day, but their greater disappointment lay within the Muslim community. Eshal and Aref were simply tired of Muslim Americans playing the role of quiet victim. More importantly they felt Muslim American silence was “partially responsible for a general misunderstanding of the Muslim culture.” Eshal and Aref’s comments seem to corroborate the observation of communal insularity. In the same discussion, they also admitted that Muslim Americans ‘owned’ responsibility for their own acculturation within America. In spite of negative stereotypes and U.S. policies that stigmatize Islamic charity, the respondents from the ICJC voiced a strong commitment to honoring practices of *zakāt* and *ṣadaqah*. This complements the analysis of those Islamic nonprofit organizations in Kansas City (chapter 2) that have performed well since 9/11. What has yet to be interpreted are those factors outside of Islamic charity and U.S. policy that may have also influenced research findings.

Between Charitable Storms: This section of Chapter 3 looks at several socioeconomic factors in the last decade that may have impacted the donation patterns of Muslim Americans and Islamic charities in the Greater Kansas City Area since 9/11. Specifically, it looks at four subject areas that could influence Kansas City’s philanthropic trends.

Activity within the counterterrorism program: Actions within the U.S. counterterrorism program appear to have tapered off after 2006. The last major legislation governing antiterrorism financing policy was the Patriot Act II, signed into law in March 2006. For security advocates this was a sigh of relief, reviving the almost expired provisions of the 2001

Patriot Act. For civil-rights advocates (and Muslim Americans) the contentious statutes of this 2006 law continued to be a source of anxiety in the later half of the decade. The U.S. Treasury's terrorist designation program (SDGT) also demonstrated some unique fluctuations in this period. It is now common practice for Muslim Americans to check a charity's legitimacy against the Treasury's SDGT list; an act in itself that could affect donor anxiety and sense of outrage.

An analysis of the Treasury's Annual Terrorist Assets Reports from 2005 to 2011 shows that an average of 32 entities were added to the Terrorist Designation list each year. (Treasury.gov) This nominal amount was a drop in the number of SDGTs when compared to the four years after 9/11 (an average of 77 additions per year). This suggests that there may have been a decrease in the government's 'naming' program from 2005 to 2011. There was not another spike in the SDGT list until 2012 (with the addition of 109 SDGTs). By February of 2006, five of the seven of Islamic Charities also had been shut down. The Goodwill Charitable Organization would not be shut down until 17 months later in July of 2007. The last closed charity was non-Muslim and would not shut down until February 2009 (Tamil Foundation). This marked drop in federal activity from 2006 to 2011 may have served as a respite for those Muslim Americans and Islamic organizations anxious about giving charity.

Hate Crimes: The FBI Hate Crimes Statistics is another means of gauging the climate of tolerance in Kansas City. The bureau has maintained hate crimes statistics by city, state and year as far back as 1992. Data mining on the FBI's Hate Crime website can reveal hate crime incidents in Kansas City that reflect a bias against religion (fbi.gov). This data only shows, however, that some form of religion (be it Christian, Jewish, Muslim or other) was the focus of hate crime bias. It does not show how many hate crimes are attributed to an Islamic bias. Even so, the data base shows religiously based hate crimes for the Greater Kansas City Area dropping

from 17 incidents in 2006 to 5 incidents for 2007 and 2008. This count rose slightly to 9 in 2010, only to drop to 5 incidents in 2011. The decline in hate crimes after 2006 is not conclusive. There is the possibility that incidents of hate crimes may have decreased since 2006. Another possibility is that hate crimes did not decrease, but victims were increasingly hesitant to report hate crimes for fear of reciprocity or government inactivity. This phenomenon could also be attributed to a combination of both of these possibilities (reduced hate crimes and decrease reporting). When viewed with other favorable socioeconomic factors, however, this decline in hate crimes might suggest that 2007 through 2010 was a period of increased tolerance towards religious minorities.

U.S. Economy: From the perspective of the U.S. economy, 2006 through 2011 posed some challenges for the Greater Kansas City Area. By early 2008, an economic recession would be in full swing: “Despite declining energy costs, wholesale prices soared in July, giving the economy the worst 12 months of inflation in almost three decades and increasing pressure on the Federal Reserve to raise interest rates.” (Maura, LA Times: 2008) Simultaneously, the Kansas City unemployment rate rose from 5.7% in 2008 to 8.9% in 2009, remaining constant through 2011 (bls.gov). These economic indicators from 2006 to 2011 may have adversely impacted Muslim American charitable contributions at the individual and organizational level.

National and International Disasters: Another factor that affects a community’s giving patterns and draws on pools of charitable resources is the occurrence of national and international disasters. 2005 saw major disasters such as the Indian Ocean Tsunami in 2004 (Suddath, 2010), Hurricane Katrina in 2005 (Treaster, Zurnike, 2005), and the Pakistan Earthquake in 2005 (Septunga, 2005). The next major disasters started in the summer of 2010, with heavy floods in Pakistan (Tu, 2011) and the Joplin Tornado in May 2011 (Harrop, 2011).

The five-year lull in major disasters (2005-2010) may have reduced the strain on Kansas City's philanthropy, allowing Islamic charities to regenerate charitable resources.

Aside from the 2006 Patriot Act, the downturned economy, and the closure of two Islamic charities, the events listed above suggest that the calmer period from 2006 through 2010 offered conditions in which Muslim American charity might regain momentum. The budget analysis of the six Kansas City Islamic charities discussed in Chapter 2 tends to support this notion. Chapter 2 revealed not only that these charities performed as good as their non-Muslim counterparts, but four of the six Islamic charities demonstrated a marked increase in charitable revenue from 2006 to 2010. A 2011 study conducted by The Hartford Institute for Religion Research describes similar trends with American mosques across the U.S. during that timeframe: "The percentage of mosques with a budget over \$100,000 has risen substantially since 2000—39% of mosques in 2011 had a budget over \$100,000 as compared to 24% in 2000. The financial capabilities of mosques have grown over the last decade. Apparently the severe economic recession did not derail completely the financial progress of mosques." (Bagby, 2011: 20) This success on an organizational level suggests that Muslim charities in Kansas City have performed well in spite of the current program of U.S. counterterrorism policies.

The varied responses from focus group discussions make it more difficult to gauge how individual Islamic charity performed under the socioeconomic factors described above. Analysis of this data shows that Kansas City Muslims now do more research to find credible charities in spite of the conviction that their very actions may put constitutional rights at risk. To avoid federal scrutiny, they have broadened charity to include non-Muslim and secular causes. To eliminate paper trails, Muslim Americans volunteer more and give more discretionary cash donations. This diversified approach to giving *zakāt* and *ṣadaqah* coupled with the previously

mentioned trait of insularity might make it impossible to quantify how much charity has been given year-to-year since 9/11. What we can conclude is that Muslim Americans in Kansas City still feel obligated to give charity in spite of suspicions of surveillance and the threat of federal backlash. Those stereotypes and stigmas advanced by mainstream America have not deterred Kansas City's Muslim Americans from honoring Islamic philanthropy.

Conclusion

The synthesis of the limited data collected from annual budgets, and local and national socioeconomic factors suggests that Islamic faith-based organizations in Kansas City benefited from the respite between the years 2006 and 2010, demonstrating general growth and the resilient characteristics of *zakāt* and *ṣadaqah*. Additionally, those Muslim Americans interviewed for this research demonstrated an innovative commitment to honoring practices of Islamic charity in spite of the fear of U.S. government surveillance and backlash. These positive trends occurred in spite of U.S. antiterrorism funding policies which stigmatize Islamic charity and racialize the Muslim American community. Results from the focus group discussions suggest that the city's Muslims still have a strong commitment to honoring Islamic charity in creative ways that are expedient, diversified, and often devoid of a paper trail.

The limitations of this research are evident. At the outset of this project, only three groups of 'constituents or stakeholders' (Bingle, Clayton, Price, 2009: 5) collaborated to form a meaningful research question: One student, two faculty members, and two community organizations. Those tax records analyzed from the six Islamic charities are a fraction of the total Islamic organizations in Kansas City. The fourteen ICJC volunteers (as described in the introduction) are mostly male, non-Arab, predominantly Indo-Pakistani, first generation Sunni Muslims from Overland Park, Kansas. The analysis of U.S. policies remained at a national level, devoid of legislature and public opinions at a state and local level. The lines of academic inquiry explored only Islamic charity, avoiding many other relevant civil-liberty topics. To assume that these limited research elements are entirely representative of Muslim American philanthropy in The Greater Kansas City Area is academically hazardous; the complex nature of Islamic charity

within the U.S. merits further research. To ignore the findings of this research, however, would be wasteful.

This current research does not adequately fill a gap in any body of literature regarding Muslim Americans in the Greater Kansas City Area. It does however, achieve something just as important: this research *identifies* a critical gap in the cultural understanding of Kansas City's Muslim American community. As stated in the introduction, a single publication regarding Kansas City's Muslim community has yet to be written. A search of Kansas City's library systems, Amazon.com and Google will yield historical books for many of Kansas City's communities to include whites, African Americans, Mexicans, Irish, Jewish and so forth. There is no book that speaks to the history of Islam or Muslims in Kansas City, but there could be. Precedence for such a publication has already been set through research conducted in other U.S. metropolitan centers. In Arab Detroit 9/11: Life in the Terror Decade, editors Nabeel Abraham, Sally Howell and Andrew Shryock have compiled academic works that capture the Muslim American experience in Detroit, Michigan. Adil Najam's work Portrait of a Giving Community: Philanthropy by the Pakistani-American Diaspora, is a survey on Pakistani charity, conducted in most major U.S.'s cities (excluding Kansas City). Furthermore, Louise Cainkar surveyed Muslims in the Chicago metropolitan area in her book, Homeland Insecurity: The Arab American and Muslim American Experience After 9/11. Like The Greater Kansas City Area, these cities also have substantial and diverse Muslim American communities. These preceding publications suggest that greater research on the Islamic experience in Kansas City could be conducted.

The observations put forth in this study advance a single and consistent notion to the reader: research potential. In this case, the potential for broader academic inquiry. Adil Najam

provides these words of encouragement: “Second, there is a need for more comparative research on diaspora giving by various diaspora communities. What has not happened as much, as yet, is robust analysis that compares the philanthropic profiles of various diaspora communities.”

(Najam, 2006: 192) The complicated ethnic, cultural and socioeconomic fabric that makes up Kansas City’s Muslim American community provides great potential for broader and more meaningful research.

The emotional state of Kansas City appears to be a glass half full. To date, Kansas City has had no major anti-Muslim incidents that have surfaced in the media. The closest anti-Muslim incident occurred over 150 miles away in Joplin, Missouri during the summer of 2012. An arsonist had set fire to the Islamic Center of Joplin that summer on the mornings of 4 July and 6 August. This mosque was razed to the ground on the second attempt (Patton, FBI Kansas City, 2012). Oddly enough, the incident was not brought up once during my field interviews. The Arab American Institute’s (aaiusa.org) recent U.S. opinion poll on Muslims shows that Americans are evenly divided on opinions about Islam: “41 percent of Americans had unfavorable views of Muslims, compared to 40 percent who held favorable views.” (Sacirbeyl, 2012) Encouragingly, this poll also shows that a majority of younger Americans (18-29 year old) hold a favorable opinion of Islam (53% compared to 34%: 2012 Opinion Survey). Moreover, a recent visit to the Kansas City Missouri and Kansas City Kansas Mayors’ offices in February 2013 revealed that both city administrations have outreach programs to the Muslim American community.

As of the date of the publication of this thesis, Kansas City seems to be the calm in the storm of the Muslim American civil-liberty debate. Bridging the cultural gap at a city level will benefit all involved parties, lending insight to understanding Islam in a global setting. Jocelyn

Cesari provides insight on how further research in the U.S. contributes to the greater understanding of Islam: “Muslims in Europe and the United States serve as a sort of lightning rod for this crisis [the theology of intolerance vs. the language of hate]. Their position at the very heart of the West crystallizes the debates and controversies that are currently shaking the entire Muslim world: the question of democracy, Muslim relationship to the ‘Other’, the status of women, the lure of fundamentalism.” (Cesari, 2004: 180) What can be inferred from the encouraging statistics above and Cesari’s comments is that conditions are optimal for broader, civically engaged research into Kansas City’s Muslim American community.

More comprehensive research into Kansas City’s Islamic community requires co-opting all five types of ‘constituents’ emblematic of successful community based research: “...Students, Organizations in the community, Faculty, Administrators on the campus, Residents in the community...” (Bringle, Clayton, Price, 2009: 5). Four of these types of constituents require special mention:

- Campus administrators: A starting point for this research must be direct coordination with the University of Kansas Center for Sustainability, which has a mission to: “Expand the capacity for sustainable initiatives through campus-wide networking and community outreach.” (www.sustainability.ku.edu) This center, in collaboration with faculty, aids researchers in developing a strategy to approach community based research and assists with introduction to community organizations. Such an effort may also require support from the administrative offices of other Kansas City colleges and universities that maintain relationships with Kansas City’s religious and civic organizations.
- Organizations in the Community: It is essential to gain the buy-in of Kansas City’s Islamic Leaders, interfaith organizations, immigration support agencies and city

government offices at the outset of research design. Researchers would need to collaborate with Muslim leaders and civic organizations to develop a mutually-beneficial research question that serves the needs of the religious community and the Greater Kansas City Area while honoring protocols and academic standards of the University. These community partners can also secure introductions to more city organizations and research resources. Currently, this research's focus is myopic; it does not explore U.S. policy below national legislation. Collaboration with community organizations would mitigate this limitation by including state and local legislation, ordinances and even public perceptions. The list of Kansas City constituents or stakeholders below serves as a good starting place for community partnerships:

- The Midland Islamic Council (midlandcouncil.com)
 - The Islamic Society of the Greater Kansas City (isgkc.org)
 - The Crescent Peace Society (crescentpeace.org)
 - The Kansas City Chapter of The American Coalition for Good Government (americancoalitionforgoodgovernment.org)
 - The Muslim Student Associations of Kansas City
 - Greater Kansas City Interfaith Council (kcinterfaith.org)
 - Jewish Vocational Services (jvskc.org)
 - Don Bosco Center (donbosco.org)
 - The mayor's office of Kansas City, Missouri (kcmayor.org)
 - The mayor's office of Kansas City, Kansas (wycokck.org)
- Residents in the community: Participant volunteers for expanded research must include persons from Shi'ite, Sufi, and other Muslim communities that represent the whole of Islam. Participant groups should involve diasporas from the Arab States, the Balkan Peninsula, Southeast Asia and other predominantly Muslim countries. Volunteers for focus group discussions, interviews and surveys must include more women and second generation Muslim Americans.
 - Students: The amount of coordination, research, fieldwork and data analysis alone may

require a multidisciplinary team of students in such fields as globalization, anthropology, social science, political science, languages, statistics and religious studies.

Greater research into Kansas City's Muslim American community will also mean looking into all aspects of American Islam. This implies conducting research with more mosques spread across the fifteen counties that make up Kansas City (bls.gov). It would be impossible to get cooperation with all 18 Muslim congregations (ARDA, 2010) and the estimated ten Islamic faith-based institutions (Chapter 1) across Kansas City, but gaining participation with even one mosque in each county would produce far better representation of the city's Muslim American community. As daunting as it sounds, such a research project would bring to the forefront an ethnically and culturally diverse community that often is marginalized by U.S. society. Broader research would also underscore the successes and continued challenges of Kansas City's enduring multiculturalism.

Acronyms used in this research:

AEDPA: Antiterrorism and Effective Death Penalty Act

AHIF: Al-Haramain Islamic Foundation

BIF: Benevolence International Foundation

DEA: Drug Enforcement Agency

EIN: Employer Identification Number

FBI: Federal Bureau of Investigation

FinCEN: Financial Crimes Enforcement Network

GCO: Goodwill Charitable Organization

GRF: Global Relief Foundation

HLF: Holy Land Foundation

IARA: Islamic American Relief Agency

ICE: U.S. Immigrations and Customs Enforcement

ICJC: Islamic Center of Johnson County

IEEPA: The International Emergency Economic Powers Act

IRS: Internal Revenue Service

ISGKC: Islamic Society of the Greater Kansas City

LTTE: Liberation Tigers of Tamil Eelam

NTEE: National Taxonomy of Exempt Entities

OFAC: Office of Foreign Assets Control

SDGT: Specially Designated Global Terrorist

TAR: Terrorist Asset Report

TWEA: Trading With the Enemy Act

Arabic terms used in this research:

**Transliterated from the International Journal of Middle East Studies at:
<http://web.gc.cuny.edu/ijmes/pages/transliteration.html>*

Assalamu alaikum: Arabic greeting, literally: “Peace be upon you”.

Da`wah: Islamic outreach, spreading of the Islamic faith

Eid al Adha: Muslim feast of the Sacrifice.

Hadīth: The collective body of traditions relating to Muhammad and his companions.

Hawala: Informal money networks used to transfer wealth across national boundaries.

Hijīb: Headscarf covering for Muslim women.

Ibadīt: Acts of Muslim worship.

Ighatha: Providing relief, humanitarian assistance, or life saving measures.

Jihād: Literally ‘to struggle’.

Jum`ah: The Friday prayer.

Khuṭbah: A Muslim sermon .

Masjid: Mosque.

Maṣlaḥa: Generally defined as the greater good of the community.

Mujāhidīn: Islamic Holy Warriors

Qu`ran: The most sacred text of Islam, literally the word of God (Allah) as revealed to the Prophet Muhammad.

Rak`ahs: A physical component of Muslim daily prayer that involves bowing and prostration.

Ramadan: The ninth month of the Islamic calendar that commemorates God revealing the Qu`ran to the Prophet Muhammad. The month is marked with daily fasting, prayer, and giving of alms

Ribā: Interest on a loan, an economic practice that is forbidden in Islam

Ṣadaqah: Compulsive charity

Ṣalāt: Prayer, prescribed five times daily for all Muslims and second pillar of Islam

Ṣhahādah: The declaration/profession of Islamic Faith and first pillar of Islam

Sunnah: Words and deeds of the Prophet Muhammad as relayed by his companions

Zakāt: Charity or alms, the third pillar of Islam

(Appendix A-1) Islamic Organizations in the Greater Kansas City Area

Organization Name	Location	Type of Organization	Employer Identification Number (EIN)	Web Address
Al-Inshirah Islamic Center	3664 Troost Ave, Kansas City, MO 64109	Religion, Spiritual Development	43-1622042	Alinshirah.com
Al Kahf Center	4206 9 th St, Kansas City, MO 64124	Religion, Spiritual Development	N/A	kahf.org/wp
Az-Zahra Center	8350 Leavenworth Rd, Kansas City, KS 66109	Religion, Spiritual Development	48-1249208	Az-zahra.org
Bantu Community Association	2300 Main St, Kansas City, MO 64108	Ethnic, Immigrant Services	35-2308026	sbantu.org
Crescent Peace Society	12709 Eaton Circle, Leawood, KS 66209	Civil Rights, Social Action, Advocacy	74-2842939	crescentpeace.org
Foundation for Intelligent Giving	623 W. 62 nd St, Kansas City, MO 64113	Religion, Spiritual Development	27-2126610	N/A
Islamic Center of Johnson County	9001 W 151st Street, Overland Park, KS 66221	Religious Worship	56-2346638	icjc.org
Islamic Center of Kansas Inc	14750 West 143d St, Olathe, KS 66062	Religion, Spiritual Development	48-1253151	ickansas.org
Islamic Center of Leavenworth	545 Oregon, Leavenworth, KS 66048	Religious Worship	48-1174139	leavenworthmuslim.org
Islamic Center of Northland, Inc.	900 NE Vivion Rd, Kansas City, MO 64116	Religion, Spiritual Development	27-0109378	icnkc.org
Islamic Circle of North America	8941 Cambridge Ave, Kansas City, MO 64138	Religion, Spiritual Development	26-3566016	icnacc.org
Islamic Society of the Greater Kansas City	8501 E 99th St, Kansas City MO 64134	School, Religious Worship	43-1528289	isgkc.org
Islamic Women's Society of Kansas City	PO Box 287894, Kansas City, MO 64128	Civil Rights Advocacy	43-1754015	N/A
Kulturni Center Bosnjak	3607 NE Antioch Rd, Kansas City, MO 64117	Religion, Spiritual Development	41-2236445	N/A

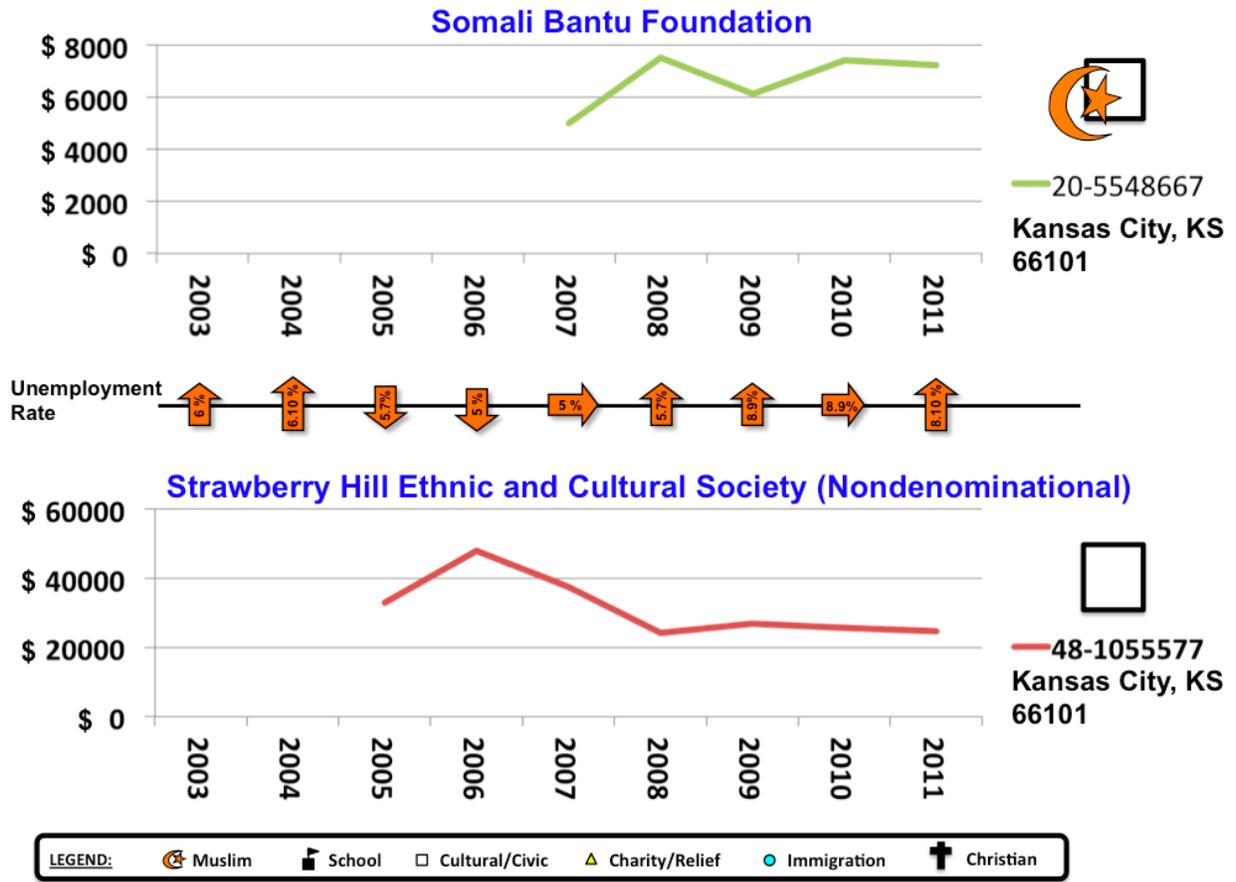
(Appendix A-2) Islamic Organizations in the Greater Kansas City Area

Organization Name	Location	Type of Organization	Employer Identification Number (EIN)	Web Address
Masjid Al-Huda	4602 St. John Ave, Kansas City, MO 64123	Religion, Spiritual Development	N/A	alhudakc.org
Masjid Anas Bin Malik	2311E. 29 th St, Kansas City, MO 64109	Religion, Spiritual Development	36-4729364	masjidanasbinmalik.com
Masjid Omar	2700 E. 49 th St, Kansas City, MO 64130	Religion, Spiritual Development	43-167305	N/A
Masjidu Noor Islamic Community Center	2639 E. 11 th St, Kansas City, MO	Religion, Spiritual Development	N/A	N/A
Muslim American Society	10107 W 105TH St Overland Park, KS 66212	Religion, Spiritual Development	36-3885457	maskansascity.org
Muslim American Society of Kansas City, Kansas	1125 N. 32 nd St, Kansas city, KS 66102	Religion, Spiritual Development	30-0058385	N/A
Muslim American Society (Kansas City, MO)	9520 James A. Reed Rd, Kansas City, MO 64134	Religion, Spiritual Development	N/A	N/A
Muslim Association of Kansas City	10308 Metcalf, Suite 158, Overland Park, KS 66212	Religion, Spiritual Development	48-1121172	N/A
Muslim Students Association of Greater Kansas City INC	5501 Charlotte St. Kansas city, MO 64110	Religion, Spiritual Development	43-1588075	N/A
Pakistani American Society of Greater Kansas City	3520 W. 75 th St, Kansas City, Kansas 66208	Culture and Performing Arts	48-1173827	pasgkc.com
Raindrop Turkish House, Kansas City	9903 Pflumm Rd, Lenexa, KS 66215	Educational, Charitable and Cultural outreach	76-0664313	raindropturkishhouse.org/Kansascity

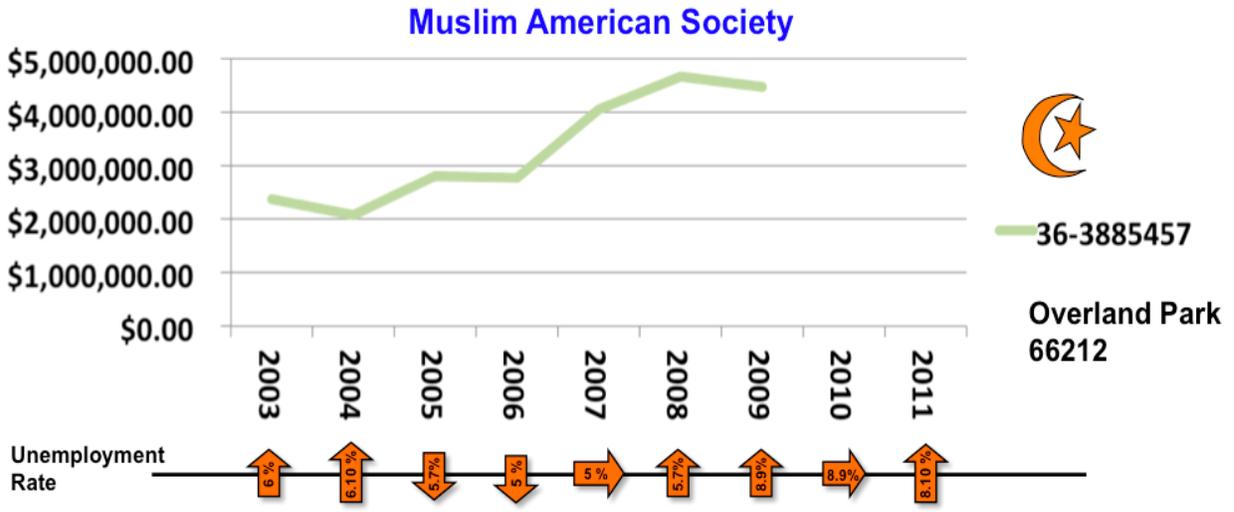
(Appendix A-3) Islamic Organizations in the Greater Kansas City Area

Organization Name	Location	Type of Organization	Employer Identification Number (EIN)	Web Address
Somali Center of Kansas City	1340 Admiral Blvd, Kansas City, MO 64106	Religion, Spiritual Development	16-1641824	http://www.somalibantuofkansas.org
Somali Foundation Inc	1101 Euclid Ave, Kansas City, MO 64127	Ethnic, Immigrant Services	48-1844824	N/A
Universal Academy Islamic School	10515 Grandview, Kansas City, MO 64137	Islamic Education	N/A	universalacademy.webs.com

(Appendix B-1) Budget Comparisons

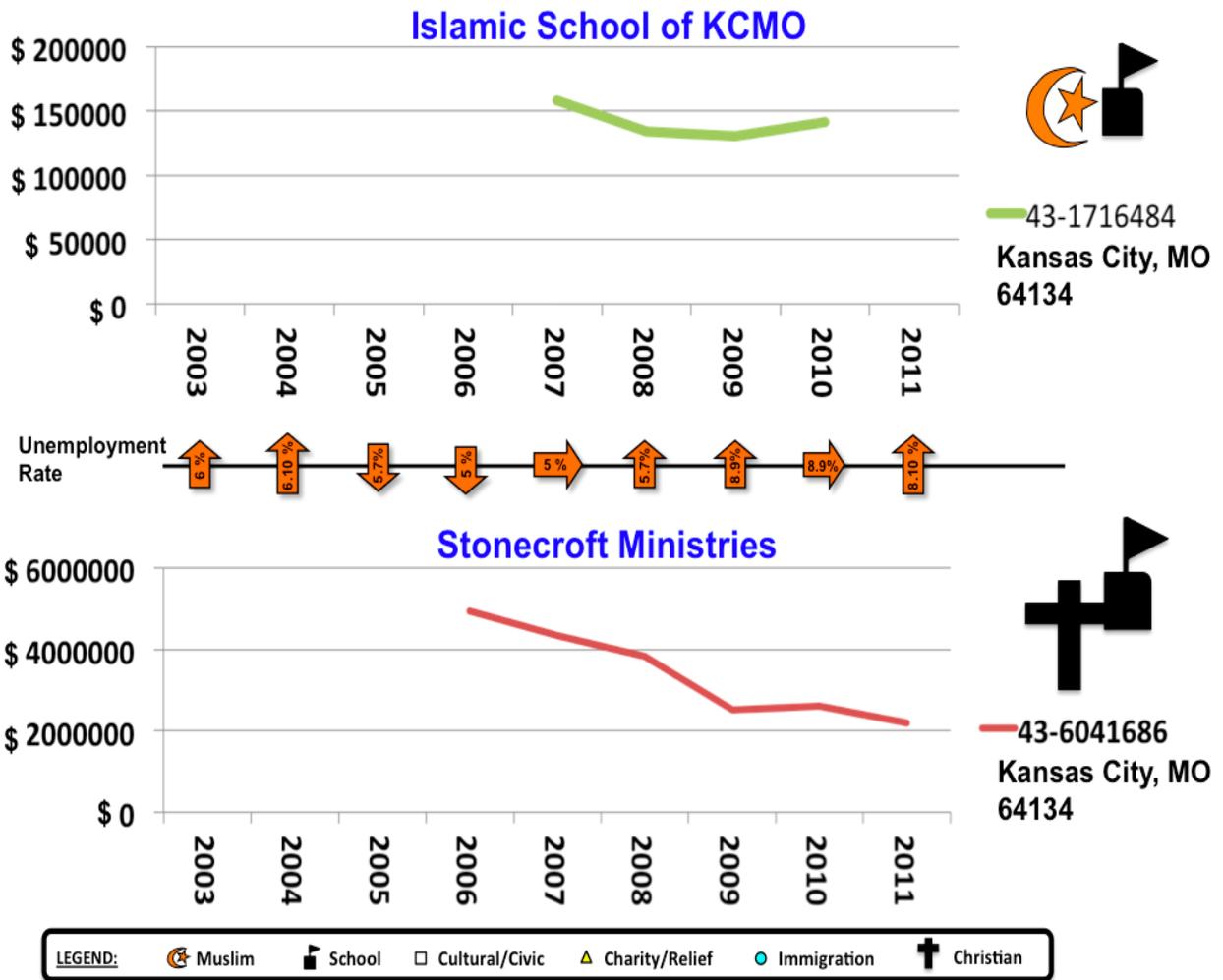


(Appendix B-2) Budget Comparisons



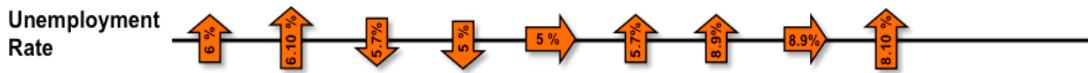
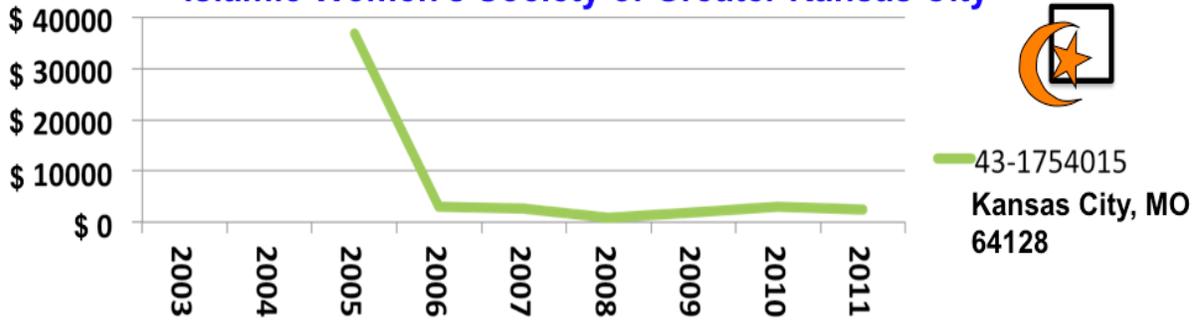
LEGEND:  Muslim  School  Cultural/Civic  Charity/Relief  Immigration  Christian

(Appendix B-3) Budget Comparisons

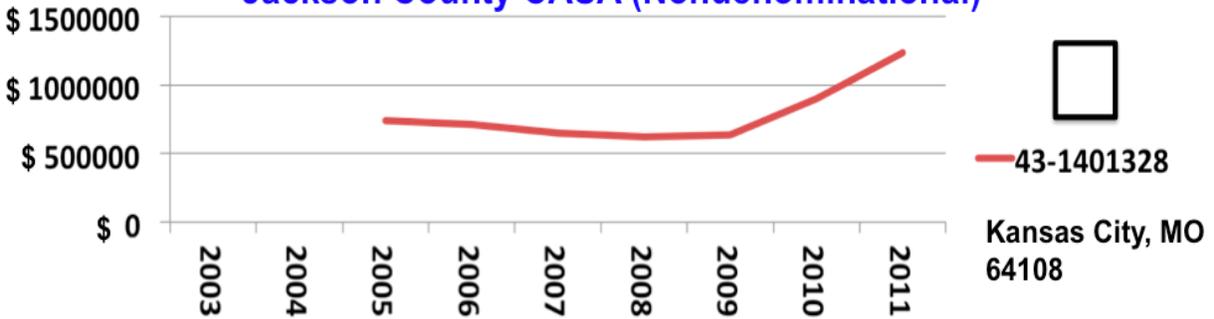


(Appendix B-4) Budget Comparisons

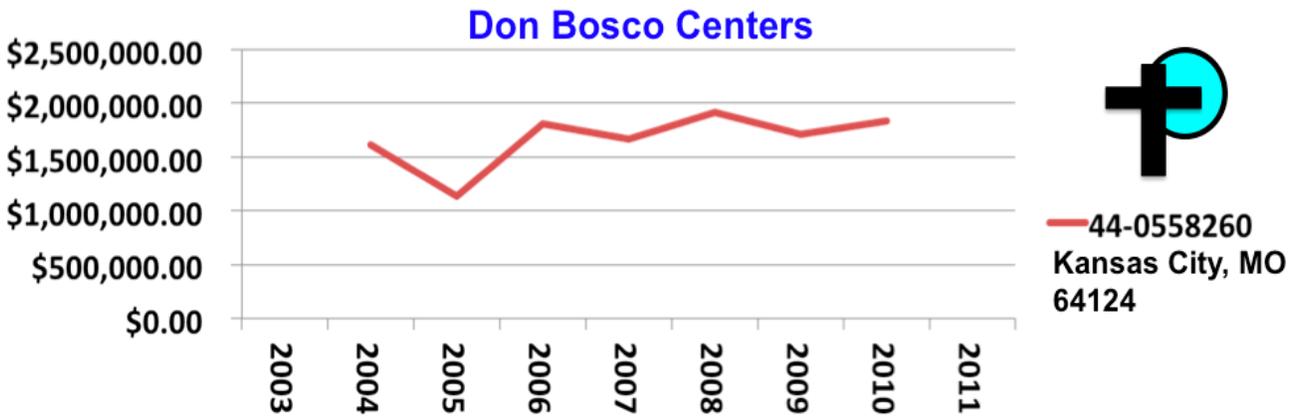
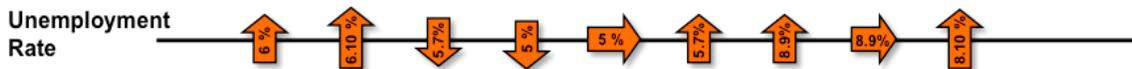
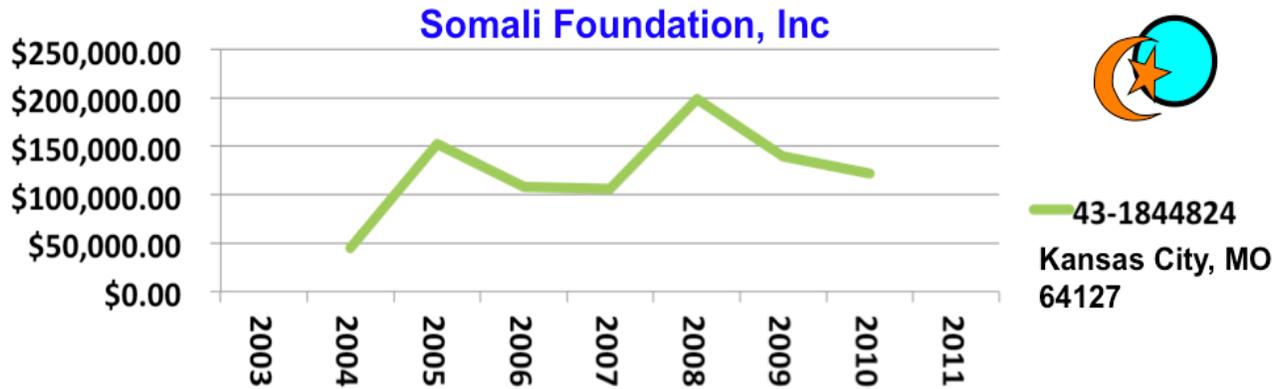
Islamic Women's Society of Greater Kansas City



Jackson County CASA (Nondenominational)

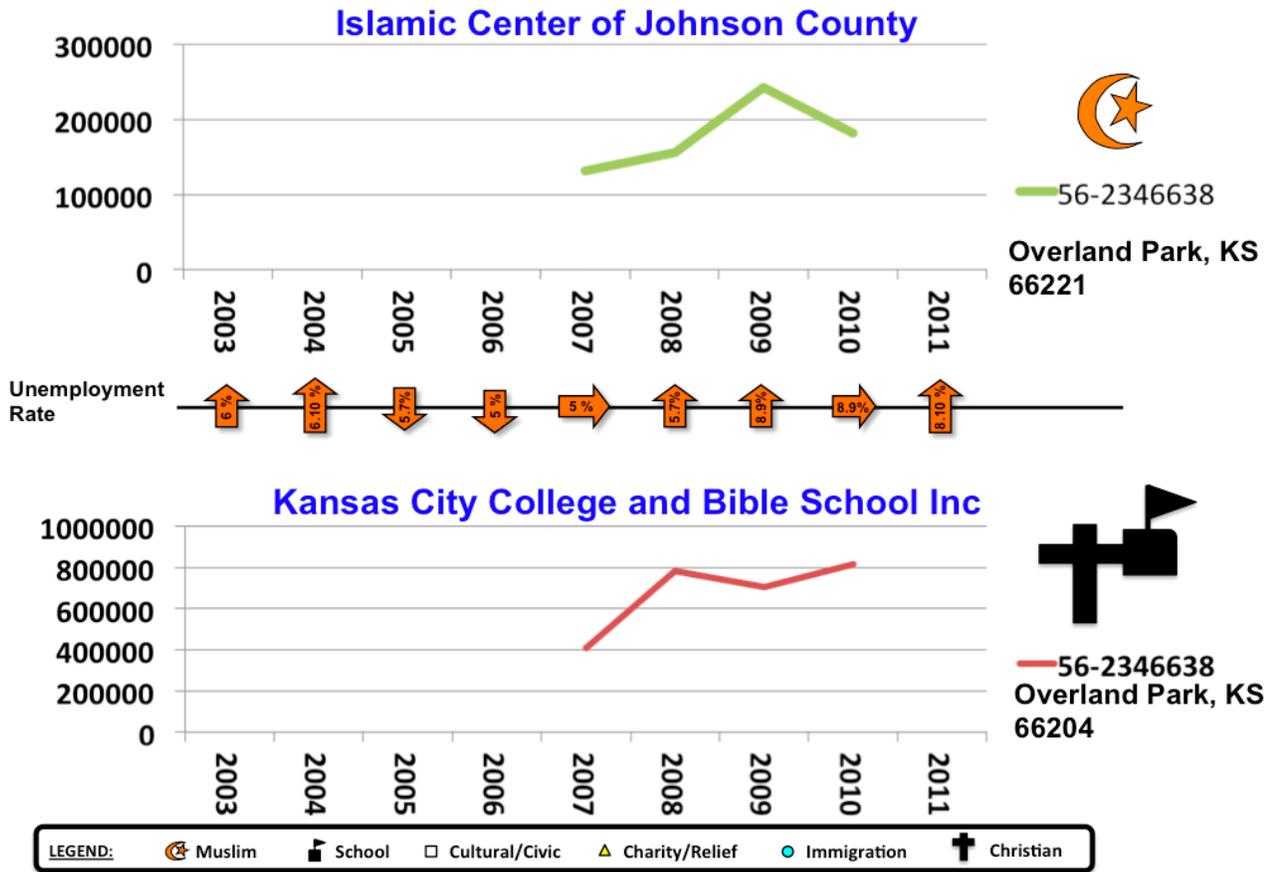


(Appendix B-5) Budget Comparisons



LEGEND:	 Muslim	 School	 Cultural/Civic	 Charity/Relief	 Immigration	 Christian
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(Appendix B-6) Budget Comparisons



(Appendix C-1) Adult Informed Consent Form

Approved by the Human Subjects Committee University of
Kansas, Lawrence Campus (HSCL). Approval expires one
year from 10/2/2012 HSCL # 20324

ADULT INFORMED CONSENT STATEMENT

Islamic Not-for-profit sector in the Greater Kansas City Area

INTRODUCTION

The Department of Global and International Studies at the University of Kansas supports the practice of protection for human subjects participating in research. The following information is provided for you to decide whether you wish to participate in the present study. You may refuse to sign this form and not participate in this study. You should be aware that even if you agree to participate, you are free to withdraw at any time. If you do withdraw from this study, it will not affect your relationship with this unit, the services it may provide to you, or the University of Kansas.

PURPOSE OF THE STUDY: Explore the impact of U.S. Anti-Terrorist Funding legislation and policies since 9-11 on Kansas City's Islamic charitable organizations

PROCEDURES: You will be asked to participate in a focus group discussion with several other members of your organization. This focus group discussion will take no more than 90 minutes to complete and will be followed by a 20 minute written survey. The purpose of this focus group is to promote discussion about your organization's charitable practices. No video or audiotapes will be used in the interview process. If a digital camera is used, it will **not** be employed without your express consent. If used, digital cameras will only be for the purpose of archiving the research process. All research materials (notes, handouts, and digital pictures) will be secured under lock and key by the interviewer.

RISKS: This research poses no risk to one's mental or physical health – you can choose not to answer any of the questions presented to you.

BENEFITS: There are no anticipated benefits to the individual for participating in this research.

PAYMENT TO PARTICIPANTS: There is no payment for participating in this research.

PARTICIPANT CONFIDENTIALITY: Your name will not be released or associated in any publication or presentation with the information collected about you or with the research findings from this study. Instead, if required, the researcher(s) will use a study number or a pseudonym rather than your name. Your identifiable information will not be shared unless (a) it is required by law or university policy, or (b) you give written permission. The information from this interview will be used solely in academic research and the permission granted on this date to use and disclose your information remains in effect indefinitely. By signing this form you give permission for the use and disclosure of your information for purposes of this study at any time in the future."

INSTITUTIONAL DISCLAIMER STATEMENT (Not applicable)

REFUSAL TO SIGN CONSENT AND AUTHORIZATION

(Appendix C-3) Adult Informed Consent Form (continued)

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