

Prospects of Poverty Alleviation through *Zakat* and *Waqf* in Islam: Lessons for Northern Nigeria

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Abstract: Northern Nigeria is a Muslim dominated part of the country. Despite all the resources committed by the government in pursuit of achieving *Zakat* and *Waqf* noble objectives and different policies, embarked upon to combat poverty in the country, the realization remains a mirage in Northern Nigeria. The effectiveness of the various methods chosen in bringing about the changes has remained a question begging for answer. However, This paper, in an effort to explore opportunities, avenues and policies for making positive contributions to national development has posited that, through *Zakah* and *Waqf* every individual in the society is assured of minimum means of livelihood, The potential roles of two Islamic institutions; *Zakat* and *Waqf* in poverty eradication are herein discussed as well as how Islam uses them among others to achieve the goals. The paper attempts to define a new approach to poverty analysis and suggests a way to make the role of *Zakat* and *Waqf* more effective in the poverty reduction. The paper is analytical with presentation based on survey of relevant literature, with a view of adding to existing literature as well as synthesizing opposing views on the socio-economic role of *Zakah* and *Waqf*, also the process of their revitalization in the modern time. It concludes with other useful suggestions

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and recommendations for Nigerian Government and Muslims especially the Northern part.

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Introduction

The institutions of *Zakat* and *Waqf* are among several instruments that instituted by Islamic law to combat poverty and enhance welfare in the society. *Zakah* and *Waqf* are system provide a permanent mechanism from within the economy, to continuously transfer income from the rich to the poor, so that whatever is the number of poor people in a society or whatever are the causes of poverty there is always a continuous flow of transfer to take care of the welfare of the poor.

The historical experience of *Zakat* and *Waqf* is very rich all over the Muslim world. According to Matthews, R. (2013, p. 54) *Zakat* was the backbone of philanthropy; it helps in generating a flow of funds and recruit the necessary manpower, while *Waqf* provides its physical and material infrastructure and source of revenue.

There are sufficient provisions for all mankind in this world as can be deduced from the following verse:

وَلَقَدْ مَكَّنَّاكُمْ فِي الْأَرْضِ وَجَعَلْنَا لَكُمْ فِيهَا مَعِيشَةً قَلِيلًا مَّا

تَشْكُرُونَ ﴿١٠﴾

"And surely, We gave you authority on the earth and appointed you there in provisions (for your life). Little thanks do you give" (Qur'an7:10).

Muslims are, however, urged to work hard for their living and meet their needs. Allah commands them in the Qur'an:

فَإِذَا قُضِيَتِ الصَّلَاةُ فَانْتَشِرُوا فِي الْأَرْضِ وَابْتَغُوا مِنْ فَضْلِ اللَّهِ
وَأَذْكُرُوا اللَّهَ كَثِيرًا لَعَلَّكُمْ تُفْلِحُونَ ﴿١٠﴾

"And when the prayer is finished, then disperse in the land and seek Allah's bounty" (Q62:10).

In other to circulate the wealth to those who are poor, Allah enshrined *Zakat* on every Muslim that possesses a certain minimum amount of wealth over a certain periods of time which to be given to particular category of people.¹ Allah instructs in the glorious Quran the collection and distribution of *Zakat* as an obligation incumbent upon the rich as well as *Waqf* in other to cater for the needy.

In this regard, Qardwai, Y. (2006, p. 37) states that Islam demonstrates important methods to eradicate and fight the spread of the poverty in Muslim societies, the institution of *Zakat* and *Waqf* along with other charitable institutions are constituted to meet the needs of less privileged members in the society.

Therefore, this study aims at examining the current practices and services of *Zakat* and *Waqf* institution in Northern Nigeria which, regarded as *Shari'ah* compliant States of Nigeria. State like Adamawa, Bauch, Borno, Kebbi, kano, Kaduna kastina, kwara, Sokoto, Jigawa and Zamfara. The study aims to check the experiences and challenges facing the institution of *Zakat* and *Waqf*, It recommends in concluding part that, the government should give more attention to the *Zakat* management through the established government organ to organize, and create awareness among

the Islamic scholars, the traditional leaders, the wealthy individuals and the society in general.

Definitions of *Zakat* and *Waqf*

Zakat is an Arabic word, is the infinitive of the verb *Zakat*, which literally means according to Galandanci A. S. (1992, p. 143), to grow, to purify, to increase, to clean and to improve. In Islamic legal context is to purify the wealth of the rich by taking out a portion of it that really belongs to the poor and needy. The word *Zakat* in accordance with the statement of Ibn Faris, A. (1998, p.127) refers to the determined share of wealth prescribed by Allah to be distributed among the categories of those entitled to receive it.

It is a compulsory payment by the wealthy to the economically under privileged. The obligation of *Zakat* is mandatory on every Muslim who possesses the minimum *Nisaab* (minimum rate) of wealth that enjoys growth or is a result of a growth process.

The Qur'an enjoins those in authority to enforce this injunction thus;

حُدِّ مِنْ أَمْوَالِهِمْ صَدَقَةٌ تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ
صَلَوَاتِكَ سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿١٠٣﴾

"Of their goods, take alms, that so Thou mightiest purify and sanctify them; and pray on their behalf. Verily Thy prayers are a source of security for them: and Allah is one who hears and knows." (Q9:103)

There are three other verses of the Glorious Qur'an that give further clarification on the objectives of *Zakat*.

وَمَا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْهُمْ فَمَا أَوْجَفْتُمْ عَلَيْهِ مِنْ خَيْلٍ وَلَا رِكَابٍ وَلَكِنَّ اللَّهَ يُسَلِّطُ رُسُلَهُ عَلَى مَنْ يَشَاءُ ۗ وَاللَّهُ عَلَى كُلِّ شَيْءٍ قَدِيرٌ ﴿٦﴾ مَا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِللرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ ۗ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا ۗ وَاتَّقُوا اللَّهَ ۗ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٧﴾ لِلْفُقَرَاءِ الْمُهَاجِرِينَ الَّذِينَ أُخْرِجُوا مِنْ دِيَارِهِمْ وَأَمْوَالِهِمْ يَبْتَغُونَ فَضْلًا مِنَ اللَّهِ وَرِضْوَانًا وَيَنْصُرُونَ اللَّهَ وَرَسُولَهُ ۗ أُولَٰئِكَ هُمُ الصَّادِقُونَ ﴿٨﴾

What Allah has bestowed on His Messenger (and taken away) from them - for This ye made no expedition with either cavalry or camelry: but Allah gives power to His apostles over any He pleases: and Allah has power over all things. What Allah has bestowed on His Messenger (and taken away) from the people of the townships, - belongs to Allah, - to His Messenger and to kindred and orphans, the needy and the wayfarer; In order that it may not (merely) make a circuit between the wealthy among you. so take what the Messenger assigns to you, and deny yourselves that which He withholds from you. and fear Allah. for Allah is strict In punishment. (some part is due) to the indigent Muhajirs, those who were expelled from their homes and their property, while seeking Grace from Allah and (His) good pleasure, and aiding Allah and His Messenger. such are indeed the sincere ones. (Q59:6-8).

The objective would appear to be not only to meet the basic needs of the poor -refugees or needy but also to redistribute the wealth and alleviate of the poverty. It has been proved that the systematic *Zakat* management has played a better role in bringing a sustainable life among many Muslim communities by reducing poverty and bridging the gap between the poor and the rich. It is an obligation in Islam that plays an eminent role in shaping and enhancing the lifestyle of people.

On other hand, the literal meaning of the word *Waqf* is 'detention, hold still and endowment. Technically, *Waqf* means detention of a property so that its produce or income may always be available for religious or charitable purposes is a voluntary act of charity that comes under the general terms of *Sadaqah* and *Infaq*. According to Kahf, M. et el (1982) *Waqf* defined as:

Holding a *Maal* (an asset) and preventing its consumption for the purpose of repeatedly extracting its usufruct for the benefit of an objective representing righteousness and/or philanthropy for as long as its principal is preserved either by its own nature -as in land -or from arrangements and conditions prescribed by the *Waqf* founder.

Muslims are encouraged to create *Sadaqah* that continues generating benefits for use in the targeted objectives. The Prophet [SAW] was reported to have said in Ibn Majah, (1997, p. 143) "Whence a child of Adam dies, his/her deed comes to an end except for three things: an ongoing *Sadaqah*, knowledge that benefits (others), and a righteous child who prays for him/her."

Waqf is also termed "*Sadaqatul-jariyah*" or "ongoing *Sadaqah*". An ongoing *sadaqah* includes a mosque that someone built, a house for the wayfarer, a river/canal he/she

dug or a *Sadaqah* gave during his/her life that continues giving its benefits after death.

***Zakat* and *Waqf* Institutions in the History of Islam**

The institutions of *Zakat* and *Waqf* have had a historic role in solving the problems of poverty and provide social services during classical times. Al Tahir, A. et al (1997) stated: During the early history of Islam, *Zakat* used to be collected and distributed by the government under the leadership The Prophet [SAW]. There are many traditions of the Prophet that indicated that The Prophet [SAW] employed many companions to work for the collection and distribution of *Zakat*. (Al Qaradawi (1973, p. 43) and Ibn Kathir, (1997, p. 37) Upon the becoming the first Khalifah, Abubakir worked tirelessly and retained the appointees of the Prophet [SAW] on *Zakat*. it should be remembered that the first task of Abubakir, is the serious combat between him and those who rejected paying *Zakat* upon the demise of the Prophet [SAW], and Abubakr said: "If they withhold giving *Zakat* even a little rein of a camel or a small baby sheep (that is due on them) I will fight them for it, *Zakat* is the due obligation on properties, I will fight whoever discriminates between prayers and *Zakat*.

Abu 'Ubaid, al Qasim (1353H, p. 595) added that: During this period, *Zakat* officials used to go to potential *Zakat* payers, assessed their *Zakat* able assets, collected the due amounts and distributed among the poor.

Khalifah Umar bn al-Khattab (May Allah be pleased with him), during his tenure introduced the idea of *al'ashir* of a new form of collecting *Zakah* on merchandise at check points on major highways, especially those who are coming from other countries and appointed tax collectors who used to collect both taxes on import from non-Muslim foreign

traders and *Zakah* from Muslim traders, a practice that continued throughout the early history of Islam. Dogarawa (2004, p. 9).

In another strong evidence on the role of zakat according to Ahmed, H. (2004, P113), during the reign of Umar bn al-Khattab, Mu'adh bn Jabal who was in Yemen sent one-third of the *Zakah* he collected in a particular year to him in Madinah. Umar rejected it saying: "I sent you to take from the rich and render it to the poor among them", but Mu'adh replied: "I did not send a thing that I find anyone who would take it from me". In the following year, Mu'adh sent one-half of the *Zakah* and the same exchange of talk took place between them. In the third year, he sent to Umar all the *Zakah* collected in Yemen and when queried, he said: „This year I did not find a single person who needs from me anything of the *Zakah*".

During the early Umayyad period (around 40-60H), the distribution of *Zakat* was done by the same collecting officials. There are several reports from the time of Umar bin Abdul Aziz that the distribution of *Zakat* continued to be regional whereby the *Zakat* proceeds were disbursed in the same area and its surroundings.

Ibn Hisham, (1955, p135) and Ibn Kathir, (1997, p. 39) emphasized that the Prophet Muhammad established a *Waqf* himself and advised his companions to establish them. As such, many *Waqf* properties were established for religious as well as charitable reasons. The first *Waqf* created by the Prophet was the purchase of the land and the construction of a mosque in Madinah, known today as *Almasjidun-Nabawy* [the Prophet's Mosque]. Umar ibn Khattab also established a *Waqf* with a land in Khaybar upon the advice of the Prophet. Umar made it to be a *Sadaqah* that could not be sold or given as a gift.

Uthman bin Affan according to Al Tahir, A. (1997, p. 637) bought the well of Rumah and made it free on the suggestion of the Prophet when he once wanted to drink water in Madinah, but it was being sold at a high price. He then called on Muslims to buy the well and render the water free for everybody.

It was also reported by Al Tahir, A. (1997, p. 637) that these charitable institutions during the early Islamic period are demonstrated very effectively in taking care of the needy sections of the population in Muslim societies. Narration indicates that during the time of Umar bin Khattab and Umar bin Abdul Aziz, poverty was eliminated to the extent that *Zakat* collected in some regions could not be distributed due to lack of poor recipients.

***Zakat* and *Waqf* Institutions in Northern Nigeria**

According to (Nigeria Stability and Reconciliation Programme [NSRB], “nda): In the year 1999, the return of Nigeria to democratic governance re-invigorated the agitation for the introduction and implementation of *Shari'ah*. It was Zamfara state's implementation of the *Shari'ah* that triggered a reform movement all over the Muslim states in most of the states in northern Nigeria states like Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto and Yobe. These States adopted the *Shari'ah* legal system and introduce various institutions of Islam such like *Shari'ah* commission, Hisbah group as well as *Gidan Zakat* and *Waqf* bodies, to support the smooth implementation of the *Shari'ah*.

Furthermore, in Accordance with (Nigeria Stability and Reconciliation Programme [NSRB], “ndb): Not all those *Shari'ah* implementing states have state-backed laws that

regulating the administration of *Zakat* and *Waqf*. For example, only states like Bauchi, Borno, Jigawa, Kano, Kebbi, Niger, Yobe and Zamfara have *Zakat* administration laws. The other *Shari'ah* implementing states like Gombe, Kaduna, Katsina and Sokoto have not enacted the laws on the administration of *Zakat* and *waqf* they only rely on universal principles of *Zakat* administration in the execution of their mandate and trust Fund has their own Constitutions registered with the Corporate Affairs Commission (CAC).

(Sheriff Muhammad, “nda) states that: In States like Dutse Emirate, Zamfara, Sokoto, Bauchi, Kano, and Niger. The system of *Zakat* and *Waqf* collections is robust. More also the Dutse Emirate Committee and the Zamfara state *Zakat* and Endowment Board are clearly in the lead in terms of the quantum of collection while Kebbi, Bauchi, Sokoto, and Kano states have also recorded modest achievement in what they were able to collect. But despite this modest collection, the committees have not been able to meet their expected estimation. This is because it is still very difficult to transit from individual to institutional administration of *Zakat* in particular and majority of eligible payers of *Zakat* still pay their portions to beneficiaries directly or through their local Scholars which left the process to lack the essence and motive of *Zakat* operation. Also cause a lot of difficulty in determining what *Zakat* is due for collection.

Waqf, also called hubs, (Hausa, hubusi) on the other hand is similar to *Zakat* but different. The similarity is that they belong to same genus of instruments of social protection and social peace and welfare. The difference is that *Zakat* is compulsory while the *Waqf* is voluntary and unspecified in quantum.

In the history Northern States, *Waqf* has been more powerful than *Zakat* in building institutions. Mosques, schools, classes, Rooms for homeless people. In Ilorin for example many houses that are built for Emigrants [Almagirai] that come from other Hausa land like Kano, Sokoto, Katsina, etc, at Gambari area voluntarily as *Waqf*, the same thing in Kano and almost northern states of Nigeria. Others are common *Waqf* materials are different items of foods, availability of pipestransport water to the society, wells and boreholes etc.

Challenges facing the institution of *Zakat* and *Waqf* in Northern Nigeria

Despite all the resources committed by the government of Nigeria to achieve noble objective of *Zakat* and *Waqf*, its realization has remained a mirage. inNigeria. There are precisely four challenges affecting the generation and effectiveness utilization of *Zakat* and*Waqf* especially in northern Nigeria includes:

1. Lack of proper attention from the government

The *Zakat* is the third among the five pillars of Islam, while hajj is the fifth, but the attention attached to the later one by Nigerian government is more visible and serious than the former one. The government established hajj agencies at all level of government from local to state and federal levels. contrarily the case is not like that in utilization of *Zakat* and *Waqf*. Although as mentioned above the institution of *Zakat* and *Waqf* was constituted in northern Nigeria at state levels there are no strong agencies compare to the hajj operation. For *Zakat* and *Waqf* Very little and negligible efforts are made for them by few state governments whereas during the early times of Islam it was the full and the sole responsibility of the government to collect and disburse *Zakat* and *Waqf*.

2. Lack of update knowledge of jurisprudence [*Fiqh*] in *Zakat* and *Waqf*

Another challenge affecting the implementation of *Zakat* and *Waqf* is non-update of the jurisprudence knowledge in usage on *Zakat* and *Waqf* in Northern Nigeria. It is necessary or the scholars to pay more attention and intensifying research to get more literature to update the *Zakat* and *Waqf* institutions with ongoing developments in other Muslim countries like Saudi Arabia, Sudan and Malaysia and Sudan where a lot of success has been recorded and achieved.

There is a crucial need for the States to consider the use of Islamic scholars in creating awareness, enlightening and educating people about the basic knowledge on these institutions that could play a positive part in the betterment social welfare in the society.

3. Problem of Collection Processes

The system of *Zakat* collection is so weak in the most states of northern Nigeria, instead of the states to combine the adoption of voluntary enforcement payment of *Zakat* and voluntary payment only for *Waqf* as laid down rules Islamic books of *Fiqh* and Schools of thoughts. they rather rely only on voluntary payment. Because any state that enjoys an effective tax collection system, might still consider the enforcement of *Zakat* as an additional burden on its citizens as Allah directs:

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ
 صَلَاتَكَ سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ

Of their goods, take alms, that so Thou mightest purify and sanctify them; and pray on their behalf. Verily Thy prayers are a source of security for them: and Allah is one who heareth and knoweth. (Q9:103)

Although the voluntary *Zakat* payment is encouraged according to (Sheriff Muhammad, “*ndb*) for four reasons:

(1) avoidance of compulsion and threats of sanctions in religious duties may encourage self-willing payments; (2) creating love and affection between the payers and the receivers; (3) avoiding any *Fiqh* debates regarding compulsion of payments; (4) it is more consistent with the principle of intentions and good deeds.

4. Problem of Distribution Procedures

The Qur'an has specifically mentioned the beneficiary of *Zakat* in (9:60), but left the prioritization and proportional distribution for the scholars to brainstorm and decide what to be given to every needy in accordance with condition, time and environment. In some state of northern Nigeria there is no a standard frame worked of priority schedule for *Zakat* and *Waqf* distributions. Therefore, the challenge here is how to develop a priority formula in those states to ensure improving the productive capacity in their states through *Zakat* and *Waqf* institutions by providing basic needs such as entrepreneurship, venture businesses as well as food security.

However most of the northern states of Nigerian have prioritized the poor and the needy with unreasonable amount ranges from tw0 USD (\$2) to fifty USD (\$50),that is between one thousand naira (N1000.00) to twenty-five thousand naira (N25,000.00). The problem is that the amount to be distributed is arbitrarily fixed without

consideration of the level of poverty to be alleviated or the quantity of the poor in the state. It is opined that consideration should not only be on poverty reduction but simultaneously the need to consider the issue of raising the productive capacity of the community in general.

Hence the need to ensure that a significant amount of *Zakat* be given to those expected to be productive, seeking to be independent, and thus transforming from being a receiver to a giver, instead of giving emphasis and distributing the money to beggars who will infinitely be receivers. Sudan is a good example of a country according to (Abubakar U, Farouk, Kamil B Md Idris and Ram Al Jaffri B Saad, “nd) that has attempted successfully in this kind of prioritization. The *Zakat* board of the country came up with a formula for *Zakat* distribution as follows: poor 25%; destitute 25%; *Zakat* worker 5%; new converts 5%; indebt 20%; way of ALLAH 10%; way farer 10% and in slavery 0%. This has been working successfully there.

Conclusion and Recommendations

From the foregoing discussions, it is much understanding that an effective and efficient *Zakat* and *Waqf* management is inevitably essential in order to achieve the desired economic goals in any given society. The governments and individuals have a role to play in designing and discharging the process include the identification of the eligible *Zakat* payers and the eligible recipients, the classes *Zakatable* wealth, the actual calculations.

It is clear that the institution of *Zahat* and *Waqf* is facing many challenges that need to be addressed in order to have an effective system. Certainly, this little work provides not all possible ways to handle the entire institution, but gives a

contribution that may be further advanced by other studies in the area.

The study discusses some general challenges facing the institution of *Zakat* and *Waqf* in Northern Nigeria includes: Lack of serious government commitment, non-proper identification of *zakat* payer and zakatable wealth, issues regarding the determination the location and method of collection and distribution; as well as unilateral decisions at individual level. All resulting in ineffective administrative machinery.

It is therefore recommended for *Shari'ah* implementing states in northern Nigeria to pay more attention and commitment to the *Zakat* and *Waqf* institutions management through the established government organ to organize, coordinate and create apt awareness among the Islamic scholars, the traditional leaders, the wealthy individuals, and the community in general. Further researches should empirically carried out to discover more alternatives for better *Zakat* and *Waqf* managements. This is because in Northern Nigeria which, as Muslims dominated states, the government has constituted commissions for *Zakah* and *Waqf* administration, but still individual payers mostly prefer to handle their *Zakah* personally than to discharge their obligation through agencies or voluntary charitable organization.

It is also suggested that Muslims in Northern part of Nigeria should therefore endeavor to establish vibrant *Zakah* and *Awqaf* institutions in their communities to augment the effort of their respective governments in the fight against poverty and other social menace. It has happened in the past and can happen now.

The paper finally recommended that agencies must ensure transparency and accountability by disclosing all their activities and methods of distribution, in order to gain the confidence of the public regarding the *Zakat* and *Waqf* funds management. Although, there may be availability of reports indicating the method of collections and distributions, yet the issues of possible improper accounting in the reports may affect the system.

For further study, Islam stands for complete eradication of absolute poverty and organization of economic life in a manner that the basic needs of all human beings are met through many institutions in which, *Zakat* and *Waqf* are included. Others like *mirath*, and *Sadaqah* are also required much attention, more research and framework as framed and laid down by Islamic economic system.

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