

# An empirical study of the challenges facing zakat and waqf institutions in Northern Nigeria

Mahadi Ahmad

*Research Development & Innovation Department,  
International Shari'ah Research Academy for Islamic Finance (ISRA),  
Kuala Lumpur, Malaysia*

## Abstract

**Purpose** – The purpose of this paper is to unearth the factors inhibiting the development of zakat (the Islamic obligatory alms) and waqf (endowment) institutions in Northern Nigeria, with the aim of proffering appropriate solutions.

**Design/methodology/approach** – This paper uses a qualitative research methodology whereby data was sourced from relevant stakeholders in Northern Nigeria. To select the appropriate interviewees, maximum variation and homogenous purposeful sampling techniques were used.

**Findings** – The findings of the paper show that zakat and waqf institutions in Northern Nigeria have not achieved their inherent Shari'ah objectives because members of the public have little or no trust or confidence in the institutions. Also, the potential zakat payers and waqf donors dislike political office holders' involvement in the appointment of the institutions' administrators. Finally, the administrators lack adequate managerial and administrative knowledge of the two institutions.

**Research limitations/implications** – The current research focusses on causes of low performance of zakat and waqf institutions solely in Northern Nigeria. It is envisaged that subsequent researchers may conduct research on the possibility of having a federal law that will strengthen the overall establishment and development of zakat and waqf in Nigeria. This will affect both Muslim-majority and Muslim-minority communities.

**Originality/value** – This paper represents a referenceable work in the field of zakat and waqf in Northern Nigeria, as it uses an approach that sources primary data in the form of participants' point of view instead of relying on literature or document analysis. It is not a mere theoretical study of the literature but an empirical investigation of the problem.

**Keywords** Confidence, Waqf, Trust, Zakat, Northern Nigeria, Homogeneous, Maximum variation

**Paper type** Research paper

## Introduction

Zakat and waqf are Islamic social funds that serve as effective tools for achieving financial inclusiveness and poverty alleviation. In Nigeria, the institutions once flourished during the defunct Sokoto Caliphate that was founded by Usman Dan Fodio (1817). However, after the fall of the Caliphate at the hands of British colonialists in 1905, the institutions suffered lengthy retardation as a result of the colonial interruption (Ahmad, 2010; Otubu, 2012). As the end of colonial rule, the next effort to revive the institutional zakat administration in



Northern Nigeria came as a resolution of a conference held in Bayero University, Kano, in 1982. Accordingly, a council was established as Kano State Zakat Council and the late emir of Kano State, Alhaji Ado Bayero was appointed as the chairman of the council. This council existed from 1982 to 2003. There were renewed efforts to upgrade the zakat council to a commission in the aftermath of the Zamfara State declaration of implementation of Sharī'ah and following the enactment of the Zamfara State Zakat and Endowment Board Law 2000, which was the first law on zakat and waqf in Northern Nigeria, as the end of colonial rule. This development influenced other states in Northern Nigeria, and the Kano State Zakat and Hubusi Commission was thereafter established in 2003 (Philip, 2007). Nevertheless, these efforts have yet to yield the expected results.

Based on the above, this paper presents an empirical data collection and analysis of the challenges facing the development of zakat and waqf institutions in Northern Nigeria. Semi-structured interviews were used as the instrument for data collection. This method allows the interviewer to change the order of the questions if the need arises and probe far beyond the responses offered to the prepared questions (Puvanesvary *et al.*, 2008). During the pilot interview of this research, it was noted that the findings showed that many people, irrespective of being a degree holder or not, had little awareness of the contemporary development of both zakat and waqf, specifically cash waqf, corporate waqf and *ṣanādiq waqfiyyah* (waqf funds). The reason behind this was the underdevelopment of waqf institutions in Nigeria.

Zakat and waqf institutions in Northern Nigeria have not been performing to the expectation of stakeholders, even though laws have been enacted for their administration. Despite this problem, previous studies have not examined the phenomenon using the appropriate methodology that assists in getting to the root cause of the problem. The methodology adopted in the current research uses a combination of maximum variation and homogenous purposeful sampling techniques. It ensured that appropriate and suitable interviewees were selected in the data collection process.

The study is organised in four main sections. The second section consists of the literature review, followed by the methodology, data collection, analysis and interpretation and participants' profile in the third section. The fourth section contains the findings and discussions. The fifth section comprises the conclusions, recommendations and implications for future research.

## Literature review

An abundance of research has been conducted on zakat and waqf. This literature review, however, focusses on the research most relevant to the context of the paper.

Aliyu (2018) found that over its historical development, waqf institutions have helped lessen the burden of tax and budget deficits, promote the public good, address inequality and alleviate poverty. This finding, as good as it is, has not been achieved by Nigerian waqf institutions, thus supporting the objective of the current research. Jaffri (2019) found that lack of uniformity in fatwa, centralised administrative authority for zakat and low compliance from potential donors were partly responsible for the weak zakat governance in Nigeria. This study has also justified the current research that investigates the challenges facing the Nigerian zakat and waqf institutions. However, the methodology used by the current paper leads to findings that fill the gap Jaffri (2019) did not fill. Hamzah and Saheed (2018) found that improper administration was one of the causes of underperformance of zakat institutions in Nigeria. Maidoki and Sani (2018) found that in Sokoto State, in particular, one of the problems of zakat institutions is poor participation from wealthy people amidst high numbers of those in

need of zakat. This scenario reflects a true mismatch between potential zakat proceeds and potential zakat consumption rates.

Abdullahi (2019) said that waqf and zakat if embraced and properly harnessed, have the potential to boost Nigeria's infrastructure. Raimi *et al.* (2010) argue that if zakat were properly administered it would go a long way in eradicating poverty in Nigeria and actualising the millennium development goals. Similarly, Adebayo (2011) agrees that zakat would go a long way in alleviating poverty in Nigeria if it were properly harnessed.

Raimi *et al.* (2010) also concur with Ammani *et al.* (2014) that the northern states of Nigeria have adopted various measures such as zakat to curb the growth of poverty in the region. Moreover, they argue for the imposition of zakat on employment income. Their study also focusses on the causes of low performance of zakat and waqf institutions in Northern Nigeria. The current research seeks to fill the gap in their treatment of that topic.

Audu (2011) argues that in addition to the revenues of a state, zakat has the fiscal potency to stimulate economic growth of Muslim countries if it were properly administered within the central public economic policies of a state. This argument supports the central objective of the current research, which aims at finding solutions to the inability of zakat institutions to perform their Sharī'ah objectives in Northern Nigeria. These Sharī'ah objectives include wealth circulation as mentioned in a *ḥadīth* of the Prophet (peace be upon him) "[...] that it is taken from the rich and given to the poor" (Al-Bukhārī, 1987, Vol. 2, p. 104). Another is poverty alleviation through redistribution, which entrenches social justice in the society, creates a friendly relationship between the rich and the poor, and leads to a crime-free society.

Rashid (2011) outlined a list of problems, which have worked against the optimal utilisation of waqf. He suggested a way forward for revolutionizing waqf institutions to achieve their inherent objectives. He also discussed six issues as follows: the survey of waqf properties, their importance and suggested legal structure, the need for democratisation of waqf administration, revival of family *awqāf* (pl. of waqf), how to avoid wastage of waqf funds on litigation, how to recover usurped waqf properties without going to the court of law and future directions in the development of waqf properties (Rashid, 2011). Nonetheless, the paper did not focus on Nigerian waqf, which this current research does.

Obaidullah (2014) asserted that most waqf laws were affected by colonial influences and dominated by secular laws. Obaidullah's findings were in consonance with the findings of Oseni (2012), who concluded that the Nigerian waqf arena was distorted by colonial powers in Northern Nigeria.

Usama (2014) focussed on unemployment and poverty mitigation with temporary waqf as the financing tool. However, his research was not an investigation into the causes of low performance of zakat and waqf in Northern Nigeria and it was also not connected to Northern Nigeria waqf institutions. Hasan (2012) proposed a waqf bank as the best mechanism for managing waqf assets. His proposal is different from the subject matter of the current study, which investigates the causes of the low performance of zakat and waqf institutions in Northern Nigeria.

After reviewing some of the relevant literature on this topic, it can be argued that there was indeed a gap that had not yet been covered – that of examining the institutions of zakat and waqf in Northern Nigeria, which this current paper seeks to discuss.

### Methodology and research design

The empirical nature of this study used a grounded theory research design, which was found to align with the nature of the current study, where the central phenomenon was the inability of zakat and waqf institutions in Northern Nigeria to combat poverty. The

grounded theory necessitates the researcher to drop his conceived theory of the central phenomenon and generate a new theory that is rooted in the participants' views and understanding of the phenomenon (Creswell, 2012).

Semi-structured interviews were conducted. Almost, all the interviews took around 45 min. They combined both face-to-face and personal telephone interviews (Creswell, 2006; Raymond, 2006; European Food Safety Authority, 2009). The face-to-face interviews took place in Malaysia with Nigerian students who fulfilled the participation criteria, which are mentioned below in the participants' profile. On the other hand, the telephone interviews were successfully completed using an android recording programme. The programme was available in the Lenovo smartphone and was named the "Call Recorder", which automatically recorded all conversations. Manual transcription took place successfully. Moreover, all the participants were assured of confidentiality by the use of pseudonyms in place of their given names.

A combination of maximum variation and homogenous purposeful sampling techniques were used in this study. The reason homogenous techniques were chosen was based on the homogenous nature of the majority of the states within Northern Nigeria. The populations are predominantly Muslims and speak the same language, Hausa, two strong factors that have bound the region together, as the time of the former Sokoto Caliphate. On the other hand, the maximum-variation purposeful sampling technique was used because of the variation between the participants. The participants comprise informants drawn from the zakat and endowment boards and commission and informants from the public domain. The reason for choosing these participants was because it was expected that the two parties would have answers that were not known to others.

With regard to sample size, there is a popular view to consider a sample of a few individuals or sites in qualitative research (Creswell, 2012). Moreover, it is important for a methodology to get participants with rich information because the central idea of qualitative research is to gain an in-depth understanding of a phenomenon. It is not the intention to generalise as in quantitative research. It is possible to have a sample of only one or two or even 30 to 40 if a saturation point is attained (Creswell, 2012). Accordingly, in the current study, the sampled individuals were purposefully selected because of their familiarity with the problems of zakat and waqf in Nigeria. The saturation point in this study was attained with the first three informants from a list of 10 informants that were interviewed. In addition, a pilot interview was conducted with one person and his responses assisted in reshaping the research question. This brought the total number of interviewees to 11.

It was expected that the responses of the zakat and endowment board officials who participated in the study would be different from the responses of the participants from the public domain. However, this assumption was proven wrong. Three participants from the public domain were interviewed, as well as two high-ranking officials of the zakat and endowment boards and commission. The responses of the officials were in concordance with the responses of the earlier three interviewees. The only slight difference came from a director of one of the zakat and endowment boards, who averred that the zakat and waqf institutions in his state were performing better than those of other states. Nevertheless, the inclusion of the maximum variation purposeful technique in the methodology proved its far-reaching relevance when an interview conducted with a reputable Islamic religious scholar in this state countered the director's responses. The interview with the religious personality revealed that in this state, though the zakat and waqf institutions may be doing relatively well, they were also suffering from the same problems of lack of trust and confidence and other problems, which faced by other states (Muhammad, 2015). This confirms that the

myriad of problems faced by zakat and waqf institutions in Northern Nigeria were available in all the states even though some are performing better than the others.

#### *Data analysis and interpretation*

When interpreting the data (see themes in the main body of this paper), a comparison was made between one theme and another. The findings were also compared to the literature. Evidence was cited, sometimes from the data and sometimes from outside the data to support some of the claims.

After this, a two-level coding process was followed based on [Charmaz \(2006\)](#). There was a focus on *in vivo* codes ([Sandelowski and Barosso, 2007](#)). The coding process was done manually, and after the second level coding, themes were generated from categorisation of codes with close similarities under one representative label. As the participants were almost unanimous in using certain phrases and expressions to express their opinions on the factors causing the inability of zakat and waqf institutions to actualise their objectives, some of the codes comprised the exact phrases used by the participants. For example, a participant repeatedly said, “awareness and result”, as the solution to the public loss of trust and confidence in the government zakat and endowment boards.

#### *Participants’ profiles*

A group of participants were purposefully chosen from four states within Northern Nigeria. The states included Bauchi, Kano, Niger and Zamfara. Moreover, the selection of the participants was purposefully based on people who were perceived to be zakat payers and waqf donors. The participants comprised farmers and herders, salaried employees from the public and private sectors, and top officials of the zakat and endowment boards of the four states mentioned above. Potential zakat receivers were not important in this study because the central phenomenon of the study was poverty, which was the attribute of a zakat and waqf receiver. It is true that poverty exists among many people in the regions within the study, as it was shown by data from the Nigerian [National Bureau of Statistics \(2012\)](#). However, the pertinent question is how to alleviate poverty, not who deserves and does not deserve to be given zakat or waqf proceeds. In all the selections the sampling process purposefully considered possession of in-depth knowledge of the phenomenon, as is evidenced in the data.

### **Findings and discussion**

The findings and emerging theory are discussed below with their implications on the zakat and waqf poverty alleviation programme in the research units of inquiry. The findings were then generalised to Northern Nigeria analytically, as well as to the entire country of Nigeria ([Robert, 2011](#)). After the data analysis was conducted, the findings revealed the themes listed below, which were further tested. Based on the validity test, the author is confident that the themes comprehensively represent the data. Below is the list of five themes of their relevance and strength:

- (1) Stakeholders’ responsibilities.
- (2) Trust and confidence.
- (3) Knowledge and awareness.
- (4) Sources of zakat.
- (5) Lack of awareness of waqf.

The data revealed that the research question was very relevant in the study, as it generated the core theme and represented more information about the factors causing the inability of zakat and waqf institutions to combat poverty in Northern Nigeria.

### *Stakeholders' responsibilities*

The data revealed that for zakat and waqf institutions to be efficient the leaders of all potential sources of zakat and waqf must collaborate with the zakat and endowment authorities. Furthermore, the data confirmed that one of the major problems of zakat and waqf in poverty alleviation is the lack of adequate sensitisation, organisation and coordination by leaders in the states. This was evidenced in a pilot survey, which revealed that many people have little knowledge about zakat and waqf (Musa, 2015). Furthermore, the pilot survey was corroborated by the following quote:

Annually, the Jamā'a 'tu Izālatul Bida' h wa Iqāmatul Sunnah [a group of Sunni Muslims in Nigeria] seeks assistance for the sake of the less privileged of the society, particularly the orphans. In their various mosques, before Ramadhan and even during Ramadhan, before the *Eid* (the Muslim festive celebration a day after fasting of Ramadhan and the 10<sup>th</sup> day of Islamic month of *Dhul hijjah*), they collect donations from people. They are well organized, purposefully. They always encourage people during their annual Ramadhan *tafsir* to give out zakat, whether it is little or whatever they can, for the less privileged in the society (Sadisu, 2015).

This is a typical example of how the owners of authority (i.e. the relevant leaders) may be responsible for either successful administration of zakat and waqf or for their underdevelopment and maladministration. If the leaders performed their responsibilities properly, zakat and waqf would work effectively to alleviate poverty, as indicated by the above interviewee's responses. It also shows that Muslim scholars have an immeasurable value to add to the strength of zakat and waqf institutions. The somewhat negative aspect here is because all the relevant stakeholders do not come together to coordinate and organise themselves for a common goal; sectionalism and division exist in the administration of zakat in Northern Nigeria. Consequently, the state zakat and endowment boards and commissions are underperforming because of little attention from the leaders.

It is understood from this finding that if the religious leaders such as the northern emirs collaborate with Muslim scholars and organise all the different Muslim groups in their state under a collective body of zakat and waqf administration, there would be a record of tremendous successes in making zakat and waqf instrumental in alleviating poverty in Northern Nigeria.

Furthermore, there is no doubt that serious coordination of the process, organisation and unity among the Muslims can only be achieved through the establishment of good relationships between leaders and their followers. Nearly all the informants were very open in stating that the only solution to the low success rate of zakat and waqf institutions in poverty alleviation programmes was for the state governments to wake up to their responsibility on this issue. The respondents even said that zakat deduction from salaries and from the incomes of self-employed professionals would only be possible with assistance from various state governments. The state governments need to legislate and provide adequate laws that would ensure compliance by the people and punishment for misappropriation of zakat and waqf funds (Yazid, 2015; Tanko, 2015; Kogi, 2015; Qasim, 2015). Another informant complained that the leaders in the state governments must provide adequate funding to the zakat and waqf boards if they are to be effective in handling their various programmes. This is important to curb overreliance on the share of *al-'āmilīna alayhā* (administrators of zakat). To prevent the public perception that zakat and waqf donations primarily serve to pay administrators' salaries, the state governments of Northern



Nigeria should fund the zakat and endowment boards adequately so that zakat recipients get adequate shares for their poverty alleviation projects and waqf funds can adequately be spent on social developments such as schools and hospitals.

The above claims of leadership problems were corroborated by one of the informants, who stated:

We were trying to build a Jum'at (Central) Mosque in Bosso Campus, [Minna]. The Muslim community was looking for money, but people were not willing to make donations. So we looked at the record of the bursary unit of the university, and had the names of Muslim staff, and we launched the campaign by calling for zakat collection, deducting 2.5 per cent from whatever one earns as salary. We are trying to replicate the same thing on the main campus to build another mosque. But the new Vice-Chancellor did not understand the system and he said he would not allow anybody to deduct somebody's salary without any prior authorisation, so many of the people were happy that their money will not be deducted. The project stood at a standstill; there was no progress and the little money they were able to collect was not sufficient to build the mosque. With understanding and preaching, the Vice-Chancellor was later convinced. He was summoned to a Muslim ummah meeting. The Vice-Chancellor said that he would like to adopt the previous system of deducting 2.5 per cent directly from the staff's salaries and that whoever is not interested can submit his name, he has promised he would refund that person's money even with interest if he wants. When he started that process, nobody complained. Today, the collection of funds is going on smoothly because they are taking money directly from salaries. So every month you know what you are getting. I believe our problem is to educate the people and get the Muslims in Nigeria to be organised. If Muslims in Nigeria are well organised, they shall achieve the objectives of zakat and waqf (Sadisu, 2015).

This quote is empirical proof of the possibility that zakat on salaries (i.e. zakat charged at the source of salary payment) could be introduced in Northern Nigeria if people are well educated about it, and the zakat system is well-organised, well-coordinated and transparent. There should also be confirmed from the beneficiaries that they have received the zakat. However, it is important to note that the Muslim federal staff in Nigeria have no reason to refuse to pay zakat on salaries as it cannot be replaced with income tax and the government will not interfere with one's religious duties. The fact that they pay income tax to the federal government is not an excuse to refuse to pay zakat on salaries because each of the two is different from the other. Zakat is a religious obligation while income tax is a levy imposed by governments on the income of the working citizens. At the state government level, any state implementing the Shari'ah cannot levy tax alongside zakat. Therefore, the Muslims would be liable for zakat and the non-Muslims among them would have income tax levied on them. To avoid differential treatment in rates to be paid by each religious group, the government can decide to put an equal rate for all and deduct the rate of zakat (2.5 per cent) from tax paid by the Muslims and then channel the balance to the tax fund.

Furthermore, it was found that most of the participants from the four states agreed that there were categories of stakeholders (typically the leaders) from Northern Nigeria that could play an active role, not a ceremonious or honorary role, in poverty alleviation through zakat and waqf funds. They said that the administration of zakat and waqf should be headed by the emirs (leaders). The participants also said that, as the emirs controlled their districts and village heads, they would be able to reach out to the people under their leadership as they knew everyone directly or indirectly (Yazid, 2015; Tanko, 2015; Kogi, 2015; Qasim, 2015). The participants who supported this view said that the emirs used to be the heads of zakat and waqf administration in Northern Nigeria before the colonial masters destroyed the system. They advocated for the return of this right to the emirs. Their justification for the return to this system was that in religious matters, people respect the emirs more than the governors. As a result, it was unlikely for people to comply with the

governors' orders in paying zakat and waqf to the state zakat and endowment boards to alleviate poverty. However, if such an order comes from traditional rulers; i.e. the emirs, it is very likely that people would comply.

Nevertheless, as is usual in any society, some of the participants were hesitant to agree with the above view. They said that if the respect the emirs used to earn was restored, their involvement in zakat and waqf matters would significantly assist in solving leadership problems in the institutions. However, this seems to be a minority opinion in Northern Nigeria. The reason for this is that most of the informants that worked in the zakat and endowment boards affirmed that the involvement of the emirs would be instrumental for the zakat and waqf poverty alleviation programme across Northern Nigeria (Yazid, 2015; Tanko, 2015; Kogi, 2015; Qasim, 2015).

One of the participants provided an example of the state of Jigawa, which was headed by the emirate council. Jigawa State administers zakat on cash and grains, which is triple what is being realised in Kano State, which has triple the population and wealth of Jigawa State (Yazid, 2015). It should be noted at this junction that the active involvement of religious leaders like the emirs is supported by the Qur'ān, Surah al-Hajj, verse 41, which says: "And they are those who, if We give them authority in the land, establish prayer and give zakat, enjoin what is right and forbid what is wrong, and to Allah belongs the outcome of all matters".

On the aspect of state governments, the findings of this study also confirmed that for zakat and waqf to function effectively, state governors needed to be more proactive. To this effect, the participants said that the government must convince the people of its sincerity and support with an adequate budget and laws that protect the interests of all stakeholders (Sado, 2015). This finding supports the adoption of best practices from progressive developments in the aspect of zakat and waqf in Malaysia and Kuwait to be applied in Nigeria. In Malaysia, for example, the rulers are involved through their respective State Islamic Religious Councils. Recently, the Jabatan Wakaf, Zakat dan Haji (Jawhar, 2019) (department of Waqf, Zakat and Hajj) has also become one of the zakat and waqf managers in Malaysia without violating the constitutional rights of the rulers. However, in Nigeria, the fear of rulers abusing their privileges is very low because their involvement is not their constitutional right but rather, a mere convention instilled in people to respect them as religious leaders in religious matters. This has allowed the Supreme Council for Islamic Affairs to replicate the role of Jawhar. Furthermore, the governors, as the chief security officers of the state, are able to counter any unexpected excesses of the emir, if observed. For example, in Kuwait, it has been found that the institutions are headed by the Minister of Religious Affairs, who actively participates as the board chairman and is not a mere ceremonial figure.

### *Trust and confidence*

The data in the present study continued to reiterate that "trust and confidence" is one of the major factors responsible for the low public patronage of the State Zakat and Endowment Boards and Commissions in Northern Nigeria. This is one of the major factors for the institution's inability to alleviate poverty. The frequent mentioning of trust and confidence by all the interviewees called for great concern, which made it one of the most important themes in the data collected. Even the Zamfara State Zakat and Endowment Board was not exonerated from this factor, according to Muhammad (2015).

The nature of the public loss of trust and confidence comes from people not being comfortable with state governments' zakat and endowment boards and commissions, which they perceived as dishonest (Yazid, 2015; Tanko, 2015; Kogi, 2015; Qasim, 2015). According



to all the participants, some of the zakat and waqf officials were perceived to be government political appointees who were placed in those positions to reward them for their party loyalty (Muhammad, 2015).

One of the participants stated, “our government cannot protect our interests, so we cannot continue to give our zakat to the government” (Yazid, 2015; Tanko, 2015; Kogi, 2015; Qasim, 2015). All the participants said this in different ways[1]. This was supported by a statement that had similar connotations from a participant from the Zamfara State Zakat and Endowment Board, which has the most developed zakat and waqf system in Northern Nigeria. The participant said that they faced the challenge of some people not wanting to pay zakat to the Zakat Board because they are not pleased with the government of the day (Gusau, 2015). Another top officer from one of the Zakat and Endowment Board said:

Keeping *amānah* (trust) is our problem; even the salaried zakat and zakat on income of the self-employed professionals you are talking about. Not until the government comes up with a very strict law to punish anyone that commits crime against such funds, it will be difficult to be practiced (Yazid, 2015).

With respect to trust and confidence as important factors for zakat and waqf to be effective in alleviating poverty, one of the participants said that one of the reasons why people do not recognise the state zakat and endowment boards is because:

The problem is this, the zakat commission, anytime they come on board the government in place will change the people that are responsible for the collection of zakat. By the time certain groups of people are there [you will be changing them]. For example, in one of the states in particular, before 2007, we had people that oversaw the zakat board. But after 2007, another government came in and changed the arm of the people that were responsible, so a lot of people felt insecure under these other people. Those that started it were gradually being accepted by the members of the public and were becoming popular but when they were removed people do not have confidence in the new people that came in (Sadisu, 2015).

This is strong evidence, which shows how a lack of trust and confidence is responsible for the inefficiency of zakat and waqf boards in Northern Nigeria. The participant also mentioned that religious ideological differences represented a factor, which caused lack of trust and confidence. He gave an example that if a board was headed by someone who belonged to the Izālah group[2], the people that belonged to the Tariqah group[3] would not accept him and vice versa. Nevertheless, the State of Zamfara has been able to solve this problem. According to one of its senior officials of zakat, they were able to solve this problem by making all the Islamic religious factions represented at the zakat and endowment committees (Gusau, 2015).

Another dimension of lack of trust and confidence was that people thought that the zakat and endowment board members were not creative in actualizing the objectives of zakat and waqf, i.e. poverty alleviation. This was the reason they did not want to give their money as zakat.

One of the participants said that he pays his zakat personally to those he thinks are most deserving. When he was asked why he did not prefer to take it to the State Zakat and Endowment Board Commission, he replied thus:

They are not doing it well; they are not doing it well at all. How can N5,000 Nigerian Naira, N10,000 Nigerian Naira, or even N20,000 Nigerian Naira alleviate poverty? This is what they are giving some people, thinking that they are alleviating poverty (Zaid, 2015).

Surprisingly, an official of one of the zakat and endowment boards in his capacity as an interviewee in this data collection also asked, “how can ₦5,000, ₦10,000 and ₦20,000

alleviate poverty?" (Yazid, 2015). The former attributed the small amount being given to beneficiaries because of lack of honesty and the government's low-key concern for the development of zakat and waqf institutions, while the latter attributed it to low public participation of payments of zakat and waqf to the official zakat and waqf institutions. One glaring defect of the zakat and waqf administration in Northern Nigeria is that the law did not outline any poverty alleviation mechanism guidelines to be followed by the boards. Even the Zamfara State Zakat and Endowment Board, which is more developed than others, also mentioned during an interview that political party affiliation is one of the factors impeding the development of zakat and waqf, and consequently, some people do not want to pay to the state institution of zakat and waqf. Therefore, the money is not sufficient amidst high levels of poverty in the state (Zuhdi, 2015).

This goes back to inadequate poverty alleviation mechanisms. The objective of zakat and waqf is to see that poor people get out of their suffering and deprivation and are provided with basic needs such as food, clothing and education. To cite as an example, in Malaysia, the government has been able to provide access to education to everyone regardless of the social status of a beneficiary's parents. This is the true meaning of poverty alleviation. Thus, any poverty alleviation programme that cannot provide the poor with the minimum requirements of health care, food, clothing, shelter, affordable transportation, education and any other basic human needs that poverty alleviation programme is yet to be successful. In this regard, the present performance of Zamfara State Zakat and Endowment Board is a little ahead of others in terms of its faith-based poverty alleviation programme.

#### *Knowledge and awareness*

The data confirmed that there was a lack of awareness and knowledge among people regarding the payment of zakat. All the participants echoed this point. More importantly, when the researcher asked one of the participants whether there was any further suggestion to improve the governance of zakat and waqf, he responded:

Yes, the Number 1 suggestion I will give here is this: awareness. I am telling you, *wallāhi* [I swear in the name of Allah] many people, I am a Fulani man, I live in a typical village area, that is, why almost every question you asked me I have to emphasise on awareness. Most of our people there in the bush they do not know how to calculate zakat; they have the wealth, they have the cows. I think one cow now is worth thousands of Nigerian Naira (₦). Those people, they are holding a lot of money that will assist the poor. Maybe a two-year-old cow costs ₦50,000 or ₦60,000, even ₦80,000. Like me, before I had problems with my own cows, I used to give three, so only me I am giving out three if you value it, it is sold at ₦60,000. Only me I am giving out ₦180,000 and I am the smallest among them. This is a big amount of money. *Wallāhi* [I swear in the name of Allah], people are reluctant because of lack of awareness, not that they do not know that zakat is good; maybe they think that there are no organisations, which will lay emphasis on it. If it is time to give out zakat, the awareness should be there. Some people know it, but *wallāhi* some people they do not even know it at all (Qasim, 2015).

It was understood from the participant's tenacious repetition of the word awareness that nobody visited the people in the rural areas to teach them the importance of zakat and how to administer it. Indeed, it is not difficult to find a Muslim that knows that zakat is one of the five pillars of Islam, but the administration of it requires some knowledge. Furthermore, the same participant said even though he was now a lecturer in a government-owned university, throughout his life nobody had ever sat with him to teach him about zakat (Qasim, 2015). The Maliki School envisaged the awareness factor and stipulated the coming of *sā'ī* (official zakat collector) as one of the conditions for paying zakat on livestock on a yearly basis. If the

*sā'ī* does not come, the livestock owners are not liable for any shortfall of the livestock, but the *sā'ī* would only collect zakat on the available livestock in that year (Ibn Rushd, 1988; Ibn and Abū Qasim, 2019; Abd al-Wahhāb, 2019).

All the participants of the zakat and endowment boards confirmed that generally, people did not understand that zakat and waqf could alleviate poverty. The author's personal observation as a Nigerian corroborated the fact that there is a deep ignorance of what zakat and waqf really can do for society. This is accentuated by a lack of knowledge and understanding of the socio-economic policies of Islam. The gravity of this deficiency is more serious in some rural areas. For instance, one of the informants remarked that he was from a typical village where livestock are reared and crops cultivated. But from his high school, he visited one of the villages in his state with the Nigerian Muslim students' society. They found that only the old men among them come to the mosque for prayers. They asked the imam about the youth; he replied that they do not come to the mosque except on Fridays and even those who lead the prayers did not know how to pray properly.

The principles laid down by the Prophet (peace be upon him) to collect zakat have yet to be established in some communities. When the Prophet (peace be upon him) sent Muā' dh ibn Jabal to Yemen, he said to him:

Verily, know that you are going to meet People of the Book. Let it be that the first thing you will call them to is to bear witness that there is no deity worthy of worship except Allah and that Prophet Muhammad is His messenger. If they comply with this in obedience to you, then inform them that Allah obliges the five daily prayers. If they comply with this in obedience to you, then inform them that Allah obliges on them to give zakat which will be taken from the rich among them and returned to the poor among them (Al-Bukhārī, 1422A H, Vol. 2, p. 104).

Based on the lessons of this *ḥadīth*, it is a mistake for us to collect zakat from someone who has not been taught how to perform *salat* (prayer) because it is not expected of him to think of zakat while he does not observe *salat*, which comes before zakat in the list of the five pillars of Islam.

#### *Sources of zakat*

There are different types of zakat sources including farm produce, cash and livestock. The data revealed that there were many reasons why salaried employees and self-employed professionals did not pay zakat. According to all the participants, the salaries they received were very low and many of the participants confirmed that although they were staff members of the federal government, the only zakat they had ever paid was *zakāt al-fiṭr* (the zakat paid by Muslims upon the completion of Ramadan). Indeed, they had never paid *zakāt al-māl* (the zakat paid by a Muslim whose wealth reached the *niṣāb*, threshold of zakat).

Furthermore, another reason they provided for not paying zakat on salaries was that many people did not believe that paying zakat on salaries was a Sharī'ah requirement. This is because, to their understanding, the threshold amount of money (*niṣāb*) has to be with the owner for one year before zakat is due upon it. Salaries generally do not remain with the owner for one year, so the salary recipients do not have to pay zakat. In fact, one of the participants who worked in an Islamic bank said that he tried to convince others to deduct zakat from their salaries, but they continued to give the above reasons for not paying; so he deducts the zakat from his own salary (Zaid, 2015).

Nevertheless, one of the participants who earlier doubted the possibility of having a salaried zakat deduction policy expressed hope that if there was good coordination, Nigerian Muslims would accept such a policy. The participant cited the example of a Federal University of Technology where he was working as a senior staff member; they have been

able to use the 2.5 per cent zakat principle to build a central mosque in one of the campuses of the university. Furthermore, at present, with the coordination of the new Vice-Chancellor, they are replicating a similar 2.5 per cent deduction to build another central mosque on another campus of the university (Sadisu, 2015). This participant further expressed that the success of the 2.5 per cent in the mosque building project made him believe that the deduction of zakat from salaries was possible in Nigeria. Unfortunately, the main problem is a lack of proper coordination, organisation and leadership (Sadisu, 2015). Another participant said that the deduction of zakat from salaries would make it easy for people to pay because a lot of people felt very reluctant to do it themselves (Qasim, 2015). This further proves the relevance of Theme No. 1 on “stakeholders’ responsibility” – it means that the leaders of every sector, acting as heads of their respective establishments, have contributed to the lack of performance of zakat and waqf.

The empirical experience countered the fear expressed by one of the interviewees that “people will revolt if you deduct zakat from their salaries, arguing that there is no ruling from the Maliki School of jurisprudence to impose zakat on salaries” (Gusau, 2015). The empirical findings also countered any justification for repealing Section 27 of the Zamfara State Zakat and Endowment Board Law 2003 (as amended). It also rebutted the justification of some Nigerians who did not approve zakat deduction from their salaries by citing the Maliki School, as there was no system of monthly salaries at the time of the early scholars as we have today.

Apart from the Zamfara and Bauchi State interviewees, all the other interviewees supported and justified the deduction of zakat from salaries. However, they cautioned that it must be well implemented through campaigns and the creation of proper awareness, preached by respected ulema (scholars). Most of the informants also stressed that if the emirs would lead the call to pay zakat, then zakat payments in Nigeria would significantly increase beyond expectation. The informants cited the examples of the states of Zamfara and Jigawa where the emirs are actively involved in the zakat administration committees (Tanko, 2015; Kogi, 2015; Sadisu, 2015).

With respect to zakat on farm produce, in some of the northern states, the number of bags of cereals was high, while in other parts, the numbers were low (Philip, 2007; Ahmad, 2016). Moreover, some of the interviewees said that some of the farmers lacked knowledge on how to pay zakat on farm produce, even if they believed in its obligation and have the awareness[4]. Moreover, in other parts of the north, people felt very concerned with discharging this obligation[5].

It is important to note that in the interviews, neither the staff of the zakat boards nor the informants outside the boards gave the exact statistics of zakat realised from farm produce. It was found that even Zamfara State, which is ahead of other states, as its zakat and endowment institutions were established earlier than those of other states in Northern Nigeria, had low performance. One of the participants, who acknowledged that he lived in a typical village, observed that many people are ignorant of the knowledge of zakat, whether zakat levied on grains or livestock. He said the major problem is a lack of proper dissemination of information about zakat in the villages. In line with this, he related that they used to be told – incorrectly – that their grains must stay with them for one year before zakat is due on them. However, now they have been told that zakat on grains is due immediately upon their being harvested (Qasim, 2015). Although in some places emphasis was placed on zakat on grains, an informant from one of the states authoritatively said:

It appears the farmers are more conscious of their zakat obligations compared to other people. Unlike civil servants, they are not organized, but a farmer at the end of every season gives it to his Mallams (Islamic religious scholars in Nigerian language). A farmer in my place, if he has ten

bags of guinea corn, he knows that he must give some zakat to an Islamic scholar. He regularly does that. We can say the farmers are more concerned, but the problem is that it is not formalized the way it is in Malaysia and Kuwait. I believe the farmers are trying, they will always be the most willing people to give their zakat if we have good coordination on the ground (Sadisu, 2015).

Nevertheless, it is important to note that even in states where zakat on grains is emphasised, the annual reports still show low levels of commitment compared to the number of farmers in those places and the number of years of implementing the Shari'ah, since 1999. This finding supports the claim by an informant who said that many people in the villages do not know how to pay zakat on farm produce and that the majority of farmers in Northern Nigeria are subsistence farmers and the value of their zakat is not high. However, a very important person among the informants who worked at one of the zakat commissions authoritatively said that the participation rate of payments of zakat on-farm produced by mechanised farmers was very low (Tanko, 2015; Sadisu, 2015; Yazid, 2015). This assertion was further substantiated by the inability of almost all the informants to provide reliable responses about mechanised farmers in the north. They all claimed not to know anything about them. Moreover, two officials from the zakat and endowment commissions also confirmed the low participation rates of this category of farmers (Tanko, 2015; Sadisu, 2015; Yazid, 2015). Having said that the annual report on Kebbi State showed that one mechanised farmer consistently donated over 500 bags of grain annually to the board.

Anecdotal evidence supporting the claim that zakat collection on grains is low came from a Kano State official from the Zakat and Hubusi Commission. He told the researcher that a woman came from one of the neighbouring states to the commission, asking for financial assistance to offset her debt. It was fortunate for her that a Nigerian research student from Malaysia conducting research at the Commission met the woman by coincidence and gave her some millet, beans and money. The woman used the gifts to begin selling *akāra* (peeled beans formed into a ball and then deep-fried, predominantly for breakfast) and *kwokwo* (maize porridge). After three months, the woman was able to settle her debt and went on to rent a residential house (Yazid, 2015). It can be seen from this living example that if the commission had stocks of grain, it would have been able to provide the woman with millet and beans before the research student had the opportunity to do so. This further confirmed that the commission was not prepared for a zakat and waqf poverty alleviation programme.

Considering the above, there should be reasons why the farmers in the north contribute a low percentage of zakat on grains. Indeed, Northern Nigeria is the most active farming region of Nigeria and has the largest landmass. Based on the personal observation of the researcher, the reason for the low quantity of zakat on grains would be due to a lack of adequate fertilisers, which is responsible for the low yield of farm produce in the north. Consequently, this has had a negative effect on the volume of zakat collected.

With regard to zakat on livestock, one of the interviewees provided detailed information on this type of zakat. He said he was a typical Fulani member from a family of herdsmen, which explained why he was able to provide details on this matter[6]. He lamented the abuse of trust and confidence of some Muslims that came to collect zakat on livestock from his and other neighbouring nomadic communities. He claimed to have the least wealth among his community. Despite this, he used to give no less than three cows as zakat annually. On the other hand, his father and other members of the community used to give around 1,000 cows as zakat. This was only from one community of herdsmen. Nevertheless, they could not see what the zakat was being used for, and their community owned no Islamic schools for their children. As a result, the community stopped giving zakat to the appropriate officials and handled the administration of its zakat by itself. Now, the community owns an Islamic

school and the people give their zakat to those whom they consider needy. When he was asked how they administered the zakat, he replied:

You look for needy people, two or three people, you give them one cow to sell and they can share it. That is, how we do it. Then now, the least amount of one cow given as zakat is worth about ₦50,000 or ₦60,000 (Nigerian Naira). Therefore, where one cow costs ₦50,000, 1,000 cows will be  $₦50,000 \times 1,000 = ₦50m$  (US\$137,736.94). If this is zakat from just one Fulani community, what will be the total zakat of all the Fulani communities in Northern Nigeria? This goes a long way to alleviate poverty in the region. In Nigeria, ₦100,000 (US\$275.48) is adequate business capital for a poor person. The implication of this is that if ₦50m (US\$137,736.94) is divided by ₦100,000 (US\$275.48) = 500, this means that 500 people can be given business capital from 1,000 cows collected as zakat of one nomadic community (Qasim, 2015).

This finding, therefore, confirmed the claim by most of the informants that the problem of zakat in Nigeria was that “people are not well educated about it, and the process of collecting it is not well coordinated.” If they were, Nigeria would escape from widespread poverty. The finding also relates to the first theme, “stakeholders’ responsibility”, and the second theme, “trust and confidence” because the current finding also touches on abuse of trust and confidence by some Muslims. The above calculation of zakat on livestock indicated what could be done to alleviate poverty if there was proper organisation, coordination and administration. It also proves that given people’s lack of education regarding their responsibilities and rights *vis-à-vis* zakat, they are more prone to neglect waqf, which is not obligatory. Furthermore, the finding shows that the leaders’ laxity in playing their religious and societal roles was responsible for the low performance of zakat and waqf in Nigeria.

#### *Lack of awareness of waqf*

The data collected also revealed that many Nigerians, inclusive of staff on the boards of zakat and waqf institutions, were still not very familiar with the concept of waqf and its applicability in alleviating poverty. Some of them had a relatively good understanding of it, but their understanding was still limited to real estate assets of religious endowments such as mosques, graveyards and *madrasahs* (Islamic schools). There have been recent developments in waqf, which has evolved to new concepts such as cash waqf, corporate waqf, *sanādiq waqfiyyah* (waqf funds) and *saham* waqf (waqf share). These modern concepts of waqf are being used to drive economic development in contemporary societies such as Malaysia, Singapore and Saudi Arabia, among others. Nevertheless, knowledge of these waqf instruments is still very low, even with the staff of the zakat and endowment boards and commissions.

During the data collection process, each time the researcher mentioned the new concepts of waqf, the staff were only relatively familiar with cash waqf and not with the others. This confirmed an assertion made by a former Director-General of Zakat and Hubusi Commission of Kano State that many people still consider graveyards and mosques as the only available types of waqf. This is compounded by the inadequate laws on waqf in Nigeria. One informant who is a staff member at one of the zakat and endowment boards and commissions said that they did not understand most of these concepts and that the first time they had heard of them was when the researcher came to interview them. He went further to say that most people who donated tangible assets as waqf were people without heirs who were advised to donate their valuables as waqf. Moreover, many of these donations had little economic value because they were very small pieces of land and small buildings for *madrasahs* (Tanko, 2015; Yazid, 2015).

The present study also found that some of the participants, who were staff members at universities in Nigeria, still did not understand the concept of waqf and how it works. The



researcher had to further clarify the concept by using the synonym *sadaqah jāriyyah* (eternal charity) before they understand it. A staff member at the zakat and endowment commissions even said that zakat and endowments were the same things. This showed a lack of understanding in the process of managing waqf as a perpetual asset.

Nevertheless, it is interesting to note that all the informants, despite coming from different geopolitical areas in Northern Nigeria, unanimously agreed that if there was more awareness of cash waqf, many Nigerians would be ready to contribute a token amount despite the widespread poverty (Sadisu, 2015; Qasim, 2015; Kogi, 2015; Tanko, 2015; Yazid, 2015; Sado, 2015). This token amount, according to some of them, ranged between ₦5 and ₦100. Based on this finding, it can be concluded that waqf has the potential to alleviate poverty in Northern Nigeria if the system is well organised and institutionalised (Sado, 2015). One of the informants who worked in a bank emphasised the following: “yes, a lot of Nigerians would like to give out waqf if they see where the money is going to. A lot of people will do that. I assure you” (Sado, 2015). However, they cited a caveat that for it to work much awareness needs to be created and the utilisation of funds must be known to people. The failure to do so would create a lack of public confidence.

Based on the findings, it seems that the development of waqf to alleviate poverty requires the following:

- adequate staff training;
- public education;
- stringent financial prudential principles;
- information on the use of the waqf proceeds on the projects earmarked for development;
- strong institutional regulatory framework;
- strong auditing and accountability; and
- involvement of public figures who enjoy public trust and confidence and who are ready to talk on air to convince people of the need to contribute to waqf.

The findings also support a practice that occurs in Kuwait, which is the establishment of *ṣanādīq waqfiyyah* (waqf funds) and *mashrūʿ waqfī* (waqf projects). The practice of *ṣanādīq waqfiyyah* is basically where waqf funds have their own objectives, which are clearly stated and made known to the public before requests for contribution are made. This process allows management teams to undertake feasibility studies of any poverty alleviation project or economic development plan to embark on and then open a *ṣundūq* (waqf fund) earmarked for that project. For example, a waqf fund may be established to cater for only the elderly and handicapped people. The fund would bear that name and whatever is donated to that *ṣundūq* would be managed for continuous participation in actualizing that objective. All the informants emphasised that there is a need for full transparency on what the waqf money is going to be spent on. The informants also asserted that if people were kept abreast of where the money is being channeled to they would donate.

One of the informants expressed with deep emotion that “Nigerians are anxiously waiting for something like this, but the problem is, we are not organised. However, if we are organised we shall arrive at where Malaysia and Kuwait are in zakat and waqf” (Sadisu, 2015). If *ṣanādīq waqfiyyah* exists to alleviate poverty, with a clear statement of their objectives, it would encourage the general public to be optimistic about the trustworthiness of the management team. However, the implementation of this finding must consider the need to involve trusted and publicly loved Muslim scholars to sell this idea to the public and to promise to be the representative of the people in the administration of the funds. All the

informants suggested the point of getting trusted Muslim scholars to preach to people and help them understand what waqf is about.

### Conclusion and recommendations

This research focussed on the causes of low performance of zakat and waqf institutions in Northern Nigeria in alleviating poverty. The study was conducted using an empirical qualitative research method, using interviews as the instrument for data collection. The collection of the data was a combination of face-to-face interviews and telephone interviews with Nigerians in Malaysia and Nigeria, respectively.

The empirical findings answered the research question, “what are the causes of the low performance of zakat and waqf institutions in Northern Nigeria?” The answer to the research question proved there were gaps in zakat and endowments in Nigeria. The analysis of the data through a comparison of the empirical data and theories in the literature led to a reliable list of findings. To achieve this, the empirical data collected were analysed and five major themes were found to be representative of the empirical data collected. The findings showed that:

- Trust and confidence were the major concerns of potential zakat payers and waqf donors in Northern Nigeria.
- People were not pleased with the state governors’ involvement in the appointment of officials of the boards and committees of zakat and waqf institutions. They argued that they preferred an appointment that is apolitical.
- Public perception is not taken into consideration in deciding who should be appointed to constitute the committee members on the zakat and waqf boards in Northern Nigeria.
- There are inadequate efforts by the leaders, which has resulted in low levels of zakat and waqf knowledge among the people.
- Leaders in Northern Nigeria – whether they are traditional rulers, governors or leaders in institutions of higher learning – have a collective responsibility to ensure the administration of zakat and waqf in their respective areas of authority.
- The boards had little or no knowledge of waqf developments such as cash waqf, corporate waqf, *ṣanādīq waqfiyyah* (waqf funds) and waqf shares. The lack of adequate knowledge of zakat and waqf prevents the institutions from making maximum use of these two instruments to fulfil their inherent Sharī‘ah objectives, specifically that of poverty alleviation.

Based on the findings mentioned above, the research recommends the following solutions:

- The boards of zakat and waqf should be dominated by respected Muslim scholars, under the leadership of the emirs, similar to the case of the Jigawa State Zakat Committee.
- Serious measures need to be taken to have zakat and waqf institutions adhere to high standards of accountability. These include audits, publicizing financial reports and entrenchment of transparency.
- The state government should only supervise the appointment of administrators; the actual selection of administrators should be done based on public opinion.
- Semi-autonomy of the boards is needed so that they are free to innovate and expand without government interference.

The research looked at the causes of low performance of zakat and waqf institutions in Northern Nigeria. However, there is a need to conduct research on the possibility of having a federal law that will strengthen the establishment and development of zakat and waqf, not only in Northern Nigeria but also for the whole of Nigeria. This will affect both Muslim-majority and Muslim-minority communities.

## Notes

1. This statement regarding the respective state governments' involvement, as one of the factors causing loss of public trust and confidence almost renders the inclusion of the maximum variation sampling technique unnecessary in this study. It was included because of the expectation that the zakat officials, being under the government, would not be willing to mention some points, which members of the public would mention. However, all of them were very honest in confirming this point.
2. Acronym used to identify some Salafi Sunni Muslims in Nigeria. In full, it is pronounced as Izālat al-Bid'ah wa Iqāmat al-Sunnah. It means cleansing the religion from innovations and establishing the Sunnah (the Prophet's way).
3. This is a term used to identify some of the Sunni Ṣūfī Muslim movements in Nigeria. The most popular types in Nigeria are the Tarīqat al-Tijāniyyah and Tarīqat al-Qādiriyyah.
4. The source of this data lamented the ignorance of some people who are cut off from Islamic preaching and hence lack the necessary knowledge on zakat. See, [Qasim \(2015\)](#).
5. This informant from one of the state boards confirmed that they do not get much from farm produce and said that it is unlike the case of Jigawa State, which gets much zakat from cash and grains. See, [Yazid \(2015\)](#).
6. Fulanis are predominantly Muslims. They are scattered throughout many parts of West Africa, from the East of Lake Chad to the Atlantic Coast. They are primarily known for nomadic farming as their ancestral occupation (see Encyclopaedia Britannica, 2019).

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### About the author

Mahadi Ahmad, PhD, is a researcher at the Research Development & Innovation Department, International Shari'ah Research Academy for Islamic Finance, Kuala Lumpur, Malaysia. Mahadi Ahmad can be contacted at: [mahadi@isra.my](mailto:mahadi@isra.my)