

## FAMILY WAQF AS PROGRESSIVE TECHNIQUE FOR POVERTY EXTERMINATION: A HEADLONG FOR HUMAN DEVELOPMENT IN SOUTHERN REGION OF NIGERIA

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### ABSTRACT

The objectives of the current study are in three folded: i) to determine the needs for family waqf emergent as a resolution to endemic poverty ii) to explore how could family waqf would contribute to the human development for the purpose of alleviating poverty and iii) to provide recommendations of family waqf as headlong for human Development in Southern Region of Nigeria. Since the study is purely exploratory hence; it carried out document analysis as it affected the human development. Through the findings, it has been established that there is an urgent need to streamline the legal framework for waqf in Nigeria through proper legislation. The proposed legislation on waqf should only contain general guidelines for the regulation and management of waqf properties and waqf-related issues in the country. The economic potentials of such awqāf property is beyond doubt which would solve the poverty paralyses among the less privilege and poor. The foregoing finding is not exhaustive and is only intended to serve as a launching pad for further research in this area.

**Keywords:** *Family Waqf, Poverty Extermination, Southern Region of Nigeria, Social Development*

### 1.0 Introduction

Poverty is the complete deprivation of the poor which holds them back from achieving the basic necessary things in life. Hence, the poor struggle very hard to meet their basic needs in life coupled with the inability of the government in some parts of the world generally in Africa and specifically Nigeria to provide for them.

For instance, in Nigeria a highly populated African country, poverty has been responsible for poor people's lack of education, ill health, economic emancipation as well as poor people becoming emaciated (Yakubu, 2020; Evans, & Kelikume, 2019). It also, impairs people's knowledge as well as deprives them of shelter

and other basic needs in life. Efforts of the government to tackle this menace have thus far yielded little or no tangible result. This could be due to high level of corruption, insensitivity, lack of substantial commitment and due consideration for the poor and poverty alleviation programs. In addition, the private sector's involvement in poverty alleviation in the economy failed to ameliorate the problem. This could in the most part be due to the sector's profit motive (Islam, 2016).

Furthermore, the voluntary sector as well has not been able to fruitfully resolve this problem of poverty. Additionally, the nature and dimension of the banes confronting the

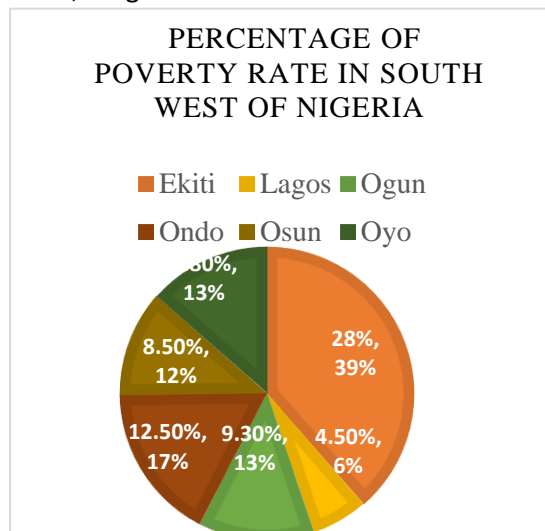
education sector in Nigeria informed the country of a new approach to governance which called for processes that would make them transparent and efficient (Oladapo, Norma, Mustafa, & Gapur, 2017) Also, the government holds to the belief that education is not only their responsibility and called on other stakeholders such as the voluntary sector to substantially commit to investing in higher education including sponsoring researches (Maassen, 2014). Moreover, education problems in Nigeria have been blamed on the following: political will, lack of continuity of programs and high level of corruption (Ugwuoke, Onyebuchi, Okwo, Eze, Agege, & Ekenta, 2019). Similarly, the lack of political will and continuity, contradictory policies, and underfunding, are contributed significantly to the policy implementation failure in Nigeria (Bolaji, Campbell-Evans, & Gray, 2019). Waqf institution in Islamic history has a track record of efficiency and transparency and had really assisted in poverty alleviation in the past dating back to Prophet Muhammad's time (Hasan, & Rashid, 2019). Hence, in southern part of Nigeria State, Nigeria, the Shari'ah was introduced in 1999 and in the same year waqf was institutionalized in order to relieve people of poverty in the state. The plan of the institution is to encourage small and medium enterprise, foster education, health care for orphans and less privileged among others. The present study intends to find out the extent to which the waqf institution in southern part of Nigeria State, Nigeria has been able to alleviate

education poverty. Based on the geographical distribution zones in Nigeria, the six zones were created during the regime of President General Sani Abacha. Nigerian economic, political, and educational resources are often shared across the zones which is shown through the map below:



Figure 1: Source: Constitution: Six geopolitical zones divide North, South". punchng.com

The geographical location of South West Nigeria covers about 114, 271 kilometer square that is, approximately 12 percent of Nigeria's total land mass (Adebayo, & Tolorunju, 2020). The total population is 27,581,992 and predominantly agrarian. The vegetation is typically rainforest; however climatic changes over the years have turned some parts of the rain forest to derived savannah. The cultivation systems mostly practiced are mixed farming and mixed cropping. Depending on the prevailing vegetation, soil and weather conditions, notable food crops cultivated include cassava, maize, yam, cowpea while cash crops include cocoa, kolanut, coffee and oil palm (Orire, 2020). Non-farm activities of the households include trading, carpentry, bricklaying as well as government employment. However, each and every household in southern west of Nigerian consisted of the poor and less privileged individual. The chart below indicates the percentages of the poverty rates in the southwest of the country:



*Figure 2: Percentages of poverty rates in south west of Nigeria, Source: Author*

The level of poverty in Nigeria is very high like many other African countries. For instance, the United Nations International Children's Emergency Fund statistical report shows that, 72% of rural populace did not have access to improved sanitation facilities. Again, statistics depict that, 53% of the rural populace do not have access to adequate drinking water. Furthermore, 70% of households who conducted the survey never attended school. Additionally, 42% of the populace among female between the ages of 15-24 in the period of 2010 to 2019 were not literate. Year 2020 statistic showed that 60.2 percent or 89,096,000 Nigerians living in poverty. In addition, the aforementioned author argued that 12% of the population of the first quintile and 8% of the population of the fifth quintile respectively consulted traditional healers among other indicators (Popoola, 2020). Poverty has deprived people of good health, shelter, education and the basic necessities of life. Government has held to their point that the education sector is not purely their responsibility alone. Therefore, funding in the governmental sector is least expected due to the insensitivity of the government towards education. The Private sector would appear to be expensive for the purpose of poverty alleviation especially in the education sector due to the high cost of borrowing as well as the sector's profit motive (Balarabe & Solomon, 2019).

Furthermore, the voluntary sector, the NGOs, have also failed in their attempts to alleviate education poverty compared to the contribution of these sectors in more developed economies. However, the hope is now on the waqf institution which has proved in the past to alleviate poverty even in the area of education through donations from pious Muslims (Razak, 2020). Therefore, the present study intends to find out to what extent the family waqf in southwestern of Nigeria has been able to foster human development among the less privileged and orphans in the

state and whether it is ensuring that those affected are sponsored in tertiary institutions as well as catering for those in primary schools in terms of feeding, free school uniforms and text books to enhance their learning. Thus, the current research would answer the following research objectives:

- a) To determine the needs for family waqf emergent as a resolution to endemic poverty
- b) To explore how could family waqf would contribute to the human development for the purpose of alleviating poverty
- c) To provide recommendations of family waqf as headlong for human and social welfare in Southern Region of Nigeria

## **2.0 Methodology**

In this study, the researcher used a qualitative approach through analysis of the literature hence. Qualitative document research methods are most appropriate in situations in which little is known about a phenomenon or when attempts are being made to generate new theories or revise preexisting theories. Qualitative research methods can be useful in providing in-depth information to understand target behaviors. In the current study, the researcher followed the three existing steps to be followed in reviewing the literature as methodology in a research. First, exhaustive coverage which means an effort is made to be as comprehensive as possible in order to ensure that all relevant studies, published and unpublished, are included in the review and, thus, conclusions are based on this all-inclusive knowledge base. The second type of coverage consists of presenting materials that are representative of most other works in a given field or area. Often authors who adopt this strategy search for relevant articles in a small number of top-tier journals in a field (Paré et al., 2017). In the third strategy, the researcher concentrates on prior works that have been central or pivotal to a particular topic. Therefore, the researcher revised previous studies conducted on family waqf as progressive technique for poverty extermination. Thus, the researcher, providing the suggestions for the way to implement the family waqf.

### 3.0 Conceptualization of Family Waqf

The term waqf (Awqaf) means the endowment of property in accordance with Islamic principles. In Islamic literature and in Shariah, it means the endowment of property to be used for righteous purposes. Fundamentally, the waqf is an endowment of private property, and its income or usufruct is applied towards charitable or public purposes, without depleting the principal or corpus of the endowment. According to a hadith of the Prophet three things will carry on earning blessings to the Muslim after his death: knowledge from which people benefit, pious children who offer prayers for him and recurring charity (Eldersevi, Mohammed, & El Amri, 2021). The waqf is an ideal instrument by which recurring charity can be operationalized. *Waqf ahli* requires similar act of a normal *waqf*. It requires a fulfilment or compliance of similar pillars and terms with other types of *waqf* but the benefits of the *waqf* may be dedicated specifically to the family members in order to ensure their securities in terms of education, future life etc. depending on the intention of the donor. The revenues from *waqf ahli* are reserved for the benefit of the founder or the offspring (Çizakça, 2008, May). Initially public benefit is of secondary importance; it assumes primary importance only when there are no more descendants of the founder and so the entire revenue of the *waqf* accrues to public purposes. The circumstances behind *waqf ahli* seems to be ignored with the claims that it is also possible to avoid Islamic inheritance rules and to bequeath to a specific member of the family through *waqf ahli*. Such claims find their similarities with the principles of English law of charitable trust where family members are not legally categorized as the valid beneficiaries thus such dedication is void. The impact of colonialism in some Muslim countries such as Egypt, Malaysia, or India showed that *waqf ahli* has been declared as void, invalid or restrictions are imposed on the *waqf* before it can be legalized (Mohamad, 2018).

Throughout the history of Islam, *waqf ahli* has been used as an instrument of wealth planning

or succession planning. This is important in order to help a person planning for his family in the future. In *waqf ahli*, the donor or the endower will declare his property as *waqf*, an asset to be used for the benefit of his children or any members of his relatives. Since *waqf* is perpetual, the children or other close family members will be entitled to the benefit generating from the *waqf* property forever or until there is none to receive the benefit.

The government can thereafter declare that the benefit from the property shall be used for public benefit. *Waqf* deed may serve various specific purposes or *niyyat* of the founder. For example, a parent with special disability child may wish to preserve certain properties for their special child without worrying that the property shall be abused or taken illegally by other children. In *waqf* deed, the founder may clearly state his intention and appoint a person to manage the property on his behalf. In this situation, the child may enjoy the benefit of the *waqf* property but he is not the owner of the property. By making *waqf ahli*, the founder may plan to protect his properties or estates from being misused by his prodigal children and thus protecting his family for their long term future welfare.

Another important advantage of *waqf ahli* is that the law now facilitates the use of *waqf mushtarak* (hybrid *waqf*) which means that *waqf ahli* may be created together with *waqf khairi* (charitable *waqf*). The income or the benefit (*manfa'ah*) generated from the *waqf* assets is shared by the family or the private beneficiaries and the public. Combining the two major products of *Awqaf* could be dynamic and contemporary in nature, however it promotes family financial security while at the same time contributes to the general needs of the society (Mohsin, Dafterdar, Cizakca, Alhabshi, Razak, & Obaidullah, 2016). The best framework for *waqf ahli* is to create *waqf mushtarak* i.e a combination of *waqf khairi* and *waqf family*. The terms of the *waqf* should be made in the form of *waqf muaqqat* (temporary *waqf*) where the purpose of the *waqf* or the intention of the donor shall only to protect the minors or the orphan among the family members and if the predicament is over, the *waqf* then should be used for public purposes.

In this regard, the *waqif* has obtained two rewards i.e. the rewards for helping the public as well as building brotherhood (*silaturrahim*) among his family members which is of high regards in Islam (Mohamad, 2018).

### 3.1 Legal Constitution of Waqf in Nigeria

It is important to state at the onset that there is no existing law in Nigeria that provides for the management and administration of *waqf*; not even in the Muslim states in the northern part of the country. In other words, there is no *waqf* legislation in Nigeria of today. What is available in the Constitution of the Federal Republic of Nigeria 1999 ("Constitution") is the reference to issues pertaining to *waqf* which fall under the jurisdiction of the Shari'ah Court of Appeal. For a proper understanding of the existing legal framework of *waqf* in Nigeria, it is apposite to consider certain issues in separating headings. Since the Islamic personal law practiced in Nigeria from the time Islam got to the shores of the country is based on the interpretation of the Maliki School, we shall start with a brief examination of ownership of *waqf* from the Maliki School of thought (Ahmad, Rashid, Ibrahim, & Oseni, 2015).

### 3.2 Family Waqf Emergent as A Resolution to Endemic Poverty

Looking at the socio-economic statistics in Nigeria, a fundamental question that readily comes to mind is: Was there no attempt made in the past by the Nigerian Government to tackle poverty? Indeed, attempts to reduce poverty have consistently occupied the attention of the Nigerian government for several decades.

In a Spatial-temporal analysis of Nigeria's economic development plans, Raimi et al., (2013) identified the following as some of the intervention programs of the government which targeted poverty-reduction, job creation and wealth creation as key policy objectives.

- The Vision 2010 Blueprint (1996). Its core elements included: Family Economic Advancement Program Family Support Program and Petroleum Trust fund.
- Millennium Development Goals (2000). This was a UN agenda to which Nigeria was a signatory. Eight issues

were targeted by MDGs including poverty eradication;

- National Economic Empowerment and Development Strategy (2004). Its policy objectives included: wealth creation, poverty reduction, value-re-orientation etc.;
- National Poverty Eradication Program (2004). This was a well-funded organ of the government given the mandate to formulate and implement poverty reduction programs;
- Microfinance Banking in Nigeria (2005). This was established to assist poor artisan and poverty-stricken petty traders improve their business and quality of life;
- The 7- Point Agenda (2007-2010). This was a comprehensive blueprint with job creation, wealth creation and poverty reduction as key focuses.
- The Vision 20:2020 Economic Blueprint (2009). This is an ongoing blueprint with the vision of making Nigeria one of the biggest economies by the year 2020 (Raimi, 2015).

With all efforts made by Nigerian Government in solving and alleviating poverty, the government has not yet successfully won the game. However, as discussed above the main objective of *waqf* and its categories is to support the less privilege members of the society, poor and needy people, orphans and widows, wayfarers, students, etc. to improve their living standard, economic status, health and education, water supply, equitable redistribution of wealth, socio-economic welfare and to enhance their economic resources, economic opportunity, community participation empowerment, security social protection, social and other standards of their well-being, influence over their environment, and deprivation from other things that make a difference between truly living and merely living as well as to make arrangements for provision of basic needs to the less fortunate members of the society based on the Maqasid al-Shari'ah (Maghbul, & ALHAJAM, 2018). *Waqf* had played a kind of vital and significant roles through its varied and wide contributions



to the economic and social life of the people (Ziyaviddinovna, & Sagdullaevich, 2020). Its roles were like a network, which penetrated all sectors such as the agricultural, the industrial and the socio-economic sector. Waqf contribute towards the economic growth in various ways such as:



Figure 3: Family Waqf Emergent as A Resolution to Endemic Poverty Source: Author

#### 4.0 How Family Waqf Could Enhance Poverty Alleviation in Nigeria?

It is beyond the doubt that the main function of family waqf is poverty alleviation or poverty reduction and sustainability of the family after death of their bread-winner, so this is done by following ways: Firstly, food and healthcare are supported by waqf funds. As a hadith (prophetic saying or tradition) of the Prophet Muhammad goes, "One of those who Allah's shade will cover, on the day where there is no shade but His shade, will be one who gives Sadaqa [charity] and conceals it so that his left hand does not know what his right hand gives." So, this simple charity system protected both the rich and the poor. It preserved poor people from turning to begging on the streets and facing humility, while allowing the rich to give in secret without anyone knowing how much they were giving or enabling them to boast that they were being generous. The reason why the stones are generally located in a discreet corner of a mosque or courtyard is so that people would not be noticed when

leaving, donating or taking what was offered (Mohsin, & Ismail, 2013). Majority of family deemed in the poverty as a result of untimely demise of their bread winners even though they have the property but jeopardized by other member of the family. Thus, family waqf could alleviate the poverty and enhance the management of *Tarikah* properly.

For six centuries, the Ottomans widely succeeded in eliminating poverty through the waqf (foundation) system. Waqf is a non-transferable religious donation governed by Islamic law, typically involving a building or property for religious or charitable purposes. The donated assets are held by a charitable trust and the profits from the assets are distributed to help the poor. In modern times waqf provide shelters, deliver water to a locality, and supplying foods to Great Mosque of Beirut (Lebanon) there was an office called a 'basket of bread' from which food used to be distributed to poor men on Friday by the end of the Ottoman period. In modern days, waqf provides shelters and food to some internally displaced persons (IDP) in places where peace is facing challenges such as Syria, Yemen, in Nigeria IDP camps. Food and medicine were provided to some of those IDP camps while others only food and shelter. While quoting examples that even as early period, hospital for children treatment was built in Istanbul out of the waqf fund. In Spain hospital facilities were available for both Muslims and non-Muslims alike (Amuda, Embi, & Babatunde, 2014).

Education is supported by family waqf. It is the second social institution attracting Waqf support and investments (after mosques). Though waqf usually covered, religious education in the mosques, the second largest beneficiary of waqf revenues has been education proper. Education has been financed by voluntary contributions since the beginning of Islam. Even governments have been financing education by constructing schools and assigning certain property as waqf of the schools. Al-Azhar University the best known madrasa in the Muslim world, throughout the ages founded in 972 C.E. in Cairo (Egypt) is an example which was founded, like every madrasa with the endowment of a charitable trust and financed

by its waqf revenues until 1812 C.E. when government of Muhammad Ali in Egypt took

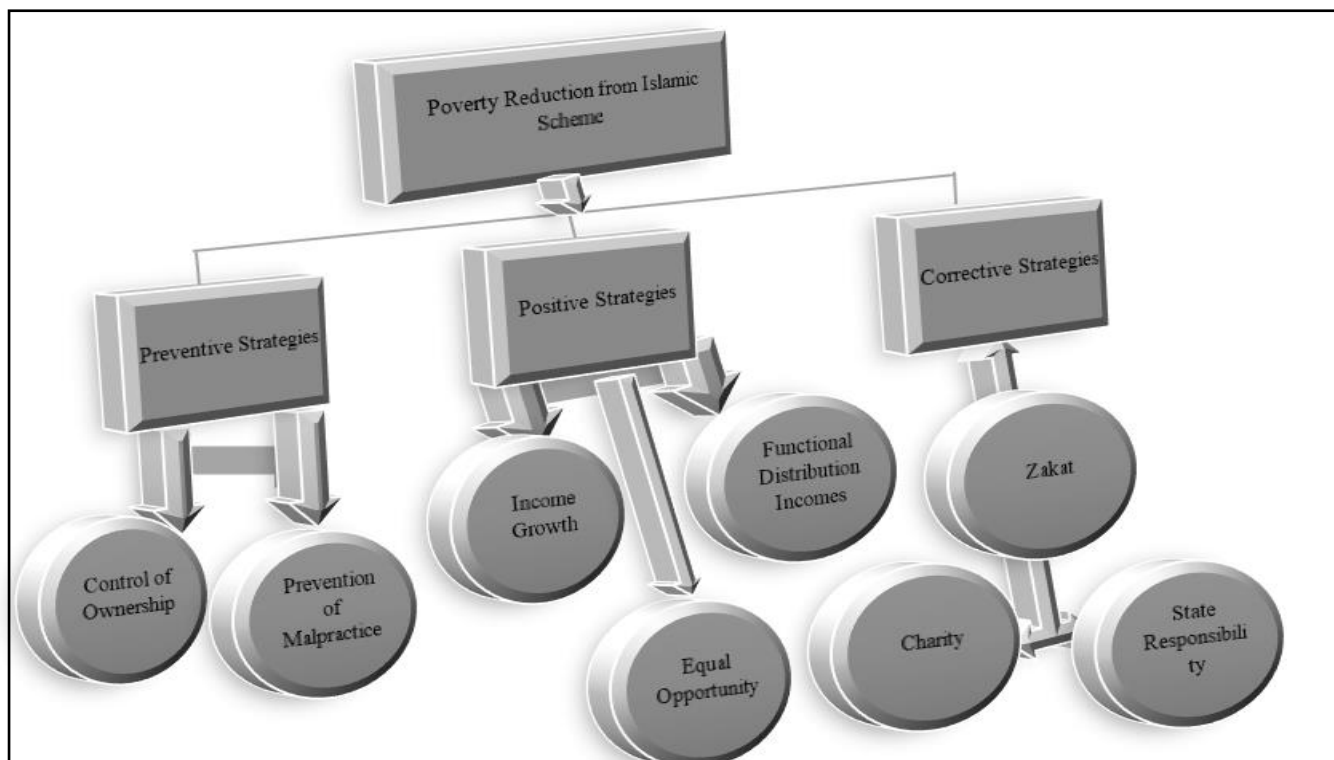


Figure 4: Islamic Financial Scheme for poverty alleviation Source: Author

control over the waqf. Education financing of waqf has freedom of education approach which means it was not restricted to religious studies and usually covered books, libraries, stipends to students and salaries of teachers and other staff so this financing helped to create a learned class separate from the ruling and rich classes (Abattouy, & Al-Hassani, 2013).

Social welfare is increased with waqf system. In the Muslim community endowments as ongoing charity in the field of social welfare played a large role and importance of this role has been increased by the fact that the issues of social welfare did not have a specific state policy in, as was the case in the whole pre contemporary world. When famous traveler Ibn Batuta visited Damascus, he was surprised by the wealth and variety of local Waqf. There were endowments for supplying wedding outfits to girls of poor families unable to provide them and others for the freeing of

prisoners. There were endowments for travelers, for giving them food, clothing, and the expenses of conveyance. Then there were endowments for the improvement and paving of the streets (Frenkel, 2009). The waqf institution to a great extent in the Islamic history, had been relied upon for the provision of goods and services necessary for the comprehensive development of the community, ranging from various social institutions such as schools and hospitals to religious objects such as mosques, and welfare schemes like water supply and highway facilities (Cizakca, 1998). Waqf institutions helps in providing or construction of social amenities that immediate members of societies are in dire need of such as construction of boreholes, dams to aid the irrigation activities, cemeteries, street fountains. Based on the Islamic scheme, poverty eradication would be achieved in Nigeria.

#### 4.1 Recommendations for Family Waqf Implementation in Alleviating the Poverty

Awqaf institutions can play an important role, if their size devoted to social welfare activities can be increased. But it is more difficult to assess the potential of Awqaf in alleviating poverty due to a lack of relevant aggregate data on these institutions and identifying the Awqaf institutions that can be used to mitigate poverty. The social welfare role of an Awqaf will depend on their types and size. Waqf may be of two types' viz. Religious and Philanthropic. The Philanthropic waqf has two types of beneficiaries' viz. Family members and general community. Only the philanthropic waqf for general community is relevant institutions for poverty alleviation. The number of these waqf institutions is limited (Kahf, 2006). So it is said that in Bangladesh waqf is not playing any direct role in poverty alleviation. On the other hand, indirectly waqf is playing the most gigantic task in poverty alleviation because schools, hospitals are being created through waqf. In these waqf institutions many students are studying free or in a low cost, many people are having free treatment when they are ill. These institutions are helpful in building efficient human capital as well as efficient manpower. They are self-motivated, more productive, more innovative and able to work. By this way waqf is playing role in poverty alleviation. For Instance, there are several efforts been made by the Nigeria Government in the process of poverty alleviation which are shown in the Figure 5:

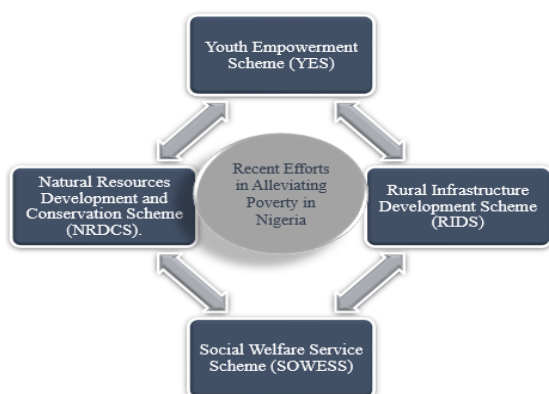


Figure 5: Nigeria Government in the process of poverty alleviation Source: Author

On the whole, these schemes were designed to spearhead government's ambitious program of eradicating absolute poverty with a take-off grant of N6 billion approved for it in 2001. The difference between NAPEP and past poverty reduction agencies is that it is not a sector project implementation agency but a coordination facility that ensures that the core poverty eradication Ministries were effective. It would only intervene when necessary, under its secondary mandate which gives it the right to provide complementary assistance to the implementing ministries and parastatals nationwide (Waziri, & Md, 2020). Although NAPEP appears to be well crafted, but the prevalence of poverty in Nigeria and the various dimensions it has taken is on the increase. Thus, family waqf could be legally recommended based on the customary law to sustain each and individual partners in the family. This will not only encourage the social development but also the cost cut for the federal and statute government of Nigeria. Since, all the poverty alleviation initiatives in Nigeria have yielded very little fruit. Although it was claimed that the programs were mostly not designed to alleviate poverty; they lacked clearly defined policy framework with proper guidelines for poverty alleviation; they suffer from political instability, interference, policy and macroeconomic dislocations; and are riddled with corruption, political deception, outright kleptomania and distasteful looting. It must also be stated that lack of continuity and shift in approach trailed poverty alleviation programs in Nigeria. Each subsequent administration came with a different idea or no idea at all. Poverty reduction programs became more 'regime specific' because there was hardly any continuity with those initiated by previous governments (Zain, ZKhalid, Nurudin, & Onimisi, 2021). The challenges above have made government's policies to be largely unproductive. In leveraging the wealth distribution run over the needy and less privilege in Nigeria, a conceptual considerate of family waqf charities should be inaugurated in the system. The following figure



commensurate the unavoidable essentials of family waqf:

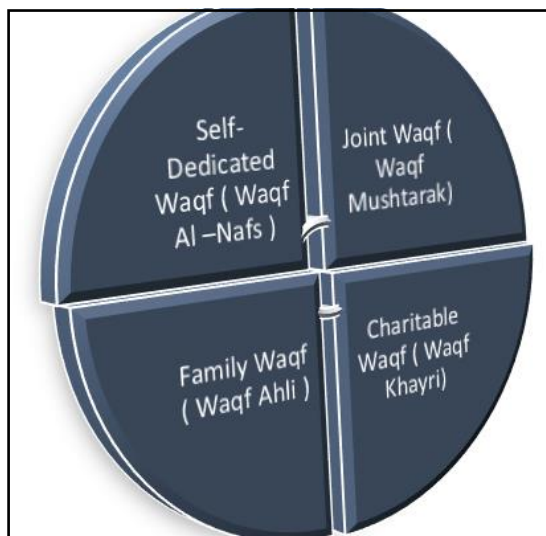


Figure 6: Waqf structure for proper alleviation of poverty Source: Author

In view of this, harmonization of programs is inevitable. Going by the Nigeria experience, the paper suggests that the federal government should establish an agency or a ministry with the objective of executing poverty alleviation related programs in the country. This would guarantee that successive government does not discard their predecessors program, rather, add their own suggestion (still under the same umbrella) and all programs would run concurrently to ensure that all target audiences are reached. The agency should house all the poverty alleviation programs. Units/sections should be created to monitor each of the programs according to their peculiarity. By so doing, programs will be able to stand on the premise of the housing agency and as such, might not necessarily fizzle out with government of the day. Even when a program is having conflicting objective, it can easily be harmonized, since they are all premised on the same foundation. The agency should also align with international agencies of relevant purposes. This will ensure continuity of future programs. Similarly, the activities of the programs can be adequately monitored, assess and evaluated. Also, it will give room for accountability in terms of financing and performance.

Nigeria to exchange hands of fellowship to the poor in the state in ensuring the smooth running of their education in the tertiary institutions is a welcome idea. This will make the beneficiaries responsible human beings as they will shun all social vices in life. Further to this, beneficiaries will turn to be recognized citizens in the society. Though this institutionalized waqf is very common in the northern part of the country nonetheless, it would be a tremendous thing if the south west could also be imbibed in this practice in order to help a lot more of people who are without any help coming to them to further their education. Recently, students of two well-known universities in Nigeria went on demonstrations over high fees. This development, the students perceived will add more burden to their parents in obliging their school fees knowing fully well that their parents have other responsibilities. If such students could be on scholarships from waqf institutions in Nigeria, they would not have reacted in the way they did because there would not have been a burden on either them or their parents. The study suggests that the waqf institution in south west State should intensify further efforts to offer more of such assistance to the poor. Where possible the institution could also absorb them at the end of their programs so that they will not only be literate but will also become independent and capable of staying on their own for years to come. The researchers irrevocably recommend that the south western majority of Muslims in Nigeria intensify their efforts to establish institutionalized waqf among themselves for helping the majority of the less privileged and orphans within the region. This will go a long way to ameliorate poverty among the poor in the area especially in the area of human development, thereby, grooming vibrant leaders of tomorrow.

### 5.0 Conclusion

Family wealth management is crucial nowadays where economic instability issues are increasing; family unity is uncertain and reliance on an individual family member to manage family assets is sometimes hopeless due to personal incapacity or intellectual disorder. Thus, it has been established that

there is an urgent need to streamline the legal framework for waqf in Nigeria through proper legislation. This may partly lead to the institutionalization of waqf in the country, there should be some allowances for private initiative in this regards. The proposed legislation on waqf should only contain general guidelines for the regulation and management of waqf properties and waqf-related issues in the country. The economic potentials of such awqāf property is beyond doubt which would solve the poverty paralyses among the less privilege and poor. In formulating a viewpoint about this fundamental problem in the operation, regulation, and management of waqf in Nigeria, it is apposite to submit that this charitable concept needs to be given a free-hand to operate as a charitable phenomenon to assist the less privileged. Dedicated legislation must be made to codify the timeless charitable rules and regulations as contained in the pristine law of waqf based on the best practices in all the four schools of thought in Islamic jurisprudence. This waqf initiative will go a long way in assisting the needy. There are perhaps too many issues for a detailed discussion in relation to waqf law and practice in the Nigerian legal milieu. The foregoing discussion is not exhaustive and is only intended to serve as a launching pad for further research in this area.

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