

NAVIGATING *WAQF* MANAGEMENT IN NIGERIA: A REVIEW OF COLONIAL LEGACIES, LEGAL REFORMS, AND BENEFICIARY RIGHTS

ALAWIYE HABEEBULAH OLAWALE*, & SHARIFAH ZUBAIDAH SYED ABDUL KADER

Ahmad Ibrahim Kulliyyah of Laws, International Islamic University Malaysia, Malaysia

Received 8 November 2024: Revised 16 November 2024: Accepted 22 November 2024

ABSTRACT

This article examines the complexities of *waqf* management in Nigeria, focusing on colonial legacies, legal reforms, and the rights of beneficiaries. *Waqf*, a religious endowment under Islamic Law, has a rich history in Nigeria dating back to pre-colonial times. Findings show that colonialism has significantly hindered the growth and efficiency of *waqf* institutions, leaving many in disarray by the time of Nigeria's independence. Despite efforts to revive these institutions post-colonization, issues such as lack of transparency, accountability, and formal structures persist. This trend has contributed to the marginalization of *waqf* beneficiaries and affected *waqf* administration in Nigeria, particularly in Western Nigeria, where government support is minimal. This study adopts a qualitative methodology, relying on secondary sources such as historical documents, legal texts, and scholarly articles to explore the legal and administrative system in the Nigerian *waqf* sector. This article highlights the necessity for a robust legal framework and the establishment of formal *waqf* bodies to enhance *waqf* sustainability and beneficiary rights. It advocates for a rights-based approach to *waqf* governance, emphasising the need for beneficiaries to participate actively in decision-making processes to protect their interests.

KEYWORDS: *WAQF MANAGEMENT, LEGAL FRAMEWORK, DOWNWARD ACCOUNTABILITY, NORTHERN NIGERIA, WESTERN NIGERIA.*

ABSTRAK

Artikel ini mengkaji kerumitan pengurusan wakaf di Nigeria, dengan fokus pada warisan kolonial, pembaharuan undang-undang, dan hak-hak penerima manfaat. Wakaf, sebagai sumbangan agama dalam undang-undang Islam, mempunyai sejarah panjang di Nigeria sejak zaman pra-kolonial. Penemuan menunjukkan bahawa kolonialisme telah menghalang pertumbuhan dan keberkesanan institusi wakaf, meninggalkan banyak dalam keadaan terabai menjelang kemerdekaan Nigeria. Walaupun usaha pemulihan selepas penjajahan, masalah seperti kekurangan ketelusan, akauntabiliti, dan struktur formal masih wujud, terutama di Nigeria Barat di mana sokongan kerajaan adalah minimum. Kajian ini menggunakan metodologi kualitatif, berdasarkan sumber sekunder seperti dokumen sejarah, teks undang-undang, dan artikel ilmiah untuk meneroka sistem undang-undang dan pentadbiran wakaf di Nigeria. Artikel ini menekankan keperluan rangka kerja undang-undang yang kukuh dan penubuhan badan wakaf rasmi untuk meningkatkan kelestarian dan hak penerima manfaat. Ia menyokong pendekatan berasaskan hak dalam tadbir urus wakaf, dengan menekankan keperluan

* CORRESPONDING AUTHOR: Alawiye Habeebulah Olawale, International Islamic University, Malaysia. E-mail: alawiye.habeebulah@gmail.com

bagi penerima manfaat untuk turut serta secara aktif dalam proses membuat keputusan bagi melindungi kepentingan mereka.

KATA KUNCI: *PENGURUSAN WAKAF, RANGKA KERJA UNDANG-UNDANG, AKUNTABILITI MENURUN, NIGERIA UTARA, NIGERIA BARAT*

1. INTRODUCTION

The management of *waqf* institutions in Nigeria is a subject of growing importance and complexity, rooted in historical legacies, legal frameworks, and the essential rights of beneficiaries. *Waqf*, a religious endowment in Islamic Law established by donors for charitable and social purposes, is pivotal in addressing community socio-economic challenges (Abdullahi, 2019; Haruna, & Abdulrazaq, 2021). However, the potential of *waqf* in Nigeria has been severely undermined by many challenges, including colonial legacies, inadequate legal reforms, and poor management practices (Awuah-Werekoh, 2015; Osman & Agyemang, 2020). Consequently, *waqf* institutions operate in a quasi-legal space, often lacking clear regulatory oversight, which exposes them to mismanagement and reduces their ability to serve beneficiaries effectively.

Waqf is an Arabic word derived from *waqafa*, meaning to stop, contain, or preserve. In *shari'ah* and Islamic economics, *waqf* is a voluntary, permanent, irrevocable dedication of one's wealth to Allah. Once a *waqf* is created, it remains intact and can be used for any *Shari'ah*-compliant purpose. In other words, it is the detention of a specific thing or instructing all profits to be awarded to charity foundations for the poor (Abubakar, 2021; Alawiye & Keerio, 2023). *Waqf* is a charitable trust a Muslim individual or institution creates to benefit society. It has funded various projects, such as education, healthcare, and poverty alleviation, and has been instrumental in solving many present-day economic challenges and promoting economic growth and sustainable development (Abdullahi 2019 and Haruna & Abdulrazaq 2021). Historically, the foundations of *waqf* in Nigeria date back to pre-colonial times when influential Islamic rulers established these institutions as vital components of governance and community welfare. However, the advent of colonialism from 1903 to 1960 stifled the growth of *waqf*, leading to a significant decline in its operations and the disintegration of much of the Islamic infrastructure that supported these charitable entities. The lingering effects of colonial rule have contributed to the fragmented state of *waqf* institutions, particularly in Western Nigeria, where informal operations dominate due to the lack of structured frameworks and government support (Abdul Rauph & Adebayo, 2022).

The post-colonial period has witnessed a renewed effort to revive *waqf* institutions, particularly in Northern Nigeria, where several Muslim organizations and state governments have established *waqf* commissions to promote socio-economic development. Nevertheless, despite these initiatives, challenges still need to be addressed, particularly regarding transparency, accountability, and the formal recognition of beneficiary rights. With effective governance and oversight, *waqf* institutions are protected from corruption and mismanagement, which detracts from their intended purpose of serving community needs (Abdul Rauph & Adebayo, 2022).

It is significant to examine the affairs of *Mawqūf'alaih* (*waqf* beneficiaries) in establishing a well-functioning *waqf*. This is undeniable due to its relevance to the essence and purpose of *waqf*. *Mawqūf'alaih* are individuals entitled to benefit from the returns of *waqf*. They are "those eligible to receive any benefit, interest, or profit from the property given as *waqf*" (Zati Ilham *et al.*, 2021; Khademolhoseini, 2011).

The concerned beneficiaries would likely feel the negative impact of any poor situation in the *waqf* sector. Moreover, the undeniable exposure of the beneficiaries to issues that affect *waqf* efficiency in the *waqf* sector indicates their critical role in *waqf* development. Consequently, a growing body of literature recognizes beneficiaries as significant contributors to the accountability and sustainability of charitable institutions. However, *mutawallis* must pay more attention to the needs of beneficiaries'

roles due to their weakness and their inability to enforce actions on them (Awuah-Werekoh, 2015; Osman & Agyemang, 2020).

The well-functioning of *waqf* emanates from proper management by the *waqf* trustees (*mutawallis*), who generally operate in modern tradition as institutions in the interest of the beneficiaries. For *waqf* institutions to properly function, the state must enact enabling laws and establish regulatory agencies to ensure *waqf* fulfils its duties for public benefit. While *waqf* institutions are self-regulating, state intervention is necessary to enforce legal sanctions and compliance requirements. The government may establish a public agency to ensure effective management and transparency in *waqf* activities.

This research examines how colonial legacies, socio-cultural dynamics, and fragmented legal frameworks continue to impact *waqf* administration in Nigeria, hindering its potential for social and economic development. While previous studies have noted colonial disruptions to Islamic institutions, this study uniquely explores how these factors still shape *waqf* management today. The research proposes reforms that enhance transparency and accountability by analysing regional differences in *waqf* practices and advocating for a standardized legal framework rooted in a beneficiaries' rights-based approach. This approach aims to improve beneficiary welfare and strengthen *waqf*'s role in Nigeria's socio-economic progress.

This article aims to navigate the intricate landscape of *waqf* management in Nigeria. This study adopts a qualitative methodology, relying on secondary sources such as historical documents, legal texts, and scholarly articles to explore the historical, legal, and administrative dimensions that shape its current state, including addressing the critical issues surrounding colonial legacies in the Nigerian *waqf* sector. Towards the need for legal reforms and the significance of recognizing beneficiary rights in the *waqf* sector, this article highlights how Nigeria can unlock the full potential of *waqf* as a vehicle for social and economic development.

2. LITERATURE REVIEW

This study addresses the dilemma of *waqf* administration in Nigeria and navigates some contributing factors. Consequently, this section will analyse colonial legacies, legal reforms, and the need for a rights-based approach in the Nigerian *waqf* sector.

Issues on Waqf Management in Nigeria

A *waqf* is a trust established by a founder or donor under the stewardship of a *mutawalli*. The founder/donor specifies the terms and conditions for operating the *waqf* in a *waqfiyyah* (*waqf* deed). A copy of the *waqfiyyah* is deposited with a *Shari'ah* Court Judge (*Qadi*) for record and oversight purposes. Islamic Law provides general provisions for setting and managing *awqāf* in Muslim institutions (Muhammad, 2012). As Obaidullah (2016) observed, the *Shariah*-legal framework for Islamic *waqf* is based on preserving endowed assets, including physical preservation and benefits for intended beneficiaries. Stipulations regulate the preservation of assets, while benefit preservation requires prudent management and efficiency in development and investment. Further, Abdul Rauph and Adebayo (2022) observed that the development of *Waqf* in Nigeria has faced challenges due to colonial invasion and poor management. *Waqf* has the potential to benefit various aspects of life, including religion, education, health, and infrastructure. Establishing a centralized body for *waqf* administration and public awareness are suggested solutions to improve *waqf* practice in Nigeria.

The researchers further claim that the development of *waqf* operations in Nigeria can be traced to the pre-colonial era. According to Abdul Rauph and Adebayo (2022), Islam has been deeply rooted in Nigeria since before the country's independence in 1960. Islamic rulers, notably the Hausas and Kanuris, established *waqf* institutions as early as 1084 AD to fulfil religious and spiritual obligations while providing socio-economic benefits. Some scholars believe *waqf* was well established in the Sokoto caliphate before colonization. (Abdul Rauph & Adebayo, 2022). The *jihad* of Usman Dan Fodiyo in the Hausa Kingdom, which later became the Sokoto caliphate, revived basic religious and economic principles. However, the colonization of the Sokoto caliphate between 1903 and 1960

negatively impacted the growth and development of Islam and the Islamic heritage, including *waqf* institutions. By 1960, most Islamic elements in the Hausa/Fulani system had either been uprooted or adulterated, leaving Muslims with unofficial Islam practised in their private lives. States' discontinuation of *waqf* operation led to a moribund state of *awqāf* properties (Abdul Rauph & Adebayo, 2022).

Unlike Abdul Rauph and Adebayo (2022), Muhammad (2018) argued that there was no *waqf* institution and documentation during the Sokoto Caliphate. Even though he acknowledges the presence of religious *waqfs* in the form of mosques, which continued to exist from the reign of Habe Muslim rulers like Muhammad Korau, Ali Yaji, and Bakwa Turunku, he sees them as inadequate to constitute what he meant by the word "*waqf* institutions" (Muhammad, 2018). Similarly, his research claims that documentation of charitable giving patterns in the caliphate is scarce. He concludes that the lack of *waqf* institutions and documentation bequeathed an institutional vacuum for *waqf* activities, which Muslims in Nigeria should continue filling and building (Muhammad, 2018).

Hausa culture is relevant in the development of *waqf* operations in Nigeria. According to Muhammad (2018), the Sokoto caliphate - which covered 1,500 kilometres from Dori in modern Burkina Faso to Southern Adamawa in Cameroon and included Nupe land, Ilorin in Northern Yorubaland, and much of the Benue River valley – is generally founded in Hausa city-states under the Habe dynasty. After about 800 years, the Habe states were eventually overrun and replaced by the Sokoto caliphate, though much of Hausa culture was preserved in this state (Muhammad, 2018). Therefore, some aspects of Hausa culture might have undermined the establishment of a *waqf* institution, including their misinterpretation of *sadaqah jāriyah*, restrictive private land rights, and self-centeredness. By tradition, a wealthy Hausa prefers to give out charity personally, earning social recognition through the values of wealth exhibition and being surrounded by dependents. Modern terms describe the Hausa as supporting charity, giving to alleviate hunger and disease, but not encouraging philanthropy, giving to bring about change by addressing the root causes of social and economic problems (Muhammad, 2018).

The colonial movement affected the progress of *waqf* in Nigeria. However, *waqf* subsequently experienced some improvements due to the efforts of various bodies after Nigerian independence. Abdul Rauph and Adebayo (2022) observed that post-colonial efforts by Muslim organizations had revived *waqf* institutions, setting up non-profit schools, hospitals, and other establishments that performed previously established functions. The return of democratic governance in 1999 has reinvigorated efforts to revive Islamic heritage, particularly in promoting and regulating public *awqāf* for socio-economic development. Over four states, including Sokoto, Kano, Bauchi, Yobe, and Zamfara, have made laws covering the administration and regulation of *awqāf*. The reintroduction of *waqf* commissions by northern governors has yielded positive results, such as Zamfara State *Zakat* and Endowment Foundation, Sokoto State *Zakat* and Endowment Commission, and *Zakat* and *Hubs* Foundation, Kano. These organizations have collaborated with national and international donors to provide relief and scholarships and cultivate date palm plantations to provide jobs and protect the state from adverse impacts of climate change.

The best practice of *waqf* requires more than just the existence of *waqf* institutions. It also requires introducing some measures to save *waqf* institutions from mismanagement. According to Sulaiman and Muhammad (2023), establishing the *waqf* institution in the 21st century requires a review of its organization and administrative system to maximize its potential. The management of *waqf* property should be reformed, with Mutawalli (Nazir or Qayyim) being pious and trustworthy in administering the property. Specific guidelines for the Mutawallis of *awqāf* should be established regarding the investment of *waqf* revenues. An authority should oversee proper supervision of *waqf* property to prevent illegal occupation and misappropriation. In Muslim-majority states, there is a need to create a Ministry of *Awqāf* to oversee the management of *waqf* donations. This will help address pressing social security and cohesion issues (Sulaiman & Muhammad, 2023).

Similarly, the Nigeria Stability and Reconciliation Programme (NSRP, 2016) believes that *zakat* and *waqf* institutions need constant monitoring to ensure their distribution processes and management meet acceptable standards. Those institutions should maintain websites to share data on *zakat* and *waqf* institutions and processes, making knowledge sharing more accessible and providing the public with vital information. Trust is crucial for reducing *zakat* and *waqf*'s collection volumes. Honesty is brutal to measure, but transparency and accountability are required. Vigorous institutional checks and penalties for breaches are necessary. The focus should be on institutionalizing measures and processes for transparency and accountability in *zakat* and *waqf* management. Building robust and transparent institutions will elicit trust and improve the collection, distribution, and effectiveness of *zakat* and *waqf*. This is not a moral crusade for honest individuals but rather the institutionalization of measures and processes for transparency and accountability in managing *zakat* and *waqf*.

It was further noted that the lack of trust negatively affects the collection volume for both *zakat* and *waqf*. Even though honesty, transparency, and accountability are difficult to measure, solid institutional checks that make it difficult to be dishonest and provide heavy penalties in case of any breach are needed. Building robust and transparent institutions will elicit trust and improve the collection, distribution, and effectiveness of *zakat* and *waqf* (NSRP, 2016).

In Nigeria, the status of *waqf* management needs serious improvement. Fa-Yusuf *et al.*'s (2021) investigation showed that *waqf* in Nigeria is facing challenges such as a lack of public awareness of *waqf*, corrupt practices, and a lack of transparency in the administration and management of *waqf* institutions. These practices include fund misappropriation and embezzlement with a lack of proper accountability. The respondents propose practical solutions, such as engaging the government to enact laws that empower the administration and recognition of *waqf* institutions to collect and effectively disburse *waqf* proceeds to beneficiaries (Fa-Yusuf *et al.*, 2021).

In a similar vein, Saad *et al.* (n.d., p.153-154) argued that *waqf* institutions in Nigeria are still struggling after two decades due to some factors, including improper management. To properly utilize the socio-economic benefits of *zakat* and *waqf* in Nigeria, governments should organize vibrant formal management of these institutions. This will ensure stability and generate predictable resources for poverty alleviation. The Ulama should create awareness for people to contribute and channel their mandatory *zakat* share and philanthropic donations to these institutions. Further, higher learning and research centres should encourage research in *zakat* and *waqf* to educate the populace. Governments of the various states that created formal management of *zakat* and *waqf* should create platforms for experts in Islamic Law, public finance, and social policy to cross-enrich ideas and upgrade the institutions.

According to NSRP's (2016) assessment, the nature of *waqf* administration differs in all states involved. Some adopt the emirate structure in collection and distribution, while others adopt the Local Government structure. The level of decentralization also deviates, with some being more decentralized than others. Activities also vary, with some states being active while others are not. The emirate institution has proven comparatively more effective for the local collection and distribution of *zakat* and *waqf* (NSRP, 2016).

The Local Government structure differs from the emirate structure of *waqf* assessment in northern Nigeria. Under the emirate structure, *zakat* and *waqf* assessment, collection, and distribution are coordinated by a committee under the Emir's (traditional ruler) leadership. In contrast, in the Local Government structure, the assessment, collection, and distribution of *zakat* and *waqf* are coordinated under the leadership of the most senior District Head or the Chief Executive Officer of the Local Government Council.

NSRP (2016) further noted that some states have elaborate records-keeping systems that provide general information on the collection and distribution of *zakat* and *waqf*. Other steps taken by *zakat* institutions include the publication of annual reports and regular periodicals on every significant

distribution. However, more trust still needs to be built, especially considering the number of eligible *zakat* and *waqf* donors who pay through the institution.

The status of *waqf* management in Western Nigeria is less favourable than that of Northern Nigeria. As Abdul Rauph and Adebayo (2022) argued, *waqf* development in Southern Nigeria, particularly among the Yoruba people, has been predominantly private and individualist, with some traditional rulers establishing mosques in Yorubaland. Many individuals have established *waqf* institutions in Yorubaland, such as Chief Moshood Kashimawo Olawale Abiola, who financed the printing of Yoruba-translated copies of the Qur'an and constructed mosques and madrasahs. Some Yoruba scholars have also constructed mosques and madrasahs, including Markaz at Agege, the *Zumuratul Adabiyyah*, Ilorin, *Mahadul Arabi* Elekuro, Ibadan, and *Mahadus Zumuratus Solihina*. Islamic organizations have also constructed *waqf*-related properties like schools, madrasahs, mosques, and hospitals in major towns and cities in Yorubaland.

Similarly, Adebayo and Ashafa (n.d. p.115-134) emphasised that the Nigerian *waqf* administration has been a significant issue in Western Nigeria, with little attention given to its administration. While *zakat* has agencies for its collection and disbursement, *waqf* has yet to be so. Some affluent Muslims in Western Nigeria are responsive to the needs of the downtrodden through donations of their volition by philanthropists. Notable among such Muslims were the late Chief Moshood Abiola, Alhaji Abdul-Azeez Arisekola, and other prominent Muslim philanthropists. Lawyer Yusuf Olaolu Ali, Senior Advocate of Nigeria (SAN) made enormous contributions to Yorubaland, supporting the establishment of the University of Ife Muslim Graduate Association (UNIFEMGA) Preparatory School, Ile-Ife, and donating a thirty-unit ICT Centre to the Faculty of Law at Obafemi Awolowo University Ile-Ife, his alma mater. The aspect where *waqf* is primarily felt in Western Nigeria is in the construction of mosques. Apart from donations from individual wealthy Muslims to mosque construction, many of them have their mosques built in memory of their parents or relatives. The maintenance of some of these mosques is in the hands of their donors or, in some cases, through voluntary donations of the mosque congregations. However, attention is needed to have an organized body to take charge of *waqf* in Western Nigeria. Moreover, dedication, transparency, and accountability should be prioritized for poverty alleviation.

Similarly, Bolatito (2022) further noted that many Muslim philanthropist-run colleges in Western Nigeria faced bankruptcy and impoverishment due to a lack of *waqf* institutions. The colleges were run on free token tuition charges, and no funding budget was established for their continued progress. Factors such as administrative costs, staff salaries, and affiliation dues contributed to the collapse and non-existence of these giant institutions.

Elesin (2017) also emphasised that the need to have *waqf* institutions in Western Nigeria must be addressed. He noted that many *Islāmiyyah* schools in Western Nigeria have faced extinction due to lack of funds, with founders relying on foreign donations, daily or weekly charity collections, and occasional donations from well-to-do individuals. Many *Islāmiyyah* schools have gone into extinction due to a lack of *waqf* institutions, and it is suggested that for these institutions to continue to enjoy maximum maintenance, they need to come under *waqf*. Muslim schools and mosques in Nigeria are built by individuals who also finance the maintenance of the mosques personally and directly. Examples include Alhaji Abdul Azīz Arisekola Amao, Muslims in Yorubaland, and the Abdul Azīz Islamic Foundation Mosque in the Egbeda area of Lagos. Moreover, Surulere Central Mosque and Lagos Central Mosque suffered a few setbacks in terms of maintenance following the death of their founders.

The government support received by *waqf* bodies in Western Nigeria is less than that of Northern Nigeria. According to Shuaib and Sohail (2022), faith-based organizations (FBOs) in the North receive government support, while Southwest-based organizations face challenges. Likewise, twelve state governments established Zakah institutions, but no institution exists in the Southern part of Nigeria. The authors evaluated thirteen case study documents and found that Islamic faith-based organizations (IFBOs) generate income from various investment outlets and receive funds from

Zakah and Sadaqah. He concludes that Islamic social finance (ISF) professionals and charitable institutions in Southwest Nigeria should sponsor private bills for a legal framework to define IFBO operations and improve their funding strategies and delivery of social services.

Waqf Legal Framework in Nigeria

The well-functioning of *waqf* institutions depends on the development of *waqf* legal framework. According to Fa-Yusuf et al. (p. 88), the lower performance of *waqf* globally is caused by several factors, including weak legal protection and inadequate financial and legal reforms. They suggest engaging the government to enact laws that empower *waqf* institutions, provide donors with tax exemptions, and increase the knowledge base of *waqf* institutions through education, research, and publications. The efficacy of *waqf* institutions in Nigeria depends on collaborative efforts between policymakers and institution operators.

Obaidullah (2016) also noted that the *Shariah*-legal framework for Islamic endowments focuses on preserving endowed assets, including physical preservation and benefits for intended beneficiaries. It requires prudent management and efficiency in development and investment. Islamic scholars determine the objective function of Islamic endowment laws, which may shift over time to benefit preservation for intended beneficiaries. This shift may occur as scholars discuss the exchange and replacement of *waqf* assets, necessitating modifications to ensure sustained enhancement of benefits. The Regulatory Efficiency Frontier (REF) combines preservation and development.

Saad *et al.* (2021) claimed that the practice of *waqf* and *zakat* Institutions in Nigeria dates back to Shehu Usman Dan Fodiyo's time but was abandoned due to colonialism. The Muslim North has been waiting for an opportunity to restructure its lost values since the dawn of the civilian government in 1999. This movement began with 13 Northern states adopting the *Shari'ah* Criminal System of Justice. However, these institutions have been falling apart for almost two decades due to some issues, including a lack of legal mechanisms.

It is well established from various studies that the legal bases of *waqf* in Nigeria can be deduced from the Constitution of the Federal Republic of Nigeria 1999. The 1999 Constitution of the Federal Republic of Nigeria (as amended) provides under Sections 262 sub-(2)(c) and 277 sub-(2) (c) that *Shari'ah* Courts of Appeal can entertain questions of Islamic personal Law regarding a *wakf* (meaning *waqf*), gift, will, or succession where the endower, donor, testator, or deceased person is a Muslim. (Saad *et al.*, n.d; Mohammad Jamiu *et al.*, 2021; Fa-Yusuf *et al.*, 2021; Ishola 2019).

NSRP (2016) established that the return of Nigeria to democratic governance in 1999 sparked a renewed push for the reintroduction and implementation of sharia in some of Nigeria's states. Twelve states have adopted the Sharia legal system and established key institutions, such as the *Shari'ah* commission, *da'wah* committee, *hisbah* group, and *zakat* and endowment bodies. Fifteen years after declaring sharia in Zamfara, there is still a need to address some arising questions regarding the legal framework for *zakat* and endowment administration, the functioning of institutions responsible for these functions, and the processes for collecting, distributing, and managing these funds.

Ishola (2019) further established that the involvement of Islamic Law and the *Māliki* School's permissibility of *waqf* strengthen its legal basis in Nigeria. However, the legal basis for *waqf* in the Southern states might be confusing due to the absence of the Sharia Court of Appeal in that region and cases and matters involving non-Muslims. However, there are no legal constraints or challenges for those interested in practising Islamic endowment in Nigeria. Moreover, Gidado and Sani (2018) also argued that the Islamic Law of *awqāf* has faced several challenges in its implementation in Muslim communities. The Maliki School's ownership of *waqf*, which is revocable, has led to issues with *fiqh* and legal impediments in resolving disputes related to *waqf*. This is evident in cases where a person has given out a mosque or land as *waqf*, and their heir takes over the property as an inherited estate. The legal impediment in resolving disputes related to *waqf* is also a concern. There is a need for dedicated legislation on *waqf* in Nigeria. The Northern States of Nigeria introduced *Shari'ah* by introducing criminal aspects of Islamic law without clear legislation on *waqf*. Additionally, Muslim

leaders, particularly those with political power, have failed to initiate reforms in the system, indicating that *waqf* is not as crucial in the administration of the state.

Beneficiaries' Rights-Based Approach in Nigerian Waqf Institution

It is necessary here to clarify what the beneficiary means. According to Will (2021), the person or group for whom a trust is established is referred to as a beneficiary. A trustee is chosen by the trust's grantor or creator, who has a fiduciary duty to manage trust funds in the beneficiaries' best interests following the terms of the trust agreement. Will (2021) likewise, Khademolhoseini (2011) defined the *waqf* beneficiary as "Persons who are or areas which are the purpose of *waqf*." He further stated that beneficiaries are "those people of areas entitled to benefit from the return of *waqf*." Zati Ilham *et al.* (2021) also defined a beneficiary as "a person who is eligible to receive any benefit, interest, or profit from a "*mawqūf*," or property given by way of *waqf*."

According to Ibraheem (2017), *waqfs* can benefit community utility or individuals, with donors indicating who qualifies to benefit from their *waqf*, such as the founder's family, the whole community, or people experiencing poverty. Receivers can be numerous, with some keeping half for their family and the other half going to the underprivileged community. Legal receivers must meet certain conditions, including being classifiable, alive at the *waqf's* establishment, not fighting against Muslims, not using the *waqf* in contradiction with Islamic Law, and not being the donor.

The flexibility of Islamic Law allows for innovation in expanding the scope of *waqf* beneficiaries while adhering to fundamental principles, as seen in contemporary practices like *waqf al-manqūl* (moveable *waqf*) and temporal *waqf* assets. Islamic jurists, particularly the *Malikis*, support these practices, which have proven helpful in addressing issues such as medical shortages and providing immediate benefits through humanitarian services. The UAE has exemplified this flexibility by adopting progressive *waqf* models, enhancing institutional governance, and creating innovative endowment banks for sectors like health and education. This adaptability in Islamic jurisprudence ensures that the rights of *waqf* beneficiaries are protected while meeting the evolving needs of society (Arab *et al.*, 2023).

Beneficiary is significant in establishing the scope of obligations/duties and rights. According to Lyons (2017), the concept of right is perceived by Hart and Bentham in different ways. Even though both agree that rights imply duties or obligations, not all duties imply rights. However, Bentham held that duties or obligations without beneficiaries have no corresponding rights. At the same time, Hart argues that duties without claimants have no corresponding rights, as being a claimant does not necessitate being a beneficiary of another's duty and vice versa. In Civil Law, private individuals can enforce their rights, while in criminal Law, only complainants have the legal power and responsibility. Civil law obligations arise from special relations, while criminal law obligations are laid down. Hart, quoted by Lyons (2017), observed that there are no rights under morality or criminal Law because private claims do not uphold them. He agrees that most jurists prefer not to refer to "rights" in Criminal Law. However, he makes the case that a broader definition of "right" is acceptable as long as it maintains the central element of the rigid sense. He contends that rules granting rights and imposing obligations offer a uniquely distributive means for the person holding the right.

Corruption in public procurement undermines human rights, especially in African countries, by eroding accountability, violating international conventions, and diminishing public trust in government. A human rights-based approach is crucial to combat corruption, as it impacts and violates human rights. This approach empowers ordinary people to demand transparency and accountability from public officials. Existing legal frameworks, such as the United Nations Convention against Transnational Organised Crime, address corruption but may not directly cover public procurement. The Constitution requires fair and transparent procurement processes. Integrating human rights principles into anti-corruption strategies is essential for combating corruption in African public procurement (Mubangizi & Sewpersadh, 2017).

It is acknowledged that Nigeria is among the highly rated risky environments for financial transactions. The environment is challenging due to several factors, such as an unpredictable legal system, weak institutional framework, and scarcity of reliable corporate financial information. According to Owolabi (2018), statistics showed Nigeria has consistently been rated high among the most corrupt countries. Even in 2004, Nigeria was ranked third among 146 surveyed covered most corrupt countries. In that regard, the fact that corruption is a trending trait in Nigeria has become common knowledge that no right-thinking person can deny (Owolabi, 2018). Nigeria's 2022 National Risk Assessment also shows pervasive corruption in all areas of the Nigerian economy, including the public and private sectors. Corruption occurs at the highest levels of government or the lowest level, and it is perpetrated by public officials, the courts, the private sector, and security agencies with the cooperation of third parties. Incidents of bribery, misuse of office, contract fraud, misappropriation, revenue losses, and mismanagement of funds remain essential concerns in the Nigerian economy.

Furthermore, beneficiaries are a crucial component of *waqf*, as their inclusion defines its purpose and humanitarian identity. *Waqf* benefits its designated recipients, forming the basis for categorizing charitable, family, or joint *waqf*. Some scholars even assert that *waqf* exists primarily for the beneficiaries' advantage. The concept of ownership in *waqf* separates legal and beneficial titles, where beneficiaries have the right to the *waqf*'s usufruct. At the same time, the nazir is responsible for managing the *waqf* property and distributing its income according to the *waqf*'s stipulations. The management of *waqf* is charged with duties to ensure beneficiaries' protection. Obaidullah (2016) argued that Islamic Law mandates the investment of *waqf* assets, with the mutawalli responsible for prudent and efficient management. The state and judiciary ensure compliance. The returns from endowed assets are intended to benefit the beneficiaries. He further observes that the Urban *Waqf* Properties Development Scheme and the National *Waqf* Development Corporation (NAWADCO) in India are initiatives to improve the benefits for endowment beneficiaries. The scheme loans 137 projects, with 84 completed and yielding income. The National *Waqf* Development Corporation has an authorized capital of INR 500 crores (USD 80 million), less than 0.35 per cent of the asset value. A private capital contribution for limited periods is suggested to fulfil capital needs efficiently, but this would require a relaxation of leasing rules to allow subleasing for sukuk issues. Singapore's Majlis Ugama Islam Singapura (MUIS) has successfully used this approach (Obaidullah, 2016).

There is a need for a rights-based approach in Nigerian *waqf* institutions to preserve the interest of the beneficiaries. An-Na'im and Halim (2006) have adopted this perspective and argue that every charitable Islamic institution should implement the rights-based approach to charitable giving. They agree that it is the moral and social right of beneficiaries to receive assistance and support with due respect for their human dignity. The authors propose that this approach would support philanthropic and non-governmental organizations more widely as modern institutions better suited than traditional models of religious endowments (*awqāf*) or state agencies. They believe that a rights-based approach is crucial for securing the entitlement of the most deserving beneficiaries, promoting the efficiency and sustainability of philanthropic and other types of organizations, and better mobilizing and distributing internal material resources for economic and social development.

The researchers further argued that the proposed rights-based approach would sustain the engagement of the giver and beneficiary as mediated by an appropriate philanthropic organization or institution. However, tensions will remain in every aspect of the proposal, including its Islamic rationale, civil society framework, and institutional resources. Further research is needed to study various ideological, theological, sociological, and institutional aspects of civil society development to match the needs and expectations of present Islamic societies in their relationship to the state (An-Na'im & Halim, 2006).

Further, the needed accountability in *waqf* institutions is achievable through a rights-based approach because the concept of accountability includes a commitment to humanitarian standards and rights. Asgary and Ronald (2017) explained accountability is the responsible use of power by various stakeholders, focusing on those affected by its exercise. It involves holding agencies accountable by reporting their actions and allowing them to redress them. Accountability requires agencies to fulfil

their original responsibility, including standard-setting, performance measuring, and sanction powers. Measuring aid outcomes is a critical component of accountability. Principles of accountability include a commitment to humanitarian standards and rights, setting standards, building capacity, communicating with stakeholders, involving beneficiaries in programs, monitoring compliance, addressing complaints, and implementing independent partners.

The researchers also claim that the charitable industry needs to reform to involve beneficiaries in resource allocation, programming, and financial decision-making. A rights-based approach to accountability could reconcile conflicting views. Empowering aid recipients to exercise their rights to protection, assistance, and health is crucial for social justice, ethics, and capacity-building. Shifting the focus to accountability could improve aid operations and effectiveness, although it may be more expensive (Asgary & Ronald, p. 346).

Pastore (2024) argued that the inherent vulnerability of human beings indicates the need to design and operate social, political, and legal institutions to mitigate harm and ensure justice. Acknowledging our universal fragility compels institutions to prioritize human rights protections and collective security, recognizing that vulnerability shapes our relationships and responsibilities towards one another. This perspective shifts the focus from viewing individuals as abstract subjects to understanding them within their diverse, concrete life situations, emphasizing the need for mutual recognition and justice. Legal and political institutions are morally obligated to address vulnerable individuals' rights, preventing harm and countering structural oppression. The trust relationship in the *waqf* contract makes the beneficiaries vulnerable to *waqf* management. According to McKillop (2001), trust inherently involves risk and vulnerability, as it rests on the expectation of predictability and cooperation. Beneficiaries rely on trustees to manage resources in a manner that prioritizes their interests, and any breach of this trust can be perceived as a moral violation, leading to feelings of betrayal and a desire for retribution. Given the asymmetrical nature of some trust relationships, where trustees often hold greater power and knowledge, implementing a rights-based framework is essential to ensure accountability and transparency. This framework would empower beneficiaries, safeguard their rights, and reinforce trust, ultimately enhancing social cohesion and the effectiveness of trust.

Several authors have affirmed the role of the beneficiary's participation in the accountability and preservation of charitable institutions. However, trustees always pay attention to their role in most cases. According to Awuah-Werekoh (2015), charitable institutions must be accountable to both funders and beneficiaries for optimal resource usage, known as upward and downward accountability, respectively. Upward or functional accountability is critical for developing charitable institutions because most funding originates from external sources, including the private, public, and government. Upward accountability ensures effective resource allocation based on prior performance, giving donors confidence in the efficiency of their funding. However, because this method is short-term and top-down, evaluating the effectiveness of charitable institutions' activities takes time and effort.

According to Osman and Agyemang (2020), downward accountability is the term used to describe accountability to weaker groups. The application of downward accountability may make it easier to establish overall accountability in the *waqf* sector. According to this study, the accountability relationship between *waqf* authorities and the beneficiaries will determine how far downward responsibility may be achieved. However, the *waqf* officer is responsible for bridging the awareness gap between himself and the beneficiaries to understand better and respond to their needs.

Mooketsane *et al.* (2018) also reiterated that accountability mechanisms seek to enhance the efficacy of assistance distribution by incorporating stakeholders in decision-making processes. Social auditing integrates all accountability systems, allowing many stakeholders' perspectives to impact charitable institutions' aims and values. Beneficiaries must be given a more central role and the ability to participate in decisions or processes affecting them according to the democratic governance approach. Such participation gives beneficiaries a sense of ownership and contributes to long-term sustainability, even after the project donor has stopped funding the project. However, imbalances in

power may prevent beneficiaries from participating actively. Decision-making authority should be shared between charitable institutions and beneficiaries to ensure effective downward accountability. Moreover, Beneficiaries should be allowed to bargain and negotiate decisions with charitable institutions or even have veto power over decisions.

Dewi *et al.* (2019) also emphasised the need for charitable institutions to effectively discharge accountability to their downward stakeholders, ensuring positive interactions between them and the beneficiaries. Due to distance or other issues, it may be challenging to bridge the gap between charitable institutions and their beneficiaries in some instances. To close the distance between funders, charitable institutions, and the frequently remote beneficiaries, they established the crucial role of volunteers in downward accountability. Dewi *et al.* (2019) further contended that shared norms among volunteers and charitable institutions should be sustained to enable subsequent cooperation between them as better beneficiary accountability remains feasible through such cooperation. Further, sustaining casual interactions between volunteers and beneficiaries is also critical. They conclude by inciting subsequent authors to work on downward accountability in other approaches or study areas to give beneficiaries more meaningful voices in this process.

3. METHODOLOGY

This study adopts a qualitative methodology, relying on secondary sources to investigate the complexities of *waqf* management in Nigeria. These sources include historical documents, legal texts, scholarly articles, and reports that provide insights into the evolution of *waqf* practices from the pre-colonial period to the present day. By analysing these materials, the study uncovers the influence of colonial legacies, the impact of legal reforms, and the current challenges in *waqf* administration, particularly regarding governance and beneficiary rights.

4. FINDINGS

The findings of this study highlight the following:

Weak Legal Framework

The legal framework for *waqf* in Nigeria needs to be revised, with significant regional disparities, particularly between Northern and Southern Nigeria. The absence of dedicated legislation and a unified system for *waqf* management has led to inconsistent legal protection and ineffective governance.

Historical Decline and Colonial Impact

Colonialism contributed to the decline of *waqf* practices, particularly in Northern Nigeria, and subsequent legal developments have not fully restored the strength of *waqf* institutions. Despite the reintroduction of Shariah law in Northern Nigeria, the legal mechanisms for *waqf* still need to be developed.

Challenges of Islamic Jurisprudence

Variations in the interpretation of *waqf* under different Islamic law schools, particularly the Maliki School, complicate the legal status of *waqf* assets, leading to frequent disputes. The revocability of *waqf* under Maliki jurisprudence creates legal ambiguities and challenges in dispute resolution.

Beneficiaries' Rights and Accountability

A rights-based approach to *waqf* management can enhance transparency, protect beneficiaries, and foster social justice. Empowering beneficiaries and involving them in decision-making processes is essential for ensuring that *waqf* assets are managed responsibly and sustainably.

Need for Dedicated Legislation

Dedicated *waqf* legislation is necessary to address the gaps in the current legal framework. Legal reforms should focus on providing *waqf* institutions with the tools and protections they need to

function effectively, including tax exemptions, government support, and transparent management guidelines.

Regional Disparities

The lack of *Shariah* Courts of Appeal in Southern Nigeria creates legal challenges for *waqf* administration, particularly for mixed religious communities. Legal reforms should address these regional disparities to ensure equitable access to justice for *waqf* matters nationwide.

Corruption and Governance

Corruption in public institutions and mismanagement of *waqf* assets undermine the effectiveness of *waqf* institutions and negatively impact beneficiaries. Strengthening governance frameworks and enhancing downward accountability, particularly to beneficiaries, is crucial for improving *waqf* sustainability in Nigeria. Consequently, addressing the legal and governance challenges facing *waqf* in Nigeria requires a comprehensive approach, including legal reforms, government support, and the adoption of a rights-based framework to protect beneficiaries.

5. DISCUSSION

The research emphasises that enhancing *waqf* management in Nigeria requires targeted legal reforms to establish a beneficiary rights-based approach, particularly to address current deficiencies in the legal framework. Nigeria's existing *waqf* laws lack structure, cohesion, and dedicated legislation, creating significant operational and legal challenges that hinder the practical preservation and management of *waqf* assets. These structural deficiencies—compounded by limited legal protection and insufficient government support—significantly weaken *waqf* institutions and compromise beneficiaries' rights. Scholars have pointed to the need for specific legal reforms that protect beneficiaries and strengthen *waqf* management to address these challenges. Fa-Yusuf et al. suggest implementing tax exemptions to financially support *waqf* institutions alongside robust legal frameworks to empower an effective disbursement of the *waqf* proceeds to beneficiaries and ensure *waqf* sustainability. Obaidullah (2016) further highlights that *waqf* governance should adhere to *Shariah* law principles, focusing on efficient management practices that protect *waqf* assets for the beneficiaries and uphold the integrity of *waqf* assets. Based on this view, a right-based approach of *waqf* governance, grounded in *Shariah* and legal principles, is needed to empower beneficiaries, making them central to *waqf* management and helping ensure transparent, accountable governance.

Historically, *waqf* practices in Nigeria were robust during Shehu Usman Dan Fodiyo's era, reflecting a commitment to beneficiaries' welfare. However, colonial legal shifts and subsequent legal changes led to a weakening of these practices. The reintroduction of *Shariah* law in Northern Nigeria in 1999 created some pathways for addressing *waqf* matters within a legal framework, yet the impact still needs to be improved. In the South, where *Shariah* Courts of Appeal do not exist, *waqf* matters need clear legal recourse, creating confusion and inconsistency in legal protections for beneficiaries. Additionally, the differences among Islamic legal schools, particularly the Maliki school's stance on *waqf* revocability will perpetuate, introduce further complexities, affecting uniformity in *waqf* administration and dispute resolution across Nigeria.

The research highlights a pressing need for legislative reforms to address these issues. Scholars propose a unified national framework for *waqf* governance that balances *Shariah* compliance with enhanced legal protections, without which more excellent uniformity across regions. Collaborating with government bodies, Islamic scholars, and community stakeholders can help build a robust, rights-based system that prioritizes beneficiaries' interests, ensures accountability, and facilitates efficient *waqf* management. This approach would empower *waqf* beneficiaries, support institutional sustainability, and promote a governance structure that aligns with Islamic principles and the modern legal landscape.

In all, the research implies that implementing targeted legal reforms to establish a unified, rights-based *waqf* framework could strengthen *waqf* management in Nigeria. This approach would address

historical and legal inconsistencies and improve accountability, transparency, and governance, ultimately enhancing waqf's social and economic impact in Nigeria.

7. CONCLUSION

The management of *waqf* institutions in Nigeria faces challenges from historical legacies, inadequate legal frameworks, and a lack of focus on beneficiaries' rights, hindering their effectiveness and growth. While Northern Nigeria has revitalized *waqf* through structured institutions, the Western region needs more fragmented operations and government support. The Constitution of the Federal Republic of Nigeria provides a foundation for Islamic personal law, including *waqf*, but the lack of dedicated legislation and regulatory mechanisms undermines governance and accountability. Additionally, beneficiaries' rights need to be adequately addressed, emphasizing the need for a rights-based approach that empowers them in *waqf* management. Future research should focus on developing robust legal frameworks for formal *waqf* institutions and exploring how beneficiaries' rights-based approach can be integrated into the *waqf* management system. By tackling these issues, Nigeria can harness *waqf*'s potential for social and economic development, benefiting communities. Achieving this vision requires collaboration among policymakers, Islamic scholars, and community stakeholders to create a transparent and effective *waqf* system that meets beneficiaries' needs and supports broader socio-economic goals, making decisive action essential for justice and progress.

8. LIMITATIONS AND FUTURE RESEARCH

This study on *waqf* management in Nigeria is limited by a lack of primary data and field research, which could provide firsthand insights into governance practices and beneficiaries' experiences. While relying primarily on historical and secondary sources, the study needs to fully address the current socio-political factors influencing waqf administration across regions. Future research should include empirical studies involving beneficiaries and administrators to identify practical challenges and local perspectives while exploring the legal complexities of *waqf* revocability and asset management under the Maliki School. Comparative studies with countries that have implemented rights-based *waqf* management frameworks could offer valuable models to enhance transparency, protect beneficiaries' rights, and strengthen the socio-economic impact of *waqf* in Nigeria. Likewise, examining the adequacy of beneficiaries' protection in *waqf* legal frameworks of different countries through doctrinal analysis is also essential for future researchers' considerations.

REFERENCES

- Abdullahi, S. (2019). *Zakat can boost the infrastructural needs of Nigeria*. *The Guardian*. Retrieved from <https://guardian.ng/how-waqf-zakat-can-boost-infrastructural-needs-of-nigeria/> (accessed on December 12, 2023).
- Abdul Rauph, M., & Adebayo, R. I. (2022). *Waqf practices in Nigeria: benefits, challenges and prospects*. *Journal of Islamic Banking and Finance*, 39(2), 58-76.
- Abubakar, A. M. (2021). Sustainable welfare model for the internally displaced persons (IDPS) in North-Eastern Nigeria: the role of *waqf* financing. *Ikonomika: Jurnal Ekonomi dan Bisnis Islam*, 6(1), 123-150.
- Adebayo, R. I., & Ashafa, S. A. (n.d.). The imperative for re-orientating the *ummah* for effective *zakat* and waqf administration in Yorubaland, Nigeria. *Academia*, 21(1), 115-134.
- Alawiye, H. O., & Keerio, I. K. (2023). Towards resolving overlapped distribution of *waqf* funds through artificial intelligence: focusing on educational *waqf*'s beneficiaries. *Al-Kashaf*, 3(3), 74-83.
- An-Na'im, A. A., & Halim, A. M. A. (2006). *Rights-Based Approach to Philanthropy for Social Justice in Islamic Societies*. Cairo: The John D. Gerhart Center of Philanthropy and Civic Engagement, American University in Cairo, Egypt (accessed on December 12, 2023).
- Arab, S.H.Y., Zakariyah, H., Abdullatif, A.A.M. (2023). *Contemporary Developments in Waqf Beneficiaries—a Case Study of the Awqaf of the United Arab Emirates*. In: Alareeni, B., Hamdan, A. (eds) *Innovation of Businesses, and Digitalization during Covid-19 Pandemic*.

- ICBT 2021. Lecture Notes in Networks and Systems, 488. Springer, Cham. Retrieved from https://doi.org/10.1007/978-3-031-08090-6_5 (accessed on February 7, 2025).
- Asgary, R., & Waldman, R. J. (2017). The elephant in the room: toward a more ethical approach with accountability toward intended beneficiaries in humanitarian aid. *International Health*, 9(6), 343-348.
- Awuah-Werekoh, K. (2015). *Accountability Systems of Non-Governmental Organizations (NGOs): Case Study from Ghana*. PhD Thesis, University of Birmingham.
- Bolatito, A. O. S. (2022). Identity and faith; the status of Islamic schools in South-West Yorubaland of Nigeria. *Global Scientific and Academic Research Journal of Multidisciplinary Studies*, 1(7), 7-13.
- Dewi, M. K., Manochin, M., & Belal, A. (2019). Marching with the volunteers: their role and impact on beneficiary accountability in an Indonesian NGO. *Accounting, Auditing & Accountability Journal*, 32(4), 1117-1145.
- Elesin, M. J. (2017). The role of *al-awqāf* (Islamic endowments) in poverty alleviation and community development in the Nigerian Context. *Journal of Muslim Minority Affairs*, 37(2), 223-232.
- Fa-Yusuf, H. S., Busari, S. A., & Shuaibu, B. L. (2021). *Waqf* effectiveness in Nigeria: problems and solutions. *Journal of Islamic Finance*, 10(2), 79-89.
- Gidado, A. D., & Sani, A. M. (2018). *Waqf* and provision of social services in Kaduna state: contributions and challenges. *International Journal of Academic Research in Business and Social Sciences*, 8(6), 1211-1212.
- Haruna, H. T., & Ibrahim, A. S. (2021). The contribution of *waqf* institution as a financial tool in addressing poverty reduction: evidence from the literature. *AZKA International Journal of Zakat and Social Finance*, 2(1), 151-178.
- Ibraheem, A. A. (2017). *The Establishment of Waqf Institution Toward Poverty Alleviation Among Muslim Ummah in Oyo State Southwest Nigeria*. Master's Thesis, Universiti Utara Malaysia.
- Ishola, A. S. (2019). Legal bases for *al-waqf* in Nigeria. *Journal of Shariah Law Research*, 4(1), 69-88.
- Khademolhoseini, M. (2011). *Cash-Waqf a New Financial Instrument for Financing Issues: An Analysis of Structure and Islamic Justification of Its Commercialization*, Imam Sadiq University, Tehran.
- Lyons, D. (2017). Rights, claimants, and beneficiaries. *American Philosophical Quarterly*, 6(3), 176-178.
- Mckillop, D. R. (2001). *Principles in Public Reasoning About Criminal Justice: Victim Vulnerability, Trust and Offender Status*. Doctoral Dissertation, Edith Cowan University. <https://Ro.Ecu.Edu.Au/Theses/1035>.
- Mooketsane, K., Bodilenyane, K., & Motshegwa, B. (2018, July). Strengthening non-governmental organizations accountability through beneficiaries' participation: the case of NGOs in Botswana. *International Conference on Public Administration and Development Alternatives (IPADA)*, (2018, July).
- Mubangizi, J. C., & Sewpersadh, P. (2017). A human rights-based approach to combating public procurement corruption. *Africa. African Journal of Legal Studies*, 10(1), 66-90.
- Muhammad, I. N. (2018). Existence of *waqfs* without *waqf* institution in the Sokoto Caliphate: a contemporary challenge for Northern Nigeria. In *2nd Kano Waqf International Conference, KWIC*, (2018, October).
- Muhammad, I. N. (2012). *Waqf*, values and the *ulama*: towards harnessing philanthropy for community uplift in Northern Nigeria. *Kano State Polytechnic*, 4-5.
- Nigeria Stability and Reconciliation Programme (NSRP). (2016). *Zakat and Waqf Institutions in Sharia Implementation in Northern Nigeria Over 15 Years (Policy Brief No. 3, pp. 1-11)*. British Council, United Kingdom.
- Obaidullah, M. (2016). A framework for analysis of Islamic endowment (*waqf*) laws. *International Journal of Not-For-Profit Law*, 18(1), 54-62.

- Osman, A. Z., & Agyemang, G. (2020). Privileging downward accountability in *waqf* management. *Journal of Islamic Accounting and Business Research*, 11(3), 533-554.
- Owolabi, E. A. (2018). *Corruption And Financial Crimes in Nigeria: Genesis, Trend, And Consequences*. Central Bank of Nigeria. Available at: <https://www.cbn.gov.ng/> (accessed on March 12, 2024).
- Pastore, B. (2024). Vulnerability, human rights, adjudication. *Peace Human Rights Governance*, 8(1), 9-26.
- Saad, J., Ibrahim, D. I., & Abubakar, A. (2021). *Zakat* and *waqf* as alternatives for eradicating poverty in northern Nigeria. *Al-Nebras International Journal*, 2, 137-157.
- Shuaib, A. A., & Sohail, M. (2022). The Role of Islamic social finance in societal welfare: a case study of selected IFBOS in Southwest Nigeria. *International Journal of Islamic and Middle Eastern Finance and Management*, 15(1), 83-99.
- Sulaiman, M. A., & Muhammad, I. A. (2023). *Waqf* as a device means to improve the health care and sustenance of the refugee camps of Northeastern Nigeria. *Al-Afkar, Journal for Islamic Studies*, 6(4), 789-802.
- Will, K. (2021). *Beneficiary of Trust: Definition and Role in Estate Planning*. Investopedia. The Dotdash Meredith Publishing Family. Available at: <https://www.investopedia.com/terms/b/beneficiary-of-trust.asp> (accessed on December 12, 2024).
- Zati Ilham Binti Abdul Manaf, Khadijah Binti Mohd Najid, & Muhammad Amrullah Bin Drs Nasrul. (2021). *Comparative Analysis of The Statutory Duties of Waqf Managers Under the State Waqf Enactment and The Duties Of Trustees Under The Trustee Act 1949*. Powerpoint Presentation. 9th Global Waqf Conference, (2021, December).