

**THE DEVELOPMENT OF WAQF FOR POVERTY
ALLEVIATION IN ADAMAWA STATE, NIGERIA**

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THE DEVELOPMENT OF WAQF FOR POVERTY ALLEVIATION IN ADAMAWA STATE, NIGERIA

by

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LIST OF ABBREVIATIONS

AMLA	Muslim Law Act
AWQAFM	Ministry of <i>Awqaf</i> and Islamic Affairs
CBB	Central Bank of Bahrain
DFRI	Directorate for Food, Roads, and Rural Infrastructure
DSGE	Dynamic Stochastic General Equilibrium
IDB	Islamic Development Bank
IIIBF	International Institute of Islamic Banking and Finance
IsMFs	Islamic Micro-Finances
IWIMM	Islamic Microfinance Model
MAIN	Majlis Agama Negeri
MAINPP	Majlis Agama Islam Negeri Pulau Pinang
MSMEs	Small and Medium Enterprises
MTI	Ministry of Trade and Industry
MUIS	Majlis Ulama Islam Singapore
NAPEP	National Poverty Eradication Program
NDE	National Directorate of Employment
NDP	National Development Policy
NEM	New Economic Model
NGOs	Nongovernmental Organizations
PBUH	Peace Be Upon Him
PHC	Primary Health Care
SDG1	Social Development Goal
SEM	Structural Equation Modelling
SMEDAN	Small and Medium Enterprise Development Agency
SRCs	State Religious Councils
SWT	Subhanahu Wa ta'ala

**PEMBANGUNAN WAKAF UNTUK MEMBASMI KEMISKINAN DI
NEGERI ADAMAWA, NIGERIA**

ABSTRAK

Wakaf adalah bentuk amali dari yang matlamat utamanya adalah memberikan bantuan dan mengurangkan kemiskinan dalam masyarakat Islam. Tidak dapat dinafikan, Wakaf mempunyai potensi yang sangat penting untuk meningkatkan taraf hidup masyarakat melalui pelbagai manfaatnya. Amalan wakaf memberikan bantuan kemanusiaan, sokongan kewangan, dan keperluan sosial untuk mengurangkan kemiskinan, pengangguran, dan kekurangan sokongan. Namun begitu, negeri Adamawa masih dilanda ancaman sosial kemiskinan. Perkara yang amat membimbangkan adalah kekerapan ancaman sosial kemiskinan semakin meningkat di negeri ini yang menjejaskan pendidikan, kesihatan dan kehidupan sosial rakyat. Kadar pengangguran dalam kalangan belia dan dewasa meningkat secara mendadak di seluruh negeri dan menyumbang kepada kemiskinan yang teruk. Ramai kanak-kanak menjadi mangsa eksploitasi, manakala sebahagian daripada mereka kerap bekerja dalam keadaan tidak sihat dan berbahaya kerana ketidakupayaan ibu bapa mereka untuk menyediakan keperluan mereka. Objektif kajian ini adalah untuk mengkaji amalan Wakaf, dan kesannya dalam mengurangkan kemiskinan di negeri Adamawa, Nigeria. Kajian ini turut membincangkan bagaimana amalan Wakaf boleh digunakan untuk meningkatkan ekonomi dan mewujudkan peluang pekerjaan. Cadangan dan penyelesaian yang sesuai kepada masalah sosial dan ekonomi yang dihadapi negeri ini jugat turut dibincangkan. Kajian ini menggunakan kaedah kajian kualitatif asas untuk mengkaji aktiviti amalan wakaf di negeri Adamawa. Temu bual

telah disempurnakan bersama dengan dua belas informan daripada pelbagai kategori di negeri Adamawa, termasuk ulama Islam, ahli akademik, dan pengamal wakaf. Penemuan mendapati bahawa Wakaf adalah mampan dan mampu mengurangkan kemiskinan dalam kalangan masyarakat dalam sesebuah masyarakat. Wakaf adalah alat yang boleh digunakan oleh semua dan di sepanjang masa supaya dapat menangani kos kehidupan pada masa hadapan. Sekiranya kos hidup dapat diatasi dengan dana yang diperoleh daripada wakaf, kehidupan akan menjadi lebih baik pada masa hadapan kerana dari sudut sejarah ia telah terbongkar. Begitu juga, terdapat banyak perniagaan dan transaksi yang bermanfaat dan menguntungkan yang boleh dipertingkatkan dan dimajukan oleh amalan Wakaf bagi membolehkan kepelbagaian ekonomi dan meningkatkan taraf hidup manusia.

**THE DEVELOPMENT OF WAQF FOR POVERTY ALLEVIATION IN
ADAMAWA STATE, NIGERIA**

ABSTRACT

Waqf is an Islamic endowment with the primary goal of assisting and alleviating poverty in Muslim nation. By given its numerous advantages, waqf has undeniably the ability to improve a society`s standard of living. Waqf practice addresses poverty, unemployment, and lack of support by providing human relief, financial assistance, and social necessities. However, the fact that Adamawa state is still plagued by the societal menace of poverty is humorous. Relatively disturbing is the frequency of the social threat of poverty is increasing in the state that is affecting educational, health and social life of people. Unemployment among youth and adults is rising rapidly across the state, contributing to the state`s terrible poverty. Many children are exploited, and some of them are forced to work in unhealthy and dangerous situations as a result of their parent`s failure to pay for their needs and sustenance. The purpose of this research is to look into waqf practice in Adamawa state, Nigeria, as well as the administration, institutions, and their effects on poverty alleviation in Adamawa state. In addition, the study discusses how waqf practice can be used to enhance economy and to create job opportunity. The study also discusses suitable recommendations and resolutions to the social and economic challenges confronting the state. This study used basic qualitative research method to examine the waqf practice activities in Adamawa state. Interview were completed with twelve informants from the different categories of people within Adamawa state, which include Islamic scholars, academicians, and waqf practitioners. Finally, the findings

revealed that waqf is sustainable and competent to alleviate poverty among people in a society. Waqf is a tool which can be used by all and for all time so that it can handle with the cost of life in the future. If the cost of life can be overcome by funds raised from waqf, life would be better in the future because from the historical point of view it has been uncovered. Likewise, there are several rewarding and beneficial businesses and operations that waqf practice can enhance and progress to enable diversification of economy and improving living standard of people.

CHAPTER 1

INTRODUCTION

1.1 Introduction

Waqf is an Islamic tool made for religious, educational, charitable, and social services. It is an important tool towards achieving socio-economic development and poverty alleviation if properly implemented. Evidently, waqf practice is encouraged in Islam where one is to donate part of his wealth in charity for Allah SWT. Waqf is a practice that produces sustainable entity, administered through the essential doctrines of perpetuity, and irrevocability. It is highly acknowledged that effective waqf practice can help to alleviate poverty and financial constraints can be addressed positively.

Waqf practice has the capacity to produce vigorous not-for-profit entities only but to deal with the social and economic demands in the Muslim community. Therefore, it may serve and act on both economic potential and philanthropic objectives. The basic goals of this study are to recommend the implementation of waqf institution and to look at how waqf practice would help in creating jobs, improving life standard and alleviating poverty in Adamawa state, Nigeria. However, this chapter presents the background of this study, the problem statement, the research objectives, research questions, operational definitions, scope and limitation of study, significance of study, organization of thesis and end with the summary of the chapter. The chapter comprises the details, technicalities, and the structural aspect of the study which the researcher would stick to achieve positively the objectives of the study at the end.

1.2 Background of the study

This study focuses on poverty alleviation through waqf practice. Therefore, it is intended to identify, analyze, and summarize the development of waqf for poverty alleviation as well as its role on charitable act and economic development. To ensure clear understanding of this section of the study, the section will discuss on the following themes: the development of waqf, concept of waqf, waqf development in Nigeria and poverty alleviation. The abovementioned themes highlight the level of waqf practice in some countries that will be guiding the objective of this study.

1.2.1 The Development of Waqf

Waqf is a charitable endowment set by Islam on a voluntary basis since the lifetime of Prophet Muhammad PBUH. The term waqf derived from an Arabic root verb “*waqafa*”, which literally means, detention, confinement, and prohibition or causing a thing to stop or stand still (Nahar & Yaacob, 2011). Technically, jurists defined waqf according to their schools of taught; Imam Abu-Hanifah defined waqf as the detention of a specific thing that is in the ownership of the founder and the devotion of its profits for good objects (Ibrahim et al., 2013). In this meaning given by Imam Abu Hanifah, waqf is the giving of profit without giving the property like lending (*Ariyat*), which is to give something temporarily on the condition that the same will be returned. In the view of Imam Malik, waqf is defined as the detention of something from self-benefit and the endower’s ownership remains constant, in such a way that its profit will be used in the benefit of people (Assan`ani, 1994). According to this definition of Imam Malik, by endowing a property as waqf, the endower’s ownership remains valid not transferred. Thus, from the time of declaration the donor himself will not benefit from the property instead, the benefit goes to those he endowed the property to. Waqf, in the opinion of Imam Shafi`i, is withholding

property to be used for a specific purpose and diverting its profits in a manner that is legal..¹ The Hanbali school regarded waqf as the detention of property and setting free the profit for charitable use. (Albanna, 1993). This illustrates the significance of the detention of the endowed property so that none will hold the ownership by any means because the property was given as waqf for the sake of Allah and revenue generated by the property will be used in charitable acts agreed upon by Islam.²

However, some academic scholars defined waqf as the detention of a specific belonging of a person who puts his property as waqf and devotes its profit in charity or other good sectors for the benefit of the poor (Abideen, 2003; Shahimi et al., 2013). According to Isaḥ (2014) waqf is the holding of certain properties or possessions while keeping it for the confined benefit or certain patronage, preventing any use or disposition of it outside the specific objective it was created for. In view of majority jurists (*Jumhur*), waqf is the detention of a specific thing from being the property of one person and put it under Allah SWT's instructions, in such a way that its profits may be applied in a good manner for the present or future use (Assan`ani, 1994). This definition of the majority (*Jumhur*) scholars is the best because it is centered between definition of both Imam Ahmad, Imam Malik, and the definition of the academic scholars. Therefore, whenever waqf is declared, the property and the profit belong to Allah SWT and it must be executed according to Islamic rule (Nijiry, 2008).this implies that waqf property cannot be sold or disposed of in any way, it remains in the waqf territory continuously and any new waqf will be added to it. Therefore, waqf properties are expected to increase not to decrease because it is illegal to consume the properties of waqf or to leave them idle by any

¹ This statement was stated by Alhithami Ahmad bn Hajar in his book "Tuhfatul-Muhtaj Vol 6 Page 235". Another Shafi'i scholar Shamsuddeen ramly added that the withheld property must remain in detention only the profit will be used. "Nihayatul-Muhtaj ila shirahil-Manhaj Vol 5 page 385"

² This statement was made by Shaikh Al-buny in his book "Kashful Qina".

action of carelessness or unlawful activity (Ali & Hassan, 2019). Waqf as a charitable endowment develops by the impact of moral and religious motivation, its benefits people for generations and even centuries due to its permanency and continuity. However, it is undoubtedly understood that waqf practices can have a continuation of rewards if the waqf continues to be used by the needy.

Legal evidence of waqf in Islam: Based on general and particular evidence from the Qur'an, Hadith, and the Ijma, the majority of Muslim jurists believe that waqf is allowed and recommended in Islam, but not necessary. (Zaki, 2006).

In terms of general evidence, waqf is regarded as a charitable deed, and every passage of the Qur'an encouraging Muslims to offer charity is likewise evidence of waqf's legality and legitimacy. Allah SWT declares:

“By no means shall ye attain righteousness unless ye give (freely) of what ye love.”

(Ali-'Imran, 3:92)

In another verse,

“But if ye remit it by way of charity that is best for you if ye only knew”.

(Al-Baqarah, 2: 280).

The aforementioned Qur'anic verses does not specifically mention waqf, but Allah encourages Muslims to help others through good deeds and material gifts in numerous verses as mentioned above. The Qur'an always encourages all forms of charitable acts among which waqf falls as an act of *iman*. The Qur'an repeatedly connects *iman*, *Ihsan*, and charity, to the extent that true faith is inseparable from doing good. In this point, even in the Islamic Shari'ah, as a practical part of the faith, obedience to Allah is manifested through two parts: personal and material worship.

Therefore, Compensation and affluence to our endowments are guaranteed by Almighty Allah in this verse,

“...and whatever you give, He will make up for it, He provides the best.”

(Al-Saba, 34 39).

This verse depicts the variety of rewards for making *Sadaqah* in a beautiful manner. A wealth giving as *Sadaqah* brings a variety of benefits to the giver because they are used to helping others. Whatever is contributed has the capacity to expand seven hundred times, according to prophetic hadith. However, among the practices which are emphasized in the Qur'an are prayer and monetary giving through Zakat and Sadaqah, the aforementioned verses highlight various benefits and virtues of giving *Sadaqah* in the Qur'an. The verses promise a safe transition into paradise and surely among the protected and easiest way to enter paradise is through *Sadaqah*. Zakat and Sadaqah are two elements that will bring blessings and the favors of Allah throughout human life. With regards to Zakat, it includes all forms of giving including Sadaqah. Salah strengthens our relationship with our Creator, while Zakat strengthens our relationship with His creation (Sadaqah, 2020).

Therefore, the Qur'anic verses mentioned above, and the Ahadith of Prophet Muhammad (PBUH) serve as the foundation for the waqf. When the verses in the Holy Qur'an that urge charitable giving, such as verse 92 of chapter three, were revealed, the well-to-do companions of the Prophet asked him for advice and expressed their desire to offer their property in Allah's way. Thus, throughout history, Muslims have continued to follow this tradition in an effort to win Allah's favor in both this world and the hereafter.

From the hadith, The Messenger of Allah PBUH said,

"When a man dies, his deeds come to an end except for three things: *Sadaqa Jāriyah* (continual charity); a knowledge which is beneficial, or a virtuous descendant who prays for him (for the deceased)."

(Hadith Muslim, 2682).

In respect to general evidence from the prophetic Hadith, waqf is considered as an ongoing charity (*Sadaqa Al-jāriyah*) which means the reward and the benefit would be continuously received not only in this life but even after his death. Therefore, it is a great opportunity to invest in something that will pay bonuses even after departing this world. The key to making this happen, is to invest in a process that will produce lasting and continuous benefits among which is giving out waqf.

The specific evidence regarding the legality of Waqf is from the prophetic hadith, Narrated Ibn `Umar, that, Umar bin Khattab got some portion of land in Khaibar, and he went to the Prophet to consult him about it saying,

"O Allah's Apostle I got some land in Khaibar better than which I have never had, what do you suggest that I do with it?" The Prophet said, "If you like you can give the land as endowment and give its fruits in charity." So `Umar gave it in charity as an endowment on the condition that the land would not be sold nor given to anybody as a present and not to be inherited, but its yield would be given in charity to the poor people, to the Kith and kin, for freeing slaves, for Allah's Cause, to the travelers and guests; and that there would be no harm if the guardian of the endowment ate from it according to his need with good intention, and fed others without storing it for the future."

(Hadith Al-Bukhari, 2737).

This Hadith, Narrated by Ibn Umar is the basis for the legality of waqf (Zaki, 2006). In view of the above charitable act set by Islam, Muslim countries created waqf institution to manifest the core value of Islamic charitable system.

The evidence of the legality of waqf from consensus (*Ijma*), Imam An-Nawawi, Ibn Qudama and Rafi`i narrated a consensus of Muslims jurist on the validity of waqf practice of Sahabah (Al-khirqi, 2013). It was the Prophet PBUH who advised Uthman Ibn Affan to purchase the well of (*bir rumah*) in Medina. Ibn Alqudama stated that there was no one companion who owned any substantial property, except for what had been made waqf to them.(Al-khirqi, 2013)

Waqf development has a long history of amazing accomplishments in assisting the destitute and encouraging the development of the ummah. Waqf has played a significant role in the economic development of the Muslim countries in the middle period of Islamic history. Reports show that in the 1800s, waqf lands cover substantial proportion of land area in Egypt, Algeria, Turkey and Palestine (Kahf, 2003, Kark, 2017; Saad et al., 2016). The majority of waqf funds are used to build mosques, pay imams, teachers, and preachers' salaries, and cover mosque expenses and maintenance. (Kahf, 2003). Among countries of the world that have recorded the major role played by waqf in history are classified into Muslim majority countries which include Malaysia, Bangladesh, Brunei, Turkey, Saudi Arabia, Indonesia, Qatar. While the Muslim minority countries comprise Singapore, India, and South Africa. South Africa is one of the African countries recorded to have the highest achievements in waqf history (Cajee, 2007; Khan, 2014; Shafii et al., 2015).

In Malaysia, waqf is understood to have existed after Arab Muslim traders brought Islam to Malaysia in the tenth century (Yaacob, 2013). It was dated from the early 13th century and confirmed the presence of Islamic Shari'ah in Terengganu's Tanah Melayu (Azha et al., 2013; Ibrahim & Dato, 2000). Religious education is the foremost waqf being developed and found particularly in Terengganu. This is proved by one of the early 19th century waqf deeds by *Sultan Umar*; the monarch of the state, stating that the objective of his waqf is to sponsor education and the spread of knowledge to the public (Yaacob, 2013). During the past time, Muslims who wanted to waqf their property would go to the *Penghulu*³ and give their waqf. The *Penghulu* is the local chief or governor that respectable in a society and all trust religious matters were brought to him. Even Though, there were no written documents regarding the establishment of waqf in Malaysia before the 19th century, apart from the establishment of the waqf of *Masjid kapitan Keling* in Penang in 1801, followed by the waqf of a member of the Aceh royalty, also in Penang (Nasution, 2002). The Federal Constitution of Malaysia sets Islam as the religion of the federation and in the constitution, matters of Islamic law are placed in the state register. Hence, a state that has a ruler, the ruler is the head of the Islamic religious affairs, while in the case of a state without a Ruler; the *Yang Di Pertuan Agong* is the head of the State Religious Councils (SRCs) (Yaacob, 2013). In each state, an SRCs is formed to advise the Rulers on all Islamic matters and each state has endorsed its own Islamic legislation. Religious department of the state would enforce all the legislation accordingly. Basically, different states will have a different set of legislations (Ibrahim, 2000). In every state, the SRCs was established to manage all the Islamic

³ A district or village headman in Indonesia and Malaya.

religious matters (Yaacob & Nahar, 2017). From the afore mentioned waqf record, the earliest development of waqf in Malaysia is traced (Yaacob, 2013).

However, the management of waqf in its early period in Malaysia was governed by the community, such as village chiefs, as well as Muslim scholars. It was largely based on trust, as donations or endowments were made verbally and several schools were established on these waqf-bequeathed lands (Yaacob, 2013). The waqf contributions from this era were usually restricted toward the donation of land, and frequently related to the building of mosques, cemeteries and schools (Yaacob, 2013). Furthermore, the (SRCs) was later formed in every state in Malaysia and entrusted under the *Sultan*, the ruler of the state to manage the Islamic affairs of the state. Therefore, the (SRCs) is the principal body responsible for assisting the Sultan or head of the state in affairs related to Islam, including zakat and waqf (Ab Rahman, 2009; Isa et al., 2011). Since the establishment of waqf institute under the management of SRCs, records have been maintained and besides this, many projects were developed with funds allocated from (SRCs) (Isa et al., 2011). Waqf development and activities in Malaysia has been encouraging, it is conducted in an effective and systematic management and administration. With this huge systematic effort of waqf practice from Malaysia almost all researchers on waqf in the world are now referring their research work to the Malaysian experience due to the country`s background on waqf and being the best in terms of waqf institution and administration in the world (Ab Rahman, 2009; Isa et al., 2011).

Factually, Bangladesh, during the Mughal time, the Bengal region had long practice of creating waqf, which still exist today (Khan, 2010). A huge amount of waqf institutions are delivering services to religious, educational and social welfare purposes (Karim, 2010). The impact of waqf to the education sector in Bangladesh is

significant. Several educational institutions are being managed under waqf practice. There are several mosques conveying religious education which includes secular education, many of them are approved by the Bangladesh School Education Board (Ahmad & Safiullah, 2012). The placement of waqf institutions under the ministry of religious affairs to serve as the principal trustee for all waqf properties in Bangladesh has resulted the significant development of the waqf practice in Bangladesh (Islam, 2018). Still, the government of Bangladesh later introduced a separate institution under the ministry of religious affairs to govern and administer waqf which is popularly known as waqf Bangladesh in order to bring efficiency in administering the waqf institutions (Islam, 2018). After establishing the separate board for managing waqf in Bangladesh, waqf properties has immense capacity of being developed to cater for the economics and social needs of the people of Bangladesh.

Brunei Darussalam, is an independent country on the Borneo's north coast in southeast Asia, with a dominant Muslim population in 2019 of about 78.8% (Barrientos & Soria, 2019), and 71.5% in 2021 (Meters, 2021). The waqf practice has become a popular and extremely favored kind of charity act for Muslims in Brunei in all society, including the *Sultan* of the country, the government, and the general public due to its significant role in economic activities, social services and poverty reduction (Hubur, 2019). In Brunei *Majlis Ulama* Islam is held responsible to manage and administer waqf property of the country and the *Majlis* is the trustee for the whole waqf properties of the country through the use of e-government technology (Harun et al., 2012). The establishment of the *Majlis Ulama* Islam Brunei played a significant role in creating awareness and information to the people about the waqf procedure. Indisputably, the creation of awareness and the use of e-government technology has successfully created a large income and provided full

advantages to all Muslims from the waqf practice (Harun et al., 2012). Although waqf in Brunei is not much developed compared to other Asian countries because the country is a highly developed state that gains from a wealth of natural resources and has one of the highest gross domestic products in the world. However, Poverty in Brunei is minimized and the country is extremely developed, and their infrastructure is operating smoothly and effective (Blandau, 2017).

Turkey has an attractive record of waqf from the primitive and early modern Ottoman Empire until the 19th century. The country has a successful waqf civilization from the 19th century onward. The entrusted Ottoman waqf system with independence were subjected to a massive process of centralization. Concerned citizens, scholars, and politicians collaborated to draft the waqf Law of 1967, which breathed fresh life into the system (Cizaka, 2000). For about six centuries, the Ottoman empire extensively flourished in reducing poverty through the waqf practice system (Çelik, 2015). Across waqf practice buildings and lands were used to provide education, medical services, food, water, and many other important benefits to the people which helps in developing the country. During the Ottoman period, waqf was highly developed and played a very significant role in the socio-economic activities of the empire (Çelik, 2015). In the history of the Islamic world, the Ottoman Empire controlled one of the most influential waqf systems in history. The system of cash waqfs thrived and prospered immensely during the Ottoman Empire. (Çizakça, 1998). However, In Turkey, the majority of waqf institutions focused on education as one of the long-term approaches to enhance people's socioeconomic activity. In addition, waqf is also considered as the humanitarian aid that helps in motivating those who deserve it. The institutions have also come up with some new projects to promote Islamic arts, science, and culture in building a healthy society. These novel

initiatives implemented by Turkish waqf institutions could be emulated and adapted by other nations' waqf institutions to achieve commendable achievements in waqf projects and serve society better. (Saad et al., 2017).

On the other hand, waqf has been practiced in Saudi Arabia from the time of Prophet Muhammad PBUH. The country considered Islamic *Shari'ah* as the main source of legislation for the country and the *Shari'ah* court is the uppermost authority in the judicial system of the country (Hasan, 2010). However, the country has set a new system called the high council of endowment. The system covers the rules and regulations governing waqf which comprises the high council of endowments and the sub-councils of endowment (Hasan, 2010). The waqf in Saudi Arabia is well planned across the public and private sectors generally. The Saudi Arabian governments take charge of collection, management of *Awqaf* and lead large development capital investment decisions regarding waqf (Tahir, 2015). The way waqf institutions in Saudi make their profits is by investing the waqf funds in ventures that have a high chance of success (Elasrag, 2018). since the desert kingdom's founding more than a century ago, Saudi Arabia is regarded as the place where waqf has flourished. The formation of ministry to administer endowment affairs is unique strong evidence of Saudi Arabia's interest in waqf. Many other Muslim countries followed Saudi's lead in practicing waqf, either by building government ministries dedicated to endowments or by establishing separate divisions to handle such matters. This could be one of the key reasons for the tremendous rise in charitable waqf institutions around the world today (Hassan & Salman, 2018).

The emergence of waqf in Indonesia as a religious economic tool reflects the understanding that Muslim community needs to fulfill their religious lives, and waqf has gradually become one of Indonesia's living laws (Rosadi et al., 2004). In general,

waqf institutions has been ingrained in Muslims traditions in Indonesia; in fact, it dates back to the country`s early Islamic history. Archaeological artifacts, such as burials or mosque ruins, provide historical confirmation of Islam's introduction in this nation. Until recently, the cemetery and the mosque have been designated as waqf sites. (Rosadi et al., 2004). People and organizations in Indonesia established several social and religious institutions to achieve societal goals such as the construction of educational, health, and religious facilities. In certain situations, the founders of these services are rich enough that they may set aside a portion of their income to establish these facilities without asking anything in return due to their good intentions. In order to establish amenities and foundations, legal procedures must be followed. The law No.41 of 2014 requires any endowment or foundation management body to follow the endowment law of 2014 in any of their transactions or asset management.

The Indonesian waqf rules played a vital role in enhancing, developing, and providing the right to the possession of property by religious and social bodies to the extent that the property is used for religious and social activities. These bodies are guaranteed to obtain enough land for their buildings and businesses in the religious and social field, for the worship and other sacred purposes, the property under the waqf of ownership-rights is protected and regulated under Government Regulation. This also helps in providing social and economic service to the Muslim society in the country in an effective and justifiable ways (Hardinawati & Mughnisari, 2017).

Qatar is one of the Muslim countries that have waqf institution and ministry which contributed massively to promoting the religious and socio-economic activities of the less privileged in the country. The Qatari government has introduced the Ministry of *Awqaf* and Islamic Affairs (AWQAFM) which was created in 1993

with the aim of ensuring that all areas of modern life comply with the principles of Islam (Al-Shafi, 2018). The Ministry of *Awqaf* and Islamic Affairs is the ministry responsible for collecting and distributing waqf properties, it also uses the waqf fund to train *Imams* and *Muazins* of mosques under a special program, the participants received lessons on Islamic jurisprudence, doctrine and Tajwid. Nevertheless, the Ministry developed a special course and invited experts to deliver the lectures on various subjects related to Islamic law because the participants are playing an important role in admonishing people (Al-Shafi, 2018). As a result of that, the Qatar Ministry of *Awqaf* has played an important role in promoting Islamic education as well as the welfare of scholars in the country.

In the Muslim minority countries, Muslims have played a significant role in providing and establishing social services to cater for their socio-economic activities and to improve their wellbeing through. Among the social and economic services adopted by Muslims in such countries were waqf practice.

In Singapore waqf have been in existence for long and can be factually traced back to 1826 (AbdulKarim, 2017). The first mosque called Omar Kampung Melaka dated 1826 was the first waqf that was established in Singapore by Mr. Syed Omar Aljunied, a philanthropist. Serving the community through the Waqf institution is analogous to the affluent Arab and Indian philanthropists who came to trade and eventually settled in Singapore. (AbdulKarim, 2017; Shinsuke, 2016). However, waqf administration in Singapore is vested under Majlis Ulama Islam Singapore (MUIS). The declaration of the administration of Muslim Law Act (AMLA) in 1968 empowered MUIS to manage all matters relating to waqf. Section 58 of AMLA plainly mentioned that all *Awqaf* created are vested in MUIS (Hanefah et al., 2009). Presently there are several waqf properties in Singapore which include estate and

cash waqf. The waqf funds and revenue are used to establish religious schools and other social services in the country. The Singapore waqf system has been helpful in converting some undeveloped waqf lands into major commercial residential areas. In addition, to support waqf development efforts in Singapore, a cash waqf scheme and new financial modes like as *Sukuk* and *Musharakah* bonds have been implemented. Therefore, by investing in modern *Sukuk* and *Musharakah* instrument, Muslims in Singapore as well as abroad are directly involved in developing and financing various waqf assets for the development of ummah (Ramli, 2006).

In India the history of waqf may be traced back to the twelfth century, when one of the Ghurid Sultans, Muhammad ibn-Sam, founded a waqf in his name. After the establishment of the Delhi Sultanate (1206) many other waqfs followed. One of these was the waqf endowed for the maintenance of the tomb of Sultan Qutb Uddin. Sultan Muhammad bin Tuqlaq had appointed Ibn Batuta, the famous Arab traveler, as the trustee of this waqf (Cizaka, 2000). According to some studies there is no documented evidence for the existence of the earliest Waqf deed in India (Aziz & Ali, 2018). Currently, waqf in India collectively accounts for one of the largest Islamic endowments in the entire world, Indian Muslims have donated widely to waqf (Aziz & Ali, 2018). History has shown to the fact that; successive Muslim sultans had been very generous in funding waqf from as early as the thirteenth century. With the arrival of Mughal Empire in the subcontinent, in the sixteenth century, the waqf grew to extraordinary levels. (Syed Khalid Rashid & Athar, 1979).

The management of waqf by the Mughal empire benefitted mosques, educational and religious institutions (Ansari, 1974). However, after the failure of the Mughal empire and the rise of British colonial rule in the Indian subcontinent, in the eighteenth century, this socio-economic institution fell into disorder along with the

other Islamic institutions and vanished its potential growth except in rare cases (Ahmed, 1998). Following independence, in 1954 the Indian Government assumed the main role in directing and managing the Waqf properties in the length and extent of this vast country. The unnecessary political interference and illegal manipulation in this sacred Islamic institution was intentionally kept half closed. In 1995, in reply to the growing dissatisfaction in the Muslim society which demanded the return of waqf administration to them, the Indian Government altered the existing waqf Act, and although it tries to portray that it was democratizing the procedure and working of Waqf management, the real objective of Waqf still remains unrealized (Rashid, 2005). However, India has a very huge waqf assets of billions of Dollars that if these properties were better used, they could generate, at a minimum, a return of ten per cent, which would amount to approximately 1,200 billion Indian rupees per annum (Aziz & Ali, 2018).

However, South Africa is one of the countries that has been shown to have played an important part in waqf throughout history. The first established waqf in South Africa was made in the form of land allocated for the construction of the first mosque by a woman of slave parents in Cape Town (Dadoo, 2017). This was done approximately 150 years after the arrival of the first Muslims at the Cape of Good Hope which became the refreshing station of the Dutch East India Company. The execution of this waqf and the subsequent unbanning of Islam in South Africa in 1804 paved the way for the establishment of mosque and Islamic school in the Cape Colony (Dadoo, 2014). Later in other provinces, Muslims settled in different parts of the country, both before and after the abolishment of slavery in 1834 by the British Colonial Empire. Today, every town, city or village has waqf in the form of a mosque or school. Several Islamic schools that operate within the state schooling

system and partially subsidized by the state, has also been developed as waqf property by the Muslim community in South Africa. Some schools have also been built or funded by the Islamic Development Bank (IDB) or waqf from Egypt. Some private family waqf and trusts have also emerged to support various religious, educational, and charitable causes. Several mosque and schools, educational scholarships were either built or supported by these trusts and waqf. Other trusts also emerged; their work is to take care of the needs of village communities who have their origins in India. These were restricted only to the descendants of parents or grandparents that immigrated to South Africa from villages of India (Cajee, 2007).

In South Africa, the most popular waqf is a mosque or a school. Aside from mosques and schools, there are no large-scale social development waqfs and there were no serious efforts towards the establishment of a public waqf. With the foundation of Waqf South Africa in recent years, greater knowledge of waqf has been developed, and the waqf institution is gaining currency. The focus of waqf South Africa, on the one hand, is on the mobilization of waqf funds, and on the other is to fund sustainable community development projects. Regarding the latter, several communities have been identified and funding in those areas will benefit the mosque and the school infrastructure, learners, imams, and staff (Cajee, 2007).

1.2.2 Waqf Development in Nigeria

Islam in Nigeria dates back to the 8th century, but the true foundation of Islam as a divine doctrine and as governmental policy may be dated back to Shehu Usman Dan Fodio's Holy war (*Jihad*) in 1804. (Badamasiuy & Okene, 2011). The *Jihad* encouraged *Shari'ah* administration in government, politics, law, socioeconomic and diplomatic affairs, and intellectual spheres. Beginning in the nineteenth century,

British soldiers used force to topple the Nigerian area, resulting in the foundation of the colonial state in Nigeria, which introduced a set of foreign regulations to the population and methodically destroyed Shari'ah governance (Abubakar, 1999; Kumo, 1986; Yadudu, 2003). The elimination of *Shari'ah* in the country by the colonialist resulted in the setback of the country's Islamic economic system including waqf. Following the introduction of a democratic government in Nigeria in 1999, Shari'ah was implemented as the principal body of civil and criminal law in nine Muslim-majority states and sections of three Muslim-popularity states. The 12 out of the 36 states of Nigeria chose to have *Shari'ah* courts as well as customary courts (Badamasiuy & Okene, 2011).

Sokoto, Katsina, Bauchi, Jigawa, Kebbi, Kaduna Niger, and Gombe are the states that initiated Shariah and chose to have Sharia courts as well as Customary courts. To carry out this declaration, the states except for Gombe have established numerous key institutions, including the *shariah* commission, the zakat, and waqf commission, and the hisbah, a group tasked with promoting Islamic virtue while discouraging vice (Bugaje & Ali, 2016). After the declaration of shariah and the establishment of the zakat and waqf institutions, there is no legal framework to regulate the administration of zakat and waqf institutions in order to enhance and regulate the activities (Bugaje & Ali, 2016). The establishment of the waqf and zakat system was formed in some of these states and was not duly formalized.

The history of waqf in Adamawa is traced back to the jihad period of Shehu Usman Dan Fodio who wage a Jihad in Northern Nigerian states in 1809. (Hodgkin, 2013). The founder of the Adamawa Modibbo Adama studied Qur'an and Islamic

knowledge in Borno and Hausa land where he earned the title “Modibbo⁴” preceding his being selected as a flagbearer of the Jihad by Shehu Usman dan Fodio (Gazali & Yusuf, 2005). The goal of the jihad was to convert various Kirdi (pagan) peoples to Islam while also protecting Muslims who already lived in the area. The jihadists were also supposed to educate the region's existing Muslim population, many of whom had combined Islam and paganism. Adama was one of the group members who were most devoted to Usman's views, despite not being the eldest. Usman then gave him a directive that would fundamentally modify his life to the adaptation of Islamic teachings. The Shehu blessed Adama and gave him a flag, the symbol of command in Usman's army. The Shehu then charged Adama with carrying the jihad from the Nile to the Bight of Biafra. Adama was also given the authority to distribute command flags to others, establishing more Fulani Islamic centers and spreading the war to new areas (Hodgkin, 2013).

The Jihad aids in the establishment of the Islamic state and Islamic idealism in the Adamawa state which change strategy included a political revolutionary, social, and economic program to replace the old regime. The model of the new Islamic state emerged from the first theoretical formulations of Islamic revitalization. Among the economic activities brought by the Islamic State is waqf (Informants 1;11,2020). The objective of this waqf is to sponsor the jihadi army, state education, and the spread of knowledge to the public. Muslims who wished to waqf their property at the time will go to the Modibbo to do so. Aside from the creation of the waqf to sustain the new Islamic state, there were no documented records of the foundation of a waqf in Adamawa state prior to the jihad. The management of waqf

⁴ Modibbo is a Fulani tribe name or title given to an Erudite scholar/learned person.

in its early period in Adamawa was governed by the Modibbo, as well as Muslim scholars. It was largely based on trust, as donations or endowments were made verbally, and several jihadist armies were supported and informal education centers were established on these waqf-bequeathed lands (Informants 1;11,2020). The available waqf property at that time are lands, and informal schools and mosques were built on some lands, and scholars and jihadist armies were trained and sponsored from the waqf-generated revenue. Waqf contributions during that time were typically limited to the donation of land and were frequently related to the construction of mosques, cemeteries, and school centers. Waqf activities began to shift away from the ruler's management gradually after the Jihad and the death of Modibbo Adama in 1847(Hodgkin, 2013). Later, the management, collection, and distribution of waqf changed completely and folded under the custodianship of scholars, in which philanthropists and donors give their waqf property to scholars for management and distribution.

From then, gradually waqf activities and management in Adamawa state changed and folded into the custodianship of scholars, organizations, and individuals. The current custodians and managers of waqf in Adamawa state are mostly Islamic organizations and individuals. Consequently, waqf property in Adamawa state is either managed by Islamic organizations which is the most popular or individuals which is very rare. Majority of the philanthropist and donors prefer to donate their waqf property to Islamic organizations to manage either because of their Islamic knowledge or because of some elements of organizational structure that may aid them to take care of the waqf property. However, some donors and philanthropists managed their waqf property by themselves or give it out to some individuals to manage because of the trust they have in the individuals (informants 1:2,2020). Waqf

activities continue to exist in Adamawa state in this form without formalizing the process to develop the available waqf land and to generate more revenue from the abandon waqf resources. The waqf practice and activities in Adamawa state lack institution, adequate knowledge, and resources development.

Adamawa state being one of the North eastern states of Nigeria with the projected population of 4, 634, 631 according to the 2019 projection (City, 2019). The majority of people in Adamawa state are living in a society that have extreme or abject poverty and cannot afford to have three-square meals daily. For some people to eat at least once daily is a big problem due to poverty. According to the World Bank's July 2018 Nigerian economic report, poverty remains high in Africa's largest economy, with 33.1 percent of the population living in poverty and 75 percent in Adamawa state in 2019. (Belux, 2018; Ikenwa, 2019; Saharareporters, 2019; WorldBank, 2016, Bank, 2016; Jaiyeola & Bayat, 2019).

The degree of extreme poverty in a country with tremendous riches and a large population to sustain trade, as well as ample natural resources such as oil, remains unacceptable. Consequently, poverty is the genesis and endemic factor that is responsible for more societal problems such as crime, immorality, homelessness, political instability, high rate of maternal and child mortality (Radda, 2010). These problems are not only left to the government alone to tackle, but it is a collective responsibility of all and sundry living in society to fight it to the minimum level in order to have a developed society that is crime-free and productive. There are some solutions to poverty that was set by Islam, among which is the establishment of waqf system (Khan, 2010; Sadeq, 2002). This is one of the ideas for reducing poverty in the Muslim world. However, Muslims in some countries have established various types of waqf for poverty alleviation and humanitarian purposes, such as those for

education, research, health care, building houses for the poor, developing springs for public consumption, assisting the handicapped and poor, building bridges, financing orphanages and homes for the elderly, and financing the marriage of young people in need. (Khan, 2014). Some studies have suggested the use of Islamic social finance tools like waqf for humanitarian and poverty alleviation projects because of its long lasting, socioeconomic justice, equality and collective prosperity (Ahmed, 2019). Therefore, there is need for a study on waqf practice as a key solution to the poverty problem with special attention to Adamawa state, Nigeria. So that it can be used to provide services for religious activities, educational, hospitals, socio-economic challenges and to fund social projects and services.

1.2.3 Waqf for Poverty Alleviation

The success of Waqf as a source of socioeconomic financing and a tool for poverty alleviation in Islamic history by providing social and public goods to society has been a major factor in the revival of waqf practices today. In alleviating poverty, depending on Zakat alone is not enough due to the increased rate of poverty and the scarcity of wealthy and philanthropists among members of society. Waqf can be an alternative to solving society's socioeconomic problems, such as poverty, inequality, and rising living costs, as well as promoting social well-being in society (N.-A. A. B. Atan & Johari, 2017). Waqf is one of the nonprofit and philanthropic forms of funding in Islamic finance that give people chance to invest their wealth in a long-term and continuous reward project. Waqf is one of the Islamic wealth distribution channels which overwhelmed evidence shows that it has long been used to effectively redistribute wealth and alleviate poverty among people (Baldeh, 2021). Many studies have identified the significance of waqf in poverty alleviation and the steps that need to be taken for the success of waqf. Atan & Johari, (2017) state that

since the administration of Prophet Muhammad SAW, Waqf institutions have played an important role in poverty alleviation, wealth distribution, and promoting social well-being among Muslim society, and this tradition has been carried on by his companions and continues to this day. The Waqf institution remained relevant with the current global economic situation, which is always unpredictable, the Waqf institution must be reclaimed and become a backbone for Muslim economic. Waqf has proven to be one of the mechanisms in poverty alleviation and wealth distribution by providing necessities to the society based on its economic capacity and ability as a whole. This transfer of prosperity from an individual to society has reduced income inequality and poverty while also enriching society's quality of life, inspiring the spirit of brotherhood, uplifting the Ummah's well-being, and rejecting pure materialism and individualism in the society.

In making waqf more functional and effective to alleviate poverty, it is mandatory for waqf administrators to plan two major things, first is to plan primary and secondary projects. Secondly, proactive waqf administrators with capable and committed personalities in its leadership. With this the institution of waqf can potentially played an important role in poverty alleviation and socioeconomic development of a society (Sadeq, 2002). Waqf can be revitalized by investing, engaging, and integrating with Islamic banks and Islamic Micro Finance institutions and in the productive industries that would yield good returns to be used for charity due to its significant historical impact on earlier Muslim civilizations. Waqf can be revitalized by employing an innovative process to address the world's current economic issues, which include increased poverty and larger income disparities (Baldeh, 2021). Waqf institutions' functions are not limited to religious practices; they also play an important role in empowering the potential of public welfare. Many

articles and research have been done recently by researchers and academicians focusing on the development of waqf and its importance in solving economic problems in Muslim countries, particularly issues of poverty. Until today, waqf institution is still relevant in poverty alleviation and income distribution (N.-A. A. B. Atan & Johari, 2017).

In the Nigerian context studies have been done on the contribution of waqf as financial tools in addressing poverty reduction. In their study Haruna & Ibrahim, (2021) mentioned that waqf has played a significant role in in poverty reduction in Nigeria. The study recommends that Waqf awareness be created in order to enlighten the society's wealthy men, as well as that the government ensure proper and adequate management of Waqf institutions. This will assist Islamic value-centric policymakers, regulatory authorities, investors, and researchers in gaining a comprehensive understanding of the potentials of Waqf as a financial tool for poverty alleviation. So far, there have been few studies on the role of Waqf in poverty reduction in Nigeria, compared to other countries that practice and employ Islamic financial inclusion strategies. The studies on waqf as financial tools for poverty alleviation have different dimensions and approaches. Amuda, (2019) Investigated the use of waqf properties as a financial instrument to empower Nigeria's internally displaced people, the study main objectives is to establish a waqf in the Muslim community to provide aid and financial support to those in need or the less fortunate by providing education, food, shelter, medical treatment, security, debt repayment, and financial assistance for human development. The study concluded that waqf management in Nigeria should allocate a portion of its endowments to support IDPs by providing immediate, short-term, and long-term assistance to victims regardless of their gender, religion, status, tribe, or state of origin. The study