

Sharia Implementation in Northern Nigeria
Further Documentary Materials III
Zakat and Endowment Boards and Committees

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Editor's notes:

1. References in what follows to *Sourcebook* are to P. Ostien, ed., *Sharia Implementation in Northern Nigeria 1999-2006: A Sourcebook* (Ibadan: Spectrum Books Ltd., 2007, five volumes). The documentary materials presented here are further to that work.

2. The documents and other information presented here were collected in the course of numerous research visits to the Nigeria's sharia states over a number of years. The work was funded first by the Volkswagen Foundation (2002-2004), then by Cordaid (2005-2007), as described in *Sourcebook*, I, xii-xiii, where the names of the then-researchers are given. A subsequent grant from the Gerda Henkel Foundation funded another round of visits by P. Ostien and A.S. Garba in 2010. In 2016 the Nigeria Stability and Reconciliation Programme (NSRP) funded a final round of visits, to study 'Sharia Implementation in Northern Nigeria Fifteen Years On', by five principal researchers, namely, U. Bugaje, A.R. Mustapha, P. Ostien, M. Tabiu, and M.S. Umar, assisted by M.U. Abubakar, D. Aliyu, I.I. Bello, A.S. Garba, and M.H. Ismail. We are grateful for the financial support provided for this research.

3. A policy brief on Nigeria's zakat and waqf institutions, based in part on the materials presented here, was written for NSRP in 2016 and is available at <http://www.qeh.ox.ac.uk/content/sharia-implementation-northern-nigeria-after-15-years>. A full study of the zakat and waqf institutions will be included in an edited volume entitled *Sharia Implementation in Northern Nigeria Fifteen Years On: Six Research Reports and an Overview*, forthcoming in 2018.

4. As elsewhere in the *Sourcebook*, documents presented here have been retyped, spellings have sometimes been corrected and in the cases of some words standardised, grammatical errors have been corrected, and formatting has been standardised. For further discussion of these and other editorial decisions see *Sourcebook*, I, xv-xvi.

1.

Bauchi State

a. The Sharia Implementation Committee recommendation for a Zakat Board

The committee appointed by the Governor of Bauchi State to advise him on what steps to take toward the goal of implementing Sharia made the following recommendation, among many others, in September 2000:¹

3.2.7 New Laws. The Committee further recommends the following laws to be enacted so as to sustain the focus and purpose of Sharia implementation in the state:

* * *

- (iii) A law to establish a Zakat Board that shall be charged with the collection and disbursement of zakat;

* * *

The Government, however, chose a somewhat different course:

Government notes the recommendation. However, item (iii) will be transferred to the proposed Sharia Commission as a department.²

The next sections show how this plan has been implemented.

b. The Sharia Commission Law and the establishment of Zakat and Endowment Committees throughout the state

(1) From the Bauchi State Sharia Commission Law, 2001:³

Bauchi State's Sharia Commission has responsibility, under its statute, for zakat. The full text of the Sharia Commission Law is reproduced in *Documentary materials on Councils of Ulama and Related Bodies* section 1. The provisions relevant to zakat are the following:

3. (1) There is hereby established a body called the Bauchi State Establishment
Sharia Commission, which shall be a body corporate with
perpetual succession and a common seal and may sue or be
sued in its corporate name.
- (2) The Commission shall have the power to create within itself
such divisions and committees, as it may consider necessary
for the efficient discharge of its functions.

* * *

¹ Report of the Bauchi State Sharia Implementation Committee, submitted to the Governor on 29th September, 2000, in *Sourcebook*, II, pp. 7-170: the recommendation quoted is at p. 20. The recommendation is reiterated on the following page and discussed elsewhere in the report.

² Government White Paper on the Report of the Bauchi State Sharia Implementation Committee, *Sourcebook*, II, Supplementary Materials, online, item VI, at p. 16.

³ No gazetted copy available; copy of the bill as signed by Governor Mu'azu on 6th June, 2001 in the possession of the editor.

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8. The functions of the Commission shall include:
- (a) to ensure sustained education and enlightenment of the community on the full implications of the Sharia legal system;
 - (b) creation and maintenance of awareness of the obligations of the citizen to the community under the Sharia legal system. . . ;
 - (c) the promotion and sustenance of the overall integration of society. . . ;
 - (d) the regeneration and reorientation of the moral climate of society through sustained mass education and advice to Government on the appropriate steps to take;
* * *
 - (h) collection and distribution of zakat and advising the Government on the implementation of certain Islamic injunctions such as sighting of new moon etc.;
* * *
 - (j) periodic review of Sharia laws in line with the prevailing circumstances of the time;
* * *

Functions,
powers

(2) Establishment of Zakat and Endowment Committees throughout the state:

FORMATION OF ZAKAT AND ENDOWMENT COMMITTEES AND THEIR FUNCTIONS⁴

The Bauchi State Sharia Commission at its meeting held on 7th September 2001 has appointed a subcommittee to visit Zamfara, Niger and Jigawa States to obtain relevant information concerning zakat and endowment matters etc. with a view to adopting policies that were found to be applicable to Bauchi State. The subcommittee had submitted its report to the Commission. –

2. The Commission at its 3rd meeting held on 31-10-2001 had considered the report and unanimously approved the formation of five (5) standing Zakat and Endowment Committees. The composition of the committees are as follows:

A. STATE MAIN COMMITTEE

- | | | |
|---|---|----------|
| 1. Permanent Commissioner (Zakat Matters) | – | Chairman |
| 2. His Royal Highness the Emir of Jama'are | – | Member |
| 3. His Royal Highness the Emir of Ningi | – | “ |
| 4. Permanent Commissioner (Sharia Matters) | – | “ |
| 5. Representative of Grand Kadi | – | “ |
| 6. Ambassador Adamu Yusuf | – | “ |
| 7. Secretary should be appointed within the Commission. | | |

Functions of the State Main Committee:

⁴ The document reproduced in this section, evidently written in late 2001, was provided during the interview reported in section **c.(6)** below.

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- i. At this crucial stage the Committee is required to ensure the conduct of detailed enumeration of all eligible receivers and contributors of zakat in the state.
- ii. Design assessment, collection and distribution forms for zakat, as attached appendices i-vi.⁵
- iii. Coordinate activities of the Zakat Committees at the Emirate, Local Government, District and Village level committees in the state.
- iv. Render periodic or annual report of its activities to the Commission at the state level.
- v. Ensure that endowment proceeds are remitted to the Commission headquarters.
- vi. Organise periodic *da'awah* to the Muslim *ummah* throughout the state with a view to reminding them of the role they are required to play towards the full implementation of Sharia in the state.
- vii. Ensure that all Local Governments within the state pay their share of endowment fund to the Sharia Commission promptly.
- viii. Ensure that two separate current accounts for remitting of monetary collections of zakat and endowment from individuals etc. are opened before distributions are made.
- ix. Ensure that all Local Governments designate places where farm produce, animals etc. can be kept before actual distribution.
- x. Ensure that all zakat collected within the state are distributed to all the eight (8) categories of people mentioned in the Holy Qur'an.
- xi. Ensure that all zakat collected are distributed within the area or locality of the collection. This is to safeguard any form of pilferage or theft in transit and also to ensure that the poor in the area are catered for. This will encourage people to give more.

B. EMIRATE COMMITTEE

Each Emirate is required to form this committee with the following as chairman and members:

- | | | |
|---|---|----------|
| 1. His Royal Highness the Emir | – | Chairman |
| 2. Five (5) well-known and reputable <i>ulama</i> | – | Members |
| 3. Five of the representatives of the business community | – | Members |
| 4. All Local Government Chairmen within the Emirate | – | Members |
| 5. All District Heads within the Emirate | – | Members |
| 6. Three (3) distinguished people of the society | – | Members |
| 7. The Secretary should be appointed within the Emirate Council | | |

⁵ No such appendices attached to copy provided. The sample forms were presumably obtained from the other States visited. For Niger State's assessment and distribution forms see section 9 below. Jigawa State's assessment, collection and distribution forms are described in section 6 in the report of the Kano State committee that visited Jigawa to see how they were handling zakat..

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Emirate Committee – Functions

- i. Digestion of policy on zakat and endowment with possible suggestions and/or advice to the Sharia Commission on matters pertaining to the census of those to give and those to receive zakat, zakat assessment and distribution.
- ii. Touring of Local Government, District and Village committees.
- iii. Witnessing collection and particularly distribution of zakat proceeds.
- iv. Monitoring activities of all other lower level committees.
- v. Preparation of preaching sessions at Local Government level to enlighten people on zakat, endowment, and other activities required of a true Muslim.
- vi. Coordination of zakat and endowment activities in the Emirate.
- vii. Preparation and publication of periodic report or data collection activities of the Committee in the Emirate.
- viii. Submission of proposals received from lower level committees to the state Sharia Commission for approval and/or guidance.
- ix. Implementation of approved proposals.
- x. Publication of Emirate annual report on zakat and endowment.

C. LOCAL GOVERNMENT COMMITTEE

- | | | |
|--|---|----------|
| 1. The most senior District Head | – | Chairman |
| 2. Other District Heads | – | Members |
| 3. Three well-known and reputable <i>ulama</i> | – | Members |
| 4. Three distinguished Muslim leaders in the community | – | Members |
| 5. Two Heads of Department of the Local Government | – | Members |
| 6. The Village Head within the Local Government headquarters | – | Member |
| 7. Three wealthy members of the community | – | Members |
| 8. Secretary to be appointed by the Local Government | | |

Functions [of Local Government Committees]

The function of this committee is to coordinate activities of [lower level] zakat committees as well as collate receipt and distribution of zakat and endowment proceeds, produce annual report of zakat to both the Local Government and Emirate committees. It will also see that endowment proceeds are remitted to the Sharia Commission headquarters. Organising of preaching sessions at the Local Government, District and Village levels are also among its functions. Other functions that may be assigned as part of its duties. The committee is to liaise with the Chairman of the Local Government for the payment of the Local Government share of endowment, from which all committee members can be paid sitting and other allowances.

D. DISTRICT COMMITTEE

- | | | |
|---|---|----------|
| 1. District Head | – | Chairman |
| 2. Five (5) well known and reputable <i>ulama</i> | – | Members |
| 3. Five (5) distinguished Muslim leaders within | | |

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- the society – Members
- 4. All Village Heads within the District – Members
- 5. Five (5) wealthy people within the society – Members
- 6. District scribe will serve as Secretary

District Committee – Functions

- i. Digest policy on zakat and endowment.
- ii. Help village committees with necessary information and support.
- iii. Coordinate activities and formation of village committees.
- iv. Prepare preaching sessions to sensitize people.
- v. Scrutinize submissions and/or proposals from village committees.
- vi. To ensure honesty and accountability of all transactions.
- vii. Liaison between Local Government and village level committees.
- viii. Any other function that may be assigned to the committee.

E. VILLAGE COMMITTEE

- i. Village Head – Chairman
- ii. Five (5) well known and reputable *ulama* within the society – Members
- iii. Three (3) wealthy people within the society – Members
- iv. Six (6) *jaurawa*⁶ – Members
- v. Three (3) distinguished people within the community – Members
- vi. Village scribe will serve as Secretary.

Village Committee – Functions

- i. Conduct census of both the wealthy, farmers, rearers who shall pay zakat as well as all categories of the poor who are eligible to receive zakat
- ii. Assess all those who are eligible to pay zakat.
- iii. Collect 70% zakat from those already assessed.
- iv. Keep the collected zakat of farm produce and animals in a safe place until its distribution.
- v. Pay monetary collections into the Commission's zakat and endowment account.
- vi. Prepare a proposal and forward a distribution list of beneficiaries of zakat proceeds from its collections.
- vii. Distribute zakat proceeds to its beneficiaries.
- viii. Prepare periodic as well as annual reports on collection and distribution of zakat.
- ix. Three (3) subcommittees: (a) Assessment, (b) Collection, (c) Distribution to be formed to ensure the programme as titled.

4.7 In order to encourage individuals and corporate organisations to pay their zakat promptly there is the need for the state Government to contribute substantially to the

⁶ *Jauru*: Fulfulde for ward head/community leader. Adding the Hausa suffix 'awa' gives the plural *jaurawa*, i.e. ward heads/ community leaders esp. among the Fulani. With thanks to M.S. Umar.

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Endowment Fund. The state chief executive, i.e. His Excellency the Governor, and Chairmen of Local Governments, should lead by example.

5. It is suggested that the state Government pays ten million naira (₦10m) while each Local Government pays two million naira (₦2m) quarterly to the state Endowment Fund. The fund shall be used in bridging the gap left by whatever was given out as zakat to the needy, it shall also be used to cater for orphans, some educational institutions, mosques and such other unforeseen or unexpected expenses for which no formal organisation is charged with such a responsibility.

6. In addition to the above, Government is expected to launch the programme as soon as possible to boost the morale of the well-to-do members of the society on the significance of zakat and endowment as a panacea for eradicating poverty in the state.

c. The Zakat and Endowment Fund Law 2003

(1) Preliminary comments:

Bauchi State's law on zakat, pending before the House of Assembly in January 2003 (see interview summarised just above), was enacted in May 2003. The text is given in subsection (2) below, but first some preliminary comments are in order.

(a) Derivation from the laws of Zamfara and Niger States: The first Zakat and Endowment Board Law to be enacted was Zamfara State's, enacted in May 2000 (see section 12 below). Niger State's 2001 law was copied virtually word-for-word from Zamfara's (see section 9 below and annotations to Zamfara's law). Bauchi State's 2003 law, in turn, is derived from that of Zamfara via that of Niger. Twenty-one of the twenty-three sections of Bauchi's law (§§1-2, 4-20, and 22-23), and the schedule of *nisabs*, are substantially copied from the corresponding sections of Niger State's law – although with enough variations that it has seemed best to reproduce Bauchi's law below rather than try to account for the variations by annotating Zamfara's (as is done in the case of Niger). Only sections 3 and 21 of Bauchi's law are wholly unique to Bauchi.

(b) No separate Zakat and Endowment Board in Bauchi State: Section 3 of Bauchi's law vests the power "to collect, administer and distribute zakat and endowment funds" in the already-existing Sharia Commission – "in furtherance of the powers [already] conferred on the Commission by the state Sharia Commission Law". Thus there is no separate Zakat and Endowment Board or Commission in Bauchi State; everything is managed by the Zakat Department of the Sharia Commission. What the Sharia Commission got out of the new law was a great deal of statutory detail about who should give how much zakat on what items, plus the power – up till then unique to Zamfara, Niger, and Jigawa States – to go to court to enforce the payment of zakat due.⁸

Section 3 of Bauchi's law contains another interesting variation from those of Zamfara and Niger. In both of the latter, the Board is to collect at least 60% of the zakat

⁷ The number 3 is skipped in the numbering of the main paragraphs.

⁸ As to the power to enforce payment in Jigawa State, see section 4 below, §9 of the Zakat Collection and Distribution Committee Law.

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due from a given person, but may leave 40% with the person for distribution by him to beneficiaries of his choice. In Bauchi the ratio is rather 70:30.

(c) Incorporation by reference of uncodified rules of Islamic law: Section 21 of Bauchi's law empowers the Sharia Commission to apply "other rules or principles of Sharia pertaining to zakat not mentioned in this Law", and says that such rules "shall be deemed to have been provided for by this law even though same is not expressly mentioned by the law"; and see the definition of 'property' in §2. No doubt the zakat authorities in other states do this very thing when their statutes are silent on some issue that comes up; Bauchi's is the only zakat law that provides for it expressly. Instances of such incorporation by reference of uncodified rules of Islamic law in other contexts are discussed in *Sourcebook IV*, pp. 17 and 188-91.

(d) The failure for several years to gazette Bauchi's law: Generally speaking, laws should enter into force only after their publication in the state's official gazette. This is particularly true of penal laws: unless they are officially published, citizens cannot be presumed to have notice of what they require or prohibit and therefore cannot be subjected to the penalties they impose. Bauchi State's Zakat and Endowment Fund Law criminalizes the failure to pay zakat due (§22). But from the time of its enactment in May 2003, up to early 2008, the law had still not been gazetted and no attempt was made to enforce its penal aspects. This changed in January 2008, as information following the law below indicates.

(2) The Zakat and Endowment Fund Law:

A LAW FOR THE COLLECTION, ADMINISTRATION AND DISTRIBUTION
OF ZAKAT AND ENDOWMENT FUND (*WAZAF*) IN THE STATE⁹

Arrangement of sections:

1. Citation and commencement.
2. Interpretation.
3. Powers of the Commission on Zakat and Endowment Fund.
4. Levy of zakat.
5. Conditions for levy.
6. Zakat of trade wares.
7. Zakat of silver and gold.
8. Zakat of money and money's worth.
9. Zakat of debts, stolen and extorted property.
10. Zakat of treasure-trove.
19. Exemption from zakat.
20. Application of the proceeds of zakat.
11. Zakat of crops and fruits.
12. Crops and fruits disposed of.
13. Crops and fruits eaten by animals used for tilling.
14. Zakat of livestock.

⁹ Signed into law on 28th May 2003. No gazetted copy available; photocopy of the law as signed by the governor in the possession of the editor.

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15. Schedule
16. Addition of property.
17. Invested property.
18. Absence of owner of property subject of zakat.
19. Exemption from zakat.
20. Application of the proceeds of zakat.
21. [Rules pertaining to zakat not mentioned in this Law.]
22. Cheating, evasion and refusal to pay zakat.
23. Disclosure of issues pertaining to zakat.

Schedule

BE IT ENACTED by the House of Assembly of Bauchi State as follows:

1. This law may be cited as the Bauchi State Zakat and Endowment Fund Collection, Administration and Distribution Law and shall come into operation on the day of 2003.
2. In this law, unless the context otherwise requires:
 - “alms” means every property paid voluntarily to the Commission other than for zakat.
 - “Attorney-General” means Attorney-General of Bauchi State.
 - “*ansaq*” (plural of *wasaq*) is equal to 60 *sa’is* which is a measure approximately equal to 3 kilograms.
 - “*bint labun*” means a she-camel which is in its third year.
 - “Committee” means any division or body appointed by the Commission to administer, collect and distribute zakat or endowment funds on its behalf.
 - “cow” includes buffalos.
 - “crops and fruits” include all cereals and fruits that are subject of zakat expressly or by analogy.
 - “*fisabilillah*” means for the sake of Allah.
 - “Governor” means Governor of Bauchi State.
 - “*hiqqa*” means a she-camel which is in its fourth year.
 - “indigent” (*fakir*) means a destitute, which is unable to earn a living due to disability, as well as an invalid who cannot afford expenses for treatment and includes victims of disasters.
 - “insolvent” means one who is adjudged to be unable to repay a debt that is due but does not include a corporate body.
 - “irrigation” means supply of water to land or crops through any artificial means at a cost – manual, mechanical or hydraulic, other than by rainfall.
 - “livestock” means and includes camels, cows, sheep or goats.
 - “mineral” means anything extracted from the earth but is different from it whether malleable by fire or not and whether in a fluid state or not.
 - “*mussina*” means a she-cow which has entered its third year.
 - “*nisab*” means the minimum value or quantity or volume of zakatable property that will qualify it for zakat.
 - “paupers” (*fuqara* and *masakin*) means persons who do not own their annual subsistence and in the case of a breadwinner of a family, includes one who has no sufficient source of income, and includes also a fulltime student who cannot afford the costs of study.

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“persons of inclined hearts” (*muallafatu qulububum*) means persons who have recently embraced Islam, or those who desire to embrace Islam or those paupers who may be in jeopardy of renouncing their religion due to poverty.

“property” means and includes anything tangible or otherwise which is *zakatable* whether mentioned in this Law or not provided there is a juristic opinion of some Muslim jurists that same is *zakatable*.

“state” means Bauchi State.

“*tabi*” means a cow which has completed one year of age and enters into the second year.

“trade wares” means any property eligible for trade which is not prohibited by the Sharia, and includes lands, real estate and any utilities thereof, as well as crops, fruits, poultry and forests if owned for trade.

“wayfarer” (*ibn-sabi*) means a person who is on transit and who cannot afford what it takes to reach his destination.

“year” means a year of the Hijra calendar.

“zakat” means the portion or ratio of what is assessed to be payable under Sharia law on Muslims’ property on conditions prescribed by the Sharia and/or by the provisions of this Law.

“zakat collectors” means all the employees of the Commission administering or distributing zakat but does not include members of the Commission.

3. (1) In furtherance of the powers conferred on the Commission by the state Sharia Commission Law the Commission shall have powers to collect, administer and distribute zakat and endowment funds in accordance with the provisions of this Law.
- (2) The Commission shall in addition to the above and without prejudice to the foregoing, exercise the following powers:
 - (a) [to] set up proper administrative and accounting machinery for the administration, collection and distribution of zakat and endowment funds;
 - (b) to collect zakat due from those who are eligible to pay zakat in accordance with the rules of Islamic law; PROVIDED that the Commission may leave 30% of what is due as zakat to the person paying zakat to share it to those he was used to giving before the coming into force of this law or to his relations who are entitled.
 - (c) to demand, accept and approve zakat declarations from persons eligible to pay zakat;
 - (d) to constitute such number of committees as may be necessary for the collection, administration and distribution of zakat and endowment funds, and for the determination of issues and complaints on zakat matters generally;
 - (e) to make policies, plans, rules and regulations that may be necessary for the administration, collection and distribution of zakat and endowment funds;
 - (f) to invest endowment funds in ways that will meet the objectives and purposes of the endowment;
 - (g) to prosecute through the office of the Attorney-General or with his consent through any legal practitioner of its choice such persons who are

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- eligible but refuse to pay zakat or any person that commits any other offence punishable by this Law;
- (h) to maintain account(s) with bank(s) into which zakat and endowment funds shall be paid where appropriate.
 - (i) to exercise such other power(s) that may be necessary in the discharge of its functions in accordance with the rules of Sharia.
 - (j) to compile from time to time the list of those that are eligible to pay zakat and those that are eligible to benefit from it at Local Government, District, Village/Ward levels of the state.
 - (k) to collect and safely keep lost and found items and treat them in accordance with the rules of Sharia.
4. Zakat shall be levied on any Muslim resident in the state, and who owns property subject of zakat.
5. (1) Subject to the provisions of this Law, zakat shall be levied on any person upon the fulfilment of the following conditions:
- (a) the person who owns property the value of which has reached the prescribed *nisab*;
 - (b) the person who owns the property for a period of one year in cases where such period is required;
 - (c) the property shall not relate to personal use;
- Provided that person whose total indebtedness will bring his property below the *nisab* will not be made to pay zakat.
- (2) Where there are several owners, or where there is joint ownership such that the property may be considered as zakat shall be levied on the property where it reached the *nisab* [sic].
6. (1) Zakat shall be levied on trade wares, including expected debts after deduction of any liabilities.
- (2) The time for zakat of trade wares and cash holdings shall be after one year has elapsed thereon, and the time for zakat for other kinds of trade shall be the time of sale thereof.
- (3) The *nisab* for the zakat on cash holdings or trade wares shall be assessed proportionate to the value of gold.
- (4) The amount of zakat of trade wares shall be one fortieth of their value (1/40).
7. (1) Zakat shall be levied on gold and silver, where one year has elapsed and the weight of:
- (a) pure gold is eighty-five (85) grams and
 - (b) pure silver is five hundred and ninety (590) grams.
- (2) For the purposes of subsection (1) of this section, gold and silver shall not be required to be minted.
- (3) The amount of zakat of gold and silver shall be one fortieth (1/40).
8. (1) Zakat shall be levied on coins, bank notes, deposits, negotiable instruments of monetary value, and instruments of money worth where one year elapses and the value amounts to the *nisab*, whether saved or otherwise.
- (2) The *nisab* for zakat of all the types of wealth mentioned in subsection (1) shall be one quarter of one tenth (1/40).
9. Zakat shall be levied on the property of a person borrowed, extorted or stolen when the property returns to him even if he had not used same in trade if it had reached the *nisab* or the stipulated period that will make it eligible for zakat.

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Provided that zakat of only one year shall be levied even if the property had stayed away from the owner for many years.

10. (1) Zakat shall be levied on treasure-trove (*rikazi*) and the amount thereof shall be one-fifth (1/5) and shall be levied as soon as it is acquired.
(2) Zakat shall be levied on any minerals solid or otherwise as soon as it is acquired 1/5 thereof.
11. (1) Zakat shall be levied on cereals and fruits.
(2) The *nisab* for zakat of crop and cereals shall be five *ausuq* or 300 *sa'is*.
(3) The time for the levy of zakat on crops and fruits shall be on ripening and harvesting thereof.
(4) The amount of zakat on crops and cereals shall be one tenth (1/10) if watered by rainfall and one half of one tenth (1/20) where they are produced through irrigation.

Provided that when fixing the *nisab* for the zakat of crops and cereals of the same class, they shall be added together, and also crops and cereals of the same year shall be added together even if the time of their planting and the soil on which they are grown are different.

12. Zakat shall be levied on any person who sold or donated any of his crops or fruits after ripening and on the buyer, donee or heir as if he is the cultivator, if the sale, donation or death has occurred before ripening of the crops and fruits.
13. Zakat shall not be levied on the following:
 - a. crops and fruits eaten by owners or by animals;
 - b. crops and fruits eaten by passers-by, or what has been donated by the owner to be so eaten.

Provided that where there is a difference of quality in the crops or fruits zakat shall be levied on one with medium quality thereof.

14. (1) Zakat shall be levied on livestock, except those used for tilling land where one year has elapsed.
(2) For the purposes of the *nisab* of livestock, males shall be added to females and the young shall be counted with the old and sheep shall be counted with goats irrespective of place provided that the ownership is in one person.
15. The *nisab* on each type of livestock shall be as specified in the schedule to this Law.
16. Where a person owns several properties subject of zakat, and none of which reaches the *nisab*, then such properties shall be added together and their value shall be assessed in form of money for the purpose of ascertaining the *nisab*.
17. (1) Zakat shall be levied on invested property yielding profits other than, cash, trade wares, crops, cereals and livestock, and the return on such investment shall be treated as cash for the purpose of fixing the *nisab* and the amount of the zakat thereof.
(2) Zakat on invested property shall include the net rent of real estate, farm produce, livestock products, and the net income of the means of transportation, payable immediately if payment is on annual basis.
18. (1) Where the owner of a property subject to zakat is absent, any person responsible for the management of that property, or the authorised agent, shall pay the zakat due thereof.
(2) In case of death of the owner of property subject of zakat, zakat shall be levied on the estate.

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19. Notwithstanding the provisions of this Law, the following property shall not be subject to zakat:
- (a) public property, dividends and shares owned by the state in any company, corporation, institution, bank, commercial business or investment;
 - (b) charitable property; and
 - (c) the property normally kept in trust for everlasting charitable purposes.
20. (1) The proceeds of zakat shall be spent on the following:
- (a) paupers (*fuqara*);
 - (b) indigents (*masakin*);
 - (c) zakat collectors (*amilina alaiha*);
 - (d) persons of inclined hearts (*muallafatu qulububum*);
 - (e) insolvent debtors (*gharimina*);
 - (f) for the sake of Allah (*fi sabilillah*);
 - (g) wayfarers (*ibnus sabil*).
 - (h) to free captives (*fir riqab*)
- (2) For the purpose of subsection (1) of this section the Commission shall have the power to make regulations on the priorities of the expenditure.
21. (1) Nothing in this Law shall preclude the application of other rules or principles of Sharia pertaining to zakat not mentioned in this Law.
- (2) Any rule of Sharia held to be applicable pursuant to subsection (1) above shall be deemed to have been provided for by this Law even though same is not expressly mentioned by the Law.
22. (1) Whoever cheats, evades or refuses to pay zakat due from him shall be made to pay the zakat due, and in addition shall be punished with fine not exceeding half of what is payable as zakat or three months imprisonment in default or not exceeding 20 lashes of the cane or both.
- (2) [Although subsection (1) is numbered as such, subsection (2) is omitted, perhaps inadvertently; compare Zamfara §35(2)].
23. (1) Subject to the provision of section 21 of this law, all particulars pertaining to zakat and payment thereof shall be deemed secret.
- (2) Whoever being a worker of the Commission or its agent, wilfully discloses any secret pertaining to the particulars of payment of zakat of any individual, which comes to his knowledge by virtue of his office, with the intention to injure that person who is subject of such disclosure, shall be punished with imprisonment for a term not exceeding one year or with a fine or both.

SCHEDULE

[There follows here a schedule of *nisabs* for animals. This is divided into three sections: A. Camels; B. Cows; C. Goats and Sheep. Sections A and B are identical to the similar schedules of *nisabs* in Zamfara and Niger States, sections 12 and 9 below. Section C is different in all three states: here is Bauchi State's section C:

C. Goats and Sheep

40 to 120	one sheep or goat a year old
121 to 200	two sheep or two goats one year old
201 to 300	two sheep/goats of 1 to 2 years old
301 and above	3 sheep/goats of 1 to 2 years old
Thereafter [?]	for each 100 sheep/goats, one sheep/goat

d. Progress of the Zakat and Endowment Committees through 2007

- (1) From a 2003 interview with Mohammed Tata Alkaleri, Permanent Sharia Commissioner (Zakat Matters) and Chairman of the State Main Zakat Committee:¹⁰

Zakat is the third pillar of Islam, aimed at the support of the poor by the wealthier members of society. The caliphs appointed officials to ensure that zakat was collected and properly distributed. But at some point this practice of central collection and distribution was stopped. They are reviving it.

They went to Zamfara, Jigawa, Niger, and Yobe states to see how things were being done there, and got ideas. The main point is to revive the central collection and distribution of zakat. A bill for a law establishing a Zakat Board similar to the ones in Zamfara State and Niger States has been drafted but not yet enacted.¹¹ Meantime the Sharia Commission, through its Zakat Committee, has started the process going. At present the system of zakat collections is on a voluntary basis, but if the draft bill is enacted, it will be possible to enforce payment in court.

There are to be zakat committees at five levels. Some of these are already functional, but some, in some places, have yet to get started.

- a State Committee: this has sixteen members plus the Chairman. They meet to discuss policy matters and progress with implementation, and take any policy options to the Sharia Commission for decision;
- Emirate Committees: headed by the Emirs: there are six of these;
- Local Government Committees, headed by the most senior District Head in the LGA;
- District Committees, headed by the District Heads;
- Village Committees, headed by the Village Heads.

The Village Committees will make a record of those that have and those that don't have wealth subject to zakat. For this purpose there is a form that people are to use to declare their wealth. When the disclosures made on the form appear to be false, they go and talk to the person. Then, if a person's wealth comes up to a certain amount, the *nisab*, he or she is supposed to pay zakat on it.

Some money is already being collected, but evidently not much; not all the committees are functional yet. To enhance its activities, the State Main Zakat Committee has conducted enlightenment programmes through meetings and through the media. Government is supporting the activities of the Committee.

¹⁰ Interviewed conducted in Bauchi on 30 January 2003 by P. Ostien and S.U. Fwatshak. Also present and participating was Abdulhamid MoAllahyidi, the Secretary of the Sharia Commission.

¹¹ See section **d** below.

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(2) Soliciting payment of zakat:¹²

BAUCHI STATE SHARI'AH COMMISSION

No. 3 Darazo Road, Old G.R.A. P.M.B. 0011 Bauchi ☎: 077-542259

Our Ref: BAS/SC/ADM/064/T

Date: 15th August, 2005

Dr/Alh/Mal

.....

Assalamu Alaikum,

SOLICITING PAYMENT OF ZAKAT DUES

I believe that you are aware of the establishment of the State Shari'ah Commission sometime in 2001. The Commission is composed of three (3) departments one of which is Zakat and Endowment. One of the functions of the Zakat and Endowment Department is to demand and/or receive zakat or endowment from the "haves" i.e. wealthy people as enshrined in the Holy Qur'an surah *at-Taubah* verse 103. After receipt we give it out to the "have-nots" i.e. the poor, needy etc. This directive is also enshrined in the Holy Qur'an surah *at-Taubah* verse 60.

2. The purpose of writing this letter is to remind you about your religious obligation of sifting and giving out your annual or periodic zakat. Zakat is one of the five pillars of Islam. Giving it purifies the mind and the wealth. It also cements a cordial relationship between you (the wealthy) and the receiver (the poor, the needy etc.).

3. When you calculate your zakat cash or kind you are required to give it to the Commission directly (you can however retain thirty percent (30%) to give to those you used to give). The Commission will subsequently distribute to the rightful beneficiaries. If you are not able to give to us directly you can deposit the cash in the zakat account (No. 017130588060) of the Commission at the Habib Bank Nigeria Ltd., Bauchi Branch. If in kind produce or animals, you can give it directly.

4. I look forward to your obligatory cooperation and positive response in this compulsory religious duty. I assure you of the most appropriate disbursement and judicious use of your *sadaqat*.

5. Attached herewith are *nisab* of *zakatable* items for ease of reference.

6. Please accept the assurances of my highest esteem.

7. *Wassalamu Alaikum.*

Alh. Mukhtar Ahmad
Chairman

(3) Publicising *nisabs* and amounts of zakat due:

¹² The form-letter reproduced in this section was provided during the interview reported in section **d.(6)** below.

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The Zakat and Endowment Department of the Sharia Commission, apparently every year, publishes a new flyer, in Hausa, giving the *nisabs* on various types of wealth and the amounts of zakat due on wealth owned that is in excess of the *nisabs*. These flyers also give several other numbers: the minimum *sadaki* (money given by a bridegroom to his bride before the marriage ceremony can be performed), the *nisab* for theft punishable with *hadd* (always the same as the *sadaki*), and the *diyyah* payable for unintentional homicide. Most of this is the same from year to year. What change are only the amounts as stated in naira – which must be recalculated every year based on the price of gold and the exchange rate for the naira. The fixed *nisabs* and amounts of zakat due can be read in several other places in these documentary materials. Here we give only the variable amounts in naira of the *nisabs* and *diyyah* for unintentional homicide, for the years for which we have them from Bauchi State:¹³

	2003/04	2006	2007
<i>nisab</i> for wealth valued in naira	₦134,321	₦173,073	₦201,561
minimum <i>sadaki</i> and <i>nisab</i> for theft punishable with <i>hadd</i>	1,679	2,164	2,520
<i>diyyah</i> for unintentional homicide	6,716,053	8,653,575	10,078,011

(4) A pamphlet published by the Zakat and Endowment Department:

A copy of this pamphlet, the full title of which is “Bauchi State Sharia Commission Zakat and Endowment Department: Composition of Various Committees, Their Functions, and the Activities of the Department So Far”, dated August 2006, was generously supplied by the Sharia Commission in 2007. Here is most of it:

BAUCHI STATE SHARIA COMMISSION
ZAKAT AND ENDOWMENT DEPARTMENT

COMPOSITION OF VARIOUS COMMITTEES, THEIR FUNCTIONS,
AND THE ACTIVITIES OF THE DEPARTMENT SO FAR¹⁴

August, 2006

Introduction:

Islam has five fundamental pillars: (i) faith (in the unity of Allah), (ii) offering of the five daily prayers, (iii) giving out of zakat, (iv) fasting the month of Ramadan, and (v) the performance of *hajj* (by those who are able).

The word zakat literally means both “purification” and “growth/bless”. It is a term used for a specific rate taken at a specified time from a specific people. By definition, it is

¹³ The numbers for three earlier years, as calculated by the Zakat and Endowment Board of Zamfara State, are given in section 12 below. The 2003/04 numbers given here are from the pamphlet reproduced in the next subsection, and the 2006 and 2007 numbers from the *nisab* flyers for 1427 AH/2006 AD and 1428 AH/2007 AD published by the Zakat and Endowment Department of the Sharia Commission, copies provided during the interview reported in section c.(6) below.

¹⁴ This document was generously supplied by the Bauchi State Sharia Commission in 2007.

that portion of a man's wealth that is designated for specific poor people. It is obligatory on every free Muslim, male or female, young or old, sane or insane.

There are some distinct qualities or features attributed to zakat, which include:

- i) it must be fully owned by the zakat payer;
- ii) it must have growth tendency;
- iii) it must have reached the stipulated minimum amount of wealth (*nisab*);
- iv) it must be in excess of the basic needs of the zakat payer;
- v) it must be unencumbered by debt (except on agricultural produce and livestock);
- vi) it must have been held for one whole lunar year;
- vii) it must be paid timely.

The significance or importance attached to zakat among others are:

- i) purifies the property of the people (from shares which do not belong to it any more);
- ii) purifies people's hearts from selfishness and greediness for wealth accumulation;
- iii) reduces to a minimum the sufferings of the needy and poor members of society;
- iv) serves as an effective instrument for cultivating the spirit of social responsibility on the part of the contributors and the feeling of security and belonging between both the contributors and recipients;
- v) serves as a sound illustration of the fact that though Islam does not hinder private enterprises or condemn private possessions yet it tolerates selfish and greedy capitalism [sic].

The below verse is very supportive of the said illustration:

[Text in Arabic omitted; translation given in the pamphlet follows:]

(Take from their wealth a charity by which you purify them and cause them increase, and invoke (Allah's) blessing upon them. Indeed your invocations are reassurance for them. And Allah is hearing and knowing.¹⁵)

Nisab:

The *nisab* for cash and other items for this year (2003-2004) are:

1. *Nisab* in naira, i.e. naira that can buy twenty dinari, i.e. gold weighing 2.7328 troy ounces will be ₦134,321.
2. Compensation for manslaughter i.e. naira that can buy 1,000 dinar or gold weighing 136.634 troy ounces will be ₦6,716,053.
3. Minimum *sadaki* and least theft that attracts amputation of a hand i.e. naira that can buy one quarter of a dinar, gold weighing 0.03416 troy ounce will be ₦1,679.

Who should receive zakat? Allah says:

[Text in Arabic omitted; translation given in the pamphlet follows:]

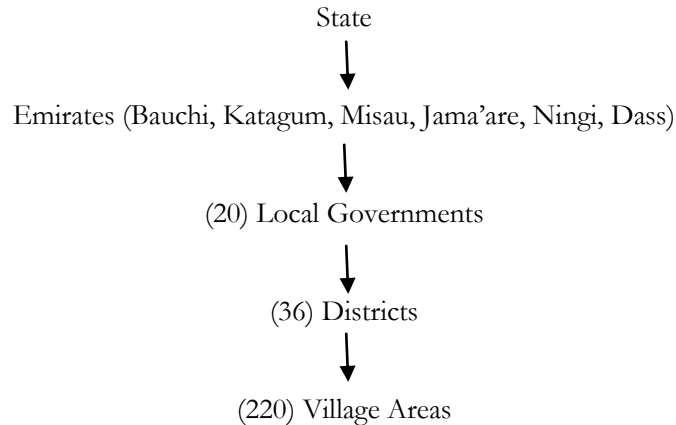
(Zakat expenditures are only for the poor and for the needy and for those employed to collect (zakat) and for bringing hearts together (for Islam) and for freeing captives (or

¹⁵ *At-Taubah*: 103.

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slaves) and for those in debt and for the cause of Allah and for the (stranded) traveller an obligation (imposed) by Allah. And Allah is knowing and wise.¹⁶⁾

Structure of Zakat Committees in Bauchi State:



Formation of Zakat and Endowment Committees and their functions:

[Here is given the 2001 document reproduced in section **b.(2)** above. The only change is as to the composition of the State Main Committee, given in the 2006 pamphlet as follows:]

Composition of Bauchi State Main Committee for Zakat and Endowment

1.	Permanent Commissioner I Zakat Matters Alh. Muhammad Tata Alkaleri	–	Chairman
2.	Permanent Commissioner II Sharia Matters Alh. Abubakar Hassan Dikko	–	Member
3.	Hon. Grand Kadi or his representative Hon. Kadi Abdul Ibrahim	–	Member
4.	Ambassador Adamu Yusuf	–	Member
Representatives of Council of Emirs			
5.	Alh. Muhammad Yunusa Danyaya (His Royal Highness Emir of Ningi)	–	Member
6.	Alh. Muhammad Wabi III	–	Member
Representatives of Council of Ulama			
7.	Imam Ibrahim Idris	–	Member
8.	Ustaz Turaki Aliyu Misau	–	Member
9.	Alkali Burhama Musa	–	Member

Representatives of Bauchi State Chamber of Commerce, Industry, Mines and
Agriculture (BACCIMA)

¹⁶ *At-Taubah*: 60.

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10. Alh. Garba Muhammad Noma (Jarman Bauchi)	–	Member
11. Alh. Garba Muhammad Gadi (Dan-Biram Katagum)	–	Member
12. Dr. Umar Alka	–	Member
13. Ambassador Umar Babaji Misau (Wazirin Misau)	–	Member
14. Alh. Sanusi Maijama'a	–	Member

Earliest receipt of distribution of zakat:

The Commission started to receive zakat in cash and crops in January 2003. While distributions of farm produce in Warji, Dull, Tubule and Alkaleri Local Governments were made a little later in the year.

Speech by His Excellency the Acting Governor of Bauchi State Alhaji Abdulmalik Mahmoud (Baraden Katagum) on the occasion of distribution of zakat to the deserving beneficiaries at the premises of the Bauchi State Sharia Commission on Wednesday 17/9/2003:

[Protocol: the speaker recognises those present: the Speaker of the House of Assembly, the Chief Judge, the Grand Kadi, the Deputy Speaker, Commissioners, the Secretary to the State Government, the Head of Civil Service, Permanent Secretaries, Emirs, Chairmen of Commissions and Boards, Chief Executives of Parastatals, Chairmen of Local Governments, *ulama*, recipients/beneficiaries of zakat, other guests, and members of the press corps]

Gentlemen,

Assalamu Alaikum.

I wish to start this speech by giving my thanks to the Almighty Allah for giving us the authority and courage to implement Sharia in its totality in the state. You may recall in the year 2000 this Government appointed a Committee to implement Sharia in Bauchi State in its totality. The Abdullahi Yakubu Marafa Committee, after thorough investigation, public enlightenment and hearings, submitted a comprehensive report and relevant recommendations to the Government. To give the report a further legal and administrative touch the Justice Bala Umar draft White Paper Committee was appointed to further scrutinise the report and give Government a comprehensive framework on which to base Government's decisions on Sharia in the state. We then set up a Task Force Committee to prepare a concrete ground on which Sharia can stand firmly on its feet with of course people's support and understanding.¹⁷

¹⁷ The report of the Abdullahi Yakubu Marafa Committee, i.e. the Bauchi State Sharia Implementation Committee, is reproduced in *Sourcebook*, II, 7-170. The Bauchi State Government White Paper on the Report of the Sharia Implementation Committee and most of the Report of the Bauchi State Task Force on Sharia Implementation are given in the Supplementary Materials to *Sourcebook* II, online.

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2. At the initial stage, I am aware that some of our compatriots were apprehensive as to whether or not we are really interested in the Sharia project. Seeing the appointment of these Committees, some thought it was a delaying tactic; some others thought it was a cunning way of frustrating the whole matter, yet others were of the opinion that we were only buying time so that the whole issue would die down. Far from all these speculations the Government was only taking its time to do a thorough job, and today we have proved the cynics wrong.

3. It is after all these that we appointed the Sharia Commission and the Sharia Consultative Council, which comprise people of integrity and proven character representing all shades of opinion of our society. I am glad to say that we have not been disappointed by such a choice. It is however pertinent to say here that the seed of full Sharia implementation has just been sown, and like all other seeds it takes time to germinate, sprout and grow. Even though all the ingredients of growth are there, yet it takes time to blossom. If however each and every Muslim imbibes the full tenet of Islam we would indeed have started our journey towards Sharia implementation on a very strong footing. So let all of us doggedly hold the Islamic principles and precepts wholeheartedly. Let us all individually and collectively discharge our religious obligations. Let us respect the rights of each other and be our brothers' keepers.

4. Government has noted with satisfaction the great efforts being put by the Commission in the performance of its functions. The enlightenment programmes being pursued by the Commission in radio and television have helped a great deal towards creating awareness about Sharia. Government will continue to give its maximum moral and financial support to the Commission to enable it discharge its functions effectively. It is the policy of this Government that Sharia be implemented in a well-articulated, gradual and peaceful manner, and I am glad to note that we are moving smoothly along this course.

5. One of the seeds earlier sown has started to germinate, i.e. the zakat seed. Some patriotic and serious-minded Muslims have since last year started to give out their zakat to the Commission in both cash, animals and farm produce. Those that are eligible have started to enjoy the fruits of Sharia in various parts of the state. I wish to recognise the pioneer efforts of Warji District, in Warji Local Government Area, for being the first community to collect and distribute zakat in the state. Their determination, sacrifice and spirit of brotherhood are worthy of emulation by all. We are informed that already a number of communities like Dull in Tafawa Balewa Local Government have also followed suit, and that zakat collected in their areas has been distributed accordingly.

6. In our forward march in implementing Sharia in the state, we are gathered here yet for another occasion of distribution of zakat to ameliorate the conditions of some of our citizens. This time around, we are distributing zakat to 95 people (men and women) as well as to the Da'awah Committee. I wish at this juncture to thank all those who answered the call by the Almighty for giving out zakat. I implore those who are wealthy and their wealth has reached the minimum for zakat (*nisab*), to give it out to any of the five Committees established at the Emirate, Local Government, District and Villages as well as the state levels. I assure you that what you give will be distributed equally in accordance with Qur'anic injunctions.

7. While I congratulate the recipients of zakat today I wish to advise them to invest the proceeds into enterprising ventures so that in a few years they too can give out zakat to those who deserve them. In this process, poverty can be reduced if not eliminated altogether in our society. By this process also, beneficiaries will not just sit and await another bout of zakat share. To those who gave out I pray to Allah to reward them, let them continue doing so.

8. I implore all our traditional authorities, i.e. Emirs and their subordinates, to rise to their responsibility of collection of zakat from those who have possessed it and distribute it to those who are eligible as prescribed by the Holy Qur'an. This, to me, should be one of the most important duties of our traditional authorities. Let us not delude ourselves that our royal fathers have no defined roles to play in our nation's constitution. The duty of zakat collection and distribution is one important area in which their role is vital. Other areas include security of their areas, promoting peaceful coexistence and undertaking reconciliation of parties in dispute. I am aware that the Sharia Commission is promoting the idea of reconciliation/conflict resolution (*sulbu*) through the various *hisbah* committees, in close consultation with our royal fathers. This should be maintained and supported by everybody.

9. Before I conclude this short speech, I wish to urge all those who have, to give out all those shares that rightfully belong to the poor and the needy. The more we give, the less beggars, *almajirai*, and other social parasites we have in our society and the more dignified our society becomes.

10. I wish us Allah's guidance, protection and bountiful reward.

Thank you and may Allah bless us all.

Speech by the Chairman of the Sharia Commission, Alhaji Mukhtar Ahmad, on the occasion of distribution of zakat at Warji on 10th April 2003:

[This speech is given in Hausa in the pamphlet; we do not translate it here.]

What are the derivable benefits to the zakat giver?

Allah says:

(Those who spend their wealth(in Allah's way) by night and by day, secretly and publicly, they will have their reward and their Lord. And no fear will there be concerning them, nor will they grieve. Q2:74)

[Text in Arabic, given after the English translation, omitted here.]

What other important things can a rich man do with his/her wealth to earn Allah's blessing?

Allah says:

[Text in Arabic omitted; translation given in the pamphlet follows:]

(Righteousness is not that you turn your faces towards the east or the west, but (true) righteousness is (in) one who believes in Allah, the Last Day, the Angels, the Book, and the Prophets and gives wealth, in spite of love for it, to relatives or orphans, the needy, the traveller, those who ask (for help); and for freeing slaves; (and who) establishes prayer and gives zakat, (those who) fulfil their promise when they promise, and (those

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who) are patient in poverty and hardship and during battle. Those are the ones who have been true, and it is those who are the righteous. Qur'an 2:177)

Summary: zakat distribution from 2003-2004:

S/N	Items	Total
1.	G/corn (bags)	1,543½
2.	G/corn (bundles)	10,127½
3.	Millet (bags)	1,027½
4.	Millet (bundles)	5,127
5.	G/nut (bags)	131½
6.	Maize (bags)	110½
7.	Maize (mai totuwa)	9½
8.	Rice (bags)	1,309½
9.	Cows	381
10.	Goats	63
11.	Sheep	6
12.	Beans (bags)	10
13.	Soya beans	6½
14.	Cash	₦3,228,740.60

[The pamphlet concludes with several pages of charts showing zakat distributions for 2003-04 in Bauchi State's five Emirate Councils severally; we do not reproduce those here.]

(5) From a speech by the Governor on zakat and *waqf* in Bauchi State:¹⁸

The welfare system enshrined in the Sharia has been revived and integrated into the Sharia implementation project that we are pursuing. Zakat and *waqf* (endowment) committees have been established at State, Emirate, Local Government, District and Ward levels. Of recent the Sharia Commission has been actively visiting towns and villages to distribute zakat collected. Government has made efforts to encourage wealthy Muslims to give out their obligatory zakat dues. We have enlisted the support of the Emirs in the management and supervision of zakat collection and distribution. Plans are under way to launch an endowment fund which will be used to support a pilot project for the welfare of *almajirai*, widows and the underprivileged. With sustained effort, we are confident that the zakat and *waqf* institution will constitute the essence of our poverty alleviation programme.

(6) From a 2007 interview with Mohammed Tata Alkaleri, Permanent Sharia Commissioner (Zakat Matters) and Chairman of the State Main Zakat Committee:¹⁹

¹⁸ From Governor A.A. Mu'azu's address at the National Conference on Leadership, State and Society Under the Shari'a in Nigeria: The Dividends, organised by the Institute for Contemporary Research, Kano, held at Abuja, 10-12 July 2006. Copy in the possession of the editor.

¹⁹ Interviewed in Bauchi on 7th November 2007 by F. Kogelmann and A.S. Garba. Also present were two members of the Zakat and Endowment Department whose names unfortunately were not recorded. Sincere thanks go to Alh. Alkaleri for his generosity with his time and his provision

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The Chairman is a retired civil servant. He has his B.A. in Arts and Islamic Studies from Bayero University Kano, where he later also did a course in community development. He was first employed as Secretary to the Alkaleri Local Government, then as Deputy Clerk of the Bauchi State House of Assembly (during the Shagari era), and finally as a Permanent Secretary in the Bauchi State Government. He retired in 2000, only to be appointed to the Sharia Commission in 2001, where he heads the Zakat and Endowment Department.

The Chairman provided a copy of Bauchi State's Zakat and Endowment Fund law (along with several other documents showing the work of the Zakat and Endowment Department).

We discussed the various levels of Zakat and Endowment Committees in Bauchi State, as set forth in the document on "Formation of Zakat and Endowment Committees and Their Functions" which the Chairman provided to us. On the state level all employees are state officials and paid by the state. On the lower levels, members of the committees take their share out of collected zakat according to Islamic law.

As to the history of zakat in Bauchi, the Chairman says that at least since the British took control, and perhaps even before that, and continuing after independence, there was a continual decline in the honouring of the obligation to give out zakat. Fewer and fewer individuals gave, and the institutions related to zakat degraded. There were traditional titleholders, called *sa'iz*, who were supposed to be responsible for collecting and distributing zakat. These people neglected their duties, and also became corrupt, which discouraged people even more from giving.

There is still a problem of distrust even vis-à-vis the Sharia Commission: many Muslims prefer to give their zakat directly to the needy, rather than through the Commission. This is supposed to change: according to the zakat law everyone is supposed to give at least 70% of the zakat due from them to the Commission for onward distribution, reserving at most 30% for personal distribution to handpicked individuals. But collection of zakat has been difficult so far. The Chairman hopes that it will become easier when the zakat law finally comes into force.

The collection and distribution efforts of the Commission are highly organised and documented, with zakat assessment, collection and distribution forms, solicitation letters, careful accounting, and so on. Zakat distributions are organized as public events to give a good example, to enforce transparency on the process, and to create personal bonds between the Committees and the beneficiaries. The Chairman summed up the numbers of beneficiaries of zakat since 2001 as follows:

i. Headquarters	266
ii. Bauchi	861
iii. Dass	517
iv. Ningi	488
v. Katagum	153

of so many documents showing the work of the Zakat and Endowment Department of the Sharia Commission.

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vi.	Jama'are	275
vii.	Misau	843
	Total	3,403

As this list suggests, most zakat is distributed in the same locality where it is collected.

As to *awqaf*, the Chairman said that these are not much known in Bauchi State. People may be said to have been endowing without realising it, for instance, by endowing a school they endowed a *waqf*. But the institution is still in its infancy here. The Zakat and Endowment Department is making many efforts to educate people about *awqaf* and encourage endowments (as well as the giving of zakat) by using media, public preaching and teaching, imams, etc. A pamphlet on the subject of *awqaf* is being prepared for public distribution. Examples of two recently established *awqaf*: (1) one lady endowed a school; (2) somebody else endowed a plot of land and offered the Committee two options for using it, as the site for an Islamiyya school or for building shops to generate income for the *waqf* fund; the Committee opted for the school. The Chairman has no figures on how many *awqaf* have been endowed or the size of the *waqf* fund.

e. Data on zakat collection and distribution through 2015

Note: all data given in this section were kindly provided by the Bauchi State Sharia Commission in the course of research visits to the Commission in 2016.

(1) Zakat collection processes, procedures and results

The zakat able items were listed in section 7,8, 9, 10,11 and 14 of the Bauchi State Zakat Law to include: Gold and Silvers; Cash; Debts, stolen and extorted Property; Minerals; Crops and Fruits; and animals. However, the items given out as zakat by individuals are mainly cash, crops and livestock.

The zakat collection process is decentralized and can be done at any of the committee levels. A potential zakat payer can walk into the state commission or any of the other Committees at – Emirate, Local Government, District or Village level to pay his zakat. Each zakat contributor is allowed by law to pay 70% to the Commission and 30% to be self-administered. This does not preclude the *muzaki* (the one giving the zakat) from providing list of people to benefit from the 70% given to the Commission. The actual collection of zakat takes place at the village level and the items frequently collected farm are farm produce and livestock. The rate of collection varies from one Emirate to other both in terms of quantity and type of items collected.

TABLE 1.E.1: ZAKAT COLLECTION ACROSS SIX EMIRATE COUNCILS OF BAUCHI STATE,
JANUARY-JULY, 2013

Sources of Zakat	Cash (₦)	Farm Produce (Bags)	Livestock (Cows)
Commission Headquarters	2,352,000	5	
Bauchi Emirate	16,200	265	
Katagun Emirate	3,540,000	237	4
Misau Emirate	4,978,000	148	

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Ningi Emirate			
Jama'are Emirate	10,000	186	
Dass Emirate	1,000,050	535	2
TOTALS	11,996,200	1380	6

Table 1.e.1 shows the pattern of zakat collection across the six Emirate Councils of Bauchi state from January to June, 2013. The table shows that while the highest cash collection in 2013 came from the Misau Emirate, the highest crop collection is recorded in Dass Emirate and the highest livestock collection is from Katagun Emirate. The three Emirates (Dass, Katagun and Misau) recorded increased level of collection of cash and farm produce. Generally, livestock collection is very low across the Emirates. From the records shown in table 2.1 above, Ningi Emirate is not active in terms of zakat collection in 2013.

Apart from zonal variations in the zakat collection in Bauch State, the record of annual collection from 2002 to 2014 shows a fluctuating trend across the three types of *zakatable* items. Table 1.e.2 below indicates that zakat of various types record increasing trend in the first eight years rising from the sum of one hundred and sixty seven thousand naira (₦167,000) in 2002 to peak at thirteen million, two hundred and ninety four thousand naira (₦13,294,000) in 2009. From thereon, it declined to six million, six hundred and eighty eight thousand naira (₦6,688,000) in 2014.

TABLE 1.E.2: ANNUAL ZAKAT COLLECTION IN BAUCHI STATE 2002-2015

Year	Cash (₦)	Farm Produce (Bags)	Livestock (Cows)
2002	167,000	890	5
2003	867,573	2,827	256
2004	2,362,240	1,418	144
2005	2,485,420	751	72
2006	2,823,000	821	139
2007	2,065,152	2,232	278
2008	2,084,940	983	234
2009	13,294,000	1,820	147
2010	10,314,000	1,290	237
2011	9,180,000	964	94
2012	9,130,000	984	
2013	6,181,000	1,189	71
2014	6,688,000	2,502	102
Total	67,642,325	18,671	1,779

(2) Zakat distribution procedures and results

The beneficiaries of zakat distribution in Bauchi state are drawn from the eight (8) categories outlined in the Holy Qur'an. Distribution takes place at the area where it was collected. Therefore, collection from one locality is not taken to another locality. However, certain group(s) is (are) given priority over others. For example, all zakat collected at the state headquarters are shared to four categories of people: those who specially apply for assistance; Special Cases; *Fisabilillah*; and *Amilina Alaiba*.

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The process for applying to be part of the beneficiaries of zakat entails a potential beneficiary visits the zakat office and fill a form showing his name, address, phone number and the Juma'at Mosque he prays every Friday. The application would be verified and processed and the successful ones would be contacted before the day set aside for distribution. The filling of form is only peculiar to the applicants who show up at the state headquarters. At the other levels applicant's information is registered in a book provided for that purpose and once verified the applicants are invited to collect their share. Distributions of zakat often take place at the state headquarters or the Emir palace at the Emirate Council and it is usually preceded by massive publicity so that beneficiaries would be aware of the distribution date, venue and time.

Special Cases category includes such persons as prisoners whose sentence may have come with an option of fine and are unable to pay. The Commission visit the prison office and once such individual is found the Commission promptly pay the fine. Another special case has to do with the care for new converts. The cares for the new converts, who are mostly women, fall under the purview of the *Da'awah* department of the Sharia Commission but the zakat committee assist them with fund for feeding and accommodation.

Part of the zakat collection also goes to the Imams of Juma'at Mosque, Mallams of Islamic Schools and members of the *Ulama* engaging in *Da'awah* as *Fisabilillah*. The group of beneficiaries are either identified by the Commission or they are picked by the Emirs/District head/Village head.

Amilina Alaiba is the aspect of zakat that is shared among zakat collectors. In some state certain percentage is removed for that purpose. In Bauchi, though it is removed but there is no fix amount – what is removed is dependent on the total amount realised by the various zakat committees and determine at each level. When removed the amount is shared among the junior workers in the zakat office.

The distribution of zakat at the Emirate or any lower level, does not takes place without the express permission of the Commission. The distributing level suggests date for distribution to state committee for approval and once approved, the state committee send representatives to monitor the exercise and take records of collection and distribution. Each beneficiary is expected to get at least ten thousand naira (₦10,000) for cash distribution and one bag of grain if farm produce.²⁰ Table 1.e.3 below shows annual distribution of zakat in Bauchi State from 2002 to 2014. The table shows an increasing number of people benefiting from zakat administered by the Commission.

TABLE 1.E.3: ANNUAL DISTRIBUTION OF ZAKAT IN BAUCHI STATE 2002-2014

Year	Beneficiaries(Persons)
2002	95
2003	325
2004	1,898
2005	1,171

²⁰ Livestock are sold and amount added to cash collection and distributed as cash.

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2006	1,342
2007	2,816
2008	1,525
2009	3,296
2010	3,790
2011	1,926
2012	1,791
2013	1,878
2014	6,418
Total	28,271

On the whole, a total of 28,271 persons, both male and female benefited from zakat distributed by the Commission from 2002 to 2014. Secondly, the data shows increasing trend of performance by the Commission over the years. Beneficiaries increased from 95 persons in 2002 to 3,296 persons in 2009 and further rise to 6,418 persons in 2014. While much can still be achieved the performance shows an increasing capacity of the Commission to use zakat to influence the lives of thousands of the poor and the needy in society.

2.

Borno State

a. Report of the Council of Ulama on the need for a Zakat Board

Early in the process of Sharia implementation in Borno State, the state's Sharia Implementation Committee and its Council of Ulama both recommended the establishment of a Zakat Board. The recommendation of the Sharia Implementation Committee is included in its April 2000 report which is published elsewhere.²¹ The much fuller treatment of the subject by the Council of Ulama is reproduced here.

REPORT ON THE NEED FOR FORMATION OF ZAKAT BOARD AND/OR ZAKAT
COMMITTEES TO ASSESS, COLLECT, RECORD AND DISTRIBUTE ZAKAT
IN BORNO STATE²²

In the name of Allah, the most gracious, the most merciful, who neither slumber nor sleep overtaketh him. Peace be upon his Prophet Muhammad (SAW).

Introduction

Based on the law on Sharia Administration of Justice, and by virtue of section 25 which empowered the Council of Ulama to advise the Government on Islamic matters,²³ the Council of Ulama hereby resolve that there is need to establish ZAKAT BOARD within the state and ZAKAT COMMITTEES in all the Local Government levels who shall collect, monitor, assess, record, audit, and distribute zakat being collected.

The word zakat means purification or an increase. Zakat or compulsory almsgiving is also one of the five pillars of Islam.

Zakat is a fixed rate in proportion to the worth of property collected from the well-to-do Muslims and distributed among the poor Muslims. Anyone who says it is not *wajib* has become an unbeliever. And anyone who refuses to pay zakat, a war can be waged against him.

Appointment

The appointment of all members of Zakat Board, Zakat Committees and *sa'i*, i.e. zakat collectors at all levels shall be made [sic].

Formation of Board of Zakat at the state level

To constitute the Zakat Board, there should be a Chairman, a Secretary and eight members to form the Zakat Board at the state level.

²¹ Report of the Committee on the Application of Sharia in Borno State, *Sourcebook*, II, Supplementary Materials, online, item IV, at p. 10.

²² This undated report was obtained on a visit to Borno State in early 2003. It may be presumed that it was prepared and submitted to the Government sometime in 2000, before the Zakat and Endowment Board Law was signed into law on December 12th of that year, see subsection **b** below.

²³ See subsection **c** below.

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Mode of selection and appointment of members

The Council of Ulama resolved that two members should be appointed or nominated from the academic line and two imams from Juma'at mosques and two people from Emirate Council and two people from Borno State Muslim elders and the Secretary should be anybody from the civil service.

Zakat Committees at the Local Government level

At the Local Government level there shall be Zakat Committees, which shall consist of six members including a Chairman and a Secretary. There should also be one *sa'i* (zakat collector) in all wards, towns and villages.

Qualifications of the members

Members of the Zakat Board, Zakat Committees including *sa'i* (zakat collector) must be:

- i) Muslim
- ii) Adult
- iii) Sane
- iv) Trustworthy

And must have a sound Islamic knowledge.

Responsibilities of Zakat Board

- i) Collection and distribution of zakat according to Sharia.
- ii) To determine the minimum on which zakat is paid.
- iii) To create awareness among the Muslim community on when zakat becomes necessary and method of giving out zakat and its time.
- iv) Training the members at all levels.
- v) Recording, auditing and supervising the Zakat Committees at the Local Government levels.

Responsibilities of Zakat Committees

- i) Collection of zakat at Local Government levels and keeping proper records.
- ii) Distributing the zakat that has been collected by them ONLY after the Zakat Board has sent a representative to join hands to distribute it.
- iii) To supervise the *sa'i* (zakat collector).
- iv) To suggest, advise and recommend to the Zakat Board the ways or modes of collecting the zakat.

Duties of *sa'i*

- i) *Sa'i* is the direct collector of zakat at wards, towns and villages levels.
- ii) To keep proper records of those who give out zakat and those who did not.
- iii) Reporting those defaulters to the Zakat Committees.

It should be noted that *sa'i* is not allowed to keep whatever he collected in the name of zakat in his house for more than twenty-four hours without taking it to *bait ul-mal*.

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Place where zakat should be distributed

Zakat should be distributed in a place where it has been collected, e.g. zakat collected at Bama should be distributed only at Bama, and the one at Biu should be distributed at Biu only, unless there are special circumstances recognised by the Council.

Those entitled to collect zakat

- i) The poor.
- ii) The needy.
- iii) Administrators of the funds.
- iv) New converts.
- v) Those in bondage.
- vi) Those in the grip of debt should be helped to economic freedom.
- vii) Those who are struggling and striving in Allah's cause by teaching or fighting or in duties assigned to them by the righteous imam, who are thus unable to earn their ordinary living.
- viii) Strangers stranded on the way.

Reference should be made to Qur'an chapter 9:60.

Istibad

By way of *istibad* the Council of Ulama can before or after settling the above-mentioned can suggest ways through which the zakat collected can be spent or distributed if special circumstances arise.

Things on which zakat can be paid

Those things, which are categorically mentioned in the Holy Qur'an and Hadith. Therefore, reference should be made to the *fiqh* especially Maliki law.

Time of giving out zakat

Zakat can be given out at anytime not necessarily during Ramadan period. It is the responsibility of Zakat Board to keep record of the date and time when an individual should pay zakat after consulting the person concerned.

Zakat on animals

In cases of animals, it is also the responsibility of the Board or Committee to keep record of date and time of collecting the zakat from the person concerned.

Zakat on farm products

Due to difference in the time of harvest, the Board or the Committee should consider and record the differences in the time of harvest, especially during the raining season.

Dry season farming and irrigation

It is the responsibility of the Board or Committee to keep record of harvest of each farmer of the time and day when he is to pay his zakat on the farm product.

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Remuneration of the members

All the administrators of zakat should be paid from the zakat being collected. Reasonable amount should be given to each of them so as to keep their minds off what they have collected.

Source of the remuneration

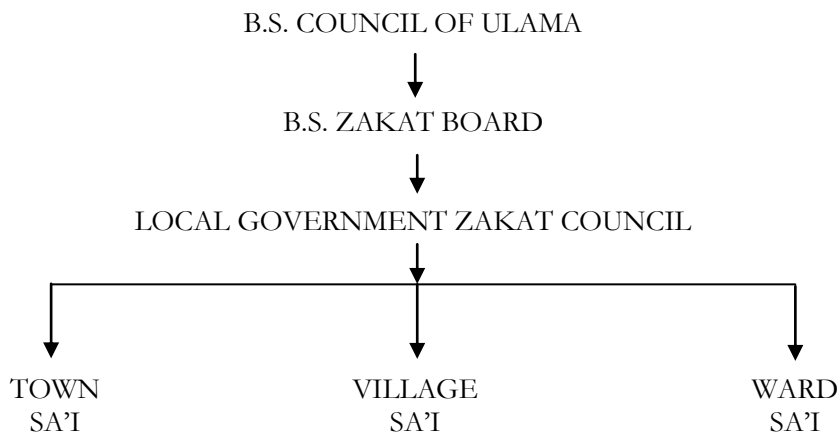
The source of the remuneration of the Chairman, Secretary, and members including *sa'i* (zakat collector) is from the zakat being collected.

Written reports/records

There must be a written report and record from *sa'i* (zakat collector) at the end of every two weeks to the Zakat Committee. And there shall be a written report and record from the Zakat Committee to the Zakat Board at end of every three months. Then the Zakat Board shall submit a written report to the Council of Ulama at the end of every six months. And the Council of Ulama shall present to the Governor a written report and record at the end of every nine months or less if the need arises.

____ [sgd; name illegible]
Chairman Borno State Council of Ulama

[Diagram of recommended zakat collection and distribution structure included in the report]



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b. The Zakat and Endowment Board Law, 2000²⁴

A LAW ESTABLISHING THE BORNO STATE ZAKAT AND ENDOWMENT BOARD

Arrangement of sections:

- | | |
|--|-------------------------------------|
| 1. Title and commencement. | 9. Autonomy |
| 2. Interpretation. | 10. Property of the Board. |
| 3. Establishment of the Board. | 11. Resignation. |
| 4. Object. | 12. Removal. |
| 5. Composition. | 13. Common seal and other documents |
| 6. Qualifications of chairman, members
and secretary. | 14. Meetings. |
| 7. Functions and powers. | 15. Co-option of members. |
| 8. Tenure. | 16. Quorum. |
| | 17. Taking of minutes. |

BE IT ENACTED BY THE BORNO STATE HOUSE OF ASSEMBLY AS FOLLOWS:

1. This law may be cited as the Borno State Zakat and Endowment Board Law and shall be deemed to have come into effect on the ... day of 2001.
2. In this law unless the context otherwise requires:
 - “*bait ul-mal*” means the treasury for the collection and storage of zakat and endowment.
 - “beneficiaries” means Muslims or public institutions eligible to receive periodic aids whether pecuniary or otherwise from the Board.
 - “Board” means the Zakat and Endowment Board.
 - “Chairman” means the Chairman of the Board.
 - “collectors” means persons appointed by the Board to collect zakat.
 - “distributors” means persons appointed by the Board to distribute zakat and endowment.
 - “endowment” means funds or permanent or temporary pecuniary provisions for the maintenance of public institutions or charities.
 - “Governor” means the Governor of the state.
 - “member” means member of the Board.
 - “member of staff” means member of staff of the Board.
 - “registrars” means persons appointed by the Board to register persons eligible to pay zakat and beneficiaries of zakat and endowment funds.
 - “regulations” means the regulations made by the Board pursuant to the Law.
 - “state” means Borno State of Nigeria.
 - “zakat” means the system of charity recognised as the third pillar of faith in Islam.
3. (1) There shall be established in the state the Borno State Zakat and Endowment Board which shall be a body corporate with perpetual succession and a common seal with power to sue and be sued in its corporate name.
(2) The Zakat Board shall be financed by the funds from the consolidated revenue funds of the state.

²⁴ Signed into law on 12th December 2000, gazetted in Borno State of Nigeria Gazette No. 42 Vol. 26, 18th October, 2001 pp. C53-C57.

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- (3) The remuneration of the Chairman and members of the Zakat Board, the Council of Ulama and Sharia Implementation Committee shall be funded from the consolidated funds of the state or moneys realised from the Zakat Board.
4. The object of the Board shall be:
 - (i) to provide for a conducive socio-economic environment for the operation of Sharia in the state.
 - (ii) to provide for the improvement of the living standards of the poor.
 - (iii) to provide through public lectures, research, publications and other means the advancement of Sharia and its practical application.
5. (1) The Board shall consist of :
 - (a) a Chairman;
 - (b) fourteen other members; and
 - (c) a Secretary.(2) The Chairman, members and Secretary of the Board shall be appointed by the Governor subject to confirmation of the state House of Assembly.
6. (1) A person shall be qualified for appointment as a Chairman of the Board if he is:
 - (a) a Muslim;
 - (b) not below forty-five (45) years of age;
 - (c) a renowned Islamic jurist or scholar; and
 - (d) a person with impeccable record of piety.(2) A person shall be qualified for appointment as a member of the Board if he is:
 - (a) a Muslim;
 - (b) not below forty-five (45) years of age;
 - (c) knowledgeable in Islamic Religion; and
 - (d) a person with impeccable record of piety.(3) A person shall be qualified for appointment as a Secretary of the Board if he is:
 - (a) a Muslim;
 - (b) not below thirty-five (35) years of age;
 - (c) a legal practitioner in Nigeria and he is a holder of a degree in Sharia Law; and
 - (d) a person with impeccable record of piety.
7. The Board shall have the following powers and functions:
 - (i) to identify Muslims qualified to pay zakat and where the person voluntarily submits his assets, to qualify and assess the properties including finances, animals, movable and immovable properties for the purposes of zakat;
 - (ii) to engage the services of valuers, technicians, surveyors and other persons or professionals the Board may deem necessary;
 - (iii) to recommend, based on the Qur'anic provisions, the zakat payable in respect of items mentioned in paragraph (i) of this section;
 - (iv) to provide the periodic time(s) for the collection and distribution of zakat;
 - (v) to open and maintain register of persons eligible as beneficiaries of aid from the Board;
 - (vi) to collect zakat in the state and administer same;
 - (vii) to distribute zakat collected to eligible persons and institutions;
 - (viii) to maintain a *bait ul-mal* and other storage facilities and operate a system of food distribution to the beneficiaries;
 - (ix) to appoint auditor(s) who shall annually audit the accounts of the Board;
 - (x) to submit annual returns on its activities to the state Council of Ulama;

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- (xi) to render annual accounts to the public through the Council of Ulama;
 - (xii) to make and submit to the Council of Ulama annual budgetary estimates;
 - (xiii) to make regulations on:
 - (a) staff matters;
 - (b) mode of collection and distribution of zakat and endowment; and
 - (c) such other matters related to the general object of the Board;
 - (xiv) to employ and pay salaries and allowances to the registrars, collectors, distributors and other staff of the Board;
 - (xv) to pay remuneration and other allowances to the Chairman, members and Secretary of the Board from its collections subject to the Governor's approval upon the recommendations of the Council of Ulama;
 - (xvi) subject to the Governor's approval to invest idle funds;
 - (xvii) to render other services and pay scholarships to persons studying Sharia or Islamic related matters;
 - (xviii) to erect, provide, equip and maintain libraries, workshops, lecture halls and other buildings or facilities for its functions;
 - (xix) to carry out functions as the Governor may assign to it in pursuance of its object.
8. The Chairman and members of the Board shall hold office for a period of three (3) years and shall be eligible for re-appointment for a second or subsequent terms provided that a person shall be qualified for reappointment as a Chairman or member of the Board after three years of his second or subsequent term.
 9. The Board shall be an autonomous body and shall not be subjected to the control of any other authority or person save as provided by this law.
 10. The Board shall hold properties whether movable or immovable for its functions.
 11. [The Chairman, members, Secretary and other staff may resign, whereupon others shall be appointed to replace them.]
 12. The Governor may on the recommendation of the state Council of Ulama remove the Chairman or member for misconduct.
 13. [The Secretary to have custody of the seal and other documents of the Board; seal not to be used except upon direction of the Board and to be authenticated by signature of Chairman or authorised person.]
 14. [The Chairman or acting Chairman may direct the Secretary to summon a Board meeting; any ten members may request the Chairman to summon a special meeting for the purpose set out in the notice; the Board to meet at such times and places as the Chairman may appoint but at least twice in each Islamic year; the Chairman to preside or in his absence someone elected by the other members.]
 15. Whenever the Board desires to obtain the advice of or any special information from any person on any particular matter relating to zakat and endowment, the Board may co-opt any such person to be a member at such meeting and such a person shall have all the privileges of a member except that he shall not vote.
 16. The quorum for any meeting of the Board shall be two thirds of its members.
 17. The secretary shall keep accurate records of all minutes of the meetings of the Board.

c. The Zakat Board in the Administration of Justice Law

Borno State's Administration of Justice Law, 2000,²⁵ which is among the statutes documented in *Documentary materials on The Sharia Courts and Their Judges*, established both a Sharia Implementation Committee and a Council of Ulama, both of which were given zakat-related functions. The full texts of the sections of the law establishing the Sharia Implementation Committee and Council of Ulama are reproduced in full in *Documentary materials on Councils of Ulama and Related Bodies* section 2. Those sections include the following provisions specifically relevant here:

14. There is hereby established the Sharia Implementation Committee. * * *
18. The Committee established under section 14 hereto shall have and exercise the following powers and functions:
- (1) to advise on the review of state laws referred to it by the Governor to conform with all the relevant rules, principles and practice of Islamic law; * * *
 - (3) to advise Government on the creation of a conducive socio-economic environment for the implementation of Sharia;
 - (4) to advise Government on the mode of implementation of the Sharia; and
 - (5) such other powers and functions as may be conferred by the Governor. * * *
22. There is hereby established a body called the state Council of Ulama. * * *
25. The Council established under section 22 hereto shall have the following powers and functions: * * *
- (3) to advise Government on the establishment, functions, powers and composition of the Zakat and Endowment Board to cushion the effect of poverty in the state with a view to creating a conducive socio-economic environment for the implementation of Sharia in the state;
 - (4) to advise any authority or person on Islamic matters referred to it;
 - (5) to advise the Sharia Implementation Committee on the monitoring and assessment of the progress in the implementation of Sharia in the state;
 - (6) to advise any authority or person on Islamic law in relation to technological development and other matters;
 - (7) to advise government on the need to provide literature in audio, video and other forms for purposes of enlightenment and education of the people of the state on the principles and practice

The Sharia
Implementation
Committee
Powers and
functions

State Council of
Ulama

Powers and
functions

²⁵ Assented to by the Governor on 13 August, 2000. For details see *Documentary materials I* (The Sharia Courts and Their Judges). No gazetted copy available; copy signed by the Governor in the possession of the editor.

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of Sharia;
* * *

**d. From the schedules of duties of two Directorates of the Borno State
Ministry of Religious Affairs and Special Education²⁶**

The Directorate of Sharia

* * *

8. Ensure public enlightenment and persuasion so that people will pay zakat willingly and at the appropriate time.

The Directorate of Religious Affairs

* * *

16. Establishment of orphanages and *waqf*.

e. From interview reports to 2008

On research visits to Maiduguri in 2003, 2006 and 2008 inquiries were made about progress with the implementation of the Zakat and Endowment Board Law. Right up to March 2008, we were informed, the law still had not been implemented: no Board had yet even been appointed.

f. 2016 update

Interviews in Maiduguri in early 2016 confirmed that Borno's Zakat and Endowment Board Law has still not been implemented and no Board has been appointed. It was gathered that apart from the lack of political will from the political leaders, the breakdown of law and order occasioned by the activities of the *Jama'atu Abli Sunna Lidda'awati Wal-Jihad* (Boko Haram), may have also contributed to the disoriented state of zakat in the state.²⁷ However, with the security situation getting better, some private citizens are making effort to seeing that a Board is established.²⁸

²⁶ For further details of the Ministry and its Directorates, see *Documentary materials on Councils of Ulama and Related Bodies*) section 2.

²⁷ The activities of Boko Haram impacted negatively on the socio-economic conditions of the ordinary residents of Borno state. Businesses and other form of economic activities such as farming, fishing etc. all came to a halt.

²⁸ This information is derived from interview conducted on 11 June, 2016 with Mallam Muhammadu Abdullahi, Director, Religious Affairs (Borno State Ministry of Religious Affairs), in Maiduguri by Danladi Aliyu.

GOMBE STATE

3.

Gombe State

a. Information to 2008

Researchers for this project visited Gombe State in February and May 2003 and in May 2006; and in February 2008 an official of the Gombe State Sharia Court of Appeal was interviewed in Jos. The reports over that entire period are consistent: there is no body, official or unofficial, collecting and distributing zakat in Gombe State. A few *waqfs* have been established, mostly related to the building of mosques or Islamiyya schools.

b. 2016 update

Interviews were again conducted in Gombe State in May 2016, with some former members of the Sharia Implementation Committee constituted by the Gombe state government in 2000 and with former members of an Independent Sharia Implementation Committee organised at about the same time, both of which no longer exist, as well as with officials of the state's still-functioning Da'awah Council, an NGO. All confirm that there is still no formal or informal agency managing the collection and distribution of zakat in the state. However, there are unofficial organizations involved in *waqf* management. An example is the Da'awah Committee headquartered at Jeka Dafari Juma'at Mosque in Gombe. The Committee started as the Independent Committee on Sharia Implementation, already mentioned, which championed the agitation for the full implementation of Sharia in Gombe State. The Da'awah Committee have established endowments in form of schools and orphanages, and also provide medical services to the less privileged. In addition the Committee has a private hisbah group in Gombe.

4.

Jigawa State

a. The Zakat Collection and Distribution Committee Law, 2000

(1) Text of the law:

A LAW TO ESTABLISH A COMMITTEE IN THE STATE FOR THE PURPOSE OF COLLECTION AND DISTRIBUTION OF ZAKAT AND FOR A MATTER RELATED THERETO²⁹

Arrangement of sections:

- | | |
|-------------------------------|---------------------------------------|
| 1. Citation and commencement. | 6. Power to substitute subcommittees. |
| 2. Interpretation. | 7. Secretary and other staff. |
| 3. Establishment. | 8. Funds account and audit. |
| 4. Composition. | 9. Zakat recoverable as civil debt. |
| 5. Functions | 10. Governor's directives. |

BE IT ENACTED by House of Assembly as follows:

1. This Law may be cited as Zakat Collection and Distribution Committee Law 2000 and shall come into operation on 27th day of December 2000.
2. In this Law unless the context otherwise requires:
 - “beneficiary” means any person who by assessment of the committee is entitled to receive zakat in accordance with the injunctions of Islam.
 - “eligible person” means any person who by assessment of the committee is eligible to pay zakat.
 - “Governor” means the Governor of Jigawa State.
 - “Emirate Zakat Committee” means the committee responsible for the assessment, collection and distribution of zakat in any of the Emirates of the state.
 - “Emir” means the *amirul mumineen* of the Emirate.
 - “zakat” means such proportion of the wealth of an eligible person falling due as compulsory alms or due to the beneficiary.
3. There is hereby established in each Emirate of the state a Committee to be known as Emirate Zakat Committee each of which shall be a body corporate with powers to sue and be sued in its corporate name.
4. The Committee shall consist of:
 - (a) The Emir who shall be the Chairman, the Chief Imam of the Emirate headquarters, as well as the Chief Imams of all the Local Government Headquarters of the Emirate, plus five other persons of unquestionable character to be appointed by the Emirate.
 - (b) All Local Government Chairmen of the Emirate, all Commissioners and Special Advisers of the Emirate.
5. The Committee shall be responsible for:
 - (a) identification of eligible persons;
 - (b) assessment of the amount of zakat payable by eligible persons;
 - (c) collection of zakat from eligible persons; and
 - (d) distribution of zakat to beneficiaries in the Emirate of the state in accordance

²⁹ Jigawa State of Nigeria Gazette No. 13 Vol. 2, 27th December 2000.

with Islamic injunctions.

6. Each Committee shall have the power to constitute subcommittees and assign such of its functions and powers to subcommittees, as it deems necessary.
7. Each Committee shall appoint a secretary who shall be responsible for day-to-day running of its secretariat and perform such other functions as the Committee may assign.
8. (1) The funds of the Committee shall include grants from the state Government, Local Government of the Emirate which will be provided at the ratio of 40:60 percent of the budget of the Committee.
(2) Funds from any other lawful source could be part of the fund but shall not include the zakat collected by the Committee.
9. (1) Where an eligible person is assessed by the Committee to pay zakat and he refuses or neglects to pay, the Committee shall institute a civil action in Sharia Court and recover the assessed zakat.
(2) Where a Committee in an effort to recover the assessed zakat under subsection (1) above incurs expenditures, such expenses shall be recoverable from the person who refuses or neglects to pay.
10. The Governor may from time to time issue directives and guidelines to the Committee for the efficient discharge of its functions and the exercise of powers under this Law and the Committee shall give effect such directives and guidelines.

(2) Note on the application of §9:

In late 2002 the following news story appeared:

Pay Zakat or go to Jail

ThisDay

18 December 2002³⁰

Bala Nasir

Dutse

The Birnin-Kudu Zakat Committee in Jigawa State has said it would prosecute all those who failed to render zakat dues to it.

The Chairman of the Committee in the area, Alhaji Kabiru Muhammad Birnin Kudu, said in a statement made available to ThisDay that zakat is one of the pillars of Islam which believers must render if they truly subscribe to the religion. He said since the state had adopted the Sharia legal system [it] was mandatory upon Muslims to pay zakat as and when due. Any defaulter, he said, would be prosecuted in Sharia Court in accordance with the provisions of the code.

Kabiru said all zakat dues collected in the area would be distributed to the poor in the places of collection. He said the moment his Committee got clearance to distribute the zakat it would not hesitate to obey. All the money collected last year, running into thousands of naira, had been distributed to the poor, he said.

³⁰ Internet edition, downloaded from www.allafrica.com.

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He urged people to pay their zakat as enjoined by the Sharia law. Farmers, Kabiru said, are also expected to contribute their farm produce.

However, no actual court actions in Jigawa State for the recovery of zakat have been reported, and inquiries there in subsequent years also have not revealed any.

**b. Report of the Kano Zakat Committee on its September 2002
visit to Jigawa State**

In September 2002 the Zakat Committee of Kano State visited Jigawa State, having made appointments with the Emir of Dutse and officials of the Ministry of Religious Affairs, to discuss the administration of zakat in Jigawa State. The part of that report pertaining to Jigawa State is given next

JOINT REPORT ON THE VISITS TO JIGAWA AND ZAMFARA STATES BY THE KANO STATE
ZAKAT COMMITTEE: 26TH SEPTEMBER, 2002 AND 3RD OCTOBER, 2002 RESPECTIVELY
[SECTION ON JIGAWA STATE ONLY]³¹

1.0 Introduction

Following the establishment of Zakat Committee by the Kano State Government on Tuesday, May 28, 2002 members of the Committee instantly outlined four core issues for its immediate attention. These were, (a) articulation of appropriate organisational structure of the Committee, (b) drafting of appropriate provisions for a draft bill in respect of the State Zakat Committee, (c) articulation of appropriate position papers regarding the substantive issues concerning zakat, namely, agricultural produce, money and animals, (d) undertaking of educational visits to two Sharia states of Jigawa and Zamfara at the respective dates specified above.

2.0 Objectives

While the visits were predicated on the fact that the two States had established similar institutions of zakat for a number of years, it was also certain that the institutions in those States have already grown into full-fledged Councils/Boards. In these regards, the Kano State Zakat Committee, which was established barely three months ago, stands to gain a lot of experience from the sister institutions. Accordingly, the missions needed to obtain information from the main operators over there, their respective organisational set-ups, their methods of operations, documentation, successes and associated problems. These, it was believed, would enrich the Committee with the following principles:

- i. Mechanisms for effective organisational system;
- ii. Effective operational procedures;
- iii. Identification of foreseeable problems/solutions;
- iv. Successes so far recorded in the respective States.

³¹ The report (unfortunately with the section on Zamfara State missing) was generously supplied by Nasidi Abdullahi, the Secretary to the Zakat Committee created by Governor Kwankwaso in 2002, see section 6 below.

3.0 Jigawa State

The Committee visited Jigawa State on Thursday, 26 September, 2002. Prior to this date, however, the Secretary of the Committee had to go to Dutse twice to secure appointment with His Highness the Emir of Dutse, and the officials of the Ministry of Religious Affairs. While in Dutse, the Committee [were] received at the Emir's palace. After the usual courtesies, the Chairman of the State Zakat and Da'awah Committee, the Emir of Dutse Alh. Nuhu Muhammad Sanusi, explained the following:

4.0 Structure of the State Zakat Committee

- 4.1 **Emirate Council Committee:** This Committee formulates general policy for collection and distribution of zakat in the entire emirate.
- 4.2 **Local Government Committee:** It undertakes general assessment and collection through the District Head, Village Heads and Ward Heads.
- 4.3 **District Committees:** These Committees coordinate assessment and collection through the Village and Ward Heads.
- 4.4 **Village Committees:**
 - a. These Committees undertake local assessment of individuals and issue out demand notes through the Ward Heads.
 - b. They also undertake physical collection with assistance of the District Head and the Emirate Council.
- 4.5 **Ward Level Committees:**
 - a. Undertaking of census of eligible payers of zakat as well as conducting baseline survey of the approved categories of beneficiaries of zakat as outlined in the Holy Qur'an.
 - b. Ensuring custody of money and items collected in their respective areas for final distribution to the beneficiaries at appropriate times under effective supervision and documentation by representatives of the other Committees in the emirate.
 - c. Respective distributions are organised in respective villages/wards where the money or items are collected.

5.0 Records of Actual Zakat Collected (2000 and 2001)

[Tables entitled "Year 2000-2001 Collection Summary Table" and "Monetary Valuation Table" omitted: see the Jigawa reports in section 4.]

6.0 Basic Documents for Assessment and Collection of Zakat

- 6.1 **Assessment Form:**
 - a. Individuals identified for payment of zakat are first and foremost issued with this form (please see Appendix I)³² in which individuals will submit basic information regarding his financial and material wealth such as,

³² None of the appendices referred to in §§6.1-6.4 are attached to the part of the report provided.

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number of farm lands owned, number of cattle owned, cash balances, and values of other relevant items such as gold, silver etc. owned.

- b. The assessment form is attached with details on the respective *nisab* on each item (see pages 2 and 3 of Appendix I).
- 6.2 **Collection Form:** This form contains personal information of the person paying the zakat, as well as specific quantities of items issued out as zakat (see Appendix II).
- 6.3 **Distribution Form:** This form is being used for actual distribution in each particular area (see Appendix III). It contains information regarding name, location and nature of the recipient's disability. It however contains records of items given to individual recipients.
- 6.4 **Certification:** Individuals who complied with appropriate payment of zakat are always issued with receipt and certificate showing one's compliance with the annual requirements as prescribed by Allah (SWT) (see Appendix IV).

7.0 Subcommittees

Each level committee has two main subcommittees, namely:

- a. Assessment Subcommittee, and
- b. Collection Subcommittee.

8.0 Other Features

- 8.1 Jigawa State Government had initially made a law through the appropriate legislative process. This law, known as Jigawa State Laws on Zakat & Da'awah 2000³³ empowered the above-mentioned structure to function effectively through various provisions. Prominently, a certain provision in the law has empowered the committees to COMPEL appropriate compliance from any person deemed fit to pay zakat.
- 8.2 Absolute involvement of the emirate/traditional system is the hallmark of success of zakat operation in Jigawa State.
- 8.3 Jigawa State Government granted a sum of eleven million naira (₦11 million) for the effective take-off of the committees in the State. All infrastructural facilities were procured, and all needed/identified manpower personnel and vehicles were provided. Above all, a Ministry of Religious Affairs staffed with sufficient manpower is there to assist the emirates.
- 8.4 Intensive enlightenment campaigns and intensive involvement of many other identifiable *ulama* in the localities greatly assist the operations. In this way all likely opponents of the Government involvement in zakat administration are carried along.
- 8.5 Undertaken numerous visits to the well-to-do members of the society with a view to constantly keeping them informed on how the proceeds of zakat are

³³ Sic: the law is rather the Zakat Collection and Distribution Committee Law 2000, see section a above.

distributed among the needy segment of the population. In addition, the committees undertake various publications for public enlightenment.

[This is where the part of the report which we obtained breaks off.]

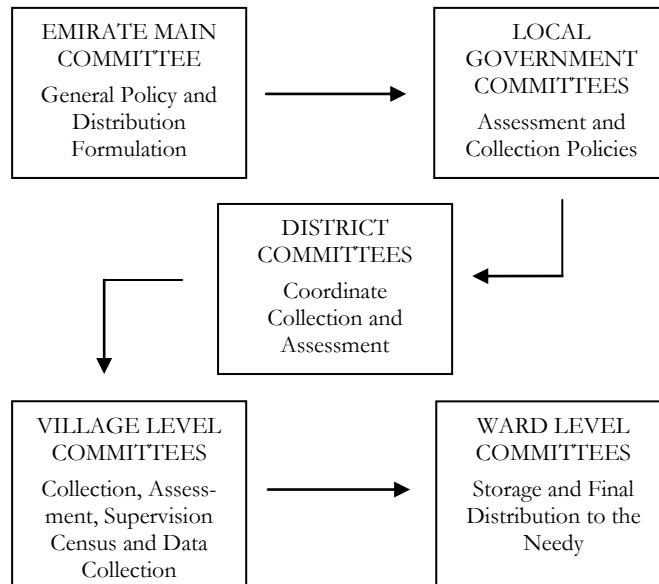
c. Early reports of the Dutse Emirate Zakat & Da’awah Committee

The Zakat and Da’awah Committee of Dutse Emirate, under the chairmanship of His Royal Highness Alh. (Dr.) Nuhu Muhammadu Sanusi, the Emir of Dutse, has been particularly regular in the production and publication of annual reports on the collection and distribution of zakat in the Emirate. The level of detail in these reports makes possible many sorts of analysis, as, for example, year-on-year comparisons of amounts of zakat collected by type (grains, livestock, money) and by district within the emirate; such analysis is no doubt in turn used by the Emirate Committee to spot problem areas and to encourage healthy competition among the districts. A number of these reports were generously supplied for use in this work. The following are reproduced here: (1) most of the report for 1421 AH (April 2000 to March 2001), (2) most of the report for 1423 AH (March 2002 to March 2003, and (3) the Chairman’s introduction to the report for 1424 and 1425 AH (March 2003 to February 2004 and February 2004 to February 2005), and (4) a summary of collections for all years for which we were given reports.

(1) End of Year 2000 (1421 AH) Report:

[Ed. note: this 52-page pamphlet opens with photos of His Excellency, Alh. Ibrahim Saminu Turaki, the then-Executive Governor of Jigawa State, and His Royal Highness Alh. (Dr.) Nuhu Muhammadu Sanusi, Emir of Dutse and Chairman, Zakat Da’awah Committee, Dutse Emirate. The text is then as follows.]

1. Committee Structure



2. Dutse Emirate Zakat Committee Report End of the Year 1421 AH

Message:

Bismillahir rabmanir rabim.

All praises be to Allah, the Lord of the Universe. We bear witness that Muhammad is his servant and messenger.

Since the establishment of this Committee by His Excellency the Governor of Jigawa State Alhaji Ibrahim Saminu Turaki last year, we have been inundated with requests to publish our activities for the benefit of others who may wish to set up similar system of zakat collection and distribution.

Alhamdu lillah, today we are fulfilling those requests from our Muslim brothers particularly from Zamfara, Yobe and Katsina States.

In this write-up we shall endeavour to shed some light on the problems and successes we have recorded and to answer some basic questions frequently asked by the many similar committees that visited us during the year.

1. What problems did you encounter?
2. How did you solve them?
3. How did you reach all segments of society?
4. What is the outcome of your efforts?

It is hoped this publication will shed more light on the activities of the committee for the benefit of those that still have misgivings as regards to the efficacy of the Committee's work.

It is worthy of note to those reading this material to understand that our resources or funds come from two sources.

- a) Governmental (State and Local Governments)
- b) Zakat (from individuals and corporate bodies).

Governmental sources are treated as *wakaf*³⁴ and therefore do not strictly fall within the zakat category. It is the fund that is used for the support of Islamic organisations and activities such as construction of Islamic schools, water wells, and mosques.

May Allah guide us in the right path ameen.

Our efforts may not have materialised without the personal support of His Excellency the Executive Governor of Jigawa State, whose interest in our work transcends the normal call of duty. May Allah (SWT) reward his efforts ameen.

Chairman

3. Introduction

Zakat occupies the third position out of the five pillars of Islam, after activities of faith and *salat* (prayer). It is always associated with prayer as one is associated with bodily, the other with wealth sacrifices.

³⁴ *Wakaf*: Hausa form of *waqf*.

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The word *zakat* literally means both “purification” and “growth”. It is a term used for specific amount at a specific level and expended on specific people. In short it is that portion of a man’s wealth that is designated for the poor. It is obligatory on every free Muslim regardless (male or female, adult or minor) to pay *zakat* on “restricted items of wealth” or assets equal or in excess of *nisab*, provided it is held for one lunar year.

Despite the importance of *zakat* in Islam, many Muslims today do not care to pay their proper dues to the needy partly due to ignorance and/or the absence of honest collection bodies.

In Jigawa State we are grateful to His Excellency Governor Ibrahim Saminu Turaki whose personal efforts to establish these committees in all the five emirates coincided with the implementation of Sharia legal system in the State. May Allah reward his efforts in this regard ameen.

To ensure proper assessment of *zakatable* dues from individuals and corporate bodies, the Committee designed assessment, collection and distribution forms to help in executing its duties to Islam and Muslim *ummah*.

Basic Tenets

All the various schools of Islamic thought are in agreement that wealth subject to *zakat* must have the following characteristics:

- (a) Must be beneficial and rightful property of the payee.
- (b) Must have the capacity to grow in value.
- (c) Must be equal to or in excess of *nisab*.
- (d) Must be in excess of the basic needs.
- (e) Must have been held for more than one whole lunar year.
- (f) Must be unencumbered by debt (except on agricultural produce and livestock).
- (g) Must be paid immediately in its due time.

Beneficiaries of Zakat

Allah (SWT) has specified eight categories of persons eligible to benefit from *zakat* (Qur’an *Al-Taubah*: 60):

- (a) The poor (*al-fuqara*)³⁵
- (b) The needy (*al-masakin*)³⁶
- (c) The collectors of *zakat* (*amilina alaiha*)
- (d) New Islamic converts and those likely to accept Islam (*al-muallafatu qulubuhum*).
- (e) The slaves and captives for their freedom (*riqab*).
- (f) The debtors (living debtors not deceased) (*gharimina*).
- (g) The cause of the Almighty Allah (*jihad fi sabilillah*)
- (h) The wayfarers: travellers (*ibn-al-sabil*).

³⁵ Arabic *faqir* or *faqir*, pl. *fuqara*. Hausa *fakiri*, pl. *fakirai*. Bargery’s *Hausa-English Dictionary*: “An indigent, poverty-stricken person (not so poor as one called *matsiyaci*).”

³⁶ Arabic *miskin*, pl. *masakin*. Hausa *miskini*, pl. *miskinai*. Bargery: “A destitute person (= *matsiyaci*).”

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The whole zakat collected could be given to one individual or several individuals under one or several categories above, but our Committee has taken cognisance of the poverty level of our rural people and therefore opted for the latter.

[Inserted at this point in the booklet is a picture of the receipts issued by the Committee when zakat is given. The receipt is in Hausa with an Arabic caption.]

4. General View

Census

The Committee conducted at crucial stage a detailed enumeration of all eligible receivers and contributors of zakat in every ward/village within Dutse Emirate.

List of eligible contributors and receivers 1421 AH³⁷

S/N	KASAR HAKIMI (DISTRICT)	MAWADATA [The wealthy]		MABUKATA [The needy]			
		Masu kudi 'yan kasuwa ³⁸	Manoma a masu sana'a ³⁹	Guragu ⁴⁰	Kutare ⁴¹	Makafi ⁴²	Matalauta ⁴³
1.	Aujara/Garka	306	1,380	70	48	360	804
2.	Basirka	403	862	61	23	145	76
3.	Birin Kudu Sundimina	727	2,534	1,089	348	1,133	1,323
4.	Buji Gantsa	51	826	25	693	385	6
5.	Chamo	510	1,494	118	62	123	236
6.	Dutse Sakwaya	436	2,300	81	59	205	825
7.	Fagam	36	1,768	51	32	84	91
8.	Gwaram	255	1,117	96	81	245	457
9.	Iggi	183	1,447	11	5	16	467
10.	Jahun	378	3,310	137	282	516	1,025
11.	Kiyawa	376	3,196	97	103	207	1,332
12.	Miga Zareku	44	1,718	54	22	110	1,251
13.	Shuwarin	284	1,325	26	74	75	151
	Totals	3,989	23,217	1,916	1,832	3,604	8,044

Distribution (First Round, June 2000)

Within the first six months of activities the Committee was able to mobilise some funds from the State and Local Government, which was used to establish its programmes and carry out the first distribution exercise in the month of June 2000.

- (A) Area: Gwaram Local Government
Venue: Local Govt. Headquarters
Date/Time: Sat. 24/6/2000 10:00 a.m. – 5:00 p.m.

³⁷ The heading is repeated in Hausa, with the name of the Committee, all omitted here.

³⁸ The wealthy; traders and merchants.

³⁹ Farmers; artisans and craftsmen

⁴⁰ The lame or crippled.

⁴¹ Lepers.

⁴² The blind.

⁴³ The poor, i.e. including *fakirai* and *miskinai*.

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Beneficiaries:

- (i) 982 *fuqara*⁴⁴ and *ulama* each received the sum of ₦530.00
- (ii) 330 *masakin*⁴⁵ and disabled each received one 100kg bag of maize and ₦1,000.00
- (iii) 30 Local Government Area Committee members each received ₦1,000.00.

- (B) Area: Jahun Local Government
Venue: Jahun Govt. Headquarters and D/Heads Office Aujara
Date/Time: Saturday/ Sunday, 1 and 2 July 2000 10:00 a.m. – 4:00 p.m.

Beneficiaries:

- (i) 1,584 *fuqara* and *ulama* each received the sum of ₦300.00
- (ii) 330 *masakin*/disabled each received 100kg bag of sorghum and ₦1,000.00
- (iii) 30 Member Local Government Area Committee each received ₦1,000.00.

- (C) Area: Miga Local Government
Venue: Miga Govt. Headquarters
Date/Time: Saturday 8/7/2000 11:00 a.m. – 7:00 p.m.

Beneficiaries:

- (i) 812 *fuqara* and *ulama* each received the sum of ₦500.00
- (ii) 330 *masakin* and disabled each received a bag of millet 100kg [and] ₦1,000.00
- (iii) 30 Member Local Government Area Committee each received ₦1,000.00.

- (D) Area: Birnin Kudu Local Government
Venue: Birnin Kudu Govt. Headquarters and D/Heads Office Iggi
Date/Time: Saturday 5 and 6 August 2000 10:00 a.m. – 4:00 p.m.

Beneficiaries:

- (i) 2002 *fuqara* and *ulama* each received the sum of ₦250.00
- (ii) 330 *masakin* and disabled each received the sum of ₦1,000.00 and 100kg bag of sorghum.
- (iii) 30 Member Local Government Area Committee each received ₦1,000.00.

- (E) Area: Kiyawa Local Government
Venue: District Head's Office Kiyawa
Date/Time: Saturday 21/7/2000 9:00 a.m. – 5:00 p.m.

Beneficiaries:

⁴⁴ Here and in the following subsections (B) through (G), spelled *fikara'u*.

⁴⁵ Here and in the following subsections (B) through (G), spelled *misakin*.

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- (i) 283 *fugara* and *ulama* each received the sum of ₦350.00
 - (ii) 330 *masakin*/disabled each received the sum of ₦1,000.00 and 100kg bag of millet.
 - (iii) 30 Member Local Government Area Committee each received ₦1,000.00.
- (F) Area: Dutse Local Government
Venue: Dutse Local Government Headquarters and Chamo Primary School
Date/Time: Saturday/Sunday 12/13 August 2000 9:00 a.m. – 4:00 p.m.
Beneficiaries:
- (i) 1,376 *fugara* and *ulama* each received the sum of ₦300.00
 - (ii) 330 *masakin*/disabled each received the sum of ₦500.00 and 50kg bag of millet.
 - (iii) 30 Member Local Government Area Committee each received ₦1,000.00.
- (G) Area: Buji Local Government
Venue: [Local Government] Headquarter
Date/Time: Saturday 9/6/2000 and 12/8/2000 10:00 a.m. – 5:00 p.m.
Beneficiaries:
- (i) 428 *fugara* and *ulama* each received the sum of ₦1,000.00
 - (ii) 330 *masakin*/disabled each received the sum of ₦500.00 and 8 yards clothing materials.

Other Activities

Besides the distribution of grains, cash and clothing materials to the needy, funded with the State Government takeoff grant and assistance from all the seven Local Governments in Dutse Emirate, the Committee was able to undertake other activities with the surplus funds (*wakaf*).

- (a) Special grains distribution. 200 bags of maize to each Local Government (1,400 bags) were distributed to the needy on the day the State Governor launched Sharia legal system in Jigawa, August 2, 2000. Total amount: ₦2,000,000.00
- (b) Building of office block Islamic Centre at Dutse. We were able to build five-room office block, reception room and nine classrooms fully fenced and secure at the cost of ₦8,800,000.00 excluding furniture.
- (c) Building of mosques/Islamiyya schools and water wells. During the period we were able to build and commission one mosque, one Islamiyya school and one water concrete well in each of the following villages in B/Kudu Local Government: Chadiya, Marmara Jabur and Jangargari. Each of these villages was originally habited by idol worshippers. Total amount: ₦2,000,000.00.
- (d) Building of Muslim female NYSC hostel and mosque at Dutse. We were able to construct and commission six bedrooms and a mosque for female NYSC members,

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to ease the difficulties such members encounter each session at the State capital.
Total amount: ₦2,300,000.00.

(e) Vehicles.

- i) We were able to purchase one (1) Ford bus and received from His Excellency one (1) Toyota bus for our *da'awah* activities.
- ii) We also received one (1) bus each from B/Kudu and Buji Gwaram, Kigawa, Jahm Dutse and Miga Local Governments as their contribution to their respective Local Government Committees. These nine vehicles made our committee work less difficult. Estimate costs: ₦5,400,000.00.

(f) Auxiliary equipments for the disabled persons/hospitals.

- i) Dutse General Hospital benefitted with equipments, drugs, generator repair as part of our effort during the year (₦1,200,000.00).
- ii) We were able to purchase the following equipments and distributed to the disabled persons:

70 imported wheel chairs
10 pairs imported aluminium crutches
10 pairs imported wooden crutches
20 pairs imported aluminium elbows

Total cost: ₦8,660,000.00.

(g) Islamic literature books/pamphlets were printed and distributed free of charge to public including stationary. ₦1,050,696.00.

(h) Da'awah. *Da'awah* work has been pursued with vigour. The Committee embarked on village-to-village seminars on Sharia and zakat. A subcommittee spent most part of the year organising and calling people to support Sharia legal system by paying their zakat according to Islamic injunctions.

Second Quarter Enlightenment Tour Time-Table

Joint Enlightenment Committee Tour on Sharia and Da'awah in Dutse Emirate

S/N	DISTRICTS	DAY AND DATE	MONTH
1.	Aujara	Saturday and Sunday 24-25	March 2001
2.	Birnin Kudu	Saturday and Sunday 31-1	April 2001
3.	Buji	Saturday and Sunday 7-8	April 2001
4.	Basirka	Saturday and Sunday 14-15	April 2001
5.	Chamo	Saturday and Sunday 21-22	April 2001
6.	Miga	Saturday and Sunday 28-29	April 2001
7.	Fagam	Saturday and Sunday 5-6	May 2001
8.	Gantsa	Saturday and Sunday 12-13	May 2001
9.	Gunka	Saturday and Sunday 19-20	May 2001
10.	Sundimina	Saturday and Sunday 26-27	May 2001
11.	Iggi	Saturday and Sunday 2-3	June 2001
12.	Jahun	Saturday and Sunday 9-10	June 2001
13.	Kiyawa	Saturday and Sunday 16-17	June 2001
14.	Sakwaya	Saturday and Sunday 23-24	June 2001
15.	Dutse	Saturday and Sunday 30-01	July 2001

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16.	Shuwarin	Saturday and Sunday 7-8	July 2001
17.	Gwaram	Saturday and Sunday 14-15	July 2001
18.	Zareku	Saturday and Sunday 21-22	July 2001
19.	Wurno	Saturday and Sunday 28-29	July 2001

- (i) Radio programmes. The Committee has sponsored two half-hourly radio programmes a week with Radio Jigawa since last year. The program is meant to augment the efforts of *da'awah* work undertaken by the Committee. Total amount expended: ₦520,000.00

5. Collection

The Committee through ward/village and district heads was able to make substantial collection of farm produce at the end of the rainy season (December 2000). Estimated cost [sic: value?]: ₦27,382,520,000.00.

Dutse Emirate Zakat Committee (1421 AH)
Farm Produce, Livestock Collections

Summary Table I⁴⁶

District	Dawa ⁴⁷			Gero ⁴⁸			Gyada ⁴⁹		Shinkafa ⁵⁰	
	D/ Dawa	B/ Dawa	K/ Dawa	Damin Gero	B/ Gero	K/ Gero	B/ Gyada	K/ Gyada	Buhun S/kafa	K/ S/kafa
Aujara	264	3		743.5	10		1.5	12	8	5
Basirka	596	26.5	6	6	1.5	12	8.5			10
B/Kudu	1250	12.5	9	41	19	6.5	57		2	
Buji	208.5	139	7	483	216.5	18	16.5	1	5	
Chamo	30	2		3521			2			
Dutse	1919			938			1	10	3	
Fagam	3418	77.5		418.5	3		265.5		8	
Gwaram	1019	39	13	63.5	2	10	8	5	2	12
Iggi	523.5	148	16	15	1		54.5		30.5	12
Jahun	755		1	785	2	3				
Kiyawa	3283			3818			4	7	1	5
Miga	458	32.5		299	17.5	18	1		10.5	
Shuwarin	444			596						
Totals	14168	481	52	11727.5	274	67.5	420	35	70	44

Summary Table II

District	Wake ⁵¹	Masara ⁵²	Ridi ⁵³	Dabbobi ⁵⁴	Kudi ⁵⁵
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⁴⁶ In this and the following table some of the totals have been corrected to add to the totals of the numbers entered.

⁴⁷ Sorghum. The different measures are: D = *dami* = bundle; B = *buhu* = bag or sack; K = *kwano* = *mudu* = a standard-size metal basin use as a measure.

⁴⁸ Millet.

⁴⁹ Groundnuts.

⁵⁰ Rice.

⁵¹ Beans.

⁵² Maize.

⁵³ Beniseed.

⁵⁴ Livestock.

⁵⁵ Money.

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	B/ Wake	K/ Wake	B/ Masara	K/ Masara	B/ Ridi	K/ Ridi	Shanu ⁵⁶	Awaki ⁵⁷	₦
Aujara		3.5				10			100
Basirka									67,450
B/Kudu									69,600
Buji	1.5								104,000
Chamo							2		43,500
Dutse		1							240,000
Fagam	3.5		8				1		257,890
Gwaram	1	2							106,500
Iggi	2								7,300
Jahun							2		0
Kiyawa	3.5	4					9	40	332,800
Miga	2.5	3							23,850
Shuwarin									140,000
Totals	14	13.5	8			10	14	40	1,392,990

6. Distribution (Second round, January 2001)

The Committee collected and distributed the following:

- (a) Sorghum 14,168 bundles and 481 bags
- (b) Millet 11,727 bundles and 274 bags
- (c) Groundnuts 420 bags
- (d) Rice 72 bags
- (e) Beans 15 bags
- (f) Maize 8 bags
- (g) Cattle 14
- (h) Goats/sheep 40
- (i) Cash ₦1,284,990

The formula adopted in the distribution was based on the injunctions and partly based on the realities of our local situation, based on the following guidelines:

1. Every collection must be distributed within the area or locality collected. This is to safeguard any form of pilferage or theft in transit.
2. A member of the Main Committee is assigned to each Local Government Committee to ensure strict adherence to the following guidelines:
 - (a) 10% of total collection to *al-fuqara*
 - (b) 50% of total collection to *masakin*
 - (c) 30% of total collection to *fisabilillah*
 - (d) 5% of total collection to Muslim converts and wayfarers
 - (e) 5% of total collection to *amilina alaiha*.
3. In order to encourage collectors of zakat and create healthy competition between various communities, the Committee with the cash support of His Excellency Governor Ibrahim Saminu Turaki distributed the sum of three million naira (₦3,000,000.00):
 - (a) The best District Head: *haji* pair or cash equivalent ₦250,000.

⁵⁶ Cattle.

⁵⁷ Sheep and goats.

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- (b) The best Village Head: motorcycle or cash equivalent ₦100,000.
- (c) The best Ward Head: a horse or cash equivalent ₦50,000.
- (d) The second best District Head: ₦200,000 cash.
- (e) The third best District Head: ₦150,000 cash.
- (f) 10 other District Heads: ₦100,000 each.
- (g) Main Committee members: ₦1,000,000.
- (h) Thirteen horses (one to the best Village Head in each district): ₦650,000.
- (i) Thirteen radio cassette players (one to the best Ward Head in each district): ₦325,000.

7. Committees as at end of year 1421 AH

To ensure a successful take-off a powerful central committee was formed at the emirate level. [Here follows the list of the fourteen initial members of the Committee, with HRH The Emir of Dutse, Alh. (Dr.) Nuhu M. Sanusi, as the Chairman.] Later three other very influential members were co-opted into the Committee. They were: [names omitted]. However, following the installation of two members [names omitted] as District Heads of Sakwaya and Gunka respectively, [they] were replaced by two other able persons in the names of [names omitted].

8. Local Government Committees

Considering the vast nature of the zakat collection and distribution exercise it was found very necessary to form subcommittees in each Local Government Area. Thus the committees were formed to include IMAMS, ALARAMMAS,⁵⁸ THE WEALTHY, JAUROS⁵⁹ and VILLAGE HEADS, with a District Head as chairman and a secretary and public relations officer appointed by the respective Local Government Councils.

Each committee was formed with at least thirty (30) members and was further divided into two: assessment and collection committees. Where a Local Government Area had more than one district the membership was equally divided among the districts and one of the District Heads as chairman.

The following is the list of the members of the Local Government subcommittees: [names omitted].

Workings of the committees

Each committee at Local Government level is divided into three:

- (a) Assessment – responsible for assessment.
- (b) Collection – responsible for collection based on assessment.
- (c) Distribution – in association with the Main Committee is responsible for the distribution of all collections.

⁵⁸ *Alaramma*: one who has memorized the entire Qur'an.

⁵⁹ *Jauro*: Fulfulde word for ward head/community leader.

9. **Assessment Form**
10. **Collection Form**
11. **Distribution Form**
- } [Inserted at this point in the booklet are pictures of the indicated forms, which are in Hausa. They are described in the report of the Kano State Zakat Committee on its visit to Jigawa State, section 6 below.]

12. A Bill for a Law to Establish a Committee in the State for the Purpose of Collection and Distribution of Zakat, and for Matters Related Thereto.

[The Jigawa State Zakat Collection and Distribution Committee Law reproduced in section a above is given at this place in the pamphlet.]

13, 14.

[These parts of the pamphlet are letters from the Zamfara State Zakat Collection, Distribution and Endowment Board and the Yobe State Sharia Implementation Coordination and Monitoring Committee, expressing appreciation for the hospitality and cooperation extended to them by the Dutse Emirate Zakat & Da'awah Committee when they visited Dutse to see how zakat was being managed there.]

(2) Dutse Emirate Zakat & Da'awah Committee End of Year 2002 (1423 AH) Report:

[Like the Report for 2000, this 12-page pamphlet opens with photos of His Excellency, Alh. Ibrahim Saminu Turaki, Executive Governor of Jigawa State, and His Royal Highness Alh. (Dr.) Nuhu Muhammadu Sanusi, Emir of Dutse and Chairman, Zakat & Da'awah Committee, Dutse Emirate.]

Committee Structure

[Here is given the same chart as in Part 1 of the Year 2000 Report, shown above.]

Bissimillahi rahamanu rabeem.

Our gratitude to Allah (SWT) for sparing our lives to witness the end of the year 1423 AH which marks the end of our zakat year; and the third time we are distributing zakat proceeds to the needy.

Our total collection for the year valued at ₦75,458,000.00⁶⁰ is a clear testimony of the readiness of Muslim *ummah* in Nigeria to pay the zakat dues provided they are reassured that the same is distributed to the needy. We have gradually been able to win the confidence of our people and even letters [sic] beyond our borders.

In the year 1421 AH our total collection is valued at a little over ₦26 million. The following year 1422 AH the total value of our collection was over ₦51 million. This is a very remarkable increase of people's awareness and commitment to this third most important pillar of Islam.

One of the most supposing [sic: surprising?] collections this year was from a Lagosian who met a Jigawa State High Court judge in the plane from Banjul/Gambia to Lagos. When he heard that the judge is from Jigawa State, he asked him whether he

⁶⁰ The text has "₦75,458.00", but this is obviously far too low and is inconsistent with the chart showing total estimated value of grains, animals and cash collected for the years 2000, 2001 and 2002 given subsequently.

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knows the Chairman Dutse Emirate Zakat Committee, and if he is willing to assist him in delivering his zakat to Dutse. The judge obliged and brought his zakat to us. May Allah SWT increase his wealth, ameen.

In view of the reduction of *masakin*⁶¹ in our communities, we have this year reduced the percentage given to this class and increased the others accordingly. We hope the members of both *masakin* and *fuqara* will continue to decline in the coming years.

Hisbah

[One]⁶² of our greatest achievements during the year is the establishment of Hisbah Committees at various levels from Ward [up to] emirate in the spirit of Sharia in our State.

Ward Committee

Each ward is encouraged to set up a Hisbah and Conflict Management [Committee].

1. Ward Head
2. Local imam or imams
3. Elders
4. Well-to-do
5. Youth
6. Hisbah commandant
7. Secretary

Village Level

Each village has set up a supervisory committee to look after the activities of the Ward Committees and to coordinate their activities in line with law. The committee:

1. Senior imam
2. Learned *ulama*
3. Inspector (*hisbah*), and
4. Secretary

District Level

Each district has set up a committee that is responsible for the overall supervision of the village-level committees and is empowered to work with the police in the procurement [sic: prevention?] and/or resolution of serious conflicts including in the committees' main responsibilities is the *da'awah* work [sic].

The committee is headed by the District Head and:

1. Chief Imam
2. At least five learned persons
3. Local Govt. Chairman or Deputy
4. DPO (Police) a representative
5. SSS representative

⁶¹ Spelled *miskeen* here and elsewhere in this report.

⁶² The text has the word 'Care' here, evidently a typographical error.

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6. Chief Commander (*bisbab*)
7. Secretary

Emirate Level

Committee is headed by the Emir and is responsible for the overall policy formulation, *fatwa* and training the operators. It is also responsible for liaison between government agencies and the various *bisbab* committees.

Overall work of *bisbab* as envisaged in Dutse Emirate are and not limited to:

1. Support the implementation of Sharia.
2. Educate and remind the public of the Sharia code and observances.
3. Conflict resolution between Muslims and between Muslims and non-Muslims.
4. Ensure that Muslims live and conduct themselves according to the dictates of Sharia.

The Emirate-level committee is composed of the Emir of Dutse [and]:

1. Ten learned *ulama*
2. Emirate Council members
3. General Commander (*bisbab*)
4. Secretary.

Code of Conduct

Every member is strictly expected to abide by the rules as enumerated in the Code of Conduct.

1. Must not humiliate anyone.
2. Must work with the law (Sharia).
3. Must not settle personal scores in the guise of Sharia.
4. Must cultivate good relationships with your community.
5. Must work with the community in finding solutions to problems.
6. Above all must have full *iman*.

Distribution Procedure

Category	1421 AH	1422 AH	1423 AH	% Total Collection ⁶³
<i>Masakin</i>	60%	50%	40%	
<i>Fuqara</i>	10%	10%	20%	
<i>Fi sabilillah</i>	20%	30%	20%	
Collectors	5%	5%	5%	
Converts/Travellers	5%	5%	5%	
Totals	100%	100%	100%	

Registered Recipients

Category	1421 AH	1422 AH	1423 AH	% Total Collection

⁶³ There are no entries for this column in the original, in this or the next table.

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<i>Masakin</i>	10,077	9,346	9,008	
<i>Fuqara</i>	7,429	8,032	10,786	
<i>Fi sabilillah</i>	6,228	5,763	5,571	
Collectors	1,828	923	327	
Converts/Travellers	1,327	1,544	1,629	
Total Beneficiaries ⁶⁴	26,889	25,608	27,321	

Once again I want to thank the good people of Dutse Emirate and indeed the Government of Jigawa State for making this exercise a great success and a pride to Muslim *ummah* (*Izakallah Hairan*).

Nuhu Mohammed Sanusi
Chairman

Summary of Dutse Emirate Zakat Collection for the Year 1423 AH

[There follow here tables like those in the report for 1421, showing collections of various kinds and measures of grains, of sheep and cattle, and of money, all by district within the emirate. The figures are summarised in subsection (4) below. There are then two charts, one showing “Yearly Grains Collection”, the other showing “Total Estimated Cost [i.e. value] of Grains, Animals and Cash Collected” for the years 2000/1421, 2001/1422, and 2002/1423. The first chart is difficult to decipher. The second shows the total estimated value of all collections as ₦26 million, ₦51 million and ₦75 million for the three years, respectively.]

(3) The Chairman’s introduction to the report for 1424 and 1425 AH

Bismillahir rahmanir rahim.

Praise be to Allah SWT, and prayers and peace be upon the Messenger of Allah, his family, his companions and those who follow his guidance. Out of the five pillars of Islam, zakat is the socio-financial one. By performing zakat, along with *tawhid* (belief in the oneness of Allah) and establishing prayers, a person becomes a Muslim.

As a member of the Muslim community, he or she deserves the brotherhood and allegiance of Muslims, as indicated by the Qur’anic verse (“But if they turn in repentance and establish prayer and pay zakat, they are your brothers in the *deen*.” Qur’an 9:11).

Even though zakat is usually mentioned with the acts of worship of Islam, such as prayers, it is in fact a part of socio-economic system of Islam. For that reason it is always difficult to administer.

In our case, our gratitude goes especially to the District Heads, Village Heads, Ward Heads, and of course the various committees at all levels that make our focus possible, from year to year.

Alhamdu lillah, we have recorded tremendous growth year by year as more and more people realise the importance of paying zakat as an obligation to all Muslims that possess *nisab*, over a one year period (₦156,000 this year).

⁶⁴ Totals inserted by the editor; they are omitted in the original.

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As a confirmed obligation from Allah SWT, zakat is not merely charity left to individuals to implement nor is its fulfilment dependent on the benevolence of the wealthy. Zakat is rather a social welfare institution supervised by the State and an organised tax administration (the Emirate Council).

The State's role in the collection and distribution of zakat is best supported by the *ayat* that mentions those who collect zakat (9:60) as one of the categories to whom zakat is distributed. This *ayat* is explicit evidence that there should be a specialised body with workers who derive their incomes from the work they do. Moreover, Allah SWT says "Take *sadaqa* from their wealth to purify and cleanse them" (9:103).

As for the Sunnah, there are hadiths that confirm that administration of zakat is one of the responsibilities of the Islamic State. May Allah increase the wealth of all you that paid their zakat as and when due. Ameen.

Alh. [Dr.] Nuhu Muhammad Sanusi

Emir of Dutse

Chairman, Dutse Emirate Zakat and Da'awah Committee

(4) Summary of collections for all years for which reports were provided:

Year	Grains ⁶⁵		Livestock		Money
	Bundles	Sacks	Sheep	Cattle	
1421	25,896	1,267	40	14	1,392,990
1422					
1423	68,380	721	225	354	898,080
1424	78,410	1,126	259	464	3,505,600
1425	50,375	462	170	404	3,414,000
1426	80,133	741	157	409	4,205,690
1427	78,087	982	180	445	5,865,800
1428	72,562	917	74	178	n/a

d. Zakat collection and distribution in Dutse Emirate 2009-2015

(1) Zakat collection

The process of zakat collection entails first identification of eligible zakat payers within the Emirate. In 2000 the Emirate zakat committee compiled the list of all potential eligible zakat payers and potential beneficiaries across the thirteen districts of the Emirate. The table below summarises the result. The expectation was that if every wealthy person paid his zakat every poor and needy within the Emirate would receive zakat. As we will see below, in 2009-2015 considerably more people received zakat than were estimated in 2000 to be eligible.

⁶⁵ Including millet, guinea corn, groundnuts, rice, beans and maize. Besides numbers for bundles and sacks, numbers for *mudus* are also sometimes but not always given. Blank cells indicate no data.

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TABLE 4.D.1: NUMBERS OF ELIGIBLE ZAKAT PAYERS AND BENEFICIARIES
IN THE 13 DISTRICTS OF DUTSE EMIRATE IN 2000⁶⁶

District	Wealthy		Poor and Needy			
	Businessmen	Farmers	Crippled	Lepers	Blind	Poor
Aujara/Garka	306	1,380	70	48	360	804
Basirka	403	862	61	23	145	76
Birnin Kudu Sundimina	727	2,534	1,089	348	1,133	1,323
Buji/ Gantsa	51	826	25	693	385	6
Chamo	510	1,494	118	62	123	236
Dutse Sakwaya	436	2,300	81	59	205	825
Fagam	36	1,768	51	32	84	91
Gwaram	255	1,117	96	81	245	457
Iggi	183	1,447	11	5	16	467
Jahun	378	3,310	137	282	516	1,025
Kiyawa	376	3,196	97	103	207	1,332
Miga Zareku	44	1,718	54	22	110	1,251
Shuwarin	284	1,325	26	74	75	151
Totals	3,989	23,277	1,916	1,832	3,604	8,044

After identification of the potential zakat payer he or she is given a collection form which will contain his bio-data, type of zakatable item, quantity, date of collection and the name of the person collecting. This exercise is carried out at the Village/Ward level. Lastly, the zakat payer is issued a certificate of zakat payment.

TABLE 4.D.2: ZAKAT COLLECTION IN DUTSE EMIRATE 2009-2015⁶⁷

Year	Farm Produce			Livestock	Cash
	Bundles	Bags	Mudus	Head	(₦)
2009	72,186	911	232	529	13,078,462
2010	71,472	886.5	409	335	22,315,649
2011	69,166	1,295	395	486	24,211,675
2012	69,720	1,390	111	469	25,592,000
2013	62,942	2,027	529	436	31,998,475
2014	63,716	1,890	111	262	12,123,453
2015	52,637	1,918	130	344	7,879,401
Totals	461,839	10,317	1,917	2,861	137,199,115

As Table 4.d.2 shows, there are three predominant items collected as zakat: farm produce, livestock, and cash. Farm produce are kept at the ward level while livestock are sold and the monies realised are added to the cash collection and handed over to the District Head who in turn deposits it into the zakat account domiciled with a Micro Finance Bank in Dutse and the deposit slip sent to the *Sa'i* for his record. Regarding

⁶⁶ Source: Dutse Emirate Zakat and *Da'awah* Committee Report, 2001.

⁶⁷ Source: compiled from data supplied by the Dutse Emirate Zakat and *Da'awah* Committee in 2016.

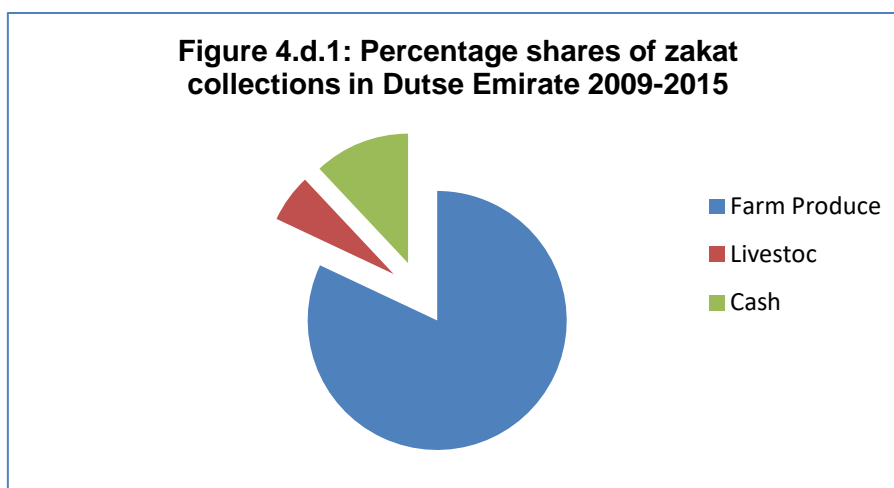
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farm produce, each district will then write formally to notify the *Sa'i* the type and quantity of items collected. To verify the cash collections the *Sa'i* simply matches the face value of the deposit slips with the bank statement obtained for that purpose. For the farm produce the *Sa'i* carries out on-the-spot verification across the districts to ascertain the type and quantity of items collected. After the verification, the *Sa'i* then writes a report to the Emir notifying him of collections by the various districts indicating the highest collecting district as well as the lowest collecting district. The Emirate Council meets to approve all the collections and praise the highest collecting district while at the same time encouraging the lowest collecting district to do more next time.

The record of collections from 2009 to 2015 by the Dutse Emirate Zakat Committee shows that farm produce in monetary terms represented the highest zakatable item in the emirate. As table 4.d.3 shows, in monetary value, farm produce accounted for 82% of total collections from 2009 to 2015 while livestock and cash accounted for 6% and 12% respectively over the same period.

TABLE 4.D.3: VALUE IN CASH OF ZAKAT COLLECTIONS IN DUTSE EMIRATE 2009-2015

Year	Farm Produce (₦)	Livestock (₦)	Cash (₦)	Yearly totals
2009	150,231,236	11,591,288	13,078,462	174,900,986
2010	125,570,000	7,340,420	22,315,649	155,226,069
2011	140,582,000	10,649,086	24,211,675	175,442,761
2012	159,621,234	10,276,587	25,592,000	195,489,821
2013	167,218,119	9,553,500	31,998,475	208,770,094
2014	90,696,098	5,740,865	12,123,453	108,560,416
2015	105,730,260	7,537,624	7,879,401	121,147,285
Totals 2009-2015	939,648,947	62,689,370	137,199,115	1,139,537,432
%s of grand total collected 2009-2015	82%	6%	12%	100%



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The total collection shows increasing trend from 2009 peaking in 2013 and then declining quite seriously after that. Generally, Dutse Emirate not only shows a promising prospect of zakat collection in Nigeria but also provides a good example of how zakat collection processes should be managed.

(2) Zakat distribution

Once zakat collection has been concluded and the report of total collection by each district is made to the Emir, the Emir will convene a council meeting to deliberate on the report and approve a date for the launching of the distribution exercise emirate-wide. The Emir has the privilege to decide on the venue of the launching, usually, at the highest collecting district as a mark of honour or at the lowest collecting district to encourage them to do more. He equally supervises the general launching ceremony while appointing committees from his councillors to supervise the actual distribution exercises at the district levels.

Distribution of grains usually commenced around January or February of every year. Distribution of cash takes place around June/July of every year. Collection for a particular year is distributed in the succeeding year.

Each District Head through their Village Heads generate lists of eligible beneficiaries that would benefit from zakat collected from their villages. Every collection is distributed within the locality collected. While all the eight categories of zakat beneficiaries mentioned in the Holy Qur'an are eligible to benefit, the committees place priority on the following categories and in the proportions shown in Table 4.d.4 below.

TABLE 4.D.4: PROPORTION OF ZAKAT DISTRIBUTION
TO DIFFERENT CATEGORIES OF BENEFICIARIES

Categories of Beneficiaries	Percentage Share
<i>Fukara</i>	37%
<i>Masakin</i>	25%
<i>Fisabilillah</i>	23%
<i>Amilina Alaiba</i>	15%
Total	100%

The general policy is to ensure that at least a beneficiary gets minimum of ₦10,000 or a bag of grain or both. In a particular town in Kiyawa Local Government the men there felt they are not eligible to benefit from zakat since they are fully engage in farming and petty trading. In that town the whole zakat items were distributed to the women and each got at least twelve 100kg bags of grains.

In the distribution of zakat to beneficiaries the committee does not separate the beneficiaries in terms of gender. However, it is estimated that women form the bulk of the beneficiaries. On the whole a total of 174,042 persons benefited from zakat distributed by the Dutse Emirate Zakat Committee in seven years.

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TABLE 4.D.5: ZAKAT DISTRIBUTION IN DUTSE EMIRATE COUNCIL 2009-2015

Year	Total collections (₦)	Total beneficiaries
2009	174,900,986	24,231
2010	155,226,069	25,752
2011	175,442,761	28,000
2012	195,489,821	22,000
2013	208,770,094	26,552
2014	108,560,416	23,827
2015	121,147,285	23,680
Total	1,139,537,432	174,042

The average number of beneficiaries during 2009-2015 (24,863 persons) is significantly higher than the number of potential beneficiaries estimated in 2000 (15,396 persons, see Table 4.d.1). The reasons for this may have to do with increasing populations, increasing poverty, and/or better than expected collections.

This is not to say that all eligible payers voluntarily pay their zakat. There are a number of people who would rather pay only when the enforcement mechanism is invoked. However, the enforcement mechanism usually is more often invoked on the Fulani cattle breeders who sometimes run away to other neighbouring states to evade zakat payment. According to the *Sa'in* Dutse, Alhaji Abdu Boyi⁶⁸, some defaulters have been taken to the court of law and they have been compelled to pay. This point was further emphasized by the *Galadiman* Dutse, Alhaji Basiru Sunusi⁶⁹ when he pointed out the readiness of the committee to prosecute any wealthy person (s) that refused to pay their due zakat.

e. Waqf management in Dutse Emirate

In Dutse Emirate the Emirate zakat committee is responsible for the management of endowments. The sources of endowment funds include state and LG grants, corporate donations and individual contributions. Endowments go to settling patients medical bills, building of masjid, building Islamiyya schools, building of *da'awah* offices, purchase of vehicles for *da'awah* activities, buying of Islamic literature, assistance to the disabled and others. The table below shows actual items of endowment and their monetary equivalent as established by the Dutse Emirate Committee; all endowments listed were established with funds received from state and local governments. There are other individuals' endowments of masjid, hospitals, Islamiyya schools and houses spread across the Emirate.

TABLE 4.D.6: LIST OF ENDOWMENTS SPREAD ACROSS DUTSE EMIRATE COUNCIL

S/No.	Item	Description	Value of item (₦)
1.	Grains	200 bags of grains were bought and given	2,000,000.00

⁶⁸ He was interviewed in Dutse on 16 June, 2016 by Danladi Aliyu

⁶⁹ The researcher was introduced to the Galadima by *Sa'in* Dutse on 16 June, 2016 at the *Emirate* Council Office.

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	Distribution	to each one of the seven LG Areas	
2.	Office block Islamic Centre	Five room office block with reception room and nine classrooms fully fenced were built in Dutse	8,800,000.00
3.	Building OF Masjid, Islamiyya and Water Well	One Masjid, Islamiyya school and a well were each built and commissioned in four villages of Chadiya, Marmara, Jabur and Jangargari in Birnin Kudu LGA	2,000,000.00
4.	Female Muslims Hostel and Masjid	Six bedroom of Muslims female NYSC hostel in Dutse	2,300,000.00
5.	Purchase of nine Vehicles	One bus purchased by the Committee and one bus was each donated to the Committee by Alh Saminu Turaki and 7 local government areas of Jahun, B/Kudu, Buji, Gwaram, Kijawa, Dutse and Miga.	5,400,000.00
6.	Equipment for the Disabled	70 wheel chairs; 10 pairs aluminium crouches; 10 pairs wooden crouches; 20 pairs aluminium elbow.	8,600,000.00
7.	Hospitals assistance	Purchase of drugs and generator repairs for Dutse General Hospital	1,200,000.00
8.	Books and Pamphlet	Islamic literature and pamphlet were printed and distributed free of charge to public	1,050,696.00
9.	Radio programme	<i>Da'awah</i> work through Radio Jigawa	520,000.00
10	Total		31,870,696.00

f. The Gumel Emirate Zakat Committee

The Gumel Emirate Zakat Committee has a similar structure to the Dutse Emirate Committee, with LGA, District and Village/Ward committees. However, unlike the Dutse Emirate Committee that is headed by the Emir, in Gumel the committee is headed by the *Sa'in* Gumel and assisted by the *Galadiman* Gumel.

The collection process in Gumel is not as robust as that of the Dutse Emirate council. This is seen from the zakat collections recorded by the Gumel zakat committee. In 2014 and 2015 the committee only collected ninety seven (97) and 473 bags of grains respectively. Below is reproduced a written response received during a research visit to Gumel.

From the Written Response from Mallam Bulama S. Abubakar⁷⁰ obtained 16 June, 2016.

The Zakat Law provides powers to the zakat committees on collections and distribution

⁷⁰ Mallam Bulama is the Administrative Secretary of the Gumel Emirate Council as well as Secretary of the Emirate Zakat Committee.

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of zakat at both state and LG levels. The Council of Ulama⁷¹ is charged with the responsibility of zakat administration and it receives directive from chieftaincy affairs directorate. It provides guidelines on zakat to the zakat committees. The composition of the zakat committee includes civil servant (serving and retired), fulltime employees and *Ulama* and businessmen. Zakat offices are located in all the LG areas of Gumel, Maigatari, Sule Tankarkar and Gagarawa. The level of individual trust on the zakat collection and distribution is good while the majority of the rich do not pay zakat through the officials bodies but they pay zakat privately, a lot have been collected and masses constitutes the majority of the beneficiaries. The beneficiaries of zakat include men, women, widows and orphans and majority of the recipients are women. The law on defaulters is yet to be enforced as there has not been any individual that the zakat committee has dragged to court. The zakat committee has really touches the lives of the people and has cushioned the effect of poverty. *Waqf* is yet to be (officially) established in Gumel Emirate council. The implementation of Sharia has significantly promoted the administration of zakat. This is because it only came to prominence when Sharia was re-introduced.

⁷¹ The Jigawa Zakat Law established Emirate Zakat Committee responsible for the collection and distribution of zakat in each of the six Emirate Councils in the state (see Section 3 of the Jigawa Law), above.

5.

Kaduna State

a. Operational structure of zakat infrastructure in Kaduna State

In Kaduna State the collection and distribution of zakat is handled by the Bureau for Religious Affairs established under the office of the Governor.⁷² The Bureau has two main departments, one for Christian matters and one for Islamic matters, each headed by a permanent secretary. The department for Islamic matters has two committees – the Zakat Committee and the Da’awah Committee. The Zakat Committee comprises 26 members and operates a sub-committee system. At the apex is the central working committee. Others include: zakat collection sub-committee; zakat distribution subcommittee; enlightenment, planning and research subcommittee; and *hisbah* subcommittee. The committee has branches in all the 23 LGAs in the state. However not all of the branches are active. Membership of the committee cuts across traditional rulers, Islamic scholars, civil servants, business community, farmers and cattle breeders. Members are not full time employees; their appointment is for four years subject to renewal. Right from its inception, the Zakat Committee has been led by *Iyan Zazzau*, Alhaji Bashari Aminu. The present (2016) administration of Governor Nasir El-rufai, according to a former secretary of the committee, appears to be more disposed to zakat administer by the Emirate rather than a government establishment.

b. Zakat collection

The Zakat Committee was inaugurated in 2003 and it started its operation immediately with the setting up of its sub-committees and establishment of the 23 LGA branches. The committee paid courtesy visit to emirs, political office holders, legislators and businessmen to solicit their cooperation and patronage. The committee opened a zakat account with Unity Bank and Keystone Bank. Zakat payers can either pay at the state level or LG level whichever is closer. At the state level zakat is paid directly into the bank account and after confirmation of lodgement a letter of appreciation is sent to the payer. Cash collection made at the LG level is divided into three; one part is retained by the LG for distribution at the local level and two parts are sent to the state committee.

The early advocacy visits carried out by the state committee did not yield significant outcome because many of the people visited did not respond by paying their zakat through the committee. The exception was former governor Ahmed Makarfi who continuously paid to the committee until he left office on 29 May 2007. There was also a payment made by Alhaji Umar Abdulmatalib of ten million naira which never passed through the zakat committee account.

Although the LG zakat committees are the recognised structures at the lower level, it is however observed that one Emirate Council is particularly very active in the collection and distribution of zakat in Kaduna State. This is the Birnin Gwari Emirate which is very successful in the collection and distribution of zakat.

⁷² For more on the Bureau, see Documentary Materials IV, §5.

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Available data from fieldwork indicate that 2004 is the most active year for the Zakat Committee. Table 5.b.1 below shows the annual zakat collection by the Committee for a period of five years (2003-2008). The table shows collections done by the central Zakat Committee only, and does not include collections at the local government level. There seem not to be records of LG collection and distribution at the headquarters. It has however been indicated by one of the officials of the Bureau for Religious Affairs that the LGS were not aggressive in identifying eligible zakat payers and collecting same.

TABLE 5.D.1: ANNUAL ZAKAT COLLECTIONS BY KADUNA STATE CENTRAL ZAKAT COMMITTEE: 2003-2008⁷³

Year	Cash (₦)	Farm Produce (Bags)
2003	2,000,000	
2004	5,320,000	
2005	3,254,015	
2006	3,650,800	200
2008	1,000,000	
TOTALS	15,224,815	200

Table 5.d.1 indicates that the highest collection of slightly above five million and three hundred thousand was collected in 2004. Out of the total sum of ₦15,224,815 collected in the five year period about half (₦8,000,000.00) was paid by a former governor of the state under whose watch the committee was established. Records obtained also showed that the remaining half was collected from 27 persons. The implication of this is that many of the people eligible to pay zakat do not pay at all or self-administered their zakat.

c. Zakat distribution

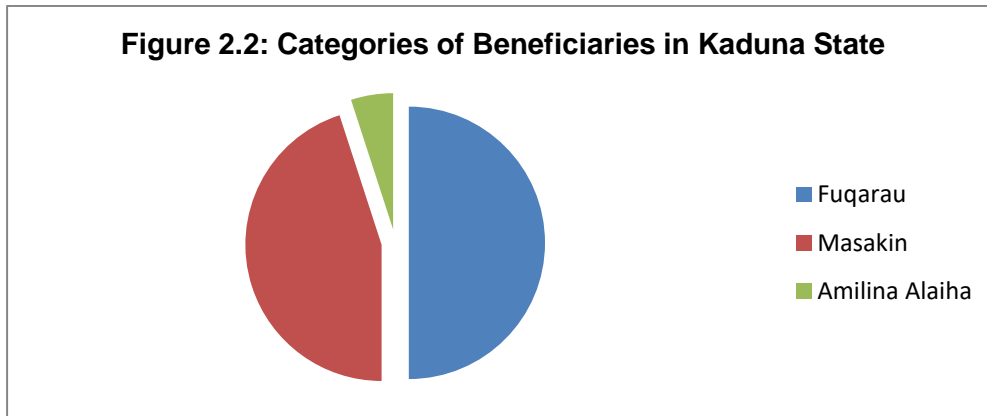
The distribution of zakat by the Zakat Committee started in 2004. Unlike in other states where zakat is distributed at the area where the collection is done, in Kaduna all collection by the central Zakat Committee is shared equally to the 23 LG branches for distribution by them. The LG committees also distribute among the districts in the LG area. On the other hand collections by the LG branches are shared within the same area. The committees distribute based on certain prioritization, as indicated in Table 5.c.1:

TABLE 5.C.1: CATEGORIES OF ZAKAT BENEFICIARIES IN KADUNA STATE

Category	Percentage (%)
Fuqarau	50%
Masakin	45%
<i>Amilina Alaiba</i>	5%
TOTAL	100%

The distribution pattern favours the poor (*fuqarau*) above other groups. The 5% for *amilina alaiba* (the zakat collectors themselves) is similar to what obtains in Zamfara State.

⁷³ Source: Bureau for Religious Affairs (Islamic Matters), 2016.



On the basis of this formula the committee distributed in 2004 the total sum of ₦4,300,000 to the 23 LG branches for onward distribution to the beneficiaries. Each LG branch committee received the sum of ₦177,608.69. Apart from these three groups, the committee also visits six hospitals: Kawo General Hospital; FOMWAN Hospital, Tudun Wada General Hospital, ABUTH, Kachia General Hospital and Kafanchan General Hospital. The committee distributed ₦5,000 to each of the benefiting patients. Furthermore, the Committee assisted victims of fire disaster at the Sheikh Abubakar Mahmud Gumi central market. Twenty-two victims were given ₦50,000 each to start up a business. In 2009 the state committee distributed about ₦10,400,000 to the 23 LGs in the state.

d. Management of endowments

In Kaduna State endowments are not very popular. The Zakat Committee received cash endowments from only two persons, amounting to ₦100,000. The Committee maintains a *waqf* bank account with Fin Bank Plc. but all the money that has so far come in has been used for committee logistics. Therefore, there are no houses, hospitals, schools or any other moveable or immovable property that have been endowed through the Zakat Committee. Some individuals however have endowed privately. An example is the Muslims hospital in Tudun Wada under the management of *Jama'atu Nasril Islam* (JNI).

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6.

Kano State

a. The Zakat Council, 1982-2003⁷⁴

Zakat collection and distribution in post-colonial Kano started in 1982. This was the outcome of a conference held at Bayero University Kano (BUK) on 1st January, 1982. The communiqué of the conference stated the need for the establishment of a Zakat Committee or Council to collect and distribute zakat. The Council was then set up with Professor Muhammad Sani Zahradeen, the former Vice-Chancellor of BUK, as first Chairman, followed later by Shehu A. S. Galadanchi. The then military administration of Kano State, Col. Idanusa Umaru, assisted the Committee with the sum of ₦500,000.00 to build office structures with promises of additional support when the need might arise. His successor, Col. Idris Garba, also assisted with the sum of ₦500,000.00 as additional funds, and support also came from the contractor, Sani Buhari, and from donations from spirited individuals to the tune of ₦100,000.00. The office complex was completed for the sum of ₦1.2 million.

As at March 2003, the Zakat Council had a Board of Trustees, with the Emir of Kano as Chairman and a membership of about two hundred that met yearly under the State Chairman. At the Local Government level the leaders were imams and malams. There was an Executive Committee of twenty members, with Professor Zahradeen as Chairman (on a part-time appointment) and Adamu Gwaram [our interviewee] as Secretary (on permanent appointment). The Exco was an administrative committee that ran the daily affairs of the Council. It met every two or three months and received reports from the Secretary of what had been collected. It then distributed the collections as it also tried to solve any problems that may have accumulated. Yearly reports of collections and distributions were made.

Committee members were recruited mainly from among retired civil servants with sound background in Islamic religion and Western education.

Because Government did not constitute the Council, zakat payments were purely voluntary. But malams continued to enlighten the people on the religious obligation to pay. Collection was daily as people came forth with it. What individuals submitted was recorded, and receipts were issued. Zakat was collected only in cash and checks, but not in kind in the form of farm produce or animals because Kano town, where most of the Council's activities were centred, is not an agrarian community but a trading and civil service community. The money was taken to the bank and later distributed to those that qualified to get it, for example poor widows and their children. The Council verified their status and the number of children they had and gave them some support not exceeding ₦5,000.00. Other beneficiaries included Zakat Council office workers, stranded travellers (just the week before this interview a group of Islamic book sellers

⁷⁴ The information in this section is based on an interview conducted on 25th March 2003, in Kano, with Malam Adamu Gwaram, a long-time teacher and civil servant and from 1986 the Secretary of the Kano State Zakat Council. The interviewers were S.U. Fwatshak, K.A. Umar and M.D. Abubakar. We are most grateful to Mal. Gwaram for his kind cooperation.

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from Cameroon were assisted with transportation in the sum of ₦15,000.00), prospective converts to Islam, the hospitalised poor unable to pay their bills or for their drugs, etc. In such cases a doctor in the hospital certified their indigent status and the Council took care of the bill. In all there are eight categories of beneficiaries. Zakat distribution did not benefit projects like the building of mosques and schools.

The introduction of Sharia in 2000 improved collections. Receipts were highest during the month Ramadan. There was discussion that government might further encourage the payment of zakat by requiring the receipt as a part of tax clearance.

The statistics of zakat collected and distributed for 1999/2000, 2000/2001 and 2001/2002 are as follows. Note: for all years the amount shown as collected includes the balance forward from the prior year.

Table 1: Zakat collection for three years

Year	Collected	Distributed
1999/2000	₦2,506,344.50	₦1,802,326.20
2000/2001	₦2,887,819.00	₦2,292,649.44
2001/2002	₦3,202,559.80	₦2,408,554.20

Afterword: The Kano State Zakat Council, after twenty years of service, was superseded in 2003 by the new Zakat and Hubusi Commission established late that year. The complete law establishing the Zakat and Hubusi Commission is reproduced in section c below. Attention is called here only to §25:

25. (1) From the commencement of this Law and without further assurance the Independent Zakat Council shall no longer collect zakat in the State.
- (2) All regular staff on the payroll of the State Independent Zakat Council shall transfer their services to the Commission.

b. The Zakat Committee, 2002-2003⁷⁵

(1) Background:

In May 2002 a Zakat Committee was set up by the Kano State Government, then under Governor Rabiu Musa Kwankwaso, charged to determine how zakat might better be administered in the State. Among other things this Committee produced a memorandum in Hausa on “Zakat in Islam”; and by March 2003 it had made recommendations on the basis of which a bill for the establishment of a new Zakat Commission for the State had been drafted by the Ministry of Justice and was awaiting consideration by the House of Assembly. But then the 2003 elections intervened (April/May); a new Governor, Ibrahim Shekarau, was elected; and it was not until November 2003 that the law establishing the new Zakat and Hubusi Commission was finally passed and signed by the

⁷⁵ Information and documents referred to or quoted in this section were generously supplied by Nasidi Abdullahi, the Secretary to the Committee. He was interviewed in Kano on 25th March 2003, by S.U. Fwatshak, K.A. Umar and M.D. Abubakar.

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Governor. That law is reproduced in the following section. It is not known how that law differs, if at all, from the draft that had been made by the Kwankwaso administration.

(2) Report of the Committee on its visit to Jigawa State in September 2002:

In order to inform its deliberations the Kwankwaso administration's Zakat Committee visited Jigawa and Zamfara States, in September and October 2002, to study their systems of zakat collection and distribution, and a report on these visits was prepared. The part of the report on the Committee's visit to Jigawa State was provided to researchers on this project, and, as it pertains more to Jigawa than to Kano, is reproduced in section 4 above. Although the part of the report pertaining to Zamfara State are unfortunately missing from what was provided, the part pertaining to Jigawa gives valuable insight into the work of the Kano Committee and its views on the system for the administration of zakat adopted in Jigawa State.

c. The Zakat and Hubusi Commission, from 2003

(1) The Zakat and Hubusi Commission Law, 2003:⁷⁶

A LAW TO PROVIDE FOR THE COLLECTION AND DISTRIBUTION OF ZAKAT AND HUBUSI IN THE STATE AND FOR OTHER MATTERS CONNECTED THERETO

Arrangement of sections:

1. Citation and commencement.
2. Interpretation.
3. Establishment of the Commission.
4. Functions of the Commission.
5. Membership of the Commission.
6. Departments of the Commission.
7. Local Government Zakat Councils.
8. Composition of Local Government Zakat Councils.
9. Village Zakat Committees.
10. Composition of Village Zakat Committees.
11. Staff of the Commission.
12. Other staff of the Commission.
13. Director-General.
14. Finance and funding.
15. Office of the Secretary/Legal Adviser.
16. Annual report.
17. Annual estimate.
18. Standing orders.
19. Meetings of the Commission.
20. Quorum.

⁷⁶ Signed into law on 7th November 2003, Kano State of Nigeria Gazette No. 7 Vol. 35, 27th November, 2003, Supplement Part A pp. A25-A31. Throughout this statute the gazetted copy has 'zakkaɓi' rather than 'zakat'. *Hubusi* is the Hausa form of the Arabic *hubs* or *hubus*, pl. *abbas*, and is used synonymously with *naqf*, or in Hausa *wakafi*.

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21. Validity of proceedings.
22. Account and audit.
23. Remuneration of members.
24. Pension.
25. Succession of collection of zakat.
26. Power to make regulations.

BE IT ENACTED by the State House of Assembly as follows:

1. This Law may be cited as the Kano State Zakat and Hubusi Commission Law 2003 and shall come into force on 7th day of November, 2003.
2. In this Law, unless otherwise requires:
 - “Chairman” means Chairman of the Commission.
 - “Commission” means Kano State Zakat and Hubusi Commission.
 - “Governor” means the Governor of the State.
 - “*hubusi*” means endowment or a voluntary gift of wealth more especially property.
 - “State” means Kano State of Nigeria.
 - “zakat” means obligatory alms ordained by the Sharia on Muslims paid from a specified amount of wealth yearly.
3. (1) There is hereby established for the State a Commission to be known as the Kano State Zakat and Hubusi Commission.
[(2) and (3): The Commission is a corporate body which may sue and be sued in its corporate name, hold, own and dispose of property and operate bank accounts.]
4. The Commission shall have the following functions:
 - (a) regulate all matters relating to zakat and *hubusi*;
 - (b) collect zakat and *hubusi* from individuals and/or organisations;
 - (c) distribute such collected funds to the deserving members of the public in accordance with the dictates of Sharia;
 - (d) invest, in accordance with Islamic jurisprudence such resources at the disposal of the Commission, not immediately required for its purposes in such securities as may be approved by the Governor, and to dispose of such securities;
 - (e) act as a trustee of all funds, wealth and property entrusted in the Commission including, but not limited, to orphan children’s property, charity funds, alms and lost items;
 - (f) any other function that is incidental to the smooth running of the Commission as to the carrying out of its functions as well as any such function(s) that may be assigned to it by the Governor.
5. (1) The following persons shall be members of the Commission to be appointed by the Governor:
 - i. a full-time Chairman who shall be an erudite scholar in Islamic jurisprudence and of proven integrity;
 - ii. two persons designated as Permanent Commissioner I and II respectively;
 - iii. a representative of the Office of the Secretary to the State Government;
 - iv. a representative of the Emirate Council;
 - v. a representative of the Sharia Commission;

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- vi. a representative of the Hisbah Board;
 - vii. fourteen other persons of unquestionable character to be appointed by the Governor as part-time members in consideration of geographical spread;
 - viii. the Director-General of the Commission who shall be the Secretary of the Commission;
 - ix. without prejudice to the foregoing, all members shall be of proven integrity.
- (2) Members of the Commission other than *ex officio* members shall serve for a period of four years and shall be eligible for re-appointment for a final term of four years.
 - (3) Notwithstanding the provision of subsection (2) of this section, the Governor may revoke the appointment of any member whose conduct is unsatisfactory.
 - (4) In this section, unsatisfactory conduct includes:
 - i. absenting himself from the meetings of the Commission for three consecutive periods without leave of the Chairman;
 - ii. bankruptcy;
 - iii. insanity; and
 - iv. gross misconduct.
6. The Commission shall with the approval of the Governor establish such number of departments as may be desirable for the smooth running of its activities.
7. (1) There shall be established in each Local Government Area in the State a Local Zakat and Hubusi Council.
 - (2) The Local Zakat and Hubusi Council so established pursuant to subsection (1) of this section shall administer zakat, *hubusi* and other related issues as directed by the Commission.
 8. (1) The Local Zakat and Hubusi Council shall have the following persons as members who shall be appointed by the Commission on the advice of the Local Government Council:
 - i. one learned Islamic scholar residing in the Local Government as the Chairman;
 - ii. the District Head;
 - iii. the Chief Imam of the Local Government Area;
 - iv. representative of Local Government Council;
 - v. representative of business/commercial entrepreneurs;
 - vi. representative of farmers group;
 - vii. representative of livestock farmers;
 - viii. three responsible and respected notable persons;
 - ix. a secretary, who shall be a resident staff of the Commission at the Local Government Area.
 - (2) The Local Zakat Council, on a regular basis shall furnish the Commission with its activities in the Local Government Area.
 - (3) Members of the Council other than *ex officio* members shall serve for a term of three years and shall be eligible for reappointment for a final term of three years.
 9. (1) There shall be established in every village a Village Zakat and Hubusi Committee.
 - (2) The Committee established pursuant to subsection (1) of this section shall have responsibility of administering zakat, *hubusi* and other related matters as directed by the Commission.

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10. (1) The Village Zakat Committee shall have the following persons as members who shall be appointed by the Commission on the advice of the Local Government Council.
 - (a) a renowned Islamic scholar residing in the village as Chairman;
 - (b) the Village Head;
 - (c) the most senior imam of the village;
 - (d) representative of the Local Government Council;
 - (e) two representatives of the business community/merchants;
 - (f) representative of farmers group;
 - (g) representative of the livestock farmers;
 - (h) two persons of proven integrity from the community;
 - (i) representative of *hishab*; and
 - (j) a Secretary who shall be a resident staff of the Committee.(2) The Village Zakat and Hubusi Committee shall on a regular basis furnish the Local Government Council with its activities.
11. The Chairman of the Commission shall be the chief executive as well as accounting officer, and shall also have the following responsibilities:
 - i. responsible for the day-to-day administration of the Commission;
 - ii. conduct all correspondence of the Commission;
 - iii. coordinate activities of Zakat and Hubusi Local Councils as well as Village Committees;
 - iv. any other responsibility assigned to him by the Commission.
12. The Commission shall have power to ask to be sent on secondment or posting officers from other ministries and parastatals of the Government to enhance its efficiency.
13. There shall be appointed by the Governor a Director-General who shall be responsible to the Chairman in the general administration of the Commission.
14. The funds of the Commission shall comprise of the following:
 - i. grant from the State Government;
 - ii. zakat; and
 - iii. *hubusi*.
15. (1) There shall be appointed for the Commission a Secretary/Legal Adviser.
(2) The person so appointed pursuant to subsection (1) of this section, shall be a legal practitioner who must have had not less than six years post call experience.
16. The Commission shall within three months after the expiration of each financial year prepare and submit to the Governor its annual activities for the preceding year and a statement of account of the Commission.
17. The Commission shall prepare and submit to the Governor its annual estimate and its establishment proposal.
18. The Commission may make standing orders for the purpose of regulating its proceedings.
19. The Commission to meet at least once a month; the Chairman to preside or in his absence the Permanent Commissioner I or II; the Chairman has original and casting votes.]
20. Nine members present at any meeting of the Commission shall form a quorum.
21. The validity of the proceedings of the Commission shall not be affected by any vacancy in its membership or any defect in the appointment of a member or by

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- reason that a person not entitled so to do has taken part in such proceedings.
22. (1) The Commission shall keep proper accounts in respect of all monies with respect to other charges and personnel emoluments.
(2) The accounts of the Commission for each year shall be audited after the end of each year by the Auditor-General of the State.
 23. Members of the Commission shall be paid such remuneration/allowances as may be determined by the Governor.
 24. Service in the Commission shall be approved service for the purposes of the Pensions Law in force in the State and accordingly staff of the Commission shall be entitled to pensions, gratuities and other retirement benefits as prescribed under the Pensions Law.
EXCEPT THAT nothing in this Law shall prevent the appointment of a person to any office on terms, which preclude the grant of pension and gratuity in respect of that office.
 25. (3) From the commencement of this Law and without further assurance the Independent Zakat Council shall no longer collect zakat in the State.
(4) All regular staff on the payroll of the State Independent Zakat Council shall transfer their services to the Commission.
 26. The Governor shall have power to make regulations generally to give effect to any provision of this Law.

(2) From the Kano State Sharia Commission Law, 2003:⁷⁷

3. (1) There is hereby established for the State a Commission to be known as the Kano State Sharia Commission. Establishment of Commission
* * *
4. The Commission shall have the following functions: Functions of the Commission
 - i. promote, enhancement and development of Islamic social and cultural values in the State;
 - ii. sensitise the general public to appreciate, accept and practice Government's policy on Islamic social aspect of the Sharia through media, public lectures, seminars, workshops, symposia and courses;
 - iii. initiate, organise and administer effective machinery for Islamic propagation and necessary guidance of the general public in their day-to-day activities;* * *
 - iv. initiate policies to assist Government in realising its set objectives on the implementation of social aspect of Sharia as well as promoting Qur'anic and Islamic education in the State.

* * *

⁷⁷ Law No. 3 of 2003, Kano State of Nigeria Gazette No. 5 Vol. 35, 13th November, 2003, Supplement Part A pp. A7-A12, as amended by Law No. 6 of 2004, Kano State of Nigeria Gazette No. 6 Vol. 36, 10th June, 2004, Supplement Part A pp. A17-A18. For the complete law as amended see *Documentary materials on Councils of Ulama and Related Bodies* section 6.

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- | | |
|--|--|
| <p>6. (1) The following persons shall be the members of the Commission to be appointed by the Governor:
* * *</p> <p style="padding-left: 40px;">vi. a representative of the Zakat and Hubusi Commission;
* * *</p> <p>* * *</p> | <p>Members of the Commission</p> |
| <p>12. (1) There shall be established in all Villages in the State a Sharia Committee by the Local Government Sharia Council.
(2) [The Village Sharia Committees]⁷⁸ established pursuant to subsection (1) of this section shall have the following persons as members:
* * *</p> <p style="padding-left: 40px;">(f) representative of Zakat and Hubusi Commission;
* * *</p> | <p>Establishment of Village Sharia Committees</p> |
| <p>13. The Village Sharia Committee shall perform such functions as stipulated in section 4 of this Law within the Village.</p> | <p>Functions of Village Sharia Committees</p> |
| <p>(3) <u>From the Kano State Hisbah Board Law, 2003:</u>⁷⁹</p> | |
| <p>3. (1) There is hereby established for the State a Board to be known as the Kano State Hisbah Board.
* * *</p> | <p>Establishment of the Hisbah Board</p> |
| <p>4. For the purpose of proper co-ordination of <i>hisbah</i> activities in the State, the Governor shall appoint the following persons to be members of the Board:
* * *</p> <p style="padding-left: 40px;">iii. a representative of the Zakat and Hubusi Commission;
* * *</p> <p>* * *</p> | <p>Composition of the Board</p> |
| <p>7. (1) The Board shall establish for the State a Hisbah Corps who may be eligible for appointment as justices of the peace.
* * *</p> <p>(4) The Hisbah Corps shall have the following responsibilities:
* * *</p> <p style="padding-left: 40px;">v. encourage charitable deeds particularly the payment of zakat;
* * *</p> | <p>Establishment of Hisbah Corps</p> <p>Responsibilities of Hisbah Corps</p> |
| <p>8. There is hereby established in each Senatorial Zone a Hisbah Committee for the purposes of coordinating the Local Government Hisbah Committees in their respective Zones for a term of three years. Each Zonal Management Committee shall comprise of:
* * *</p> <p style="padding-left: 40px;">i. a representative of Zakat and Hubusi Commission in the Zone; ...</p> | <p>Establishment of Zonal Hisbah Committees</p> |

⁷⁸ In place of the bracketed language the original text has "There shall be".

⁷⁹ Kano State of Nigeria Gazette No. 6 Vol. 35, 20th November, 2003 Supplement Part A pp. A13-A18.

(4) From an interview with Malam Ahmed Shuaibu, the Director-General of the Zakat and Hubusi Commission:⁸⁰

The structure of the Zakat and Hubusi Commission and its related bodies is as laid down in the 2003 law.

- At the State level there is the Commission itself, with its Chairman, other members, and Director-General. Although the Commission has as ex officio members, representatives of both the Sharia Commission and the Hisbah Board, it is completely independent of these other bodies. The Commission meets once a month. The Commission also has a central administrative staff under the Director-General. This is divided into three departments: Operations, Finance, and General Questions. The full-time members and central staff of the Commission are on the payroll of Kano State.
- At the intermediate level, each Local Government Area has its own Zakat and Hubusi Council; and at the local level there are village and ward Zakat and Hubusi Committees in all LGAs, all with memberships as laid down in the law. The members and staff of these councils and committees are remunerated by keeping part of zakat collected as laid down in Islamic law.

The Commission tries to create a climate of awareness among the people about all aspects of zakat and *hubusi*. In Kano State payment of zakat is not mandatory as in some other States; people are merely encouraged to give and many do give on a voluntary basis. Zakat is collected both in cash and in kind, e.g. grains and animals. Records of collections are made and the process is completely transparent. Distributions to the poor and needy, made at the local level where the zakat was collected, are public events which the Commission documents with photos and videos. Distributions are not only to Muslims; non-Muslim needy persons too can benefit. Just during Ramadan this year [13th September through 12th of October, 2007] the Commission distributed ₦39,500,000 to 5,880 persons. (Unfortunately the most recent written report on the Commission's activities could not be released because it had not yet been approved by the Commission.)

The other part of the Commission's mission is the encouragement and management of *hubusi*, or *waqfs*. The creation of such endowments is a recent development which is being strongly encouraged by the Commission. Among other things the creation of *waqfs* will give the Commission more financial independence, because income generated from them will go directly to the Commission. *Waqf* administration is one responsibility of the Commission's Operations Department. (Unfortunately no figures were available about the level or kinds of *waqf* creation.)

A new, amended version of the Zakat and Hubusi Commission Law has been drafted and submitted to the House of Assembly for its consideration and enactment; it is still pending in the House. (No details were provided about what changes in the law would be made.)

⁸⁰ Interview in Kano, 29th October 2007, by F. Kogelmann and A.S. Garba.

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(5) From an essay by Ahmad Yahya:⁸¹

The government of Malam Ibrahim Shekarau, through the Zakat and Hubusi Commission undertook a free optical service in the state. It distributed more than four hundred million naira as zakat to the needy [over what period is not stated].

d. Zakat collections, 2004-2014

The sources of funds for the Zakat Commission include grants from government, and zakat and *hubusi* collections. Zakat collection in Kano state is through persuasion by way of sensitization and public enlightenment, through preaching, public lectures, mass media, and pamphlets. Furthermore, personal contacts like visits, courtesy calls and writing of letters are all used to reach out to potential zakat payers. Zakat payers visit any of the zakat offices nearest to them to pay their zakat due. The amounts of zakat collections from 2004 to 2014, as given to us in 2016 by the Commission, are shown in Table 6.d.1:

TABLE 6.D.1: ANNUAL ZAKAT COLLECTIONS IN KANO STATE: 2004-2014

Year	Number of payers	Amounts collected (₦)
2004	28	11,301,347
2005	64	13,895,448
2006	60	13,454,135
2007	50	10,035,819
2008	39	9,554,820
2009	40	10,034,617
2010	41	12,915,800
2011	56	13,635,000
2012	72	16,135,000
2013	69	14,379,550
2014	40	9,930,750
Totals	559	135,272,287

The dimension of zakat collection in Kano state showed a fluctuating trend with lowest collection received in 2008 (₦9,554,820) paid by 28 persons and the highest collection received 2012 (₦16,135,000) paid by 72 persons. From these low numbers it is obvious that majority of Muslims in Kano State are yet to accept the official administration of zakat and *hubusi*. They either still prefer to self-administer their zakat or they are not concerned about paying it at all.

e. Zakat distribution

The procedure for the distribution of zakat in Kano State involves three stages: presentation of requests for assistance; verification of requests; and disbursement to

⁸¹ “Between An Invading Centre And A Marauding Periphery: The Shari'ah Based Governance Of Malam Ibrahim Shekarau”, http://www.esinislam.com/Readers_Articles_Posted/Between_Invading_Centre_And_Marauding_Periphery_Shariah.htm (n.d.; apparently published in early 2007). Ed. note: Malam Yahya’s essay uses ‘zakkah’ and ‘hubsi’: these have been changed for present purposes to conform to the spellings adopted throughout this work.

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eligible beneficiaries. There are five ways to present a request: by writing to the LG Zakat Councils or Village Committees; application through the Emirate Councils; application through Islamic organizations; application through Ward/Village heads or community leaders; and through the Islamic Medical Association (ISMA). Once requests are made through any of these channels, they are verified through: interviews of applicants; carrying out on-the-spot verification at the residence of the applicants; and through casting of lots when the verified applicants are many. On completion of the verification process, the actual disbursement takes place either through an organized public disbursement or on a day-to-day basis at the commission's headquarters. Payments to beneficiaries are done either by cash or by cheque. In the case of medical assistance payment is through hospital authorities. If it is a request for farm produce the applicant's needs are assessed and appropriate grains are given to him or her. If the items to be given involve livestock, a pair of male and female animals is given to a beneficiary.

f. Administration of hubusi

The Kano State Zakat and Hubusi Law, 2003 placed the powers to collect, manage and invest *hubusi* on the Zakat and Hubusi Commission. Government has over the years been the highest contributor to the *hubusi* fund in the state. Individuals and corporate organizations have also contributed. For example in 2004 alone the State Government contributed ₦25,000,000 to the Commission. In the same year corporate organizations contributed about ₦50,000,000. From 2004 when the Commission became fully operational to 2015, the Commission received six plots of lands and two [Western] schools as *hubusi*. Within the same period, eight houses, six Islamiyya schools, one shop and two mosques were contributed.. Table 6.f.1 shows the comprehensive list of *hubusi* and their locations in Kano State.

TABLE 6.F.1: COMPREHENSIVE LIST OF *HUBUSI* AND THEIR LOCATIONS IN KANO STATE:
2004-2015

Type of Hubusi	Location	Use
Plot	Unguar Dabai	
Plot	Babar Ruga D/Tofa	
Plot	Yaka <i>Sai</i>	
Plot	U/Babban Giji	
Plot	T/Rubudi, Fagge	
Plot	Yammata Gabas, Fagge	
School	Koki, Dala	
School	Yaka <i>Sai</i> Quarters	
Shop	Chedi	
House	Sheka	
House	opp. Danbatta Market	converted to Islamiyya School
House	Airport Road	
House	Rijiyar Zaki	converted to Islamiyya School
House	Unguwa Uku	converted to Islamiyya School
House	Umar Babura Road, Bompai	converted to Islamiyya School
House	Tarauni	converted to Excellent Clinic & Maternity

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House	Sanka Quarters	
Islamiyya School	Babar Ruga D/Tofa	
Islamiyya School	Madabo	
Islamiyya School	Ja'en Quarters	
Islamiyya School	Yaka <i>Sai</i> Quarters	
Islamiyya School	Yaka <i>Sai</i> Quarters	
Maşjid	Tudun Rubudi, Ungogo	
Maşjid	Yaruba Road	Amir Palace

7.

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a. Early proposals for a Zakat Council or Board⁸²

(1) Proposal for a Zakat Council when Katsina State was created:

As early as 1987, when Katsina State was first created (out of the old Kaduna State), attempts were made to create a Zakat Council for the State, presumably on the model of the Council set up in Kano State in 1982, see section 6 above. But these efforts, which would to a large extent have centralised and regulated the process of zakat collection and distribution, were successfully resisted by a number of malams, who were accustomed to collect and distribute zakat themselves, on a purely local and individual basis, unsupervised by anybody, in the process keeping a share for themselves (as is permitted by Islamic law); in some cases they were directly the beneficiaries of the zakat given; and they did not want to lose this source of income.

(2) Proposal of the Technical Committee on Application of Sharia in Katsina State:

The Technical Committee (Katsina State's "Sharia Implementation Committee") submitted its report to the Governor in January 2000. Included in the report is the following recommendation:⁸³

- (e) Zakat Council: Zakat is the obligatory Muslim alms imposed on every well-to-do Muslim. Under Islamic political system, zakat is a major source of revenue for running the Government through the public treasury (*bait ul-mal*). Zakat, therefore, is a necessary institution with Sharia. The Committee is of the firm conviction that establishment of a zakat institution would in addition to ensuring social justice and equitable distribution of wealth, serve as a catalyst for poverty alleviation. The Government should take bold initiatives to institutionalise zakat so that its moral and social objectives could be achieved. In this regard, it is strongly recommended that an agency, Zakat Council, be established by law. The Council shall be made responsible for the collection, management, distribution and general administration of the zakat funds. It is further recommended that a committee of experts be

⁸² The information this section, except where quoted from documents which are cited, is from interviews conducted in Katsina in March 2003 by M. Gaiya, F. Kogelmann and R. Awal, in May 2003 by S.U. Fwatshak and D. Abubakar, in December 2005 by S. Mohammed and A. Garba, and March 2008 by P. Ostien and A. Garba, with (among others) Justice S.A. Mahuta, Chief Judge of the High Court, Justice I.M. Dodo, Grand Kadi of the Sharia Court of Appeal and ex officio Chairman of the Sharia Commission, Justice M.D. Abubakar, Judge of the High Court and one-time member of the Sharia Commission, Lawal J. Dan-Haire, Permanent Secretary in the Ministry of Religious Affairs, and Barr. Ibrahim Jibiya, long-time Secretary to the Sharia Commission. Further summaries of information from these interviews are in *Documentary materials on Councils of Ulama and Related Bodies* and *Documentary materials on Hisbah Groups* sections 7.

⁸³ Report of the Technical Committee on Constitutional Provisions for the Application of Sharia in Katsina State, reproduced in *Sourcebook*, II, Supplementary Materials, online, item II, at pp. 15-16.

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constituted to work out such details as the organisational structure, functions, powers, composition etc. of the proposed Zakat Council.

(3) Proposal of the Sharia Commission:

Katsina State's Sharia Commission Law was the first piece of Sharia-related legislation enacted in Katsina State, signed into law in April 2000.⁸⁴ Among the assigned functions of the Commission it created was "advising the Government on the implementation of certain Islamic injunctions such as zakat, Islamic markets, measures and sighting of moon for purposes of fasting" (§8(f)). Among other things which the Commission did early on was to recommend the establishment of a Zakat Board, evidently going so far, probably in conjunction with the Ministry of Justice, as the drafting a bill for a law on the subject. This bill, or another on the same subject, pended before the House of Assembly for some time, but was never enacted.

(4) Proposal of the Ministry of Religious Affairs:

Katsina State's Ministry of Religious Affairs too was assigned the functions of "formulating of policies on zakat collection" and "liaise with Emirate Councils on religious matters, such as collection of zakat, sighting of moon, etc."⁸⁵ The Ministry seems to have agreed with the Sharia Commission's proposal for a Zakat Board; the Permanent Secretary to the Ministry said in 2003 that the Ministry too had made a proposal to the House of Assembly to that effect, but that the proposal was never acted on by the House.

b. The Zakat and Endowment Trust Fund

(1) Overview:

Although Katsina State's politicians, during Governor Yar'Adua's first term, obviously did not like the idea of creating a statutory Zakat Board, about a year into Yar'Adua's second term (in September/October 2004) it was agreed that, with the cooperation of the Government, an "independent/non-governmental zakat and *awqaf* institution" should be created.

When established, the Zakat Committee shall be responsible for administering the Zakat and Endowment Fund to be raised through donations and as zakat collected from persons due and liable to pay zakat. The funds shall be applied for the implementation of such social responsibilities relating to the welfare of the orphans, the poor and the needy, on *da'awah* and on such charitable causes as maintenance of mosques and graveyards, relief and rehabilitation of disaster

⁸⁴ The full text of the law is given in *Documentary materials on Councils of Ulama and Related Bodies* section 7.

⁸⁵ Poster obtained from the Ministry in 2003, giving the "General Functions of the Ministry of Religious Affairs" in Arabic, Hausa and English, quoted in full in *Documentary materials on Councils of Ulama and Related Bodies* section 7.

victims and generally for the promotion and protection of the welfare and social security of weaker members of the society.⁸⁶

An initial Zakat Committee was accordingly appointed by the Government; that Committee worked out the modalities for the establishment of the new Zakat and Endowment Trust Fund; the Government appointed the Fund's first Board of Trustees; that Board adopted a constitution for the Fund; and the Fund was launched in May 2005.

(2) The initial Zakat Committee and its work:

ARRANGEMENTS FOR THE LAUNCHING OF KATSINA STATE ZAKAT FUND
AND INAUGURATION OF ZAKAT COMMITTEE⁸⁷

Introduction:

The Sharia legal system is predicated upon the Islamic social order. The Islamic social order encompasses the spiritual, moral and economic rules. Zakat is enshrined as an obligatory tax over wealth to provide for social harmony and social equilibrium. Zakat is so significant that it was made the central pillar of Islam after faith (*iman*) and prayer (*salat*) and is followed by fasting and *hajj*. In addition to the obligatory zakat, Islam, through its moral injunction enjoined Muslims, particularly the well-to-do, to have the disposition of sympathy, kindness and fraternity towards the weak and less privileged members of the society.

In furtherance of the promotion and sustenance of zakat as an institution, Islam made elaborate provisions and places a measure of responsibility on the leadership of the Muslim *ummah* to ensure its practice. It was as a result of the importance of the practice and enforcement of zakat that the first war waged by Khalif Abubakar (RA) after the demise of the Holy Prophet was to enforce zakat. Allah (SWT) admonished leaders of the *ummah* on zakat thus:

They are those if We give them leadership will establish regular prayers and ensure payment of zakat, those that will enjoin what is good and prevent the doing of evil. Hajj: 41.

Establishment of Zakat Committee:

Zakat is meant to be a social institution for the promotion and protection of the welfare and social security of weaker members of the society. However, despite the annual exercise of its distribution, zakat has failed to achieve the desired objective within our social structure. A number of factors have come together in making the present state of zakat in the society. The abolition of *bait ul-mal* after colonisation, subsequent shortcomings and laxity from the rulers and *ulama* and general laxity in enforcement came to make zakat a mere ritual practice that could not achieve its objectives. It became

⁸⁶ "Memorandum to the State Executive Council on the Need for the Establishment of an Independent Zakat and Awqaf Institution for Katsina State Prepared by the Ministry of Religious Affairs (Monday 11th October 2004)", copy in the possession of the editor.

⁸⁷ A two-page document, evidently prepared by the Ministry of Religious Affairs, probably in October 2004, copy in the possession of the editor.

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so individualised as there is no mechanism in place for its collection and administration, thus hardly will its impact be felt in addressing the welfare of the poor and the needy and social insecurity.

With the re-introduction and full implementation of Sharia in Katsina State, the sustained efforts of the present administration in re-orienting the society towards imbibing Sharia culture and in order to consolidate the gains of implementing the Sharia in the State, a Committee to be known as Katsina State Zakat Committee has been established.

Because of the significance of the Committee and the importance of institutionalising zakat a committee is hereby constituted to make necessary arrangements for the formal launching of the Zakat Fund and inauguration of the Zakat committee.

Composition:

1. Justice Musa Danladi Abubakar	Chairman
2. Alhaji Umar Isa Mani	Member
3. Alhaji Aminu Danbaba	“
4. Alhaji Umaru Adamu	“
5. Alhaji Ibrahim Dabo	“
6. Alhaji Lawal Mani Gambarawa	“
7. Malam Ibrahim Sabi’u Jibiya	“
8. Alhaji Bello Ahmad K/bai	“
9. Rep. of Katsina Emirate Council	“
10. Rep. of Daura Emirate Council	“
11. Rep of Ministry of Religious Affairs	Secretary

Terms of Reference:

The Committee shall be responsible for general preparations and arrangements towards successful launching of the Zakat Fund and formal inauguration of the State Zakat Committee, specifically the launching Committee shall:

1. Undertake mobilisation and sensitisation of people to contribute to the Zakat Fund.
2. Organise public enlightenment on the benefits of zakat as an institution.
3. Contact all well-to-do indigenes of the State as well as well-wishers and friends of Katsina State.
4. Selection, contact and role assignment to dignitaries that will grace the launching.
5. Selection of an appropriate date, time and venue for the launching.
6. Sourcing the funds for organising the launching.
7. Production of invitations and arranging for public announcements through the media.
8. Collection of funds and setting up the instrument for the take-off of the Committee, opening of account and handing over to the Committee.

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(3) Constitution of the Zakat and Endowment Trust Fund:

THE CONSTITUTION OF THE KATSINA STATE
ZAKAT AND ENDOWMENT TRUST FUND⁸⁸
MAY, 2005

Arrangement of sections:

- | | |
|---|--|
| Preamble. | 16. [Powers of Board of Trustees]. |
| 1. Zakat and Endowment Trust Fund. | 17. Meetings. |
| 2. Supremacy of the Constitution. | 18. Advisory Committee. |
| 3. Membership. | 19. Meetings of the Advisory Committee. |
| 4. Objectives. | 20. Secretariat. |
| 5. Activities. | 21. [Secretary and officers]. |
| 6. Organs. | 22. Functions and tenure etc. |
| 7. General Assembly. | 23. Financial year. |
| 8. Annual general meeting. | 24. Auditing of account. |
| 9. Special provisions on annual general meeting. | 25. The common seal. |
| 10. Power of General Assembly. | 26. [Disputes over interpretation; amendment]. |
| 11. Special General Assembly. | 27. [Indemnity]. |
| 12. [Board of Trustees]. | 28. Alignment with political party. |
| 13. Appointment. | 29. Oath of officers. |
| 14. Trustees and members disqualified from holding salaried office. | Schedule. |
| 15. Tenure. | |

PREAMBLE

We, Trustees of the Katsina State Zakat and Endowment Trust Fund, desirous of promoting the welfare of the needy, orphans and poor, through social justice and encouraging the well-to-do in being their brothers' keepers and in furtherance of our desire to instil the spirit of Islam on social justice, equity, the care of those in need and generally in the establishment of zakat as a social institution in Katsina State, do hereby resolve unto ourselves the following Constitution.

PART I: KATSINA STATE ZAKAT AND ENDOWMENT TRUST FUND

- (1) There is hereby established a body known as Katsina State Zakat and Endowment Trust Fund (hereinafter called "The Trust Fund"), which shall be a body corporate with perpetual succession and a common seal, and which may sue or be sued in its corporate name, and may acquire, hold and dispose of movable and immovable property.
 - (2) The registered office of the Trust Fund shall be situated in Katsina.
 - (3) The logo of the Trust Fund shall be a design showing open palms with maize comb, a sheep and naira note and coin with the inscription "*Fi Sabilillah*".
- (1) This Constitution is supreme and its provisions shall have binding force on all the Trustees.
 - (2) The Trust Fund shall not be administered or managed, nor shall any person or

⁸⁸ From a copy in the possession of the editor..

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- group of persons take control of the Trust Fund except in accordance with the provisions of this Constitution.
3. (1) All residents of Katsina State who profess the Islamic faith and all indigenes of Katsina State residing in other places within and outside Nigeria shall be eligible for membership of the Trust Fund.
 - (2) An application for membership shall be made on a prescribed form and submitted to the Secretary for approval by the Board of Trustees.
 - (3) Every member shall pay to the Trust Fund an enrolment fee and an annual subscription fee as may from time to time be determined by the Board of Trustees.
 - (4) A membership card shall be provided to each member and such card shall be produced at every occasion in which the Trust Fund is involved.
 - (5) The Emirs of Katsina and Daura shall be the Patrons of the Trust Fund.
 - (6) Notwithstanding subclause (5) of this clause, the Trust Fund may at any time add to the list of its Patrons.

PART II: OBJECTIVES OF THE TRUST FUND

4. The Trust Fund shall be a charitable philanthropic organisation dedicated to the promotion of zakat as an institution, its advancement and the furtherance of the overall Islamic social and economic justice in the society.
5. (1) In addition to the powers conferred by the provision of Part C of the Companies and Allied Matters Act 1990 the Trust Fund shall have power to:
 - (a) take over from the State Government all the proceeds and donations of the Zakat and Endowment Appeal Fund;
 - (b) collect zakat annually from all eligible Muslims residing in the State and those residing outside the State;
 - (c) receive donations, grants, gifts, charities and endowments from governments, corporate bodies or individuals;
 - (d) administer the funds for the purpose of zakat and endowments as enshrined in the Holy Qur'an and Sunnah within Katsina State;
 - (e) work towards the revival and sustenance of zakat and endowments as social institutions in Katsina State;
 - (f) encourage research and documentation of advancements and new *fatawa* on zakat and endowments as social institutions;
 - (g) co-operate with Government and non-governmental organisations having similar functions, aims and objectives in the advancement of zakat and endowments in the State;
 - (h) create and maintain proper books of accounts for all the financial transactions of the Trust Fund;
 - (i) administer and where applicable invest its financial resources in accordance with the provisions of Sharia;
 - (j) do all such acts as may appear to it to be expedient for the purpose of implementing the functions aforementioned.
- (2) In the exercise of its functions, the Board of Trustees shall be guided by Islamic provisions and rulings in relation to zakat and endowments in addition to the provisions of this Constitution.

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PART III: ORGANS OF THE TRUST FUND

6. For the purpose of the smooth conduct of its affairs and the effective attainment of its objectives under this Constitution, the Trust Fund shall have the following organs:
 - (a) the General Assembly;
 - (b) the Board of Trustees;
 - (c) the Advisory Committee;
 - (d) the Secretariat.

PART IV: THE GENERAL ASSEMBLY

7. There shall be a body to be called the General Assembly, which shall comprise all registered members of the Trust Fund.
8.
 - (1) Once in each year the Board of Trustees shall convene a meeting of the General Assembly.
 - (2) The first meeting of the General Assembly shall be convened by the Board of Trustees for the following purposes:
 - (a) receive report from the Board of Trustees on the pre-incorporation affairs of the Trust Fund covering activities since its inception;
 - (b) appointing honorary members;
 - (c) ratifying the appointment of members of the Advisory Committee; and
 - (d) appointing an auditor or auditors.
9.
 - (1) The General Assembly shall be deemed convened and its proceedings valid provided that not less than 30 members are in attendance.
 - (2) For the purpose of subclause (1) of this clause the composition of members shall be:
 - (a) members of the Board of Trustees;
 - (b) members of the Advisory Committee;
 - (c) not less than one member from each Local Government Area of Katsina State.
10. Subject to the provisions of this Constitution, the General Assembly may regulate its procedures including the agenda of meetings, quorum, voting and nature of meeting.
11. The Chairman of the Board of Trustees may at any time on his own motion or within twenty-one days of receiving a written request to amend the Constitution or to transact any other business signed by not less than fifty members shall convene a special General Assembly for the purpose.

PART V: THE BOARD OF TRUSTEES

12.
 - (1) There shall be established a Board of Trustees which shall be the highest governing and policy making body of the Trust Fund.
 - (2) The Board of Trustees shall consist of:
 - (a) a Chairman, and
 - (b) not less than five, nor more than twelve other members.
 - (3) The Chairman of the Board of Trustees shall be appointed by the Government initially and subsequently shall be elected at a meeting of the General Assembly.
13.
 - (1) The first Trustees are those twelve persons appointed by the Government of Katsina State as listed under Schedule I to this Constitution.
 - (2) The proceedings of the Board of Trustees shall not be invalidated by any failure

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to appoint or any defect in the appointment or qualification of any member.

- (3) Any casual vacancy in the Board of Trustees may be filled by the Trustees and any member appointed to fill such a casual vacancy shall hold office until the next annual meeting of the General Assembly when his name will be put up for ratification.
14. No member of the Board of Trustees or the Advisory Committee shall be appointed to any salaried office of the Trust Fund or the contractor to it and no remuneration or benefit in money's worth shall be given by the Trust Fund to any member of the Board of Trustees or the Advisory Committee.
- PROVIDED that no payment of out of pocket expenses duly incurred on behalf of the Trust Fund shall be deemed to be improper.
15. A member of the Board of Trustees may hold office for life, but shall cease to hold office if he/she:
- (a) resigns;
 - (b) ceases to be a member of the registered Trustees [sic: members] of Katsina State Zakat and Endowment Fund;
 - (c) becomes insane;
 - (d) is officially declared bankrupt;
 - (e) is convicted of a criminal offence involving dishonesty by a court of competent jurisdiction;
 - (f) is removed on grounds of misconduct or incapacity as a result of ill-health or inability to discharge the functions of his office.
16. In addition to the powers conferred upon it by this Constitution, the Board of Trustees shall have power to:
- (a) disburse funds available to the categories of persons and causes eligible for zakat and for the purpose of its administration, charitable and philanthropic purposes;
 - (b) consider and approve any recommendations made to it by the Advisory Committee or any committee set up by it to consider any other matter;
 - (c) circulate to members, the annual audited accounts of the affairs of the Trust Fund not less than 30 days before the annual General Assembly meeting including:
 - (i) full report on the activities and business of the Trust Fund since the previous meeting and plans for the future;
 - (ii) a statement of account and balance sheet for the previous financial year duly certified by the external auditors;
 - (iii) budget of revenues and expenditures for the next finances of the ensuing year;
 - (d) liaise with the Advisory Committee as and when the need arises including holding a joint meeting;
 - (e) appoint the Secretary and other principal officers;
 - (f) determine conditions of service of all employees;
 - (g) accept the resignation of the Secretary and the principal officers;
 - (h) approve all banking and financial policies including appointment of authorised signatories;
 - (i) approval of acquisition and disposal of the Fund; and
 - (j) perform such other policy matters.

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17. (1) The Board of Trustees shall regulate its proceedings at its meetings.
- (2) The Board of Trustees shall meet as often as is necessary to transact its business but not less than twice in [every] year.

PART VI: THE ADVISORY COMMITTEE

18. (1) There shall be an Advisory Committee, which will interface on behalf of the Trust Fund particularly in the following areas:
 - (a) appropriateness of the programme of the Board of Trustees in tackling the socio-economic objectives of zakat and endowments in the State;
 - (b) prioritising the programmes of the Trust Fund to meet the objectives of zakat and endowments;
- (2) The Advisory Committee shall be appointed by the Board of Trustees and shall consist of fifteen members, three of which shall be members of the Board of Trustees.
19. The [Advisory] Committee shall meet at least twice a year and it shall regulate its proceedings including quorum, voting, the nature of the meeting.

PART VII: THE SECRETARIAT

20. There shall be a Secretariat of the Trust Fund, which shall be responsible for the implementation of policies and programmes approved by the Board of Trustees.
21. (1) The Secretariat shall be headed by the Secretary who shall be supported by the following officers:
 - (a) the Accountant/Treasurer;
 - (b) chairmen of various zakat standing committees; and
 - (c) any other position to be established in future.
- (2) The principal officers shall be appointed by the Board of Trustees.
22. (1) The Secretary shall be the head of the Secretariat and Chief Executive.
- (2) Subject to the general policy direction of the Trustees, the Secretary shall manage the day-to-day affairs of the Secretariat.

PART VIII: MISCELLANEOUS PROVISIONS

23. The financial year of the Trust Fund shall commence on the 1st of Ramadan of [each] Hijra year and ends on 29th Sha'aban of each Hijra year.
24. The accounts of the Fund shall be audited by professionally qualified auditors.
25. [Common seal to be in custody of Secretary; to be used only by authority of Board of Trustees; every document to which it is affixed to be signed by Chairman of Board of Trustees and another member of the Board or the Secretary; registers to be kept of members of Board of Trustees, of Advisory Committee, of members of the Trust Fund, and of donors of each zakat and endowment.]
26. (1) In the event of any dispute over the interpretation of any provision of the Constitution, the person concerned shall refer such dispute to the Chief Judge of Katsina State whose decision shall be final and binding.
- (2) An amendment to this Constitution shall be made by the joint meeting of the Board of Trustees and the General Assembly approved by at least two-thirds of the members present.
27. A member of the Board of Trustees, the Advisory Committee or any other committee and the management staff including an auditor or any person employed by the Trust Fund shall be indemnified out of the funds of the Trust Fund against any

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- liability incurred by him in good faith in the performance of his duties.
28. The Trust Fund shall not be aligned to any religious sect, ethnic group or political party.
 29. A member of the senior officers of the Trust Fund shall subscribe the oath for the due execution of duties of his office prescribed in the second schedule to this Constitution.

SCHEDULE I: ARTICLE 13(1) [listing first trustees; omitted here]

SCHEDULE II: ARTICLE 29 [this schedule missing in the copy of the constitution provided].

- (4) From an interview with Justice Musa D. Abubakar, Chairman of the Board of Trustees of the Zakat and Endowment Trust Fund:⁸⁹

The Trust Fund's first Board of Trustees [see list above] includes *ulama*, businessmen, politicians, and of course the Chairman who is a judge of the High Court of Katsina State, and the Permanent Secretary of the Ministry of Religious Affairs who is a civil servant. Besides per diems the members do not receive any remuneration for their service.

The Trust Fund was set up as an NGO for several reasons. The State House of Assembly didn't like the idea of establishing a Zakat Commission as a unit of the State Government, and the political leadership also was not interested in creating such a body, partly because of the cost. The Chairman also had some reservations about the developments in some other States where Zakat Commissions were established as part of government. Making the Trust Fund an NGO gives it more independence from the State Government and from politics. This means its decisions and operations can be carried out solely for the purposes intended, without regard to political considerations, and that the reputation of this essentially Islamic institution will not be hurt by being too close to politics.

The Trust Fund was launched in May 2005. After that it took some time to get the new system working: to establish and staff the Secretariat in Katsina, to establish Zakat Committees in all the Local Government Areas of the State, and to lay down procedures. Everything started working in May 2006.

Payment of zakat is not mandatory in Katsina State; everything collected is given on a voluntary basis. The basis of both collections and distributions – i.e. who should give zakat, what and how much they should give in view of their wealth, etc., and on the other side who should benefit from distributions – are the rules of the Maliki school of law. An important part of the work of the Secretariat and its staff is creating a sphere of awareness about all of this among the people by sending people all over the State to preach and teach. They are hoping to set up a website soon, which can reach people outside of the State.

In 2007 they collected about ₦10 million in money and about ₦3 million worth of commodities, mostly grains and animals. 80% of what is collected is distributed locally in

⁸⁹ Interviewed in Katsina on 30th October, 2007 by F. Kogelmann and A.S. Garba.

the general areas where it is collected; then 10% goes for administration and the other 10% goes into an *awqaf* fund.

There is a long history of *awqaf* in Katsina. But at present awareness about *awqaf* among the public is very low. Among the functions of the Zakat and Endowment Trust Fund as laid down in its Constitution are to try to build up this awareness and to encourage the endowment of *awqaf* for various socially beneficial purposes. One benefit of making the Trust Fund an NGO is that the administration of *awqaf* that are endowed will be by the Fund, and thus independent of the Government and the politicians.

c. Zakat collection and distribution processes

As part of the Trust Fund publicity outreach, letters were written and courtesy visits paid to some wealthy Muslim indigenes of Katsina State to introduce and request them to pay their zakat and establish endowments through the Fund. Except for the initial take-off fund realised during the inaugural fundraiser and the subsequent ten million naira received as donation, the very wealthy have not been patronizing the Fund. Most of those who pay their zakat through the Trust Fund are the Fulani, local farmers and other middle level salaried civil servants.

At the state level the Fund opened an account for zakat and endowments. The record of cash collections made available to the researchers are the N7, 000, 000 realized at the inaugural launching of the Trust Fund in 2005 and the N10,000,000 donated by one Alhaji Umar Abdulmutalib. This makes a total of N17, 000, 000 collected from 2005 to 2007.

The collection and distribution of zakat is done at the community level by interested District heads, Village heads and Mallams. Not all the local governments are active in terms of zakat collection and distribution. From available records, the most active local government areas are Faskari and Charanchi.⁹⁰ Table 7.c.1 shows that the predominant items used for zakat are grains and animals. The data given in the table are obviously patchy. However, if we consider the challenges facing the Trust Fund, the data can still serve as a pointer to what actually obtained on the ground and can therefore be useful for illustration.

Whereas most Muslims may have resorted to individual distribution of their zakat, it is equally possible that not all who pay through the Fund at the state level or local government level are fully documented. For example, none of the people interviewed were aware of how the donated ten million naira was spent. This can perhaps be attributable to the absence of adequate support staff and office accommodation. Therefore, not only collection, but distribution records is also very sketchy. However, from interviews conducted beneficiaries of zakat range from debtors, the sick, orphans and the poor people and there is no gender discrimination in the sharing as beneficiaries include both men and women.

⁹⁰ Even in these most active local governments, obtaining records of zakat collection, is quite problematic.

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TABLE 7.C.1: ZAKAT COLLECTIONS IN FASKARI AND CHARANCHI LGAs IN 2005-2009

Year	LGA	Cash(N)	Goats	Cows	Farm Produce (Bags)
2005	Charanchi				
	Faskari	35,000			
2006	Charanchi				
	Faskari			4	
2007	Charanchi				
	Faskari				
2008	Charanchi	38,875	16	1	2
	Faskari				
2009	Charanchi		1	1	69
	Faskari	20,000	1	7	62
2010	Charanchi	79,000	11	2	1,169
	Faskari				
Totals		172,875	29	15	1,302

d. Administration of endowments

Endowments are not very popular in Katsina state. The State Zakat and Endowment Fund has not done much to raise awareness on the importance of endowments. Very few people have endowed properties. So far about four houses and a warehouse have been endowed by individuals. Two of the houses are in Katsina, while there are two in Funtua and the warehouse is located in Kirfi. There appears not to be any clear modality for the management of the endowed properties. There is the possibility of privately administered endowments in Katsina State, which may not be streamlined due to the challenges faced by the Trust Fund.

8.

Kebbi State

**a. The Sharia Implementation Committee's recommendation
for a Zakat Board**

The first Committee on the Implementation of Sharia in Kebbi State, in its report to the Governor of early 2000, made the following recommendations among many others:⁹¹

A strong committee made up of people of proven integrity should be established in the State to collect appropriate zakat in accordance with the teaching of Islam. This committee should also be charged with the responsibility of organising the necessary enlightenment training aimed at both securing the confidence of the public and getting them understand the necessity of giving out zakat by those qualified to do so.

This recommendation was acted on quickly and favourably by the enactment of Kebbi State's Zakat and Sadaqat Board Law, reproduced in the next section.

**b. The Zakat and Sadaqat (Collection and Distribution)
Board Law, 2000⁹²**

A LAW TO PROVIDE FOR THE ESTABLISHMENT OF THE KEBBI STATE ZAKAT AND SADAQAT COLLECTION AND DISTRIBUTION BOARD AND FOR OTHER MATTERS CONNECTED THEREWITH

Arrangement of sections:

- | | |
|---|---|
| 1. Citation and commencement. | 12. Meetings of the Board. |
| 2. Interpretation. | 13. Tenure of office of the Chairman, members of the Board. |
| 3. Establishment of the Board. | 14. Resignation and removal of members of the Board. |
| 4. Composition of the Board. | 15. Remuneration of members. |
| 5. Functions of the Board. | 16. Subcommittees. |
| 6. Committee of the Board. | 17. Quorum. |
| 7. Composition of the State Committee. | 18. Common seal. |
| 8. Functions of the State Committee. | 19. Rules of procedure. |
| 9. Composition of Local Government Committee. | 20. Accounts. |
| 10. Functions of the Committee. | 21. Invalidity of proceedings. |
| 11. Funds of the Board. | 22. Co-option of a person. |

WHEREAS payment of zakat, as one of the cardinal Pillars of Islam, is made mandatory to every Muslim of specified income;

AND WHEREAS it is considered expedient and desirable to establish a Board for the collection, custody and distribution of zakat according to Qur'anic injunctions.

⁹¹ Report of the Committee on the Implementation of Sharia in Kebbi State, reproduced in *Sourcebook*, II, Supplementary Materials, online, item III, at p. 15.

⁹² Kebbi State of Nigeria Gazette, No. 1 of 1999 [sic: 2000], Vol. I, pp. 80-84.

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NOW THEREFORE BE IT ENACTED by the Kebbi State House of Assembly as follows:

1. This law may be cited as the Kebbi State Zakat and Sadaqat (Collection and Distribution) Board Law, 2000 and shall come into effect on the 13th day of March 2000
2. In this Law unless the context otherwise requires:
[giving boilerplate definitions of “Board”, “Local Government Committee”, “State Committee” and “State”.]
3. There is hereby established a body to be known as the Kebbi State Zakat and Sadaqat Collection and Distribution Board which shall be a body corporate with perpetual succession and a common seal, with power to sue and be sued in its corporate name.
4. (1) The Board shall have the following members:
 - (a) a Chairman who shall be learned in Islamic Law and Western Education to be nominated by the Governor;
 - (b) three *ulama*;
 - (c) three Muslims who shall be successful businessmen;
 - (d) two representatives of the State Government who shall be learned in Islamic law and western education;
 - (e) two representatives of the State House of Assembly;
 - (f) Secretary.(2) The members of the Board shall be appointed by the State Executive Governor.
5. The Board shall perform the following functions:
 - (a) create awareness amongst the Muslim *ummah* on the relevance of zakat as one of the pillars of Islam and on the need to give it out;
 - (b) collect and keep in proper custody zakat and *sadaqat* from individuals and philanthropic organisations.
 - (c) distribute zakat and *sadaqat* collected according to Qur’anic injunctions;
 - (d) ensure that all Muslims eligible to pay zakat shall do so as and when due in accordance with the Qur’anic injunctions; and
 - (e) to do any other thing that is incidental to the proper discharge of its functions under this law.
6. There shall be a State Zakat and Sadaqat Collection and Distribution Committee and a Local Government Zakat and Sadaqat Collection and Distribution Committee in each Local Government Area of the State.
7. (1) The State Committee shall have the following members:
 - (a) a pious Islamic scholar who shall be the Chairman;
 - (b) ten Muslims who are learned in both Islamic and western education as members; and
 - (c) a civil servant learned in Islamic and Western education as Secretary.(2) The members of the State Committee shall be appointed by the Executive Governor.
8. The State Committee shall perform the following functions:
 - (a) advise the Board on the principles to be applied in the collection and distribution of zakat and *sadaqat*;
 - (b) create awareness amongst the public on the importance of zakat and *sadaqat* through public lectures, seminars, conferences and workshops.

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- (c) identify the eight categories of people who are eligible to receive zakat;
 - (d) ascertain and verify the genuineness of all requests for assistance brought before the Board; and
 - (e) compile the list of names and addresses of well-to-do Muslims and philanthropic organisations in the State.
9. The Local Government Committee shall have the following members:
- (a) Local Government Chairman or his representative – Chairman;
 - (b) representatives of the District Heads – members;
 - (c) representative of the Chief Imam – member;
 - (d) representatives of religious organisations – member;
 - (e) Secretary.
10. The functions of the Local Government Committee shall be as follows:
- (a) identify the eight categories of people that are eligible to receive zakat;
 - (b) identify the destitute and the needy in the Local Government for the purpose of *sadaqat*;
 - (c) ascertain the genuineness of requests for assistance in the Local Government before forwarding them to the State Committee;
 - (d) compile the names and addresses of well-to-do Muslims and philanthropic organisations in the Local Government and forward same to the State Committee.
11. The funds of the Board shall consist of:
- (a) monthly allocation from the State Government;
 - (b) monthly contribution from each Local Government; and
 - (c) donations from individuals and organisations.
12. [The Board to meet at least three times a year and otherwise as circumstances warrant; the Chairman to preside or in his absence someone else chosen from amongst the Board.]
13. [The Chairman and members of the Board to hold office for three years and may be re-appointed for one further term.]
14. [Board members may resign or be removed by the Governor if they cannot discharge their functions by reason of dishonesty, ill health or insanity, or if they are declared bankrupt or found guilty of committing an offence by a court of law, or are absent from three consecutive meetings without permission or genuine reason.]
15. The members of the Board shall not be entitled to any remuneration but they shall be compensated for all expenses reasonably incurred in the course of their official assignment under this law.
16. The Board may from time to time appoint a subcommittee for the effective discharge of its functions under this law.
17. The quorum at any meeting of the Board shall be two-thirds of the members of the Board.
18. The Board shall have a common seal which shall be such as may be determined by the Board.
19. The Board may make such rules or standing orders that will govern its proceedings at any meeting.
20. The Board shall cause to be kept proper records of accounts that will give an accurate view of the activities of the Board.
21. No act or proceedings of the Board shall be invalidated by reason of defect in the appointment of a member.

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22. Where, upon any special occasion, the Board requires to obtain the advice of any person on any particular matter, the Board may co-opt such a person to be a member of such meeting as may be required and such person whilst so co-opted shall have all the rights and privileges of a member except that he shall not be entitled to vote or be voted for in any question.

c. On the Zakat and Sadaqat Board, from interviews 2003-2008

(1) Officials of the Office of Special Adviser on Religious Affairs:⁹³

Within the Office of Kebbi State's Special Adviser to the Governor on Religious Affairs, there are four departments: Da'awah, Sharia, Personnel Management, and Finance. Included in the schedule of duties of the Director of the Da'awah Department is the following:

- 7) Liaise with other Government boards and parastatals with bias in Islamic issues (e.g. Arabic and Islamic Education Board, Pilgrims Board, Zakat Board, Preaching Board).

In short, the Zakat and Sadaqat Board reports to the Governor through the Director Da'awah and the Special Adviser on Religious Affairs. The Da'awah Department also works with the Board on "creat[ing] awareness amongst the Muslim *ummah* on the relevance of zakat as one of the pillars of Islam and on the need to give it out" (§5(a) of the Board's statute).

(2) Justice Tukur Sani Argungu of the Sharia Court of Appeal:⁹⁴

Kebbi State's Zakat and Sadaqat Board does not have the same powers of enforcement of the payment of zakat as Zamfara State's Board does. Thus, even though Kebbi's Board is supposed to "ensure that all Muslims eligible to pay zakat shall do so as and when due" (§5(d)), its powers are persuasive only, not coercive. In fact, Kebbi's *ulama* are divided on whether there should even be a Zakat Board at all, some holding that the payment of zakat should be entirely private and voluntary.

(3) Malam Umar Isa, former Chairman of the Zakat and Sadaqat Board:⁹⁵

Malam Isa is a geologist, with a B.Sc. in petroleum geology and an M.Sc. in hydrogeology, both from King Abdul Aziz University in Jiddah, Saudi Arabia. He has worked as a geologist in Nigeria and taught both in Nigeria and in Saudi Arabia. In 2000 he was appointed to be Kebbi State's first Special Adviser to the Governor on Religious

⁹³ Interview in Birnin Kebbi with Musa Abdullahi Jega, Director Da'awah Department, Abubakar Muhammad Augie, Director Sharia Department, Alh. Garba Yahaya, Director Personnel Management Department, Lawal Muhammad Kangiwa, Director Finance Dept., and Muhammad J. Abubakar, of the Preaching Board, on 13th March 2008, by P. Ostien and A.S. Garba. Further details of the interview are given in *Documentary materials on Councils of Ulama and Related Bodies* section 8.

⁹⁴ Interviewed in Birnin Kebbi on 26th February 2003, by P. Ostien and M.K. Idris.

⁹⁵ Interviewed in Birnin Kebbi, 2nd November 2007, by F. Kogelmann and A.S. Garba.

Affairs, and also the first Chairman of the Zakat and Sadaqat Board, positions in which he served until 2007.

Before the Zakat and Sadaqat Board was created in 2000, the distribution of zakat in Kebbi State was for the most part done by individuals acting on their own, except that in some places leaders of the 'Yan Izala tried to organise local collections and distributions on a communal basis, an effort that did not get very far. Most wealthy people preferred to make distributions themselves, to people selected by themselves, who thus became their clients and dependents; often such distributions were essentially bare of religious significance. The process was inefficient, susceptible to corruption, and hardly served the social purposes for which zakat is intended.

The creation of a Zakat and Sadaqat Board was controversial in Kebbi State. Mal. Isa was himself doubtful about its advisability, fearing the interference of politicians in the work of any Board set up as an agency of the State Government, and the high potential for corruption of the process. Many others shared this distrust of too close an association with the state. There was also the fear, outside of the capital, that all zakat collected, whether in cash or in kind, would end up in Birnin Kebbi and be distributed there (this is not the case: most zakat is distributed in the same locality where it is collected). And many "big men" wanted to continue the old pattern of distributions by themselves to hand-picked individuals without any guiding social purpose.

Nevertheless, after consultations, in which the *ulama* were also included, it was agreed to create a State Zakat and Sadaqat Board, with members appointed by the Governor, to educate the people of the State about zakat, to encourage them to give, and to administer zakat given through the Board. The members of the Board receive no salaries, but only reimbursement for their expenses. Under the Board is a State Zakat and Sadaqat Collection and Distribution Committee with executive functions; and under the State Committee there are Local Government Committees, on which the Districts of the Local Governments are also represented. The salaries of the employees of the State Committee are paid by the State Government; the Local Government Committees take their share of the zakat they collect, according to the rules of Islamic law.

According to its law, the Board is supposed to "ensure" that Kebbi State's Muslims pay their zakat. But the Board has no power to do this; it cannot, for instance, prosecute defaulters as the Zakat Boards in some other States can do. There is also nothing in the law about what percentage of the zakat due from a given person should be paid into the Board, and what percentage may be distributed privately by the person. In practice, the wealthy of Kebbi State have not accepted the ratio of 2/3 to 1/3, and even 1/2 to 1/2 is highly problematic. This has made the work of the Board less effective than it would otherwise be.

Once the Zakat and Sadaqat Board Law was enacted [in March 2000], it was a difficult process to select the right persons as Board and State Committee members. They wanted only people with high reputations for having good moral standards, and they also wanted to try to keep politics out of it by including, for instance, both ANPP and PDP people. Selection members of the Local Government Committees was also difficult: it was a long process to find individuals with immaculate reputations, which this sort of work demands if it is to be successful.

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The Committees have all been in place for some years now. But zakat collections, unfortunately, have been far below expectations. The Board has worked hard to convince target groups to give their zakat, but its appeals to their social and religious consciences has not been getting good results. It has been hard to find individuals willing to serve as good examples. Even the wealthy Kebbi traders, many of them resident in Kano, have been hard to convince. Some of the Local Government Committees have been inactive; the Board has tried to get them to show more activity; but sometimes this is inhibited by local conflicts between traditional titleholders and the Local Government authorities. There have been some successes: in Augie District the management of zakat was put into the hands of an ex-Deputy Governor, who stimulated very high giving of zakat particularly on farm produce. The State Government has also been making an annual grant of ₦20 million, and there have been donations from some indigenes of Kebbi State living abroad. But it is going to take more time and effort before the administration of zakat as intended by the Zakat and Sadaqat Board Law really becomes effective.

As to distribution of what is collected: they use three methods. (1) Main distributions: 70 beneficiaries per year are selected in each of the 21 Local Governments; (2) periodic distributions: these reach another 40 to 50 beneficiaries who must also apply and be approved by the Zakat and Sadaqat Committees; (3) imprest distributions: the Executive Secretary has authority to distribute immediate support to people in dire need; in the first two years about ₦50,000 was distributed in this way. This is not enough to meet the need, but it is what they have been able to do.

Turning to *awqaf*: these have a history in Hausaland, in the form, for instance, of institutions to take care of travellers and students. The *awqaf* were endowed on the local level, and fixed by written contracts. But corruption destroyed confidence in the institution. There was an effort to revive *awqaf* after Sharia implementation began in 2000, led by some returning *hajjīs* who were impressed by *awqaf* endowed by the Saudi ruling family: in fact there was a proposal to establish an Endowment Board by law. But unfortunately the whole thing collapsed, and there has been no new initiative so far.

Mal. Isa believes that it is going to be necessary to organise workshops and conferences on zakat-related topics from the Local Government, through the State, and even at the National level to address technical issues and to raise the level of understanding and commitment about zakat and *awqaf*, before more progress can be made.

d. Data on zakat and sadaqat collections, various years

(1) Collections by LG committees

Most collection of zakat is done at the local government committee level. These consist of seven members: a chairman, secretary and five others in each of the LG areas of the state. The chairmen and secretaries are full-time LG employees and therefore draw their salaries from the LG council. The running expenses of the LG Zakat and Sadaqat committees are supposed to be defrayed through monthly grants of N100,000 by the LG councils, but unfortunately these have not been forthcoming; perhaps if this were made available, the LG committees would be in a position to raise more money than they have

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been raising. Sometimes the state central committee sends the LG committees funds. The LG committees, as *amilina alaiba*, also retain 10% of their own zakat collections; this is shared by all the staffers of the LG committee where the collection was made.

The LG Zakat and Sadaqat Committees work with the District and Village heads and local mallams to identify and collect zakat from the *muzaki* (zakat payer). It is instructive to note that the law did not provide any role for the traditional rulers. However, according to Mallam Umar Isa⁹⁶, they have played important roles in the encouragement of their people to pay and in the actual collection of the zakat due. Nevertheless, most of the people do not pay their zakat to the committees. This may be because zakat is still a voluntary undertaking in Kebbi State due to absence of any law that compels people to pay.

In terms of collection not all the LG committees are very active. Table 8.d.1 shows the actual zakat collected by the LG Zakat and Sadaqat Committees across the 21 LG areas of Kebbi State in 2010-2012:

TABLE 8.D.1: COLLECTION OF ZAKAT BY LOCAL GOVERNMENT ZAKAT AND SADAQAT COMMITTEES 2010-2012⁹⁷

LGA	2010			2011			2012		
	Grains	Bags	Cash (N)	Grains	Bags	Cash (N)	Grains	Bags	Cash (N)
Aliero	37	11	495,000	12			22		22,000
Argungu			395,000	43	70	1,450,000	50	45	1,858,000
Augie	524	12.5	175,000	242	63	129,000	149		
Bagudo	45	37		69	11	85,000	74	196	110,100
Birnin Kebbi	30	16	10,500	60	100	1,415,000			
Bunza	487	23.00	82,150	191	5	379,000		82	162,000
Dandi	463	7	20,000	499	14				
Danko/Wasagu								83	
Fakai	174	39			84				
Gwandu	1,510		104,100	50		118,000	40		265,000
Jega	64	9.5		436	17		41		1,000
Kalgo	180		15,000	66					
Koko/Besse		250	7,230,000	200	16	1,754,000	100		661,000
Maiyama			81,000	42		67,000	476		
Ngaski		137	1,000,000	1910					
Shanga					3				
Suru			230,000			240,000			240,000
Yauri	28	12	2,488,000		40	1,350,000		61	813,000
Sakaba			12,325,750		20	28,000		467	4,132,100
Arewa					443	7,015,000			
Zuru									
TOTAL	3,542	554	12,325,750	1,910	443	7,015,000	476	467	4,132,100

Table 8.d.1 demonstrates four things: first, the zakatable items preponderant in Kebbi State are grains and cash. The few occasions where livestock (cows) are used they are sold and converted to cash. Second, not all the LG committees are active. For example within

⁹⁶ Former Special Adviser on Regional Affairs to Kebbi State Governor, 2002 to 2003, interviewed in Birnin Kebbi on 26 April, 2016, by Danladi Aliyu.

⁹⁷ Compiled by Danladi Aliyu from data collected in 2016.

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the period covered by this data, Zuru, Shanga and Danko Wasagu local government committees recorded nothing or little collection. Thirdly, even those LG committees that are active appear to be stronger in one zakatable item or the other. For instance, Koko/Besse recorded more collection in terms of cash (N9.6m); Ngaski is leading in bundles of grains (1,910 bundles); and Sakaba LG committee is ahead of others in terms of bags of grains (487 bags). Fourthly, there are LGs that only collect grains (Danko/Wasagu, Fakai and Shanga) and those that only recorded cash collection (Suru LGA).

(2) Collections by the state Board

In preparation for the collection of zakat from eligible payers, the Board organizes sensitization through the media, pamphlets, posters and the Da'awah Committee, as well as having personal contacts through visits and courtesy calls to identified potential zakat and sadaqat payers. In line with the provision of the Zakat and Sadaqat Law the state government also makes annual grants to the Board. The Board maintains three types of accounts, namely zakat account, sadaqat account and government grants account maintained in four different banks in which all collections are kept. Zakat and sadaqat payers have the option to come to the state headquarters and pay directly in cash for which a receipt is issued, or to pay through directly into the bank accounts maintained by the Board.

The next table, Table 8.d.2, shows annual collections by the Board for 2008-2012, broken down by category:

TABLE 8.D.2: COLLECTIONS BY THE KEBBI STATE ZAKAT AND SADAQAT BOARD,
2008-2012, BY CATEGORY

Year	Collections (N)			
	Zakat	Sadaqat	Government grants	Totals
2008	9,515,500	182,000	100,006,661	109,746,000
2009	9,588,600	70,400	50,000,000	59,659,000
2010	885,000	3,000	51,000,000	51,888,000
2011	1,095,000	80,050	100,000,000	101,175,050
2012	800,000	1,006,760	50,000,000	51,806,760
2013	1,225,000	95,000	100,000,000	101,320,000
Totals	23,109,100	1,437,210	451,006,661	475,594,810

Clearly the major source of funds collected by the Board in these years was the grants made to it by the state government: 94.8% of total collections, as opposed to 4.9% derived from zakat and only 0.3% derived from sadaqat. As in most other states, most people apparently prefer to distribute their zakat and sadaqat privately, rather than through the Board or the LG committees, or perhaps not to pay at all.

Finally, Table 8.d.3 gives total annual collections by the Board for 2001-2015 – without the categorical detail that was provided for 2008-2013:

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TABLE 8.D.3: TOTAL ANNUAL COLLECTIONS BY THE KEBBI STATE ZAKAT AND SADAQAT BOARD, 2001-2015

Year	Zakat , sadaqat & government grant collections (N)
2001	1,500,000
2002	3,463,450
2003	18,241,420
2004	16,341,300
2005	22,687,750
2006	32,632,920
2007	3,388,000
2008	109,746,000
2009	59,659,000
2010	51,888,000
2011	101,175,050
2012	51,806,760
2013	101,320,000
2014	3,231,000
2015	51,245,580
Total	582,326,230

It appears that it was only in 2008 that the state government began making substantial annual grants to the Board; this appears to have been missed out in 2014 and resumed again in 2015.

e. Data on zakat and sadaqat distributions, 2008-2013

(1) Distribution of zakat and sadaqat collected.

The distribution of *zakat* and *sadaqat* collected at the LG areas takes place at the actual location of the collection. Once collected, the LG committee informs the state committee and a date is fixed for the distribution. Before any distribution takes place at the local level, the state committee must approve the date and must be represented at the event. The local committee list all the names of the beneficiaries and the items benefited and submit same to the state committee.

Beneficiaries are identified by the District and Village heads. Local mallams and members of the LG *zakat* and *sadaqat* committees also identify beneficiaries. The committees also allow the *zakat* payer to identify those who are eligible that they want to benefit. There are two different types of distribution: distribution of *zakat* and the distribution of *sadaqat* and government grants. The categories of beneficiaries at the state level include: poor and needy, shelter rehabilitation, assistance to new converts and organizations. Table 2.18 below shows the distribution according to the different categories of beneficiaries.

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TABLE 8.E.1 : SHARE OF ZAKAT TO DIFFERENT CATEGORIES IN KEBBI STATE 2008-2013

Head	Share	Percentage
Distributed by the State Committee		
Poor and Needy	15,681,500	32.8
Shelter Rehabilitation	1,104,200	2.3
New Converts	80,000	0.2
Organizations	5,921,000	12.4
Indigent	1,023,000	2.1
Empowerment	651,120	1.4
Disaster Victims	200,000	0.4
Payments to LG Committees for distribution by them	23,220,000	48.4
TOTAL	47,880,820.00	100

Source: Compiled by the researchers, 2016

Table 8.e.1 above shows that payments to LG zakat committee for distribution to the needy and poor takes about half (48.4%) of the total distributable sum from 2008 to 2012. It should be noted that the transfer to LG committees is done base on equality. It is the responsibility of the local committees to determine the sets of beneficiaries at the community level. Transfer to them is to ensure that those LGs with low activities are not left out of the benefit of zakat.

Mallam Muhammadu Kwaido⁹⁸ and Mallam Umar Isa⁹⁹ both confirmed that the local beneficiaries are largely from the poor and needy categories – which include, widows, orphans, disable and physically sick. Also, beneficiaries include both Muslims and Christians, especially, those of the inclined heart.

By implication about 80% of total collection goes to the poor and needy. As a matter of policy there is no limit to what can be given to beneficiary as zakat – they could get as low as one thousand naira and as high as ten thousand naira. Sometimes as many as four beneficiaries could share one bag of grains. Whereas most of the payers of zakat are men, the beneficiaries are mostly women. Apart from the distribution of cash and grains as zakat the Board also train destitute in different skills and at the end of the training each participant is given set of equipment to further the trade. The problem is there is no follow-up by the Zakat and *Sadaqat* Board. In an interview with Mallam Muhammadu Kwaido he admitted knowledge of the fact that trainees often sell their equipment sometime even before leaving the venue of distribution.

(2) Distribution of government grants.

The following categories benefit from distribution of government grant (a) Poor and the Needy – here it include the poor, needy, orphans, and marriage assistance; (b) mentally and physically ill persons – this comprises psychiatric patients and physically ill persons; (c) special cases – this include cases such as assistance to new converts, victims of natural disaster, skills acquisition, physically challenged and students scholarship; (d) local government zakat committees allowance; and (e) running/administrative cost. The

⁹⁸ Interviewed in Birnin Kebbi on 29 April, 2016 by Danladi Aliyu

⁹⁹ Interviewed in Birnin Kebbi on 29 April, 2016 by Danladi Aliyu

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Board allocate funds to its sub-committees, which in turn apply the funds to the various activities mentioned above. Table 2.19 below shows the share of Government funds allocated to each category of the beneficiaries.

TABLE 8.E.2: ANNUAL SADAQAT AND GRANT DISTRIBUTION TO DIFFERENT CATEGORIES IN KEBBI STATE 2008-2013

Category	Total Share	Percentage
Poor and the Needy	97,716,500.00	30.3
Mentally ill persons	83,170,801.00	25.8
Special Cases	34,877,980.00	10.7
Allowances to LG Cmtee	22,883,153.45	7.1
Running Cost	84,081,235.11	26.1
Total	322,729,669.56	100

Source: Compiled by the researchers, 2016

The number of persons that benefited from the distribution of state Government grants across the various categories are forty-five thousand, seven hundred and thirty-three beneficiaries. The mentally and physically ill recorded the highest number of beneficiaries followed by the poor and the needy and then special cases.

TABLE 8.E.3: NUMBER OF BENEFICIARIES OF GRANT DISTRIBUTION IN KEBBI STATE

Category	2008	2009	2010	2011	2012	2013	Totals
Poor and the Needy	1473	1769	2772	2582	3014	4048	15658
Mentally & Physically ill persons	149	777	2942	8419	5,042	8,321	25650
Special Cases	167	622	729	1149	641	1117	4425
Total	1789	3168	6443	12150	8697	13486	45733

Source: Compiled by the researchers, 2016

The priority of the Board since 2015 is now purely on the treatment and care for mentally impaired persons. Other aspects of the Board activities have been suspended. According to the acting chairman, this is due to lack of inadequate funding from state government. Though receipt from zakat still goes to the poor and the needy as usual.

f. Endowments in Kebbi State

There is some history of endowments in Kebbi State, even though it is not very vibrant. Kebbi's Zakat and Sadaqat Board Law does not mention endowments or their administration. Nevertheless, the Zakat and Sadaqat Board has, from its fund, sometimes invested in what amount to endowments. For example, the Board built a house in Birnin Kebbi which is used for accommodating wayfarers and new converts. In Argungu, the Emir endowed two houses which were handed over to the LG Zakat and Sadaqat committee for management.

9.

Niger State

a. Administration of zakat before Sharia implementation began

Before Sharia implementation began in Niger State in 2000 and 2001, zakat, to the extent that it was being collected and distributed at all, was collected and distributed informally by Islamic malams. With the establishment of the State Zakat and Endowment Board in 2001, the Board took over this whole field throughout the State, ousting informal collections by the malams. The malams were not necessarily happy with this development, although some of them were co-opted into the Zakat Board or its Zonal or District organs.¹⁰⁰

b. The Zakat and Endowment Board Law, 2001

In late July and early August 2000 the Niger State Advisory Council on Religious Affairs spent several days in Zamfara State, gathering information about the progress of Sharia implementation there. Zamfara's approach to the administration of zakat and endowments was one topic that was discussed, in meetings in the Ministry of Justice and the Ministry for Religious Affairs.¹⁰¹ Zamfara's approach must have made a favourable impression on Niger State's officials, because the following year Niger adopted Zamfara's Zakat and Endowment Board Law, 2000 with very few changes, with the enactment of its own Zakat (Collection and Distribution) and Endowment Board Law, 2001.¹⁰² Because the laws are so similar, Niger State's is not reproduced here. Rather, Zamfara's law, given in full in section 12.a below, has been annotated, section by section, to show variations between it and Niger's law. The most notable Niger variation is the omission of §27 of Zamfara's law, levying zakat on "the gross salaries of State officials and other sectors, and on the wages, gratuities, pensions as well as other profits of professionals and craftsmen". Quite possibly Niger omitted this section because of its apparent inconsistency with the Federal Government's exclusive right to tax incomes, profits and capital gains, as laid down in §59 of Part I of the Second Schedule to the 1999 constitution. It is notable that when Zamfara State amended its Zakat and Endowment Board Law in 2003, it too deleted that section.

c. Zakat responsibilities of the Sharia Commission

Niger State's Sharia Commission Law came into operation on the same day as its Zakat and Endowment Board Law. One of the assigned functions of the Sharia Commission, perhaps redundantly, was "advising the Government on the implementation of certain Islamic injunctions such as zakat, Islamic markets, measures, etc."¹⁰³ Judging from the plan of activities of the Sharia Commission, it has seen its principal roles in this matter as

¹⁰⁰ From interviews cited at the beginning of section **d** below.

¹⁰¹ Records of Visits of the Niger State Advisory Council on Religious Affairs (NISACORA) to Niger State Local Government Areas and to Zamfara State, June, July and August 2000, reproduced in *Sourcebook*, II, Supplementary Materials, online, item V, at pp. 27ff.

¹⁰² Niger State of Nigeria Gazette No. 10 Vol. 26, 3rd September, 2001, Supplement Part B pp. B39-B53. The law came into operation on 10th July 2001.

¹⁰³ For Niger State's Sharia Commission Law see *Documentary materials on Councils of Ulama and Related Bodies* section 9. The subsection quoted is §8(f).

oversight and coordination of inter-Board affairs rather than anything more substantive.¹⁰⁴

d. Organisational structure and functions of the Zakat and Endowment Board

Researchers for this project were granted lengthy and informative interviews with officials of the Zakat and Endowment Board in 2003¹⁰⁵ and again in 2005.¹⁰⁶ Information gathered in those interviews is summarised in section **f** below. A lengthy document that was also provided, a report on the organisational structure and functions of the Board, dated September 2001, is reproduced here:

NIGER STATE ZAKAT AND ENDOWMENT BOARD: ORGANISATIONAL STRUCTURE
AND FUNCTIONS, SEPTEMBER 2001¹⁰⁷

Contents:

- Organogram 1: Administrative Set-Up
- Organogram 2: State Zakat and Endowment Board
- Aims and Objectives of the Board
- Functions of:
 - The Chairman
 - The Treasurer
 - The Assistant Treasurer
 - The Secretary
 - The Directorates
 - The Department Directors
- Committees of the Board
 - Collections
 - Distributions
 - Staff Discipline
 - Finance and General Purpose
- Zonal Zakat Committees and District Zakat Councils
- Zakat* Assessment Procedures
- Zakat* Collection Procedures
- Zakat* Distribution Procedures
- Financial Affairs
- Quorum of Board Meetings
- Publicity Strategy
- Zakat* Assessment Form
- Nisabs* of *Zakat*

¹⁰⁴ *Documentary materials on Councils of Ulama and Related Bodies* section 9.

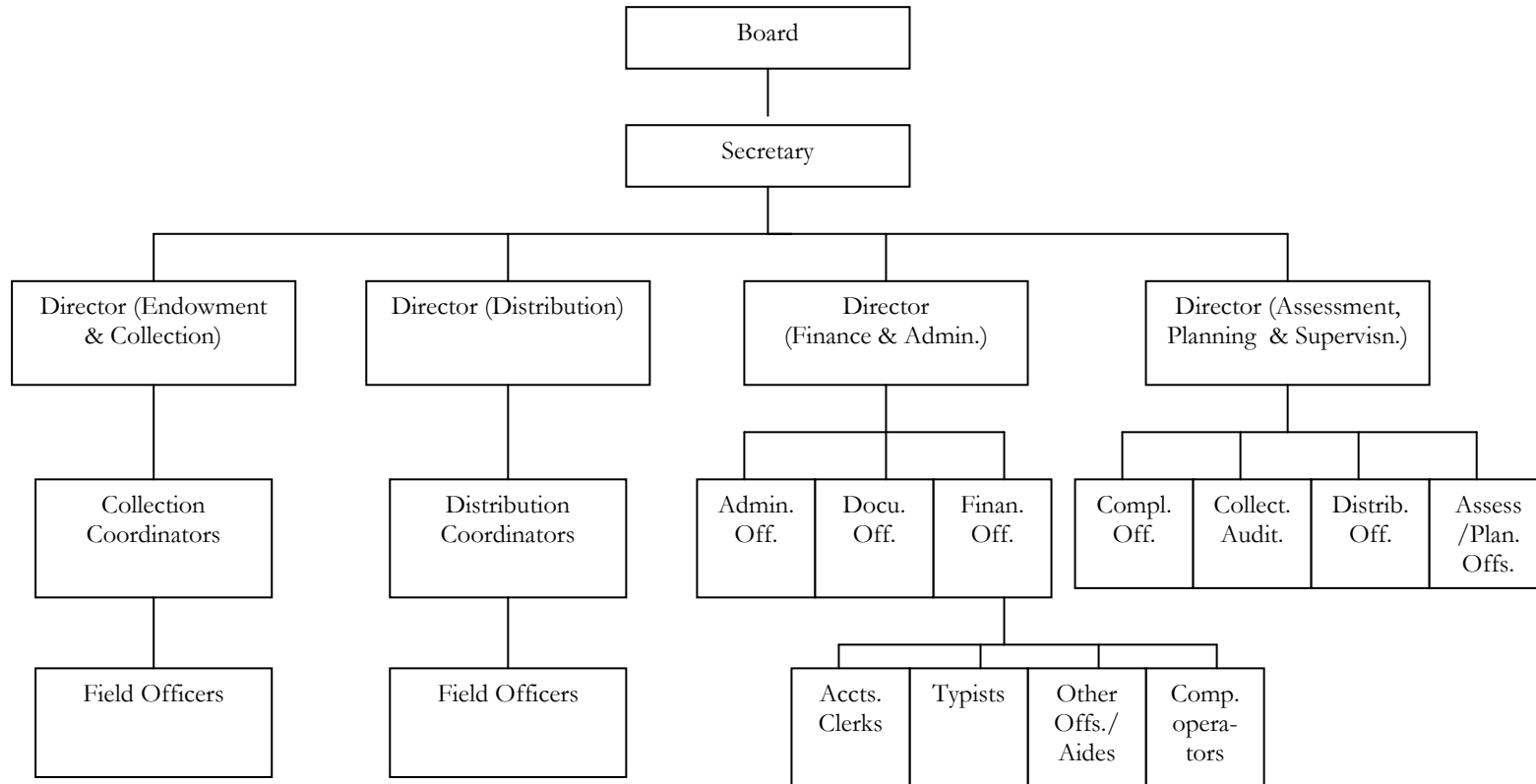
¹⁰⁵ Interviews with Muhammad Shaku, the Director of Distribution, in Minna, on 6 February and 8 April 2003, by J.M. Nasir, D. Gwamna and R. Awal.

¹⁰⁶ Interview with Adamu Idris Tagina, the Executive Secretary, in Minna, on 28 November 2005, by S.U. Fwatshak and S.H. Liman.

¹⁰⁷ This report kindly provided by officials of the Board to researchers for this project.

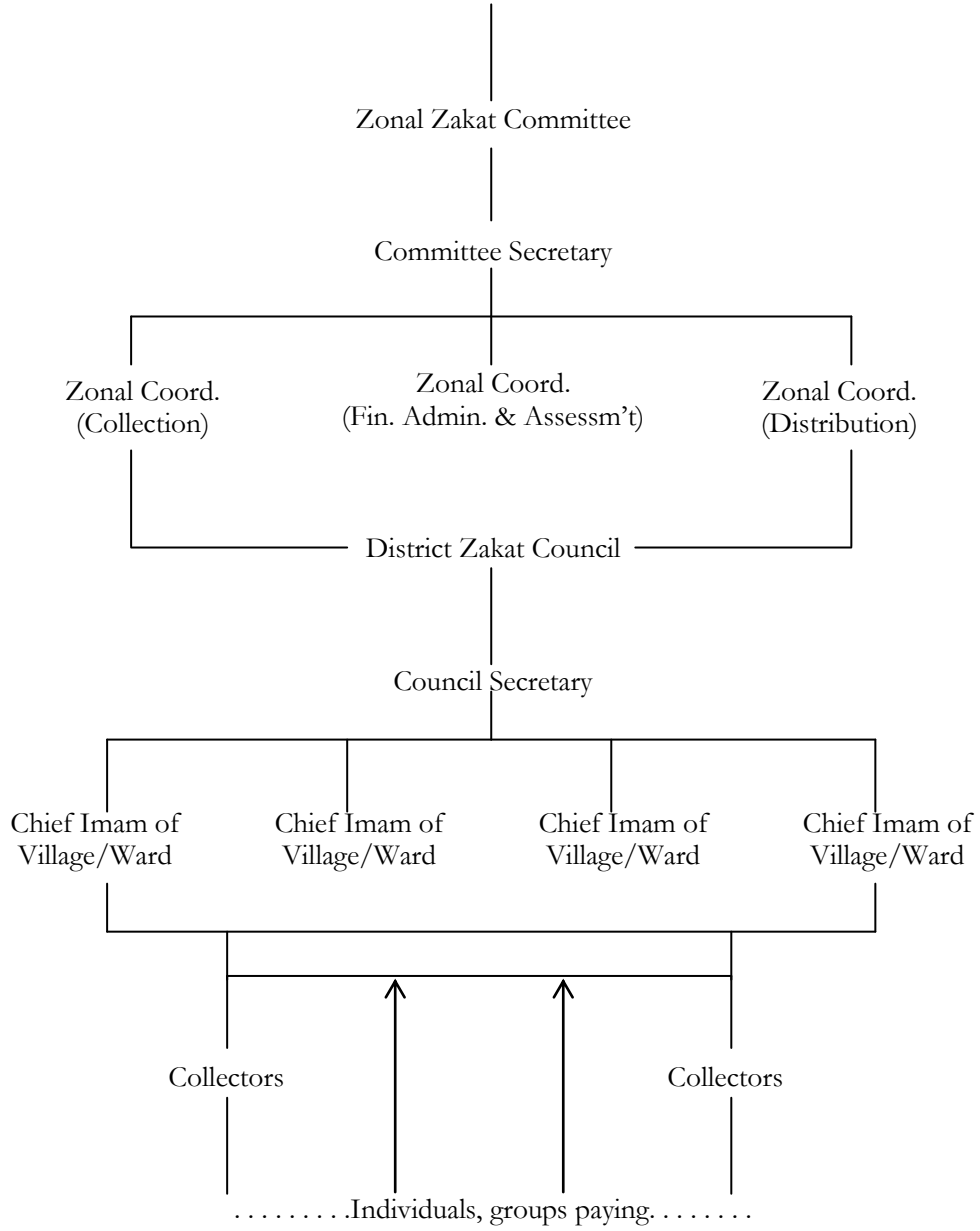
SHARIA IMPLEMENTATION IN NORTHERN NIGERIA:
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ORGANOGRAM/ADMINISTRATIVE SET-UP



NIGER STATE

STATE ZAKAT AND ENDOWMENT BOARD



Aims and Objectives of the Board

As a result of the adoption of Sharia legal system in Niger State, the Government took a step forward by establishing the Zakat and Endowment Board. It is aimed at fulfilling one of the requirements of Sharia. It is aimed at collecting zakat from eligible Muslim *ummah* of Niger State and re-distributing it to the less privileged members of the society.

I. Functions of the Chairman:

- i. Provides leadership for the attainment of the objectives for which the Board was established under the law.
- ii. Convenes of the meetings of the Board.
- iii. Designates who presides over the meetings of the Board during periods of his absence or, members present at meeting in which the Chairman is absent without any prior advice, would request a member amongst them to act as Chairman.

II. Functions of the Treasurer

- i. To ensure that the zakat payments, alms, charities, donations collected are properly accounted for in the accounts and custody of the Board.
- ii. To ensure that zakat outpayments go to the relevant beneficiaries in accordance with the law establishing the Board.
- iii. To recommend such policies to the Board for such meagre consideration that will ensure a high standard of fidelity in the collection and distribution of zakat payments in particular and other charities in general, in the interest of transparency and accountability.
- iv. To perform such other functions to be assigned by the Board.

III. Functions of the Assistant Treasurer:

- i. To assist the Treasurer in the discharge of his functions.
- ii. To act as Treasurer in the latter's absence.
- iii. To perform any other functions to be assigned by the Board.

IV. Functions of the Secretary:

The Secretary shall be accounting officer and be responsible for the day-to-day activities of the Board and in particular shall carry out the following functions:

- a) Formulate policies and work plans and submit same to the Board for approval.
- b) Prepare the annual budget and the financial account and submit same to the Board.
- c) Prepare an annual report on the performance of the Board and submit same to the Governor through the Board.
- d) Conclude contracts the value of which should not exceed two hundred thousand naira.
- e) Dispose of any matter the value of which shall not exceed two hundred thousand naira in accordance with the approved budget.
- f) Exercise any other functions that may be assigned to him by the Board.

V. Functions of the Directorates:

- 1) Functions of the Distribution Directorate (DD)
 - a) To distribute the collected proceeds of zakat in accordance with the Qur'anic injunctions, to the stipulated beneficiaries, under the guiding instructions of the Board.
 - b) Keep records of all beneficiaries of zakat distributed.
- 2) Functions of the Collection & Endowment Directorate (CED)
 - a) To collect due zakat from zakatable Muslims as stipulated in the relevant provisions of the Law establishing the Board. The directorate is also to seek and collect for the Board endowment, donations, alms and charities from individuals, organisations and government within and outside the State.
 - b) Keep records of collections of zakat, endowment, alms, donations and other charities.
- 3) Functions of the Finance and Admin. Directorate (FAD)
 - a) To provide an efficient and administrative structure for the smooth functioning of the Board, and ensure that the personnel employed by the Board work for the attainment of the objectives for which the Board is established.
 - b) Ensure proper keeping of records of all financial transaction of the Board for accountability and transparency.
- 4) Functions of the Assessment, Planning and Supervision Directorate (APSD)
 - a) Ensure that appropriate zakat is levied in all forms of wealth declared in accordance with the law establishing the Board.
 - b) Initiate policies for Board consideration on effective zakat collection and distribution within the law establishing the Board.
 - c) Recommend measures for Board consideration for seeking for donations, charities, alms and endowment from individuals organisations and government and the distribution, utilisation and investment of same in accordance with the objectives of the law establishing the Board and the Board's approved policies.
 - d) Monitor and audit zakat, alms, charities, donations, collections and distributions with periodic reports to the Board to ensure all actions are in accordance with the law establishing the Board and Board approved policies.
 - e) Receive and attend to complaints from all payers to the finances of the Board, and from the beneficiaries thereof in accordance with the Board's policies.
 - f) Design assessment forms.
 - g) Publish *nisabs* for various wealth and zakat rates.

VI. Functions of the Department Directors:

Each of the Directors, that is:

- i) The Director of Finance and Administration,
- ii) The Director of Collection and Endowment,
- iii) The Director of Distribution, and

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iv) The Director of Assessment, Planning & Supervision, and Heads of Departments, must ensure the efficient functioning of their sections in order to achieve the objectives for which the Board is established. The Directors to report directly to the Secretary of the Board for the day-to-day running of their directorates.

The Directors of Collection and Endowment, the Director of Distribution and the Director of Assessment, Planning and Supervision in all policy matters relating to funds collection and distribution are responsible to the Treasurer or in his absence, the Assistant Treasurer.

VII. Committees of the Board:

1. Collections Committee:

Alh. Abubakar Gimba	Chairman
Alh. Abdulmalik Ndayako	Member
Engr. I.K. Musa	Member
Director of Collection	Secretary

- Ensure effective collection of zakat, alms, etc.
- Listen to complaints from collection officers and zakat payers.
- Recommend disciplinary measures against erring Board collection officers.
- Ensure the adequacy of collection procedures.
- Members to be determined by the Board, but not more than six (6) members.

2. Distribution Committee:

Alh. Abdulmalik Ndayako	Chairman
Alh. Bawa Rijau	Member
Alh. Abubakar Gimba	Member
Director Distribution	Secretary

- Ensure efficient distribution as laid down in the Qur'an.
- Attend to complaints from recipients/beneficiaries about distribution officers
- Ensure the adequacy of, and compliance with, the distribution guidelines.
- Membership shall consist of not more than six (6) people.

3. Staff Disciplinary Committee:

Alh. Bawa Rijau	Chairman
Alh. K.S. Pawa	Member
Alh. Adamu Idris Tegin	Member
Director Assessment	Secretary

- Ensure prompt action taken against erring Board staff.
- Handle disciplinary cases of all erring staff below the Directors.
- Recommend to the Board on disciplinary action against officers from Directors and above
- Membership shall not exceed seven (7).

4. Finance and General Purpose Committee:

Engr. I.K. Musa	Chairman
Alh. K.S. Pawa	Member
Alh. A. Gimba	Member
Director of Finance	Secretary

- To consider and approve financial expenditures of the Board other than zakat and charity funds distribution and utilisation, up to a maximum limit to be set by the Board.
- Make recommendations to the Board in respect of sums above its powers.
- Membership shall not exceed seven (7)

VIII. Zonal Zakat Committees and District Zakat Councils:

1. There shall be established by the Board in accordance with law, Zonal Zakat Committees in different parts of the State, with the area of jurisdiction of each defined by the Board. Each Committee shall be made up of not more than six (6) members, including the Chairman who heads the Committee. There shall be a secretary to serve the Committee, but shall not be a member of the Committee.

The Secretary is the administrative head and the accounting officer of the Committee, and will perform functions for the Committee similar to those spelt out for the Board Secretary in Part II, Section 7 of the law establishing the Board, as well as other duties defined by the Board. The Committee Secretary however, will have a financial limit of not more than fifty thousand naira in relation to functions (d) and (e) of section 7, Part II of the law establishing the State Zakat Board.

2. Each Committee shall have three Zonal Coordinators, namely:

- i) Zonal Coordinator, Collections
- ii) Zonal Coordinator, Distributions
- iii) Zonal Coordinator, Finance, Admin. & Assessment.

3. District Zakat Councils: Each Zonal Zakat Committee shall be served by a District Zakat Council established by the Board which shall comprise of not more than six (6) members appointed by the Board on the recommendation of the Committee. The Council shall have a Secretary who is not a member of the Council.

The Council shall have two coordinators, namely:

- i) District Coordinator, Collections;
- ii) District Coordinator, Distributions

4. Each Council area shall have the Chief Imams of the villages and wards, or such trustworthy individuals so appointed to serve as the principal field officers for zakat collections in the various areas

5. In terms of functional coordination of zakat collections (and distributions), individuals would pay their zakat (after distribution their 40% portion, if so desired, to whomsoever they wish) to the Chief Imam of the village/ward or his agent. The District Coordinator(s) then would collect from the Imams to the District Zakat Council (DZC).

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The DZC would then distribute the zakat in accordance with the Board's approved guidelines. 40% of the collections are to be distributed to the localities' deserving prescribed beneficiaries, while the balance of 60% of the collection would go to the Zonal Zakat and Endowment Board (for distribution).

6. Organograms 1 and 2 show the inter-relationship of the various units of the Zakat Board.

7. Appointments: Members of the ZZC will be appointed by the Board. The Zonal Coordinators and members of the District Zakat Council (DZC) shall also be appointed by the Board but on the recommendation of the ZZC.

8. The District Coordinators shall be appointed by the ZZC after due recommendations from the DZC. And the DZC shall appoint the field collection officers such as the Imams, or other honest, trustworthy Muslims.

9. In all cases of appointment of DZC members, Zonal Coordinators, Secretaries of Committees and Councils, the Zakat Board reserves the right to terminate such appointments if in its opinion, the objectives of the Board will be harmed by the affected officers.

10. Where there is a position in the organogram, it need not be filled unless there is evidence of such requirement. In such cases, the Board must be notified and approval obtained.

11. In consonance with the law establishing it and its objectives, the Board reserves the right to alter the organogram and reassign functionaries at the Zonal Committee and District Zakat Council levels.

IX. Zakat Assessment Procedures:

1. Public enlightenment on the obligatory nature of zakat payment, the general types of wealth subject to zakat, the *nisab* for the types of wealth and the rates.

2. Summarised leaflets on rates and *nisab* on types of zakatable wealth.

3. A simple, easy to understand assessment form in English and Hausa to be produced and distributed all over the State.

4. Locations where the forms can be obtained should be publicised e.g. zakat collection centres, mosques, Islamic booksellers, *madrassas*, ward heads, village heads, etc., to have the forms for distribution, free of charge.

5. Zakat officials of the Board, Zonal Committees, District Councils and field officers to be trained in zakat assessment procedures.

6. Appeal to personal honesty of zakat payers and encourage self-assessment: remind Muslims that one could make false tax declaration to government, but a false zakat declaration is witnessed by Allah, and one cannot get away from His punishment.

X. Zakat Collection Procedures:

1. The people (Muslims) must be reminded of the obligatory nature of the payment of zakat. Refusal to pay zakat by Muslims on whom it is due is a great injury to their belief in Islam. A massive publicity campaign must be carried out to remind the *ummah* of this

responsibility and duty. This is to elicit voluntary compliance of zakat through the depth and sincerity of the believers' *iman*.

2. Demand letters are also to be sent to individuals who, in the opinion of the Board, ought to pay zakat.
3. A summary sheet of the various *nisab* and zakat rates for various forms of wealth to be distributed to the general public.
4. Collection contact points in the form of individuals and offices to be established throughout the State where those who so desire could go and pay their zakat (and alms).
5. The list of collection centres and contact points to be publicised for each zonal zakat area.
6. Receipts of acknowledgement of payment must be issued to the payers.
7. Storage facilities for zakat crops are to be set up.
8. Livestock sheds and shepherds to be obtained for the upkeep of livestock zakat before they are distributed.

XI. Zakat Distribution Procedures:

The proceeds of zakat shall be distributed in accordance with Part Two section 29(1) of the law which established the Board, in compliance with the Qur'anic injunctions and the Sunnah. In order to ensure the effectiveness of the distribution, there is need to:

1. Evolve an intensive publicity campaign to remind and enlighten the Muslim *ummah* on the welfare nature of zakat with the objective of redistribution of wealth in the society, so as to strive towards making the indigent and the pauper financially independent: for those blessed by Allah with wealth to be their (poor, less endowed) brothers' keepers.
2. Keep a register of potential and actual beneficiaries at the Board, Zonal Committee, District Council and village/ward levels, with basic information on marital status, family size, number of dependents (or *almajirai*, in the case of Qur'anic malams), and age. These must be supplied on oath, and to be subsequently authenticated.
3. Discourage or even ban alms-giving on the streets. Alms should be taken to houses of known destitutes or given at zakat collection points.
4. Before item (3) above is put into effect, distribution centres for beggars should be set up at appropriate locations. A register of beggars could be kept for beggars with proven address of domicile within the area. Periodic checks on the residences so registered should be taken to forestall multiple registration at centre or false declaration.
5. Review, from time to time the distribution logistics so as to eliminate street begging and child beggars.
6. Ensure that zakat, alms and charities distribution do not breed beggars in perpetuity, the objective should be to wean off receipts from public beggars' parade.
7. To discourage the growth of the number of children beggars, emphasis should be given to adults, married and malams beneficiaries duly registered.

XII. Financial Affairs:

1. Bank Accounts: Zakat funds must be deposited in an account quite separate from other funds' account of the Board. Alms and charities would also be in a separate account, and donations/grants from government, organisations and individuals to be in separate account.
2. Signatories to all accounts of the Board: To ensure transparency, accountability and integrity, there shall be three signatories to the account namely, the Chairman, the Treasurer and the Director of Finance.
3. Signatories to all other accounts of the Board: The Treasurer (or the Assistant Treasurer in the absence of the Treasurer) and the Director of Finance and Administration be the signatories. However, the signature of the Chairman must be on all cheques or the cheque/cheques are null and void.
4. The Financial powers of the Secretary: As specified in the law establishing the Board, shall apply only to non-zakat and non-alms as well as non-charity funds.
5. The Secretary must submit a monthly financial statement reports to the Board for information and deliberation.

XIII. Quorum of Board Meetings:

At least two-thirds of the members of the Board must be present before any Board meeting is held. The two-thirds quorum shall also hold for the meetings of other committees established by the Board.

PUBLICITY STRATEGY

1. Radio
2. Television
3. Posters, billboards
 1. Radio
 - a) Jingles
 - b) Enlightenment talks by:
 - i) officials of the Board on payment and distribution methods;
 - ii) *Ulama* (very learned) on importance of zakat
 - c) Public notices/information (periodicals)
 2. Television: As per radio strategy
 3. Posters, billboards
 - a) Big signboards at strategic locations
 - b) Posters in thousands for houses, trees, etc.
 - c) Handbills with information on rates.

SAMPLES FOR BILLBOARDS/POSTERS

Pay your Zakat
Be your Brother's Keeper

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Discharge your Duty to Allah
Pay your Zakat

Do you care for the poor?
Then, pay your Zakat

Zakat is part of Foundation of Faith
Pay your Zakat
Strengthen your Faith

How Good A Believer Are you?
Have you paid your Zakat? Do so Now!

Observe Prayers
And Pay Your Zakat

Zakat Purifies
Your Wealth and Your Soul

ZAKAT ASSESSMENT FORM

1. Name:
2. LGA:
3. Collection Centre:
4. Zakat Year:.....Lunar..... Gregorian:.....
5. Contact Address:
 - a) Residence.....
.....
.....
Tel. No..... Fax No:.....
 - b) Business:.....
.....
Tel. No.:..... Fax No.:.....
E-mail:.....

B. Forms of Zakatable Wealth:

- a) Livestock:
 - i) Total/Worth:.....
 - ii) Zakat due:.....
- b) Crops:
 - i) Total/Worth:.....
 - ii) Zakat due:.....

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- c) Gold: i) Total/Worth:.....
 ii) Zakat due:.....
- d) Silver, coins, bank notes, cash in whatever currency:
 i) Total/Worth:.....
 ii) Zakat due:.....
- e) Trade Wares: i) Total/Worth:.....
 ii) Zakat due:.....
- f) Property (including net income):
 i) Total/Worth:.....
 ii) Zakat due:.....

NISABS OF ZAKAT

1. NISAB OF ANIMALS		ZAKAT DUE
A. Camels		
From	5 to 9	one sheep
	10 to 14	two sheep
	15 to 19	three sheep
	20 to 24	four sheep
	25 to 35	one <i>bint makbad</i>
	36 to 45	one <i>bint labun</i>
	46 to 60	one <i>hiqqa</i>
	61 to 75	one <i>jaz'a'ab</i>
	76 to 90	two <i>bint labuns</i>
	91 to 120	two <i>hiqqa</i>
	More than 120	every 50, one <i>hiqqa</i> every 40, one <i>bint labun</i>
	121 to 129	three <i>bint labuns</i>
	130 to 139	one <i>hiqqa</i> and two <i>bint labuns</i>
	140 to 149	two <i>hiqqa</i> and two <i>bint labuns</i>
	150 to 159	three <i>hiqqa</i>
	160 to 169	three <i>bint labuns</i>
	170 to 179	three <i>bint labuns</i> and one <i>hiqqa</i>
	180 to 189	four <i>bint labuns</i> and one <i>hiqqa</i>
	190 to 199	three <i>hiqqa</i> and one <i>bint labuns</i>
	200 to 209	four <i>hiqqa</i> and five <i>bint labuns</i>
B. Cows		
From	30 to 39	one <i>tabie</i>
	40 to 59	one <i>mussina</i>
	60 to 69	two <i>tabies</i>

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	70 to 79	one <i>mussina</i> and one <i>tabie</i>
	80 to 89	two <i>mussina</i>
	90 to 99	three <i>tabies</i>
	100 to 119	one <i>mussina</i> and four <i>tabies</i>
	120 and more	three <i>mussina</i> and four <i>tabies</i>
	more than 130	every 30, one <i>tabie</i> [or] every 40, one <i>mussina</i>
C. Sheep and Goats		
From	40 to 120	one yearly ram or sheep or goat
	121 to 200	two sheep
	201 to 300	three sheep
	301 to 400	four sheep
	above 400	one sheep for every 100
2. <i>NISAB</i> OF CROPS AND CEREALS		
Five <i>ausuq</i> for crops		
300 SAI for cereals or about 653 kg per harvest		
NB: Zakat rate -		i) 10% for rainfall harvest ii) 5% for irrigated harvest
3. <i>NISAB</i> OF GOLD AND SILVER		
Pure gold		85 grams
Pure silver		590 grams
Coins and other instruments of money		use <i>nisab</i> for silver
NB: a) <i>Nisab</i> for naira equivalent for the year 2001/2002 is ₦15,000 b) Zakat rate for gold, silver and money in all forms is 2.5%.		

e. Miscellaneous Papers and Reports of the Zakat and Endowment Board

Contents of this section:

- (1) Objectives of Zakat
- (2) Begging
- (3) Guidelines for the Distribution of Zakat Collected by the Zakat and Endowment Board
- (4) Distribution Form
- (5) Report on Distribution of Zakat in the Zones as Directed by the Board

(1) Objectives of Zakat:

The objective of zakat first and foremost is to have social justice in the community.

Zakat does not only purify the property of the contributor but also purifies his heart from selfishness and greed. It also purifies the heart of the recipient from envy and

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jealousy, from hatred and uneasiness, and it fosters instead good will and warm wishes for contributors. Zakat has a deep humanitarian and socio-political value.

1. Zakat is a solid pillar in Islam without which a person's Islam is incomplete and therefore has a very serious problem.
2. Zakat when misunderstand can, instead of bringing people out of poverty subject more people to poverty.
3. People who give zakat should not do so improperly. In other words, they should not give zakat in small sums of ₦5,000, ₦10,000 etc. rather it should be a sum of money that should be able to provide capital to start some scale business so that the recipient can also make enough to support someone else.

(2) Begging:

- 1) Begging, is an extremely detestable act in Islam, which can bring the wrath and punishment of Allah on the people who engage themselves in this act.
- 2) Begging, as practiced in our society is done by people who have lost confidence in themselves. They do not have faith that it is Allah who sustains life on earth and provide for the whole universe. They do not have the believe that begging cannot solve their problems except Allah who can help and support them.
- 3) People can contribute to eliminating this begging by not giving out alms to the beggars on the street.
- 4) Government must be involved in the fight against begging by supporting more social welfare centres.

(3) Guidelines for the Distribution of Zakat Collected by the Zakat and Endowment Board:

1. No zakat collected by the Board at the Headquarters, Zonal and District levels shall be distributed to beneficiaries unless with the explicit approval of the Board and the written authority of the Board's Executive Secretary.
2. Zakat distribution at all levels shall be in accordance with the Board's procedures duly communicated to the distributors through the Board Secretariat.
3. Distribution to the various administrative or community units must be based on equity, fairness and justice.
4. Zakat must be distributed only to those categories of people mentioned in the Holy Qur'an, *Suratul Taubah*, verse 60, namely:
 - i. the poor;
 - ii. the needy;
 - iii. zakat collectors;
 - iv. in Allah's cause;
 - v. inclined hearts to al-Islam;
 - vi. to free captives;
 - vii. insolvent debtors;
 - viii. wayfarers (travellers who are cut off from everything, helpless).

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5. 10% of zakat monies received at the Board Headquarters shall be retained by the Board for distribution periodically to beneficiaries who occasionally call at the Secretariat, and to enhance its general collection efforts.
6. Each of the beneficiary groups mentioned in (4) above shall have the share of the zakat to be distributed in the following proportion:
 - i. the poor - 30%
 - ii. the needy - 30%
 - iii. collectors - 10%
 - iv. cause of Allah - 10%
 - v. inclined hearts - 5%
 - vi. freeing captives - 5%
 - vii. insolvent debtors - 5%
 - viii. wayfarers - 5%
7. The individual zakat beneficiaries shall receive not less than ₦25,000.00 or not more than ₦50,000.00 in cash or their equivalent in collected zakat property.
8. Zakat beneficiaries need to be counselled on the need for the prudent use of the zakat money received by them so as to make them non-beneficiaries of zakat subsequently.
9. Proper documented account must be rendered to the Board by both the Zonal Zakat Committees and District Zakat Councils on who receive the distributed zakat and how much, not less than one month either after distribution of same.
10. Zakat money collected at the Board Headquarters shall be distributed equally among the (presently) 117 Districts in the State. For example if ₦ x million is collected at the Board Headquarters, 10% of it shall be deducted (as per item 5 above) and the rest shared viz:

$$\frac{\text{₦ x million minus 10\%}}{117} = \text{₦ y}$$

Where 'y' is the amount each District is to receive.

Abubakar Gimba
Treasurer
for: Chairman

Nov. 22, 2002
18 Ramadan, 1423

(4) Niger State Zakat and Endowment Board Distribution Form:

DISTRIBUTION FORM ZONE

1. BENEFICIARIES

- a. NAME _____
- b. WARD _____
- c. DISTRICT _____
- d. LOCAL GOV'T _____

II. CLASSIFICATION

S/NO	DESCRIPTION	SIGN
------	-------------	------

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A	THE POOR	
B	THE NEEDY	
C	ZAKAT COLLECTOR	
D	INCLINED TO ISLAM	
E	FREE SLAVE	
F	DEBTOR	
G	SPREADING ISLAM	
H	TRAVELLER	

III. TYPE OF ZAKAT GIVEN

- a. FARM PRODUCE _____
- b. ANIMALS _____
 - I. CAMEL _____
 - II CATTLE _____
 - III SHEEP AND GOATS _____
- c. MONEY _____

SIGNATURE _____

DATE _____

Chairman sign _____ Date _____

Director Zakat Distribution Sign _____ Date _____

(5) Report on distribution of zakat in the zones as directed by the Board:

In line with the resolutions of the Board at its 12th regular meeting held on 20th November, 2002, the Secretariat has supervised the distribution of zakat at five zones namely Minna, Agaie, Kagara, Suleja and Lapai respectively.

At the occasions, the Emirs implored the wealthy Muslims to give out their zakat as when due to purify their wealth and souls. They also commended the efforts of the Board in the collection and distribution of zakat in the State. They also assured the Board of their unflinching co-operation and assistance to enable it realise its noble objectives.

The Executive Secretary who was represented at all the Zones enjoined the zakat collectors at all levels to intensify their efforts in the collection of zakat in their areas. He assured them that the Board will continue to support them in this direction. He also enjoined the beneficiaries to use the money given to them judiciously. He reminded them that the Board has set up machinery to monitor them.

The beneficiaries expressed their delight and prayed to Allah to continue to protect and purify the wealth of the givers of zakat and their respective families. They also assured the Board that they will be prudent in spending the money given to them.

The distribution of zakat for the remaining three Zones namely Bida, Kontagora and Borgu has not taken place. Bida Zone has not yet submitted its completed distribution forms despite repeated reminders sent to it to this effect. Kontagora Zone has collected

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all its cheques after submitting its completed distribution forms, but it has not fixed a date for the distribution.

In addition to this, the Kontagora Zone has collected some zakat from Col. Sani Bello and has distributed same without approval from the Board. Therefore, the Board was not represented at the occasion.

The distribution forms for the beneficiaries were brought to the Secretariat without Director Collection's signature. He was the officer sent to represent the Board but did not see the beneficiaries physically on the date fixed for the exercise. While Borgu Zone has collected cheques for the Districts which have submitted their completed distribution forms.

The Board is expecting the return of the remaining forms and date for the distribution exercise.

_____[sgd]_____
Muhammad Muhammad Shaku
Director, Zakat Distribution
for: Executive Secretary

f. Reports of interviews from 2003, 2005, and 2007

Subsections (1) and (2) of this section give information from the interviews mentioned at the beginning of section **d** above. For the source of subsection (3) see the footnote thereto.

(1) Muhammad Muhammad Shaku, Director of Distribution, February and April 2003:

In Islam, it is the duty of the State to administer zakat collection and distribution. Now that Niger State has assumed this responsibility, the traditional zakat collectors feel threatened, though some of them have been co-opted into the Board.

Zonal and District zakat offices have been created. Each of Niger State's eight Emirates has been made into a Zone for this purpose, and then subdivided into Districts, as follows:

1. Bida - has 22 Districts
2. Kontagora - has 20 Districts
3. Suleja - has 16 Districts
4. Kagara - has 7 Districts
5. Lapai - has 11 Districts
6. Minna - has 10 Districts
7. Agaie - has 18 Districts
8. Borgu - has 13 Districts

Zonal Committee members are nominated by the Emirs who are the Zonal Chairmen. The Zonal Committees work with the District Councils in the ways described in the document on "Organisational Structure and Functions of the Zakat and Endowment Board" which has been supplied [see section **d**]. The District Councils collect and distribute zakat at their levels after consultation with the Board. People are

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being encouraged to give zakat in their Zones and Districts without necessarily coming to the Board, although some have preferred to deal directly with the Board. The Board supervises the distribution at each District though the Board also collects and distributes at its own apex level. For instance, in addition to money, the Board has collected and distributed grains. The Board operates two accounts: one for zakat and the other for *sadaqat*. There is a Finance Department which handles all the financial transactions and keeps careful records. The Zonal Committees also have their own bank accounts.

The staff of the Zakat and Endowment Board are on posting from other Ministries. For example, the Director of Zakat Distribution is a staff and on salary of the College of Education, Minna. It may be that in future the Board might become more autonomous, by getting its own dedicated staff. At present only the Chairman is on a part-time basis and paid by the Board.

Nobody is being compelled to pay zakat but people are being persuaded to pay. Sermons are used to enlighten people and to encourage Muslims to give zakat and this method has worked tremendously. There is provision in the law to prosecute defaulters, but that is not the immediate concern of the Board. Even without using that power the general response has been encouraging. The Directorate of Assessment is not yet functional. It is hoped that both the givers and beneficiaries of zakat will be encouraged into true Islamic lifestyles.

So far the Board has been in operation for only a little over a year. For the first phase of distribution, the Board decided to select four beneficiaries from every District and to give each one a minimum of ₦25,000.00 and a maximum of ₦50,000.00 from zakat collected in the form of money. This plan is meant to empower the people. The beneficiaries were educated to appreciate the fact that the zakat given them was not to be shared but to be invested into a meaningful business in order to yield profit and generate more money for them to live by. The beneficiaries are monitored to ensure that they use the money well. Seminars are being organised to conscientise people on this. The beneficiaries, who were randomly selected, have shown appreciation to this scheme.

Some zakat has also been given to meet special demands or needs. In addition, zakat collected in kind has of course been distributed in kind. In some cases a beneficiary got a bag of guinea corn or maize, and in some cases, they were paired. The zakat collectors are entitled to 10% of what is collected in their zones.

(2) Adamu Idris Tagina, Executive Secretary, November 2005:

An important function of the Board continues to be creating public awareness on zakat issues, especially reminding Muslims to pay what is due. Zakat payment is one of the five pillars of Islam and a true Muslim cannot practice some and leave one out. The awareness campaign and reminders are in the form of media publicity: television and radio programmes, jingles, leaflets, and preaching at mosques and any other place where large numbers of Muslims are gathered. But zakat is not fixed at a flat rate like a tax. It is based on certain criteria, called *nisab*, for the different types of things on which zakat is due. [Here follows discussion of the *nisab* and zakat to be paid on various things: see section **d** above.] Yam, a tuber crop is excluded because in some communities it is not regarded as food. However, it can be given as *sadaqat*, i.e. voluntary alms.

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Before Sharia implementation started and the Board was created, Islamic malams collected and distributed zakat. With the establishment of the Board, the powers to do this were taken away from them and they are not happy about it.

As to collections: the Board designs and distributes zakat assessment forms to eligible payers. Such persons fill in and return the forms to the Board with payment in cash or check payable to the Board, or in kind. The Board does not make an independent assessment but leaves asset declaration to those eligible to pay because they are fulfilling an obligation, which is between them and their Creator. Some people turn up by themselves and pay or give. In all cases payers are issued with receipts for what they give in. The Board has the power to prosecute any eligible payer but it has not yet started doing so because people need to be enlightened more. Moreover, the hesitant process accords with the way the Law came to the Prophet. It came piecemeal because God wanted human beings to absorb and understand the law knowing that bringing all the laws at once could make people not to remember them.

As to distribution: collection and distribution of zakat in Niger State are not centralised, as they are in other states. Instead collection and distribution take place at the level of the Ward, Village, District, Zonal and State level. In effect, at each of these levels, there are zakat committees. Zakat collected by them is distributed by the local *ulama* based on their knowledge of Islamic law but under the supervision of the Board: a day is set for distribution, and the Board is notified and invited to supervise the process. All zakat collected at the State Headquarters level is shared out to beneficiaries state-wide. The selection of beneficiaries starts with malams in the respective communities who identify prospective beneficiaries and give them distribution forms to be filled in triplicate: one copy each for the District, Zonal, and Board levels. The final selection is done by the Board. The principle of sharing is first of all equity. Each District gets one beneficiary who gets ₦25,000. Formerly the sum was given in cash but now checks are issued to beneficiaries to ensure maximum security. The Board notifies all successful beneficiaries and informs them also of the date and venue of distribution in advance (usually the Zonal Emir's Palace). Distribution is done openly to ensure transparency. Those Districts that collected more zakat in their areas get one additional beneficiary for every ₦25,000 they generated above others.

The Board still does not have its own permanent staff. Instead the Executive Secretary is given a free hand to recruit any suitable person from any Ministry for secondment to the Board, but that person takes his/her salary from their Ministry.

Reports on collections and distributions have been prepared, by the various District Councils and by the central Board. These are at the State Headquarters but are not ready for public consumption because the Governor is yet to approve them. The Sharia Commission has written a letter to the Governor requesting audience with him to present the reports, but no time had been set for this when this interview took place.

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(3) Mohamed Abubakar Erana, Director of Collections, November 2007:¹⁰⁸

[Discussion of the administrative structure of the Board at its various levels of organisation, as documented above.]

Except at the State level, where Board employees are on the State's payroll, those who do the work of zakat collection and distribution at all other levels share a portion of what is collected according to Islamic law.

Unfortunately the response in Niger State to the efforts of the Zakat and Endowment Board to persuade people to pay their zakat has been very poor. The law only requires people to pay into the Board 60% of the total zakat due from them, allowing them to distribute the other 40% directly to whomever they choose. But even some high officials of the previous State Government refused to pay their zakat to the Board. The former Governor refused an audience with the members of the Board to discuss the shortcomings of zakat collection in the State. Although the Zakat and Endowment Board Law allows the Board to prosecute people who don't pay what is due from them, this must be done through the Office of the Attorney-General, and this was not on under the previous administration. The Board was given very little money to work with. For instance, it has no vehicles to tour the different districts of the State, and no money for the necessary work of producing and distributing books and pamphlets about zakat and encouraging Muslims to give. It has however been able to use radio and TV messages, in the various languages of Niger State, to propagate the duty of every Muslim to give. The new Governor has promised to do better, he was a student at the College of Arab and Islamic Studies in Sokoto. There have been some exceptions to the general failure to respond, but not very many.

Malam Erana was unable to provide any figures on collections or distributions so far. Complete registers of all collections and distributions of zakat since 2001 exist, but they have not yet approved by Government, so he could not give out copies.

As to *anqaf*: there seem to be no *anqaf* in Niger State, and, no tradition of them. The Board is called the Zakat and Endowment Board, but there is virtually nothing in the law on endowments and for now the law seems to be a dead-letter in this matter.

g. Reports of interviews from 2016¹⁰⁹

(1) The Board and its administration

The initial Zakat and Endowment Board was inaugurated on 3 September, 2001 and had six members. The pioneer chairman of the Board was Major General Gado Nasko (Wanban Kontagora). But since the expiration of the tenure of the Major General Gado Nasko led Board in 2006, no new Board was reconstituted.

Similarly, at the inception of the Board, its day-to-day administration was headed by an Executive Secretary. The only person to occupy that office has been Alhaji Adamu Idris Tegina; at the expiration of his tenure, no new Executive Secretary was appointed.

¹⁰⁸ Interviewed in Minna on 9th November 2007 by F. Kogelmann and A.S. Garba.

¹⁰⁹ Interviewees were Muhammed Shaku, former Director, Zakat Collections until March, 2016 when he was appointed Deputy Provost (Academic), College of Education, Minna, and Muhammed Erna, Director of Zakat Collections, both interviewed in Minna on 30 April 2016 by Danladi Aliyu.

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Currently, the Board is administered by a secretary who is a career civil servant. The secretary is assisted by three directors each heading a directorate (of collection, of distribution, and of finance and administration) who are appointed by the governor. There is an administrative secretary and other junior staff. The secretary is posted by the office of head of service. The salaries of all the staff at the state level are paid by the state government.

(2) Zakat collections

From inception of the Board on 3 September 2001 up to 31 August 2005, a period of four years, a total sum of ₦50,999,089 was collected as zakat, making an average of ₦12,750,000 collected per year during that period. No records of collections from 1 September 2005 through 2011 were made available to the researchers. Then, from 2012 through 2014, a total of ₦3,361,500 was collected as zakat, making an average of only ₦1,120,500 per year during that period.

Quite possibly one reason for the lower collections in later years may be the absence of a Board since 2006, and consequent absence of the advocacy visits the Board members formerly conducted to mobilize zakat payments. Niger State's Zakat and Endowment Board Law does allow the Board to prosecute people who do not pay their assessed zakat as and when due (§35), but this option has never been pursued.

(3) Zakat distributions

Whereas the guidelines originally issued by the Board assisted in shaping a direction for the Board's activities, according to Muhammed Erana, it was later discovered that most aspects of the guidelines were un-implementable. For example, some zonal zakat committees would go ahead and distribute zakat without the express approval of the Board. It was equally discovered that the ₦25,000 minimum limit was only feasible when collection is high but with low collection and in the face of huge demand the Board was compelled to reduce the amount to as low as five thousand naira ₦5,000 to cater for more of the needy in the society.

The period when there was a duly constituted Board was a period of heightened activities. Records indicate that between September 2001 and August 2005, the total sum of ₦27,583,926, plus assorted grains worth ₦18,060,138 were distributed to 1,784 beneficiaries spread across the state, this left a balance in the bank account as at August, 2005 of about ₦3,459,425. But during 2012 through 2014 only ₦3,343,700.00 was distributed to 1,357 beneficiaries.

(4) Endowments

The Zakat and Endowment Board Law empowers the Board to manage endowments, but this is yet to be implemented. Endowments are therefore not established officially. Nonetheless, there are unofficial organizations that are engage in charitable activities within Niger State. Examples are the Islamic Education Trust (IET), Federation of Muslims Women Associations of Nigeria (FOMWAN) and the International Islamic

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Charitable Organization (IICO).¹¹⁰ The activities of IICO are particularly appealing because of its extensive network and resources at its disposal.

The IICO is an international non-governmental charitable organization with headquarters in Qatar. It has offices across the world. The Minna office is the Nigerian country office. Sheikh Ahmed Lemu is the Country Director. The funding for the IICO activities in Minna comes directly from two sources: the grants from headquarters in Qatar and local sources. The local sources come from proceeds from endowments. For example, in Minna, it has three buildings used thus: office accommodation for staff; clinic providing health services to indigent people; and a two story building shopping mall. Funds generated from the shopping mall are partly used to run the activities of the hospital and other charity work across the state. The charitable undertakings of the organization include the following: provision of educational scholarships to indigent orphans; medical services for the poor and needy; infrastructural provision for disconnected communities; provision of schools and Masjid; agricultural empowerment programme; provision of free-interest loan for business start-up; and provision of relief materials to disaster victims.

¹¹⁰ Information about the activities of IICO in Minna was graciously supplied by Musa Kamara, who is the coordinator of projects and human welfare at the IICO office in Minna. He was interviewed on 29 April 2016 by Danladi Aliyu

10.

Sokoto State

a. From the Final Report of the Committee Set Up to Advise the Sokoto State Government on the Establishment of Sharia

The Committee set up in October 1999 by the Governor Bafarawa of Sokoto State, to advise him on how to proceed with Sharia implementation, made the following recommendation in its Final Report:¹¹¹

xii. Zakat

The Islamic policy of distribution of wealth through *zakat*, *sadaqat*, etc. helps a lot in discouraging accumulations and concentration of wealth in a few hands. The Government is advised to give emphasis on *zakat* collection and distribution as prescribed by Islamic injunctions. The Zakat Committee should intensify the collection of *zakat* and publish the amount and names of the individuals who give out the *zakat*.

The reader will observe that this recommendation implies an already-existing Zakat Committee [or, as it is called in the next section, a Sadaqat and Endowment Committee], not a statutory body but a group of prominent citizens constituted from time to time by the Governors and charged with encouraging and coordinating the unofficial collection and distribution of *zakat* and other *sadaqat* throughout the State. In fact such a Committee has existed for a long time in Sokoto State and was not instituted as part of the recent implementation of Sharia.¹¹² Unfortunately no further information was gathered about this Committee, as to when it first began in existence or its activities over the years.

b. The Department of Sadaqat and Endowment of the Office of the Special Adviser to the Governor on Religious Matters¹¹³

The Office of Special Adviser on Religious Matters, discussed in more detail in *Documentary materials on Councils of Ulama and Related Bodies* section 10, is divided into four departments: Community Services, Da'awah, Sadaqat and Endowment, and Sharia Implementation. Each Department has a Director, a Deputy Director, and support staff.

As to the Department of Sadaqat and Endowment: There is a Committee under this Department, the Sadaqat and Endowment Committee. This Committee was already in

¹¹¹ See Interim and Final Reports of the Committee Set up to Advise the Sokoto State Government on the Establishment of Sharia, submitted to the Executive Governor of Sokoto State on 13 October, 1999 and 16 December, 1999, respectively, *Sourcebook*, II, Supplementary Materials, online, item I, 26-27.

¹¹² Per interview with Muhammad Aminu Ahmad, then-Chairman of the Sokoto State Law Reform Commission, in Sokoto on 24th February 2003, by P. Ostien and M.K. Idris.

¹¹³ The following information about the Office of Special Adviser on Religious Matters was generously provided by the Permanent Secretary, Umar Attahiru Sokoto, in an interview in Sokoto on 14th March 2008.

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existence before Sharia implementation began in late 1999. In fact it was “reconstituted” by Governor Bafarawa when he came into office in June 1999 (i.e. the old committee was dissolved and new members were appointed to it), and now (in 2008) Bafarawa’s committee has in turn been dissolved by the new administration elected in 2007 and new members will again be appointed. The Committee collects *zakat* and *sadaqat*, and makes distributions to the categories of recipients identified in the Islamic law. They are trying to discourage street begging by their good works. The Committee has subcommittees on planning, the needy and the sick, destitutes, victims of natural disasters and other special cases, and mental patients. These are the people who receive distributions. Apparently early in Bafarawa’s regime, in the early enthusiasm for Sharia implementation, there was an agreement that the State Government would contribute ₦1 million annually to the Committee’s fund, while each Local Government Area (of which there are 23) was supposed to contribute ₦250,000 monthly. While the Local Governments would thus put in much more money, most of the money would then be distributed back to their own people (presumably by Local Government subcommittees of the main Committee). Voluntary contributions by individuals were also sought. But this scheme broke down; collection from the State and Local governments became difficult and the thing didn’t work very well. They are now going to reconstitute the Committee and try to get things moving again; they are talking about giving the Committee legislative backing, and they will suggest among other things that all contractors with the State be required to pay some percentage of the contract price (say 1%) into the fund.

c. The Zakat and Endowment Committee in 2016¹¹⁴

In 2008 Governor Wammako dissolved the old Sadaqat and Endowment Committee and not only reconstituted it but also renamed it the Zakat and Endowment Committee of Sokoto State. The new committee, headed by Prof. A.A. Gwandu, was reorganized by introducing sub-committees to handle specific tasks. Following the death of Prof Gwandu in 2012, Governor Wammako, again, reconstituted the committee appointing Engr. Muhammad Lawal Maidoki as the new chairman. Preparatory to the handing over to a newly elected government in 2015, the Wammako administration dissolved all standing committees in the state. But Governor Wammako, in a letter dated 22 May, 2015, and ‘in consideration of the numerous beneficial works and services of the committee’ re-appointed Engr Muhammad Lawal Maidoki ‘to oversee the affairs of the defunct Zakat and Endowment Committee, pending its reconstitution’. Therefore, as presently (March 2016) constituted the committee is under a sole administrator who has also introduced far-reaching reforms that account for the success stories of the committee’s beneficial works and services.

¹¹⁴ The information provided hereunder was derived from interviews conducted in Sokoto by Danladi Aliyu with Engr. Muhammad Lawal Maidoki on 24 March, 2016; Mallam Usman Buhari on 24 March, 2016 and Mallam Aliyu Muhammed Dogondaji on 25 March, 2016 as well as the practical observation of zakat distributions by the researcher in Sanyinna and Torankawa Districts. See also Maidoki, M.L. (2015) ‘Multiple Approach towards Curtailing the Challenges of Zakat Collection and Distribution in Nigeria’, a paper presented at the 2nd International Conference on Masjid, Zakat and Waqf, Malaysia 1st -2nd December, 2015, kindly supplied to the researcher by Engr. Maidoki.

(1) Zakat law drafted

The process of enacting a zakat law for Sokoto state was initiated by Prof. A.A. Gwandu's committee in 2008 but could not progress. The present leadership of the committee is working with the Governor Tambuwal administration to enact a law. At present a harmonized draft (from the draft by Ministry of Justice and draft by the Zakat Committee) of a bill for an act to provide for the establishment of Zakat and Endowment Commission and for matters connected thereto has been formalized by the committee but yet to be presented to the Governor for his observations and subsequent presentation to the state House of Assembly for enactment into law.

(2) Brief published

The committee has also prepared and published a 'Brief on Zakat and Endowment Activities in Sokoto State'¹¹⁵ which details its mission and operations. According to this Brief, the mission of the committee is to 'become a formidable zakat and endowment institution that could cater for the less privileged in our society, country and beyond'. Its vision is to 'establish a solid and reliable system of zakat and endowment collection, management, distribution and investment for the benefit of the needy in society'. The committee's objectives as enumerated in the publication include: (i) carry out overall collection, management and distribution of zakat and endowment; (ii) carry out charity activities (*fisabilillah*) in the areas of assisting needy by settling medical bills and provision of other health services; (iii) provision of shelters and settling of debts; (iv) rehabilitating psychiatric patients and assisting victims of disasters; (v) provision of food assistance to the needy on special occasions and educating new Muslims; (vi) ensuring welfare package and training for orphans and disable to enable them become self-reliant; (vii) carrying out *da'awah* and public enlightenment activities on the significance of zakat and endowment in Islam; and (viii) investment in halal businesses for income generation among others.

(3) Operational Structures of the Zakat and Endowment Committee

The present structure of the Zakat and Endowment Committee is a product of the reorganization that started in 2008 by the Prof. A.A. Gwandu led committee. At that time, the committee operated only at the state level. There was neither a structure at the local government level nor at any other level. However, the committee created four sub-committees to assist in the discharge of its functions. The sub-committees are: human resources development; orphans and needy; shelter and rehabilitation; and assistance and rehabilitation of mentally-ill persons.

In February, 2012 when the new chairman was appointed for the committee, far-reaching restructuring took place. First, the four sub-committees were increased to six with the addition of two more, namely health and publicity and enlightenment. Second, the composition and tasks assigned the sub-committees were reviewed. The most important introduction was the establishment of district zakat and endowment committees. Sixty-three district zakat and endowment committees were established in

¹¹⁵ Copy kindly provided to the researcher in March 2016.

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2013; in 2014 an additional twenty-two were established making a total of eighty-five district committees spread across twenty-three local government areas of Sokoto State. This was done because the collection and distribution of zakat is an activity that is more fruitfully executed at the community level rather than at the state headquarters. To bring the exercise closer to the people, the districts committees are allowed to create village zakat and endowment committees in their respective districts.

The state committee is composed of seventeen members including a chairman and a secretary. The committee is allowed to co-opt ad-hoc members into it. Whereas members of the state committee are appointed by the governor, members of the district committees are nominated by the Sultanate council.¹¹⁶ The committees at all levels are composed of representatives of: ulama, traditional institution, imams, farmers, headers, business/market men and civil servants. From 2008 the state committee has been chaired by civil servants learned in Islamic jurisprudence.

Presently, the State Zakat Committee has only two permanent staff that were posted from the Ministry of Religious Affairs (MORA) on request from the state committee chairman. The two permanent staff of the committee are Mallam Muhammad Umar Hama Ali, director, zakat and endowment and Huraira Isa Illo, accountant.¹¹⁷ All other secretariat staffs are either ad-hoc or volunteers. However, all state committee members including permanent and ad-hoc staffs draw their salaries and allowances from the state government. On the other hand, the district committees are not paid any salary nor are they given allowances. The need for them retaining 10% of zakat collected in their respective districts as *amilina alaiha* was stepped down because of general fears that it may breed suspicion and reduce the level of trust between the members and the general public on one hand and among the members of the committee on the other hand. As such the idea was dropped. However, the 'Overseer' is canvassing for the state government to start paying them monthly allowances.

(4) Zakat collection processes

There are three sources of funds for the Zakat and Endowment Committee: zakat collections, endowments by individuals and groups and government grants. Government grants come in two forms: general services grants (which takes care of all activities of the committee), and social security grants (specifically for people with disabilities).

The process of zakat collection starts with massive publicity through enlightenment tours of all the 85 districts with some ulama speaking on the benefits of paying zakat and the disadvantages of neglecting it; production of radio and TV programmes and jingles; production and distribution of hand bills, stickers and bill boards; and special advocacy visits to high profile businessmen within Sokoto State.

¹¹⁶ Part of the proposal in the proposed Bill is to make the appointment of District Zakat and Endowment Committee members subject to the approval of the State Main Committee.

¹¹⁷ The posting letters for the two officers are attached as appendix ten A and ten B

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The state committee coordinates the general collection and distribution of zakat across the state. If the zakat payer approaches the state headquarters with the zakat items, the director zakat and endowment receives the items and the accountant issues a receipt acknowledging collection. At the district committee level, a *muḥṣibi* can come to the chairman, who is the district head, directly or through the village head. The village heads go round the village and ensure eligible zakat payers pay their due. Other members of the district committee representing special groups also coordinate collection from their various groups. Whether zakat is paid through the village head or to representatives, what is paramount is that all collections are registered with name, address, and the item given and amount (if cash) recorded. All collections are then brought to the district headquarters for distribution.

The zakatable items that are often collected include different kinds of grains, different kind of livestock and cash. Table 10.c.1 shows zakat collected across the eighty-five districts in Sokoto state for the period of 2013-2015:

TABLE 10.C.1: ZAKAT COLLECTIONS BY DISTRICT ZAKAT COMMITTEES IN SOKOTO STATE
2013-2015

Year	Grains		Livestock				Cash (₦)
	Bundles	Bags	Goats	Sheep	Cows	Camels	
2013	3,801	5		3			1,617,665
2014	15,223	2,244	211	86	34	23	15,830,031
2015	13,451	1,597	108	24	20	1	10,682,000
Totals	32,476	3,846	319	113	54	24	28,129,696

If all the grains and livestock collected in 2013-2015 were converted to cash the value of all collections would stand at ₦99,840,230. As a way of encouraging the districts to increase their collection rate, the Sultanate Council instituted an award for the highest collecting district in 2013. In both 2013 and 2014 the award was won by Yabo district and the award ceremony was conducted at the Sultan's Palace in Sokoto where the districts that came first to fifth position were honoured by the Sultan.

The Zakat and Endowment Committee also collects as grant from the state the sum of ₦45,000,000 monthly as social security grants for onward disbursement to the physically challenged across the 85 districts of Sokoto state. Another general services grant of ₦31,500,000 is further made available monthly to the State Committee for orphans and other administrative expenses. From 2012 to 2015 the State Zakat Committee collected the total sum of ₦3,584,000,000 in the form of these grants.

(5) Zakat distribution procedures

As a matter of policy, no district committee can carry out distribution of zakat without authorization by the State Zakat and Endowment Committee. Furthermore, zakat collected from a particular place is shared among beneficiaries from that same place. Although, zakat is often collected at the village level and then brought to the district headquarters for distribution, the policy of same collection area and beneficiary area is

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observed. So anything (be it cash, grains or livestock) collected from any particular place is given to beneficiaries from that same locality. Nobody benefits from zakat collected outside their locality. What is emphasized is that the beneficiaries must belong to any of the seven categories mentioned in the Holy Qur'an except zakat collectors.

The procedure for benefiting from zakat requires the potential beneficiary to apply either to the state zakat committee, district committee or the village committee. All applications are later verified by the officers at the various levels where the application is submitted. Once verified and approved, the potential beneficiary is contacted and invited to the ceremony specially organized for the purpose of distribution. On the other hand the committees at the various levels can identify people they believe are more deserving of the zakat but who did not apply, and shortlist their names. The village heads are requested to identify the beneficiaries of zakat collected from their villages. The district head only choose the beneficiaries if the zakat is collected at the district level. The same thing happen if it is zakat collected at the state headquarters.

The statement of Mallam Umar Kashe¹¹⁸, a Zakat beneficiary at Torankawa District to the effect that:

I don't know how I was chosen. My Ardo (Fulani Chief) told me that I was selected. I used to tell him about my problems and he kept promising me, today he has fulfilled it. I am very happy. You know I thought I would borrow money to take the grain home but I was also given ₦1000 cash. That is very good. I am very happy.

We can gather from this statement that applications by needy people are not immediately treated. Perhaps there is some priority of demands, and also because distribution takes place at the district headquarters, some of the beneficiaries may have difficulty transporting their bounties to their villages. In the light of the latter the idea of additional cash to support the grains or livestock proved innovative.

During the field work for this research, the district head of Sanyinna¹¹⁹ was asked how they determine which beneficiary gets what item as zakat seeing that different items are distributed at the same time. He explained that several criteria are used including: the kind of problem reported (for example an orphan may need food items while a destitute may need cash to set up business); the village head's assessment of the needs of his beneficiaries and his proposed allocation of items to them; and lastly, a raffle draw can be used to determine who gets what.¹²⁰

All beneficiaries get a minimum amount of ₦10,000 or a bag of grains or one head of any animal available for distribution. Beneficiaries are grouped into the following categories: orphans and the needy; shelter and rehabilitation; human resources development; physically and mentally ill persons; publicity and enlightenment and Secretariat services. The percentage distribution to each category is as shown below.

¹¹⁸ One of the zakat beneficiaries at Torankawa interviewed in there on 24 March, 2016 by Danladi Aliyu

¹¹⁹ Interviewed in Sanyinna on 24 March, 2016 by Danladi Aliyu

¹²⁰ The use of lot is also practiced by the State Main Committee.

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TABLE 10.C.2: ZAKAT ALLOCATION TO VARIOUS CATEGORIES OF BENEFICIARIES IN SOKOTO STATE

Category of beneficiary	Percentage allocation
Food assistance to needy	31.1
Medical assistance	26.7
Orphans care	8.9
Shelter and rehabilitation	15.5
Human resource development	17.8
Total	100

Finally, Table 10.c.3 shows the total number of zakat beneficiaries in 2013-2015:

TABLE 10.C.3: TOTAL BENEFICIARIES IN SOKOTO STATE, 2013-2015

Year	Total zakat beneficiaries
2013	824
2014	7142
2015	4881
Total	12,847

d. Endowments in Sokoto State

Endowments are gradually becoming more popular in Sokoto State. The committee employed massive publicity through the use of posters, handbills, and mass media outlets. The media campaign was aimed at sensitizing the people on the activities of the committee as well as reminding them of their obligation towards Allah. The campaign seemed to have yielded results as Muslims and non-Muslims, men and women have contributed to the state endowment fund. For example, the committee collected two million naira and a trailer load of cartons of Indomie from a non-Muslim Ibo businessman. The Ameer of Sokoto state branch of FOMWAN, Dr. Ibrahim Balbasatu also informed the researchers that some women through FOMWAN have equally endowed a house and a local orthopaedic hospital at Mabera and Touma areas of Sokoto respectively. So far, the total endowments at the custody of the zakat committee are shown in Table 10.c.4:

TABLE 10.C.4: LIST OF ENDOWMENTS AND THEIR LOCATIONS IN SOKOTO STATE AS AT 2015

Location	Nature of Endowment
Sokoto	6-plots of lands located at Sokoto State Polytechnic Road.
Sokoto	A house located at Rinin Tawaye
Sokoto	Constructed one house at eastern bypass across Lucia Road .
Sokoto	Endowments Ventures Ltd. A business outfit for rental of canopies, plastic chairs and other services
Bodinga	Islamiyya school endowed by by Alhaji Sahabi Bojo Bodiga, estimated to ₦50,000,000
Wauru	A plot endowed by Abdulkadir MaiwurnoUbandoman Wauru, estimated to ₦100,000
Rabah	A vehicle endowed by Alhaji Haliru Bawa Rabah, estimated to cost

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	₦1,000,000
Tudun Wada	Roba-roba motorcycle machine estimated to cost ₦100,000 endowed by Ahmad Aliyu
Wamakko	A plot estimated to cost ₦20,000,000 donated by Alhaji Mai Akwai Jarede
Kalambaina	2 bundles of shadda estimated to cost ₦5,000
Dingyadi	Ten shops and one farm

11.

Yobe State

**a. The Directorate of Zakat and Endowment
of the Ministry of Religious Affairs**

As is discussed more fully in *Documentary materials on Councils of Ulama and Related Bodies* section 11, when Sharia implementation began there, Yobe State first gave itself a Religious Affairs Board, established in 2001 under its own statute; and then in 2003 the Board was converted into a full-fledged Ministry of Religious Affairs. The structure and functions of the Ministry are much the same as those of the Board before it. In particular, the division of the Board into Directorates of Sharia, Da'awah, Religious Affairs, Zakat and Endowment, and Finance and Administration still applies to the Ministry, as do the following provisions of the Religious Affairs Board Law related to the Directorate of Zakat and Endowment and to Yobe State's Board of Trustees for Zakat and Endowment:

9. (1) * * *
(2) * * *
(3) There shall be appointed by the Executive Governor a Board of Trustees for Zakat and Endowment comprising notable and reputable representatives of the people of Yobe State drawn from different walks of life charged with the responsibility of overseeing all the functions relating to zakat and endowment and shall have power to form zakat committees at Emirate, District and Village levels.

* * *

11. The functions of the Board [now Ministry] shall be:

* * *

- (b) Working out and implementing a programme of collection and distribution of zakat in the State in accordance with Sharia injunctions;

* * *

* * *

13. (1) Each of the Directorates shall have the functions set out hereunder:

* * *

E. Directorate of Zakat and Endowment. The Directorate of Zakat and Endowment shall have the following functions:

- (i) Updating and announcement of *nisab* of zakat periodically;
- (ii) Assessment and verification of zakat items;
- (iii) Collection and distribution of zakat according to Sharia injunctions;
- (iv) Establishment and supervision of Local Government zakat committees;
- (v) Management of Islamic endowment (*waqf*) funds, properties and investments donated by individuals, groups or corporate bodies in accordance with Sharia injunctions;
- (vi) Custody and disposition of lost and found properties;
- (vii) Any other functions related to the above that could be assigned to it from time to time.

**b. Responses by the Religious Affairs Board
to questions on zakat (2003)**

The following paragraphs were provided in early 2003, by Alhaji Hassan Gana, then the Executive Secretary to the Yobe State Religious Affairs Board, in response to written questions submitted to him in December 2002. We are most grateful to Alh. Gana for his kind cooperation with our research efforts.

1. The relevant legislation on zakat [in Yobe State] is the establishment of State Trustees on Zakat and Endowment, with powers to create Zakat Committees at Emirate, District and Village levels [see §9(3) of the Religious Affairs Board Law, above].
2. The members of Trustees on Zakat at the State level comprise retired and serving civil servants, members of the *ulama* and some business class representatives as well as that of cattle rearers. The civil servants constitute the secretariat of the Trustees.
3. Copy of the disbursement report by a committee of the Trustees is attached [for 2002: see section **d** below]. This report covers the disbursement of the zakat collected by the State Trustees only, while those of Emirates, Districts and Village Committees keep their own reports.
4. As a matter of policy, the present position is that of deregulation with individuals allowed to make their own assessment [and] turn over to the committees what is due as zakat. There are assessment forms, which guide individuals while those who cannot use the forms are to contact committee members or any of the learned *ulama* around.
5. The guidelines give the individual zakat payer liberty to give any portion of his zakat he deems appropriate to the Central Committee and the rest to the people he is used to giving [to] before the formation of the Central Committee.
6. There is no strict enforcement of compliance now owing to the guiding principle of Sharia implementation in the State being gradualist promoting conscientious compliance through enlightenment rather than use of force by authority at least in the early stages.
7. No force used so far as explained above.
8. [Complete] data [on collections and distributions] at now is not handy as the Emirate and District Committees have not yet compiled their reports. The State Trustees collection has however experienced a slight decline compared to the first year. This is in the region of about 10% and the reason attributed is the shifting of payment to the lower-level committees as publicised by the Trustees themselves.
9. The proceeds are used strictly in accordance with guidelines from the Holy Qur'an and Hadith and the interpretations by Maliki scholars of jurisprudence. The Zakat Handbook [see below] contains the guidelines, which has been submitted to Research Committee representatives.
10. The Trustees on Zakat are looking for avenues for improving effectiveness in the performance of all the committees through more strict enforcement.

c. Yobe State Zakat Handbook (2002)

YOBE STATE BOARD OF TRUSTEES ON ZAKAT AND ENDOWMENT

The Zakat Handbook

January 2002

Damaturu

Preface

In the name of Allah the Beneficent, the Merciful. All thanks, praises and glorification are due to the Almighty Allah (SWT), who out of his infinite mercy guided us to Islam and enabled us to adopt His Way, the Sharia, as our way of life. May peace and blessings be upon His messenger Muhammad whom He gave us as a perfect model to emulate and propagate.

This short publication was necessitated by the formation of various Zakat Committees and the mobilisation of the Muslim population on the importance of this third pillar of Islam. It is not written as a textbook on zakat, but rather as a quick reference guide to ease the work of Zakat Committees as well as to assist individuals on basic facts of zakat and its assessment.

The operational guidelines and the basic facts on zakat have all been authenticated and approved by the Board of Trustees and therefore carry stamp of its authority which are all based on injunctions and regulations of Sharia as relate to zakat and its management.

The Trustees in liaison with the Religious Affairs Board (RAB) shall issue further policy guidelines as circumstances may warrant. It is our ardent hope and prayer that this publication will facilitate compliance with Sharia regulations in respect of zakat and Endowment.

Contents:¹²¹

1.0 Introduction	6.0 Non-zakatable property
2.0 Conditions that make zakat obligatory	7.0 Groups of people entitled to receive zakat
3.0 <i>Nisab</i> of zakatable wealth	8.0 Apportioning of zakat to the different zakat recipients
4.0 Zakat on farm produce and livestock	9.0 Operational guidelines
5.0 Zakat on gold/silver, currency notes, wares of trade, and company shares	References

1.0 Introduction

1.1 Zakat is the third of the five pillars of Islam, which is an obligation on every Muslim who fulfils the required conditions for giving out zakat. It literally means purification or

¹²¹ We give here only the main headings, according to the actual content of the nine main sections of the pamphlet; variations from the actual headings and the many numbering problems are noted in the text.

growth as taking out zakat purifies the wealth from which it is taken and that ensures the spiritual growth of the person who gives out zakat.

1.2 In the language of Sharia, zakat is used to refer to a specific amount of wealth at a specific level and given out to a specific groups of people among the Muslims as an obligation dictated by Allah (SWT).

2.0 Conditions that make zakat obligatory

2.1 It must reach the fixed minimum “*nisab*”.

2.2 It is paid only on the types of wealth specified by Sharia.

2.3 In the case of cash or forms of wealth other than farm produce, it must have been in possession for a period of twelve calendar months.

2.4 The payer of zakat must be a free Muslim, male or female, sane or insane, child or adult. In the case of a child or insane person, his guardian is responsible for giving zakat from his wealth.

2.5 The payer’s wealth must be equal to or more than the “*nisab*” after subtracting all his debts. This does not apply to farm produce.

3.0 *Nisab* of zakatable wealth

Nisab is the minimum amount a person must possess before zakat should be paid. This minimum varies according to the type of wealth from which zakat is to be paid.

4.0 [Zakat on farm produce and livestock]¹²²

4.1 **Farm produce.** The zakat on farm produce is paid at the time of harvest. The zakatable produce found particularly in Yobe State include millet (*gero*), guinea corn (*dama*), maize (*masara*), beans (*wake*), rice (*shinkafa*), groundnut (*gyada*), date (*dabino*), beniseed (*ridi*), and *guna*.

4.2 The amount to be given out as zakat is 1/10 (one tenth) of the total amount produced if it reaches the *nisab*. In the case of produce which is cultivated through artificial irrigation by use of water pumps, wash boreholes and canals, the rate is 1/20 (one twentieth) of the total produce if it reaches the *nisab*.

4.3 ***Nisab* of farm produce.** The *nisab* of all farm produce is 5 (five) *ausuq* which is equal to 300 *sa’i* which is equal to 1,200 *mudunnabiy*, in other words, *nisab* is:

<i>Ausuq</i>	=	5
<i>Sa’i</i>	=	300
<i>Mudunnabiy</i>	=	1,200

4.4¹²³ **Explanation.** It has been assessed practically that 4 *mudunnabiy* is approximately equal to one of the types of measure commonly used in our markets called “*kwanon sha mai lamba ashirin*”. That means 1 *kwano* is roughly equal to one *sa’i* and 60 *kwano* is equal

¹²² The heading in the text is “Types of zakatable wealth”.

¹²³ Numbered 4.2 in the text.

to one *ausuq*. Since 5 *ausuq* is the *nisab*, then 5 x 60 is equal to 300 *kwano*. The same is equal to 7½ big size sacks of the type, which contains 40 *kwano*.

4.5¹²⁴ **Zakat on livestock.** Animals for zakat must attain *nisab* and they must have been in possession for a period of one year. The *nisab* for camels is 5 and the rates payable for different quantities are as presented below:

Quantity of Camels	Zakat to be paid
5 camels	one 1- year old goat or sheep
10 camels	two 1-year old goat or sheep
15 camels	three 1-year old goat or sheep
20 camels	four 1-year old goat or sheep
25-35 camels	one 2 –year old she-camel
36-45 camels	one 3- year old she-camel
46-60 camels	one 4-year old she-camel
61-75 camels	one 5-year old she-camel
76-90 camels	two 3 –year old she-camels
91-120 camels	two 4-year old she-camels

For more than 120 camels, on every additional 40 camels, a three-year-old she-camel is the zakat while a four-year old she-camel is due on every 50 additional camels.

4.6 **Zakat on cattle.** The *nisab* for cattle is 30 cows. One who possesses 30 cows will give out 2-year she cow as zakat. The rate which increases as the number of cows increases is as presented below:

Number of Cows	Zakat to be Paid
30 cows	one 2-year old she-cow
40-59 cows	one 3-year old she-cow
60 cows	one 4-year old she-cow
70 cows	two she-cows consisting of: one 2-year old and one 3-year old
80 cows	two 3-year old she-cows
90 cows	three 2-year old she-cows
100 cows	three she-cows consisting of: two 3-year old and one 3-year old
110 cows	three she-cows consisting of: two 3-year old and one 2-year old she-cows
120 cow	either three 3-year old she-cows or four 2-year old she-cows

When the number exceeds 120, there is an option of paying out one two-year old she-cow for every 30 or one three-year old she-cow for every 40.

¹²⁴ Numbered 4.3 in the text.

4.7 **Zakat on sheep and goats.** The *nisab* for sheep and goats is 40. The rate is shown in the diagram below:

Quantity of Sheep/Goats	Zakat to be Paid
40-120 sheep/goats	one 1-year old sheep/goat
121-200 sheep/goats	two 1-year old sheep or goat
201 and above	For each 100, one 1-year old sheep or goat

5.0 [Zakat on gold/silver, currency notes, wares of trade, and company shares]¹²⁵

The rates of zakat payable on [gold and silver] is 1/40 or 2½% of the total amount. The *nisab* for gold according to *fiqh* is 20 dinar or 200 dirham in the case of silver.

5.1 The *nisab* on currency notes like naira is based on the currency value of 20 dinar equivalent of gold. Some modern Islamic scholars have estimated 20 dinar as 85 grams of gold. In order to get the *nisab* in naira, cost of one gram of gold is to be multiplied by 85. One fortieth or two and half percent of that is to be given out as zakat. Thus, in order to arrive at the *nisab* in naira for the year 1422 Hijra [2001], the average dollar value of 20 dinar worth of gold in the international market is multiplied by the prevailing exchange rate of ₦133.00 per dollar. Thus \$741.17 x ₦133.00 will give *nisab* value of ₦98,575. This figure shall, however, vary according to change in the price of gold and exchange rate of naira.

5.2¹²⁶ **Zakat on wares of trade.** All commodities which are for sale, are also zakatable based on reaching the *nisab* value. The *nisab* is computed by getting the total cost price of the commodities. Two and half percent is given out as zakat in monetary form.

5.3¹²⁷ **Zakat on company shares.** Shares in quoted companies should be valued according to their quoted worth at the time zakat is due and their value in monetary terms is added to zakatable assets for the purpose of calculation and payment of zakat.

6.0 Non-zakatable property

6.1 Money, animals, farm produce and other forms of wealth which do not measure up to the *nisab*.

6.2 Perishable farm produce or fruits.

6.3 Tools of trade.

6.4 Personal effects, clothing, furniture, residential house, motor vehicles, jewellery, provided they are not for sale.

6.5 Capital assets used for generating money e.g. transport vehicles, machinery for producing goods, generating sets, tractors or animal traction for cultivation.

¹²⁵ The heading in the text is “Zakat on gold/silver and currency notes”.

¹²⁶ Numbered 5.1 in the text.

¹²⁷ Numbered 5.2 in the text.

6.6 Animals which are not edible like horses, donkeys, dogs, pigs provided they are not kept for sale.

6.7 Household items e.g. beds, kitchen utensils, etc.

6.8 There is no zakat on the amount which has been given out on loan. However, on repayment, the amount will be added to the total zakatable assets and computed for the purpose of payment of zakat.

6.9¹²⁸ Landed property e.g., plots, buildings not zakatable if they are not for sale. If they are for sale however the amount sold will be zakatable if it reaches the *nisab*. If the amount is not up to *nisab*, it is to be added to the total zakatable asset.

7.0¹²⁹ Groups of people entitled to receive zakat

7.1 **The poor (*fuqara*).** Those who do not own enough to be liable for zakat and those who do not have enough provision to take them for a year.

7.2 **The needy (*miskina*¹³⁰).** Those who do not own enough to be liable for zakat and those who do not have enough provision to take them for a year.

7.3 **Those who collect zakat (*amilina alaiha*).** Those who are employed to collect and distribute zakat.

7.4 **Those whose hearts are to be reconciled to Islam (*muallafatu qulubuhum*).** Those new converts to Islam who need economic support to enable them settle.

7.5 **Freeing of slave (*fi riqab*).**

7.6 **Those who are indebted (*gharimina*).** Those who are indebted through lawful loans.

7.7 **In the way of Allah (*fi sabilillah*).** Those who are struggling in the way of Allah like *mujahidun* or those engaged in the pursuit of learning.

7.8¹³¹ **The wayfarer.** Those who are stranded in the course of their journey, they are away from their homes and the journey must be lawful.

8.0¹³² Apportioning of zakat to the different zakat recipients

8.1 Drawing from the Sharia principle that the body charged with the responsibility of collecting and distributing zakat can use its discretion in accordance with the needs of the circumstances to allocate zakat among the 8 categories of beneficiaries, the Board of Trustees agreed that the zakat collected in the State is to be distributed as follows:

- (i) *Fuqara* 50% = 10/20
- (ii) *Fi sabilillah (ulama)* 25% = 5/20

¹²⁸ Numbered 6.2 in the text.
¹²⁹ Numbered 6.0 in the text.
¹³⁰ Or to give the Arabic plural, *masakin*.
¹³¹ Numbered 7.3 in the text.
¹³² Numbered 6.0 in the text.

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- (iii) *Miskinai*... .. 10% = 2/20
- (iv) *Muallafatu qulububum* 5% = 1/20
- (v) *Amilina alaiba* 5% = 1/20
- (vi) District and Emirate Committee... 5% = 1/20

8.2 Out of the 5% zakat funds to be remitted to it by the District Committees within its area in accordance with the regulation, each Emirate Committee shall in turn remit 5% to the State Board of Trustees which shall be kept by the latter for emergency cases and for areas of deficits.

9.0¹³³ Operational guidelines

9.1 This is to be left to the individual zakat payer. However, the Committees as well as the Board shall carry out assessment on request using the prescribed form.

9.2 The proportion to be paid to the collecting agency by the zakat payer is to be decided by the payer but should be at least 50%.

9.3 The committee should identify and acquire a warehouse for keeping zakat property before distribution. Local Governments should be requested to assist in this direction. Where it is not possible to get Local Government assistance the committee can use its 5% to rent or build one.

9.4 There should be a treasurer for each committee who should be a trustworthy person and be responsible for security and custody of all zakat property and funds.

9.5 If it is deemed more convenient for handling purposes, the committee is free to convert zakat given in kind to money by selling it through a subcommittee appointed for that purpose.

9.6 Logistical requirements for collection and distribution of zakat should be shouldered by the Local Governments. Where is not possible, the committee should use part of its 5% share.

9.7 All village area committees should register and keep comprehensive list of all zakat recipients in their areas using the prescribed forms.

9.8 Similarly, a comprehensive register containing list of all zakat payers should be kept. The State Board as well as Emirate and District Committees should inspect such register.

9.9 All payers of zakat or endowment should be given the appropriate receipt. Similarly records of the amount disbursed per each zakat recipients should be kept.

9.10 Make public announcement of all collections and disbursements including names of payers and recipients as well as the amount paid and the amount given out to each recipient.

9.11 Before any disbursement is to be made in any unit, clearance from the next higher zakat agency (committee) should be sought and the latter should send its representative who will in turn submit a report on the disbursement made.

¹³³ Numbered 6.0 in the text.

9.12 Such summary reports should be collated as part of the required quarterly reports to be submitted by each committee.

9.13 The recipients of zakat should collect their share in person and not through any representative.

9.14 Emirate committees should notify the Board of Trustees of the major disbursements to be made within their areas so that the monitoring and verification committee can make random representations to witness some of the disbursements. Such notifications should be sent at least one week in advance by mails or radio message.

9.15 All people to be involved in handling proceeds of zakat should be people of proven integrity and all should be made to understand that no fraud or any form of misappropriation shall be condoned.

9.16 Where there are surpluses of zakat collections as compared to recipients, the District Committee or the Emirate Committee or the State Board of Trustees is allowed to transfer the surplus to areas of serious deficits.

9.17¹³⁴ All committees are advised to embark on continuous publicity and enlightenment on *fiqh-us-zakat* and the operational modalities of the committees through *juma'at khotbah* and *pre-khotbah* as well as through organising lectures.

9.18¹³⁵ Amounts of money and assets received as *waqf* (endowment), should be used in a sustainable way through dividend-yielding *halal* investments.

REFERENCES

1. *Zakat: Poor Due* by Sheikh Ahmad Abdullahi: Lagos, 1992.
2. *Dutse Emirate Zakat Da'awah Committee End of Year Report, 2001*.
3. *A-Z Manual on Zakat* by Ahmad Zakari & Co. Kano, 1998 [1419 H].
4. *Fiqh-us-Zakat* by Sheikh [Dr.] Yusuf Al-Qardawi.

d. Zakat Disbursement and Verification Committee Report (2002)

YOBE STATE BOARD OF TRUSTEES ON ZAKAT AND ENDOWMENTS DISBURSEMENT AND VERIFICATION COMMITTEE REPORT (2002)¹³⁶

1.0 INTRODUCTION

1.1 During the meeting of the Board of Trustees held on the 24th of January 2002 the above ad hoc Committee was formed to comprise the following:

- | | | |
|-------------------------------|---|----------|
| (i) Alhaji Adamu Godowoli | – | Chairman |
| (ii) Alhaji Bukar Modu Jumbam | – | Member |
| (iii) Alhaji Muhammad Nangere | – | Member |
| (iv) Malam Idrissa Nayinawa | – | Member |

¹³⁴ Numbered 9.2 in the text.

¹³⁵ Numbered 9.3 in the text.

¹³⁶ Copy obtained in 2003 from the Yobe State Religious Affairs Board, with thanks to Alhaji Hassan Gana, then the Executive Secretary.

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- | | | |
|------------------------|---|-----------------|
| (v) Alhaji Hassan Gana | – | Secretary |
| (vi) Alhaji Buba Kyari | – | Asst. Secretary |

2.0 TERMS OF REFERENCE

- (i) To verify the list of zakat recipients made up of disabled and orphans submitted by the Village Zakat Committees from Damaturu and Maisandari Districts.
- (ii) To allocate and subsequently disburse as fairly as possible the zakat both cash and kind collected since the date of the launching.
- (iii) To submit report to the next meeting of the Trustees on the exercise.

3.0 PROCEEDINGS

The Committee held series of meetings to scrutinise the list of the recipients as submitted by the Village Heads and to deliberate on the amount to be allocated to each recipient. The Committee also went to the areas of the Village Heads to meet with the *ulama* for the purpose of verifying the names they submitted.

4.0 ALLOCATION OF ZAKAT TO RECIPIENTS

4.1 As resolved during the meetings of the Board of Trustees, the recipients would be restricted to the first category cited in the Holy Qur'an i.e. *fugara* owing to the fact that the amount collected was not much. Even within the *fugara* category it was restricted to those needy ones with glaring physical disabilities like the blind, the crippled, the leper and orphans without reliable bread-winner.

4.2 The allocation during the first phase of disbursement was made as follows:

- (i) ₦1,500 cash given to each recipient
- (ii) One bag of millet shared by three recipients
- (iii) One bag of millet per household in the case of houses with orphans in the Government estates.

4.3 During the second phase, the allocation was ₦1,100 cash flat rate per each recipient.

5.0 DISBURSEMENT EXERCISE

5.1 The first phase of the disbursement covered three days as follows:

- | | | |
|--------------------------|---|------------------------------|
| 13 th /2/2002 | – | Lawanti and Hausari Centres |
| 14 th /2/2002 | – | Ajari and Maisandari Centres |
| 15 th /2/2002 | – | Government Estates |

5.2 The exercise commenced at Lawanti Centre with a brief speech by the Chairman Board of Trustees Alhaji Muhammad Goni Umar. Thereafter the names of all the people who gave out zakat as well as the amount they gave out were announced by the Chairman, Alhaji Adamu Godowoli. The names of the verified recipients were then called out by the Secretary of the Board of trustees and after identification by the *ulama* of his or her area, the allocation was handed over by the Treasurer with the support of the Assistant Treasurer (Zakat) and some Islamic Aid Group members engaged for that purpose. The same procedure was followed for all the other centres. In the case of the Government Estates, the Committee delivered the

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zakat directly to the houses of the orphans where ₦1,500.00 per orphan and one bag of grain per household were delivered.

- 5.3 Full video coverage of the whole procedure from beginning to the end was also made. Media team from both YBC and YTV also covered and reported the exercise.
- 5.4 During the second phase of the disbursement all those who were absent during the first phase were told through their *ulama* to come to the front of the Village Head's house where the sum of ₦1,100.00 was given to each recipient. When it was discovered that a substantial number of those shortlisted did not turn up, the Committee took the list of those disabled who had gone to the scene but whose names were omitted in the first list submitted by the *ulama*. Seventeen of them were shortlisted and verified by their respective *ulama* and the sum of ₦1,100.00 was given to each. During the first phase of the disbursement, the committee had to purchase additional 7 bags of millet to meet up with allocation of 1 bag for 3 recipients and 1 bag per household with orphans at the Government Estates. This cost ₦16,100.00 at ₦2,300 per bag.

6.0 TOTAL DISBURSEMENT

- 6.1 The total number of beneficiaries shortlisted and the total number that actually benefited is presented according to the five disbursement centres as shown:

DISBURSEMENT OF ZAKAT COLLECTED SINCE LAUNCHING IN
DECEMBER 2001 ACCORDING TO CENTRES

Disbursement Centre	No. Shortlisted	No. of Recipients		No. Absent/Not Fit
		1 st Phase	2 nd Phase	
Zone 'A' Lawanti	229	146	42	41
Zone 'B' Hausari	115	100	5	10
Zone 'C' Ajari	113	103	8	2
Maisandari	17	17	0	0
Govt. Estates	106	86	0	20
Totals	580	452	55	73

The total number of beneficiaries for both the first phase and the second phase is 507 in all.

- 6.2 As for the total amount given both in cash and in kind the breakdown is presented below:

Disbursement Centre	No. of Recipients	Amount of Zakat		Recipients	Total	
		Cash	In Kind		Cash	Bags
Zone 'A' Lawanti	1 st 146	₦1,500	1/3 bag	188	₦219,000	49
	2 nd 42	₦1,100	—		46,200	—
Zone 'B' Hausari	1 st 100	₦1,500	1/3 bag	105	₦150,000	33
	2 nd 5	₦1,100	—		5,500	—

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			–			–
Zone ‘C’ Ajari	1 st	103	₦1,500	1/3 bag	111	₦154,500
	2 nd	8	₦1,100	–		8,800
Maisandari	1 st	17	₦1,500	1/3 bag	17	₦25,500
	2 nd	0	–	–		–
Govt. Estates	1 st	86	₦1,500	1 per house	86	₦129,000
	2 nd	0	–	–		–
Totals					507	₦738,500

6.3 From the table, the total amount disbursed as cash stood at ₦738,500.00. When ₦16,100.00 being the cost of 7 bags of millet was added the total cost would be ₦754,600.

6.4 The total amount withdrawn from the account for disbursement was ₦783,600.00. The balance of ₦28,400.00 was returned to the account as undisbursed balance.

7.0 SPECIAL DISBURSEMENT

7.1 A case of a lady convert to Islam in need of medical assistance from Buni Yadi was brought to the attention of the Committee. The non-Muslim relatives of the lady, Halimatu Sa’adiya, formerly Deborah Musa Fom, reportedly instead to take her to Jos for alleged failure of her Muslim husband to treat her of tuberculosis.

7.2 The husband, Yakubu Muhammad, sought assistance to enable him foot the bill. The Committee sought approval from the Trustees Chairman to extend ₦15,000.00 assistance in two monthly instalments for the period she had been on admission in the Damaturu Chest Clinic. This was in accordance with the provision for *muallafatu qulubuhum* as approved by the Board of Trustees. The lady had been treated and discharged since.

8.0 OPERATIONAL COST OF THE COMMITTEE

8.1 In accordance with approved guidelines on the apportioning of the amount of zakat collected among the eight categories of beneficiaries stipulated in the Holy Qur’an, the sum of ₦44,140.00 was withdrawn from the account which is 5% of the total amount, the breakdown of the amount expended is presented as follows:

8.2 BREAKDOWN

Fuelling and minor repair of vehicles	–	₦5,600.00
Handling bags of grain	–	₦4,460.00
Media and publicity	–	₦11,300.00
Entertainment	–	₦5,400.00
Secretariat expenses (stationary, typing, photocopying)	–	₦4,670.00
Allowances for drivers	–	₦2,700.00
Allowances for Aid Group	–	₦3,740.00
Allowances for Lawans	–	₦2,500.00
Transport for some members	–	₦5,000.00
Miscellaneous	–	₦390.00
Total	–	₦45,760.00

The total indicated that the actual expenditure exceeded the amount withdrawn by ₦1,620.00. This could still be said to be within the approved limits since additional zakat had been received before the completion of the exercise.

9.0 RECOMMENDATIONS AND CONCLUSION

- 9.1 Considering the large number of aged people without reliable means of subsistence, the Committee requests the Trustees to advise Government as well as philanthropic NGOs to come up with a social security scheme for the senior citizens.
- 9.2 As for civil servants and the working class the NLC is being called upon to consider introducing a monthly contribution of say 1% of basic salary for cushioning the effect of financial constraints faced by families of civil servants who died in the service pending the time of maturation of their terminal entitlements.
- 9.3 The details of beneficiaries of the disbursement including names, type of disabilities, the amount given are all presented according to their Lawans and *ulama* as appendix of this report, please.¹³⁷

[signed] _____
Alhaji Adamu Godowoli
CHAIRMAN

[signed] _____
Alhaji Hassan Gana
SECRETARY

e. From a 2007 interview report¹³⁸

The zakat system was launched in Yobe State 2001, with a grant from the State of ₦50 million for a fund for zakat and *awqaf* together. Since then they have been quite successful at collecting zakat and of course distributing it, all through the various committees. For instance, the former Governor invited the Director of Zakat and Endowment to come and collect from him: he paid 100% of the zakat due from into the fund (not holding any back to give out at his own discretion); he also gave cash as *waqf*. This way of administering zakat is much more organised than the way it used to be handled, which was simply that everyone gave individually, to whomever he wished. But although they are now more organised, there are still no sanctions in Yobe State for failure to pay, this may come later.

Awqaf are nothing new in this State, there is a long tradition of them in Kanem Borno. For instance, people have endowed houses for *almajirai* to live in until they complete their studies, they have supported *ulama*, assisted young people with the means to get married, and so on. They are making efforts to revive and reinvigorate this traditional Islamic institution. They have raised funds specifically for the purpose of *awqaf*. Some of the things they are doing with these funds: supporting *da'wah*, building schools (including a school for the blind), investing in mass transit for women, buying land that poor people can farm on.

¹³⁷ This appendix was not with the copy of the report which we obtained.

¹³⁸ Interview with Alhaji Ali Gaji Grema, Permanent Secretary, Ministry of Religious Affairs, conducted in Damaturu on 8th November 2007 by F. Kogelmann and A.S. Garba.

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As it is now, the whole system of administering zakat and endowments is closely tied to and monitored by the State Government. It might be better if it were more independent of the politicians. This could happen at the end of the day.

f. Update 2016¹³⁹

For some years, the central Directorate of Zakat and Endowment done very much. The Directorate is managed by civil servants, and because they rely on government grants for their activities, which are not forthcoming, nothing is going on at the state level. However, there is some level of activities at some emirate councils. Out of the 14 emirate councils only five have shown some level of activities and they include Gibjiba, Gudi, Fane, Patiskum and Tikau emirates. Among the five mentioned Tikau emirate has been most consistent in the collection and distribution of zakat: data from this emirate are shown in Table 11.f.1:

TABLE 11.F.1: SUMMARY OF ZAKAT COLLECTION BY TIKAU EMIRATE ZAKAT COMMITTEE
2002-2014¹⁴⁰

Year	Grains	Livestock	Cash(N)
2002	68	6	1,496,945
2003	166	4	1,590,259
2004	177	3	834,200
2005	182	6	982,370
2006	240	6	1,363,950
2007	245	6	1,106,850
2008	298		2,001,870
2009	162	4	2,377,370
2010	254	4	2,291,270
2011	237	5	2,080,320
2012	234		2,160,000
2013	205		2,762,000
2014	228	2	3,901,750
Total	2696	46	24,949,154

During a research visit to Damaturu, the researcher was informed that Fika emirate Council has recently written to inform the Directorate of Zakat and Endowment that it has distributed zakat to beneficiaries. However, no record of collection and distribution was submitted to the state office for verification.

For the purpose of zakat collection the emirates used the district heads and the village heads to collect zakat. The collection is mostly done at the village level by the village head. Whatever is collected is then taken to the district head who in turn transfers

¹³⁹ Information provided below was derived from interviews conducted by Danladi Aliyu in Damaturu with the trio of Alhaji Ali Gaji former Permanent Secretary, Ministry of Religious Affairs on Thursday, 9 June, 2016; Mallam Muhammed Tella Gadaka current Director, Sharia Department of MORA on Friday, 10 June, 2016; and Hammadu Adamu Muhammad Jajere Deputy Director, Zakat and Endowment Department, MORA on Friday, 10 June, 2016.

¹⁴⁰ Source: Tikau Emirate Council Launching Programme, 2015.

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all collection to the emir. Then at the emirate level a general launching is organized in which the general public is invited for public collection of zakat and endowment.

The distribution of zakat takes place at the emirate levels. The emir writes to invite the Directorate of Zakat and Endowment to come and witness the distribution and thereafter records of distribution are sent to the MORA. The money realised during the general launching is used as endowment fund from where certain percentage is kept for *da'awah* activities and payments to imams. The group that benefit from zakat collected are largely the *masakin* and *fuqara* group. Even within these groups the orphans and widows are particularly considered. The process of generating the beneficiaries list is such that each district head comes with the list of beneficiaries from his area. Therefore, zakat from one district is not taken to another district. Each district head therefore takes back his collection to his district for distribution after the formal ceremony.

g. Endowments in Yobe State

Nothing much has happened in Yobe state in respect to endowments over the years. Apart from the initial collections at the launch of the programme in which about twenty-five million naira and two buildings were donated as endowment the central collection committee did not receive anything significant thereafter. Part of the cash realised was used to purchase 5 buses for transportation and the remaining money was used for assistance to the needy and other charitable undertakings. The buildings were rented out and the rent used for charitable giving. Presently, the buses have all broken down and the buildings have been vacated due to the activities of Boko Haram.

12.

Zamfara State

a. The Zakat and Endowment Board Law, 2000 as amended in 2003, annotated

(1) Preliminary remarks:

Zamfara State's Zakat and Endowment Board was first established in late 1999. Its first statute, the Zakat (Collection and Distribution) and Endowment Board Law 2000, was signed into law in May 2000. In 2003, Zamfara replaced its 2000 law with a new Zakat (Collection Distribution and Endowment) Board Law, 2003.¹⁴¹ Most of the changes made in 2003 are minor and are shown below in annotations to the 2000 law. But one important new definition and three entirely new sections added in 2003 are given separately, after the schedule of *nisabs*.

As the reader will see, one principal purpose of the 2003 changes was to bring out more clearly the Board's functions respecting endowments. Another notable change was the omission of §27 of the 2000 law, levying zakat on "the gross salaries of State officials and other sectors, and on the wages, gratuities, pensions as well as other profits of professionals and craftsmen". One may speculate that this section was taken out because of its apparent inconsistency with the Federal Government's exclusive right to tax incomes, profits and capital gains, as laid down in §59 of Part I of the Second Schedule to the 1999 constitution.

Zamfara's 2000 law was copied, in almost identical terms, by Niger State, in its own Zakat (Collection and Distribution) and Endowment Board Law 2001. The annotations to Zamfara's 2000 law, below, besides showing changes made by Zamfara's 2003 law, also show the few changes made by Niger State when it adopted Zamfara's 2000 law as its own. The most notable Niger State variation is the omission of §27 of Zamfara's 2000 law, probably for the reason given above.

Sections 1-2, 13-26, 28-30, 35-36, and the schedule to Zamfara's 2000 law were also copied, in substantially the same terms, by Bauchi State in its 2003 Zakat and Endowment Fund Law. But there are enough variations in Bauchi's law that it has seemed best to reproduce it separately in section 1 above, rather than try to account for the variations by annotating Zamfara's law.

¹⁴¹ Zamfara State of Nigeria Gazette No. 2 Vol. 4, 10th October 2003, pp. A1-A18.

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(2) The Zakat (Collection and Distribution) and Endowment Board Law, 2000, Annotated:

A LAW TO PROVIDE FOR THE ESTABLISHMENT OF ZAKAT AND ENDOWMENT BOARD AND FOR THE MATTERS CONNECTED THEREWITH¹⁴²

Arrangement of sections:

- | | |
|---|--|
| 1. Citation and commencement. | 21. Crops and fruits disposed of. |
| 2. Interpretation. | 22. Crops and fruits eaten by animals used for tilling. |
| 3. Establishment of the Board. | 23. Zakat of livestock. |
| 4. Appointment of and composition of the Board. | 24. Schedules. |
| 5. Powers of the Board. | 25. Addition of property together. |
| 6. Appointment of Secretary and other staff of the Board. | 26. Invested property. |
| 7. Functions of the Secretary. | 27. Salaries, wages, gratuities and profits of professional and craftsmen. |
| 8. Tenure of Chairman and members of the Board. | 28. Absence of owner of property subject to zakat. |
| 9. Removal of a member of the Board. | 29. Property not subject to zakat. |
| 10. Remuneration of the members. | 30. Distribution of zakat fund. |
| 11. Personal liability of members. | 31. Establishment of Zonal Boards. |
| 12. Remuneration of Secretary and staff of the Board. | 32. Financial resources of the Board. |
| 13. Persons upon whom zakat is levied. | 33. Budget of the Board. |
| 14. Conditions for the levy of zakat. | 34. Accounts and audits. |
| 15. Zakat of trade wares. | 35. Cheating, evasion and refusal to pay zakat. |
| 16. Zakat of silver and gold. | 36. Disclosure of issues pertaining to zakat. |
| 17. Zakat of money and money's worth. | 37. Exemption of zakat property from taxes. |
| 18. Zakat of debts, stolen and extorted property. | 38. Common seal of the Board. |
| 19. Zakat of treasure-trove. | Schedule |
| 20. Zakat of crops and fruits. | |

CHAPTER ONE: PRELIMINARY

BE IT ENACTED by the House of Assembly of Zamfara State as follows:

1. This law may be cited as the Zakat (Collection and Distribution) and Endowment Board Law, 2000 and shall come into operation on the day of 2000.¹⁴³

¹⁴² Law No. 31 of 2000, signed into law on 29th May 2000. No gazetted copy available; photocopy of law as enacted in the possession of the editor.

¹⁴³ Zamfara's 2000 law was signed by the Governor on 29th May 2000 and probably came into operation the same day. Niger's law came into operation on the 10th of July, 2001. Zamfara's 2003

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2. In this law, unless the context otherwise requires:
- “alms” means every property paid voluntarily to the Board other than the zakat.
 - “artificial irrigation” means irrigation at a cost, such as irrigation by lifting machines.
 - “*bint labun*” means a she-camel which has completed two years of age and enters into the third year.
 - “*bint makhad*” means a she-camel which has completed one year and entered into the second year.
 - “Board” means the Zakat Collection [, Distribution] and Endowment Board established under this Law.
 - “cow” includes buffalos.
 - “crops and fruits” include cereals and fruits.
 - “Governor” means the Governor of Zamfara State of Nigeria.
 - “for the sake of Allah” means the needs for the sake of religion and the State and includes preaching and propagation of Islam.
 - “*hiqqa*” means a she-camel which has completed three years of age and enters into the fourth year.
 - “*jaʿa’ab*” means a she-camel which has completed four years of age and enters into the fifth year.
 - “on bonds” means freeing captives.
 - “indigent” means the destitute, who cannot find what to eat and includes one who is unable to earn his living due to disability, as well as an invalid who cannot afford the expenses for treatment, and the victims of disasters.¹⁴⁴
 - “insolvent” means one who is lawfully unable to repay a debt that is due but does not include a corporate body.
 - “livestock” means and includes camels, cows, sheep and goats.
 - “mineral” means anything extracted from the earth but is different from it whether malleable by fire or not and whether in a fluid state or not.¹⁴⁵
 - “Commissioner” means the Commissioner for Religious Affairs.¹⁴⁶
 - “*missina*” means a she-cow which has completed two years of age and enters into the third year.
 - “natural irrigation” means costless irrigation such as irrigation by rainfall, flood, basins and all types of non-artificial irrigation.
 - “*nisab*” means the minimum value or quantity or volume of zakatable property notwithstanding changes which a property might undergo in a year from its nature.
 - “paupers”¹⁴⁷ means persons who do not own their annual food, and in the case of a breadwinner of a family, includes one who has no sufficient source of income, and includes also a fulltime student who cannot afford the costs of

law gives its title as “Zakat (Collection Distribution and Endowment) Board Law”, and came into operation on 28th July 2003.

¹⁴⁴ Niger omits “who cannot find what to eat and includes one”.

¹⁴⁵ Zamfara 2003 adds to this: “but buried in the ground or emerges from the surface or rebelled from water” [sic].

¹⁴⁶ Niger omits this definition.

¹⁴⁷ This and all subsequent definitions omitted (perhaps inadvertently) from the gazetted version of Niger’s law.

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- study.
- “persons of inclined hearts” means persons who have recently embraced Islam, or those who desire to embrace Islam or those paupers who may be in jeopardy of renouncing their religion due to poverty.
- “State” means Zamfara State of Nigeria.
- “*tabie*” means a cow which has completed one year of age and enters into the second year.
- “trade wares” means any property eligible for trade which is not prohibited by Sharia, and includes lands, real estate and any utilities thereof, as well as crops, fruits, poultry and forests if owned for trade.
- “treasure trove” includes any treasure of gold, silver or otherwise of minerals and property found buried in the ground, or emerges to its surface or revealed from water.
- “Executive Secretary” means the Executive Secretary of the Zakat and Endowment Board.
- “wayfarer” means a stranded traveller who cannot afford what it takes to reach his destination.
- “year” means a year of the Hijra calendar.
- “zakat” means the share assessed under Sharia law on a Muslim’s property on such conditions as prescribed by Sharia and/or by the provisions of this Law.
- “zakat collectors” means all the employees of the Board and those who help them officially and authoritatively.
- [additional definitions in Zamfara’s 2003 law]¹⁴⁸

CHAPTER TWO:

PART I: ESTABLISHMENT AND COMPOSITION OF THE BOARD

3. (1) There is hereby established in the State a body to be known as the Zakat Collection [, Distribution] and Endowment Board¹⁴⁹ (in this Law referred to as the “Board”).
- (2) The Board shall be a body corporate with perpetual succession and a common seal.
- (3) The Board may sue and be sued in its name.
4. (1) The Board shall consist of the following:
 - (a) a Chairman;
 - (b) a Treasurer;
 - (c) an Assistant Treasurer;
 - (d) not more than ten other members.
- (2) Members of the Board referred to in subsection (1) of this section shall be appointed by the Governor.

¹⁴⁸ Zamfara 2003 adds a new definition of ‘endowment’, given with the three new sections on endowments following the schedule to this law. Zamfara 2003 also adds boilerplate definitions of “Attorney-General” and “Auditor-General” (Zamfara’s) and “Local Government” (as defined in Zamfara’s Local Government Law).

¹⁴⁹ Niger has “Zakat Collection, Distribution and Endowment Board. Both Zamfara laws have “Zakat Collection and Endowment Board”, perhaps inadvertently omitting “, Distribution”.

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PART II: POWERS OF THE BOARD

5. Subject to the provisions of this Law, the Board shall be responsible for the collection, administration and distribution of zakat,¹⁵⁰ and without prejudice to the generality of the foregoing, the Board shall have the following powers:
- (a) to organise the administrative and financial affairs and all other activities of the Board;
 - (b) to collect up to 60 percent of the zakat due, leaving 40 percent to the payer to be distributed to his close relations who are entitled;
 - (c) to require, accept and approve zakat declarations from persons eligible to pay zakat;
 - (d) to constitute such number of committees as may be necessary through which complaints of non-payment of zakat can be referred and determined;
 - (e) to make policies, plans, rules and regulations necessary for the conduct of its affairs and the realisation of its objectives;
 - (f) to invest zakat funds or the surplus of zakat funds in ways that will meet the objectives of the Board and serve the purposes of zakat;¹⁵¹
[management of endowments]¹⁵²
 - (g) to prosecute, through the office of the Attorney-General, such persons who are eligible but refused to pay zakat;
 - (h) to maintain account(s) with bank(s) into which zakat funds¹⁵³ and resources of the Board shall be kept and run;
[power to acquire and dispose of property]¹⁵⁴
 - (i) to exercise such other powers necessary for the due discharge of its functions in accordance with the provisions of Sharia.
[physical assessment of zakat owners]¹⁵⁵
6. (1) There shall be an Executive Secretary to the Board and not less than three Directors to be appointed by the Governor on the recommendations of the Commissioner.¹⁵⁶
- (2) The Secretary shall not be a member of the Board.
7. The Secretary¹⁵⁷ shall be the accounting officer and be responsible for the day-to-day activities of the Board and in particular shall carry out the following functions:
- (a) formulate policies and work plans and submit same to the Board for approval;

¹⁵⁰ Zamfara 2003: “zakat and endowment”.

¹⁵¹ Zamfara 2003: “To invest zakat and endowment funds or the surplus of zakat and endowment funds. . .and serve the purposes of zakat and endowment.”

¹⁵² Zamfara 2003 has a subsection here: “To make plans, rules and regulations for the good management of endowment.”

¹⁵³ Zamfara 2003: “zakat and endowment funds”.

¹⁵⁴ Zamfara 2003 has a subsection here: “The Board shall have the power to acquire, hold and dispose of property, movable and immovable.”

¹⁵⁵ Zamfara 2003 has a subsection here: “A zakat officer shall conduct physical assessment of zakat owners on farm products or livestock.”

¹⁵⁶ Zamfara 2003 and Niger both omit “on the recommendations of the Commissioner”. Niger adds after “Governor”: “as follows: (a) Director Distribution; (b) Director Endowment and Collection’ (c) Director Finance and Administration.”

¹⁵⁷ Zamfara 2003: “Executive Secretary”, and similarly wherever “Secretary” is used here.

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- (b) prepare the annual budget and the financial account and submit same to the Board;
 - (c) prepare an annual report on the performance of the Board and submit same to the Commissioner;¹⁵⁸
 - (d) conclude contracts the value of which shall not exceed two hundred thousand naira;¹⁵⁹
 - (e) dispose of any matter the value of which shall not exceed two hundred thousand naira in accordance with the approved budget;¹⁶⁰
 - (f) exercise any other functions that may be assigned to him by the Board.
8. (1) The Chairman shall hold office for a period of four years from the date of his appointment and may be eligible for re-appointment for another period of four years only.
- (2) A member of the Board shall hold office for such a period not exceeding four years as may be determined by the Governor and he may be eligible for re-appointment to hold office for a similar duration.
- (3) The Chairman or any member of the Board may by notice in writing to the Commissioner, resign his office and any such vacancy occurring in the membership of the Board shall be filled by the appointment of another person in accordance with the provisions of this Law.
9. A member of the Board may be removed from office by the Governor on grounds of incapacity, disability, misconduct or failure to discharge his functions or responsibilities. For the purpose of this section, member includes the Chairman.
10. There shall be paid to the Chairman and members of the Board, such remuneration by way of allowances as the Governor may from time to time determine.
11. The Chairman and any member of the Board shall not be personally liable for any act, omission or default by the Board so long as the act, omission or default is done in good faith, and for the due discharge of his duty under this law.
12. The Secretary and other staff of the Board shall be paid such remuneration by way of salary¹⁶¹ as the Governor may determine.

CHAPTER THREE: LEVY OF THE ZAKAT

13. Zakat shall be levied on any person who professes the Islamic faith, and resident in the State, and who owns property the subject of zakat.
14. (1) Subject to the provisions of this Law zakat shall be levied on any person upon the fulfilment of the following conditions:
- (d) the person owns property the value of which has reached the prescribed *nisab*;
 - (e) the person owns the property for a period of one year in cases where such period is required;
 - (f) the property shall not relate to personal use;
 - (g) the person is not indebted in such a way as may cover all his property or bring the same below the *nisab*.

¹⁵⁸ Niger and Zamfara 2003: "submit same to the Governor".

¹⁵⁹ Zamfara 2003: "... two hundred thousand naira from zakat and/or endowment fund".

¹⁶⁰ Zamfara 2003: "...approved budget from zakat and/or endowment fund".

¹⁶¹ Zamfara 2003: "...by way of salary and allowances".

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- (2) Where there are several owners, or where there is mixed ownership such that the property may be considered as one, zakat shall be levied on the property as a whole where it reaches the *nisab*.¹⁶²
15. (1) Zakat shall be levied on trade wares, including expected debts after deduction of any liabilities.
 - (2) The time for zakat of trade wares and funds shall be after one year has elapsed thereon, and the time for zakat for other kinds of trade is the time of sale thereof.
 - (3) The *nisab* for the zakat on funds or trade wares shall be assessed proportionate to gold.
 - (4) The amount of the zakat of trade wares shall be one quarter of one tenth.¹⁶³
16. (1) Zakat shall be levied on gold and silver, other than jewellery, where one year has elapsed and the weight of:
 - (c) pure gold is eighty-five (85) grams and
 - (d) pure silver is five hundred and ninety grams.
 - (2) For the purposes of subsection (1) of this section, gold and silver shall not be required to be minted.
 - (3) The amount of zakat of gold and silver shall be one quarter of one tenth.
17. (1) Zakat shall be levied on coins, bank notes, deposits, negotiable instruments of monetary value, and instruments of money worth where one year elapses and the value amounts to the *nisab*, whether saved or otherwise.
 - (2) The *nisab* for the zakat of all the types of property mentioned in subsection (1) shall be one quarter of one tenth.¹⁶⁴
18. Zakat shall be levied for one year on the property of a person which is not used in trade and borrowed by another, or the property which is stolen or extorted by any person¹⁶⁵ even if the same remain with the debtor, thief, or extorter for more than one year. The person shall be obligated to pay zakat for extorted property.
19. Zakat shall be levied on treasure-trove¹⁶⁶ and the amount thereof shall be one-fifth and shall be levied upon obtaining the same.
20. (1) Zakat shall be levied on crops and fruits.¹⁶⁷
 - (2) The *nisab* for the zakat shall be one hundred *rubu'i* or fifty *kailas* or six hundred and fifty three kilograms weight as the case may be.¹⁶⁸
 - (3) The time for the levy of the zakat on crops and fruits shall be on the ripening and harvesting thereof.
 - (4) The amount of zakat on crops and fruits¹⁶⁹ shall be one tenth where they are irrigated by natural irrigation and one half of one tenth where they are irrigated by artificial irrigation.

¹⁶² Zamfara 2003: "...the zakat shall be levied on the property according to the individual share where it reaches the *nisab*".

¹⁶³ Zamfara 2003 adds: "(that is one over forty)".

¹⁶⁴ Zamfara 2003 adds: "(that is one over forty)".

¹⁶⁵ Zamfara 2003: "any person having been due for zakat". Zamfara 2003 omits the last sentence of this section.

¹⁶⁶ Zamfara 2003: "treasure trove (*rikan*)".

¹⁶⁷ Niger: "cereals and fruits".

¹⁶⁸ Niger: "five *ausuq* for crops and 300 *sa'i* for cereals". Zamfara 2003 has "six hundred and fifty" rather than "six hundred and fifty three".

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Provided that when fixing the *nisab* for the zakat of crops and fruits of the same class, they shall be added together, and also crops and cereals of the same year shall be added together even if the time of their planting and the soil on which they are grown are different.

21. Zakat shall be levied on any person who sold or donated any of his crops or fruits after ripening and on the buyer, donee or heir¹⁷⁰ as if he is the cultivator, if the sale, donation or death has occurred before ripening of the crops and fruits.
22. Zakat shall not be levied on the following:
 - a. crops and fruits eaten by owners or by animals used for tilling;
 - b. crops and fruits eaten by passers-by, or what has been donated by the owner to be so eaten.

Provided that where there is difference of quality in the crops or fruits for better or worse, zakat shall be levied from the medium thereof.

PART TWO: ZAKAT OF LIVESTOCK

23. (1) Zakat shall be levied on livestock, except those used for tilling land where one year has elapsed.¹⁷¹
(2) For the purposes of the *nisab* of livestock, males shall be added to females and the young shall be counted with the old.
24. The *nisab* on each type of livestock shall be as specified in the schedule to this Law.
25. Where a person owns a group of property subject to zakat, and no one of such property reaches the *nisab*, then such property shall be added together and their value shall be assessed in terms of money for the purpose of ascertaining the *nisab*.
26. (1) Zakat shall be levied on invested property yielding profits other than, cash, trade wares, crops, fruits,¹⁷² and livestock, and the return on such investment shall be treated as cash for the purpose of fixing the *nisab* and the amount of the zakat thereof.
(2) The zakat of invested property shall include the net rent of real estate, farm produce, livestock products, and the net income of the means of transportation.¹⁷³
- 27.¹⁷⁴ (1) Zakat shall be levied on the gross salaries of State officials and other sectors, and on the wages, gratuities, pensions as well as other profits of professionals and craftsmen; upon the same reaching *nisab* and exceed the basic amount thereof.
(2) The amount of zakat of the property provided for in subsection (1) of this section, shall be one quarter of one tenth. Such amount shall be deducted from the tax levied under any State law for the time being in force.
(3) For the purpose of subsection (1) of this section, the basic amount shall be assessed from time to time by the Board and presented to the Governor

¹⁶⁹ Niger: "crops and cereals", and similarly in the proviso.

¹⁷⁰ Zamfara 2003: "and on the buyer, offence or licit", evidently a typographical error.

¹⁷¹ Zamfara 2003: "except those used for tilling land reserved and feed for livestock and paltered cows where one year has elapsed."

¹⁷² Niger: "cereals" instead of "fruits".

¹⁷³ Niger adds: "payable immediately if payment is on annual basis".

¹⁷⁴ This entire section omitted both in Niger and in Zamfara 2003, with subsequent sections renumbered accordingly.

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- through the Commissioner.
28. (1) Where the owner of the property subject to zakat is absent, any person responsible for the management of that property, or the authorised agent, shall pay the zakat due thereof.
- (2) In the case of the death of the owner of property subject of zakat, the zakat shall be levied on the estate.
29. Notwithstanding the provisions of this Law, the following property shall not be subject to zakat:
- (a) public property, dividends and shares owned by the State in any company, corporation, institution, bank, commercial business or investment;
- (b) charitable property; and
- (c) the property normally kept in trust for everlasting charitable purposes.
30. (2) The proceeds of zakat shall be spent on the following:
- (i) paupers;
- (j) indigents;
- (k) zakat collectors;
- (l) persons of inclined hearts;
- (m) insolvent debtors;
- (n) for the sake of Allah; and
- (o) wayfarers.
[to free the captives]¹⁷⁵
- (2) For the purposes of subsection (1) of this section the Board shall have power to make regulations on the priorities of the expenditure.
31. (1) The State may be divided into zones wherein shall be established Local Government Zakat Boards as may be decided by the Board, which will be administered on behalf of the Board by such number of persons as the Commissioner¹⁷⁶ may determine.
- (2) The Zonal Zakat Board shall exercise any powers delegated to it by the Board in accordance with the provisions of this Law; and shall do all such acts or things as may appear necessary for the performance of its functions under this law.¹⁷⁷

[sections on endowments]¹⁷⁸

¹⁷⁵ Niger adds subsection “(h) to free the captives”.

¹⁷⁶ Niger: “Governor” instead of “Commissioner”.

¹⁷⁷ Zamfara 2003 has reformulated this entire section as follows: “(1) There shall be established a Zakat Board Committee in all Local Government Councils as may be determined by the Board. (2) The Local Government Zakat Committee shall exercise any powers delegated to it by the Board in accordance with the provisions of this Law; and shall do all such acts or things as may appear necessary for the performance of its functions under this Law. (3) The Local Government Committee shall be paid such remuneration by way of allowances as the Local Government Council may determine and pay.”

¹⁷⁸ Zamfara 2003 here inserts three new sections on endowments, reproduced below, immediately following the schedule to this law.

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CHAPTER FOUR: FINANCES OF THE BOARD

32. (1) The financial resources of the Board shall consist of the following:
- (a) the zakat collected under the provisions of this law;
 - (b) the endowment collected from willing bodies or individuals;
 - (c) donations, alms and charities from Governments, individuals or organisations within or outside the State.
- (2) Any other resources that may be approved by the Governor.
33. There shall be an independent budget for the Board which shall be prepared annually and one month before the end of every financial year and presented to the Governor through the Commissioner.¹⁷⁹
34. (1) The accounts of the Board shall be audited by the Auditor-General or any person or body authorised by the him.¹⁸⁰
- (2) The Auditor-General¹⁸¹ shall have the right of access to the books of accounts, vouchers and other documents of the Board, and shall be entitled to such information and explanations as may be deemed necessary for the audit of the Board's account.
- (3) The report of the auditor or auditors on the Board's account shall be submitted to the Governor through the Commissioner.¹⁸²

CHAPTER FIVE: PENALTIES FOR REFUSAL TO PAY ZAKAT

35. (1) Whoever cheats, evades or refuses to pay zakat due from him shall be punished with fine not exceeding the total amount of zakat assessed and payable by him or six months¹⁸³ imprisonment in default, and the court shall order such person to pay the amount of zakat due.
- (2) For the purposes of this section, the court may attach any property movable or immovable to enforce payment of zakat due.
36. (1) Subject to the provision of section 34 of this law, all particulars pertaining to zakat and payment thereof shall be deemed secret.
- (2) Whoever being a worker of the Board, wilfully by virtue of his office discloses any secret pertaining to the particulars of payment of the zakat of any individual, with the intention to injure that person who is the subject of such disclosure, shall be punished with imprisonment for a term not exceeding three years or with a fine or both.¹⁸⁴

CHAPTER SIX: MISCELLANEOUS PROVISIONS

37. The board's property shall be deemed as public property and shall be exempt from all types of taxes and fees.
38. The Secretary of the Board shall have the custody of the common seal of the Board and shall be responsible for affixing same to documents and certificates of payment of zakat.

¹⁷⁹ Niger and Zamfara 2003 omit "through the Commissioner".

¹⁸⁰ Niger: "audited by any person or body authorised by the Governor".

¹⁸¹ Niger: "The auditor or auditors so authorised".

¹⁸² Niger and Zamfara 2003 omit "through the Commissioner".

¹⁸³ Niger: "three months".

¹⁸⁴ Niger: "imprisonment for a term not exceeding 1 year or with a fine or both". Zamfara 2003: "imprisonment for a term not exceeding three months or a fine of ₦10,000 or both."

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[repeal]¹⁸⁵

SCHEDULE

1. *NISAB* OF ANIMALS

ZAKAT DUE

A. Camels

From		
	5 to 9	one sheep
	10 to 14	two sheep
	15 to 19	three sheep
	20 to 24	four sheep
	25 to 35	one <i>bint makbad</i>
	36 to 45	one <i>bint labun</i>
	46 to 60	one <i>hiqqa</i>
	61 to 75	one <i>jaza'ab</i>
	76 to 90	two <i>bint labuns</i>
	91 to 120	two <i>hiqqa</i>
	More than 120	every 50, one <i>hiqqa</i> every 40, one <i>bint labun</i>
	121 to 129	three <i>bint labuns</i>
	130 to 139	one <i>hiqqa</i> and two <i>bint labuns</i>
	140 to 149	two <i>hiqqa</i> and two <i>bint labuns</i>
	150 to 159	three <i>hiqqa</i>
	160 to 169	three <i>bint labuns</i>
	170 to 179	three <i>bint labuns</i> and one <i>hiqqa</i>
	180 to 189	four <i>bint labuns</i> and one <i>hiqqa</i>
	190 to 199	three <i>hiqqa</i> and one <i>bint labun</i>
	200 to 209	four <i>hiqqa</i> and five <i>bint labuns</i>

B. Cows

From		
	30 to 39	one <i>tabie</i>
	40 to 59	one <i>mussina</i>
	60 to 69	two <i>tabies</i>
	70 to 79	one <i>mussina</i> and one <i>tabie</i>
	80 to 89	two <i>mussina</i>
	90 to 99	three <i>tabies</i>
	100 to 119	one <i>mussina</i> and four <i>tabies</i>
	120 and more	three <i>mussina</i> and four <i>tabies</i>
	more than 130	every 30, one <i>tabie</i> [or] every 40, one <i>mussina</i>

C. Sheep and Goats¹⁸⁶

From		
	40 to 120	one sheep
	121 to 200	two sheep
	201 to 399	three sheep

¹⁸⁵ Zamfara 2003 has a final section as follows: "The Zamfara State Zakat and Endowment Board (Establishment) Law 1999 [sic: 2000] is hereby repealed".

¹⁸⁶ This part of the schedule omitted from the gazetted version of Niger's law; moreover the *nisab* of sheep and goats is apparently different in Niger than in Zamfara, see section 9 above.

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400 to 499	four sheep
500 to 500	five sheep
more than 600	every 100 one sheep

(3) New provisions on endowments inserted in Zamfara's 2003 law:

3. In this Law, unless the context otherwise requires: Interpretation
 * * *
- “endowment” means giving out money, items or properties in part or in whole out of the ownership of oneself, transferring it permanently or for a fixed period of time to the ownership of Allah, and dedicating it all or its proceeds to the use of others or the Muslim *ummah*.
 * * *
- * * *
31. Endowments shall be received from any individual persons or groups who profess Islamic faith, and who is residence in the State or outside of any part of the Muslim World and who is the rightful owner of the property endowed. Persons from whom endowments are received
32. These [i.e. items to be received as endowment] include all lawful items permitted by Sharia and of any amount and quantity. Items to be received as endowment
- (1) The Government should pay 2% of the total revenue accrued to the Board monthly as endowment.
- (2) Contractors shall give 1% of the total sum of each contract awarded by the State Government to the Board as endowment.
- (3) Other sources include the following:
- (a) estates;
- (b) farmlands;
- (c) shares in companies;
- (d) centres of learning like schools, libraries and institutions;
- (e) centres of worship like mosques;
- (f) social amenities like wells or boreholes;
- (g) orphanage homes;
- (h) part of salary;
- (i) special grants by Local and State Governments;
- (j) foundations;
- (k) social services like roads and hospitals;
- (l) lost and found items in all parts of the State;
- (m) inheritance of those who doesn't have heirs;
- (n) donations; and
- (o) other forms of *sadaqatun jariyyah*.¹⁸⁷
33. Once dedicated for endowment, the property ceases to be under the control of the owner and: Rules governing the operation of the *waqf* (endowment)
- (a) such endowment cannot be inherited, donated or sold out by anybody unless to improve them.

¹⁸⁷ *Sadaqatun jariyyah*: *Sadaqah jariyyah* or *sadaqah-e-jariya*: an ongoing, perpetual, or recurring *sadaqah* or charity. A *waqf* is a *sadaqah jariyyah*.

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- (b) there shall be witness and certificate to testify that the owner(s) have released the property.
- (c) the endowment department and the Board are the trustees to administer the properties in such a way that the benefit goes to the general public or those persons to whom the endowments are made.

b. The Zakat and Endowment Board's Annual Report 2000

ZAMFARA STATE ZAKAT COLLECTION, DISTRIBUTION & ENDOWMENT BOARD
MINISTRY FOR RELIGIOUS AFFAIRS, ZARIA ROAD, GUSAU, ZAMFARA STATE
ANNUAL REPORT 2000/1421 AH¹⁸⁸

FORWARD

Praise is due to Him, who created us and established Divine Laws for us to follow. May His peace and benediction be upon our bellowed Prophet Muhammad (SAW), his household and his companions and those who follow their footsteps to the day of judgment.

The management of the Board remains thankful to His Excellency the Executive Governor of Zamfara State, Alhaji Ahmad Sani (*Yariman Bakura, Sardaman Zamfara*) who proved himself to be an Islamic reformer, and whose tireless assistance had made this noble cause of action a reality.

I must thank our able individuals and organisations whose contributions had made our activities very successful.

Mal. Bashir Siraju
Executive Secretary

1. RELIGIOUS, HUMANITARIAN AND SOCIO-POLITICAL SIGNIFICANCE OF ZAKAT

The institution of zakat is one of the fundamental pillars of Islam, which is compulsory upon well-to-do individuals for a certain period of time and for a certain percentage to be deducted and be shared among the needy. Thus, zakat has the following significances in the society.

- I. Zakat purifies the property of the people with means and clears it from the shares which do not belong to it any more, the shares that must be distributed among the due beneficiaries.
- II. Zakat does not only purify the property of the contributor but also purifies his heart from selfishness and greed for wealth.
- III. Zakat mitigates to a minimum the sufferings of the needy and poor members of the society.

¹⁸⁸ A copy of this report was kindly supplied by the Board in 2003; copy in the possession of the editor. The table of contents has been omitted here.

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- IV. Zakat is a healthy form of internal security against selfish greed and social dissention against the intrusion and penetration of subversive ideologies. It is an effective instrument for cultivating the spirit of social responsibility on the part of the contributor and the feeling of security and belonging on the part of the recipient.
- V. Zakat is a vivid manifestation of the spiritual and humanitarian spirit of responsive interaction between the individuals and society. It is a sound illustration of the fact that though Islam does not hinder private enterprises or condemn private possessions yet it does not tolerate selfish and greedy capitalism.

2. HISTORY OF THE BOARD

Following the implementation of Sharia legal system in the State, the establishment of a Board to be responsible for the collection and distribution of zakat was necessitated. Similarly, considering the significance of endowment as life-saving sacrifice and also similitude of its functions in the society with that of zakat, endowment was merged with zakat to be known and called Zakat and Endowment Board.

3. BOARD MEMBERS

The following constitutes the Board members:

1. Alh. Sarkin Pawa Malami	=	Chairman
2. Alh. Garba Ango Rikiji	=	Treasurer
3. Alh. Mustapha Batola	=	Asst. Treasurer
4. Mal. Abubakar Fari	=	Member
5. Mal. Jelani Sabon Fegi	=	“
6. M. Bukhari Tsibiri	=	“
7. Alh. Bala Dan-Dutse	=	“
8. Alh. Muh'd Nafati T/Mafara	=	“
9. Alh. Siddi Daki Takwas	=	“
10. Alh. Ahmadu Dogon Koli Magami	=	“
11. Mal. Ahmad Umar Kanoma	=	“
12. Alh. Faruk Ibrahim Yahuza (<i>Sa'in</i> Gusau)	=	“
13. Alh. Siddi Sambo	=	“
14. M. Ibrahim Tudu	=	Director Collection
15. M. Atiku Sani Maradun	=	Director Distribution
16. Mal. Sani Hamza	=	Director Endowment
17. Mal. Bashir Siraju	=	Executive Secretary

4. POWERS OF THE BOARD¹⁸⁹

The Board has the following powers to exercise:

- (1) to organise the administrative and financial affairs of the Board and all other activities of the Board.
- (2) to collect up to 60% of the zakat due, leaving 40% to the payee to be distributed to his close relations who are entitled.

¹⁸⁹ Compare §5 of the Board's law and notes thereto; the powers were augmented a bit in 2003.

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- (3) to require, accept and approve zakat declaration as from persons eligible to pay zakat.
- (4) to constitute such number of committees as may be necessary through which complaints of non-payment of zakat can be referred and determined.
- (5) to make policies, plans rules and regulations necessary for the conduct of its affairs and realisation of its objectives.
- (6) to invest zakat funds or surplus of zakat funds in ways that will meet the objectives of the Board and serve the purpose of zakat.
- (7) to prosecute through the office of the Attorney-General such persons who are eligible but refused to pay zakat.
- (8) to maintain an account with banks into which zakat funds and resources of the Board shall be kept and run.
- (9) to exercise such other powers necessary for the due discharge of its function in accordance with the provisions of Sharia.

5. ADMINISTRATIVE STRUCTURE

The Board consists of five departments, namely, Collection, Distribution, Endowment, Finance and Administrative departments, with each department managed by a Director and some other staff.

The Board is headed by Executive Secretary who runs the administrative affairs of the Board under the supervision of the Board's members who conduct meetings frequently to deliberate on issues concerning the Board's activities.

6. TAKE-UP GRANT

Considering the vital role of finance in every organisation, the Board started operation with the sum of eight million, eight hundred thousand naira only (~~₦~~8,800,000.00) as take-up grant from the State Government, out of which ~~₦~~7,200,000.00 was earmarked for the purchase of eight (8) nos. vehicles, while the remaining ~~₦~~1,600,000.00 was for contingencies.

The vehicles are as follows:

1. 2 nos. Peugeot 306
2. 2 nos. 14-seater buses
3. 3 nos. Toyota Carina saloon
4. 1 no. Isuzu Canter

Thus, the Board was able to save five hundred and thirty one thousand, five hundred and eighty naira only (~~₦~~531,580.00) from the purchase of the vehicles and the amount was used to secure a house for accommodating new converts at the cost of five hundred thousand naira only (~~₦~~500,000.00).

7. ACTIVITIES OF THE BOARD

Zakat and Endowment Board performed the following activities among others:

1. Proper collection of zakat from well-to-do individuals, and general census of the disabled and other beneficiaries of zakat as stipulated in the Holy Qur'an with a

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view to assisting them on their basic needs of shelter, food, clothing, schooling of their children, healthcare delivery etc.

2. It is also one of the activities of the Board to collect any type of voluntary (*sadaqa*) from individuals or groups who wish to give cash or surrender any item of use for certain period of time or for life which will serve as *sadaqatum jariyyah* (endowment) life-saving sacrifice for the giver. Items like houses, plots and farmlands, boreholes, part of one's salary etc.
3. Furthermore, the Board is responsible for safekeeping of lost and found items including animals, until the rightful owner is found.
4. The Board is also responsible for collecting the inheritance of a deceased who has no heir or the remaining part of the inheritance for proper use to the needy and this serves as *sadaqatum jariyyah* for the deceased.

8. LOCAL GOVERNMENT COMMITTEES

Considering the vital role of the Board to the Muslim *ummah*, it has become imperative to extend it to our local communities in order to achieve desired objectives.

It is along this line that committees known as Zakat and Endowment Committees were set up in the Local Government Areas to enable proper administration of zakat and endowment to particular areas of collection under cursory observation of the Zakat and Endowment Headquarters.

Consequently, all the Local Government Areas with the exception of Bukkuyum and Bungudu Local Government Areas were inaugurated and have recorded tremendous success in that direction.

Monthly reports are being supplied to the State Board. Similarly, the State officials are carrying out frequent visit to the Local Government Areas for smooth operation of the committees.

9. PUBLICITY

In order to create awareness to the general public, the Board has been publicising its programmes and activities through the media houses like Zamfara Radio, Kaduna (jingles and special programme), Voice of Nigeria Lagos, weekly preaching, posters, stickers, signboards, newspapers etc.

10. DEPARTMENTS WITHIN THE BOARD

Thus, the departments of the Board are:

(1) Administrative Department. This department controls the activities of the other departments; it is the brain behind the success of the Board. The department was able to establish subcommittees within the Board for smooth operation. They are:

- I. Finance Committee
- II. Fatwa Committee
- III. Publicity Committee
- IV. Inter-Governmental Relations Committee
- V. Assessment & Distribution Committee.

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(2) Collection Department. This department is responsible for collection of all items given as zakat such as cash, farm produce, livestock, mineral etc. [For] the year under review the department has this at hand as zakat:

SUMMARY REPORT ON TOTAL ZAKAT COLLECTION

1. GUSAU, THE STATE CAPITAL

A. ZAKAT ON CASH: The Department of Collection has succeeded in receiving the total sum of two million, three hundred and twenty four thousand, nine hundred and twenty six naira, fifty one kobo (₦2,324,926.51) in cash as zakat from a total number of seventy four (74) people in the State Capital.

B. ZAKAT ON FARM PRODUCE: The department of collection has also succeeded in collecting zakat on farm produce as follows: -

Millet	=	100.5 bags
Rice	=	89.0 bags, 15 mudus
G/Corn	=	28.0 bags
G/Nut	=	5.5 bags
Maize	=	6.0 bags
Beans	=	<u>1.0 bag</u>
Total	=	230.0 bags

A total numbers of two hundred and thirty bags of farm produce in Gusau Local Government only.

C. ZAKAT ON LIVESTOCK: The department of collection has received only one (1) cattle on zakat from Gusau Local Government during the year under review (1421 AH).

[There follow here four pages of tables headed “Zakat and Endowment Board Zamfara State, Office of Director Collection, Zakat Collection Record (General)”, recording 73 donations made in the first five months of 2000, whether of money or in kind, and giving the names and Local Governments of the donors and the dates of the donations. The totals equal those shown above. There is no continuation of the summary report for other parts of the State.]

(3) Distribution Department. This department is in charge of proper distribution of zakat to needy. However the department carried out the distribution of cash and grains to various categories of needy within Gusau town and outlying villages within Gusau Local Government Area.

The year under review, this department distributed the total sum of one million nine hundred and forty seven thousand twenty four naira (₦1,947,024.00) ranging from cash given directly, medical treatment, shelter provisions, house renovation and business take-up and so on. Furthermore 230 bags of grains were distributed to the needy.

The following tables give details:

S/No	Number Of Beneficiaries	Purpose	Amount
1.	26 persons	Medical treatment given to patients	₦354,750.00

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2.	14 persons	Settlement of debts	₦112,754.00
3.	1 organisation (JIBWIS)	Pledges of organisation	₦25,000.00
4.	1 organisation (converts)	Office rent for converts	₦10,000.00
5.	3 persons	Assistance to run business	₦23,000.00
6.	2 persons	Assistance given to repair lamination machine & pumping machine	₦8,000.00
7.	1 house for converts	House finishing for new converts	₦25,270.00
8.	6 persons	House renovation	₦58,300.00
9.	2 schools	Renovation of Arabic schools	₦50,000.00
10.	1 person	School items for a convert	₦5,000.00
11.	1 person i.e. convert with his wife	House rent	₦5,000.00
12.	1 person	Purchase of a deceased's house for a widow & her orphans	₦70,000.00
13.	93 persons	Disabled (<i>miskinai</i>)	₦250,000.00
14.	15 persons	Wayfarer assistance	₦12,000.00
15.	381 persons	Zakat assistance for various types	₦937,950.00
TOTAL			₦1,947,024.00
548 PERSONS BENEFITED			

S/N	Date	Areas of Distribution	Purpose	Types of Grains and Bags				Cumulative Total
				Maize	Millet	G/Corn	Rice	
1.	11-12/ 5/2000	First distribution in Gusau Metropolis	Zakat		31 bags			31 bags
2.	2/12/ 2000	Tudun Wada	“		9		9	18 bags
3.	“	Mayanawa Area	“		9		9	18 bags
4.	“	Galadima Area	“		9		9	18 bags
5.	“	Sabon Gari Area	“		9		9	18 bags
6.	“	Madawaki Area	“		9		9	18 bags
7.	10/12/ 200	A'mileena Alaiha	“	1 bag	33		16	50 bags
8.	“	Disabled (<i>Miskinai</i>)	“		3		9	12 bags
9.	“	<i>Miskinai</i> coming to the Board	“		4		2	6 bags
10.	“	Special Asst, distribution Committee	“		8		2	10 bags
11.	“	Late Abdurahman Yabo & 2 others	“		3			3 bags
12	14/3/ 2001	Food Assistance	“	4 bags		24 bags		28 bags

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TOTALS	5 bags	127 bags	24 bags	74 bags	230 bags
TOTAL NUMBER OF BENEFICIARIES: 1,626 people					

(4) Endowment Department. This department is responsible for safe keeping of lost and found items until the owner is found. Furthermore, pledges of cash or items for life or certain period of time is being handled by the department. Thus, the following are the activities recorded by the department for the year under review.

PLEDGES

A) Materials pledges:

1. 2 houses located at Anka and T/Mafara donated by [name omitted]¹⁹⁰ as endowment for the period of five (5) years with effect from 1st October 2000.
2. 2 schools, 1 Islamiyya school located at T/Wada Gusau and modern school donated by [name omitted].

B) Financial pledges:

1. [Name omitted] pledged 1% of his salary as his monthly periodic endowment with effect from August 2000.
2. [Name omitted] pledged the sum of five hundred naira (~~₦~~500) only as his monthly periodic endowment with effect from September 2000.
3. [Name omitted] pledged the sum of two hundred (~~₦~~200) naira only as his monthly periodic endowment with effect from October 2000.

LOST AND FOUND RECORDS

S/N	LOST ITEMS	NO. OF ITEMS FOUND
1.	Money worth ₦15000.00	-
2.	Three (3) cows	One cow
3.	Six (6) sheep	Two (2) sheep
4.	Four (4) Goats	-
5.	Cloths (10 <i>hijabs</i> , 12 head-ties and 4 laces)	Cloths (10 <i>hijabs</i> , 12 head-ties and 4 laces)
6.	Two (2) cotton lints	Two (2) cotton lints
7.	Six (6) cotton sacks	cotton sacks
8.	A boy (Muh'd Dan-Inno)	A boy (Muh'd Dan-Inno)
9.	One (1) medical glass	-
10.	Office bag containing office documents	-
11.	Spare parts belonging to one Igbo non-Muslim worth six hundred and fifty three thousand naira (₦ 653,568.00)	Found same
12.	Travelling bag	-
13.	One (1) wrist watch	-
14.	One (1) chicken	

¹⁹⁰ Here and in the subsequent paragraph the names are given in the report; we omit them here to preserve the anonymity of the donors.

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ORPHANAGE

The department has also registered over eighty orphans in the year under review with the aim of sponsoring their education experimentally.

EXTERNAL AIDS THROUGH THE DEPARTMENT

1. Al-Haramain Islamic Foundation Kingdom Saudi Arabia, Nigeria Office Ibadan distributed grains worth hundred thousands of naira and constructed 37 concrete wells worth eight hundred and thirty four thousand eight hundred and ninety naira only (₦834,890.00). In addition to distribution of dates and groundnut oil in the month of Ramadan.

(5) Finance Department. The Zakat Endowment Board started operations with the sum of eight million eight hundred thousand Naira only (₦8,800,000.00) as take-up grant from the State Government, of this amount the sum of ₦7,200,000.00 was earmarked for purchase of eight (8) nos. vehicles while the remaining ₦1,600,000.00 was for contingencies.

Eight (8) vehicles were however, purchased and a savings of ₦531,580.00 was realised therefrom.

[Details on the purchase of the vehicles omitted.]

The expenditure from the contingencies stood as follows:

1. Purchase of office equipment	=	₦245,600.00
2. Purchase of office furniture	=	₦386,000.00
3. Building extension	=	₦101,440.00
4. Carpeting of offices	=	₦79,800.00
5. Travelling, fuelling and maintenance of Vehicles before C.A. in June 2000	=	₦266,090.00
6. Stationeries, Printing work and Translation of ZEB Edict	=	₦215,140.00
7. Telephone, PMB and Media Enlightens	=	₦118,980.00
8. Miscellaneous	=	₦155,180.00
9. Curtains	=	₦17,900.00
As at 21/12/2000	=	₦1,586,130.00
Balance	=	₦13,870.00
Total	=	₦1,600,000.00

11. LOCAL GOVERNMENT AREAS¹⁹¹

Presently five local governments have submitted their reports and the rest are being awaited.

A) ANKA LOCAL GOVERNMENT ZAKAT COMMITTEE:

¹⁹¹ In the table of contents of the report as produced by the Board, this section is numbered 16, the five subsections of section 10, on the various Departments of the Board, having been numbered 11 to 15. But in the text of the report this section is given no number at all. For the sake of clarity we have numbered it as indicated, and given subsequent sections their numbers accordingly.

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Total cash collected: = the sum of fourteen thousand naira only (~~₦~~14,000.00) at different districts in the Local Government Area.

Farm produce: = 167 bundles of millet, 13 bags and 11 measures of rice, 2 bags and 3 baskets of maize, 32 bags and 9 baskets of G/nuts, 398½ bundles and 15 measures of G/corn.

Livestock: = 1 cattle from one person.

B) B/MAGAJI LOCAL GOVERNMENT ZAKAT COMMITTEE:

Total cash collected: = Nil.

Farm produce: = 66 2 ½ [sic] bundles of millet, 13 bags and 6 measures of millet, 5 bags of G/nuts, 39½ bundles of G/corn, 1 bag and 14 measures of G/corn, 2 bags of rice.

Livestock: = Nil.

C) SHINKAFI LOCAL GOVERNMENT COMMITTEE:

Total cash collected: = The sum of twenty nine thousand naira only (~~₦~~29,000.00)

Farm produce: = 3 bags of rice, 18 bags of G/corn.

Livestock: = Nil.

D) T/MAFARA LOCAL GOVERNMENT COMMITTEE:

Total zakat on cash collected: = The sum of two thousand naira only (~~₦~~2,000.00) at different districts of the Local Government Area.

Farm produce: = 204 bundles of millet, 210 bundles of G/corn, 3 bags of rice, 2 bags of G/corn, 40 measures of rice, 3 bags of G/nut, 41 measures of beans.

Livestock: = 6 cattle, 2 sheep, 2 goats.

E) GUSAU LOCAL GOVERNMENT ZAKAT COMMITTEE:

Total zakat on cash collected: = The sum of fifty thousand Naira (~~₦~~50,000.00)

Farm produce: = Nil.

Livestock: = Nil.

12. LOCAL GOVERNMENT ZAKAT COMMITTEES MEMBERS

[There follow here the names of the Zakat Committee members in the twelve Local Government Areas of Zamfara State, usually six or seven members for each committee, except for Birnin Magaji, which had seventeen members.]

13. ACHIEVEMENTS OF THE BOARD

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Zakat and Endowment Board achieved tremendous success to mentioned but few of which are:

1. Bill has been signed to law and the translation to Hausa for easy consumption of the general public.
2. Publicity: Awareness has also been created to the public through the media houses such as radio/television, newspapers etc.
3. Contact with some Institution like Dutse Emirate Council Zakat Committee, Sokoto State Zakat Committee, Khartoum Chamber of Zakat, Hai'atul Auqaf Sudan, National Institute for Rehabilitation of Destitute Kaduna etc.
4. Provision of new converts' accommodation at the sum of ₦500,000.00 in addition to equipping office for the new converts and their teachers.
5. Setting up of subcommittees such as finance, *da'awah* distribution and inter-governmental subcommittees.
6. Distribution of fertilizer to 20 large-scale farmers from each local government having signing undertaking form to hand zakat to the Board at harvest through liaising with Ministry of Agriculture.
7. Zakat and Endowment Board also built confidence in the heart of the public through judicious and selfless management of Zakat & Endowment.
8. The Board was able to inaugurate local government committees with the exception of Bukkuyum and Bungudu.
9. Official visit of three delegations to the Khartoum Chamber of Zakat and Hai'atul Auqaf Sudan Republic to acquire more from treasury of their experience to facilitate diligent operation of the Board subsequently.
10. Offered consultancy services to the following: Bauchi, Gombe, and Yobe States Zakat Subcommittees. Similarly, a consultancy services has also been offered to Niger Republic Sharia Implementation Committee.
11. Proper records of all the departments.
12. Comprehensive and accurate census of the destitute and assessment of their needs with a view to assisting them.
13. Total collection, cash, grains and cattle.
 - I. Cash = ₦2,324,926.51: two million, three hundred and twenty four thousand, nine hundred and twenty six naira, fifty one kobo.
 - II. Grains = 230 bags
 - III. Cattle = one (1) cattle from one person only
14. Total distributions:
 - (a) Cash = one million nine hundred and forty seven thousand twenty four naira only (₦1,947,024.00).
 - (b) Grains = 230 bags.
15. Total number of beneficiaries: medical, food, shelter and other social needs: 2,174 persons.

14. PROPOSALS OF THE BOARD

The Board proposes the following activities and projects:

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1. To acquire land/plot for commercial, industrial, and residential purposes for income generation.
2. To sign agreement with Federal Medical Centre and Specialist Hospital in the area of treatment of patients.
3. To acquire agricultural land from Ministry of Land for large-scale farming and grazing of zakat livestock, hence, this will provide employment opportunity to many unemployed needy.

15. PRAYERS

The Board wishes to source more funds to make it moiré effective and efficient. The funds to be sources from:

- (1) 1% from contracts awarded by the State and local government, the minimum to be determined by the Council. From what is to be obtained the Board could be able to develop items II.
- (2) The Board can develop the commercial/residential plots to be allocated to her as training centres, estate for renting and on to service another means of income generation.
- (3) Large-scale farm to be allocated by the Ministry of Lands & Housing through liaising with Ministry of Agriculture to the Board to be cultivated for income.
- (4) In making effort to rehabilitate the destitute, indigenes of the State by discouraging them in involving in rampant begging trade, the State government shall make special provision by allocating special assistance monthly or so to the subjects through the Board.
- (5) Government shall persistently encourage wealthy individuals to be giving zakat to the Board in order to enhance the effectiveness of the Board. Government can make it mandatory to the wealthy individuals to produce zakat clearance certificate or else their relationship with the Government be sanctioned.

[signed]

BASHIR SIRAJU

Executive Secretary

c. The Zakat and Endowment Board's Achievements Recorded 2000-2007

ZAMFARA STATE ZAKAT AND ENDOWMENT

A Means of Achieving an Effective System of Social Security
Against Mass Poverty and Declining Living Conditions

Achievements so far Recorded from 2000 – 2007¹⁹²

Zakat, (alms) is one of the five pillars of Islam. It is a compulsory economic institution ordained by Allah (SWT) upon well-to-do individuals. Zakat is also prescribed system of deduction of certain percentage of wealth at a certain period of time for the purpose of redeeming the hardships of the needy and alleviating poverty in the society.

¹⁹² A copy of this report was kindly supplied by the Board's then-Executive Secretary, Alh. Atiku Sani Maradun, in 2008; copy in the possession of the editor.

Realising the disparity between haves and have-nots among the society, Allah the creator made zakat (alms) one of the five pillars of Islam, a compulsory economic institution ordained by Him (SWT) upon well-to-do individuals. [And repeating the last sentence of the preceding paragraph.]

Realising its importance in bridging the gap between the rich and poor, God the Almighty enjoined believers to pay their due and promised them His blessing both in this world and hereafter.

And perform *as-salat*, and give zakat, and whatever of good (deeds that Allah loves) you send forth for yourself before you, you shall find it with Allah. Certainly Allah is All-Seer of what you do. *Baqara 2:110* p. 38.¹⁹³

O you who believe: spend of that with which we have provided for you, before a day comes when there will be no bargaining, nor friendship nor intercession. And it is the disbelievers who are *ẓalimun* (wrongdoers). *Baqara 2:254* p. 90.

The likeness of those who spend their wealth in the way of Allah, is as the likeness of a grain of a (corn) it grows seven ears and each has a hundred grains. Allah gives manifold increase to whom He wills. And Allah is All-Sufficient for His creature's needs, All-Knower. Etc.

Verses from the Holy Qur'an and the traditions of the Prophet Muhammad (SAW) that enjoin believers to be sympathetic and their brother's keeper are many. I.e.:

"He is not a believer, until he loves for his brother what he likes for himself." A tradition of the Prophet Muhammad (peace and blessing of Allah be upon him). Ameen.

"... Zakat should be collected from wealthy individuals and surrender it to needy within the society." Another tradition.

On the other hand in Islam Allah the Creator has cursed those who failed to give out their zakat to the needy. Another Prophetic tradition explained that failure to give out zakat would tantamount the wrath of the Almighty to the wealth, and the owner. [sic]

More so, zakat means purification of one's wealth, which any wealth that has been purified through zakat could not be drowned in the river, and neither fire disaster nor thieves could destroy it. And Allah will give manifold increase to who so ever wishes.

Considering the importance of zakat in bridging the gap between the rich and poor, zakat (alms) and endowment (voluntary donations) activities is one of the areas which the administration of His Excellency, the Executive Governor Alhaji Mahamud Aliyu Shinkafi (*Dallatun Zamfara*) accords top priority (right from inception of the implementation of Sharia legal system in Zamfara State in 1999).

In the same year 1999, Zakat and Endowment Board was established and inaugurated under the State Government Law No. 130.¹⁹⁴ It is empowered with the powers of planning and conducting its activities. Its principal function is aimed at collection and distribution of zakat and endowments.

¹⁹³ No text is cited to which the page reference can be related here or in the next quotation.

¹⁹⁴ Sic. In fact the first Zakat and Endowment Board law was No. 13 of 2000, see above.

SHARIA IMPLEMENTATION IN NORTHERN NIGERIA:
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To ensure sufficient function of the Board in accordance with Islamic tenets, trusted eminent Islamic scholars, businessmen and civil servants were appointed as its members. Similarly, the Board is having five departments, namely Collection, Distribution, and Endowment, in addition to Administration and Finance. They deal with judicious collection and distribution of zakat and endowment. Furthermore subcommittees were also created within the Board to assist towards full realisation of the set-out objectives. They are:

- i) Contact Committee
- ii) Fatwa Committee
- iii) Verification Committee
- iv) Market Committee
- v) Relief Committee
- vi) Staff Committee

The activities of the Board were also expanded to all the Local Government Areas in the State. Consequently, committees were formed in all the 14 Local Government Headquarters, Districts and Wards in the State.

The decentralisation measures were meant to cater for the grassroots adequately. In this respect, each Local Government Committee, therefore, acts independently in the collection and distribution of zakat and endowment under the supervision of the Board.

This policy also clearly stipulates that people of each area remain as the immediate beneficiaries of the zakat and endowment at hand. It is also worth noting that the composition of each Local Government Committee is similar to what is obtained at the State level of the Board. This includes representatives of eminent scholars, traditional rulers, businessmen and civil servants.

Zakat and Endowment Board derives its funds from three sources. They are:

- i) Zakat from wealthy people.
- ii) Lost and found items whose rightful owners could not be identified.
- iii) Cash or valuable properties from individuals, organisations or government.

The State Government is particularly commended for the allocation of two million naira (₦2,000,000.00), 1% out of each contract awarded by the State Government and the allocation of one thousand bags of assorted grains monthly to the Board respectively.

The Board strictly follows the prescription of the Sharia in the process of conducting its activities. This is the structure and basis upon which the Zamfara State Zakat and Endowment Board was galvanised into action. From its establishment to date, the Board has worked tirelessly to achieve the desired goals.

The Board has succeeded tremendously in creating societal awareness on the people's obligation in respect of giving out zakat and endowment for proper utilisation to the Muslim *ummah* as enshrined in the Sharia legal system.

Indeed, adequate media publicity on the Board's activities has greatly helped in enlightening and sensitising the general public. The impact of such awareness is evident in the way and manner many groups and individuals from within and outside the State, continuously seek for guidance of emulating the formula adopted by the Zamfara State Zakat and Endowment Board.

Achievements/Distribution So Far Made

1. From inception to date the Board was able to realise the sum of ₦106,855,630.63 (one hundred and six million eight hundred and fifty five thousand six hundred and thirty naira sixty three kobo) as zakat and endowment from the Board headquarters and thirteen Local Government Areas in the State, and about 35,000 destitute benefited from the distribution exercise freely.
2. A total number of 49,590 bags of assorted grains were also collected as zakat and endowment state-wide and about 123,975 people benefited.
3. A total number of twenty six (26) houses, eight (8) plots and five (5) locked-up shops were recorded as endowments donated by the former Executive Governor Alh. Ahmad Sani and some other individuals.
4. About 5,600 people within and outside the State lodged their complaints on lost items and out of which 4,200 complainants successfully recovered their items. Comprising materials, equipments, animals, *hajj* luggage and others. Example: just recently 83 lost and found cows were handed over to their rightful owner in person of Bature Bello, a Fulani herder from Rafin S/Fawa village of Niger State, while about 50 cows were handed over to their rightful owners at B/Magaji. Another 56 sheep/rams at Bungudu and at Shinkafi, 20 cows were handed over to their rightful owners by the Board.
5. Six hundred and fifty (650) business items comprising grains, grinding machines, tomato grinding machines and sewing machines were bought and distributed to various categories of needy in the State free of charge.
6. A total number of six thousand two hundred and forty (6,240) destitute patients received major medical assistance within and outside the State.
 - i) Every month the Board sponsored the medical treatment of less-privileged with mental problems at Federal Neuropsychiatric, Kware, Sokoto, so also Dala Orthopaedic Hospital monthly.
 - ii) With ABUTH Ahmadu Bello University Teaching Hospital, Zaria. Including UDUTH, Usman Danfodiyo University Teaching Hospital Sokoto.
7. Twenty one thousand (21,000) patients with minor sickness such as headache, catarrh, stomach-ache, malaria, etc. benefited from medical assistance in the State.
8. Thirty-seven (37) houses were bought for the needy and the poor in the State to earn living shelters.
9. Five thousand two hundred (5,200) houses were renovated for less-privileged people in the State including donation of building materials free of charge.
10. A total number of three thousand six hundred (3,600) needy were assisted with substantial capital for business comprising lepers, blind men and women, orphans, mothers across the State, etc.
11. A number of 4,000 people were assisted on marriage commitments. Example: daughters of deceased persons, less privileged men and women across the State.
12. About 3,000 people received transport assistance both within and outside the country. Example: many wayfarers were assisted with transport fare to Kaduna, Kano, Maiduguri, Lagos, Sudan, Niger, Chad, Senegal, Liberia, Cameroon, Ghana, etc.

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13. Seven hundred and thirty three (733) indebted destitute were assisted in settling up their genuine debts in the State in which some of them were already in prison custody.
14. One thousand seven hundred (1,700) orphans are receiving educational assistance from primary school education to tertiary institutions.
15. Six hundred and fifty six (656) Arabic schools were assisted in the State, while others were constructed, i.e. Markazu Nis'sai behind T/Wada Jumu'at Mosque, Gusau, etc.
16. A total number of 151 mosques were given various types of assistance in the State for renovations.
17. Fifty-five (55) cripple bicycles were bought and distributed to the cripples destitute in the State freely.
18. Forty-six (46) wells were dug by the Board at Sangeku village of Dansadau Emirate Council [and] other areas in the State.
19. About seventeen (17) Orphans and Less Privileged Hospitals were constructed for provision of free medical treatment.
20. About two hundred and six (206) orphans were assisted to acquire ZACAREP loans from Government while the Board gave them 206 hectares of farmlands free for cultivation to boost their economy, as from 2006 to date.
21. The Board also provides potable drinking water to areas where the need arises in Gusau metropolis.
22. The Board provides emergency relief assistance worth ₦10 million to about 20 places where calamity befalls. Like Tsafe flood disaster, Gusau Barrage flood disaster, Shinkafi flood disaster, GGASS Gusau fire outbreak, Government Science Sec. School Gusau fire outbreak disasters and Kasuwar Kanawa area Gusau fire outbreak disaster among others etc.
23. The Board purchased shares from JAIZ Bank worth ₦2 million with a view to evolve its funds.
24. The Board provides 5,682 orphans with *sallah* of *Eid el Fitri* welfare clothes and *shadda* NBT x 10 yards for each male and 6 yards super wax for each female orphan to enjoy celebration at ease free of charge.
25. About 3,260 less privileged pupils/students of primary, post-primary and other tertiary institutions of higher learning were assisted with registration fees by the Board to settle charges in 2006 to 2007 academic years.

Prospects

1. It is the intention of the Board that, from this year, more hands would be put on deck towards provision of social welfare services. The Board has mapped out plans towards construction of more hospitals and clinics in the State and some Local Government Areas for orphans and destitute to enjoy free medical services.
2. The Board would purchase shares from different companies with a view to evolving its funds.
3. It would also be involved in transportation services etc.

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4. There is also a plan for the Board to engage in different types of farming. All with the aim of producing more food to cater for the needy and destitute in the State. E.g. cassava, yams, carrots etc.

5. There is also a plan to establish petty-petty business centres for its revenue drive and for the welfare of the populace in this year 2008 (*insha* Allah).

Wassalam alaikum.

Prepared and presented by:

[signed]

(Alh. Atiku Sani Maradun)

Executive Secretary, Zakat and Endowment Board, Gusau

**d. Two public enlightenment pamphlets issued by the
Zakat and Endowment Board**

The Board has issued a number of flyers and pamphlets, in Hausa and in English, discussing zakat and the obligation of Muslims to pay it, going into many details about what is “zakatable”, what the *nisabs* are, how and when payments should be made, and who is entitled to receive distributions. As a sample of this literature, we reproduce here two pamphlets issued by the Board in English.

(1) The first pamphlet.

The first pamphlet comprises eight pages of about 13 cm x 20 cm. The cover is shown here, followed by the text.

SHARIA IMPLEMENTATION IN NORTHERN NIGERIA:
DOCUMENTARY MATERIALS ON ZAKAT AND ENDOWMENTS



**IN THE NAME OF ALLAH THE MOST BENEFICENT
THE MOST MERCIFUL**

O My Brother in Islam!

Be ready and happy always to give out the zakat (poor due) from your Allah's given wealth.

This is because:

- * It would purify and develop your wealth;
- * Allah (SWT)¹⁹⁵ would bless it;
- * Allah would protect your wealth from all hazards;
- * It would sooth the mind of your fellow poor Muslim brother and prevents them from envy, enmity and anger;
- * Allah (SWT) has said in the Holy Qur'an

“The believers are but a single brotherhood”

(Suratul Al-Hujurat Verse 10)

Allah the Almighty would also protect you from the evil consequences of misery and greed. Allah (SWT) has said in the Holy Qur'an:

“And let not those who covetously withhold of the gift which Allah has given them of His Grace think that it is good for them nay, it will be worse for them; soon shall the things which they withheld be tied to their necks like twisted collars on the Day of Judgment.”

(Suratul Al-Imran Verse 180)

Oh My Brother who gives out his Zakat!

* Be pleased always and punctual in giving out zakat from your wealth. Allah would purify you. Allah (SWT) says in the Holy Qur'an:

“But those will prosper who purify themselves (by giving Zakat).”

(Suratul A'ala Verse 14)

* You would be among those believers who Allah described as the inheritors of the highest Paradise (*Firdausi*).

“Those who are active in deeds of charity.”

(Suratul Mu'minin Verse 4)

* Allah has promised that His Mercy and Compassion will definitely be with those who pay their zakat. Allah (SWT) has also said:

“My Mercy I shall ordain for those who do right, and practice regular charity, and those who believe in Our sayings.”

(Suratul A'araf Verse 156)

Allah the Most High has said in the Holy Qur'an:

“Those that suppress any part of the Book Allah has revealed in order to gain a small price shall swallow nothing but fire into their bellies. On the Day of Resurrection, Allah will neither speak to them nor pity them, there shall be for them awful punishment.”

(Suratul Baqarab Verse 174)

Allah (SWT) has also said in another verse of the Holy Qur'an:

¹⁹⁵ In this and the next pamphlet “SW” is used after the name of Allah; the editor has inserted instead the more usual “SWT”, for *subhanahu wa ta'ala*, “glorious and exalted is He”.

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“Whatever wealth you give shall rebound to your own advantage, provided that you give it for the Love of Allah. And whatever wealth you give shall be paid back to you in full; you shall not be wronged.”

(Suratul Baqarah Verse 272)

The Holy Prophet Muhammad (SAW) was also reported saying:

“He who leaves this world (in his heart) full of the Unity of Allah (Taubid) and His worship, he does not worship any other god beside Him, he performs his prayers, gives out the poor due (Zakat). He has indeed departed the world while Allah (SWT) is happy with him.”

Somebody asked the Prophet saying:

“What do you see if one gives out the Zakat?”

The Holy Prophet then said:

“He who gives out the poor due (Zakat) from his wealth has indeed removed evil from himself.”

Oh My Muslim Brother!

Whenever the time has come for you to give out the zakat you should endeavour to give out.

If you fail to give out the zakat from your wealth then remember definitely the unlawful wealth destroys the lawful one (if left together).

The Holy Prophet of Allah Muhammad (SAW) has said:

“Wealth has never perished on land or in the sea, because of being used for righteous deeds, while the cause of its destruction is only due to refusal to give out the poor due (zakat).”

The Holy Prophet (SAW) was also reported saying:

“The moment ‘alms’ or ‘zakat’ are mixed with other wealth (by refusal to give out the zakat) it would lead to the destruction of the whole wealth.”

The Holy Prophet also has said:

“No people who refuse to pay the zakat due but Allah would test them and inflict them with years of hunger and severe famine.”

Oh My Muslim Brother!

Remember, definitely serious problems of hunger and nakedness would not affect the poor and the needy of any nation or community except by mere misery of their wealthy and rich members of those among them.

The Prophet of Allah (SAW) said:

“Allah (SWT) has shouldered on the well-to-do Muslims from their wealth a given portion that would be enough to cater for the poor. The poor and the needy would never be hungry or naked except because of what the rich are doing, of refusal to give out the Zakat. Allah would on the Day of Judgment put them to task. And he shall penalise them with heavy chastisement.”

The Holy Prophet (SAW) said:

“Woe on to the rich on the Day of Judgment; when the poor will say: Oh! Our Lord! They refuse us our right share, which you have given us in their wealth. Allah (SWT) would then

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say: I swear with my Might and Nobility I would near them (the poor) to my Mercy and I would distance them (the rich) from my Mercy.”

Oh My Muslim Brother!

Allah (SWT) has indeed promised those who refused to give zakat an awful punishment with irritating chastisement. Allah (SWT) said:

“And there are those who buy gold and silver and spend it not in the way of Allah: announce unto them a most serious penalty on the Day when heat will be produced out of that (wealth) in the fire of Hell and with it will be branded their foreheads, their flanks, and their backs. This is the (treasure) which ye buried for yourselves. Test you, then, the (treasure) you buried.”

(Suratul Taubah Verse 34)

Allah (SW) has also said:

“Oh believers, spend a part of what we have given you before that day arrives when there shall be neither trading nor friendship nor intercession. Truly it is the unbelievers who are the wrongdoers.”

(Suratul Baqarab Verse 254)

Allah (SWT) has given a vivid character of those who worship others beside Allah and one of those characters are refusal to give out the zakat and disbelieve about the Day of Judgment. He also said in the Holy Qur’an”

“Woe unto those who join others with Allah, those who practice not regular charity, those who disbelieve the Hereafter.”

(Suratul Fussilat Verse 6)

Oh My Muslim Brother!

Be eager always to give out your zakat to the

ZAKAT & ENDOWMENT BOARD

set up under the **SHARPAH** implementation programme of the Zamfara State to collect zakat from the well-to-do Muslims for contribution to the eight (8) categories of the beneficiaries as mentioned by Allah (SWT) in the Holy Qur’an. May Allah bless your wealth and multiply it. Remember there are Zakat Committees established in all the 14 Local Government Areas of Zamfara State and Subcommittees at District levels throughout the State to collect and distribute zakat.

MA’ASSALAM

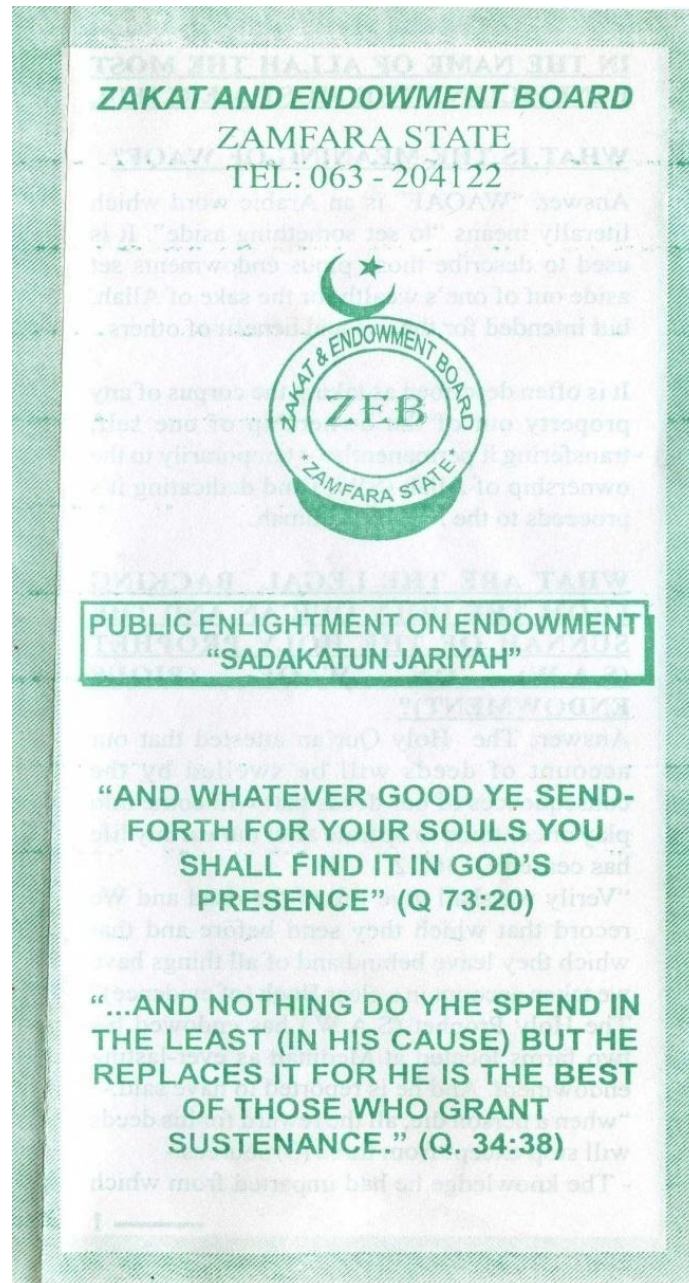
Prepared by:

Zakat & Endowment Board
PMB 01113, Zaria Road, Gusau, Zamfara State

(2) The second pamphlet.

The second pamphlet is printed on a single piece of paper, about 19 cm x 25 cm, printed on both sides, and folded in thirds as a flyer. The cover is shown here, followed by the text.

SHARIA IMPLEMENTATION IN NORTHERN NIGERIA:
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IN THE NAME OF ALLAH THE MOST BENEFICENT
THE MOST MERCIFUL

What is the meaning of *waqf*?

Answer: “WAQF” is an Arabic word which literally means “to set something aside”. It is used to describe those pious endowments set aside out of one’s wealth for the sake of Allah, but intended for the use and benefit of others.

It is often described as taking the corpus of any property out of the ownership of oneself, transferring it permanently or temporarily to the ownership of Allah (SWT) and dedicating its proceeds to the Muslim *ummah*.

What are the legal backing from the Holy Qur’an and the Sunnah of the Holy Prophet (SAW) on *Waqf* (Pious Endowment)?

Answer: The Holy Qur’an attested that our account of deeds will be swelled by the consequences of our deeds that will come into play or continue to operate after our earthly life has ceased. Q. 36:12.

“Verily We shall give life to the dead and We record that which they send before and that which they leave behind and of all things have we taken account in a clear Book (of evidence).”

The Holy Prophet (SAW) has endowed his two farms located at Medina as everlasting endowment. And he is reported to have said: “When a person dies, all the reward for his deeds will stop except from three (3) sources:

- The knowledge he had imparted from which people continue to derive benefit;
- A righteous child of his who continues to pray for him;
- An act of charity which he had put forward which continues to benefit people.”

A companion of the Holy Prophet (SAW) Jabri Ibn Abdullah reported that “I have never known any wealth man among the people of Medina and Mecca that has wealth without him making a pledge of endowments out of it.”

What are those things that can be given out as *waqf* (pious endowment)?

Answer: The following are some general and common items that can be given out as endowments:

1. **Estates:** One may dedicate his house or estate as an endowment. By doing so one will cease to own or utilise the proceeds from such a house or estate from the day he gives it out to Allah as *waqf* if it is an everlasting endowment. But one can maintain the ownership and endow the proceeds or utilisation of the estate for a certain period of time, five (5) years or so, after which he will regain the proceeds of the estate.

2. **Farm lands:** One may give out his land as *waqf* for the benefit of a particular class of needy, Islamic organisations or the general public as explained in item one (1) above.

3. **Shares:** One may decide to give out certain number of his shares in a particular company as endowment for the dividend to go to a particular project or people or the general public, likewise, part of one’s salary or earning can be given as an endowment monthly or annually, quarterly for a fixed period or for the whole of one’s life.

4. **Centres of learning or worship:** It is also part of endowment to build an educational centre such as school, library, mosque, training centre etc., and give them out as endowment.

5. **Social services:** In the area of social services a donor can construct roads, sink wells or boreholes, hospitals, or clinic for the use of the general public.

What are the categories of endowment?

Answer: Endowments can be categorised into two (2):

1. **Non-everlasting endowment:** Means endowment in which the owner will maintain the ownership of property and dedicate the proceeds or benefit as “*waqf*”. Example: one may dedicate as “*waqf*” the rentage of his house/estate for five (5) years after which the *waqf* will lapse.

2. **Everlasting endowment:** Means endowment in which the ownership of the property is no longer maintained by the original owner forever. Example: one may construct a well or borehole and dedicate it to Allah (SWT) forever.

What are the rules and conditions governing the operations of *waqf*?

Answer: Once endowment properties are given out the items:

- Cease to be under the control of the donor;
- Are not to be sold out by the donor;
- Are not to be inherited from the donor;
- Are not to be given out as gift by the donor,

until after the period of the *waqf* elapsed in the case of periodic endowment.

What are the activities of the Endowment Department?

Answer: The Endowment Department of the Zakat and Endowment Board Zamfara State is mandated to take care of all the endowments in Zamfara State and outside.

Some of the activities of the Department include the following:

1. Receiving endowments from the donors and preparing the necessary documents of the endowments.
2. Executing and running the endowments on behalf of the donors.
3. Handling last and found properties throughout the State until the eligible owner is found.
4. Looking after the welfare of orphans, their schooling, health and shelter.
5. It acts as the *bait ul-mal* or public treasury for taking care of the custody of the property of the deceased who has no heirs to inherit him or the left-over of the heirs.
6. Monitoring foreign humanitarian projects and services throughout the State.

What are the special areas that endowment can be utilised?

Endowment utilisation:

The main essence of endowment is relief, for the purpose of attaining spiritual reward or exce [sic: ?] in the hereafter. The underlisted are stipulated ways where endowment items are to be utilised, they are:

1. Orphans’ general assistance (their education, cloths, health and shelter).
2. Educational assistance.
3. Medical assistance.

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4. Construction of schools.
5. Construction of mosques.
6. Construction of culverts.
7. Construction of drainages.
8. Construction of bridges.
9. Construction of boreholes.
10. Construction of business centres.
11. Assisting early ages who have no next of kin.
12. Looking after endowment structures.

Where one can give his endowment

The doors of Zakat and Endowment Board are open to receive any kind of endowment at the Endowment Department, Zaria Road, Samaru, Gusau or through telephone number 063-204122.

Or at any of its Committees in the 33 Local Government Areas of Zamfara State.

e. From 2006 and 2008 interview reports

- (1) Alh. Atiku Sani Maradun, Executive Secretary of the Zakat and Endowment Board, Mal. Ibrahim Tudu, Director Zakat Collection, Mal. Dalhatu Umar Jaure, Director Zakat Distribution, Mal. Sani Hamza Kaura, Director Endowments, and Mal. Moh'd Nura Labbo Anka, Administrative Secretary, February 2006:¹⁹⁶

The Board is composed of the Chairman and 13 other members. The Executive Secretary, though not a Board member, is its chief administrative and accounting officer.

The Board itself has six committees: Contact, Fatwa, Verification, Market, Relief, and Staff. Then the administrative staff, under the Executive Secretary, is divided into five departments: Administration, Finance, Zakat Collection, Zakat Distribution, and Endowments. The Executive Secretary, the Treasurer and the Chairman of the Board are the signatories to the accounts of the Board. They said they are operating a non-interest-bearing account at Habib Bank. They also have their Government endowment at Guarantee Trust Bank but they have a memorandum of understanding with the bank to avoid interest.

Zakat collection and distribution is a very big challenge. But they have noticed progress in the area of collection since the implementation of Sharia in the State despite the fact that it is new. People have responded positively their appeals.

The law governing zakat in Zamfara State is based on the Maliki school of law. However, nothing stops them from collecting zakat from followers of other schools.

¹⁹⁶ These gentlemen were interviewed in Gusau on 6th and 7th February, 2006, by S.A. Mohammed and A.S. Garba; their separate contributions have been combined here in one summary. We are most grateful for their generosity with their time and information about their work.

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If a person has some people that he wants to give his zakat to, he is free to do so, but only up to 40% of what is due from him. The other 60% will be collected by the Board and distributed under its rules. But sometimes the Board collects 100% and includes in its distribution those people whom the donor specifically wants to benefit. So far, the way the Board has been discharging its duties has made beneficiaries to prefer receiving zakat from the Board rather than from individuals.

People on their own do bring zakat to them to distribute. In addition they have compiled lists of people expected to give out zakat, that is people in the state who based on their wealth should be expected to give zakat. This was possible through the use of letters of introduction and sending people to ask questions on people's work or trade or location. This has brought success. This is why people bring their zakat to the Board to distribute. Although they have the power to take people to court to enforce their obligation to pay zakat, they have not done so yet, but are planning to start doing so as they move ahead.

Some people in order to give their zakat to the Board have collected the Board's bank account number so they can pay directly to the bank and later collect a receipt from the Board on presentation of the bank teller. There are others who pay into the account but who would not want their names to be known. Others bring their own directly to the Board.

The progress of the work has made it possible for the Board to establish branches, in the form of local committees, in all the Local Governments throughout the State. To ensure accountability and transparency all receipts and account books are controlled by the Board Headquarters in Gusau. The Local Government Committees are made of people selected carefully based on past record, reputation, integrity, and sense of responsibility that individuals had shown in their communities and their relationships with the members of their communities. The selection was not done only on the basis of qualifications or religious affiliation, but taking all these other factors into consideration. He gave example of the former Executive Secretary of the Board who has a Master's Degree in biochemistry. He was made the Executive Secretary not because of that but based on his reputation and integrity. Similarly, those individuals who approach businessmen and traders in the State, on behalf of the Board, are chosen from persons enjoying respect from these businessmen and traders.

The success recorded by the Board made the emirs to appeal to his Excellency, the Executive Governor of the State, to make them part of the zakat and endowment work. This was granted by the Governor and now emirs are the heads of all the local committees.

Distribution is based on the Qur'anic categories of beneficiaries. Sometimes people come to the Board requesting zakat, but the Board, on its own, looks for those who deserve, through people sent out to get information, and through District Heads, Village Heads, imams, etc. who provide names of the needy. They have informed people that anybody who knows of anyone in need should direct the person to their office. Among others they have distributed zakat to those who lost their parents (orphans), the aged, widows, and the sick who are in need (these kind of patients are sometimes invited for a

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meeting to determine their actual need); they have built houses for the orphans, aged, and patients in need; etc. He told us about a woman who gave birth recently and was greatly in need particularly that her husband disappeared. They gave her two bags of rice, provisions for the new born baby and cash (₦20,000.00). Every three months at least one thousand people benefit from their zakat distributions. All the distribution events are covered by video and still pictures. We were shown some of these pictures.

Wherever zakat is collected, it is distributed there. That is, they do not carry it to other places and distribute. He said that people who are not resident in a place are not entitled to collect zakat there. He said that they used to have visitors even from as far away as Plateau State seeking to collect zakat, but that they treat them under *sabil* that is charity.

The Department of Endowments receives endowments from individuals and from Government and administers them. It also handles lost and found items.

As to lost and found items: When such items come into their hands they make public announcements about them over the radio, in general terms. People coming in to make claims are then carefully screened, to make sure they are the rightful owners. Before an item is returned, any special costs the Board has incurred in keeping it are recovered from the owner; but no other commission is collected. If after some time the owner cannot be traced, the item is sold; about ₦600,000.00 has been realised in this way. But if after the item is sold the owner comes and gives satisfactory explanation, the proceeds of the sale are turned over to him. All lost and found items are photographed so that a proper record is kept.

Several examples of lost and found items were given. (a) There was a woman who lost a small bag in Saudi Arabia during *hajj*. The bag contained valuable items including money in foreign denominations. The woman heard announcements about recovery of the bag over the radio, and came to the Board's offices. They interviewed her and at the end of the day were satisfied that the small bag belonged to her and returned it to her. She was very surprised and happy. They did not collect any commission from her and to show her appreciation, she prepared food and invited people to come and eat freely. She also invited pilgrims to pray for the Zamfara State officials. (b) Last year, as lost and found, they got 74 pieces of luggage belonging to pilgrims from Plateau, Taraba, Zamfara and other States. They traced the people and handed over their properties after the necessary screening. (c) Another case involved 83 cows, stolen by thieves from Minna, Niger State. These were handed over to the Board by cow dealers in Zamfara State. The rightful owner heard the announcements made over the radio and came to the Board, who after interviewing him were satisfied that the cows were his. It is interesting to note here that when the Fulani cow owner approached the cows, the cows made familiar noises and became restless, indicating that they recognised him. (d) Another instance involved a Christian Igbo trader whose items, worth over ₦5,000,000.00, were brought to the Board as lost and found items. The items stayed with the Board for about eight months before the man heard of the announcement and went to the Board. After being interviewed, the officials were satisfied that the items were his. They gave them to him and he became happy.

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Coming now to endowments: An endowment is a special sort of *sadaqat* or charity for the purpose of getting a reward in one's life. It is often called *sadaqatum jariyyah*. There are two main types: *wakafil ahli*¹⁹⁷ (mostly for family members) and *wakafil khayri*.¹⁹⁸ These can be either everlasting or for a limited term: *wakafil abadi* or *wakafil mu'qqid*. Here he gave an example of the former Governor who initially endowed two of his houses for five years, but later made it everlasting.

The function of the Department of Endowments is receiving and administering endowments from individuals and Government. As at now there are: (1) eleven houses and all are being used for rental purpose; (2) five farms and all are being farmed; (3) many plots of land; on 2nd February 2006 one of these was used to build a free health centre for orphans; (4) shops (it is interesting to mention that a woman was the first to give a shop as endowment in the State); (5) bore holes. They also take care of deceased's properly who has no next of kin. As endowment, they also have cars and all properties are owned by the Board.

The Department generates income from many of the endowed properties. Some of this is ploughed back into the building or renovation of other houses and shops to generate more income. But much of the income is used directly for charitable purposes. [Lengthy description of various charitable projects of the Board omitted: see reports above.]

We asked if they question the source of individuals giving endowment, with particular reference to the hadith that says Allah is pure.¹⁹⁹ He said, for now, they do not question the source of people giving them endowment.

(2) Mal. Dalhatu Umar Jaure, Director of Zakat Distribution, Mal. Ibrahim Tudu, Director of Zakat Collection, and Mal. Sani Hamza Kaura, Director of Endowment, November 2008;²⁰⁰

We were invited to go and visit two *awqaf*: a house under construction, which will be presumably be used to generate income for the endowment fund; and a recently-opened Orphans and Less Privileged Hospital. The plot of land where the hospital was constructed was endowed as an everlasting endowment. The Zakat and Endowment Board decided to erect this hospital there. The cost of constructing the hospital was about ₦10 million (c. 6,000 €). We saw the different sections of the hospital. There are men's and women's sections, with male and female doctors to treat the patients. Altogether only about fourteen beds, so people who need inpatient care are limited to one night in this hospital before they are transferred elsewhere. But between 100 and 150 patients are treated every day, mostly on an out-patient basis. Treatment is restricted to orphans and widows and emergency cases. Before patients have access to the services

¹⁹⁷ *Wakafil*: Hausa for *waqf*, pl. *awqaf*. *Hubusi* is also widely used = Ar. *hubs*, *hubus*, pl. *abbas*. *Waqf* or *wakafil ahli*: a private *waqf* usually for the benefit of one's descendants.

¹⁹⁸ *Waqf* or *wakafil khayri* or *khairi*: a public or charitable *waqf*, often for the endowment of mosques, schools, sanatoriums, etc.

¹⁹⁹ "Abu Hurairah RA related, 'Allah's Messenger PBUH said: Verily Allah is pure and He accepts only what is pure...'" (Muslim).

²⁰⁰ Interviewed in Gusau on 1st November, 2008, by F. Kogelmann and A.S. Garba.

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of the hospital they are interviewed, to verify that they are eligible for treatment there. Treatment and medications are free. When we were there the waiting room was full of about 25-30 women with small children.

During our tour of the hospital, the Director of Zakat Distribution had to leave us, to take some mentally ill persons for treatment at a hospital in Sokoto. Care of those mentally ill persons who would otherwise receive no treatment at all is one of the tasks of the Zakat and Endowment Board.

[Zakat administration as documented above.] The employees of the central Zakat and Endowment Board in Gusau are employees of the State Government, which pays their salaries. The members of the Zakat and Endowment Committees at the Local Government and lower levels receive allowances out of the share of zakat collected that is allocated to them in accordance with Islamic law. The Local Government Committees are required to report to the central Board monthly. If they fail to report as required, the Board imposes [unspecified] sanctions.

The Board has been active in campaigns to enlighten and awaken the population of Zamfara State to their duty to pay in their zakat [including use of pamphlets and flyers as documented above]. In Zamfara only 60% of the zakat due must be paid into the Board; the rest may be distributed individually. The people were at first hesitant to pay in even 60%, but now the system is functioning well, thanks to the enlightenment campaigns and thanks also to the sanctions available to the Board in cases where zakat due is not paid. The power to prosecute defaulters is one possible sanction: it seems this has not yet been used but apparently there is one case the Board is now thinking of taking to court. But there are other things Zamfara State has done to encourage people to pay their zakat, notably requiring people to produce their zakat receipts before they are allowed to do various sorts of business with the State. Thus, those who want to do a contract with the State must show they have paid their zakat. People wanting to send their children to the public schools must do the same. Farmers wanting State assistance (e.g. subsidised fertilizer) must do the same. So far this year about ₦25 million, plus animals and farm produce, has been collected, much of which has already been distributed: in just the last three months, which included the month of Ramadan, ₦16 million was given out. All of these activities, from assessment through collection to distribution, are done in a highly transparent manner.

Among the enlightenment activities of the Board is the publication of the *nisabs*, i.e. the minimum amounts of various kinds of wealth on which zakat must be paid. Some of these *nisabs*, in order to state them in the Nigerian currency (naira), must be recalculated every year based on the value of gold and the exchange rate for the naira. The *nisab* on forms of wealth valued in money, for 1428 AH (almost coextensive with 2007 AD), is fixed in Zamfara State at ₦223,173 (c. 1,300 €): a person who owns wealth valued at this sum of money or more, has to pay 1/40 of it in zakat, of which at least 60% must be paid into the Board for distribution by it. We were also given some historical

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information about *nisabs* (and some other important numbers) stated in naira, as follows:²⁰¹

	1421 AH	1422 AH	1423 AH
<i>nisab</i> for wealth valued in naira	₦69,544	₦86,760	₦112,600
minimum <i>sadaki</i> and <i>nisab</i> for theft punishable with <i>hadd</i>	899	1,085	1,407
<i>diyyah</i> for unintentional homicide	3,400,070	4,928,664	5,051,100

Turning now to *awqaf*: these have a history in this region, i.e. since the time of the Sokoto Caliphate; people including the Emirs used to endow *awqaf*; but the institution fell into decline during and after the colonial era (for unspecified reasons). They are trying to revive it, with some success, as we saw on our tour of the house being built and the Orphans and Less Privileged Hospital. He gave us a leaflet on *waqf* which the Board distributes for enlightenment purposes [reproduced above]. For its endowment fund the Board still depends on subsidies from the State, which is paying in ₦2 million per month earmarked for *awqaf*; 1% of money paid in as zakat also goes to the endowment fund. They hope to gain more independence from the State as they build up the income from their *waqf* property. Zamfara knows all forms of *awqaf* [see discussion of the different forms in the interview recorded in subsection (1) above]. We were shown a couple of endowment documents, on which the endower gives up his ownership of specified property forever. The previous Governor (Governor Ahmad Sani) endowed quite a bit of property: in 2005 he endowed two houses for five years, which he later converted to everlasting *awqaf*; then in 2006 he endowed everlastingly three or four farms and two plots of land in Gusau. No figures or statistics on endowments were available [but see section d above].

f. Other sources of information on Zamfara State

(1) From elsewhere in this work:

Zamfara State was much visited in 2000 and 2001 by delegations from other States interested in seeing how Zamfara was going about implementing Sharia. For the reports of two such delegations, which include discussions of Zamfara's approach to the administration of zakat, see the Report of the Bauchi State Sharia Implementation Committee, in *Sourcebook*, II, at pp. 125-26 and 141-45; and Records of Visits of the Niger State Advisory Council on Religious Affairs (NISACORA) to Niger State Local Government Areas and to Zamfara State, June, July and August 2000, *Sourcebook*, II, Supplementary Materials, online.

(2) From a news report:

29 July 2008: **Zamfara Zakat Board Assists 400 Women to Marry**.²⁰² Over 400 women who are either orphans or from poor families have been assisted by

²⁰¹ For a similar chart covering three later years, and explanations of the second and third rows, see section 1 above. The years in question here are 2000/01, 2001/02, and 2002/03.

²⁰² *Daily Trust*, internet edition.

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the Zamfara State Zakat and Endowment Board to get husbands within the past one year. The Executive Secretary of the Board, Malam Atiku Sani Maradun, said his Board had assisted the women with money to buy some household items necessary for marriage.

Malam Maradun, who was addressing a news conference in his office yesterday, said abject poverty among the people of the State was preventing some women from getting married, hence the resolve by his Board to assist them. He said there were instances where some women could not marry simply because their families cannot afford to get them clothes to go to their husbands' houses.

“The Board has also assisted 18,000 destitutes in the State by resettling them and finding jobs for them to establish profitable trades. The Board has also built and rehabilitated about 520 houses belonging to orphans and destitutes in the State. Over 3,000 travellers who had shortage of funds including victims of the war in Sudan that arrived [in] the State and came to us to demand assistance were given some financial aid by the Board,” he said.

Malam Maradun said one of the major challenges being faced by the Board was the issue of orphans that cannot go to school due to lack of financial support. He said some orphans in the State had left school because they could not afford to pay ₦20 required by some schools per term. “Since the establishment of the Board in 1999, about 8,000 orphans have been assisted to go to school. Some of the ones we started assisting when the Board started operation have even graduated from the university,” he said. He said 55 students with disability that are going to various schools have also been given tricycles which they are using to go to school. He said 242 orphans that cannot go to school have been assisted by the Board to go to farms and engage in mass production of farm produce. The Executive Secretary said one of the orphans that had been assisted by the Board to go to farm had last year alone, cultivated 60 bags of grains from his farm.

He said 151 mosques have been rehabilitated and 46 wells were dug mostly in communities where non-Muslims embraced Islam.

g. 2016 update

Dr. Danladi Aliyu visited Zamfara State in 2016 to update the foregoing materials, here are his findings.

(1) Emirate rather than local government Zakat Committees.

As indicated in section 12.e above, with increasing interest shown by the traditional rulers and considering the historic role of traditional rulers in the aspect of zakat collection and distribution, the LG Zakat Board committees were replaced with Emirate Council Zakat and Endowment Committees. Operationally, therefore, the structures of zakat infrastructure in Zamfara State today comprise the State Board and 17 Emirate Councils Committees. The Emirate committees have seven members including the Emir as chairman, representatives of businessmen, farmers, cattle breeders, the *ulama*, the

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Imams, and a local government council representative who serves as the secretary. The 17 Emirate Councils also created a total of 230 district committees that assist them in the actual collection of zakat from the people. The Emirate Committees are allowed to retain 5% of total zakat collections for the emirate as *amilina alaiha* (zakat collectors' share).

(2) Summary of zakat collection, 2000-2015.

TABLE 12.G.1: SUMMARY OF ZAKAT COLLECTION BY THE STATE HEADQUARTERS AND THE 17 EMIRATES ZAKAT COMMITTEES IN ZAMFARA STATE FROM 2000 – 2015

Year	CASH		LIVESTOCK		FARM PRODUCTS	
	Emirates	HQRS	Emirates (heads)	HQRS (heads)	Emirates (bags)	HQRS (bags)
2000		2,324,927		1		260
2001		3,266,709				391
2002	6,900,800	2,057,996	200	23	400	150
2003	13,109,151	2,067,079	230	25	650	32
2004	17,000,401	2,433,870	340	-	2,030	29
2005	20,060,000	1,713,763	500	-	4,400	61
2006	24,081,490	1,910,578	460	2	8,006	24
2007	24,030,030	1,226,507	350	-	9,000	21
2008	26,500,090	1,895,153	670	-	10,040	57
2009	28,040,001	2,184,819	300	-	10,200	101
2010	30,600,000	2,184,819	900	-	9,003	60
2011	29,000,001	912,740	1,004	-	19,000	68
2012	10,200,576	1,938,431	1,020	-	23,120	47
2013	31,544,431	3,662,280	980	-	21,345	50
2014	7,449,050	3,892,546	758	-	9,215	17
2015	6,999,900	912,740	1,004	-	19,000	68
TOTALS	N275,515,829	N35,304,023	7,982	53	56,760	679
G/Total	N310,819,815.52		8,035		57,439	

Source: Zamfara State Zakat and Endowment Board Report, 2016

(3) Aggregate zakat collections by the 17 Emirate Councils, 2000-2015.

There are inter-emirate disparities in terms of collection. Some of the councils are more active than others. The next table shows this.

TABLE 12.G.2: AGGREGATE ZAKAT COLLECTIONS IN THE 17 EMIRATE COUNCILS
2000 – 2015

S/N	Emirate Council	Cash	Grains	Livestock
1.	Gusau	N18,276,155	778	483
2.	Tsafe	14,064,236	40,406	857
3.	Zurmi	67,962,915	7,675	3,999
4.	Bungudu	4,371,130	2,658	649
5.	Anka	22,574,812	1,737	1,362
6.	Dansadau	3,965,720	23,766	577
7.	Moriki	4,418,660	412	571
8.	Kotarkoshi	644,040	1,467	43

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9.	Shinkafi	2,815,095	509	325
10.	Bakura	6,185,268	2,252	864
11.	Mafara	16,612,439	3,044	873
12.	Maru	3,951,632	3,004	144
13.	Bukkuyum	26,429,695	9,345	2,232
14.	Maradun	63,365,745	6,059	4,397
15.	K/Namoda	10,320,658	1,877	1,055
16.	Gummi	7,424,487	5,079	1,129
17.	B/magaji	2,153,140	1,502	295
18.	GRAND TOTALS	N275,515,829	109,712	19,855

Source: Zamfara State Zakat and Endowment Board, 2016

(4) Annual zakat collections, cash equivalents, 2000-2015.

Analysis of the different zakatable items collected over a period of 15 years, in cash equivalent, shows that grains top the list. The total collection from grains, in monetary terms, is more than the total collection from livestock and cash combine. This may be because Zamfara State is an agrarian state and most of the people engage in farming. Furthermore, the performance of the Board as shown in table 12.g.3 demonstrates an increasing trend in the zakat collection generally. Although there appears to be a decline in the general collection in 2014 and 2015, the reason for this decline is not very clear except to observe that the two years happened to be election year, which require politicians to spend for elections.

TABLE 12.G.3: TOTAL ANNUAL ZAKAT COLLECTION IN ZAMFARA STATE (IN CASH EQUIVALENT)

Year	Cash	Heads	Grains	Total
2000	2,324,927	35,000	1,300,000	3,659,927
2001	3,266,709	805,000	1,955,000	6,026,709
2002	8,958,796	7,875,000	2,750,000	19,583,796
2003	15,176,229	8,050,000	3,410,000	26,636,229
2004	19,434,270	11,900,000	10,295,000	41,629,270
2005	21,773,763	17,570,000	22,305,000	61,648,763
2006	25,992,068	16,100,000	40,150,000	82,242,068
2007	25,256,537	12,250,000	45,105,000	82,611,537
2008	28,395,243	23,450,000	50,485,000	102,330,243
2009	30,224,820	10,500,000	51,505,000	92,229,820
2010	32,784,819	31,500,000	45,315,000	109,599,819
2011	29,912,741	35,140,000	95,340,000	160,392,741
2012	12,139,007	35,700,000	115,835,000	163,674,007
2013	35,206,711	34,300,000	106,975,000	176,481,711
2014	11,341,596	26,530,000	46,160,000	84,031,596
2015	7,912,640	9,660,000	2,060,000	19,632,640
Totals	310,100,875	281,365,000	640,945,000	1,232,410,875

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(5) Zakat distribution.

As a matter of policy zakat collected at each level is distributed at the same level. No distribution takes place without the approval and presence of the its representative. At the state level the Board is responsible for screening and verifying the list of potential beneficiaries. At the Emirate Council level, the Emirate Committees through the District Heads and Ward Heads screen and verify beneficiaries.

All persons that fall under the eight categories listed in the Holy Qur'an are eligible to benefit from zakat distributed by the Board or Emirate Committe. However beneficiaries are drawn from three different groups – those who put in their request through formal application for assistance; those whom the Boards or Committees identify as needing the zakat but who would not apply; those who are identified by other people like Imams, community leaders, etc. Screening committees are constituted to screen and verify all the different categories of applicants. The screening exercise takes place at the state headquarters and the Emirate Council Committees depending on where the zakat is to be distributed

The screening process starts with a needy person writing an application for inclusion on the list of beneficiaries to the Board or Emirate Committe. In the case of an application to the Board, the application is endorsed by the Executive Secretary and sent to the director, zakat distribution who in turn forwards it to the sub-committee on verification. The applicant is then contacted through phone numbers or residential address supplied in his application letter and he is informed of the date and time for the verification. If the applicant is an orphan, he or his guardian is expected to come along with an affidavit in support of the death of his father and the guardian must come along with the orphan(s). Once the affidavit is authenticated and the orphans are between the ages of 2 and 17 years old they are registered. The registration requires a submission of one passport photograph of the orphan and an enrolment card is opened for the child. Each mother or guardian is entitled to three beneficiaries even if the deceased father left behind four wives. Once a child is enrolled in the scheme he has only four years to benefit. Each zakat beneficiary can get up to N10,000 as zakat . However, the total available funds as well as the number of applicant at any material time determine the amount to be distributed. Table 12.g.4 below shows the annual distribution of zakat in the 17 emirate councils. The average amounts received by each beneficiary obviously vary by year..

TABLE 12.G.4: ANNUAL ZAKAT DISTRIBUTION BY 17 EMIRATE COUNCILS IN ZAMFARA STATE

Year	Distribution (N)	Beneficiaries	Average distribution
2002	6,554,654	2,083	3,147
2003	9,713,635	946	10,268
2004	17,000,768	2,526	6,730
2005	20,060,000.30	1,844	10,879
2006	23,980,490	1,330	18,030
2007	23,994,066	1,262	19,013
2008	25,655,073	2,074	12,370
2009	17,057,481	1,162	14,679

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2010	30,599,410	1,735	17,637
2011	26,439,100	1,706	15,498
2012	23,867,590	1,208	19,758
2013	26,074,936	1,332	19,576
2014	6,541,050	683	9,577
2015	5,406,575	633	8,541
Total	262,944,828	20,524	12,812

(6) Endowments in Zamfara.

The Zakat and Endowment Board is responsible for the management of waqf in the state. There is a full department headed by a director that is in charge of endowment matters. Because it is charitable form of giving people are not compelled but encouraged to endow. The state of endowment (waqf) management in Zamfara is robust and it continues to grow. Both men and women participate in charitable giving. In fact women are very active. For example, a woman donated a house of about 15 rooms which is presently used as *Islamiyya* school. Another woman requested the Board to look for any community that need a *masjid* and when it was found she built a befitting *masjid* for them.

In Zamfara state there are four sources from which *waqf* funds are raised – individual endowments; lost and found; return on investments; and 2% contracts deduction. From the first three sources alone a total sum of N964,600 was realised between January to October, 2015. Out of this about 24% (N232,000) was received from individuals as cash endowment. The monies are monthly cash contributions paid as endowment by individuals. About 23% (N225,000) was realised from investment outlets – which include hall rental and house rents. Lost and found items which are mostly livestock account for 53% (N507,600) of the total collections within the period.

The total cash endowment collections from all sources from 2003 to 2013, excluding the missing number from 2011, amounted to N1,486,844,961. Year-by-year collections are shown in Table 12.g.5:

TABLE 12.G.5: ANNUAL CASH ENDOWMENTS COLLECTIONS IN ZAMFARA STATE 2006-2015

Year	Amount(N)
2003	2,096,040
2004	26,144,026
2005	72,116,483
2006	54,148,070
2007	79,956,646
2008	81,806,435
2009	342,499,997
2010	132,709,999
2011	-
2012	86,350,485
2013	609,016,780
Total	1,486,844,961

Source: Compiled by the researchers, 2016

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Besides cash, individual endowments also include both moveable and immovable items. Table 12.g.6 shows for such endowments between 2000 and 2015:

TABLE 12.G.6: INDIVIDUAL NON-CASH ENDOWMENTS IN ZAMFARA STATE 2000-2015

S/No	Endowments	Number
1	farmland	2
2	houses	8
3	schools	10
4	shops	74
5	plots of land	38
6	mosque	1
7	welding mechine	1
8	cows	3
9	sheep	36
10	goats	27
11	duck	1
12	hens	4
13	turkeys	2

Source: Zamfara State Zakat and Endowment Board, 2016

The major group of people that benefit from *waqf* funds are the orphans, physically ill and psychiatric patients. The orphans enjoy two basic distributions – annual Ramadan package and scholarship for orphaned children. The annual Ramadan package is organized two months before the beginning of the Ramadan fast. All orphans enrolled in the scheme as well as potential enrollees²⁰³ are invited to participate. In the programme six orphans are given one bag of rice, millet and maize to share. Additionally, each is given five yards of sheda (for the male) and one wrapper (for the female) as well as one thousand naira for sewing and a bag of sugar.

The scholarship scheme for orphan students covers registration fees, uniform, books and health services. Both registered and unregistered orphans can benefit from this scheme.

The care for physical and mental illnesses is a programme that serves as sort of health insurance for the less privileged in society. The Board registers with some health institutions within and outside the state. All cases relating to health matters are referred to these clinics, hospitals or pharmacies. The procedure for accessing the services vary. People who are sick and don't have money to go to any clinic or hospital can contact the department of distribution and once it is satisfied that it is a genuine case, the patient will be ask to go to any of the registered hospitals for medical attention. Or a patient may already be admitted and due to shortage of funds the Board can be contacted and on verification the Board may ask the hospital to continue treatment on the patient on its account. Some may just be drugs and the Board would refer them to any of the registered pharmacies. There are those that may require psychiatric evaluation, the Board takes responsibility for treatment, medication and care of the patients. Table 12.g.7

²⁰³ It is in this period that new entrants into the Orphan Scheme are screened, verified and enrolled.

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below shows that between these three categories of beneficiaries, about 95,432 people benefited from the endowment fund in the years 2003-2013.

TABLE 12.G.7: AMOUNTS OF ENDOWMENTS DISTRIBUTED AND NUMBERS OF RECIPIENTS IN ZAMFARA STATE, 2003-2013

Year	Amounts distributed	Numbers of beneficiaries
2003	2,096,040	280
2004	26,144,026	8,869
2005	72,116,483	3,810
2006	54,148,070	7750
2007	79,956,646	9,594
2008	81,806,435	9,992
2009	342,499,997	23,830
2010	132,709,999	8,880
2011	-	-
2012	86,350,485	7877
2013	609,016,780	14,550
Total	1,486,844,961	95,432

Source: Zamfara State Zakat and Endowment Board, 2016