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Towards an Effective Management of *Zakāh* in Nigeria: Lessons from Malaysian

Mubarak Ademola NOIBI

Abstract

Civilizations and religions have shown concern for the alleviation of poverty in the world. Islam particularly emphasises on the alleviation of poverty to the extent of making it one of its pillars. History has demonstrated the efficacy of the teachings of religion in this regard. Mosques and Muslim organisations in Nigeria have made efforts to apply the teachings of Islam in alleviating poverty by administering *Zakāh*. However, these efforts seem to leave room for more improvements in the area of the management of *Zakāh*. Conversely, Malaysia seems to be more efficient and effective in its *Zakāh* administration. The Malaysian model of *Zakāh* administration entails the outsourcing of *Zakāh* management to private professional firms. Nigeria can learn profitably from the Malaysian experience. To that end, mosques and Muslim organisations concerned with the administration of *Zakāh* in Nigeria could unite to form a synergy by establishing a National *Zakāh* Agency with the aim of supervising the administration of *Zakāh* in Nigeria. The Agency should then outsource the administration of *Zakāh* to private professional bodies. This would likely inject life into the administration of *Zakāh* in the country.

Introduction

In his Richard Memorial Lecture delivered in London on December 2001, Bill Clinton, a former President of the United States of America expressed concern about the level of poverty in the developing countries as against the phenomenal affluence experienced in the developed countries of the West brought about by modern trends in global economy. He remarked that about half the people on earth lived on less than two dollars (\$2) a day and that approximately a billion people went to bed hungry every night.

Furthermore, he noted that a woman died every minute in childbirth and close to a quarter of the people on earth do not have access to portable water. He was quick at expressing concern about the inevitable consequences of such lopsided and unjust kind of global economy. He submitted that the responsibility of reducing global poverty was primarily that of the developed nations (Clinton, 2001:6-7). This underscores the responsibility of the rich to cater for the poor in the society.

President Clinton's concern about the responsibility of the rich to alleviate the plight of the poor has however been contended by the monotheistic religions known to the world. The various religions had in strong terms, expressed concern for this matter. For instance, in Babylon, over 4,000 years ago, Hammurabi remarked that God had sent him to prevent the strong from oppressing the weak and to guide people and secure prosperity for creatures. Similarly, in ancient Egypt, it was regarded as a recommended religious duty of the affluent to cater for the poor through the provision of food, clothing and others necessities (Al-Qardawi, 1999:4). Equally, there are evidence for these in Judaism (Proverbs 28:27 AKJV) and Christianity (St. Luke. 14:12-14 AKJV). Meanwhile, it is worthy of note that the religions mentioned above only give recommendations and encouragements for the care of the poor but do not enforce it. However, as the last Divine dispensation for the guidance of all humanity, Islam developed the concern for the poor and instituted binding regulations aimed at solving the problem. These are contained in Qur'an where Allah says:

Of their goods, take alms so that you might purify and sanctify them. And pray on their behalf. Verily, your prayers are a source of security for them. And Allah is one who hears and knows (all-things) (Q9:103).

Another 'āyah that gives this clue states that:

And in their possessions (was remembered) the right of the (needy). He who asked and he who (for some reasons) was prevented (from asking) (Q51:19).

The Prophet (S) has described this obligatory charity (*Zakāh*) as one of the five fundamental principles of Islam when he stated that:

Islam is based on five (fundamental) articles: Bearing witness that there is none worthy to be worshiped save Allah and that Muhammad is the Messenger of Allah, observing *Salāh* (obligatory daily prayers) paying of *Zakāh* (almsgiving), performing *Hajj* (pilgrimage to Makkah and Madinah) and *Sawm* (fasting) in the month of *Ramaḍān* (Khan, 1985:571).

Thus, for the first time in human history, the fair distribution of wealth became an obligatory religious duty. In theory and in practice, Islam strengthens the principle of fair distribution of wealth among the Muslims as the faithful fulfilment of *Zakāh* is richly rewarded by Allah while deliberate refusal to comply attracts severe punishment. As the first Head of State after the Prophet (S), Abu Bakr waged war against the wealthy people of Yamamah for refusing to fulfil the obligation thereby forcing them to comply (Al-Zubaidi, 1994:350-351). Islam also teaches that the defaulters of *Zakāh* would be punished severely in the hereafter as Almighty Allah says:

O you who believe, there are indeed many among the priests and anchorites, who in falsehood devour the sustenance of men and hinder (them) from the Way of Allah, and there are those who bury gold and silver and spend it not in the way of Allah: announce unto them a most grievous 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. (It will be said to them) "This is the (treasure) which you buried for yourselves". Then taste your buried (treasures) (Q9:34-35).

Similarly, He equally says that:

Let not those who covetously withhold of the gifts which Allah has given them of His grace think that it is good for them: Nay, it will be the worst for them: soon shall the things which they covetously withheld be tied to their necks like a twisted collar on the Day of Judgement. To

Allah belongs the heritage of the heavens and the earth;
And Allah is well-acquainted with all that you do (Q3:
180).

The Prophet corroborated these by saying that:

Whoever is made wealthy by Allah and does not pay the *Zakāh* on his wealth, on Resurrection Day, his wealth will be made like a bald-headed poisonous male snake with two black spots on its eyes. The snake will encircle his neck and bite his cheeks and say "I am your wealth, I am your treasure"(Albani, (2000:1:467).

The Prophet (S) personally supervised the collection of *Zakāh* by appointing officers to collect it (Khan, n.d:2:337). The Islamic State was not only in charge of collecting and distributing *Zakāh* in a fair manner but was also instrumental in assisting individuals in calculating the required amount of *Zakāh* payable and at the right time. During the classical era, there was an official of the treasury saddled with the responsibility of assessing and collecting *Zakāh* on all kinds of items subject to it (Hasan, 2007:151). Owing to the instruction of Allah in the Qur'an that the Prophet (S) should collect *Zakāh* (Q9:103-104) coupled with his model example in handling it, scholars have concluded that *Zakāh* collection and distribution should be the business of the state. It is in view of this that states such as Pakistan and Sudan, among others, have taken the administration of *Zakāh* as a state issue (Benthel,1995:2).

In another development, the Malaysian government has outsourced the management of *Zakāh* to non-governmental professional bodies in a bid to making its administration more effective and efficient (Hasan, 2007:159). This privatisation strategy has generated a remarkable positive response from the Muslim community towards fulfilling their *Zakāh* obligation (Hasan, 2007:173). This paper examines how *Zakāh* administration could be enhanced in Nigeria by learning from the Malaysian experience and adopting that country's model of *Zakāh* management.

This paper is divided into six (6) sections. This section introduces the paper while the second section discusses the concept of *Zakāh*. The

third section examines the socio-economic impact of *Zakāh*. The fourth and fifth sections respectively examine the administration of *Zakāh* in Nigeria and the lessons Nigeria can learn from the Malaysian experience. The sixth and last section summarises the discourse and offers recommendations.

The Concept of *Zakāh*

A good grasp of the idea of *Zakāh* as a religious and social/civic duty is essentially in order to help an understanding of the subject-matter of this paper. That is what this section of the paper is intended to do. *Zakāh* is an Arabic word which has its root in the verb *za-ka* or better still *za-ka-wa*, meaning either blessing, growth, or praise. Technically, *Zakāh* is the determined allotment of a portion of wealth prescribed by Allah for distribution to those entitled to it (Al-Qardawi, 1999: xlii). As stated earlier, *Zakāh* is one of the five pillars of Islam and mention of it occurs in thirty-two places in the Qur'an. Of these thirty-two places, twenty-six are associated with *Ṣalāh* which is the second pillar of Islam (AbdulBaqi, 1986:331-332). Therefore, *Zakāh* occupies a place of great importance among the obligatory duties of a Muslim. It is compulsory to pay it from the wealth (*māl*) of a Muslim once the value of wealth has reached the *Niṣāb* (minimum amount of property liable to payment of *Zakāh*) and in most cases it has been in ones possession for a period of one lunar calendar year (*ḥawl*). This second condition of *ḥawl* is not applicable to farm produce (*al-mu'ashsharāt*) as the rate of *Zakāh* payable on this category of wealth is also different (Uthaimen, 2002:591).

The Hanafīyyah School of thought defines wealth as anything that an individual acquires and usually uses. Therefore, two conditions must be fulfilled in Islamic jurisprudence before something may be termed as the wealth from which *Zakāh* is liable. First, it must have been acquired, such as parcel of land, money and equipment. Second, it must be adaptable to general use. Consequently, those things which are acquired but not useful to man are not included (Al-Qardawi, 1999:66). Although Allah, in the Qur'an, mentions some of the items, including gold and silver, that are subject to *Zakāh* (Q9:34 & 2:267), the explanation on such items are provided in the *Sunnah*. Oloso has discussed about these items while

examining the significance of *Zakāh* with a view to sensitising complacent Muslims in that regard (Oloso, 2008: 122-131).

On the *nisab* of gold, the Prophet (S) has explained that *Zakāh* is not required until its value reaches twenty (20) dinars (Sabiq, 1995:1:256). During the prophetic era, there were two kinds of currencies in circulation in Makkans: dinar and dirham coins respectively. Dinar was made from gold while dirham was made from silver. The dinar (gold) came from the Byzantines while the dirham (silver) was from the Persians (Al-Qardawi, 1999:115).

The weight of a dinar coin at that time was 4.25 grams. Hence, twenty (20) pieces of dinar is equivalent to eighty-five (85) grams of gold. This means that 85 grams of gold at any time is the *Niṣāb* from which *Zakāh* of 2.5% is to be paid. Concerning dirham, the Prophet (S) informed that *Zakāh* was due on it at the rate of one (1) dirham from every forty (40) dirhams provided the quantity has reached two hundred (200) dirhams. Accordingly, only a token of five (5) dirhams or 2.5% is to be paid on every two hundred (200) dirhams (Al-Qardawi, 1999:115-116).

Scholars are unanimous on the fact that *Zakāh* is due on money. They also agree that the rate should, like gold and silver, remain 2.5% or a fortieth of the value once other conditions mentioned earlier have been fulfilled. The value of currency from which *Zakāh* must be paid must necessarily be of the same market value as either 85 grams of gold or 595 grams of silver. This value is referred to in the Qur'an (Q 9:34) where Allah mentioned two articles: gold and silver. Subsequently, He referred to both articles in the singular using the pronoun "*ha*" (it) rather than "*huma*" (both of them) thus indicating that they signify items of property. Definitely, the rule also applies to all other items of property whose value is measured on the basis of either gold or silver, money inclusive (Al-Qardawi, 1999:115-116).

Allah directly instructed the Prophet (S) and the Muslims on the distribution of the proceeds from *Zakāh* when collected, not leaving the decision on the matter to any human being. He states in the Qur'an, eight categories of people and project on which *Zakāh* collected is to be spent. These people and project are: *al-Fuqarā'* (the poor), *al-Masākin* (the needy), *'Amilīna 'alayha* (Its administrators), *al-Mu'allafat Qulubuhum* (those whose hearts are to be reconciled), *ar-Riqab* (freeing of slaves), *al-*

Gharimun (the indebted), *Fi sabilillah* (the way of Allah), *Ibn Sabil* (wayfarer). The divine instruction states:

Alms are for the poor and the needy and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to truth); for those in bondage and in debt; in the cause of Allah and for the wayfarer. (Thus is it) ordained by Allah and Allah is full of knowledge and wisdom (Q9:60).

The Socio-Economic Impact of Zakāh

Zakāh is the cornerstone of Islam's social security system. If properly implemented, it would likely reduce poverty considerably. This is evident in the history of Islam. With two-thirds of *Zakāh*, Mu'adh bin Jabal was able to meet the needs of the poor in Yemen where he was governor. He sent the remaining one-third to the central government under 'Umar bin Khattāb. This incident repeated itself the second year when half of *Zakāh* proceeds was sent to *Khalīfah* 'Umar bin Khattāb. Moreover, the third year witnessed the sending of the total collections of *Zakāh* to the *Khalīfah* as there were no longer poor people in Yemen to receive the *Zakāh* (Ahmed, 2004:31).

The second instance of poverty eradication through the institution of *Zakāh* was unfolded when the governor of Egypt wrote a memo to 'Umar bin Abdul-'Aziz, who was then the *Khalīfah*, asking him to guide him on what to do with *Zakāh* proceeds as there were no more deserving people in Egypt. In 'Umar's reply, he urged the governor to use the excess funds to emancipate slaves, construct guest houses on highways and assist young men and women to get married. 'Umar further went ahead to appoint a street crier whose duty was to announce that there was fund available to debtors, the needy, the orphans and those intending to get married. This action was said to have continued until everyone was satisfied (Ahmed, 2004:31).

Furthermore, this social security system of Islam does not require the payment of premiums. All it does is to provide relief to those in need while sourcing for the required fund from the rich. *Zakāh* is the first social security system that has ever appeared in the history of man. It is a system

that is not dependant merely on charity; rather, it is a state institution that undertakes regular collection of funds and distributes same to those in need (Al-Qardawi, 1999:550-551). However, in the absence of the state handling this crucial Islamic institution, the community could take over this role.

Thus, while reducing greed and inordinate attachment to material wealth on the part of the rich, the institution of *Zakāh* helps them to fulfil their obligation of solving the problem of poverty in the society. Meanwhile, the tendency to evade payments, which is common in the secular systems of taxation, is unlikely to exist in the case of *Zakāh* (Kuran, 1986:144). That is because of the consciousness of accountability to Allah that *Zakāh* engenders. The Nigerian Muslim community can fully benefit from this divine gesture if it truly intend to reduce poverty level within its midst.

Administration of Zakāh in Nigeria

Zakāh administration in the contemporary world is of three types. First is that which is administered directly by the state through enactment of enabling laws and the provision of the logistics. Countries operating this model include Pakistan and Saudi Arabia among others. Second is the model wherein the state coordinates the management of *Zakāh* without compelling the citizens to pay. Malaysia operates this second model. Third is the situation where there is no government participation or legislation in support of *Zakāh* collection as the institution is administered by individuals and corporate organisations. This last model operates in countries like United Kingdom, South Africa and Nigeria. However, in Nigeria, few state governments such as Sokoto, Kebbi and Kano have established *Zakāh* committees. This notwithstanding, Ma'ruf (2012) has disclosed that these *Zakāh* committees heavily rely on government subventions to operate as the *Zakāh* collections have not been impressive.

Several mosque Imams in Nigeria have made it their responsibility to collect *Zakāh* from their followers. There are also several Islamic societies that have introduced the collection of *Zakāh* from their members. In the South West, the Muslim *Ummah* (Community) of South West Nigeria, which is the umbrella body for all Islamic organisations and institutions in the South West of Nigeria, is also involved in the collection

and distribution of *Zakāh*. However, the extent to which it does is limited, as it refrains from vying in this regard with member-organisations which operate their respective *Zakāh* systems. As impressive as these attempts are, the *Zakāh* usually collected by each of these various bodies is meagre and the management of such fund is not easily known to the general public. Generally, there seems to be a low level of awareness of *Zakāh* among a good majority of Muslims in Nigeria.

A distinguished non-governmental organisation in the South West of Nigeria is the *Zakāh* and *Sadaqah* Foundation. This organisation was established at Ibadan in 2000 by an Islamic society known as The Muslim Congress. The foundation then moved to Lagos State after its incorporation by the Corporate Affairs Commission in 2002. The organisation has branches in Oyo, Osun, Kwara, Ogun and Edo States. It also has a branch at the Federal Capital Territory, Abuja. *Zakāh* and *Sadaqah* Foundation tries to create awareness of the importance of *Zakāh* and the intricacies involved in its payment and administration. This was precisely what the foundation did for the first two (2) years before it embarked on the collection and distribution of *Zakāh*. There are a number of volunteers who assist in carrying out the tasks of the foundation. The organisation, which has been in the vanguard for a united front in the administration of *Zakāh*, maintains itself by deducting 12.5% from *Zakāh* fund and a reasonable portion of the *Sadaqah* fund when situation demands (Ma'ruf, 2012). The foundation could perform better if supported by all stake holders in the country.

Lessons from the Malaysian Experience

The management of *Zakāh* in Malaysia falls constitutionally under the ambit of its states in the country through their various religious councils established with the aim of centralising all religious matters (Nik Hassan, 1987:51). The situation Nigeria differs from that of Malaysia owing to the fact that its constitution does not recognise religious councils or their equivalents. Although states in Malaysia deal with all the rules and regulations related to the various religious activities, a federal agency, Department of Islamic Development Malaysia (JAKIM), is responsible for formulating policies concerning the Islamic affairs in Malaysia. Among the functions of JAKIM is to coordinate the activities of the state religious

institutions and give them general direction (Ahmed, 2004:78). The Department of Islamic Development Malaysia also encourages the enacting of laws and standardizing procedures for collecting and disbursing *Zakāh*. In addition, the body develops operational strategies for managing *Zakāh* funds in the states. The JAKM prepares manuals, set criteria for identifying beneficiaries of *Zakāh* as stated in the Qur'an (Q 9:60), and offers training on issues related to it (Ahmed, 2004:79).

Given the situation in Malaysia and the peculiarity of the Nigerian situation, Sanusi (2000:1) is of the opinion that all those recognised by the generality of people in their areas as the leaders of the Muslim community have the responsibility of administering *Zakāh*. He argued that in Nigeria for example, the Emirs, who appoint the Imams of *Jumu'ah* mosques (where Friday congregational prayers are observed) and to whom the masses give allegiance as the de facto Imams, are responsible for the management of *Zakāh* with the exception of state governments that have officially adopted the *Shari'ah* and with whom the responsibility is saddled. However, our view here is that Islamic umbrella organisations, in some of which the Emirs play leading roles, should be saddled with the responsibility of coordinating the management of *Zakāh* in the country. This can be done more efficiently if the Islamic umbrella organisations join hands with the existing organisations that administer *Zakāh* in Nigeria to form a synergy under the name, National *Zakāh* Agency which would play the role of the Malaysian JAKM.

Generally speaking, states in Malaysia employ the services of private professional bodies to manage either or both collection and distribution of *Zakāh*. Kuala Lumpur, the Federal Territory and the state of Selangor are examples in this regard. Adopting this innovative approach in administering *Zakāh* in Malaysia is aimed at strengthening its collection and distribution by increasing the efficiency and effectiveness of its management. This approach calls for the application of best practices in *Zakāh* administration (Kaslam, 2011:6). A National *Zakāh* Agency in Nigeria could replicate the Malaysian model by employing the services of private professional firms for the effective and efficient management of *Zakāh*.

Although the Islamic Religious Council of Kuala Lumpur is responsible for the Islamic religious matters in the capital territory, its

policies and activities related to *Zakāh* are managed by the *Bayt al-Mal* (Islamic treasury) unit under the Federal Territory Islamic Department. The functions of collecting and disbursing *Zakāh* funds are separated in Kuala Lumpur while they are merged in Selangor. In Kuala Lumpur *Zakāh* is collected on behalf of the *Zakāh* Collection Centre (ZCC) by a subsidiary corporation called Hartasici Private Limited, while the distribution is done by the *Bayt al-Mal*. In the state of Selangor, the administration of this Islamic social security system is undertaken by *Zakāh* Office Selangor (ZOS), formally Selangor *Zakāh* Authority, which was incorporated in 1994 (Ahmed, 2004:79 &87). Of concern to the present study is the employment of professional non-governmental firm in either the collection or the distribution with the aim of serving as a role model to the Nigerian Muslim community.

The ZCC, which has professionals from various disciplines and backgrounds in its employ, introduced a proactive customer-oriented approach to the collection of *Zakāh*. The organisation has raised the awareness of the general public on the intricacies involved in the payment of *Zakāh* and devised innovative means of remittance of such by Muslims. One of these is the launching of an on-line *Zakāh* assessment system and facilitating of the payment of *Zakāh* through the opening of a wide range of windows such as cash, cheques and money orders, internet and phone banking, and salary deduction among others. This is in addition to special collection counters opened at different shopping centres and major stores during the month of *Ramadan*. The corporation maintained transparency by providing daily, weekly, monthly, and annual reports directly to the contributors and to the general public through the mass media. Using information technology, the ZCC utilises contemporary management techniques in the areas of finance, audit, and reporting systems (Kaslam, 2011:10 & Ahmad, 2004:80). These innovative techniques can also be adopted by the proposed National *Zakāh* Agency.

Similarly, Selangor *Zakāh* Centre (ZOS) is among the leading examples of professional non-governmental firms involved in the management *Zakāh* in Malaysia. This firm's *Zakāh* collection is similar to that of ZCC (Kaslam, 2011:10). If these are replicated in Nigeria, more Muslims are likely to gain better awareness of the position of *Zakāh* in Islam and the intricacies involved in administering it. In Selangor, the

identification of the potential beneficiaries of Zakāh is done by a large number of volunteers (including the mosque Imams) at the local levels, who gather all the relevant information on the deserving beneficiaries. At each mosque, there is a Zakāh Committee with an employee of ZOS in attendance. The Zakāh Committee meets annually to discuss new nominations as potential Zakāh fund beneficiaries in the locality. The nominations are screened and cleared at these meetings. Participation of the local people makes the identification of applicants easier. The volunteers collect Zakāh al-Fitr (staple food commodities offered to the poor at the end of fasting Ramadan) and keep 12.5% of the collection as fees for their effort. Moreover, each accepted nomination for Zakāh disbursement earns volunteers a stipend. This along with fees collected from Zakāh al-Fitr gives the local volunteers the incentive to screen and identify the poor (Ahmad, 2004:88-89). These methods of identifying the poor and distributing Zakāh fund are, without doubt, desirable for Nigeria.

Conclusion

The management of Zakāh in Nigeria could be better and far more robust if the nation treads the path of Malaysia, albeit without government's intervention owing to non-recognition of religious bodies capable of driving the institution in the Nigerian constitution. This can be done only if all the Zakāh administrators unite and form a synergy in the administration of Zakāh. Such unity will eventually lead to a mega body whose duty it is to collect and distribute Zakāh in the country through the instrumentality of private professional firms whose personnel and operational costs would not exceed 12.5% of the total fund. The remittance of Zakāh should then be done through different contemporary means such as internet, telephone, standing orders and cheques, among others. Payers of Zakāh should be given daily, weekly, monthly, quarterly and annual reports on the activities of the organisations. The rendering of proper accounts and maintaining of transparency on the collection and distribution of Zakāh fund would increase the confidence of its payers and serve as an encouragement for complacent Muslims to fulfil their Zakāh obligations.

The distribution of Zakāh should involve mosque Imams and volunteers. Imams could identify the indigent ones within their

congregations and the *Zakāh* workers would have to familiarise themselves with areas where the poor and the needy are likely to be. This paper therefore recommends that the Nigerian Supreme Council for Islamic Affairs should in conjunction with Islamic regional organisations and bodies involved in the administration of *Zakāh*, including the *Zakāh* and *Ṣadaqah* Foundation, come together to form the National *Zakāh* Agency whose responsibility will be to formulate policies on the administration of *Zakāh* in the country. The body should in turn engage professional non-governmental firms in the management of *Zakāh* while it assumes a supervisory role. Though it is obvious that corruption is widespread in Nigeria and the tendency of it affecting the administration of *Zakāh* is high, this can be circumvented if only disciplined, committed and pious Muslim individuals are made to serve in the proposed agency. In addition, multiple monitoring strategies could be employed to supervise the activities of the proposed agency. If these steps are taken, there is likely to be an increase in the awareness of Muslims about *Zakāh*. It would also inject transparency into *Zakāh* administration in Nigeria and increase funds available for distribution to deserving people.

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