

**WAQF: LAWS & MANAGEMENT**

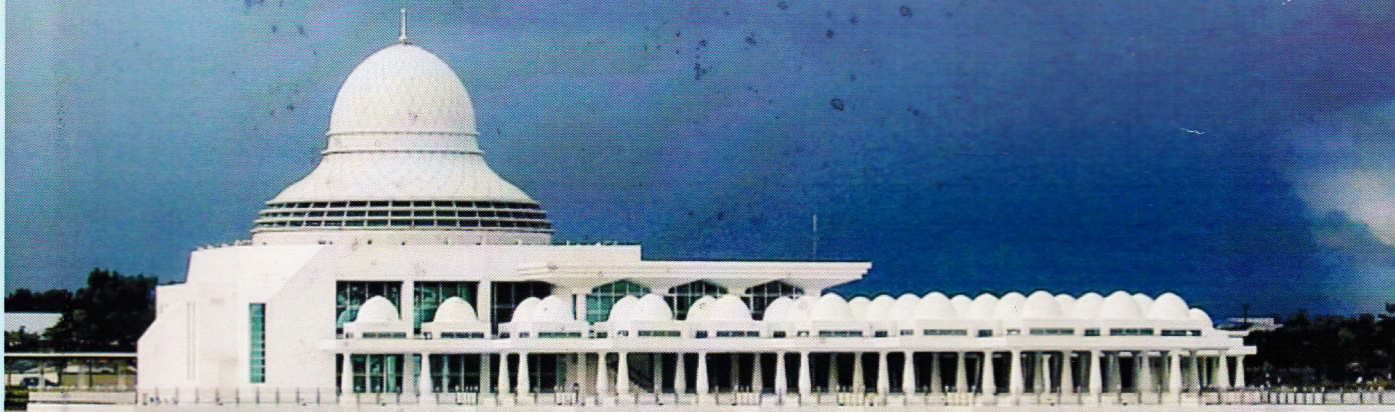
# WAQF

**LAWS & MANAGEMENT**

*(With Special Reference to Malaysia)*

Edited By  
*Prof. Dr. Syed Khalid Rashid*  
&  
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**INSTITUTE OF OBJECTIVE STUDIES**

# WAQF LAWS & MANAGEMENT

(With Special Reference to Malaysia)

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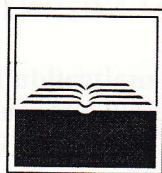
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## Chapter 15

# Towards the Effective Legal Regulation of *Waqf* in Nigeria: Problems and Prospects

Umar A. Oseni

### Abstract

*The importance and need to utilize the economic benefits of waqf cannot be overemphasized in the current global economic conditions. In order to become part of the global move towards the revival of awqāf, Nigeria, a country predominantly dominated by Muslims, needs to enact laws to regulate the management of awqāf properties. This paper examines the current state of waqf in Nigeria, issues affecting the institution of waqf and the extent of its regulation with an appraisal of the existing laws. It is argued that the provision of the Constitution of Nigeria 1999 subjecting waqf to the jurisdiction of the Shari'ah Court of Appeal without any further regulation in the form of an Act does not augur well for the needs of Nigerian Muslims and the economy of the country. In fact, the so-called Muslim States in the country are still groping in the darkness of colonial laws of trusts. The paper concludes that the economic benefits of awqāf can only be harnessed when there is effective legal regulation in the country, and by that, the economic benefits of the institution will be felt by all.*

### 1. Introduction

The lingering global economic meltdown necessitates some introspection on the part of policy-makers in developing countries. The need for an effective legal regulation and management of *awqāf* in Nigeria cannot be overstated in the present time, considering the growing nature of *awqāf* properties scattered all over the country. In many situations, some of the *waqf* properties donated in the name of Allah and for the benefit of the people are transformed to inherited or personal properties after the demise of the *wāqif*. These aberrant and woolly practices are becoming prevalent in many Muslim societies across the country.