# E-WAQF IMPLEMENTATION: A PARADIGM SHIFT IN NIGERIA WAQF SYSTEM

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### ABSTRACT

The paradigm of the Waqf system has shifted from movable and immovable properties such as land Waaf, cash Waaf and others but also to the employment of electronic or e-Waqf system. Thus, the objectives of the current study are to focus on three major research questions which are: exploring the usability of the e-Waqf system the Nigerian determining the challenges of e-Waqf system implementation and recommending prospects of e-Waqf implementation for better waqf governance. The study employs a qualitative approach using semistructured interview questions to gather the information from (6) informants of ebanking expertise and (3) Waaf managers or "Mutawalli" in Nigeria. Qualitative research methods are most appropriate in situations in which little is known about a phenomenon or when attempts are being made to generate new theories. The findings of the current study indicate that

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online Waqf has been established as a viable solution to improve wealth redistribution amongst Muslims in Kuwait and Malaysia. Thus, the Nigeria Waqf system could benefit from the existing practices and experiences of those countries. Furthermore, the term Muslims refers to individuals who believe and follow the religion of Islam. Nonetheless, e-Waaf could contribute to society at large even at its infancy stage and the supports by all parties are necessary to make it feasible at the national level. In this study, online Waqf is generally referred to as Muslims' donation in the form of cash that is performed via electronic means (e.g. Internet banking facilities). If it is offered through internet banking facilities, online Waaf is therefore viewed as one of the services that are necessary to be provided by Islamic banks.

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#### INTRODUCTION

This study looks at the issue of the *Waqf* system and its relation to technology. Here the researcher has referred to the studies and issues that have been raised regarding the *Waqf* system. Among them is the community's lack of understanding about the *Waqf* system, which causes a lack of awareness among the Muslim community to make the *Waqf* system (Ahmad, 2019). Furthermore, the awareness among the community about *Waqf* property is at a low level (Muhammad, 2010). Research studies on the awareness of the *Waqf* system by ASHAFA, Saheed Afolabi (Ashafa, 2021), Saidu, Oluwaseun Sulaiman, Murat Cizakca, and Rodney Wilson (Saidu, 2021) and Yusuf, A.O., Junurham, N.L.N.P. and Adam, U.A., show that there are still many Muslims who lack awareness of this obligation.

This paper provides solutions to e-Waqf management, enable individuals to donate online instead of manual forms. This seems to be more beneficial for both Donors ( $W\bar{a}qif$ ) and NGOs. Donors ( $W\bar{a}qif$ ) can also read about the Ngo's history and the variety of services offered and the assistances they offer and render all on the web. Secondly, it is easier way and cheaper to publicize using the e-Waqf system by simply published on the web. Among the objectives of this paper is to expose the Waqif (donor)

to the web-based platform in which the donations and other charitable activities may well be performed.

This research also aims to encourage the *Waqf* management to rely mainly on technology as a means to publicize their firms and communicate with donors/individuals. This research adds more knowledge to academia by providing more information, evidence and data about waqf in Nigeria. This research emphasizes that electronic money has significant benefits for financial institutions, banks and merchants (Okifo, 2015). Digital Money is an electronic payment technology, which can provide anonymous flexible electronic payment, like paper cash, but with added security are needed for internet transactions.

Digital money can also be used to deter illegal content copying and distribution by inserting tracing content factors into the digital cash payment scheme that prevents users from individual replication activity. By using this function, legal, anonymous purchasers can spread content to other paying anonymous users while abiding by copyright laws. Using digital money in industries like digital entertainment can increase the demand for products through easier and safer dissemination channels. Digital money can trace who is illegally reproducing and distributing copyrighted intellectual material, therefore increasing security for donors and at the same time deferring lost revenue and sales for digital media entertainment companies (Mamudu, 2021).

Digital Media entertainment, as well as property providers and distributors, can also implement this technology and its safety features to ensure greater copyright compliance between consumers (Yaqub, 2013). By adopting such a method of payment and distribution, software and intellectual property piracy can be halted and eventually eliminated. Digital money can provide financial institutions with decentralized structures, faster transaction and decision-making processes, and more cost-effective ways of doing business. Electronic payments as argued by Nelson, B. (Nelson, 2018). have a significant number of economic benefits apart from their convenience and safety. These benefits when maximized can go a long way in contributing immensely to the economic development of a nation. Automated electronic payments help deepen bank deposits thereby increasing funds available for commercial loans- a driver of all of the overall economic activity.

Waqf is defined as holding a property (e.g. land, cash, and slipper) and preventing its consumption to repeatedly extract its usufruct for the benefit of an objective representing righteousness and philanthropy (Amin, 2014). As time passed by, Waqf has emerged from land Waqf, cash Waqf and recently to an online Waqf. Online Waqf is particularly not yet fully implemented in a Malaysian context. However, online Waqf has been established as a viable solution to improve wealth redistribution amongst Muslims in Kuwait and extends its applicability to a Malaysian context. The term Muslims refers to individuals who believe and follow the religion of Islam. Nonetheless, online Waqf contribution to society at large is still at

infancy stage and the supports by all parties are necessary to make it feasible at the national level (Amin, 2014). In this study, online *Waaf* is generally referred to as Muslims' donation in the form of cash that is performed via electronic means (e.g. Internet banking facilities). If it is offered through internet banking facilities, online *Waaf* is therefore viewed as one of the services provided by Islamic banks

Electronic waqf system or e- *Waqf* has contributed enormously to the development and charitable organization performance. Through the e- *Waqf* system, many countries can reach out to the poor and needy at large. For example in Malaysia, many organizations are online-based in terms of funding the needy. One of the prominent charitable organizations in Malaysia is Yayasan and Zakat foundation in which the people are allowed to apply using e-donation. Therefore, the contribution of internet-based funding is rampant in Malaysia. Although, the research implementation of e- *Waqf* still is infant stage as far as Malaysia is concerned, however, some countries such as Kuwait, Singapore and Qatar have adopted the use of the e-*Waqf* system.

In addition, the study conducted by Amin, Hanudin, Abdul-Rahim Abdul-Rahman, Thuraisamy Ramayah, Rostinah Supinah, and Masmurniwati Mohd-Aris highlighted that the improved Internet banking facilities along with the increased number of young generations who are literate and the greater access to online transactions serve as the mechanisms that can promote online *Waqf*. This is also able to instill the altruism values among young generations, particularly to the fresh graduates and working adults, which in turn improves the collection of *Waqf* funds. At the same time, the government initiatives for online transactions through broadband and others for Islamic banking businesses are viewed as also the impetuses for the promotion of online *Waqf*.

## Technology and the Waqf Management System

It is common knowledge that technology advances will be able to:

- i. Have full access to the information concerning their rating on the platform.
- ii. Compare themselves with the other managers
- iii. Have the opportunity to post on the web, live to promote themselves, communicating with donors and NGOs, and getting feedback from them.
- iv. And it's the first of its kind to be implemented and be used here in Nigeria.
- v. Receive online fund donations at once.

Therefore, it is a great opportunity for smaller NGOs and donors who cannot afford mass advertising campaigns to reach their target groups online. But this is only one part of the service. The other part is changing the way charity deliveries and funding is processed. Whenever a charity expert chooses an NGO through the platform and funds it, funding will be processed via a smart contract only when the goods have arrived, automatically allowing for a deferred funding scheme, which will make Funding automatically on

agreed terms. For example, let's say the donor wants to donate some token, leaves the charity, and does not need to give funds in cash but just continues to the firm that needs funding. Payment automatically goes through the app on a pre-set weekly or (insert period) schedule. The project will shorten the supply chain, which will inevitably positively influence the funding of a specific area that needs support. The aim is to develop and popularize transparent and specialized charity management systems. An information system is any combination of information technology and people's activities that support operations, management and decision making.

In a very broad sense, the term information system is often used to refer to the interaction between people, processes, data and technology. In this sense, the term is used to refer not only to the information and communication technology (ICT) that an organization uses but also to how people interact with this technology in support of business processes (Cascio, 2016). Some make a clear distinction between information systems, computer systems, and business processes. Information systems typically include an Information and Communication Technology (ICT) component but are not purely concerned with Information and Communication Technology (ICT), focusing instead, on 23th the end use of information technology. Information systems are also different from business processes. Information systems help to control the performance of business processes.

Alter argues for an information system as a special type of work system. A work system is a system in which humans and/or machines perform work using resources to produce specific products and/or services for customers. An information system is a working system whose activities are devoted to processing (capturing, transmitting, storing, retrieving, manipulating and displaying) information. As such, information systems inter-relate with data systems on the one hand and activity systems on the other. An information system is a form of a communication system in which data represent and are processed as a form of social memory. An information system can also be considered a semi-formal language that supports human decision-making and action.

#### E-cash Waqf

Lately, e-Waqf increases the collection of Waqf electronically; motivates existing Internet banking users to contribute to Waqf activities. Moreover, enabling the collectors to make more funds to be invested would serve the development of the Ummah (Yusof, 2014). Amin et al. (2014) attempted to investigate the factors that influence the contribution of cash Waqf, perceived ease of use, religiosity, and usefulness plus the amount of information play a vital role in the contribution of cash Waqf attempted to identify the challenges and the limitation of the conventional way of cash Waqf collection, he proposed that e-cash Waqf in Malaysia has great potential since the country enjoys advanced information technology. A sole study conducted in the Indonesian context by Victoria and Ong Aldeen,

2020) stressed on the potential of the e-Waqf in Indonesia if and only if managed properly. However, the objectives of the current study focused on exploring the viability of e-Waqf system implementation in the Nigeria context

# E-waqf and Legal Constitution of Waqf in Nigeria

There are a lot of electronic applications and websites that have done similar projects but with little impact on the charity organizations. For example, some of the online-based crowdfunding in Nigeria are explained below:

## NaijaFund

NaijaFund is a crowdfunding platform that empowers everyone and enables people to raise funds for anything including business. NaijaFund removes the physical barriers traditionally associated with receiving financial support from the people. The platform allows users to connect their accounts with social media networks where they can easily ask for funds from friends, family, friends of friends, community leaders, pastors, and others. While it is free to create and share your online fundraising campaign, NaijaFund will deduct a 10% fee from each donation.

#### **Micro Ventures**

Micro-Venture is an equity crowdfunding investment platform, combining the best of venture capital with equity crowdfunding. Since 2009, Micro-Venture has been helping businesses (including Facebook) access capital from both accredited and non-accredited investors.

It is important to state at the onset that there is no existing law in Nigeria that provides for the management and administration of *Waqf*; not even in the Muslim states in the northern part of the country. In other words, there is no *Waqf* legislation in Nigeria today. What is available in the Constitution of the Federal Republic of Nigeria 1999 ("Constitution") is the reference about *Waqf* which fall under the jurisdiction of the Shari'ah Court of Appeal. For a proper understanding of the existing legal framework of *Waqf* in Nigeria, it is apposite to consider certain issues in separate headings. The Islamic personal law practiced in Nigeria from the time Islam got to the shores of the country follows the interpretation of the *Maliki* School, thus the discussion of *Waqf* in this article is focused on the Maliki school views on *Waqf*.

## **METHODOLOGY**

This study focuses on the viability of the e-Waqf system implementation in Nigeria where the researcher adopts both conceptual and empirical studies conducted on the concepts of e-waqf. This is considered a qualitative study; a qualitative approach conducted through analysis of the literature hence. Qualitative research methods can be useful in providing in-depth information to understand target behaviors. In the current study, there are three existing steps of methods of reviewing the literature. First, exhaustive coverage which means an effort is made to be as comprehensive as possible

in order to ensure that all relevant studies, published and unpublished, are included in the review and, thus, conclusions are based on this all-inclusive knowledge base. The second type of coverage consists of presenting materials that are representative of most other works in a given field or area. For the third strategy, the researcher concentrates on prior works that have been central or pivotal to a particular topic. The authors further used semi-structured interview questions to gather the information from (6) informants of E-banking Expertise and (3) *Waqf* managers "*Mutawalli*" in Nigeria. The results of the study are reported using thematic analysis methods by reporting the interviewees' discussion.

# FINDINGS AND SUMMARY OF THE STUDY

The findings obtained from semi-structured interview questions involving (6) informants of E-banking Expertise and (3) *Waqf* managers "*Mutawalli*" in Nigeria can be divided into several themes:

# Viability of Implementation of e-Waqf in Nigeria

Interviewees have recommended the viabilities of successful implementation of e-Waaf models in Nigeria. The interviewees have agreed that there is a need to introduce reliable e-Waqf platforms to Nigerian philanthropists and donors. Religious voluntary organizations should be employed on massive propagation and education about e- Waqf. The preachers should also employ various avenues by which they reach their audience to share the information with Muslims such as on radio and televisions programs. What is commonly operating in Nigeria is considered as crowd online funding, nonetheless, the e-Waqf platform will attract more contribution from the public as the platform is more transparent and reliable. They further explained that despite e-Waqf success as a funding approach it lacks the attention of the higher authority such as the finance office.

Presently, there is no existing database for crowdfunding activities in the country. At present, no law regulates crowdfunding and its implementation for entrepreneurial activities in the country. This perhaps is the underlying reason that presently, social causes are the most successful crowdfunding campaigns in Nigeria. Virtually, most of the successful campaigns are to help the sick (health-related). Instead of using established crowdfunding platforms or sites, campaigners use electronic media, especially television stations, with a designated bank account. A review of successful campaigns for entrepreneurial purposes reveals that one of such campaigns on one of the Nigerian-oriented sites was funded by the promoters of the platform. Thereafter, there is no indication of other successful campaigns for over four years leaving the first successful campaign a suspect. This does not mean that the concept is not workable in the country but it triggers regulatory concerns. Nigeria is said to be a host of about nine crowdfunding platforms with several listings on some of the platforms, especially indigenous sites such as Imeela, Naturfund, Funmilowo, and Donate-ng. Nevertheless, there is little or no evidence of (ISSN: 2413-2748) J. Asian Afr. soc. sci. humanit. 7(4): 41-53, 2021

successful funding for entrepreneurial activities.<sup>1</sup> The one or two successful campaigns recorded for entrepreneurial activities in the country were listed on Kickstarter and Indiegogo; incidentally, the campaigners are not Nigerians.<sup>2</sup>

Awareness is the ability to know and having the capacity to interpret the surrounding circumstances regarding a phenomenon. Awareness is said to exist if a phenomenon is perceived in the right manner. The awareness on waqf and it seems more on e-Waqf in Nigeria has to be addressed with the top-down approach as well as initiative of the public especially the NGO as well as the Islamic leaders. As awareness is surrounded by issues such as having adequate information and understanding about the concept, its processes, and potential outcomes; being aware of violations and protections towards intellectual property; the occurrences of fraud; being aware of backers rights, and regulatory concerns and best practices, hence, the Nigerian authorities especially waqf leaders have to play important roles to explain, disseminate and show the beauty of waqf through the latest technology and e-Waqf platform.

## Challenges facing the viability of e-Waqf in Nigeria

There are several flouts against the viability of e-Waqf in Nigeria. The interviewees identified some challenges that could be faced in e-Waqf implementation in Nigeria which is also the factors that can militate against e-Waqf if not addressed which are shown in the below figure:

<sup>&</sup>lt;sup>1</sup> Soreh, Wisdom C. "Awareness and attitude towards Crowdfunding in Nigeria." *International Journal of African and Asian Studies* 36 (2017): 1-8.

<sup>&</sup>lt;sup>2</sup> Lawal, Kamorudeen. "Prospects and Challenges of Crowdfunding Financing Model for Housing Delivery in Lagos, Nigeria." Nigeria (December 7, 2019) (2019).

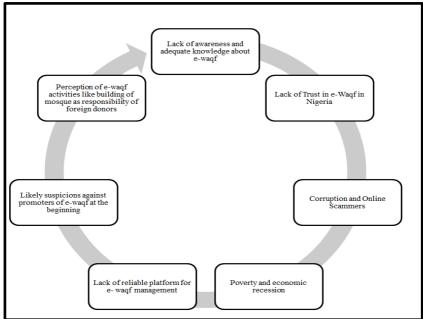


Figure 2: Several floats against the viability of e-waqf in Nigeria

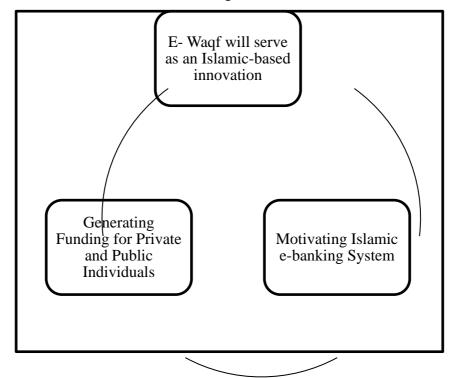
There is a common term on the identification of lack of awareness and adequate knowledge about e-Waqf as a key factor that can militate against the implementation of e-Waqf in the country. The awareness is so low that even those who studied Waqf as part of their educational training and who are also public speakers and preachers hardly get inspired to discuss and talk about e-Waqf. This has also affected those who are well to do and capable of doing e-Waqf. The lack of awareness is so obvious, especially on knowledge and technicalities. Several instances were cited to buttress this factor as a very challenging issue that must be addressed to make progress on the implementation of e-Waqf in the country, without people first understanding and appreciating Waqf. Hence, introducing e-Waqf to them may be received with suspicion. For instance, an Islamic organization involved in digging boreholes and wells for the needy community got to know that the well was closed when the mosque was to be expanded. As the organization, it is not well informed that the well is in the form of Waqf, it was not bothered as it ought to have reacted by requesting for a replacement to be made by the community.

There are also instances of people doing *Waqf* activities without realizing it such as depositing money with Trustee bodies that manage such money as a trust from the civil point of view. Another problem that can militate against e-*Waqf* is the problem of lack of trust that has become rampant in the country. For these reasons, when e-*Waqf* is introduced, it would be difficult for people to embrace it because of lack of trust and fraudulent activities which seem not to exclude anyone.

An interviewee also narrated how he encountered a rich man to be involved in various *Waqf* activities like digging of wells and mosque constructions by merely guiding him on how to do waqf rather than requesting him to appoint the interviewee to carry out the activities for him. The interviewee expressed the feeling that if he had asked the rich man to appoint him as trustee or *Wakiil* (agent), the rich man would be discouraged or become suspicious of him. The Nigerians are also skeptical of new ideas or practices. The challenge may also come from the non - Muslims who have formed the habit of just opposing anything connected to Islam. Also, the fact that people have been used to *Waqf* projects being executed by foreigners has made them feel they too cannot be involved in their own little ways. Poverty is also identified as a very significant challenge that can militate against cash *Waqf*. This is because most Muslims may be targeted for participation in the e-*Waqf*.

# PROSPECTS OF E-WAQF IMPLEMENTATION IN NIGERIA CONTEXT

There are many prospects of e-Waqf if applied in the Nigerian context. The present study has identified three benefits of introducing a similar system which is summarized in the below figure 2.



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Figure 2: Prospects of e-waqf Implementation in Nigeria context E-Waqf will serve as an Islamic-based innovation that promotes and improves the collection of Waqf funds among Nigerian electronically. Secondly, e-Waqf can motivate the Internet banking users to contribute part of their wealth to the fund at any time or anywhere. The updates are ontime. Thirdly, e-Waqf can generate more funds in an Islamic way, which in turn could be used to improve banks' investments and importantly, to strengthen their corporate social responsibilities programs. Moreover, the improved Internet banking facilities along with the increased number of young generations who are literate and the greater access to online transactions serve as the mechanisms that can promote online Waqf. This is also able to instill the altruism values among young generations, particularly to the fresh graduates and working adults, which in turn improve the collection of Waqf funds. At the same time, the government initiatives for online transactions through broadband and others for Islamic banking businesses are also viewed as the impetuses for the promotion of e-Waqf. The interviewees agreed and explained the importance of getting actively involved in propagating Waqf practices in Nigeria.

Among the initiatives as highlighted by the interviewees are to engage the Imams giving weekly Friday Lectures (*khutbah*) to educate people on the significance of e-*Waqf*. It is also suggested that the researcher and others that may be involved in the *e-Waqf* campaign should target the well-to-do people to educate them on the benefits of doing e-*Waqf*.

Inculcating Islamic element or da'wah in the awareness campaign is another positive effort as seen by the interviewee. People reckoned with men of integrity and honor. Thus, the Islamic leader should lead in propagating for waqf. The *imam* should be engaged to participate in the *Waqf* campaign. In addition use of proper language which people can understand should be highly encouraged. Thus, *Waqf* can be explained as an act of *Fisebilillah* (in the cause of *Allah*). All those suggestions are essential for the future planning of e-*Waqf* to be introduced to the existing Internet bank services by Nigerian Islamic banking institutions. Although currently, *e-Waqf* is not available, the introduction of the system in the future by the banks should be properly planned with specific deliberation on the motivating and contributing factors for the greater accesses of the system and benefits to the society in participating in more *Waqf* activities.

## **CONCLUSION**

The general aim of this study is to explore the viability of the e-Waqf platform in Nigeria and underlines the possible challenges in the implementation of the e-Waqf in Nigeria. The study has identified the importance of the e-Waqf system in the Nigerian context and highlighted challenges incurred in the implementation of the e-Waqf system such as lack of trust, lack of transparency, potential fraud or scam and others. Although philanthropists in Nigeria are engaged in dedicating their wealth in crowdfunding for health, education and others, however, there are a few cases of mismanagement of the wealth collected from the donors. Having

said that, using the e-Waqf system will adopt a technological ensures the usability of Islamic innovative way for handling several issues related to donation in the context.

Banks should also consider the religiosity of potential users since religion is inseparable in Islamic commercial transactions. It explains one's action is tied up with religion and viewed as *Ibadah* (e.g. good deeds). In promoting acceptance, Islamic e-banks should develop proper objectives of online *Waqf* projects financed through online *waqf* and ethical standards of *waqf* funds within the Shariah parameter which in turn impacting acceptance because of its compliance to the teaching of Islam. In addition, it is also of significant to promote the "environment" or waqf eco-system which encourages people to donate for their society's well-being and thus eliminating self-maximization in a Muslim society. To facilitate this ecosystem, *Waqf* counter services can be introduced together with e-*Waqf* in order to create a comprehensive and friendly atmosphere for the system.

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