



Six-Rs of establishing a *Waqf* in Ilorin emirate economy

Mufutau Ayinla Abdul-Yakeen^{1*}, Nasir Mukhtar Gatawa², Chika Umaru Aliyu², Mohammed Olanrewaju Ibrahim⁴

¹Department of Economics and Development Studies, School of Business & Governance, Kwara State University, Malete, P.M.B 1530, Ilorin, Nigeria

²Department of Economics, Usmanu Danfodiyo University, Sokoto, P.M.B 2346, Sokoto, Nigeria

³Department of Mathematics, University of Ilorin, P.M.B 1515, Ilorin, Nigeria

Abstract

Absence of a *Waqf* for residents of Ilorin Emirate Economy (IEE) spurred this study. Six-Rs of a *Waqf* to IEE are the Rented-resources, Rationale for, Riddles within, Remedies for, Rewards accruable and Residuum of other factors in IEE if a *Waqf* is established. Some books on financial institutions and *Waqf* are reviewed. Participation, observation and discussion methods were employed to obtain cross-sectional data; and qualitatively analyzed via the sources of data in Islamic Economics which is adopted from *Shari'ah*. Algebraic model is formulated to analyze data. IEE possesses wherewithal to establish a *Waqf* but there are surmountable factors hindering its establishment while the likely proceeds of *Waqf* for IEE are inexhaustible. Contributions of *Waqf* to IEE are sustainable; never leads to disinvestment; precedes and supersedes Millennium Development Goals; gives hope to the hopeless; generates full employment; harmonizes the haves with have-nots; increases output and productivity; stabilizes prizes; facilitates spending, trading, income, savings, investments and even income distribution among other economic objectives. Above all, *Waqf* will secure Eternal Mercy of Allah (S.W.T) for its organizers. Prompt establishment of *Waqf* for all residents of IEE, in order to attain sustainable and everlasting benefits for IEE and the entire world is recommended.

Keywords: Rented Resources; *Shari'ah*; Sustainable Development; and *Waqf*

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1. Introduction

The call for the establishment of a Fund for the development of the Ilorin Emirate Economy (IEE) by the National or Chief Missioner of Ansarudeen Society of Nigeria, Sheikh Abdul-Rahman O. Ahmad in 2011 (Ahmad, 2011); reiterated by the then Grand *Khadi*, Kwara State *Shariah* Court, Justice Imam Fulani, at the 2013 Annual End of Ramadan Program, organized by Joint Committee of IEDPU Ilorin Branch and National Council of Muslim Youth at the front of Emir's Palace, Ilorin; formation of an Economic Committee within the National Executives of Ilorin Emirate Descendants Progressive Union (IEDPU); organization of Workshop for Revamping Ilorin Emirate Economy; and the speech of National President of IEDPU, retired Justice Saka Yusuf (Yusuf, 2012) showed that there was no collective *Waqf* for IEE people.

Ahmad (2011) calls for the establishment of a Trust Fund or a Common Purse for the development of the people of Ilorin Emirate. Thus, the will of people to voluntarily contribute a part of their hard-earned income to the Fund, for community development, could lead to the establishment of a *Waqf*. *Waqf* is an Arabic word that stands for "A religious foundation set up for the benefit of the poor", and *Awqaf* is the "Property voluntarily transferred to the charity or trust so that the usufruct may accrue to other people" (Usmani, 2002: 237). The institution of *Waqf* began in the early days of Islam, well-developed in the Ottoman Empire, contributed to socio-economic development of Islam and signified a foundation set up for keeping properties in perpetual existence and making their income available for specific beneficiaries (Navaid, 2010). It is an endowment for common well-being (Navaid, 2010).

There is persistent influx of people to the state capital, Ilorin Metropolis from all parts of Nigeria due to insecurity in the northern part of Nigeria and relatively conducive commercial environment of the state, Kwara compared to the southern part of Nigeria (Moronfoye, 2013). Above all, all efforts made by various governments to stop street begging in IEE have proved abortive and many other reasons necessitate the establishment of *Waqf* in IEE.

Acronyms used in the paper are 'IEDPU'; 'IEE'; 'MDGs'; 'S.A.W'; 'Q'; and 'S.W.T' which means "Ilorin Emirate Descendants' Progressive Union"; 'Ilorin Emirate Economy'; 'Millennium Development Goals'; 'Qur'an'; '*SolallahuAlaehi Was-Salaam*' (Peace and Blessing of Allah be on him); and '*SubuhanahuWaTahala*' (Glory and Esteem be to Him) respectively.

2. Literature review

Waqfis "a religious endowment" (Khan, 1996: 889). Thus, if a foundation were to be Islamic, it does not have to come in the name of somebody's mother, father, wife, etc. According to www.irWaqf.com, *Waqf* is different from other acts of charity for it is *SadaqahJariyah*, an on-going, endless and sustainable religious endowment. It is an asset given as religious gift by a *Mujtahid* (Islamic Donor), has current and renewable challenges, can be used to buy assets to mosques, construct Islamic schools, construct public utility services, ceases to become the asset of the donor after delivery, to the *Mutawali* (Suretee) and yield sustainable economic development for the beneficiary who is safe and secured with it, leading to huge reward for the donor. The

donor of which must be matured, sane, not under pressure, objective, and has right over the property endowed.

Abdul-Yakeen (2006) ascertains that there is Islamic Banking Windows in Ilorin Metropolis but the patronage is below expectation. However, the existence of Islamic Banking Windows in Keystone and many other banks is a good step towards having a *Waqf*. Meanwhile, Abdul-Yakeen (2012) discovers that the contribution of Rotating Savings and Credit Associations (ROSCAS) to the economic development of Ilorin Metropolis is very great and thus recommended improved patronage of ROSCAS to attain the greater and sustainable economic growth and development. Muslims or Believers are called to be helpers of the course of Allah (S.W.T), (Q 61: 14). A Muslim is defined as a person in whose hand and tongue the lives and properties of other Muslims are safe (Khan, 1994: *Hadith* 10). He who feeds and greets others Muslims is a Muslim (Khan, 1994: *Hadith* 12). Most of the indigenes of IEE are Muslims Ahmad (2011); Yusuf (2012); and Danmole (2012). The implication of this is that the establishment of a *Waqf* will assist ROSCAS and Islamic Banking Windows of many Conventional Banks to develop the community in a more Islamically minded way. On The Untapped Role of Civil-Servants, Ibrahim & Abdul-Yakeen (2013) suggests the application of One-By-One (1X1) Financial Strategy in order to attain Affluence through the "Emulable 'Circular Flow of Wealth" in IEE. Thus, the need for the establishment of a *Waqf* in IEE cannot be over emphasized.

Development of human resources includes extensive and intensive training of man in all spheres of life to uplift his understanding and commitment to Islam (*taqwa*), efficiency, sense of responsibility, social spirit of individuals; and to establish Justice, *adl* in the society according to Ahmad (1980) cited by Molla et al. (1988). Rentable resources are the natural resources created by Allah (S.W.T) before and for man. They could mean all natural resources regarded as land in conventional economics. Sustainable development, therefore, is defined as voluntary and continuous increase in employment of resources (for the sake of Allah 'S.W.T') that leads to increase in output and improvement of the standard of living of people in this world and in the hereafter. This kind of development is sustainable because the contributors are not expecting material gains (interest, commission or compensation) from the beneficiaries (Q 92: 17 - 21) but countenance from His Lord, Allah (S.W.T) who will reward them with Paradise and eternal bliss.

Ibrahim (2006) tried to discover how individual collection and distribution of *Zakah* significantly contributed to ineffectiveness of *Zakah* in Ilorin Metropolis and suggested solutions which do not involve establishment of a *Waqf*. This shows the fact that the only compulsory financial institution in Islam is not yet well-coordinated by the community. Thus, the researchers had the necessary and sufficient excuses to commence a study on the formation of a Voluntary Financial Institution in Islam, *Waqf*.

Aliyu, Gatawa& Abdul-Yakeen (2013) discovers that the level of application of some Islamic Principles to the operation of ROSCAS in Ilorin Metropolis is sixty-eight percent. It recommends the improved employment of Islamic Principles to ROSCAS' operation at micro and macroeconomic levels; formalization; and transformation of ROSCAS to Islamic Banks to attain *Falah* (Success in this World and in the Here-After). With this level of compliance (68%) from the associations where people do get direct benefit, who knows what will be the percentage of compliance to Islamic Principles when it comes to the establishment of a *Waqf*. The challenge the Muslim countries face is to actualize the Islamic Vision of *Falah* and *Hayat Tayyibah* for

every individual in their societies in spite of the resource constraints they face, Chapra (1992/1412H: 339). *Hayat Tayyibah* means Clean life and *Falah* implies successful living in this Life and Here-After. The best way to achieve these is to add the establishment of *Waqf* to the current Islamic religious duties they uphold.

The best course for people who have surplus wealth is to hand it over to others so that they may satisfy their needs (Afzal-ur-Rahman, 2000). This assertion is derived from Qur'an (Q2: 267). Ministry of *Waqf*, Islamic Affairs, and Holy Places was issuing specialized amount of *Muqarada* Bonds the proceeds of which was used to build shops, offices, and factories on the *Waqf* Land, renting out the properties under *Al-Hijarah* contract and the rentals (*'ijr*) constituted its profit (Rosly, 2008). This shows that Ministries of *Waqf* can be established by all Islamic Governments and pieces of land could be set aside as a *Waqf* and lent out for business purposes. According to Gusau (1993), social security, Islamic Jurists described Social security in terms of guaranteeing of minimum livelihood of feeding, clothing, shelter, marriage and education. He continued that Social Security was enjoined on Prophets like Ibrahim (Q2: 73), Ismael (Q1: 58), Musa (Q7: 156) and Jesus (Q19: 31). The implication of this statement, though not mentioned by Gusau (1993), is that *Waqf* is a way of providing Social Security for the society.

Source of funds to *Waqf* could be through *Sadaqat* (Voluntary Donations). *Sadaqat* is rated in Islam (Al-Asqalani, 1996: *Hadith* 1324) which says "*Sadaqa* does not reduce property, Allah (S.W.T) increases the honor of him who forgives and no one will humble himself for Allah's (S.W.T) sake without Allah (S.W.T) raising him up". Thus, *Waqf* would lead to an improved welfare for the people of IEE. In addition, there is Time-Multiple-Counter-Loan (TMCL) invented by Sheikh Mahmud Ahmad (1980). This is an Islamically accepted means of financing because it involves no payment of interest on loans and is accepted by a lot of Islamic jurists. Thus, Establishment of *Waqf* can aid the execution of TMCL as an alternative to interest based financial system.

3. Methodology

The study area is Ilorin Emirate. Ilorin town is on coordinate $8^{\circ} 30'N 4^{\circ}33'E$ / $8.500^{\circ} 4.550^{\circ} E$, founded in 1450 and having a population of 847,582 as at 2007 (en.m.wikipedia/wiki/Ilorin, Nigeria; Accessed on 19th June, 2013 by 2am.). Ilorin Emirate was established in the third decade of nineteenth century, Ilorin town became popular Centre of Islamic Learning south west of Niger and beacon of light to Islam and Muslims in Nigeria till present time, Danmole (2012).

Aliyu (2010) sees *Shari'ah*, technically, as the Islamic Legal System that encompasses all aspects of life. *Waqf* as an aspect of Islamic economics is derived from *Shari'ah*. Guiding rules of Islamic Financial System (IFS) are derived from Qur'an and *Sunnah* [i.e. Sayings and Deeds of Prophet Muhammad (S.A.W)], Rosly (2008: 20). Allah (S.W.T) says believers shall follow Him and His Prophets respectively (Q64: 12). Qur'anic teachings are in three dimensions, namely: *Aqidah* (Faith and Belief), *Akhlak* (Ethics and Morality), and *Muamalat* (Transactions), Rosly (2008: 20). Impliedly, Islamic Financial System is derived from the basic sources of Islamic religion, *Shari'ah*. In order to elaborate it, Aliyu (2010) says that *Shari'ah* is derived from

three basic sources, namely: Qur'an (Words of Allah, Almighty God), *Hadith* (Prophetic Traditions) and *Ijma'* (Consensus opinion of Muslim jurists).

The researchers used explanatory method to analyze data obtained through Participatory, Discussion and Observation methods of analyzing primary and qualitative data. The secondary data were obtained from the Holy Qur'an, the primary source of *Shari'ah* (Islamic Law) and was used to back most of the arguments put forward for the establishment of *Waqf* in the study area. Following the above are the sayings of Holy Prophet, Muhammad (S.A.W), views and discoveries of Islamic scholars are used for data analysis and discussion of the findings. None of the data obtained is subjected to any scaling method or quantitative analysis but they are discussed briefly due to the fact that they are too numerous.

Without going into regression model but for explanatory purpose and in line with Keynesian Model (1936), the Six-Rs are written in linear and algebraic form as follows: $W = R_1 + R_2W - R_3W + R_4W + R_5W + R_6W = R_{ent}W + R_{ati}W - R_{idd}W + R_{eme}W + R_{ewa}W + R_{esi}W$ where 'W' is the volume of *Waqf* that could be had in IEE, R_1 , is a constant factor or the intercept of the equation standing in for the rentable asset or Land which exists, naturally, whether there is a *Waqf* or not; R_2 , R_3 , R_4 , R_5 , and R_6 are the parameters of the equation representing the derivative of *Waqf* with respect to the rationale for, riddles in, remedies for, rewards of and residuum of a *Waqf* in IEE.

The findings of the study are stated as the synthesis of the rented resources, rationales for the establishment of *Waqf*; riddles of organizing a *Waqf*; remedies to the problems of potential *Waqf* institution; likely gains that could arise from the *Waqf* if established in IEE and the rest, unknown factors.

4. Data presentation and analysis

The data obtained and explained in the study are based on the availability of rented resources, rationale, riddles, and remedies, rewards of *Waqf* in IEE and the residuum of other factors untouched by the researchers. It goes thus:

4.1. Rented resources that are employable for a *Waqf* in IEE (RentW)

Rented resources are the natural resources created by Allah (S.W.T) before and for man (Q 2: 22). ' R_1 ' or R_{ent} is expressing the likely linear relationship between the rented resources and *Waqf* in IEE. They could mean all natural resources regarded as land in conventional economics. This can be buttressed by the fact that IEE has been in existence long before people came to co-habit on it. '*Ardh* (Land). Land, according to jurists is not eligible for entitlement to share of profit as compared to other factors of production (Usmani, 2002). Therefore, a portion of the free gift of nature, land in IEE can be allocated for a *Waqf*. IEE has a very large land mass that is over forty percent of the entire land mass of Kwara State of Nigeria (Lambo, 2012). In agreement with Khan (1994: *Hadith* 1081), *Waqf* Land shall not be distributed, in order to preserve it for future generation.

4.2. Rationale for the establishment of a *Waqf* in IEE (RatiW)

Rationales are the *raison-deter* or arguments in support of the establishment of a *Waqf* in IEE. 'R₂' or Rati, is expressing the likely linear relationship between the rationale for and the establishment of a *Waqf* in IEE. The reasons why a *Waqf* should be established in IEE are listed and explained below.

Iman (Belief): Islamic Religion must be available in a place where a *Waqf* will be instituted. Muslims are the people who believe in Oneness of God, Allah (S.W.T), Messengership of Muhammad (S.A.W), *Ghaib* (invisible things), last day of judgment, observe *Salat* (Islamic Prayer) (Q 2: 3; and 3: 114). Muslims or Believers are called to be helpers of the course of Allah (S.W.T), (Q 61: 14). A Muslim is defined as a person in whose hand and tongue the lives and properties of other Muslims are safe (Khan, 1994: *Hadith* 10). He who feeds and greets others Muslims is a Muslim (Khan, 1994: *Hadith* 12). Most of the indigenes of IEE are Muslims Ahmad (2011); Yusuf (2012); and Danmole (2012). Thus, IEE people are obeying the *Aqidah* (Faith and Belief) teaching of the Qur'an as stated by Rosly (2008). Impliedly, IEE people have traditional and moral ethics used in transaction which conforms to Islam.

'*Amalan Soliah* (doing good work) or Gainful Employment and doing well with their wealth as stated in Qur'an (Q 18: 110) are found in the people of IEE. Believers are to struggle in Allah's (S.W.T) way (Q 5: 35), must not sit at home expecting Mercies of Allah (S.W.T) to fall on them without making some refinements on them. Though Allah (S.W.T) promises to provide means of sustenance to everybody (Q 51: 58; and 15: 20) He also enjoined believers to work (Q 2: 277); for Him, His messengers and the generality of Muslims to see (Q 9: 105). Seek for Allah's (S.W.T) Mercy after *Jumu'ah* prayers (Q 62: 10), and invite people to good deeds (Q 3: 104). Doing good leads people to Paradise (Q14: 124; 51: 22; and 7: 3), good life and better rewards (Q 16: 97); compensation with garden in Paradise beneath which rivers flow, perpetually sustainable living, and reciprocal mercy between Allah (S.W.T) and believers who fear Him; and workers would not be cheated (Q 3: 195). Allah (S.W.T) says the work may be a good one or bad one and everybody will see his work on the Day of Judgment (Q 99: 1 - 9). Thus, laziness and beggary are not condoned in Islam. Majority of the people of Kwara State in which Ilorin Metropolis is the capital are civil-servants, Ahmed (2013). The Holy Prophet (S.A.W) says it is better that one goes to fetch log of wood for sale and earn income than to beg (Khan, 1994: *Hadith* 748). Allah (S.W.T) also says after darkness, difficulty, failure, sufferness, pain, payment, and input comes illumination, ease, success, joy, receipt, and output respectively (Q 94: 5 - 6). Therefore, the *Muhamalat* (Transactions) teaching of Qur'an identified by Rosly (2008) is followed by the aborigines and recent settlers in IEE.

Kuluwa Sirabu (Consume: Eat and Drink): Muslims are allowed to eat and drink the lawful, products of their labor (Q 7: 157; and 3: 168). There shall be no illegal consumption (Q 4: 29), no prodigal spending (Q 7: 31), no stealing (Q 5: 41), no illegal capital accumulation (Q 2: 188). Here, the role of custom (*Urf*) and usage (*Ada*) must be adhered to. Thus, one must not embezzle wealth of others. One must also provide shelter for his family, or let your wife and children live where you live (Q 65: 6).

Infraq (Spending): It is agreed in Islam that Men are created in ranks (Q 43: 32; 16: 71; and 6: 165). As such rich believers are expected to spend out of their income in Allah's (S.W.T) way (Q 2: 274; 36: 47; 57: 7, and 65: 6 - 7). Spending could be from their wealth via kindness to the poor ((Q 92: 5 - 7; 107: 1 - 3); 51: 19;

and 28: 77) in order to protect the less privilege ones. You are created in ranks, if you must ask, ask Allah (S.W.T) (Q 43: 32) and men to give to women (Q 4: 34). *Nafaqat* (Maintenance of Wife, children, and close relatives) is the fact that husband must be ready to provide food, clothing, housing, education, health and other sustainable living facilities for his wives, children, close relatives (Gusau, 1993a). Thus, Muslims are permitted to spend each unit of their income on themselves, children, wives, slaves and where they know best respectively as could be inferred from an *Hadith* cited by Gusau (1993b). There shall be no niggardliness (Q 3: 180), no extravagance (Q 25: 67). In Islam, *Haqus-Saahil* means that beggars and destitute have right in the properties of the rich, (Q 70: 24 - 25) including the poor who does not beg for living (Q 51: 19). Orphans and Beggars are not to be driven away (Q 93: 9 - 11). Rich Muslims must be kind to the poor ones (Q 107: 4 - 7), feed the poor (Q 89: 17 - 18). Allah (S.W.T) promises anybody with problems that after problem is relief (Q 94: 5 - 6). Expenditure in Islam includes Low Income Earners, who are expected to spend out of their meagre income (Q 65: 7). People IEE do give alms to beggars especially on Thursdays and Fridays. They are free to spend their wealth or money in order to get increase in self purification (Q 93: 18). Prophet (S.A.W) in Khan (1994: *Hadith* 1103) encourages quick spending in Allah's (S.W.T) way within three days. Also, *Hadith* No. 522 of Sahih Al-Bukhari, Vol. 2 cited in the footnote of Khan (1996: 114) says everyday an angel pray to Allah (S.W.T) to compensate those who spend on His cause and another angel does pray that Allah (S.W.T) to destroy the misers. This implies that the *Akhlq* (Ethics and Morality) teachings from the Qur'an outlined by Rosly (2008) are not strange to the people of IEE.

Bai' (Trade) is permitted but *Riba* (Interest) is forbidden. Interest is forbidden but Trading is permitted in Islam (Q2: 275). *Bai'* (Sale), *Ishtirā'* (buying) and *Aqd* (contract) are permitted by Islam. Allah (S.W.T) wants to alleviate poverty (Q 4: 28). Thus, He says "Trade and do not cheat" (Q 4: 29 - 30). There shall be no hoarding (Q 9: 34), excessive accumulation of wealth (Q 104: 1 - 4). Never-the-less, rich ones must leave properties for their descendants to inherit (Q 4: 7). There are a lot of markets where people buy and sell commodities in IEE. Among them are: the Traditional, Goods Markets (*Oja-Oba, Oja-Omoda, Oja-Gbooro, Oja-Ipata, Oja-Ago, Oja-Tuntun*, Mandate Market and *Oja-Kankatuto* mention but a few), Modern Markets: Capital Market (Stock Exchange Market at Station Area in Ilorin, Banks, Insurance Companies, etc); and Labor Market (e.g. Civil-Service Commission, Local Government Service Commission, Teaching Service Commission and Universal Basic Education Commission, etc).

QardulHassanah (Good Loans): Excess output of a producer can be loaned out with proper documentation and witnesses (Q2: 282), debt postponement and forgiveness if the debtor is straightened and the creditor is able (Q2 : 280), but interest charges must be avoided (Q 2: 275 - 279). Loans must not be interest payment reliant (Q 2: 275) but should be good loans (*Qardul-Hassanah*), (Q5: 12). Most of the people in IEE do not engage in interest but that does not mean the absence of *Shylock Money Lenders*.

Ummah (Global Unity or Collectiveness of Muslims): Believers are enjoined to hold fast to the Rope of Allah (S.W.T) and do not be divided (Q 3: 103). The Qur'anic verse that says fight in the way of Allah (S.W.T) (Q 61: 4), should not be limited to physical fight against unbelievers but extended fight against poverty of wealth, knowledge, insecurity and other uncomfortable living conditions among believers and their neighbors. Danmole (2012) reports that the first Emir of Ilorin did not mount the saddle of leadership on the platter of gold. He established prestined Islam in Ilorin, sough for legitimacy from the then Emir of Gwandu,

Emir Muhammad B. Abdullah in 1829 and the request was granted as indicated in *Risalalla Amir Yarba*. This shows that IEE is part of *Ummah*.

Ihwah (Brotherhood), Sharikah (Partnership) and Wakaala (Manager or Agency): Brotherhood and giving out ones assets to others for management are permitted in Islam but there shall be no cheating (Al-Asqalani, 1996: ,*Hadith* 742 and 743). In addition, all loans must be repaid (Al-Asqalani, 1996: *Hadith* 751 and 752). However. Managers of *Waqf* have rights to test and consume from and manage the wealth of orphans if they (*Waqf* Managers) are poor (Q 4: 6). Allah (S.W.T) also says 'let there be among you, people exhorting people to doing good and forbidding bad deeds' (Q 3: 104).

Early Childhood Islamic Training which always lead to the construction of Dummy-Mosques by the very young ones before any Ramadan fast. The very young ones who are indigenes of IEE used to herald the coming of *Ramadan* Fasting (Annual Compulsory Fasting being observed by all Muslims) by constructing Dummy-Mosques which they (Very Young Ones) call Mosques. Probably, it is this infant spirit of mosque construction that grows with them that makes all the indigenes of IEE mosque-crazy (Very Determined to Construct Mosques). This kind of spirit can be extended to *Waqf*, especially now that we have necessary, sufficient and highly sophisticated mosques.

4.3. Riddles of establishing a *Waqf* in IEE (RiddW)

The Riddles are the puzzling questions that a reasonable person may ask concerning the existing factors that could hamper the establishment of a new thing (say, *Waqf* in IEE). 'R₃' or R_{idd} expresses the likely linear relationship between the riddles of establishing a *Waqf* in IEE. They are not called Problems but Riddles because they are funning, purposely existing not to debar *Waqf's* existence but some people would expect them to hinder the establishment of *Waqf*. Thus, some scholars may call them 'factors inhibiting the existence of a *Waqf*.' These go thus:

Desires for Direct Benefits: Most of the people of the IEE would want to get some benefits from the persons they lifted out of problems. Thus, there are Islamic Cooperative Societies in almost all the government establishments and private institutions in the IEE. Among them are: Muslim Staff Treasury of Government Day Secondary School, Amule, Ilorin; *Al-Halal* Cooperative Society of Kwara State University, Malete; Islamic Cooperative Society Saint Anthony Secondary School, Ilorin; and Islamic Cooperative Society at Deputy Governor's Office, Ilorin.

There are some modern Islamic Organizations that suppose to work towards the establishment of a *Waqf* in IEE. Among the Modern Islamic Organizations are: Council of Muslim Organizations (CMO); National Council of Muslim Youths (NACOMYO); and *Jamaatu Nasirul-Islam, Sherriffguard*, The NASFAT, QUAREEB and many other *Al-Asalatu*-Groups .

Existence of Foundations that are not committed to establishment of a Waqf: Among them are: Islamic Welfare Foundation which organizes monthly Lectures and Established an Islamic Cooperatives; Retired Justice Mustafa's 'Akanbi Oniyo Foundation', which also organizes Public Lectures in addition to philanthropic activities; LEAH Charity Foundation established, for political propagation, by the wife of the current Kwara

State Governor, Deaconess Omolewa Ahmed; Alh. Tunde Yusuf's 'TTY Foundation' that is giving scholarship to students; AdisaBakare Foundation also give scholarship to students; Raliat Islamic Foundation established in memory of the mother of Late Admiral Muhammad Lawal; AlhajaFaoziyyat Ola-Olu Ali Foundation is another private *Waqf* instituted in memory of the wife of Barrister Yusuf Ola-Olu Ali (SAN); Muhammad Kamaldeen Education Foundation (MUKEF) aimed at raising funds for establishing a University in memory of Sheikh Muhammad Kamaldeen Al-Adabiy. These foundations are individually owned and are not *Waqf* despite the fact that they are established by Muslims. The philanthropic moves by the politicians are not *Waqf* for they do not follow the principles of "We feed them to secure Allah's Mercy, we do not expect reward or thanks from them" as stated in Qur'an (Q 76: 9S) and *Qardul-Hassana* (Good Loans) extolled by Allah (S.W.T) in Qur'an (Q73: 20).

Inadequate communal support from the well-to-do and the so-called Islamic Preachers to the deprived, orphans, needy, poor and their helpers: Believers are exhorted to make adequate provisions for orphans (Khan, 1994: *Hadith* 743). Muslim Orphanage Home under the guidance of Architect Saifullah Ahmad Alege, stands alone for not bearing any name of any individual and not having any political and/or commercial motives. It is a real *Waqf* but undocumented but glaring report shows that little encouragement is given to its coordinator and staff.

Differences in Political Delination: Majority of the indigenes of IEE are card carrying members of different Political Parties but a vast majority are following the Eldest Son of the Deceased Political' the Icon of the town, Late Dr. Abubakar Sola Saraki. So establishment of a *Waqf* could be hampered by the party not having large number of their people as organizers of a *Waqf*.

Paradox of behavior and ostentatious living style of the New-Breed Islamic Scholars: Some of the New-Breed Islamic Scholars used to go to the houses of rich men, pray for them, accept payments and start ostentatious life by riding on the newly modeled vehicles, marry many wives and expensive houses. Part of their priorities are to become rich quickly in order to buy costly vehicles and live in mansions. They, Islamic Teachers do preach the virtues of spending for the course of Allah (S.W.T) but do not, as expected, practicalize the habit of spending in the name of Allah (S.W.T). Most of them generate incomes through religious donations but spend their incomes on the purchase of new and flashy cars, building mansions, big mosques that are costly to be maintained, polygamous marriages and *Maoludin-Nabiyy* ceremonies among other expenses which are tantamount to white elephant projects. In addition, they want people to abide by the time but they are also not time conscious.

Excessive Concentration of Wealth which ultimately leads to the Bequittance of Legacies to the First Child: In IEE, every rich, educated, royal, influential, religious, spiritual and outspoken man in IEE is pursuing the programme with which the first some of his family would inherit his legacy. Due to this fact, some specific families have specific profession and specific method of bequetting their legacies to their blood relations.

Marriage to Non-Muslims and Non-Indigenes: This is another riddle in the sense that whenever a rich man and an indigene of IEE dies and left a lot of properties, the Non-Muslims and non-indigene descendants always prevail on the legacies. They do debar the poor and needy orphans access to their Islamic rights. This,

in an occasion went to the closure of a Jumu'at Mosque, and non-release of a portion of land to a community development union in which it was bequitted.

Proliferation of Beggars: Beggars are growing in number and found along so many major streets almost every nooks and corners of the IEE. Among the places and major streets where you can find the beggars are *Oja-Oba* (Kings' Market), *Gambari*, *Omoda*, Emirs Road, Lagos Road, and *Ipata*, to mention but a few. Based on personal assessment, it is discovered that most of the beggars do not possess physical disability, incapacity or poverty. Added to the real beggars are the Political Beggars going to Political Office Holders to either beg for money or frame some undesirable excuses to request for financial assistants. Begging is not done for public interest (*Maslahah*) but personal gains. There and then some academics may ask questions like "Do these people believe in the regular statement of Muslims, in every prayer 'It is You (Allah) we worship and from You (Allah) we seek for sustenance" that is embedded in Qur'an (Q1: 5) or do they not make prayers the people of Cave, "Our Lord, provide for us from your Mercy and facilitate for us our affairs in the right way" in the Qur'an (Q18: 10).

Persistent Invitation of Muslims to Public *KiyamuLael* (Night Prayer) the cost (money, time, energy, etc) could be enough to establish and sustain a Waqf. Currently, there is hardly a week that passes and one will not hear invitation to Islamic Night Vigil by at least a Muslim Society on the Radio stations sited in IEE. None of these associations do call for a *Waqf* for the Emirate.

Excessive belief and compliance to the principle of 'Feed the Poor during Ramadan (Religious and Compulsory thirty days fasting that is observed annually during the lunar month of *Ramadan*) and get Multiple Rewards', in addition to other religious duties. Probably, because of this, some well-to-do citizens of IEE do not establish Foundations. We would have suggested an all year feeding of the down-trodden masses but for the fear of it being a disinvestment for the mentally sound, willing and able bodied men and women. This is evident in Senator Abubakar Saraki who doled out One Hundred Million naira to prepare *Iftar* (Food for people when breaking their Islamic Fasting) for the people of Ilorin Metropolis in 2013.

Other riddles or problems are Islamic preaching are politicized and personalized; traditional religious pilgrimage to *Kuo*; lavishing of time, money and other scarce resources during marriages, naming and Maoludin'Nabiyy ceremonies; Pomposity via the expressions of words like "*We-are-all-born-here, Nobody-can-drive-me-out-of-This-Town*" and "*Nobody-Can-Kill-Me Syndrome*"; absence of necessary and sufficient enlightenment on the virtues of doing goods for the sake of Allah (S.W.T); marriage of prominent muslims to christians; geographical distribution of Ilorin Metropolis into two major divides (i.e. *Oke-Imale* and *Aafin* dichotomy); absence of a Full-Fledged Islamic Banks; highest financial donations to religious foundations are from the Politicians while the least used to come from the Islamic Preachers; perpetual subjugation of Islamic Students to the control of their Islamic Teachers; biased and inadequate enlightenment (most of the sponsored religious programs on the Radio are for selfish ends. They are either for political campaigns, self aggrandizement or business promotion); desire for prompt or instant benefit; inactivity of the *Zakah* Collection Committee; existence of corruption in Nigeria; inadequate compliance to the Islamic Principles of Financing by the operators of existing financial system; absence of very strong opposition from the very minute fear that giving out of wealth reduces wealth of the giver; indigenes of IEE who are indigenes of IEE

who converted to Christian faith; land tussle between the government and the indigenous land owners in IEE; existence of sects among the practitioners of Sufism (*Tijaniyyat* sect, *Qodiriyya* sect, *Ikhlasiyyat* sect); and others too numerous to be mentioned.

4.4. Remedies to the riddles of *Waqf* in IEE (RemeW)

Due to the fact that the poor people, beggars, unlucky ones who lost their properties and wealth, and their means of living are straightened have rights (Shares) in the properties of the given, rich people, or well-to-do persons (Q 70: 24 - 25); the researchers were forced to suggest possible solutions to the above riddles. The suggested solutions are called remedies (Ways in which the Riddles of *Waqf* in IEE can be streamlined to form a *Waqf*). 'R₄' is R_{eme}standing in for the functional relationship between a *Waqf* in IEE and the suggested solutions to their problems. These remedies serve as recommended solutions to the riddles or hindrances to the Establishment of a *Waqf* in IEE. They are as follow:

Involvement of Institutional will: This is the process of making *Waqf* to be an Institution of its own and everybody to contribute to *Waqf* as an institution that will stand the test of time. Labor, education, administrative acumen, land, machines, materials, useful advice, materials, and the so-called scrap goods, can be contributed to *Waqf* as an institution. Thus, there shall be quick formation of a committee that would institutionalize the *Waqf*. Just like the Joint Committee of the Traditional *Ramadan* Festival, and the Central Mosque Committee. The need for the formation of a *Waqf* Committee cannot be over-emphasized. The Emirate Council under the Leadership of the current Emir of Ilorin, Alh. Ibrahim Sulu Gambari, can constitute the *Waqf* institution. The term of reference that may be given to the *Waqf* Committee shall be Institutionalization of *Waqf* in IEE. The committee members shall be trustworthy and retired academicians and civil-servants who may have no cause to swindle the assets.

There shall be Regular Call for Donations to Waqf: The regularity could be twice in a decade or every decade. Thus, it should not be only when we need to repair the Central Mosque that we will be calling for donations. All the existing modern Islamic associations and the foundations can assist this project. The duty of Regular Call for Donations can be assigned to Dr. Abubakar Ali-Agan, Alh. AbdulRahman Olanrewaju Ahmad (National Missioner of Ansarudeen Society of Nigeria) and the likes.

Inevitability of Bai'a (Pledge): Promise of good and Islamically acceptable behavior must be made by the people that will manage *Waqf* assets. With reference to *Hadith* 18 in Khan (1994: 62) the *Mutawali* (Trustee) of a *Waqf* must promise not to: associate anything with Allah (S.W.T), engage in sexual promiscuity, slander, biasness, kill anybody and misbehave. Justice Alfa Belgore (Retired Chief Judge of the Federation, Nigeria); and Justice, (Dr.) S.O. Muhammad, the current Grand Khadi of Kwara State, among others, could facilitate this duty.

Desirability of Amanah (Trustworthiness): All indigenes of the IEE shall try to be trustworthy so that they will be qualified as, at least, beneficiaries of *Waqf* assistance, if they cannot be managers of *Waqf* assets. Pending the establishment of a full-fledged Islamic Bank, the *Waqf* account can be opened as an interest-free account in a Conventional Bank. No matter how little everybody, residents and indigenes of IEE, is enjoined to strive to contribute to *Waqf* whenever they get surplus income.

Need for Collective Responsibility: Every indigenes of IEE shall be ready to avoid begging as stipulated by the Holy Prophet (Khan, 1994: *Hadith* 747) and work for/or contribute to the success of *Waqf* as '*abdullah* [Servant of Allah (S.W.T)]. The work for the *Waqf* shall be either manual labor, or mental labor, or both. Other contributions could be in terms of provision of legal backing, administrative acumen, security, technical advice, education, financial assistance, etc.

Impetus of Regulation and Control of Ostentatious Living Style: Here, incessant ceremonies, and usage of assets whose monetary values are too prohibitive should be minimized. This will check jealousy, armed robbery, incessant attacks, and wide gap between the rich and the poor,. At the fore front, here, we can have Retired General Abdullahi Muhammed as the Champion.

Creation of Political will: The Politicians shall have it as part of their Manifestoes that they are going to create and sustain a *Waqf* for the IEE in particular and the state in general. Distinguished Senator, Dr. Abubakar Bukola Saraki can spearhead the Political Will of having a *Waqf* IEE as an innovative venture over his predecessors.

Avoidance of Pomposity and Bragging: Everybody shall know that if another person cannot kill or banish him to other towns, Allah (S.W.T) is measuring his deeds and will reward him according to his action as could be read in Qur'an (Q 99: 1 - 9). Allah (S.W.T) will give greater reward to people who have heavy good deeds in His Scale and lesser reward for those with light good deeds (Q 101: 6 - 11).

Decentralization of Wealth: The rich, educated, royal, religious, and influential people of the Emirate shall be ready to disperse their wealth to other families. This will lead to fair and even distribution of wealth; peaceful co-existence, economic growth and development.

Subjugation of Colonial Legacies of injustice, inequity, nuclear family, selfishness, and many others to the Islamic Legacies of Peaceful Co-Existence, Justice, Equity, Brotherhood, Goodness to everybody, and many others. This mission can be led by the Chief Imam of Ilorin, Alh. Muhammad Basheer Salih.

Opening of *Waqf* Accounts with banks [e.g. Keystone Bank (Non-Interest Bank Accounts), Stanbic IBTC Bank (*Imaan* Account), Access Bank, etc] that have Interest-Free Accounts.

Avoidance of Marriage with Non-Muslims: All bonafide indigenes of IEE shall avoid tying nuptial knot with Non-Muslims. This will pave way for the Islamic legacies of IEE to be retained among the believers. Better still, they shall convert them (Non-Muslims) to Islam before death overtakes them (Muslims).

Formalization of Islamically Permissible Businesses: For the *Waqf* to be sustainable and honorable, beneficiaries of *Waqf* funds and *Waqf* managers shall embark on all *Halal* [Islamically permissible businesses like *Mudaraba*, *Murabaha*, *Musharaka*, *Bais-Salaam*, *Bai' Muajjal*, One-By-One Financial Strategy, Time-Multiple-Counter-Loans (TMCL), and *Al-Jumuah* Cooperatives or Rotating Savings and Credit Associations (ROSCAS). By implication, they should avoid all *Haram* [Deals that are forbidden by Islam, for example *Maysir* (Gambling), *Riba* (Interest or Usury dealings), sales and or eating of dog and swines, dead animals, and alcoholic drinks].

Optimal Utilization of 'ardh (land) resources within the IEE: Some portion of the land can be set aside as *Waqf* Land. The unused properties could also be loaned out on *Qardul-Hassanah* basis to *Waqf* for Allah

(S.W.T) says if you lend good loan (*Qardul-Hassanah*) to Allah (S.W.T) you will get multiple rewards (Q 64: 18). This principle of Time-Multiple-Counter-Loan (TMCL) could be applied when giving out monetary loans under *Waqf*.

Efficacy of Ad-Dua' (Prayer): The prayer of the managers and beneficiaries of *Waqf* fund must comply with *Hadith* 1331 in Al-Asqalani, (1996: 537) where the Holy Prophet (S.A.W) says "O Allah! as You have made my form beautiful so make my character beautiful".

Purchase of Tangible Commodities: *Waqf* beneficiaries must ensure that they spend financial assistants, grants and/or loans obtained on tangible, productive, sustainable and lasting goods and services. In other words, poor people, especially, should stop lavishing monies on frivolities.

Modernization of Waqf: This is a situation where *Waqf* complies with all and current Mercies of Allah (S.W.T) released for the betterment of human race. The Mercy in Vogue is the Electronic-Dealings. Thus, the IEE *Waqf* shall have a website where stakeholders can inform and be informed of *Waqf* activities. This would minimize the cost of information dissemination and make *Waqf* to be Millennium Compliant.

4.5. Rewards for establishing a Waqf (RewaW)

R_5 or R_{ewa} is the parameter of the relationship between a *Waqf* in IEE and the likely prospects. Among the prospects of *Waqf* in IEE are:

Generation of employment via the promotion of effective utilization of resources: Prompt and effective demand is encouraged in Islam through the verse that says "Spend before death comes", (Q63: 10). Here, Islam encourages Effective Aggregate Demand. The Holy Prophet (S.A.W) also encourages quick dispensation of personally owned resources, in Allah's (S.W.T) way within three days (Khan, 1994: *Hadith* 1103).

Minimization of Street-Begging along the main mosque, other mosques and major streets of Ilorin Metropolis: IEE will be a better nation as promised in the Qur'an (Q3: 110). It will also aid the attainment of Millennium Development Goals (MDGs) before the targeted year. Fund for maintaining the Ultra-Modern Central Mosque and other mosques in IEE can come from *Waqf*.

To be precise, the establishment of *Waqf* in IEE will lead to peaceful co-existence. This is because both the rich and the poor, old and young, producers and consumers, males and females, leaders and the led, strangers and dwellers, will live peacefully with each other.

Waqf establishment will lead to Social and infrastructural development: For Spending leads to the removal of people from darkness to illumination (Q65: 11). In addition, it leads to soul's benefit (Q64: 16), self-control and direct benefit to the consumers before their death overcomes them (Q63: 10). That is to say the *Waqf* can enhance regular supply of electricity in IEE.

In addition, the establishment of *Waqf* in IEE will lead to increase in output, consumption of *Halal* (Permissible) goods, creation of gainful business avenues, price stability, bumper harvest, savings, investments and many other symptoms of economic growth and development.

4.6. Residuum of *Waqf* (ResiW)

R_6 implies R_{esi} which is written to cover all the mentioned issues in the establishment of a *Waqf* in IEE. The researchers agree that factors influencing *Waqf* in IEE have not exhausted or, that, all factors that can influence the existence of a *Waqf* for the entire indigenes of IEE. The study does not exhaust all the points available under the Six-Rs of *Waqf* in IEE, for to Allah (S.W.T) belongs all and complete knowledge. Allah (S.W.T), is powerful over all things and surrounds them with His knowledge (Q65: 12). The untouched factors are other factors that can influence the establishment of a *Waqf* for IEE and described as the error term or white noise.

4.7. Synthesis of the Four-Rs of establishing *waqf* in IEE

From the above, Rented resources in the study are the landed materials which IEE possesses.

Rationales or reasons why a *Waqf* must be established in IEE are: Land, Existence of Believers, Gainful Employment, Consumption, Spending, Trade, Good Loans, Brotherhood, Unity, Partnership, Agency, and Early Childhood Islamic Training among others.

Riddles of *Waqf* in IEE are: desire to get benefits from the person helped out of a problem, existing modern Islamic Organizations and Foundations that are not working towards the establishment of *Waqf*, Inadequate communal support for the Muslim Orphanage Home, differences in political delinations, Paradox of Behaviour of New-Breed Islamic Scholars, Excessive Concentration of Wealth, Marriage to Non-Muslims and Non-Indigenes, Proliferation of Beggars, Persistent Invitation of Muslims to *KiyamuLael*, belief in 'Feeding the Poor during Ramadan', and others too numerous to be mentioned.

Remedies to the above riddles the mandatory duties of affluent muslims upon the straightened ones. They are the Institutional will, Regular Call for Donations to *Waqf*, Pledge to be made by the Trustworthy Committee Members based on terms of reference, avoidance of begging profession, regulation and control of ostentatious living style, Political will, Avoidance of Pomposity and Bragging, Subjugation of Colonial Legacies to Islamic Legacies, Opening of *Waqf* Accounts with banks that have Interest-Free Accounts, Avoidance of Marriage to Non-Muslims, beneficiaries of *Waqf* funds and *Waqf* managers shall embark on all *Halal* (Islamically Permitted) businesses, set aside portion of Emirate Land as *Waqf* Land, regular Prayer must be made for the success of *Waqf*; and purchase of tangible, productive, and sustainable commodities with *Waqf* Fund.

Rewards or prospects of *Waqf* in IEE are employment generation, minimization of Street-Begging, enhancement of peaceful co-existence, increase in output, consumption of *Halal* (Permissible) goods, creation of gainful *business* avenues, price stability, bumper harvest, savings, investments, self-control, social development, infrastructural development (Illumination); people derive direct benefits from their income before their death (Q63: 10), and many other symptoms of economic growth and development.

Residuum of a *Waqf* are the other areas of *Waqf* which the researchers do not know and discuss.

5. Concluding remarks

In conclusion, due to the fact that out of the Six-Rs of a *Waqf*, three (R_2 , R_4 , and R_5) have positive, one (R_1) has constant, one (R_6) unknown (R_1) and the last (R_3) has negative relation to *Waqf* we can authoritatively say that *Waqf* can be established in IEE without much hassles. Thus, the Ilorin Emirate Council shall start, right away, the inauguration of a *Waqf* Committee and authorize them to establish a *Waqf* for IEE, in a jiffy. In addition, many studies and implementation of the recommendations of this kind shall be conducted in other Islamic villages, towns, metropolis, megalopolis of all nations and the entire world so that we can resuscitate the Global Muslim *Waqf* (*Waqful-UmmatulMuslimeen*) which precedes and supersedes the MDGs. MDGs as approved by all member countries of United Nations' Organization, include elimination of extreme poverty, improvement of health, education, equality of sexes, global financial cooperation, etc which have been embedded in *Waqf* since its inception.

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