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NIGERIAN UNIVERSITIES' ROLE IN ACTUALIZING SDG-4 (QUALITY EDUCATION) THROUGH WAQF WITHIN NIGERIAN LAWS: LESSONS FROM AL-AZHAR UNIVERSITY, CAIRO

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Abstract

Arguably, for any nation to develop socially, economically and politically, the quality education of its citizens must be prioritized. For this reason, the realisation of quality education (SDG-4) forms part of the 17 Sustainable Development Goals. However, due to underfunding of the education sector, Nigeria, as one of the United Nations state members, lags behind in the implementation of the SDG-4. Thus, the aim of this paper is to explore the roles Nigerian universities can play in achieving SDG-4 through Waqf, in the light of lessons from Al-Azhar University in Cairo, Egypt. Waqf is an Islamic endowment, where a religious and charitable dedication of a person's assets, without expectation of any material gain, is made to sustain educational development. It is a form of philanthropy with potential for greater education investments in Nigeria. This paper adopted both library and qualitative research methods. As regards library-based research method, in-depth review of primary source such as the Northern Endowment laws, the 1999 Nigerian Constitution; and secondary source, such as articles in journals, electronic materials, text books, was conducted. Qualitative research method involved the conduct of semi-structured interviews on selected participants. The paper revealed that Waqf could be used to fund and implement projects related to improving quality education in Nigerian universities drawing lessons from Al-Azhar University in Cairo, Egypt. The paper also highlighted legal challenges that could be encountered by Nigerian universities when playing their roles in achieving SDG-4 in the country. Therefore, the paper recommended imperative legal reforms and policies.

Keywords: Quality Education, Nigerian Universities, Waqf, Al-Azhar University, Legal Instruments

Introduction

About 194 United Nations state members, including Nigeria, adopted another 17 goals (popularly known as SDGs) that would succeed the Millennium Development Goals (MDGs) for the next 15 years (2016-2030). Some of the agenda entrenched in the SDGs are worthy of commendation. This is because the goals seek to eradicate poverty in all its forms and dimensions; and catalyze the growth and development of poor and vulnerable regions (Rotimi, 2016).

Nigeria is committed to achieving the SDGs particularly the seven prioritized goals which are: issues of poverty (SDG 1); good health and well-being (SDG 3); equitable quality education (SDG 4); gender equality (SDG 5); an inclusive economy (SDG 8); peace, justice and strong institution (SDG 16); and partnerships for the goals (SDG 17) (Voluntary National Review, 2020). However, based on available progress report, implementation of SDGs 4 in the country, among others, is not encouraging (Voluntary National Review, 2020). According to documentary evidence, despite the fact that the country is one of the nations that are endowed with various natural resources (Natural Resources, n.d.), same appear not have been utilized to improve the living conditions of the citizens (Amuda and Buang, 2015). For instance, Nigeria, among the nations of the world, is blessed with abundance of natural resources such as oil, gas, lead, coal, limestone, iron ore, tin, zinc and host of others.

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Arguably, if all these resources were judiciously managed and utilized the country would have achieved key dimensions of human development which include attainment of quality education, one of which that forms part of the 17 goals conceived and adopted in 2015 by the UN member states, including Nigeria, to be realized by 2030. However, the majority of Nigerian people still experience lack of access to quality education (SDG-4).

Meanwhile, to address the unpleasant situations stated above, Nigerian governments, federal and states, have devised different approaches and possible ways to ensure that SDG 4 is realised but desirable results seem not to have been recorded. Arising from this fact, it is deductible that Nigerian government could not alone provide all basic services leading to achieving the Goal 4. It is in view of this that a study has observed that Multi-national Corporations, Non-Governmental Organizations, well-to-do personalities in the society can play a significant role in perfecting government's struggle in the provision of infrastructure (Ele, 2013). Admittedly, in a bid to achieve the SDG 4, Nigerian government has introduced various educational reforms. Nevertheless, the fact remains that the Goal 4-equitable quality education-has not been substantially realised in the country.

Hence, waqf, which is adjudged as promising scheme and having viable potentials, has been advocated by various studies to be explored to achieve SDG-4 in the country. Waqf is an Islamic endowment, where a religious and charitable dedication of a person's assets, without expectation of any material gain, is made to sustain educational development. It is a form of philanthropy with potential for greater education investments in Nigeria. Notwithstanding this potentiality, exploration of waqf for the realisation of the goal 4 may prove difficult if responsive and robust legal frameworks and policies are not in existence.

Thus, this paper is structured on seven divisions. After this introductory section, section two entails research methods being adopted to carry out the study while section three examines the extent to which SDG 4 is being implemented in Nigeria. When section four takes a look at some of the identified challenges facing the realisation of SDG 4 in Nigeria, section five deals with the roles Nigerian universities may play in the efforts of implementing SDG 4 through waqf in the country drawing lessons from Al-Azhar University Cairo, Egypt. In section six, effort will be made to analyze available waqf laws with the view to ascertaining their adequacy to realise SDG 4 through waqf. Lastly, section seven deals with conclusion and suggestions of provisions in the proposed legislation capable of assisting the Nigerian universities in their roles to realise SDG 4 through waqf in the country.

Methodology and Data

The paper adopted hybrid of the doctrinal and qualitative research methods. The doctrinal method entailed the in-depth review of primary source such as the Northern Endowment laws, the 1999 Nigerian Constitution (as amended); and secondary source, such as articles in journals, electronic materials, text books and others. This method is imperative so as to identify, explain and analyze the theoretical framework on the existing laws and literature bordering on waqf. Thus, relevant information was garnered from different libraries.

In order to assess how far waqf has been successfully harnessed to realise SDG-4 in other climes, qualitative method was adopted. This involved semi-structured interviews to elicit direct information from participants selected vide a purposive sampling technique. For this study, the six (6) participants interviewed were categorized into three (3). The first category, coded as IPs 2-5, comprises graduate of Al-Azhar University, Cairo. This category were selected because they enjoyed directly the official scholarships of the institution and thus they have first-hand experiences of how waqf has been explored by Al-Azhar University to meet its financial obligations. The second category contains a civil servant in the SDGs Agency in one of the states in Nigeria. This participant, coded as IP1, was selected because, by virtue of his office as a financial secretary, he is conversant of various activities of the Agency. The third category, coded as IP6, involves a lawyer and judicial officer who has personal experience of waqf administration.

Table 2.1 depicts Description of the Interview Participants

Participants' Code	Gender	Academic and Professional Qualification	Occupation
IP1	M	BA	Financial Secretary
IP2	M	BA	Teaching
IP3	M	BA	Teaching
IP4	M	BA; MA; PhD	Lecturing
IP5	M	BA; MA	Teaching
IP6	M	BA, LL.B, BL	Judicial Officer

Source: Field Research (2022)

IP: Interview Participant

Implementation Of SDG-4 (Quality Education) In Nigeria

For any nation to develop socially, economically and politically, education of its citizens must be given top priority attention. This is predicated on the fact that there is a correlation between quality education and development of any nation. Against this backdrop, late Nelson Mandella, the then South African President, is quoted to have reasoned that education is the most viable tool that can be explored to transform the whole world. No nation can actually advance without its people being well informed (SDGs Monitor, 2019).

Thus, it is in recognition of the stupendous role of education as an agent of development that various governments all over the world do not only give priority to access to education for their citizens (Famade, 2014) but also to functional and qualitative education (International Organisation for Nigeria, 2014). However, for education to serve as a weapon of development, such education must be of good and high quality in nature, that is, functional. According to some researchers in education, functional education is that which promotes technological growth, self-employment, self-reliance, positive nation building, job performance, competency, life skills and lifelong education (SDGs Monitor, 2019). Corroborating this position, the National Policy on Education of 1981 is quoted to have stated thus: '....not only is education the greatest force that can be used to bring about redress, it is also the greatest investment that the nation can make for the quick development of its economic, political, sociological and human resources' (Godpower, 2015, p. 148)

Recognizing the above fact, the Nigerian government introduced, in 1999, the Universal Basic Education (UBE) programme which was established in order to ensure that all Nigerian citizens have access to quality, affordable, free and compulsory basic education. To make it effective, the programme was given legal backing through the enactment of the UBE Act, 2004 (Voluntary National Review, 2020). Among the provisions of the Act is that free, compulsory and universal basic primary and junior secondary schools education must be provided by every Nigerian government for every child in the country (s. 2(1) of the UBE Act). In emphasizing the commitment of the Nigerian governments to provide free education, the Act provides that services i.e. books, instructional materials, class rooms' furniture and lunch must all be provided free of charge in public primary and junior secondary schools (s. 3 of the UBE Act). As sanction, the Act provides that any person that collects fee in respect of the earlier mentioned services is liable to a fine or imprisonment or both (s. 3(2) of the UBE Act). Moreover, among the goals of the Nigeria Economic Recovery & Growth Plan (ERGP) 2017-2020 are not only to ensure that every Nigerian has access to basic education but also improve the quality of education at both secondary and tertiary levels (Voluntary National Review, 2020).

As regards achieving SDG 4, there have been improvements in some aspects in the education sector in Nigeria. For instance, libraries in many government-owned-schools are adequately stocked. This development has improved the literacy and numeracy skills of many learners (Voluntary National Review, 2020). In support of this position, IP 1, an interview respondent, stated that in an effort to implement SDG 4, the SDGs Agency under his state government with the support of the SDGs Agency under federal government, has built many buildings for various schools across the state. In addition, the policy of teacher certification was made to ensure that only qualified and professional teachers teach in schools (Voluntary National Review, 2020).

Notwithstanding the above-mentioned achievements, challenges still face educational system in the country. These include poor infrastructure and learning environment, poor funding, shortage of qualified teachers, and insufficient instructional materials (Voluntary National Review, 2020). Importantly, a United Nations International Children's Emergency Fund (UNICEF) report established in 2018 that 13.2 million children were out-of-school (Voluntary National Review, 2020). Along this line, the Reports released in August 2022, showed that in 2019 only 69.9% of children had opportunity of attending school coupled with the problems associated with lack of quality of numeracy abilities and reading (The Office of the Nigerian Vice-President, 2022).

It is instructive to state here that these targets, which are pursued towards the realisation of SDG 4, are yet to be achieved. This is manifested in the acknowledgments of the ERGP 2017-2020 that the Nigerian educational system still faces various challenges (Voluntary National Review, 2020). In a bid to address the challenges facing education sector, the Nigerian government rolled out a road map tagged: 'Education for Change: A Ministerial Strategic Plan (2016-2019)' (SDGs Monitor, 2019, p. 7). The said plan, which comprises ten major components, includes solution to the issue of out-of-school children; enhancing basic and secondary school education; adult literacy and special needs education, prioritizing quality and access in higher education; strengthening library services and others (SDGs Monitor, 2019, p. 7). Nonetheless, the Nigerian government is yet to adequately actualize the said strategic plan. This unpleasant situation is hinged on a number of factors which will be discussed in the next section.

Challenges Facing the Realisation of SDG 4 in Nigeria

Earlier it has been noted that the realisation of SDG 4 is faced by myriads of certain challenges. These range from inadequacies of access to quality basic education, number of qualified teachers and lecturers, deficit in educational infrastructure at all levels, insufficient funding and several other problems. The next sub-sections elaborate on some of the challenges in some details.

1) Commercialization of Education Sector:

Nigerian governments have not been taking aggressive approach to education as many citizens are experiencing lack of access to education. In this connection, unaffordable costs have been identified as one of the factors contributing to the unpleasant situation as many Nigerian parents cannot bear the high cost of education in private schools. This is associated with poverty level among others (Nigeria National Review Report, 2015). Since children are required to pay for their education, therefore, many less privileged children are hawking in the streets instead of being at the school (Lawrence, 2020). The position is well articulated by the following statement: 'Even where primary education is technically free in most states of the federation, additional charges for uniform, textbooks and transport fares to schools create financial barriers for many parents' (Godpower, 2015, p. 150). Consequently, these serve as stumbling block for many to have access to education. In support of this position, a Report released by Nigerian

government in August 2022, revealed that financial burdens and insecurity in some part of the Northern region of the country served as a strong constraint to access to quality education, particularly girl child (The Office of the Vice-President, 2022).

2) Financial Constraints:

To some extent, it is believed globally that the amount of money injected in education is a parameter to measure the quality of education that would be achieved (Lawrence, 2020). In this connection, inadequate funding has been identified as inhibition to educational access in Nigeria (Famade, 2014). For instance, since the attainment of independence in 1960, Nigeria has not been able to allocate more than 13% of the annual budget to education sector (Ige and Fasakin, 2014). In essence, allocation to Nigerian education sector falls abysmally below the United Nations recommendation which is 26% of the entire total annual budget (International Organisation for Nigeria, 2014). In 2018, the budgetary allocation to the education sector was just 7.04 percent, which is ₦605.8 billion of the entire national budget which stood at ₦8.6 trillion (SDGs Monitor, 2019; Kolawole, 2019). No wonder, it may be against this backdrop that, in the Federal Ministry of Education's report of 2018, it is recommended that government should increase its funding of education sector. This is to improve educational facilities, remuneration and motivation of teachers (Voluntary National Review, 2020). It is also recommended that a policy granting scholarships to students should be formulated so as to increase the enrolment in secondary school (Voluntary National Review, 2020). The review concludes among other things that inadequate funding to education in the country is a big threat to the realisation of SDGs 4 targets (Voluntary National Review, 2020). This aligns with the finding of a study that poor funding has brought about dysfunctional of the education sector (Lawrence, 2020).

3) Corroborating the above, the Reports on SDGs 3 and 4 released and launched by the then former Vice-President, Yemi Osinbajo in August 2022, established that education sector is grossly under-funded compared to other nations in Africa (The Office of the Vice-President, 2022). This certainly hindered the implementation of the SDG-4 targets in the country. The Reports therefore recommended that education funding should be increased to 20% at all levels (The Office of the Vice-President, 2022).

4) Gross Mismanagement of Resources:

As a rider to the points earlier discussed the challenge of underfunding presents great threats to education sector as a result of corruption in the country. This manifests when funds appropriated or approved by the lawmakers for education sector and inadequate funds, as argued by many studies, are fraudulently diverted to personal purses by public officials (SDGs Monitor, 2019; Kolawole, 2019; Lawrence, 2020). In view of this, the Nigerian government seems not have been on the right path to actualize the targets of quality education by 2030.

5) Poor Provision of Schools' Facilities:

A corollary of gross inadequate funds and that of misappropriation of the little that are available is the poor provision of necessary schools' infrastructure (Boyi, 2021). Put differently, there have been challenges of providing basic needs in schools such as libraries well stocked with the necessary books, magazines, journals, computer labs, and science laboratories and so on (Kolawole, 2019). Moreover, structures of majority of public schools are not in good shapes. Walls and roofs of some public schools have collapsed, dripping roofs, inadequacy of office furniture; some students do receive lessons on bare floors while some are taught outside under trees due to insufficient classrooms (Bodang and Philip, 2021).

6) Meagre Amount of Teachers' Salaries:

As the level of education continues to fall, the Nigerian government appears not have made required efforts to augment budgetary allocation to the sector. The resultant effect is that teachers are not adequately motivated as they earn meagre amount of emolument (Bodang and Philip, 2021). This is in disregard of the recommendation of the High-Level Political Forum on Sustainable Development (HLPF) that said teaching is a noble profession and teachers have an important role to play in the preparation of future generation, therefore all measures must be taken to prevent teachers' slow destruction by prioritizing their decent working conditions and motivating opportunities (High-Level Political Forum on Sustainable Development, 2019). Unfortunately, this unbearable situation encourages some of the teachers to look for alternatives in order to improve their poor condition of living. Consequently, a number of them pay low attention to their noble profession of teaching (Kolawole, 2019). Aside from earning meagre salary, their remunerations are not paid as at when due. This, of course, leads to incessant industrial actions embarked upon by teachers' associations such as the Academic Staff Union of Universities. Of course, once the teachers down tools the schools would have to be closed for a period thereby making students to spend more than required period for their respective fields of study (Kolawole, 2019).

The following table shows the ASUU strikes from 1999 to 2022, with reasons (Demnis, n.d.; Wahab, 2018):

Year	Period the Strike Lasted	Reason(s) for the Strike
1999	5 months	Failure of the Federal Government to implement agreements as to the working conditions in Nigerian universities
2001	3 months	Reinstatement of 49 lecturers sacked by University of Ilorin
2002	2 weeks	Failure on the part of the Federal Government to implement agreements
2003	6 months	Non-Implementation of agreements
2005	2 weeks	Non-Implementation of agreements
2006	1 week	Non-Implementation of agreements
2007	3 months	Non-Implementation of agreements
2008	1 week	Salary scheme and reinstatement of 49 lecturers by University of Ilorin
2009	4 months	Non-Implementation of agreements. The strike led to a new agreement tagged: ASUU/FG Agreement of 2009
2010	About 6 months	Non-Implementation of the 2009 agreement
2011	59 days	Non-Implementation of the 2009 agreements, 70 years retirement age limit
2013	5 months, 15 days	70 years retirement age limit, revitalization, increase in budgetary allocation to the education sector by 26%
2017	1 month	Unresolved matters
2018		Non-Implementation of the 2009 agreements
2020	9 months	Refusal to IPPIS platform, underfunding of universities and other matters
2022	8 months	Non-Implementation of the 2009 agreements

Diagram 4.1: ASUU Strikes from 1999 till 2022 in Nigeria

Source: Author's Design, 2022

From the table above, it is discernable that the reasons for the strike actions are mostly non-implementation of the 2009 agreements between the Federal government and the Union in which ASUU calls for upgrading of campuses' infrastructure and improving staff welfare. Thus, there is no

doubt that the industrial actions have serious adverse effects on the educational system and the result is a decline in quality education.

Based on the discussions so far, to have an effective implementation of the SDG 4, synergy and collaborative efforts of governments, civil society and the private sector are required. Along this line, there is the need to mobilize and explore the transformative potential of private resources to actualize SDG 4.

Having established that Nigerian government is yet to adequately realise SDG 4 in the country, there is the need, therefore, for Nigerian universities, being one of the critical stakeholders in this respect, to play their vital roles through waqf that has been adjudged to be a viable tool in the provision of education.

Roles of Nigerian universities in actualising SDG-4 (quality education) through waqf: lessons from Al-azhar university cairo

At the initial stage of Islamic history, waqf played significant role in financing education. It is on record that for many years, waqf was the only source being explored to fund the educational needs of Muslims throughout Islamic nations; even governments that established schools do finance the schools with proceeds from waqf properties that generate regular revenues. For instance, during the Umayyad, Abbasid, Ayyubiah and Ottoman governments, many Islamic schools universities and libraries were built from the proceeds of waqf (Marina, 2020). Thus, waqf revenues have been utilized in Muslim world to provide accommodation, feeding, and students' stipends. It should also be noted that the waqf creation for advancement of education is not restricted to only religious knowledge but also covers other aspects of knowledge such as science, technology etc. At this juncture, sharing the experience of Al-Azhar University in the exploration of waqf to advance education seems relevant. For simple reason that the institution is well known in this regard. This assertion would be substantiated in due course.

The name 'Al-Azhar' was coined from Fatimah Az-Zahra, one of the daughters of Prophet Muhammad (peace be upon him) and married to Khalifah Ali bin Abi Tālib (RA), a cousin to the Prophet and his forth successor. Al-Azhar University started in the form of a mosque in Egypt. This mosque, whose construction commenced in 970 CE by Panglima Jawhar As-Siqili, was officially commissioned in 972 CE by the then Khalifah Al-Muiz Lidillahi Al-Fatimi after Friday prayer (Agung, 2020). In order to prevent any ownership tussles, the Al-Azhar mosque and all its appurtenances were donated to all Muslims (Agung, 2020).

When it comes to exploring waqf to advance education, Al-Azhar University, Egypt, is in forefront. The existence and operation of this university still depends on waqf proceeds till date (Agung, 2020). Historical facts have established that Al-Azhar University has a very long experience of waqf as it was the most ancient university in the world to make provisions for free education from primary to university levels (Marina, 2020). After the reign of Khalifah Al-Muiz Lidillahi, there emerged the era of another Khalifah by name Al-Aziz Billah. It was this particular Khalifah that established waqf; purchased warehouses and plantations to shoulder the financial obligation of the University (Pitchay, 2018). Then, Al-Hakim Bi Amrillah, the sixth Khalifah of Fatimiyyah, introduced new waqf institution named as 'Dar Al-Qurb'. Any profits generated from the new established waqf were utilized to finance various educational activities of the university (Pitchay, 2018), including financing all its operations such as remunerations of lecturers, students' scholarships etc. from proceeds of its waqf properties (Agung, 2020). The ideas of productive waqf movement were conceived by Al-Azhar University with a view to providing affordable and quality education for all knowledge seekers. Thus,

the institution provides subsidies through productive waqf management for students in form of scholarships, feeding, and accommodation (Agung, 2020).

In furtherance of the above, empirical evidences have shown that waqf proceeds have been disbursed to pay the students' allowances in the Muslim nations. To corroborate this assertion, IP2 declared thus:

As regards allowance, in the first instance they used to give us £90 Egypt pounds monthly, which then was equivalent to ₦10,000, Nigerian money. But later when I got to year three, our allowance was increased to £200 Egypt pounds. We used to receive this same amount i.e. £200 Egypt pounds until I finished my studies. Presently, I got information from the students that their monthly allowances have been increased to £500 Egyptian pounds.

Aligning himself with the words of IP2 above, IP3 hinted as follows:

Beyond this, we were given enough allowance to provide for ourselves some other needs. We even at times sent surplus home not for building house [smiling] but as a gift to our relatives and friends as well. We were also given handouts allowance. There is no academic session except we were given allowance for handouts for every semester i.e. for every academic session we were given handouts allowance for first and second semesters respectively. Initially, when we got there we were given £350. But later our allowances were increased to £500 Egypt pounds, then £750 Egypt pounds and later £1000 Egypt pounds monthly. It was £1000 Egypt pounds, which is probably equivalent to ₦40,000 (Forty Thousand Naira) only, we used to receive as monthly allowance until I graduated in the year 2020.

Furthermore, IP 5 an interview participant remarked thus: 'During my sojourn in Egypt as University student, I benefited a lot from Waqf. I gained some scholarships that aided my studies. I lived in hostel built with Waqf funds.' Equally, IP 4 an interview respondent summed up the benefits he received from his scholarship being financed through waqf revenues during his study at Al-Azhar University, Cairo, thus:

In essence, feeding, accommodation, healthcare facility and library are provided for us free of charge. Aside, every month we received enough allowance. From this allowance, we are expected to provide for ourselves personal needs such as cloth, books covering syllabus to ease our educational pursuit.

Some of the factors that contribute to the successful implementation of waqf in Al-Azhar University, Egypt include the fact that the scholars of the university also possess outstanding business, agriculture and building construction expertise (Agung, 2020). The consequential effect of this is that Al-Azhar's waqf is managed productively for nearly 900 years ((Agung, 2020)), thus Al-Azhar is able to utilize proceeds from its company, agriculture, plantations and rental property to finance all its needs and thereby engender its sustainability. To cite an example, it is on record that in 1986, the sum of £147,324,300 was expended on educational development and activities in the Al-Azhar University. This included the refurbishment of structures in 55 existing faculties together with good taking care of many students and staff (Marina, 2020). On the strength of this account, it is less surprising that Makdisi, while looking at the Quba Mosque constructed by the Prophet (peace be upon him) in Madina, which served as the earliest spiritual and educational centers, said that the education system and waqf institution are inseparable in the Muslim world (Marina, 2020).

From the above, it is deductible that Al-Azhar University does engage in plantations, agriculture and businesses, all of which that are patterned on waqf. Thus, Nigerian universities can draw lessons from the institution in realizing SDG-4 (Quality Education) through the exploration of waqf by equally

engaging in plantations, agriculture and lawful businesses modelling on waqf. Possible strategies of how to go about this will be undertaken under the recommendations section.

In view of the foregoing, this paper submits that, if waqf system could be utilized to provide all the above essential services, as Cizakca (1998) rightly observed, then annual budget deficit of Nigerian government would reduce if waqf is introduced in Nigeria to fund government educational matters. Consequently, bank interest charged on loans taken by government will reduce drastically and charging of interest (riba) in the country will be eliminated. According to a report made available in 2013, 1400 sq. km of waqf land in Indonesia is estimated at \$60 billion (Habib, 2015). Imagine the land is put to use and 5% of the estimation is generated annually from these assets, and then \$3 billion could be utilized to improve socio-economic conditions. Recognizing the fact that this is for only waqf land, there are other kinds of waqf properties which can be explored to implement social development schemes.

That said about the role of waqf in advancing education in the Muslim nations. It is instructive to mention that according to available evidence a considerable number of universities significantly fund their annual budgets through endowments in the Western world (Usman and Abi Rahman, 2021). In a report released in 2023, it is revealed that the many outstanding higher institutions in the United States of America and Canada have been exploring endowments to meet their financial obligations in their respective institutions.

The following Table 5.1 shows ranks of the first ten (10) out of 689 public and private Higher Institutions in the US and Canada and their total endowment market value in 2022:

Rank	Institution	2022 Total Endowment Market Value (\$)
1.	Harvard University	49,444, 494
2.	University of Texas System	42,668,276
3.	Yale University	41,383,300
4.	Stanford University	36,300,000
5.	The Trustees of Princeton University	35,794,186
6.	Massachusetts Institute of Technology	24,739,862
7.	Trustees of the University of Pennsylvania	20,724,351
8.	The Texas A & M University System & Related Foundations	18,243,191
9.	University of Michigan	17,347,188
10.	University Notre Dame	16,729,299

Source: NACUBO-TIAA, Study of Endowments, 2023

Interestingly, in Nigeria, a higher institution by name Al-Ansar University is funded through waqf. According to IP6, Al-Ansar University, which is the first private University in Maiduguri, the North-East of Nigeria, is financed through waqf. This University has many faculties and departments where courses like Islamic Studies, Finance, Computer Science, Cyber Security and host of others are taught.

Analysis Of Nigerian Legislations on Waqf

Exploration of waqf to realize SDG 4 may prove difficult if there is no robust legal framework sanctioning its institution. Thus, this section briefly takes a look at available laws on waqf in Nigeria with the view to determining their adequacy or otherwise to facilitate the anticipated efforts of Nigerian universities in the realisation of SDG 4 through waqf.

The 1999 Constitution of the Federal Republic of Nigeria gives recognition to the institution of waqf as it confers, under sections 262(2)(c) and 277 (2)(c), appellate jurisdiction on the Sharia Court of Appeal of the Federal Capital Territory and States respectively on any question relating to a wakf. Additionally, laws have been promulgated in some Sharia'h implementing states in Northern Nigeria

for the operation of waqf. Thus, the following states have enacted laws: Bauchi, Borno, Jigawa, Kano, Kebbi, Niger, Sokoto, Yobe and Zamfara. Albeit Sokoto and Zamfara states that have the most dedicated provisions for waqf administration in their endowment laws, the provisions of other laws are adjudged to be inadequate for legal administration of waqf in the country. For instance, based on the findings of Oseni (n.d.) and Mahadi (2015) both of who advocated general reforms in the existing laws for effective administration of waqf in Nigeria, there are inadequacies in the extant legal framework. In view of this finding, it is doubtful if Nigerian universities would satisfactorily harness waqf to realise SDG 4 in Nigeria. Therefore, there is the need for legal reforms.

Conclusion and Recommendations

From the foregoing discussions, it is discernable that Nigerian government is yet to implement SDG 4-equitable quality education in the country. And that this goal cannot be singlehandedly achieved; hence it requires the roles of Nigerian universities in the struggle. Also, it is established that there are lessons which Nigerian universities may draw from Al-Azhar University which utilize waqf successfully to provide affordable and quality education.

It has been, additionally, stated that despite the potentiality of waqf in the provision of quality education robust legal framework must be in place. And from the analysis, the extant laws on waqf are not sufficient for its administration. Therefore, the paper concludes that effective legal reforms are required in this respect.

In the light of the above, it is recommended as follows:

- 1) The legislative arm of government of each State House of Assembly should consider in the new legislation on waqf modalities of waqf establishment, different forms of waqf, and make provisions for express ways and manners of investing waqf property in Shari'ah-compliant businesses.
- 2) In the new legislation, the legislative arm of government of each State House of Assembly should make provisions that will ensure accountability, fairness and transparency. In this regard, it is suggested that more than one reliable and corporate trustee, who are independent of the government, are appointed to manage the waqf property.
- 3) Stringent penalties should be provided for by the legislative arm of government of each State House of Assembly in the proposed legislations with a view to deterring all the potential mismanagements of waqf resources.
- 4) More importantly, all Nigerian universities should make provisions for the exploration of waqf in their respective laws.

In drawing lessons from Al-Azhar University, Cairo in playing roles in the finance of education sector, Nigerian universities may implement the following strategies:

- 1) Each Nigerian university, its hosting community and the government should collaborate to facilitate access to equitable and quality education. This should be based on the strength of mutual understanding and good relations.
- 2) Governments of different levels namely federal and states, should ensure that its relevant ministries, such as ministry of education, participate in the scheme.
- 3) Each university creates Al-ṣundūq Al-Waqfiyyah (waqf fund) to help advance the access to quality education, to develop school accountability, and to share in the financial burden of education in Nigeria.
- 4) Individuals should contribute money in form of waqf share say 2 million shares at ₦1, 000 to the pool of fund.
- 5) The pooled money totaling about ₦2 billion will be invested in productive, viable, profitable and Shari'ah-compliant businesses by the fund manager (Mutawalli).
- 6) Proceeds realized from the investment will be utilized for the payment of teachers' salaries, maintenance of school buildings, feeding of students, scholarships and other Shari'ah-compliant purposes.

- 7) In alternative, communities hosting such schools should donate say 50 acres of land as waqf and same should be used as plantation say oil palm trees to yield money. To complement this, government provides oil palm seedlings to be planted.
- 8) Assuming 100 oil palm seeds are planted on 1 acre, then the number of oil palm trees on 50 acres would be 5,000 trees.
- 9) Consider each oil palm tree produces, in a season, palm oil sold at say ₦200,000.00. When the figure i.e. ₦200,000.00 is multiplied by 5,000, being a number of all the oil palm trees, this is equivalent to ₦1billion.
- 10) Ultimately, each university expends the proceeds to meet part of its financial obligations.
- 11) Individuals could donate books, hostels, libraries, Information and Communication Technology centers as waqf to schools and other educational facilities.
- 12) Each state government should contribute at least 1% of its total annual revenue to the waqf as it is done by Zamfara State government under section 32 of the Zakat (Collection, Distribution and Endowment) Board Law of Zamfara State.

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