

ZAKAT IN MAROUA: THE IRRELEVANCE MODELS FOR SOCIO-ECONOMY AND JUSTICE (NORTHERN CAMEROON)

Ousmanou Adama*

Resumo

ZAKAT EM MAROUA: OS MODELOS DE IRRELEVÂNCIA PARA A ECONOMIA SOCIAL E JUSTIÇA (NORTE DOS CAMARÕES)

Zakat, um dos cinco pilares do Islã, é uma doação de caridade que incumbe a todos os muçulmanos com ativos acima de um determinado nível especificado. Oito objetivos são definidos no Alcorão para o uso de doações zakat, dos quais o mais importante é o apoio aos pobres e desafortunados. Embora estimativas confiáveis da geração de zakat não estejam disponíveis, evidências episódicas indicam que grandes quantidades são geradas anualmente, na faixa de vários bilhões ou dezenas de bilhões de CFA. Um debate surgiu nos últimos anos sobre como gerenciar e usar o zakat, abrangendo três áreas principais. Primeiro, os estudiosos e os profissionais discordam sobre se o zakat deve ser usado para doação direta para indivíduos ou pode ser usado para apoiar instituições que atendem indivíduos ou para combater a pobreza através de projetos de desenvolvimento, como microfinanças. Em segundo lugar, os estudiosos conservadores argumentam que apenas as autoridades islâmicas podem coletar zakat, o que constitui uma das poucas fontes de impostos permitidas aos líderes islâmicos, enquanto os reformistas promovem organizações privadas sem fins lucrativos como igualmente apropriadas. Os fundos Zakat que dependem do último modelo estão se espalhando no norte dos Camarões. Uma terceira interpretação envolve a parcela das coletas de zakat para administração de programas por parte de particulares. Outras questões incluem como responder às demandas dos reformadores para maior transparência e responsabilidade das autoridades tradicionais ou instituições privadas que gerenciam a coleta e distribuição de zakat; como expandir a definição dos propósitos para os quais o zakat pode ser usado; e até que ponto o zakat pode ou deve servir para redistribuir a riqueza em toda a sociedade e alcançar a justiça social. O objetivo deste artigo é analisar essas questões com base em pesquisa de campo e uma revisão da literatura para examinar as práticas atuais, com ênfase em modelos emergentes inovadores

* Ousmanou Adama, PhD, Departamento de História, Universidade de Maroua.
E-mail: ousmanouad@yahoo.fr

de zakat para gerenciamento de desenvolvimento e como eles diferem da prática tradicional no Norte dos Camarões.

Palavras-chave: Zakat; Sistema de Tributação; Justiça Social; Redução de Pobreza; Islã; Norte dos Camarões.

Abstract

Zakat, one of the five pillars of Islam, is a charitable donation incumbent upon all Muslims with assets above a specified level. Eight purposes are defined in the Qur'an for the use of zakat donations, of which the most important is the support of the poor and unfortunate. Although reliable estimates of zakat generation are not available, anecdotal evidence indicates that very large sums are generated annually, in the range of several billion or tens of billions of CFA. A debate has arisen in recent years over how to manage and use zakat, encompassing three main areas. First, scholars and practitioners disagree as to whether zakat must be used for direct donation to individuals or can be used to support institutions that serve individuals or to combat poverty through development projects such as microfinance. Second, conservative scholars argue that only Islamic authorities can collect zakat, which constitutes one of the few permitted sources of taxes to Islamic leaders while reformists promote private nonprofit organizations as equally appropriate. Zakat funds relying on the latter model are spreading in Northern Cameroon. A third issue surrounds the share of zakat collections for program administration by private parties. Other issues include how to respond to demands by reformers for increased transparency and accountability from the traditional authorities or private institutions that manage zakat collection and distribution; how to expand the definition of the purposes for which zakat can be used; and the extent to which zakat can or should serve to redistribute wealth across the society and to achieve social justice. The purpose of this article is to analyze these issues based on field research and a review of the literature to examine current practices, with an emphasis on emerging innovative models of zakat for development management and how they differ from traditional practice in Northern Cameroon.

Key Words: Zakat, taxation system, social justice, poverty reduction, Islam, Northern Cameroon

Introduction

In contemporary discussions of ways to attain sustainable and authentic human development, there is a reluctance to consider the influence of religion. In fact, Development institutions and agencies often considered religion as partner in development. In addition, when religion is involved through

faith-based organizations in alleviating poverty and hunger by various forms of charity (*Zakat, Alms, Awqaf*), contemporary development discourse finds itself in a dilemma as to what form their relationship with religion ought to be, in promoting development, especially at the grassroots level. From the-

oretical and conceptual approaches we intend to apprehend how the irrelevant model of Zakat organization in Maroua urban area leads to a wrong approach of development based on the collection and distribution of this religious charity in order to enhance and improve the lives of the needy people. Therefore, one cannot assess the effectiveness of Zakat in poverty alleviation in the region. The same is the case with the institution of *awqaf*¹. These institutions need to be revived and organized with proper planning, which will provide additional source of income to the traditional kingdoms, (Lamidate) for the social welfare of the society.

Conceptualizing poverty and misery reduction in Islam

From the beginning, Islam basically deals with human morals. In this perspective, early revelation chapters exhorted believers to care about the poor and the needy: we were not of those who prayed and did not feed the poor” (Sourate 43 verses 44). In this condition, worship is always associated with the fact of being charitable. In this regard, Islamic worship called the act of zakat as a financial worship in opposition with body worship (Salat, Ramadan for example). More revelations made from Makkat² do refer to poverty reduction through wealth transfer, donations and advocacy on behalf of the poor. “He did not use to believe in Allah, nor did he urge the feeding of the poor” (Sourate 69 verses 30-34). The Ulama we meet explained those verses as an overall

command to have solidarity with and mercy upon fellow human being, beyond the act of securing their need. In fact, the duty of the rich to give and the right of the poor to receive support are mentioned in numeral verses of the Quran. During Madina governance under the prophet, they become mandatory act in the form of obligatory Zakat.³

Beyond these moral boundaries, the Quran established economic policy in relation with trade, finance and inheritance. Whereas begging is not admitted in early Islamic sources. Even though the poor have the right to a share in the wealth of the rich, the tribulations of poverty are seen as severe, to such an extent that they may become a threat to an individual’s belief. In fact, the objective of Sharia is the welfare of the community. This welfare is expressed as religion (*deen*), life (*nafs*), mind (*aql*), progeny (*nasl*) and property (*maal*). The protection of religion entails the protection of the community of the believers as a sociopolitical entity, whilst maintenance of life suggests the inclusion of food, shelter and medical care. This clearly is the important terms of how poverty is understood in Islam. If only one the needs mentioned above is unfulfilled, the person is considered poor. There are two main categories of poor in Islam. The poor (*fkir*) and the needy (*misikin*). Being poor according to some Ulama is being unwealthy. Wealth in this regard, is needed to satisfy ones basic life needs like shelter and cloths, but only if the person property is below the *nisab* (amount below the level at which the Zakat payment becomes obligatory). Whilst a needy person does not have any wealth or property. This is in many ways reminds us of the concept of a poverty line, a monetary definition of

1 *Awqaf* is in Islamic law, a gift made in perpetuity by an individual for public utility, pious or charitable, or to one or more individuals. The property given as usufruct is therefore placed under sequestration and becomes inalienable.

2 Mekkāt is a city in and the capital of Hejaz, in Saudi Arabia: birthplace of Muhammad; spiritual center of Islam.

3 For more detail on this issue see: Abraham, A., J., 1998, Islam and Human right, Journal of third world studies, XV, 316

poverty that is commonly used in the development discourse (Nkurunziza, 2007). In fact, we should notice that the human needs identify as conditioning the poor to receive Zakat are not exclusively material and cannot be captured in monetary terms alone. Indeed, the Islamic understanding of poverty is transcended by the physical world, with its emphasis on spiritual well-being.

Zakat and social justice

The redistributive of wealth in the form of charitable giving is central to the Islamic faith and an obligation upon every believer. Its importance highlighted by the term “financial worship” used by Imam Mahmoud Mal Bakary.⁴ The basic mechanism for this Zakat was established by the prophet Muhammad in 622. In fact, Zakat derive from Arabic verb *zaka* which means to grow and become better, *zakat* consequently means “purification of wealth” (Al Qardawi, 1999: XLIII). As one of the five Islamic pillars, Zakat can be given by every Muslim at the end of each year and is calculated at a rate of 2.5 per cent of any disposable wealth above a minimum amount called *nisab*. Beneficiaries of the obligatory charity are detailed in the Quran. Zakat expenditure are only for the poor and the needy, and for those employed to collect (zakat) and for bringing hearts together and for freeing captives and for those in debt and in the way of Allah and for the traveler an obligatory imposed by Allah (sourate 9 verses 60). In modern public finance terms, this can be translated into the following expenditure headings:

- Poverty reduction
- Administrative overheads for civil servants dealing with public welfare

- Peace-building and community cohesion
- Promotion of freedom, human right and civil liberties
- Personal insolvency settlements
- Security and defense
- Homeless, refugees and migrants.⁵

In addition to Zakat, voluntary charity, in Arabic *sadaqah* (meaning to give away and realizing one’s faith by action), is also strongly encouraged, based on many sayings of the prophet Muhammad. It is regarded as an act of individual devotion, in which charity is given directly to a destitute beneficiary (Al Qardawi, 1999). Islam is the only one of the three Abrahamic religions that explicitly urges the believer not only to be generous but also to persuade others to be charitable: have you seen the one who denies the recompense? For that is the one who drives away the orphan, and does not encourage the feeding of the poor” (Sourate 107 verses 2-3).

Social Security Based on Zakat

Zakat is a levy paid by Muslims, whose wealth exceeds a particular exemption allowance, and it is used for social purposes, details of which are set out in the Quran.⁶

The act of paying *zakat* is one of the most fundamental religious duties for a Muslim. Islamic economics emphasizes that *zakat* represents the needy’s claim to share in so-

5 Benthall, J., 2003, *The Charitable Crescent: politics of aid in the Muslim world*, I.B. Tauris.

6 Cf. Farishta G. de Zayas, *The Law and Institution of Zakat* (Kuala Lumpur: The Other Press, 2003 [first published: Damascus: Al-Jadidah Press, 1960]); Mohammed Akhter Saeed Siddiqi, *Early Development of Zakat Law and Ijtihad* (Karachi: Islamic Research Academy, 1983); Volker Nienhaus, “Zakat, Taxes, and Public Finance in Islam,” in: Sohrab Behdad and Farhad Nomani (eds.), *Islam and the Everyday World – Public*.

4 Interview with Imam Mahmoud Mal Bakary, Islamic Scholars of the Maroua main Mosque.

ciety's wealth and, as such, is at the core of the social security system. The *zakat* system can be organized by the state if, for example, Muslims fail to perform their payment duties adequately on a voluntary basis. Instead, they may only be used to help entitled recipients for the purposes set out in the Quran. Nevertheless, there is a need to reevaluate and clarify these legitimate uses and recipients in light of modern developments. In addition, the form in which the *zakat* funds are supposed to be used (e.g. as direct monetary transfers or to finance institutions which provide benefits to the entitled recipients) must also be determined. However these last considerations are not yet apply in Maroua as *zakat* collection and redistribution is still carried out on traditional basis.

The example of *zakat* in Maroua illustrates the principle of pragmatic legislative development which, on the one hand, allows flexible adjustments to be made to the legal system in view of new phenomena or changed conditions, but also leads to controversy and partisan inconsistencies on the other. The literature often gives the impression that the Prophet implemented an immutable *zakat* system on the basis of the Quran valid for all times. That is not the case, however: the basis of assessment for *zakat* laid down by the Prophet was changed by his immediate successors as well as the levy rates. For the early caliphs, the *zakat* rules of the Prophet were evidently not considered invariable rules given by God, but merely an expression of (revisable) legislation which depended upon particular circumstances, a particular period, and a particular place. Such pragmatic legislation did not seek to establish universally applicable and timeless principles; rather, it aimed at solving particular problems. The pragmatic legislation of the Prophet and the early caliphs did not

produce universal principles; rather it provided analogies based on previous cases to assist in new and individual instances.

The Prophet listed the following assets (and sources of income), which were to be subject to *zakat* payments (basis of assessment):

1. Camels, sheep, and cows,
2. Gold, silver, and coins,
3. Wheat, barley, dates, and grapes,
4. Buried treasure.⁷

It is unclear whether he also levied *zakat* on honey and trade goods. When one of the early caliphs had to decide whether *zakat* was also payable for horses, for example, he only reached a decision for that specific instance and left open the question of whether other animals, such as goats or donkeys, should also be subject to *zakat*. Later judges widened the above mentioned group 3 to include rice in the list of produce subject to *zakat*. In so doing, they based their decision on an observation that all objects in this group originally covered foodstuffs; thus, rice – as a foodstuff – should also be included. Yet, it is peculiar to the pragmatic legislative development that a decision is reached only for a specific case (rice), but no generalization or postulation of the principle used in reaching that decision is made – e.g. that all foodstuffs should become subject to *zakat*.

Thus, there continue to be food items for which producers do not have to pay *zakat*. Economists view this lack of consistency as problematic from the point of view of non-discrimination or fairness. From this perspective, deciding on a case-by-case basis

⁷ Interview with Imam Mahmoud Mal Bakary, Islamic Scholar of Maroua main Mosque, October the 7th 2016.

by way of analogies also causes further problems of justice: thus, all agricultural, forestry, and plantation produce, as well as revenues or profits derived from the respective businesses should be subject to zakat levies. In that instance, however, the question must be asked why zakat is only levied on revenues or profits from the primary sector, while profits from the secondary and tertiary sectors remain zakat-free. Such considerations, though, would require a complete abandonment of the established methods of pragmatic legislative development and a move towards a type of “constructivism in the spirit of the Quran.”

Clearly, then, there is great scope for discussion and conflict between Islamic economists and Islamic lawyers. The latter group (Buried treasure) may point out that even the Prophet was aware that goods in the third group could be subsumed under the heading of “foodstuffs” when he stipulated them. Nevertheless, he did not levy zakat on all food items known at his time, but only on certain ones. This fact must not be ignored.

There is also a need to interpret the original stipulations for entitled recipients Islamic economists consistently point to the poor and the needy as a group that is of particular importance. However, without a definition of need specific to a particular country and a particular period, and the establishment of the nature and level of help based on zakat income, it is impossible to evaluate the viability and the allocative and distributive effectiveness of the system, let alone its moral or ethical qualities.

If we draw our attention to a particular problem the Maroua Muslim community is facing according to the above mentioned conditions, which arises when we seek to understand zakat as the nucleus of a social security system and justice: in such times

of economic downturn, the number of people requiring support rises while zakat receipts decline. And, even worst the number of zakat potential donors and the number of recipients is unequally higher and higher every year. Sometimes the number of potential donors decreases while enhancing the one of the recipients. This divergent relationship between expenditure and income, which is highly adverse for a social security system, must be covered by reserves and, perhaps, by additional sources of income. The leading Imams of Maroua Main Mosque Mahmoud Mal Bakary did not yet provide the technical knowledge on this Islamic economy in the region. Unfortunately the scholars probably have less to offer in this regard.

Zakat and poverty alleviation

One might ask oneself why there is such a tremendous emphasis on and debate about zakat in Maroua urban area. One reason for this is that a common factor of all Cameroonian Muslim NGOs has been their inability to generate funding within the country for their projects. This inability is seen by many Muslim scholars as highly problematic. In their view, the end effect is that one either becomes dependent on foreign assistance or that the funding is earmarked and is thus not at the full disposal of the implementing organization. However, the discussion is much more complex. Not all scholars and intellectuals focus on the needs of the NGOs, but rather on the spiritual and religious aspects of giving and receiving; in their articulation, the provision for social welfare is part and parcel of an Islamic discourse about the fulfillment of religious norms and duties. One finds as many positions as there are interpretations about how to collect and distribute the obligatory alms as well as who has the right to collect and who has the right to

receive. However, the most recent – and in many way the most difficult – debate among Muslim scholars in Maroua has been the issue whether or not zakat should be made a public affair or not, i.e., is it to be collected by Muslim institutions and NGOs as a way to generate funds for communal development? As will be argued below, although zakat is so far not a public affair and neither its collection nor its distribution is institutionalized, almsgiving as such has been and is an integral part of the Muslim sphere in Cameroon.

With the realization of the Muslim leadership that Muslim communities in post-colonial Cameroon are, with each passing decade, lagging behind the rest of the society in societal and economic development, traditional ways of mutual and communal assistance and person-oriented poverty relief through charity are not enough to cope with structural problems that affect the lot of the Muslim population in the Northern regions. One reason for the non-existence of an institutionalization of the collection and distribution of zakat in Maroua has been the lack of consensus among Muslim scholars. Conflicting views about who has the right to collect and distribute have resulted in endless debates. However, even more problematic has been the inability of most Muslims to fulfill their religious obligation: all scholars that I interviewed lamented that the local people are too poor to pay zakat, a statement that, in the light of the structural poverty that marks the savannah region and urban poor areas, comes as no surprise. At least from a subjective standpoint, but arguably also from an objective one, the Muslim population belongs to the poorer strata of Maroua.

However, one could also argue that one reason for the non-institutionalization of

zakat is the fact that there never existed any Islamic order in pre-colonial period upon which the collection and distribution of zakat, and by extension a kind of public social welfare, could be built. Whatever existed was based on non-Islamic models and perceptions. Yet, though there were no Islamic institutions, this did not mean that there existed no traditional support system. Interestingly, all of our Muslim informants noted the fact that there is, after all, not much difference between the moral obligation of Islam to support the poor and needy and the traditional, pre-Islamic ways of support.

Although Muslims in Maroua are trying to fulfill their obligation of paying zakat, most Muslim scholars claim that the collection and distribution of zakat is not handled in the proper way. Some scholars, such as Imam Mahmoud, Oustaze Yaya criticizes the collectors of donations, be they foreign or local ones, for misusing, even embezzling the funds they receive. What is needed, they argue, is for these people to move from a culture they define as ‘collect and keep’ to a ‘collect and share’ one: What they collect in the name of religion must be used to promote the work of God and to relieve the sufferings of the people. The sharing of what is collected in the name of God among religious leaders for their personal use is a sin.⁸

According to Alhaji poudditto, zakat is not strictly observed or practiced in Muslim communities in Maroua, and by only a few on a personal level. Another critique of the Muslim scholars is that zakat is believed to be only a duty for Muslim millionaires. In Maroua, for example, the payment of zakat is not regularly practiced by the Muslim community. According to Poudditto, this is

8 Eickelman, Dale and Armando Salvatore, “The public sphere and Muslim identities,” *European Journal of Sociology (Arch. Europ. Sociol.)*, XLIII: 1, 2002, 92-115

due to several factors, among which is the mistaken notion that zakat should be paid only by Muslims who are fabulously rich[E-ickelman and Salvatore 2002: 101-104]. Such ‘assistance’ cannot produce any structural change because, as Ibrahim Suleiman states, such alms are but handouts that are randomly distributed and thus only have an effect on a particular person – if that, as the amount that is distributed is barely sufficient for the recipient to stay alive for a couple of days.⁹

Many of the scholars I interviewed stated that the main reason for not paying zakat is due to ignorance. As a result, zakat is given in a haphazard way and has an uneven impact. In fact, the wealthy do not consult the local imams and scholars about the rules of zakat and much of what actually should be spent is held back. Similarly some Imams complained that those who give zakat give such a small sum that the receiver cannot even get a shirt for that amount. Other scholars state that people who are willing to give zakat investigate potential recipients: What we observed is that rich Muslims who pay zakat do some investigations either through friends or family to ascertain either *talaka'n* or needy people who qualify to receive zakat and give their zakat to those identified. In some cases it is done through trusted friends and Ulamas.¹⁰

However, we identify two kinds of problematic cases: the general problem of those who do not give enough zakat and the special problem of those who give zakat to someone who does not deserve it. “In most cases, it is not given to those who should receive it but

it is given to boost neighbor relations.”¹¹

A similar criticism was put forward by some Imams: There was a situation when a man said that he begins his zakat from his house. The wives were the first to receive zakat before any other person. But you know, you cannot give zakat to your dependants.¹²

Critical observations on the functioning of zakat illustrated several problems in connection with it. According to him, the unwillingness, if not neglect, to pay for the upkeep of the destitute in the community, the lack of discipline in its collection, and the lack of integrity of the collectors are mainly due to no relevant knowledge of the rules of zakat and no properly constituted body for collection. Thus, there is little trust in both collectors and distributors in addition to the ignorance of the payers. As a result, therefore, alms are haphazardly distributed: instead of donating the due sum in total to a destitute person, it is divided among many recipients each of whom receives a small token. Consequently but not unexpectedly, the community lacks basic amenities. According to Awudu, zakat revenues could have been used to develop and maintain basic infrastructure and buildings, such as public toilets, mosques and water taps in some compounds. In the meantime, Zakat collected can also be used.

The malfunctioning and mishandling of zakat is also criticized by Sali Garba Mousa. According to him, only businessmen and businesswomen, as well as large-scale millet farmers and transport owners belong to the categories of those capable of paying zakat. However, it is observed by only a few people and the mode of payment leaves much to be

9 For details see Ibraheem Sulaiman, *The Islamic State and the Challenge of History*, London, Mansell Pub. Ltd. 1987. P. 50-55.

10 Interview with Imam Saliou, Maroua october the 8th 2016.

11 Interview With Imam Mahmoud Bal Bakary, Islamic Scholar of Maroua main Mosque, October the 7th 2016

12 Interview with Imam Saliou, Maroua october the 8th 2016.

desired. Some other Muslims who want to give out zakat in cash just invite many people to their homes, distribute one or two hundred thousand CFA francs to each of them and are satisfied that they have observed zakat. Others decide to give between twenty and fifty thousand CFA francs as zakat to a single poor person, with the aim of relieving his/her financial woes, either partially or fully. Others change the monies to be given out as zakat into smaller denominations, especially coins, carry them in bags and stand along the main streets where there are many people. They then dip their hands into the bags and throw the coins at the gathering, who struggle among themselves to pick up something.¹³ This manner of doing poses a serious inconvenience to the targeted goal of Zakat as a mean to eliminate poverty. Or, as Alhaji Ali Hassana explained to us: “I don’t say that the wealthy are not doing their best as such, but because of the way the whole system is working it is not easy to know how many of them actually are paying. They pay person to person, but nobody knows.”¹⁴

However, as Shaykh Abdourahman Djribine explained, the crucial problem is the distribution of zakat: Instead of giving it to one or a few persons, they (i.e., those who give zakat) would like it to cover a large number of people. At the end the impact is negligible and not felt. Some send their zakat to the shops and give one thousand CFA francs to anybody who comes to the shops as if they were beggars. What will one thousand CFA francs do for the recipients?¹⁵

13 The eight categories of recipients of *zakāt* as listed in Sura 9:60 are: the poor (*faqīr*), the destitute (*miskīn*), the collectors of *zakāt*, those slaves who want to buy their freedom, the hard-pressed debtors, for expenditure in God’s cause, the wayfarers and those whose hearts have not been reconciled.

14 Interview with Alhaji Ali Hassana, Maroua October the 6th 2016

15 Interview with Shaykh Abdourahman Djribine,

Alhaji Hamidou Goni, also pointed out the fact that the assistance given was far too little and bringing only temporary relief: “I will say the maximum relief will last three days and the person is back to square one.”¹⁶

Although an imam is supposed to monitor the calculation and distribution of zakat in his community, in many cases he is unable to do so. As zakat is due on wealth one year after its acquisition, the sum that is due cannot be collected on one fixed day each year but depends on when the one-year period has elapsed and if the person is still in possession of that particular income. Thus, pooling zakat is more or less impossible as there are no funds where the collected sums could be invested, as Shaykh Abdur-Rahman Abu Bakar notes. Instead, whenever the imams receive zakat they immediately distribute it to those members in their community whom they know to be needy or poor.¹⁷

Shaykh Abdur-Rahman Abu Bakar also raised another problem connected with zakat, namely the lack of trust and confidence in the *talaka*: “Some will just think that the *talaka* want the money for their own selfish needs and not to address social problems.” Afa Razaq said that a common accusation is that a Muslim scholar or imam ‘eats the *sadaqa* and zakat he receives’, if the scholar or imam seems to live in affluence, dresses in fancy clothes or lives in a rich house.¹⁸

The Tidjaniya scholars explained to me that ...initially their main mosque in Do-

Maroua October the 7th 2016

16 Interview with Alhaji Hamidou Goni, Maroua October the 6th 2016.

17 “Towards a unified Muslim leadership,” *The Muslim Searchlight*, 1:36, 10-23 January 2003; Interview with Alhaji Mumuni Sulemana 11.3.2005

18 Interview with Oumarou Poudditto, Maroua October the 8th 2016

mayo was a centre where people sent their zakat and their Goni then distributed it to the poor and the needy. Part of it was used to construct a mosque or a school. But this practice has been stopped. People no longer send their zakat to Tidjaniya leader. People now give zakat to individual *talaka* because they do not trust others. Secondly, some give to people who will recognize and praise them and this is not the purpose of zakat. Zakat should have been given to the Tidjaniya mosque, but people did not do that anymore. The Tidjaniya mosque was built with the zakat. We used to pay our Quranic school teachers through the zakat since they are not paid by the parents, but this has not been forthcoming due to the change of attitude of the people.¹⁹

As a consequence, most of the Muslim scholars and imams we met live in rather poor conditions: their houses might not be the most dilapidated, and they are not living in total poverty, but their living standard is not higher than that of their neighbors. None of the imams are in fact able to enforce the collection and distribution of zakat; it seems rather that whether or not someone pays his zakat, is his own decision. The Tidjaniya scholars told me about a case some years ago when a Muslim had visited a particular Goni (Muslim scholar) one morning. The Goni had been eating breakfast – tea, bread and fried eggs. However, although such a breakfast is common in Maroua today, the Muslim argued that it was a clear sign of the lavish lifestyle of the Goni. As a consequence, he decided never again to give

alms to this particular Goni.²⁰

Boubakar Saidou is also rather critical about the way zakat is spent by the local imams in Maroua. Imams and Muslim scholars appeal to their followers to contribute generously to the building of mosques and Arabic and/or Quran schools, with the effect that such buildings have been erected all over region. The idea is to impress upon the Muslim public that the building of mosques and Arabic schools is a meritorious deed and that whoever contributes towards their completion by payment of zakat will be abundantly rewarded on the Day of Judgment. Thus, Boubakar's conclusion is that zakat is handled in an imperfect way: What zakat means to many Muslims in this area is to give cash to the *talaka* (poor people in Hausa language) as contributions towards mosque and school projects, but to all intents and purposes, zakat means more than that.

However, it is questionable to what extent the imams and *talaka* have to urge their followers to contribute to the building projects. It should be stressed that there is a deeply rooted religious mentality where the act of participation in a building project is understood as a pious act. This is at least the view of a certain Imams "...when you build a mosque you build it for the glory of God. [...] Everyone rushes to sponsor a mosque before they die."²¹

Similar critical considerations have been raised by Hamidou Adji. According to him, not all so-called poor are qualified as recipients of zakat and he calls for a revision and re-examination of the position of those who usually receive alms and assistance. In his opinion, one should make a difference be-

19 For some similarities of this issue see Weiss, Holger, "Zakāt and the question of social welfare. An introductory essay on Islamic economics and its implications for social welfare," in: *Social Welfare in Muslim Societies in Africa*, ed. Holger Weiss, Uppsala: Nordiska Afrikainstitutet 2002, 7-38.

20 Author's personal observations

21 Dean, Hartley and Zafar Khan, "Muslim Perspectives on Welfare," *Journal of Soc. Pol.* 26:2, 1997, 193-209

tween the ‘really’ poor, either persons and families who are hit by a natural disaster or calamity as well as poor widows, orphans, aged and destitute persons, and those “who are pretending” to be poor, i.e., able-bodied persons who beg. Whereas the first category should be supported, the second one should not as, according to him, zakat will stop them working and make them idle. He therefore calls for a change in attitude among the givers and urges a more effective way to help the poor and needy. He therefore argues for indirect assistance, namely that any poor person, able-bodied or not, should first and foremost receive proper training at educational institutions so that they are capable of earning a living through a vocation and not by begging.²²

On the other hand, the rationale for obligatory almsgiving is fully understood by the Muslim scholars I interviewed in Maroua. For them, zakat is the best form of poverty alleviation due to its moral sanction. Interestingly, when we discussed with Imam Mahmoud Mal Bakary about the Maliki and Shafi’i interpretations of mandatory almsgiving and about the role of the imams as collectors and distributors of zakat, he explained that the Maliki standpoint about the central role of the imam is only valid in Islamic states, not in situations such as in Maroua or northern Cameroon where the Muslims constitute citizens of a secular state. He further defended the circumstantial necessity of splitting zakat into small sums, but argued in the same vein that its distribution in a lump sum is to be preferred if zakat is to have a lasting effect: Imam supported that you should give Zakat in bulk to a hard working person. Why? Because if you give it to him you have removed that person

from poverty and due to his hard working he will also work and next year he will be okay for himself and also give out zakat to other persons.²³

The irrelevant Zakat model in Northern Cameroon

The nature and existence of zakat in the Northern Cameroon is far from clear. First, there is the general notion among scholars that the Fulani word *zakka* is equivalent to zakat. However, it is evident from the sources available for the study that *zakka* only implied the levy on grain, i.e., being *ushr* but not the levy on other zakatable goods or on wealth. Second, there is a general lack of information on the collection and distribution of zakat in the Northern Cameroon. For example, Heinrich Barth, who has provided often quoted information on the fiscal basis of the central emirates of the Sokoto caliphate, did not mention *zakka* or zakat at all (Barth, 1857: 163-164). Third, the idea of *zakka* being zakat seems to have led to confusion not only among the early colonial officials but also later researchers. However, what seems most striking is the fact that some of the taxes levied in the Lamidates clearly can be identified as variations of zakat, such as the *garama*. Although W. F. Gowers²⁴ already noted this fact, it seems as if the local population did not do so and the early colonial officials used a lot of ink trying to identify and separate the various taxes and forms of taxation and tribute that existed in the various lamidates. Investigations in today’s Maroua show clearly that both zakat and *sadaqa*, voluntary alms, still constitute a part of the religious spheres. The role of the Sufi

23 Interview with Imam Mahmoud Mal Bakary, Islamic Scholar, Maroua October the 7th 2016.

24 W.F. Gowers, “Sokoto Provincial Annual Report for 1910,” SNP 10.

22 Interview with Hamidou Adji, Maroua, October the 9th 2016.

brotherhoods cannot be overemphasized; they receive and disburse a major part of these alms.

However, the political and socio-economic crisis in Northern Nigeria has led to a rise of critical Muslim movements, among others, Islamists and pseudo-Mahdistic ones, who criticize the lax following of the rules concerning the payment, collection and disbursement of zakat. Thus, it can be argued that only the tax on grain - zakat - but not obligatory almsgiving as such, was at stake at the beginning of the colonial era. But what happened to the supposed social welfare system that was based on the collection of zaka-grain?

The discrepancy between the ideal and reality of zakat is evident in many cases, if not most, pre-colonial Muslim societies throughout the Bilad al-Sudan. In most cases, the intention to implement Islamic taxation can be identified. However, reality proved in most cases to pose constraints on the realization of an Islamic order; the collection and distribution of zakat being one major problem. In general, only a minor part of the collected zakat seemed to have reached the lawful receivers of zakat (not to mention how much the poor and needy actually received).

During 1990s the Imam of the main Mosque of Maroua Ustaz Mahmoud Mal Bakary carried out a campaign sensitizing the community about the irrelevant model of Zakat in the development of the locality and the possibilities of implementing some changes in its collection and distribution. The background of Imam Mahmoud's idea is an attempt to establish an Islamic economy for social welfare in the region. Apart from outlawing *riba* (interest), zakat was to be reinstated as annual tax and would provide a social welfare fund.

However, the attempt to build a social welfare system based on the collection of Zakat seemed to have caused concern among scholars that the conventional rate of Zakat would be insufficient to meet the requirement of the modern social welfare system. Imam Mahmoud's agenda was the extension of the impact of Zakat in the society. He pointed out that due to the absence of an organized collection and distribution of Zakat and the neglect of wealthy class to alleviate the situation of poor people in the region, social stratification and marginalization have become a profound problem in Northern Cameroon. According to him, if any changes of the rate of Zakat are for instance forbidden, it is high time to reorganize the targeted areas of Zakat expenses in the region. What he proposed is an extension and entire revision of the Zakat rules. In fact the Zakat rules are not fixed. These rules were already revised by the second caliph, Umar, and proposed not only a correction of the rates but also an extension of the areas of Zakat. Imam informs the community about whether or not it should be task and duty of the *Lamibe* to meet the demands of social justice, to remove privations of human beings, and to provide basic social welfare such as: food, clothing, shelter, education, as well as taking care of widows and orphans. But we are aware of the restrictions funded through traditional zakat that prevent such realizations. "...would you not agree that insistence on the unchangeable character of details of Zakat has been the biggest obstacle in the way of establishing of Islamic social welfare in this country?" is it not high time that we open the gate of Islam?

Although it seems unlikely that Imam Mahmoud reorganization and demand for a redefinition of the rules of Zakat would have had an impact, his attempt was, in a sense,

a sign of an opening the closed gate of Islam in the region regarding the zakat collection and distribution.

Since the 1980s a research institution under organization of Islamic conference intervened in Zakat collection without reaching an impact. In fact, different policies and strategies have been adopted in the past to reduce the poverty, but the fact remains that poverty persists especially among Muslims. Northern Cameroon inherited very strong institutions of *Zakat*, *sadaqat* and *awqaf* for fighting against poverty. In the past, these institutions were for the rehabilitation and welfare of the poor. Unfortunately these institutions have been neglected by the Muslims whereas the region is housing many poor. Few countries (Nigeria, Sudan and Chad) have introduced the system of Zakat, which, however, is different in terms of coverage of *zakatable* items and assets.²⁵ Northern Cameroon Muslims rejected such a system and have not introduced any changes for they considered Zakat as a private affair. This is known fact that Muslims are paying their *Zakat* on their own to the poor but to any charitable institutions. However, these transactions that are not passing through proper channels are un-recorded, without any planning and are not a part of any strategy. Therefore, one cannot assess the effectiveness of Zakat in poverty alleviation. The same is the case with the institution of *awqaf*. These institutions need to be revived and organized with proper planning, which will provide additional source of income to the traditional kingdoms for the social welfare of the society.

Beside Zakat, *Awaqf* is an important religious and social institution, which has been used for the welfare of the needy, the

²⁵ NNAK SNP 7 425211909, Taxation of Emirs and District Heads, Gill to sNp, 19.1.191I, paragraph E.

poor, the family and the society. Wealth is transferred from private ownership to collective ownership (beneficiaries) through this mechanism. Personal assets or any other belonging can be endowed in *awqaf* for religious, educational, or any other benevolent purpose under specific terms and conditions. The terms and conditions include:

1. it is a permanent arrangement, and cannot be done for a certain period;
2. it becomes immediately effective, and cannot be kept in abeyance;
3. it is an irrevocable legal contact; and
4. *Waqf* property can never be confiscated.²⁶

It is proven fact that *Awqaf* have been the important pillar in the religious, social, cultural, scientific, economic and political life of Islamic society. For every conceivable enterprise of social benefit, there was an *awqaf*, *such as* for mosques, universities, schools, hospitals, orphanages, houses for the poor, food for the poor, the blind, battered/abused women, wells, aqueducts, fountains, cemeteries, salaries, pensions ...

The paper finds that if Zakat is implemented to letter and spirit then enough resources can be generated which will be enough for poverty alleviation from all the Muslims community in the region.

Keeping in view the Islamic principles and the reality in Maroua we find that Zakat and *Awqaf* can generate enough revenue for meeting all the pro-poor expenditures. Muslims do not need any financial assistance from the multinationals or international donors for mobilizing resources for the pro-

²⁶ The Malikites accept temporal *awqaf* by the will of the founder. (See for details Kahf . The Role of *Waqf* in Improving the Ummah Welfare, 2003. [PDF] available at http://monzer.kahf.com/papers/english/Role_of_Waqf_in_the_Welfare_of_the_Ummah.Pdf

poor budgetary expenditures. Therefore, even though the Imams suggested the enforcement of *Zakat* and *Awqaf* laws to letter and spirit, integrate these into the poverty reduction strategy, and make these as a part of their pro-poor budgetary expenditures, Muslims in Northern Cameroon are not living under an Islamic state. As Imam Mahmoud explained: Sharia would wipe out begging and all forms of destitutions as a welfare system would be created where Zakat would be collected to help the needy”.²⁷

Conclusion

When Muslim scholars and leaders are asked to articulate the problems of their communities and to promulgate a solution to them, they generally turn to religious vocabulary. This is not surprising when one is dealing with religious experts. For them, a secular perspective can only address part of the problem. Based on the Islamic concept of the indivisibility of the moral and the secular order, i.e., the imperative that religious/divine norms should always guide the actions and activities of humans and, by extension, also society and state, a moral articulation of the problems is preferred. Poverty alleviation, therefore, is not only a matter of economic, political and societal changes but even more a question of morals and reciprocity. But here lies one of the problems, in our opinion. If the condition of a poor person is articulated within religious discourse, the Islamic perspective on poverty and wealth becomes problematic. A rich person needs a poor person for the purification of his/her wealth and ultimately it is in his/her interest that there are poor persons in society, otherwise the rich person cannot purify his/her wealth. Thus, one could even argue that poverty alleviation is not at all the aim of

almsgiving; although *zakat*, *awqaf* and *sadaqa* should to be given ‘for God’s sake’, almsgiving is not an altruistic act. But does one have to dismiss almsgiving, especially mandatory or obligatory almsgiving (*zakat*), as a possible solution for poverty alleviation?

The irrelevant model of Zakat in Maroua urban area in terms of haphazard or non-institutionalized and non centralized implementation and running of social welfare institutions prevails. Whereas some Muslims scholars in Northern Nigeria loudly demand the the Islamization of the society, such demands are not made in Northern Cameroon. Though the call of Islamic scholars of the establishment of an Islamic order is evident in Northern Cameroon, one could argue that in terms of establishment of social welfare based on Zakat, there exist several possibilities. One would have been the establishment of an organization that prioritized listed and satisfied the needy people.

If there is any consensus among Muslims- that is not yet the case in Maroua- one could agree that establishment of a centralized Zakat organization is still in the remote future. However turning to the example of the local tradition of accommodation as well as the modern implementation of the Zakat rules by Muslims in Maroua, one could argue that for an applied model to be implemented among Muslim societies, namely that of the establishment of an Islamic order within Muslim community but without the Islamization of the state. Consensus among the Muslim still needed: since the national Zakat boards or organization can be established when there is consensus among Muslims from below (regional Level). However this is the academic task of researchers to identify the possibilities, impact and drawbacks of various existing Islamic social welfare programmes.

²⁷ Interview with Imam Mahmoud mal Bakary, Maroua October the 7th 2016.

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Recebido em: 08/01/2017

Aprovado em: 15/03/2017