

The Waqf of Hajiya Zainab Assibi, Kanti Kazaure, Jigawa State: Implications for Endowing Properties by Childless Hausa Women in North-western Nigeria

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Abstract

Secular feminism seeks to liberate women by taking them away from religious values so that women with religious beliefs are often stereotyped. Hausa Muslim women in northern Nigeria are often described as marginalized, oppressed and resistant to change. This may suggest that embracing feminist thinking could get them emancipation and permit them to assert their right to own and dispose property as they think fit. This paper argues, on the basis of Hajiya Zainab Assibi's life story that Hausa Muslim women need not succumb to feminist persuasions to be able to affirm their proprietary rights despite domineering attempts by male extended family members. On the contrary, exposure to religious experiences, such as gained through the pilgrimage (*hajj*), could give women a moral endowment from which they get the courage to assert their rights without let or hindrance.

Keywords: Hausa, waqf, Muslim, feminism, childlessness, women

1.0 INTRODUCTION

Childless older adults are regarded as a burden to society because of their demands-social, health, psychological, and financial. This thinking ignores the fact that prosperous older adults without children are a resource to their societies because they engage in philanthropic activities by giving out of their accumulated wealth in support of charitable causes. In the case of older women without children, certain restrictions by extended family members tend to be placed against their proprietary rights. Thus, in Muslim communities in northern Nigeria, despite Islam's recognition of Hausa women's right to own property, the exercise of such right is often hindered by domineering tendencies of male relatives. Consequently, Hausa women need empowerment to be able to claim their proprietary rights and manage their properties as they deem appropriate.

For this reason, some feminist-friendly writers express concern that Hausa women in northern Nigeria are marginalized and oppressed and that their rights are undermined by "new Islamic laws" in a society facing challenges from an "entrenched patriarchy since the establishment of the Sokoto Caliphate" (Vaughan and Banu, 2014:3-4). Similarly, scholarly literature and the popular press portray them as having "limited agency" (Bivins, 2016) that is incapacity to exert control over their own affairs. While this study is not an advocacy for feminism, it seeks to highlight the case of a Hausa Muslim woman philanthropist who was able to affirm the right to control her property without apparent feminist undertones. Feminism, no doubt, has given a prompt to a general re-examination of women's lives and contributions, under various academic sub-themes based on the thinking that women's contributions have received inadequate scholarly attention (Yunusa, 2014:14).

Though Hausa society is patriarchal but, in apparent "resistance to patriarchy" (Vaughan and Banu, 2014:1), Hajiya Zainab Assibi (Hajiya Assibi), resisted an attempt by male extended relations to stop her from endowing her waqf (Islamic endowment). Thus, without attempting to equate the socio-political role or economic prosperity of women in the Ottoman Empire with their counterparts in the Sokoto Caliphate (the forerunner of northwestern Nigeria), Hajiya Assibi acted like ordinary and elite women in seventeenth and eighteenth century Ottoman state who "made and dissolved contracts...sold, bequeathed,...and invested property" (Zilfi, 2008:238).

However, unlike Ottoman women, whose endowments were mostly in favour of their families, and which increased for fear of rising state confiscation of private property (Zilfi, 2008), Hajiya Assibi's was for the public good. Moreover, assuming that the confiscation was in the public interest, she need not entertain such fears because the legal instrument the government might have used to back any confiscation drive, The Jigawa State Zakat Collection and Distribution Law, 2000 (Ostein, 2012:30) is silent on waqf matters, an indication that the state pays less attention to the role waqf plays in shaping fiscal policy.

Examining the proprietary rights of women provides insight into their economic independence and the prosperity they enjoy (Nandal and Rajnish, 2014). Moreover, it is imperative to promote an awareness of women's philanthropic contributions to society which are seldom recognized (Calhoun, 2006:2). Therefore, without being a biographical account of a woman's pilgrimage (*hajj*) experience (Cooper, 1999), the study uses, among others, the moral endowment accruable from a hajj experience as a possible explanation for Hajiya Assibi's courage to endow her waqf in the face of male opposition from extended family members. Additionally, given that biographical studies on Hausa women philanthropists may be available only in the popular press, scholarly works that critically investigate the life experiences of women

donors appear to be limited. Perhaps more limited are studies that focus on gifts donated by childless women to society at large, to their families and to others not related to them (Albertini and Kohli, 2009).

So to address the issue of scanty academic attention to women's philanthropy, this study examines an aspect of the biography of Hajija Zainab Assibi, a childless Hausa Muslim philanthropist, using interview, narrative and content analysis. In doing so, the study argues that exposure to religious experiences gives Hausa Muslim women the courage to exercise their proprietary rights, within Islamic values, without recourse to feminist promptings. Consequently, women of means could donate part of their properties in form of waqf (Islamic endowment).

2.0 WOMEN'S PROPERTY RIGHTS UNDER ISLAMIC LAW (SHARI'AH) AND HAUSA CUSTOM

A Muslim woman under Islamic law has the right to own property and manage her assets in the way she deems appropriate. Indeed, Muslim women are given the right to own and control their capital resources (Mahmud and Yousuf, 2013; Zakaria, 2001). Additionally, under the Maliki School (of Islamic law) a woman "may hold real and personal property, contract debts, and bequeath her property on her own account" (Lugard as cited in Bergstrom, 2002:6-7). However, critics argue that the assertion of granting Muslim women's rights is only nominal because in practice attempts are made by male relations to prevent them.

Farooq (2001:9) notes that "it is not enough to claim that according to Islamic law, women are entitled to inherit and own property, receive a dower (*mahr*) at marriage, and to manage their own assets and income." As gaps exist between religious precepts and social practice, there is need to undertake empirical studies to ascertain socio-cultural, economic and environmental factors inhibiting the translation of religious injunctions into actual practice.

Umeh (2016:12) claims that "the teachings of the Qur'an are not practiced in Nigeria; this results in no independent land rights for Muslim/Hausa women." This does not correctly depict the point that Abdullah and Hamza are purported to have made on the demands for expanding the political boundaries, affecting Muslim women's status, by Mallam Aminu Kano and his colleagues in the Northern Elements Progressive Union (NEPU). In contrast, Abdullah and Hamza (1998:9) state that "Though limited, these demands were definitely radical in the context of Muslim northern Nigeria (n) where women do not enjoy most of their rights as stipulated in the Qur'an." Consequently, the authors (Abdullah and Hamza, 1998:1) argue that Muslim women need independent land ownership rights, notwithstanding nominal ones, to enable them to make decisions on matters relating to the use and disposal of landed resources.

The ownership of property by women not only enhances their position in the family, but also enables them to build family cohesion and provide for its continuity (through intergenerational transfers) and stability. Looking at the formation of waqf in the Ottoman Empire, it could be said that founding a waqf is not a state-driven process but an individual act of philanthropy. Being essentially a legal institution whose parameters are set by Islamic law, what is required of the state is to codify and systematize it for the provision of social, religious and economic services. Thus individual women in the Ottoman state founded waqf complexes (*Kulliyes*) which influenced and shaped urban public spaces and forms. In doing so, women acquired a sense of belonging and civic engagement through the establishment of structures such as *madrasabs*, schools and libraries, thereby forming a social and economic network (Fay as cited in Isin and Ustundag, 2008:524) of public goods.

Under customary law, Abdullah and Hamza (1998:16) state that “land is seen as an inalienable property belonging to the whole community.” This indicates that every member of the community, including women, is eligible to own landed property. Additionally, Abdul, Onose, Ibrahim *et al* (2012:20) assert that: “Hausa customary law permits women to own property.” This permission notwithstanding, attempts are made to prevent women from asserting this right especially for widows, divorcees and the childless. As Osunyikanmi (2011:59) states, women’s ability to affirm their proprietary rights is curtailed by an “overbearing influence of relatives.”

3.0 LITERAL AND SHARI’AH MEANING OF WAQF

Muhammad (2010:11) asserts that

...the term waqf (plural: awqaf) is a sort of sadaqah jariya (on-going voluntary charity) in which a donation is made to bring a charitable return (Future Fund, 2006). In Islam the word is used to signify the holding (detaining) of a certain property and preserving it for the benefit of meeting particular objectives and the prevention of any use or disposition of that property outside those objectives (Islamic-world, 2006). Depending on the perspective from which the word waqf is viewed, various definitions have been suggested (Kahf, 1998; Raissouni, 2006). However, the definition given by the National Awqaf Foundation of South Africa (Awqaf SA) appears comprehensive to accommodate both the literal and technical meanings of the word.

According to Awqaf SA (2008): Literally, *waqf* means to stop, contain or to preserve. In Shari’ah, a *waqf* is a voluntary, permanent, irrevocable dedication of a portion of one’s wealth- in cash or kind- to Allah. Once a *waqf*, it never gets gifted, inherited, or sold. It belongs to Allah and the corpus of the *waqf* always remains intact. The fruits of the *waqf* may be utilized for any Shari’ah compliant purpose (p.1).

As a donation of one’s wealth or property any Muslim, male or female, sane and of legal capacity can endow a *waqf* for promoting the socio-economic, religious, educational and general public welfare. Islamic civilization has recorded numerous contributions made by both men and women to enhancing community wellbeing through the institution of *waqf* (Noushad, 2016; Senkaya, 2014, and Shatzmiller, 2001).

4.0 CHILDLESS WOMEN’S PHILANTHROPY AND ENDOWING WAQF

Anecdotal accounts of Muslim women’s philanthropic activities show that childless Hausa women are also engaged in charitable giving for various reasons. While some give for immediate short-term relief others donate in ways that transform lives in a long-term perspective. From these accounts, it appears that Hausa women fall into two categories: 1) those that focus on immediate relief; and 2) those that give “strategically.” This category of women donates part of their wealth to make a difference in the life of people in their communities, such as establishing a *waqf* (Islamic endowment). Among Hausa women in the first category are Hajiya Babar Uwale (*Mai Kosai*) and Hajiya Fati Yar-Ghana. In the second category there are Hajiya Rabi, Hajiya Khadijah Saleh and Hajiya Delu Isa Ja. All of these women are childless and older adults.

Hajiya Babar Uwale (*Mai Kosai*) in Tarauni Quarters, Kano, spent more than forty years raising children of her relatives and even non-kin, such as children brought to Kano as Qur’anic school pupils (*almajirai*). Frying and selling bean cakes (*kosai*) was her business. Mallam Ilyan Baba (personal discussion February 7, 2016) stated that he who was adopted as a son by Hajiya Babar Uwale after he lost touch with his Mallam (Qur’anic teacher) barely three days on arriving

to Kano for *almajirvi* (Qur'anic learning). From then onwards, having been severed from his Qur'anic teacher and his biological parents, Iliya became Iliyan Baba (Iliya belonging to Baba) as she took him for a son and provided him with every financial and psychological support a child needed. Malam Iliyan Baba's view of Hajjiya Babar Uwale's generosity is that she "truly filled the gap" in his life.

Hajjiya Fati Yar Ghana (personal discussion with Aliyu A. Sadiq February 8, 2016) came to Kano from Ghana about fifty years ago with her husband and resided in Koki Quarters in the city. As a business woman she engaged in buying and selling various (household) items, in addition to the production of local soap called (Dangana). Her philanthropic concern was bringing up children by supporting their education. She also served as a mentor for divorcees from Ghana by accommodating them in her house, training them in local soap production and eventually getting them married to suitors.

From the second category of childless Hausa women philanthropists is Hajjiya Rabi (personal discussion with Musa Abdullahi, January 1, 2016) who hailed from Kano. With earnings from the diaspora, as she is based in Saudi Arabia, she sent remittances home with which she built a mosque in Ja'en Quarters. She equipped the mosque with tiles, carpets and a stand-by electric generator.

Hajjiya Khadijah Saleh (personal communication with Kubra Shehu January 10, 2016) also built a mosque in Garka village in Warawa Local Government Area (L.G.A.), Kano State. The mosque is said to be elegant as apart from the Friday Mosque in the capital of the L.G.A., no other mosque was as well-built as hers.

Hasfa Delu Isa Ja of Ma'alufai Zango Quarters, Kano (Muhammad, 2011) inherited sizeable wealth which she used to support her (extended) family members and also built a girls secondary school in the community as a waqf. The school was entrusted to the Kano State Ministry of Education to serve as a *mutawalli* (manager).

Looking at the philanthropic activities of these five Hausa women, it is clear that the first two were concerned more or less with improving human resources through education and training, while the last three focused on endowing physical institutions-mosques and a school. In the line with the philanthropic work of the last three donors is Hajjiya Zainab Assibi who provides the case study examined in this paper.

5.0 BRIEF PROFILE AND BUSINESS ENGAGEMENT OF HAJIYA ZAINAB ASSIBI

Without going into parental, childhood and educational backgrounds, nor inquiring about her role models, Hajjiya Zainab Assibi traced her origins to Dadin Kowa village (earlier called Tsadoji) in Daura Emirate, Katsina State. She had lived and married in Kano, Kano State. Later, after being divorced, she went to live with her aunt in Kanti Kazaure, Jigawa State, where she remarried. On being divorced in Kazaure, she decided to remain in the town as a divorcee. All through her married life Hajjiya Assibi had been childless.

Unlike some divorced Hausa women who may live with their families and engage in economic pursuits (Zakaria, 2001:112), Hajjiya Assibi decided to rent a room, when she chose to live in Kanti Kazaure, in a "married couples' house" (*gidan matan aure*). The house was owned by another woman named Hajjiya Sakinatu. This is in line with Islamic moral precepts and Hausa traditions, since Hajjiya Assibi being a divorcee could not live as a single woman in a separate

house on her own. Doing so would portray her as a “free” woman lacking moral virtues (*mace mai zaman kanta*) if not labeled as a prostitute (*karuwa*).

Once settled, Assibi (as she was then called before assuming the title of Hajiya given to women who have been to the *hajj* pilgrimage in Makka) decided to be a business entrepreneur. She might have been motivated by the need to fend for herself, or to avoid becoming an object of pity when in old age she lacks her own financial resources (Coles and Mack as cited in Zakaria, 2001:116), or even to satisfy the “female quest for personal income” (Zakaria, 2001:116). Whatever might have been her reason, she seemed to have made the best decision which enabled her not only to acquire the means to take care of her financial needs but also to support a charitable cause in which she has interest in the form of endowing a Qur’anic school.

Hajiya Assibi became well-off through food vending which is a popular business among Hausa women living in metropolitan areas. Food staples like rice meal (*tuwon shinkafa*), rice, beans, rice pudding (*masa*) are prepared and sold at home or taken out and sold by salesmen on the street and in local markets. Some women in this business enjoy “patronage from far and near” (Lewu, 2009) because of the quality of their food. On her part, Hajiya Assibi prepared and sold the food on her own and enjoyed good support from numerous customers. Indeed, she enjoyed such a patronage that despite the presence of other food vendors, her food became a favourite which customers hate to miss.

She acquired her wealth mainly from preparing and selling cooked food but started in a humble way by selling eggs. Later another businesswoman drew her into commuting to periodic rural markets, as is practiced by some Hausa divorcees, to buy and sell ground nuts and beans in Kazaure town. Afterwards one Alhaji Magaji advised her to discontinue commuting between periodic markets because he felt that increased prosperity from such business undertaking may discourage her from ever getting married. He further advised her instead to invest money with a partner while she engages in cooking and selling food along the main road in Kanti Kazaure. In the same year she got this advice many men were engaged as tipper workers, and these people provided ready market for her business. So she accepted the advice and started but ensured that the quality of her food was good as Alhaji Magaji counseled her earlier.

From initially cooking and selling a few measures of ordinary rice and beans (what could today be called *garan-garan* in Hausa), Assibi’s business grew into selling a bag-full of rice with stewed-chicken. Within seven months she was able to purchase a plot of land to build a house. Before building the house Hajiya Assibi visited her two sisters-in-law in Kano to inform them about her plans to buy a plot of land on which to build her own house. The two women, Hajiya Binta and Hajiya Rakiya, both advised her to go for the *hajj* pilgrimage, as a matter of priority, adding that by the grace of Allah she would have a house on her return from the journey. So with such words of encouragement Assibi accepted their ideas and returned to Kanti Kazaure.

As Cooper (1999:101-102) states “all Muslim women... who have any success in trade make saving money for their pilgrimage a very high priority,” Assibi started saving for the *hajj*, on returning from Kano and was able to meet the cost of the trip to Makka. On coming back from Makka, Assibi assumed the title *hajjiya* (*bajija*) which signifies a growing access of women to moral and cultural capital that entail sociopolitical consequences. With her new title, Hajiya Assibi continued preparing and selling food, bought additional plots of land and thus became established in food business, with interests extended to landed properties.

6.0 HAJIYA ASSIBI'S DREAM AND ENDOWING PROPERTY

With business prospering, Hajiya Assibi moved to her own personal house which is quite spacious and relatively well-built. While Assibi's food business progressed a turning point occurred in her life. Twice she had a dream in her sleep in which she was asked to partition her property, the house she lives in, and to donate it as a *sadaqah* (charity) for use as a school. By then she was advanced in age besides being childless. On the first occasion during the fasting month of Ramadan, she narrated her dream the following day to her brother and the ward head who, both, asked her to dismiss it as inconsequential, which she did. On a similar occasion a year later, also in the month of Ramadan, Hajiya Assibi had the same dream in which she was reminded to give the charity as on the previous occasion. She again told the ward head, who for the second time repeated his call to dismiss it. But when she narrated it to her niece and her elder brother and his children, they welcomed it and encouraged her to go ahead.

However, Hajiya Assibi's younger brother unexpectedly dissuaded her elder brother later from accepting her position, arguing that he should not allow her to give away part of her property in charity. An extended family meeting was convened with persons likely to be her inheritors, since she had neither descendants nor ascendants as heirs (*kalalah*), and it is from among these people that some would succeed her under Islamic law (*Shari'ah*). During the meeting they overwhelmingly rejected her idea of giving part of her house as charity. But she stood her ground.

The matter took them to the ward head. Before the ward head, it was disclosed that in Hajiya Assibi's village, a lady donated her house in charity but later revoked the donation. Similarly, one Alhaji gave his shop to *almajirai* (itinerant Qur'anic pupils) to use as a classroom (school) with the declaration that the property be excluded from his estate after death. That is he bequeathed the shop in a will (*wasiyah*). However, on the death of the Alhaji, his heirs refused to honour shop gift.

Upon all these narrations, perhaps given to convince Hajiya Assibi to reconsider her stand of donating the property for a school as a *waqf* (Islamic endowment), Assibi firmly maintained her position. She argued that all they were after was to benefit from her estate, but none would pray for her after death. Rather than allowing that to happen, she would better give it out as charity for sake of Allah.

After all the vehement protestations against giving the property as charity by her potential heirs, that is members of her extended family, having already lost her parents and without a husband, Hajiya Assibi did not yield an inch but courageously stood her ground. In the end they had to accept her position and, after necessary administrative measures were taken to document the donation of a portion of her property, Hajiya Assibi's *waqf* was founded for children's Qur'anic education. The *waqf* was entrusted to the custody of an Islamic nongovernmental organization concerned with the care for orphans and the needy. Hajiya Zainab Assibi's future plan was to donate the other portion of the house also as a *waqf* to be converted into a mosque, which she hoped to do after conceding some other property for the benefit of her would be successors.

7.0 IMPLICATIONS FOR ENDOWING PROPERTIES

What could have been Hajiya Assibi's motivation in endowing her *waqf*? More particularly, why was she so courageous in firmly standing on her grounds not to yield to the initial opposition from members of her extended family? For a woman like Hajiya Assibi to stand firm on her

ground in Hausa society, where men act as guardians (Zakaria, 2001), must have required great courage in the absence of feminine persuasions.

From Hajiya Assibi's narrative, a likely answer to the first question seems obvious: the dream she had not once but twice and in Ramadan, the holy month of fasting, prompted her to endow the waqf. But it may be asked whether having a dream is enough for a Muslim to act upon or to be influenced by it? In Muslim communities, dreams and visions are important irrespective of a Muslim's social, cultural or academic background (Knysh, 2012:4). In the interpretation of dreams, the Shari'ah distinguishes between a vision (*ru'yah*) and a dream (*bulum*), though ordinarily, they are used synonymously.

The difference between the two, as Salman and AbdurRahman (2009:67) state is based on the Prophet's (S.A.W.) sayings: 1) "A vision is from Allah while a dream is from *Shaytan*," and 2) "If any of you sees a vision he likes it is from Allah, but if any of you sees other than this that he detests it is from *Shaytan*."

Acting upon a vision depends on whether the vision is in agreement with Shari'ah rulings. According to Sheikh Mahmoud A. Danfodio (personal communication, August 24, 2015) one may act upon a vision experienced so long as it does not contradict Shari'ah teachings, and Hajiya Assibi's vision, urging her to make a charitable donation, does not violate Islamic precepts.

Indeed, that Hajiya Assibi resolutely went ahead and acted upon the dream she had indicates she saw a vision not a dream which she believed to have been from Allah. Thus, a 'worldly vision' that involved material property was extended, as Oadah (2015) would say "to the farthest horizons" that "stretch to the Hereafter." In other words, dreams by an individual may be just personal experiences but they could cease to be so and translate into dreams for the entire community when they are "connected with Allah" (Oadah, 2015). Hajiya Assibi's vision was an individual experience but it was transformed into a community endowment for children's Qur'anic education. Her interpretation of the vision connected it with Allah and the timings in which the vision was seen -month of Ramadan- provided additional moral support for that interpretation.

The legal status of Ottoman women (Zilfi, 2008) regarding proprietary rights may resemble those of women in the Sokoto Caliphate (Lugard as cited in Bergstrom, 2002). But the former may be more enlightened and socio-politically assertive than the latter. Thus despite the presence of rights in law, women must be educated to be able to enforce those rights in practice. As Osunyanmi (2011) states, women need to be educated on their rights to be empowered to claim them. This education may be acquired formally in schools or non-formally through personal experiences and exposure to other cultures through travels. The hajj performed by Hajiya Assibi seems to support this view of "non-formal education" which is corroborated by Cooper's (1999:104) argument that hajj performance "provides women with a moral endowment."

The fact that Hajiya Assibi is childless and advanced in age prompts a consideration of whether childlessness and advancement in age have been factors in endowing her waqf. This thought seems necessary because, on the surface, it was the vision she had that gave her the initial motivation to establish the school-waqf. But looking at it from another perspective may reveal other underlying motives for her giving behaviour.

Relating childlessness and advancement in age to women's contributions, Kohli and Albertini (2009:1178) assert that childless older adults act as a "societal resource" because they

“provide to their families, to the younger generations and to society at large.” This suggests that Hajiya Assibi might have been subconsciously inspired to transfer part of her property to younger generation in form of endowing a Qur’anic school for the benefit of children that she had forgone, perhaps involuntarily. Thus by donating her waqf, she had contributed to children’s educational development in her society which is a form of “giving back to society” (Spero, 2014).

Hajiya Assibi’s philanthropic behaviour may also illustrate an emerging field of research in developed economies that focuses on older childless people becoming involved with civic engagements and community service. By giving a portion of her property, she had substituted charitable donation for “transfers to children” (Kohli and Albertini, 2009:1179). Furthermore, by entrusting the custody of the school to a nonprofit Islamic organization, she is serving as a model other Hausa women donors may emulate in engaging with civil society organizations to promote their philanthropic interests. Kohli and Albertini (2009:1261) note that there is the tendency for childless people to be deeply involved in charities and charitable organizations “outside-family social networks”. As such Hajiya Assibi’s philanthropy may be seen as a pointer to that trend which appears to be emerging among Hausa Muslim women of means, though a future study of this category of women is required to confirm the trend and its pattern.

Shaw and Taylor (as cited in Calhoun, 2006:8) mention six recurring themes that serve as motivators for women’s philanthropy. Among these motivators is “change,” which indicates women’s desire to see immediate, rather than gradual transformation, through their philanthropic interventions. Though VerEecke (1993:221) claims that “most Muslim in northern Nigerian women...are reluctant to seek change,” Hajiya Assibi seems to stand out as a woman that acted as an agent of change. This is because her donation can be seen in the context of a philanthropic action directed towards bringing about a difference in society. By supporting children’s education, Hajiya Assibi has invested in the proper upbringing of children as future leaders. Giving children the opportunity to attend school enhances their chances of growing as good citizens with sound moral character. This prevents them from falling prey to anti-social vices to which out-of-school children become susceptible.

Hajiya Assibi’s story also illustrates some of the legal and regulatory challenges facing waqf sector in Nigeria. The fact that some donors could revoke a waqf gift, which once made is irrevocable, or an estate of a deceased donor disregards a will bequeathing a waqf and no legal action is taken against them, points to the absence or weakness in waqf laws and their enforcement. Describing this situation Oseni (2013:2) states “some waqf properties donated for the sake of Allah and for the benefit of the generality of people are transformed to inherited properties after the demise of the donor.”

Consequently, there is need for law or its effective enforcement to ensure protection and recovery of waqf properties and see that bequests made by deceased donors are honoured by their estates. There is also need for proper documentation of waqf transactions and registration of waqf properties to prevent their eventual conversion into private use. A waqf register should be maintained by Shari’ah courts and every waqf be registered and given an identification number.

In essence, Hajiya Assibi’s endowment demonstrates a “strong role of the social and financial capital accumulated early in life, especially in the form of the help and support provided by older childless people to others” (Kohli and Albertini, 2009:1178). Consequently, the social relations built by Hajiya Assibi with the Qur’anic school children’s parents may grow to the extent that she does not “become an object of pity” (Coles and Mack as cited in Zakaria, 2001:116) nor become socially excluded in her community even when older in age later in life.

Perhaps instinctively, Hajiya Assibi might have developed a strategy that could help her to hedge against the risk of “social isolation and deficient support” facing childless older adults like her. This is more so especially when in poor health they need help most but may not be forthcoming from non-kin and next-of-kin with whom they have established social ties (Kohli and Albertini, 2009:1263).

Finally, the stand taken by Hajiya Assibi could have been made possible by her trip to the *hajj* during which she might have acquired a broader mindset that gave her confidence for self-expression. Her ability to impose her decision to dispose her property as she thought fit could have arisen from the “moral endowment” she acquired during the hajj season. As Cooper (1999:101) suggests, “women’s increasing ability to fulfill their obligation to perform the hajj has tremendous political-economic implications,” that may warrant a re-thinking of women’s social position. Thus, the ‘moral capital’ accruing to women pilgrims (*hujjaj*) could have emboldened Hajiya Assibi to assert her proprietary right to realize her dream of endowing a waqf.

8.0 CONCLUSION

The study argued that by exposure to religious experiences and the courage to live by Islamic teachings, Hausa Muslim women can exercise their proprietary rights without recourse to feminist promptings. By examining women’s property rights under Islam and Hausa custom and a brief consideration of Hajiya Zainab Assibi’s biography as a childless well-to-do woman advanced in age, this study concludes that childless adult wealthy women like Hajiya Assibi, may not have to wait for a vision before they establish a waqf. But they need to get Hajiya Assibi’s courage to express their views and get the determination to assert their right to control their properties, within Islamic values, in the face of domineering tendencies from male extended family members. They also need to emulate Ottoman women philanthropists by establishing waqf that provide a network of social and economic public goods such as schools, health facilities, mosques and hostels for travelers.

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