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Tracing *Awqaf* Mutawalli's Accountability: Some Preliminary Malaysian Evidence

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Abstract

Mutawalli's accountability is a pressing issue as it is inextricably linked to *awqaf* institution's sustainability and survival. Being a manager to *awqaf* assets, *mutawalli's* accountability is therefore expected to influence donators' confidence and hence their continuous financial support. It is hence timely that *mutawalli's* accountability from the acute dimensions of accounting and reporting are explored and examined. This effectively provides a basis for reality check for the necessary improvements. Consistent with the above, this study explores the current accounting and reporting practices of two distinct *mutawallis* operating on different operational platforms. Utilizing multiple research techniques comprising both, interviews and record reviews, the preliminary empirical results are arguably unique, systematically providing an appropriate basis for reality check on *mutawalli's* accountability, thereby providing improvement framework on *waqf* management to other Malaysian *mutawallis*.

Keywords: *Waqf*, management efficiency, accounting and reporting practices, governance and disclosure

1. INTRODUCTION

The institution of *waqf* (plural) in Islam is one of the property alleviation mechanisms in the society besides *zakat* (compulsory charity) and *sadaqah* (optional charity). It has been widely discussed in the literature that *waqf* can be an effective system of poverty eradication by improving the non-income generating aspects such as health, education besides increasing access to physical facilities such as commercial, transportation, agricultural, industrial and many others (Sadeq, 2002; Ihsan & Ayedh, 2015). The imperative of *waqf* as the socio-economic vehicle in Islamic economics is also duly emphasized by Allah in the Quran:

And in their wealth and possessions, there is right of the needy (Quran; 51:59)

Help one another in furthering virtue and God-consciousness (Taqwa), and do not help one another in furthering evil and enmity (Quran 5:2)

Awqaf institutions are essentially Islamic religious entities (IREs) with charitable aims to which the accountability concept is paramount in the context of their survival (Hairul-Suhaimi & Hisham, 2011). This is premised on the fact that *mutawalli's* accountability would enhance donator's confidence and hence their support, systematically causing *waqf's* sustainability and survival to become a function of *mutawalli's* accountability (Kahf, 1998). A body of accountability literature has grown extensively to explain the multi-dimensional accountability traits of *awqaf* institutions (e.g. Hairul-Suhaimi & Hisham, 2011; Hidayatul & Shahul-Hameed, 2011). The extent empirical accountability literature has also sought to establish empirical evidence of the extent to which

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accountability has been observed by IREs' managers. On the back of these extensive studies however, remain unique outstanding research issues.

First, majority of prior *awqaf* studies were typically conducted using single or at most less than three *mutawallis*, characterizes with attributes contrastingly dissimilar among them. This renders the empirical results obtained to be unique and hence, non-generalizable to other IREs. Hence, it becomes an empirical question as to whether accountability observance in the examined IREs would be equivalent to that of other IREs particularly in the country like Malaysia. This reinforces the need for examining respective State's specific accounting and reporting attributes in the studying of *mutawallis*' accountability. Second, both *awqaf* and *zakat* are Islamic economic tools available to address various economic issues among Muslims and non-Muslims. While the latter is compulsory, the former is purely voluntary in nature. Given the critical importance of these economic tools on the back of the present challenging economic status particularly among the Muslims as well as the diverse stakeholders involve, the management of these religiously rooted charity tools has become a major research focus academically.

The above demonstrates significant empirical gaps in the literature as well as the practical imperative of studying further the *mutawalli*'s accounting and reporting practices as evidence towards accountability observance. The silence nature of the current empirical literature on this issue should be of a great concern to all, given the important roles of both *awqaf* in the Muslims' economy and *mutawallis* at managing *awqaf* assets. Accordingly, this research reports preliminary empirical findings being part of a larger research on *awqaf* accountability from various managerial dimensions. The results presented in this paper are however focused only on two identified research issues of accounting and reporting based on two *awqaf* institutions (*mutawalli* A and B) which organizational setup and management styles are observably dissimilar. Selecting these two distinctive *mutawallis* effectually provides appropriate analysis framework in examining *awqaf* institution's accounting and reporting practices across different management regimes.

The empirical results, albeit preliminary, are notably enlightening and incrementally contributive to the extent *awqaf* literature. The results in general indicate differential levels of reporting in terms of contents, reporting methods, frequencies, target users, and regulatory structure governing the accounting and reporting by the *mutawallis*. Being a *mutawalli* operating on a government platform with bureaucratic practices, *mutawalli* B is noted to be lacking in almost all material respect compared to *mutawalli* A. The state of accounting and reporting practices by *mutawalli* B is practically consistent with the low demand for such information disclosure by donors in the State which economic development is considered as lower compared to the State in which *mutawalli* A is operating, thereby shaping users' sophistication in informational demand and processing.

The significance and hence the contributions of this preliminary research are arguably at least twofold. First, it constitutes the first research attempt at providing fresh empirical evidence of accounting and reporting among *mutawallis* which respective organizational setting and management styles are contrastingly dissimilar. This allows the manipulation of different settings in examining the accountability traits of accounting and reporting. Second, results provide critical policy inputs to relevant stakeholders in *awqaf* spheres particularly on the need and imperative of providing high quality accounting data and disclosure.

The remainder of this paper is structured as follows. Section 2 proceeds to reviews related literature on *awqaf*, accountability, accounting and reporting in the charity context. This is followed by research method in section 3. The empirical results and discussions are presented in Section 4. Final section concludes the paper which includes some recommendations and suggested future research.

2. WAQF: GENERAL OVERVIEW AND HISTORICAL DEVELOPMENT

The word *waqf* is primarily used in the Islamic context to differentiate it from endowment, trust or foundation that was not established in expressed compliance with *Shari'ah*. Grammatically, *waqf* and its plural form *awqaf* are nouns derived from the transitive verb *waqafa* which means 'to stop', 'to pause' or 'to detain' (MASB Research Paper, 2012). In Islamic jurisprudence, a *waqf* represents a dedication of a specified asset (*mawquf*) by settlor (*waqif*) into the administration of a *waqf* manager (*mutawalli*) through a legal instrument (*waqfiyyah*) such that the income or usufruct of that asset benefits a stated beneficiary (*mawquf alaih*) or is used for a stated purpose. *Waqf* is different from *zakat* in the sense that *zakat* is compulsory and *waqf* is voluntary although both fall under the concept of *sadaqah*. *Zakat* beneficiaries are clearly mentioned in the *Quran* (the eight *asnaf* or category). Where recipients of *waqf* funds are not clearly stated; the purpose of *waqf* should be for any pious purposes, as long as it does not contravene the *shari'ah*. In the past, *waqf* properties are used for various purposes including education, healthcare and financing of public amenities. In Malaysia, the manager of the *waqf* is only rendered valid by the law to be the State Islamic Religious Council (SIRC) of each State. The *waqf* property is not to be

sold, transferred nor inherited because the *waqif* has relinquished his claim on the said *waqf* property. Once the property is surrendered to be under *waqf*, it will become perpetual such that it remains so until the Day of Judgment with no one could change it later. The principle of perpetuity is protected by the *Shari'ah* based on series of rulings such as the prohibition of disposition of the *waqf* assets through sale and other contracts.

2.1 Awqaf Institutions and Accountability

Accountability could be broadly defined as “*a relationship between an actor and a forum in which the actor has an obligation to explain and justify his or her actions or conducts*” (Bovens, 2007 p. 15). Hence, accountability involves the process of explaining and providing justifications of what has been done, currently done and plan to do in the future by the actor to those he or she is answerable or accountable to (Barlev, 2006, p.187; Stewart, 1984). In the context of public sector organizations which *awqaf* belongs to, Hodges (2012) explains that there exists two types of accountability of vertical and horizontal. The former relates to legal structures and the latter represents accountability across governmental departments and other stakeholders. Recently, the term hierarchical and holistic accountability emerged in the accounting and accountability literature (O'Dwyer & Unerman, 2008) whereby the former relates to a narrow form of accountability where influential stakeholders are prioritized while holistic accountability caters to a much wider scope of stakeholders.

2.2 Accounting and Reporting in Religious Institutions

Accounting is regarded as the language of business, finance and commerce and this is applicable to all cultures and historical periods (civilization) (Carmona & Ezzamel, 2007). The objective for accounting and reporting in not-for-profit is therefore to disseminate the organization's activities and achievements for the relevant fiscal years to the stakeholders which may be internal or external (Dellaportas *et al.*, 2012). Therefore, the non-financial information should be communicated together with the financial information to enable a ‘holistic’ communication between the managers as this is also a part of the accountability processes.

Historically, western churches played a central role in the development of capitalism and accounting (Quattrone, 2004) which contradicts the essence of secularism concept where church (clergy) is only allowed to manage the sacred and leave the worldly matters to the laity (Swanson & Gardner, 1986). As a result of this demarcation, there are two divisions (of the sacred and the profane) where accounting is considered as a profane activity (Booth, 1993; Laughlin, 1988). The emergence of modern accounting was joined by nascent capitalistic enterprises emerge in the early modern city states such as Italian cities. Luca Pacioli, a church trained scholar is claimed as the father of accounting wrote *Summa*, which include a chapter on double entry bookkeeping practices in the 15th century (Foo and Hwa, 2006) although there was claimed that he learnt the practices from the Arab traders who frequented Venice as Venice is the center port during that period (Zaid, 2004).

A study by Swanson and Gardner (1986) documents the emergence of accounting procedures and concepts in NFP during a period of change in church institutions in America. Charities played a critical role in American (and British) society history. The Episcopal Church in 18th century canonized accounting rules and processes although there were no specific statistics or financial data in early canon. The accountability trail was that the minister reported the churches affairs to an annual convention of diocese which in turn reported to a general convention that reported to the House of Bishops. In 1808, the churches started using statistics in report and a detailed treasurers report existed by early 1840s in Indiana with tabular summaries of the assessments required of the local parishes. The reporting developments were recorded from 1853 until 1910.

Laughlin (1988) seminal work in studying the Church of England accounting and reporting is among the pioneer in research of accounting in religious institutions. He argued that accounting is not a context free mechanic rather it is bound by the surroundings or organizational context in which it operates especially the influence of belief system that guide conduct in religious organizations (Tinker, 2004). Laughlin's (1988) exploration of the inter-relationship through a contextual analysis of accounting system of Church of England in order to understand the social fabric of Church of England is an innovation to understand accounting roles in religious organizations. Since then, it has attracted the accounting scholars to study how accounting is used in organizations heavily inclined towards religion (e.g. Carmona & Ezzamel, 2006; Hardy & Ballis, 2013; McPhail, Gorringe & Gray, 2005). Currently, there is a demand for greater disclosure of non-financial information on objectives and outputs of charity in terms of comparisons and explanations (Hyndman & McConville, 2015). This is supported by Hyndman's study which determine contributors need from large fund raising charities found that the five most important information needs of the users are 1) the charity goals; 2) any problem/need area; 3) the charity administrative cost; 4) output; and 5) the charity efficiency. The four lowest importance information disclosed by

the charities are 1) the charity income statement; 2) balance sheet; 3) list of charity officers and 4) the cash flow statement.

In the *waqf* context, non-financial information will effectively enhance *mutawalli*'s accountability and that the distribution of charities annual reports serves as important accountability features. Unfortunately, Yasmin *et al.* (2013) find that information on administrative were heavily disclosed rather than achievements of the charities towards their mission, vision and objectives. Such findings are arguably similar to prior research (e.g. Connolly & Hyndman, 2004; Laughlin, 1990).

3. METHOD

This paper adopts the mixed mode approach with strong emphasis on qualitative technique attributed to at least two reasons. First, the nature of research objectives which involve an exploration of unknown phenomenon warrants for quantitative approach alone to become unfeasible. Second, mixed mode allows for the generation of rich research results, enabling researchers to capitalize on first-hand information from the qualitative research technique. This mixed mode research project involved the use of robust research techniques including interviews, documentation reviews and physical observations. Consistent with the established research objective of exploring *mutawalli*'s accounting and reporting practices, several sub-dimensions are further established in guiding the data collection processes and analysis thereon.

The two selected *mutawallis* are located in two separate States in the peninsular Malaysia and coded A and B respectively following the anonymity request by *mutawallis* in exchange of their agreement to allow the data collection processes. *Mutawalli* A was established as a corporate entity in 2011 and independently handles *awqaf* assets and funds after assuming the roles previously held by the State government. It carries the corporatized image as well as corporate management style which in sharp contrast to *mutawalli* B which operates on a government platform. Relevant accounting and disclosure documents and information from multiple sources are collected from each *mutawalli* including semi-structured interviews with the identified respondents working in the respective institutions. The interviews were conducted with the Officers (Mrs. A and Mr. B) which were held in the respective *mutawalli*'s head office.

4. RESULTS AND DISCUSSIONS

The empirical results according to the established dimensions are tabulated in table 1 below.

Table 1. Empirical Results

No	Sub-Dimensions	<i>Mutawalli A</i>	<i>Mutawalli B</i>
1	General	<ul style="list-style-type: none"> ▪ Claimed to follow MFRS ▪ Utilizing accounting software ▪ Accounting records handled by assistant accountant with accounting background. 	<ul style="list-style-type: none"> ▪ Cash <i>waqf</i> introduced in 1998 but formal reporting only in 2010. ▪ Report manually prepared by the Assistant Executive of Economy (Gred E27) using excel & UBS for daily collection. ▪ Rampant recording errors due to manual nature of recording ▪ Financial report prepared using excel. ▪ Nobody in the <i>waqf</i> department possesses accounting qualification. ▪ They only official report for <i>awqaf</i> is the Statement of Income & expenses. ▪ Revenue was classified as: <ul style="list-style-type: none"> (i) Sales of SWP units (ii) (+) Profits on current account (iii) (+) profit on <i>Al-Mudharabah</i> on Investment account. ▪ Expenses consists of <ul style="list-style-type: none"> (i) <i>Waqf</i> disbursement; (ii) Bank charges. ▪ Notes to the accounts are NOT provided such as details on disbursements ▪ Requirement: Yearly reporting ▪ Physical check reveals that the reporting for 2013 & 2014 yet to be finalized.
2	Financial Report Types	<ul style="list-style-type: none"> (i) Collection & Disbursement Report. (ii) Statement of Income & expenses; (iii) Statement of Financial Position, (iv) Cash Flow, (v) Notes to the account. 	
3	Frequency	<ul style="list-style-type: none"> ▪ Quarterly reporting in the <i>Bulletin</i> available: <ul style="list-style-type: none"> (i) Upon request; and (ii) To those making salary deductions 	
4	Target Users	<ul style="list-style-type: none"> ▪ Prepared for the sole usage of: <ul style="list-style-type: none"> (i) Board of directors; 	<ul style="list-style-type: none"> ▪ Prepared for the sole usage of: <ul style="list-style-type: none"> (i) staffs in <i>Waqf</i> Department;

No	Sub-Dimensions	<i>Mutawalli A</i>	<i>Mutawalli B</i>
5	Mode	<ul style="list-style-type: none"> (ii) Staffs: To inform progress especially to Marketing & Project department. (i) <i>Bulletin</i>: 2 times a year; (ii) Unpublished financial report: Yearly 	<ul style="list-style-type: none"> (ii) SIRC. ▪ Hard copy is only for internal use, but unpublished for public viewing. ▪ Occasional and un-updated online reporting is available at <i>mutawalli</i>'s website but not specifically on collection & disbursement in detail. ▪ Reporting on collection and disbursement is upon request by donors and not publicly available.
6	Availability	<ul style="list-style-type: none"> Publicly available through: (i) Bulletin; (ii) Website; (iii) News Paper; (iv) Radio IKIM; (v) <i>Mutawalli</i>'s representative 	
7	Fixed assets register for Normal <i>Waqf</i>	<ul style="list-style-type: none"> ▪ All assets are registered under SIRC's name and reported in its annual report (AR). 	<ul style="list-style-type: none"> ▪ Fixed assets not properly registered and recognized in the Annual Report as it was manually recorded for department reference only.
8	Assets valuation	<ul style="list-style-type: none"> ▪ Assets valuation was done for land classified for development and accordingly depreciated. 	<ul style="list-style-type: none"> ▪ Not valued as it was not recognized in the AR. ▪ Cited reason: Costly to engage independent valuer or assessor.

The main recording inconsistencies detected are on the use of wrong accounting terms to represent the underlying meaning of accounting items. For instance, “Revenues” should rightfully be recorded as “*waqf* Collection”, whilst “Profit on investment” should ideally be “Other *waqf* Collection”. Additionally, “Expenses” should rightfully be record as “*waqf* Disbursement/Distribution” and “Surplus on income” should rightfully be recorded as “Surplus on *waqf* Collection”

Overall, the results in general indicate differential levels of reporting in terms of contents, reporting methods, frequencies, target users, and regulatory structure governing the accounting and reporting by the selected *mutawallis*. Being an entity operating on a government platform with bureaucratic practices, *mutawalli* B is noted to be lacking in almost all material respect compared to *mutawalli* A. The state of accounting and reporting practices by *mutawalli* B is practically consistent with the low demand for such information disclosure by donors in the State in which it operates which economic development is noted to be less developed compared to the State in which *mutawalli* A is operating. The urban nature of the state which *mutawalli* A is operating and hence the higher level of sophistication with regards to informational demand and processing of its people effectively creates appropriate demand for frequent, timely and informative information disclosure regarding *waqf* activities handled by *mutawalli* A as majority of the donors work in professional career paths, consistent with its developed State status.

Although this paper is unable to prove empirically that the corporatized nature of *mutawalli* A contributed towards a more proper accounting and transparent reporting, it could only speculate that the improved state of accounting and reporting by *mutawalli* A compared to *mutawalli* B is the measured response of corporatization exercise which primary aims are to enhance operational efficiency and improving deliverables based on donors' expectations and demands, thereby systematically enhances entity's emphasis on donors' confidence and contributions in ensuring organizational success.

5. CONCLUSION

Research in the specific area of accountability in the context of *waqf* institution is noticeably growing and remains the subject of ongoing study globally. This research project examined issues related to *mutawalli*'s accountability across different management and operational regimes and reports novel evidence on accounting and reporting practices of two separate *mutawallis* with different institutional features and establishment characteristics. The motivation behind this study rests on the need for *mutawallis* to observe accountability in order to ensure the institution's survival and such demand is observed to be sparsely examined in prior research. The results in general indicate differential levels of reporting in terms of contents, reporting methods, frequencies and target users. Overall, the presented empirical evidence, albeit preliminary in nature enhances our understanding on *mutawalli*'s accounting and reporting, thereby adding up to the growing body of knowledge related to *awqaf* *mutawalli*'s accountability.

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