



The Significance of Corporate Social Responsibility Disclosure to Islamic Banks in Malaysia: An Islamic View

Wan Noor Hazlina Wan Jusoh^a, Uzaimah Ibrahim^b

^a*Academy of Contemporary Islamic Studies, Universiti Teknologi MARA, Malaysia*

^b*Ahmad Ibrahim Kulliyah of Law, International Islamic University Malaysia, Malaysia*

Abstract

Corporate social responsibility disclosure (CSR/D) is imperative for an institution as it assists decision makers in making economic decisions. However, for Islamic institutions like Islamic banks, these objectives are secondary. For Islamic banks, to show their compliance with *Shari'ah* is the main objective of their CSR/D that overrules other objectives. Nevertheless, there is no special framework on corporate social responsibility (CSR) for Islamic financial institutions in Malaysia especially Islamic banks thus far to guide them on what should be disclosed in their annual reports although Malaysia is one of the leading global hubs for Islamic finance. Hence, the purpose of this study is to determine the significance of CSR/D to Islamic banks in Malaysia from an Islamic view. This study is based on primary *Shari'ah* sources (*al-Qur'an* and *al-Sunnah*), secondary *Shari'ah* sources and documentary analysis of Islamic banks annual reports. It was found that, it is obligatory for all Islamic banks in Malaysia to disclose their CSR activities and initiatives through an appropriate common platform, which is CSR/D. Therefore, a special CSR framework is required to guide Islamic banks in Malaysia systematically and accurately disclose their CSR activities, or initiatives.

Keywords: Corporate social responsibility disclosure; Islamic banks; Islamic view; *Shari'ah*; Malaysia

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1. Introduction

Many Islamic banking scholars claim that although Islamic banks execute mostly the same functions as conventional banks, they do this in clearly different ways (Ahmad, 2000; Iqbal & Molyneux, 2005; Lewis & Algoud, 2001; Warde, 2000). In this light, Islamic banks fill two very important aspects in the community, i.e. both religious and financial. From the religious perspective, Islamic banks take responsibility for complying with the Islamic principles, thus setting an example for people in the community who observe their activities. From the financial perspective, the banks' control of large funds and revenues helps them to undertake a social role (Al-Maghribi, 1996).

Consequently, corporate social responsibility disclosure (CSR/D) of Islamic banks should be different from their conventional counterparts in terms of primary objectives. CSR/D is essential for an institution as it assists decision makers in making economic decisions. However, for Islamic institutions like Islamic banks, these objectives are secondary. For Islamic banks, to establish their compliance with *Shari'ah* is the main objective of their CSR/D that overrules other objectives (Baydoun & Willet, 1997). The implication of this objective is that Islamic banks have a duty to disclose all information necessary to its stakeholders about their operations, even if such information is adverse to the Islamic bank's interest (Maali et al., 2006). This originates from the divine duty of accountability that each Muslim bears (Farook, 2007). As Islamic financial intermediaries, Islamic banks have a duty to disclose their compliance with the principles and laws of Islam to stakeholders. The requirement for Muslims to uncover the truth is required to help the community to know the effect of a person or a business on its wellbeing. Muslims are responsible for their actions and must take into account this responsibility towards the society because their actions affect society (Al-Maghribi, 1996).

Nonetheless, there is no specific CSR/D guideline for Islamic banks in Malaysia to refer thus far, although Malaysia is one of the leading international hubs for Islamic finance. As a result, CSR/D has been interpreted

according to individual Islamic bank based on Bursa Malaysia Corporate Social Responsibility (CSR) Framework (Bursa Malaysia, 2012), which is very general and does not adequately guide Islamic organizations, such as Islamic banks, since the framework is specifically formulated for Public Listed Companies (PLCs). It seems consistent with a recent study that revealed a higher focus on the workplace compared to society by the investigated Islamic banks, which indicates CSR initiatives by the Islamic banks have a deviation toward the Western-centric approach (Amran et al., 2017). Thus, this study analyses the significance of CSRD of Islamic banks in Malaysia from an Islamic perspective.

The organization of this paper is as follows: section 2 discusses a review of previous studies. Section 3 describes briefly the research methodology. Section 4 provides the analysis on CSRD from an Islamic perspective. The status of CSRD of Islamic banks in Malaysia is investigated in Section 5 and section 6 provides a conclusion.

2. Literature Review

Corporate social responsibility disclosure (CSRD) basically refers to information provided by companies relating to their activities, aspirations, including public image with regard to environmental, community, employee and consumer issues (Smith et al., 2005). Disclosures on corporate charitable contributions, political contributions, and effects of company's products on consumer health and safety also fall under the scope of CSR (Williams, 1999). CSRD is the disclosure of information about how the corporate entity interacts and socially responsible towards the society in which it operates (Puziah Mohd et al., 2007).

Increased demands for accountability and transparency in the past decade have led many companies in the world to practice CSRD, particularly in companies' annual reports (Suaini Othman, 2009). The growing importance of CSRD, which is also considered as non-financial reporting (Perrini, 2006) within the corporate environment is more apparent, as many successful multinational companies put great efforts in producing their CSR reports (Frederick et al., 1992), since one way of displaying CSR is to publish CSRD, which presents their social performances (Kok, 2007). It is also imperative for these companies to be responsible for their social and environmental impacts and one of the means in ensuring this is through CSRD (Mustaffa & Rashidah, 2007). In this respect, CSRD plays a central role in disseminating social information needed by society (Kok, 2007).

The call for greater transparency and accountability has encouraged companies around the world to extend their corporate disclosure beyond financial considerations. Locally, Bursa Malaysia has launched the CSR Framework for Public Listed Companies (PLCs) in 2006 (Bursa Malaysia, 2012), and simultaneously in the same year the Government (Malaysia) has launched the Silver Book for Government-Linked Companies (GLCs) (Putrajaya Committee on GLC High Performance, 2006) to answer the call. The requirement to all PLCs to disclose on their CSR activities is clearly stated in the Bursa Malaysia Listing Requirements that states "a description of the corporate social responsibility activities or practices undertaken by the listed issuer and its subsidiaries or if there are none, a statement to that effect" (Bursa Malaysia, 2014).

Globally, the GRI Sustainability Reporting Guidelines (GRI Guidelines) has been introduced to develop, promote, and disseminate a generally accepted sustainability-reporting framework on an international level (Global Reporting Initiative, 2013). In fact, as an international standard for Islamic financial institutions, AAOIFI Standards has clearly stated that:

"Disclosure should be made, in a separate CSR report contained within the annual report, of the material policies of the Islamic financial institution with respect to its mandatory CSR conduct to satisfy the information needs of the Islamic financial institution's stakeholders. Disclosure may also be made in other reports specifically targeted towards the general public. It should be noted that while disclosures are meant to be comprehensive, the potential user groups of CSR information are wide and hence disclosures should be designed with the intention of making them as understandable as possible for the general public" (AAOIFI Standards, 2010).

It has been found in previous studies that communicating that company's care for their employees, communities, environment and marketplace will enhance corporate reputation and business sustainability (Suaini, 2009). There are many other benefits associated with CSRD as well which include creating financial value, achieving continuous improvement, improving regulatory compliance, strengthening risk awareness

and management, encouraging innovation, enhancing management systems and decision making, raising awareness, motivating and aligning staff, and attracting talent, attracting long-term capital and favourable financing conditions, maintaining license to operate, and establishing competitive positioning and market differentiation (Mustaffa, 2009). CSR also may be able to strengthen stakeholder relations as reporting promotes corporate transparency and instils greater confidence and trust among stakeholders (Hasnah et al., 2007). However, most of the time, if it is voluntary in nature, there is no specific guideline to disclose such activities in the annual report (Hamid, 2016).

Nowadays, the stakeholders can reward or punish corporations. Inevitably, those who do not participate in sustainable development and reporting would have an impact on companies' future success and financial profitability. Miscalculation or misjudgement on issues relating to sustainability can now have serious repercussions on how the stakeholders view a company and value its equity (Mustaffa, 2009). Undoubtedly, greater transparency and disclosure keep corporate stakeholders better informed about the way a bank is being managed and governed (Noraini et al., 2007). In this light, CSR represents the Islamic banks in conveying information to the stakeholders on whatever CSR activities and initiatives that have been done as responsible Islamic institutions. It was suggested that the following items should construct the main element of Islamic CSR for Islamic business organizations (see Mohd Rizal et al., 2006):

- a) Disclosure of corporate mission statement
- b) Disclosure of information related to the top management
- c) Disclosure of unlawful (haram) operations
- d) Disclosure of *Shari'ah* Advisory Board
- e) Disclosure relating to employees
- f) Disclosure of *zakah*
- g) Disclosure of products and services
- h) Disclosure of community involvement
- i) Disclosure of *qard hasan* funds
- j) Disclosure relating to the relationship with environment

Based on the above discussion, it is clear that CSR functions as an imperative mechanism in demonstrating transparency to various stakeholders that consisting not only shareholders, but also customers, employees and the public at large. As a business organisation, a corporation needs to be transparent to its stakeholders because, the corporation is not only accountable for what it does with its profits, but also how the corporation generates them. Moreover, CSR plays an important role in society as it provides information in demonstrating the organisation's ethical accountability to its stakeholders to aid them in their decision-making (Hassan & Harahap, 2010).

As one of essential CSR applications, corporate social responsibility disclosure (CSR) also has been actively in the limelight within CSR studies from Malaysian context. This development can be seen in Mustaffa, Rashidah and Muhd Kamil (2006), Fathilatul Zakimi et al. (2007), Hasnah, Ishak and Sofri (2007), Puziah, Ruhaya and Saunah (2007) and Sabarudin and Norhanim (2010). On the whole, all the above studies were carried out based on the understanding of CSR as developed by Western theorists.

Besides all the studies above, there are also researches focussing on CSR of Islamic banks, which is part of CSR initiatives. Among them are studies done by Azhar et al. (2010), Hassan and Harahap (2010), Aribi and Gao (2010), Roshayani et al. (2012), Rosnia et al., (2010), and Asri and Abdul Rahim (2012). The themes of CSR of these studies were derived from either Accounting, Auditing, and Governance Standards for Islamic Financial Institutions (AAOIFI Standards), Bursa Malaysia, Malaysian Accounting Standard Board (MASB), Islamic Financial Services Board (IFSB), Bank Negara Malaysia (BNM), or prior studies, or a combination of few of the above sources. The variety of sources used in determining CSR themes imply that there is no standard and comprehensive CSR guideline especially for Islamic banks which needs to be worked on especially in Malaysia.

The main objective of CSR by Islamic banks is to show that the transactions of banks are in compliance with *Shari'ah* principles and rules (Haniffa 2002). CSR emphasizes the principles of full disclosure and accountability in meeting the needs of the society. The meaning of full disclosure is that Islamic banks should provide all necessary information to the society related to their transactions (Maali et al. 2006). Based on this concept, the community has the right to know the influence of the banks' operations on the welfare of society,

and to ensure that they are in compliance with the requirements of *Shari'ah* (Bukair & Rahman, 2015). Unfortunately, the finding from a latest study found that the degree of the CSRD of the conventional banks is higher than the Islamic banks (Nobanee & Ellili, 2016). Therefore, this study aims to determine the significance of CSRD to Islamic banks especially in Malaysia from an Islamic perspective.

3. Research Methodology

In this qualitative research, the status of CSRD in Islam was determined based on the comprehension and the deduction process from the primary sources (al-Qur'an and al-Sunnah). In this process, if there is no specific or direct ruling from the primary sources, a ruling will be resolved based on secondary sources like *ijma'* (consensus), *qiyas* (analogical deduction), *maslahah mursalah* (public interest), *istihsan* (juristic preference), *istishab* (presumption of continuity), *sadd zara'i'* (blocking the means to an evil) and *'urf* (customary practice) play an important role in supporting the primary sources and determining an appropriate ruling.

However, sometimes relying on the secondary sources is still not sufficient to deduce certain ruling. In this regards, *Shari'ah* has provided a few guiding principles in deriving rules from the texts (*al-Qur'an and al-Sunnah*) which is categorized as *turuq al-istinbat* (methods in deducing *Shari'ah* ruling). Among them are *al-qawa'id al-usuliyyah al-lughawiyah* (fundamental of linguistic rules), *maqasid al-Shari'ah* (the objectives of *Shari'ah*), *al-qawa'id al-fiqhiyyah* (Islamic legal maxims) and *siyasah al-shar'iyyah* (Islamic public policy). These guiding principles will be employed if necessary.

In order to determine the significance of CSRD to Islamic banks in Malaysia, documentary analysis based on Islamic bank annual reports from 2010 to 2014 was employed. This technique has been adopted in order to analyse Islamic bank practices relating to CSRD.

4. Corporate Social Responsibility Disclosure from an Islamic View

The motivation behind the CSRD is to be transparent to the stakeholders. From a *Shari'ah* perspective, the concept of transparency can be seen in al-Qur'an in a few verses:

"And cover not truth with falsehood, nor conceal the truth when ye know (what it is)."

[Al-Baqarah: 42]

"O ye who believe! Stand out firmly for justice, as witnesses to Allah, even as against yourselves, or your parents, or your kin, and whether it be (against) rich or poor: for Allah can best protect both. Follow not the lusts (of your hearts), lest ye swerve, and if ye distort (justice) or decline to do justice, verily Allah is well- acquainted with all that ye do." [Al-Nisa': 135]

Based on *mafhum mukhalafah* (the understanding of a ruling through the opposite meaning), the above verses imply that Allah asks us to be transparent in whatever things we do. We are accountable to reveal the truth although the truth that we have to reveal might be a disadvantage for us. It is important to ensure that justice can be upheld properly.

Transparency also can be considered as an effort to attain goodness and improvement. Goodness in the *Qur'an* revealed with *ihsan* that always associated with *hasanah*. *Ihsan* is divided into two types, the first is giving pleasure or kindness to others and the second is to be kind and good to himself (Taufiq, 2015). Therefore, people who do well to others, they also indirectly do well to themselves as stated in the following Qur'anic verse:

"If you do good, you will do good for your own souls..." [Al-Isra': 7]

Thus, the action of disclosing of what an institution has been doing to its stakeholders is to achieve goodness for both the institution and its stakeholders. In addition, disclosure of all facts is crucial in making an important decision, as mentioned in the following *Qur'anic* verse:

"He said: "He says: a heifer not trained to till the soil or water the fields; sound and without blemish." They said: "Now hast thou brought the truth." Then they offered her in sacrifice, but

not with good-will.” [Al-Baqarah: 71]

The above understanding is supported by a Prophet’s *hadith* that asked Muslims to be transparent in performing their business transactions to the extent of revealing any defect in selling goods:

It was narrated that ‘Uqbah bin ‘Amir said: *“I heard the Prophet (s.a.w.) say: ‘The Muslim is the brother of another Muslim, and it is not permissible for a Muslim to sell his brother goods in which there is a defect, without pointing that out to him.’” [Ibn Majah, Kitab al-Tijarat, No. 2331]*

In fact, Prophet (s.a.w.) also mentioned that there is no blessing in transaction, which is concluded based on lies or hidden things:

Narrated Hakim bin Hizam: Prophet (s.a.w.) said, *“The seller and the buyer have the right to keep or return goods as long as they have not parted or till they part; and if both the parties spoke the truth and described the defects and qualities (of the goods), then they would be blessed in their transaction, and if they told lies or hid something, then the blessings of their transaction would be lost.” [Al-Bukhari, Kitab al-Buyu’, Bab Ma Yamhaqu al-Kadhibu wa al-Kitmanu fi al-Bay’, No. 2082, 334]*

It can be understood from the above texts that Islam urges Muslims especially businessmen to be transparent in their business as part of their accountability towards their customers. It shows that the truth is a vital issue in the Islamic context, and it must be disclosed as a duty for both businesses and individuals since Islam forbids the withholding of truth.

In this regard, the same goes to Islamic banks. Transparency is a must for Islamic banks as part of their accountability towards their stakeholders because truth and honesty are the basic requirements of trade and dealing with others, which can be achieved by being transparent. Therefore, CSRD indeed is one of mechanisms for the Islamic banks in demonstrating transparency in their businesses and fulfil accountability towards their stakeholders. This can be clearly seen when all information regarding Islamic banks’ CSR activities that have been done and recorded, later being disclosed to all stakeholders justly and with full of trust (*amanah*).

Moreover, as agents to their customers, Islamic banks need to be trustworthy or *amanah* in executing their role as financial intermediaries. In this light, Allah (s.w.t.) has said:

“Surely Allah commands you to make over trusts to their owners and that when you judge between people you judge with justice; surely Allah admonishes you with what is excellent; surely Allah is Seeing, Hearing.” [Al-Nisa’: 58]

Based on the above *Qur’anic* verse, it is understood that Islam is concerned with fulfilling trust in any responsibilities held. As far as Islamic banks are concerned, this responsibility can be achieved through CSRD since the institutions disclose all information necessary to its stakeholders about their operations to show their trustworthiness.

In addition, accountability to Allah is considered as accountability to the community as well. Therefore, the duty to disclose is owed primarily to Allah and also to society. The implication of this position for Islamic banks is that disclosure of the truth is intended to be in the public interest, as the banks will know the influence of their transactions on the welfare of community. Thus, Islamic banks are required to disclose all their CSR activities and initiatives based on *maslahah mursalah* principle, since the main objective of CSRD by Islamic banks is to show that the transactions of banks are in compliance with *Shari’ah* principles and rules.

5. Corporate Social Responsibility Disclosure of Islamic Banks in Malaysia

Relating to CSRD practice among Islamic banks in Malaysia, they can be divided into two groups, firstly, PLCs’ subsidiaries (Bank Islam Malaysia Berhad, Bank Muamalat Malaysia Berhad, CIMB Islamic Bank Berhad, Maybank Islamic Berhad, RHB Islamic Bank Berhad, Public Islamic Bank Berhad, Hong Leong

Islamic Bank Berhad, Alliance Islamic Bank Berhad, AmIslamic Bank Berhad and Affin Islamic Bank Berhad) and secondly, non-PLCs' subsidiaries (Al Rajhi Banking and Investment Corporation (Malaysia) Berhad, Kuwait Finance House (Malaysia) Berhad, Asian Finance Bank Berhad, HSBC Amanah Malaysia Berhad, OCBC Al-Amin Bank Berhad and Standard Chartered Saadiq Berhad). For PLCs' subsidiaries which are consisted of all local Islamic banks (see Bursa Malaysia, 2017), it is mandatory for them to disclose their CSR activities based on Bursa Malaysia's Listing Requirements as mentioned earlier. In fact, a PLC that does not comply with the Listing Requirements is in breach and action will be taken against the PLC.¹ Thus, in order to comply with the Listing Requirements and avoiding any breach, all PLCs have to make sure that all of their subsidiaries comply with the requirements as well. Conversely, for non-PLCs' subsidiaries, which are consisted of all foreign Islamic banks, they are not bound to any regulations to disclose their CSR activities. Hence, it depends on them whether they want to disclose their CSR activities or not.

Evidently, when document review was done on each Islamic bank's annual report, only a few banks disclosed their CSR activities extensively. The Islamic banks, which disclosed their CSR activities lengthily normally are local standalone Islamic banks and local Islamic subsidiaries that have their own annual report. Bank Islam Malaysia Berhad, Bank Muamalat Malaysia Berhad, Affin Islamic Bank Berhad, and Hong Leong Islamic Bank Berhad have their independent annual reports to disclose their CSR programmes. Conversely, for foreign Islamic banks and local Islamic subsidiaries that share their annual reports with their group annual reports, their existence is not really visible. Normally, the conventional entities are predominant in what has been highlighted in the consolidated annual reports and sometimes the CSR explanation is very general in nature. In fact, there is one Islamic bank that does not have any annual report, except financial statements. The CSR activities of that bank could only be retrieved through its "Media Centre" website link. As a result, these Islamic banks are seen to be unfriendly corporations that only care about generating profits and nothing else, although some of them do have a few of CSR activities annually.

Since what local Islamic banks have practiced at present, is consistent with Islamic teaching, it is obligatory for them to observe the Bursa Malaysia's Listing Requirements based on *siyasah shar'iyah* concept. However, in deciding the legal ruling of CSRD on foreign Islamic banks, *'urf tijari* (business custom) can be used as a tool in deducing the ruling. Obviously, CSRD becomes a prevalent business practice nowadays locally and internationally. Therefore, it is also obligatory for foreign Islamic banks to disclose their CSR activities and initiatives through a right and common platform, which is CSRD.

6. Conclusion and Recommendations

This study provides the basis for CSRD of Islamic banks in Malaysia from an Islamic perspective. It is evident that CSRD is essential for Islamic banks as part of their accountability towards their various stakeholders as CSRD is one of mechanisms for the Islamic banks in demonstrating transparency in their businesses. Being transparent further establishes their honesty in conducting business. Based on the analysis that has been done, it was found that it is mandatory Islamic banks in Malaysia to disclose their CSR activities regardless of category (local or foreign banks) based on the texts (*al-Qur'an* and *al-Sunnah*) inference and also have been supported by *'urf*, *maslahah mursalah* and *siyasah shar'iyah* concept. Hence, in future research, a study to formulate a special CSR framework for Islamic banks in Malaysia is needed to guide them disclose their CSR activities and initiatives systematically and excellently that can be a benchmark for other Islamic banks globally.

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¹ Elsa Satkunasingam, Vice President of Corporate Governance, Bursa Malaysia, in written communication with the authors (12 May 2014).

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