

# Accountability Practices of Waqf Institution in Malaysia: A Critical Analysis

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## Abstract

The purpose of this research is to explore case studies based on multiple case study aiming to provide a comprehensive understanding of the waqf accountability practices in Malaysia. Waqf as well as the philanthropic body in Malaysia at this time having a massive development from its first presence in the past. The development generates, among others, especially subject to managing accountability. In Malaysia, the State Islamic Religious Council (SIRC) is accountable to handle waqf assets given to them. As of recent, there are numbers of study taking into the functioning of the State Islamic Religious Councils in handling the waqf. This critical analysis of waqf is based on 13 states and 1 federal territory in Malaysia. The article is primarily theoretical and conceptual nature. Literature explores the history of the establishment, the law applies, current practices and the accountability practices. The results provide added value to the current research.

**Keywords:** Accountability practice, waqf institutions, Malaysia, critical analysis.

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## Introduction

The governing body of waqf has big roles in this country to manage public assets and cash (Yunanda et al., 2016). Waqf is an instrument used to enhance the degree of living in society. It accommodates the enhancement of the religious perspectives, disposing of neediness, wellbeing and education and more examples. In general, the waqf is similar to the endowment concept of the western world as demonstrated by the presence of universities such as Cambridge, Harvard and Oxford University which were built up under the endowment program. Nevertheless, in contrast, waqf has a solid connection to the Shariah guideline. Frequently, waqf includes the donation of properties for example land and building. Nowadays, though, things are permitted to be declared as waqf, but continuous discussions in allowing such as donations (Dahlia and Haslindar, 2017). Although waqf has been practiced by the Malaysian Muslims since early 1887, it is still lack in accountability practices such as mismanagement, waqf laws and awareness of it in Muslim society.

As part of the revival of this historic institution, there is a call for more prominent responsibility of the trustee in overseeing waqf (Cajee, 2008). Accountability in waqf is significant with the end goal to guarantee that social services are adequately released to the society. Considering the trend in waqf administration which has moved from farming terrains to monetary waqf and even to the digital money, the requirement for straightforwardness and accountability becomes indispensable. Accordingly, the Mutawali (trustee) ought to exhibit legitimate responsibility in dealing with a waqf to persistently win the faithfulness of the different partners. In fact, accountability had supported the example of overcoming the adversity of waqf previously, while its decay was ascribed to the degradation of the trustee's accountability (Rashid, 2008; Ihsan, Eliyanora, and Septriani, 2016; Ayedh and Kamarubahrin, 2018). In this sense, the significance of responsibility in waqf is undeniable.

The status of waqf has deteriorated to such an extent that in some countries waqf assets have been neglected and abandoned (Mohiddin and Nooraini, 2015), waqf and its administration in Malaysia have been especially dismissed by the pertinent experts for a generally extensive stretch of time. In Malaysia, waqf is overseen by SIRC, which is the sole trustees of waqf assets. In Malaysia, the SIRC is accountable to handle waqf properties entrusted to them. The rise of Islamic financial aspects and the squeezing requests for more prominent accountability and better execution in the public-sector organisations gave a force to the waqf restoration in Malaysia. Thus, this present study aims to add value to the existing literature on managing accountability of waqf institutions in Malaysia. Literature explores the history of the establishment, the law applies, current practices and the accountability practices based on thirteen SIRC and one federal territory. Herewith, this paper is structured as follows. This paper structure as follows; start with an introduction and following by the literature review. The third part of the article explains the methodology used in this study. The fourth part explains the results and findings. The fifth part is the critical view and the final part concludes the study.

## Literature Review

### *Waqf Institution*

Waqf means an endowment of title to any property from which might be appreciated any advantage, intrigue or benefit as per Shariah standards (Rohayati et al., 2016). Waqf is a permanent or temporary donation of an asset for a charitable reason. Waqf has its own legitimate identity that involves particular rights and commitments. As indicated by the authorization, there are two sorts of waqf; general waqf and particular waqf. General waqf means any waqf created for the welfare of the society. Particular waqf means a waqf created reason whether indicated by the waqif (the individual who makes waqf) or by the mutawalli (waqf administration). Waqf administrators are not proprietors, but rather trustees and must maintain all conditions set by the waqf in the primary example. Because of its ceaseless nature, waqf activities have brought about the aggregation of waqf resources gave to give expanding stream of incomes to help in the financial improvement of the Muslim society. The advantages are not confined to the Muslim community alone but go beyond religious, cultural, racial and partisan limits (Ayedh and Aimi Fadzirul, 2018).

Waqf is one of the charity-based institutions that were initially established on the stage of forming the Islamic state of Madinah. Waqf refers to the accumulating and sustaining the charitable assets for the benefit of the Muslim society. Its foundation was nurtured during the Prophet Muhammad (pbuh) rulings, whereby the earlier waqf during that time was Masjid Quba' and Masjid Nabawi. In addition, waqf has existed since the time of Prophet Muhammad (pbuh), when Umar al-Khattab r.a gained land in Khaibar. Umar al-Khattab r.a meets the Prophet Muhammad (pbuh) to know what he should do with the obtained land. Prophet Muhammad (pbuh) said Umar al-Khattab r.a can donate the proceeds and not sell or give it to others (Safiah Mohamed et al., 2006). During this earlier time, the structure of waqf institution was very simple, with a minimum structure that consists of the founder who endows the property and the recipients. The purpose of the establishment initially is mainly for religious purpose before it was expanded to another purpose such as welfare for the Muslim society later. Waqf is likewise the property of the Muslims which is waqf to help the Muslims for the most part and welfare of the trustee to pick up legitimacy till the netherworld.

Waqf management has foundation of accountability to convey data about social reality for the enthusiasm of current investors and different partners (Mohiddin and Nooraini, 2015). According to Yasmin, Haniffa and Hudaib (2014), the connection between religion and responsibility has been perceived as an individual trademark and a social factor can impact hierarchical basic leadership. Islam places an extraordinary emphasis on accountability and morals, with imparted accountability not being simply to satisfy social commitments but rather at least to satisfy the religious obligation. The Islamic concept of accountability extends the scope of answerability to God the Creator as the Judge and Ruler of man. Nowadays a call for more noteworthy accountability is consistently voiced particularly for organizations, government agencies and non-profit organizations. It becomes critically prominent to the government and non-profitable organization since its

objectives are not revenue driven intentions and the reserve may effectively be abused by anybody in the management body (Raedah Sapongi et al., 2014).

### *Accountability*

The concept of accountability is a basic element of administration and governance of the body (Cameron, 2004). As described by Gray et al. (1996), stated accountability as “the duty to provide an account (by no means necessarily a financial account) or reckoning of those actions for one is held responsible”. Meanwhile, accountability as a relationship involving “giving and demanding of reasons for conduct” (Robert and Scapens, 1985). The concept covers the relationship between accountor and accountee (Gray and Jenkins, 1993 Abdul Rahim 1998; Shahul Hameed 2000; Cameron, 2004). Scholars describe accountability in terms of a “process of holding actors responsible for actions” (Fox and Brown, 1998) or as “the means by which individuals and organizations report to a recognized authority (or authorities) and are held responsible for their actions” (Edwards and Hulme, 1996). The literature further identifies recognizes four centre parts of accountability (Ebrahim and Weisband, 2007). 1) Transparency, which includes gathering data and making it accessible and available for open examination; 2) Answerability or Justification, which requires giving clear thinking to activities and choices, including those not embraced, so they may sensibly be addressed; 3) Compliance, through the checking and assessment of systems and results, joined with straightforwardness in announcing those discoveries; and, 4) Enforcement or Sanctions for deficiencies inconsistency, avocation, or straightforwardness. Accountability can be defined as “the processes through which an organization makes a commitment to respond to and balance the needs of stakeholders in its decision-making processes and activities, and delivers against this commitment” (Lloyd, et al., 2007).

Accountability is viewed as critical for the philanthropies part in keeping up the certainty and budgetary help of general society by giving a record of charities activities. According to Sinclair et al (2010), the philanthropy’s sector assumes such a rich job in current society the areas proceeded with progress is needy upon people in general trust and trust in their work. Accountability is viewed as not just a receptive reaction to impacts, for example, direction, however, ought to likewise be a proactive capacity endeavouring to guarantee open trust in the segment (Ebrahim, 2003). The idea of accountability is pertinent in depicting the waqf organization as it is selected as the sole waqf trustees to handle public assets.

The need to discharge accountability through the arrangement of available budgetary data as a low need both they guarantee their partners put no an incentive on such data (Sinclair et al., 2010). In contrary, Connolly and Hyndman (2004) argued the distribution of the annual report is considered as the principal outlet of accountability to external users. The issue of communicated accountability is especially imperative in religious philanthropy associations as the given assets and utilization of those assets is frequently intended to satisfy religious commitments for the prosperity of society (Yasmin et al., 2014). Ebrahim (2003) arranges the accountability instruments utilized by non-benefits and by reports and exposure explanations, execution appraisals and assessments, cooperation, self-control, social reviews.

There is developing mindfulness concerning the requirement for waqf recovery with the end goal to make a superior and just society. Muslim communities have acknowledged and perceived waqf as a potential device towards building up a powerful framework for destitution destruction by supporting non-profit generating activities in aspects, for example, wellbeing and instruction, and additionally expanding access to physical offices, assets and work (Sadeq, 2002). According to Ebrahim (2003) states that the thought of accountability is indivisibly interwoven with the idea that bookkeeping should supply scope of data to fulfil the requirements of users. is viewed as not just a receptive reaction to impacts, for example, direction however ought to likewise be a proactive capacity endeavouring to guarantee open trust in the sector. Sacred accountability is obviously examinable from the vantage purpose of Islamic organizations like waqf. Nahar and Yacoob (2011) state that the unique attributes and socio-economic implications deserve due attention such as particularly the key job of bookkeeping and revealing as responsibility and straightforwardness apparatuses to upgrade ummah trust in current waqf practices.

Expanded transparency in the interest of non-profit organizations and better information would accomplish more trust in the area. Transparency fills in as a trust-building apparatus; the more accountable and transparent the organization becomes the more reliable the organization will be seen by the stakeholder. According to Patrizia and Massimo (2014), transparency includes how much the organization enlightens the public regarding itself. The absence of existing empirical research into waqf organizations represents a gap in terms of accountability and transparency. Accountability is believed to be imperative in this area since the organization oversees open riches; in any case, there is now and then an absence of attention to revealing. Thus, this study to provide a critical analysis of the accountability practices in waqf institutions sustain by the SIRC's in Malaysia.

## **Methodology**

This paper carries out the positivist comparative case studies inspired by Yin (1994; 2015), Eisenhardt (1989), Miles and Huberman (1994; 2014) and a few other scholars who are strong proponents of and have wide practice in the study. This research is an exploratory case study based on multiple case study aiming to provide a comprehensive understanding of the waqf accountability practices in Malaysia. Applying the disclosure information related to waqf activities as a proxy to measure the waqf accountability practices. Covering all the fourteen SIRC's in Malaysia to study their disclosure level. The researcher collects the data based on related manual guideline, official web sites, financial reports and statements of the SIRC's in order to get the understanding on current accountability practice for waqf institutions in Malaysia.

The data analysis also involves a process known as coding. Conceptualising, reducing, elaborating and relating are referred to coding (Miles and Huberman 1994 & Strauss and Corbin 2008). In qualitative research, coding represents another tool to support researchers during early analysis. The coding scheme is used to organize segments of similar or related text for ease in interpretation and to search for confirming/disconfirming evidence of these interpretations. Coding itself can be performed with the help of a

specialised computer program which makes the sorting, cutting, and pasting operations more efficient (Weitzman 2000).

## **Findings and Discussion**

### *Waqf Institution in Malaysia*

As mentioned above the main purpose of this research is an exploratory case study based on multiple case study aiming to provide a comprehensive understanding of the waqf accountability practices in Malaysia. The purposes of waqf are to provide continuous charity that could generate a perpetual income flow for the needy. If good governance is in place, the accountability can be discharged to various stakeholders such as givers and beneficiaries (Nathasa and Muhamed, 2013). In Malaysia, the role of waqf in the economy has been recognized by the government. This is shown in several special allocations by the government as stated in the 9th Malaysian Plan and 10th Malaysian Plan. The perpetuity of waqf implies that waqf property needs to be preserved and the benefit can be gained without consuming it (Kahf, 1998; Chowdhury et al., 2012). The responsibility to preserve and administer waqf property lies in the hand of mutawalli that is the administrator, nazir or trustees (Mahamood, 2000). Therefore, the mutawalli has to be appointed to manage the property in order to ensure that the benefits will continually disseminate to the beneficiaries.

Malaysia is formed under a concept of federalism and consists thirteen (13) states. A constitution, the federal constitution of Malaysia, is formulated to govern the relationship between state and federal governments (Mahamood, 2006). The constitution states that Islam is the official religion of Malaysia. In addition, the constitution also delineates the responsibilities of federal and state governments, which are referred to in the constitution as the “federal list” and the “state list” respectively (Mahamood, 2006). The specific details of the responsibilities of federal and state governments are spelled out in the ninth schedule of the federal constitution of Malaysia. The constitution also outlines the role of the monarchs, i.e. the sultans of the thirteen (13) states. In Part 1 of the Constitution, which is entitled “The states, religion and the law of the federation”, Article 3 (2) states that: “In every State other than those not having a ruler, the position of the ruler as the Head of the religion of Islam in his state, in the manner and the extent acknowledged and declared by the Constitution, all rights, privileges, prerogatives and powers enjoyed by him as Head of that Religion, are unaffected and unimpaired...”

The motivation behind featuring the above is to underline that each state's Sultan is the leader of the religion in that state. Even with the establishment of the federal government, the matter of religious still falls under state, not the federal, government (Mahamood, 2006). The authority to enact a law in the state list is enshrined in the Article 74 (2) in Part VI – Relation between the federation and the states – of the constitution states that: “...the legislature of a state may make laws in respect to any matters enumerated in the state list...”. There are eighteen (18) items in the State list and the first of these concerns Islam in that the state holds the power in: “Islamic law and personal and family law of persons professing the religion of Islam, including the Islamic law relating to succession...waqf...”.

The above paragraph makes it clear that waqf is under religious matters and these falls to state jurisdiction, headed by the state Sultan. For the administration of Islamic matters, every state passes a law to create an entity, a SIRC to assist and advise the Sultan on these matters. Thus, every state has a SIRC. According to Al-Habshi (1991), waqf is considered a religious matter, its jurisdiction falls under the purview of the SIRC. The matter of waqf is highlighted in the enactments of administration of Islam in every state. Therefore, the Islamic administration enactment of every state has enacted that all waqf matters fall under the purview of SIRC. These involve trusteeship, management, development and monitoring of waqf lands and buildings.

As a federally-structured government and through the division of jurisdiction between federal and state in the Federal Constitution, waqf laws in Malaysia are placed under the jurisdiction of the state and its administration is provided in the enactment of the Islamic religious enactment or the enactment of Islamic law in every state. Four states are enacting enactment of state endowment is Selangor, Negeri Sembilan, Melaka and Perak. Perak proclaimed the waqf control regulations in 1959, while Johor implemented its waqf method through the Rules of Johor Waqf 1983. Table 1 shown the waqf enactment rules according to state in Malaysia.

Table 1: The waqf enactment rules according to the state in Malaysia

State	Enactment	Section
Perlis	Administration of the Islamic Religious Law Enactment (Perlis) 2006	63-68
Kedah	Administration of Islamic Law Enactment (Kedah) 2008	51-58
Penang	Administration Islamic Religious Enactment (Penang) 2004	89-95
Perak	Administration Islamic Religious Enactment (Perak) 2004	78-84
Federal Territory	Administration Islamic Law Act (Wilayah Persekutuan) 1993 (Act 505)	61-68
Selangor	Administration Islamic Religious Enactment (Selangor) 2003	89-95
Kelantan	Islamic Religious Council and Malay Customs Enactment (Kelantan) 1994	61-66
Terengganu	Administration of Islamic Affairs Enactment (Terengganu) 2001	63-69
Pahang	Administration of Islamic Law Enactment (Pahang) 1991	70-78
Malacca	Administration Islamic Religious Enactment (Malacca) 2002	77-83
Negeri Sembilan	Administration Islamic Religious Enactment (Negeri Sembilan) 2003	89-95
Johor	Administration Islamic Religious Enactment (Johor) 2003	89-95
Sabah	<i>Islamic Religious Council Enactment Sabah 2004</i>	51-57
Sarawak	Ordinance Islam Council Sarawak 2001 (Chapter 41)	43, 51-54

Although Johor earlier introduced the waqf enactment in 1973, the Selangor State waqf Enactment 1999 was better known as the first waqf enactment in Malaysia, followed by Melaka and Negeri Sembilan. The Selangor waqf Enactment is enacted on the basis of the waqf bill proposed by the Islamic Legal and Civil Legal Committee under JAKIM. This enactment contains more detailed provisions on the management of waqf in Selangor.

## Selangor

The historic establishment institution of waqf in Selangor begins on October 20, 2009. Perbadanan Waqf Selangor (PWS) was established with the purpose to manage the overall aspect of waqf administration in the state. In addition, to be strengthened as zakat management. The objective of establishing PWS is to cultivate and facilitate systematic and effective cultivation of waqf through the diversity of waqf products based on guaranteeing the continued benefits of people who are contributing. From the legal aspect, state of Islamic religious council (SIRC) in waqf management committee meeting has decided to establish PWS in line with the decree of the Sultan of Selangor and Islamic religious administration (Selangor) under enactment 2003 and amendment 2008. It is covering sections 89 to 95. In addition, the related waqf matters were also under the endowment enactment (Selangor) number 7, 1999; and the order of establishment of the Perbadanan Waqf Selangor 2011.

In terms of practicing the accountability, PWS was disclosed on their governance information. The structure of the organization, details of departments and including the position of the officers were disclosed. Thus, it will benefit stakeholders and beneficiaries in terms of managing issues with PWS. In addition, PWS was transparent on disclosed the project and their current progress of those activities run under waqf. For example, project developing real estate in Klang region. This will aware donors about what purpose they contribute which in return will benefit to the Muslim economics. Besides that, PWS effectively and transparency to provide statistical financial information about real estate of waqf. As an example, there is available information about donation receipts for the year 2011 to 2016. PWS also provides statistically financial information on distributions donation of waqf. And for the year 2011 to 2016, the total of distributions of donation is 98 million Ringgit Malaysia (PWS, 2018). However, lack of accountability exists in PWS. Unavailability of financial reporting and un-auditing the financial report was impacted to the accountability and transparency of PWS. Thus, PWS should disclose all the necessary things in order to manage the accountability and gain trust from stakeholders.

## Perak

As for the historic establishment of waqf in Perak, the Majlis Agama Islam Perak (MAIPk) reached an agreement to establish Waqf Perak Ar-Ridzuan (WPAR) and assigned a number of projects that will be implemented for the purpose of increasing Islamic economics and standard living of Muslim in the state. Through WPAR, the fundraising program will give assurance to the public that the waqf donation will be used according to the donors' intention as well as the donor's selected waqf projects. MAIPk is responsible for the management of waqf in Perak state. The council has been given the mandate by syarie (religion), siyasi (administration) and qada'ie (law) in managing waqf. The waqf property development includes various aspects of life such as education, health, economy, and welfare of the community. Therefore, this trust requires MAIPk to manage waqf according to the Islamic governance approaches, such as trust, honesty, sincerity and transparency.

According to Majlis Agama Islam Perak (MAIPk) (2018), the establishment of Perak waqf enactment 2015 was effective on February 15, 2016. It is a new point in the administration of waqf in Perak as it is through the enactment, MAIPk has a clearer power in administering waqf property, various waqf methods and instruments can be implemented by MAIPk according to the law. Waqf enactment has been enacted by covering all waqf management aspects that are consistent with the Islamic law (shariah). It also includes the Islamic scholars' recommendation (ijtihad) regarding waqf administration and development. In terms of practicing the accountability, Waqf Perak Ar-Ridzuan (WPAR) was transparent in the governance matters. WPAR appeared the information about the structure of the organization management. It is important to disclose the people who run and manage this waqf institution because it will gain stakeholder trust. The management team of WPAR is selected from who are competent, knowledgeable, professionals, and have these personal qualities namely trust, honesty, transparency and sincerity. The management team that responsible for handling waqf should not be hired with only basic experience and general knowledge (WPAR, 2018).

In contrast, it should be managed by a highly-skilled management team with a lot of experiences in financial governance, investment and real estate development. This is important as it can ensure the growth and productivity of the waqf properties. Besides that, there is available information about a project run by the WPAR such as the development of waqf haemodialysis centre in each district of Perak which is the total costing is around 10 million Ringgit Malaysia. In addition, there also other project was implemented such as the development of waqf business centre (WBC). This initiative is to help small-medium entrepreneurs through providing a business space with affordable rental rates. The total costing of developing waqf business centre (WBC) in strategic location around Perak is 20 million Ringgit Malaysia. However, lack of accountability practicing is existing in WPAR in terms of unavailability financial information. Unavailability of financial reporting and un-auditing the financial report was impacted to the accountability and transparency of WPAR. Thus, WPAR should disclose all the necessary things in order to manage the accountability and gain trust from stakeholders.

## Kedah

The administration of the Islamic religion was carried out through Majmag Masyaih Islam where Syeikul Islam was appointed by the Sultan as leading the administration of Islam and appointed a Khadi Besar as a special officer to administer the Islamic Religious Affairs. Waqf lands have been governed by local communities where the Imam or the head of the mosques manage the property of the mosque and Islamic cemeteries. For waqf lands that are not for the general purpose of special saints have been appointed by the donator to manage the waqf property in accordance with the purpose and requirements of donators. However, at that time land offices had played a role as a registrar of waqf properties where waqf properties were registered as government reserve land. Under the influence of the British administration of waqf lands listed in the RC Land, the waqf lands are registered and placed RC numbers, lots, land conditions such as mosque sites, Muslim burial grounds, religious school sites and others in besides stated ownership of ownership such as Khadi Besar, Imam, Penghulu and others. Registration of waqf is carried out until

the independence of Malaya and the Administration of the Kedah Islamic religious council are established.

Before the independence of Malaya, the local government had established the Islamic religious ordinance and at that time the state was under British influence. In addition, there is no specific law on waqf was establish. The special law of waqf in Kedah was established in 1962 simultaneously with the establishment of Kedah Islamic Religious Council as a State Government Statutory Body. The law was known as the administration of the religion of Islam of Kedah under number 9 in 1962. During enactment was made, waqf properties were reserved and vested in the Kedah Islamic Religious Council as the sole trustee of the waqf. This enactment was established in accordance with the Malaysian constitution established after the independence of Malaya in 1957 where Islamic Religious Affairs was handed over to the state power of the Sultan as the ruler. Until 2008 the Kedah government was approved the Islamic law administration enactment (Kedah Darul Aman) 2008 to replace the previous enactment for the purpose of improving and standardizing the law among states in Malaysia. Administration of Islamic law (Kedah) enactment 2008 is under Section 51 to 58 covers matters relating to Waqf, Nazr and Trust.

In Kedah, the accountability practices are not totally implemented. According to Nur Suriana et al (2016), the four lowest importance information disclosed by the MAIK is 1) the charity income statement; 2) balance sheet; 3) list of charity officers and 4) the cash flow statement. Moreover, only a few information about the project and activities are available and it is not updated. The information is needed to be disclosed to the public in order to gain trust. There is a demand for greater disclosure of non-financial information on the objectives and outputs of charity in terms of comparisons and explanations. In the waqf context, financial information will effectively enhance mutawalli's accountability and that the distribution of charities annual reports serves as important accountability features. MAIK are not practicing the accountability. Accountability and transparency are very important in order to gain trust that will lead to the development of ummah, especially in Kedah.

## Perlis

Browsing history, during the Siam and British era, the affairs of the Islamic religion in Perlis were governed by the Kingdom government which is appointed as the head of Islamic religion and the Malay Perlis customs. His Majesty Tuanku Al-Marhum Syed Alwi ibni Almarhum Syed Safi Jamalullail established the Perlis Islamic Religious Council in 1920. After Perlis joined the Federation of Malaya on January 12, 1948, the Islamic religious council and the Perlis Malay customs council (MAIPs) were established on February 1948 (Prime Minister's Department, 2013). The establishment of MAIPs is in line with the consent of His Majesty the VI King of Perlis who has conferred the Perlis constitution on February 1, 1948. His Majesty Tuanku Al-Marhum Syed Putra Jamalullail has founded the first Perlis constitution through the Perlis constitution which is considered as the first written document for the Perlis government (Hazman Hassan et al., 2014).

After 15 years of playing a role in controlling Islamic affairs in Perlis beginning in 1963, an amendment was made to the administrative laws of Islam number 3 which has been approved to lay down Baitulmal as a functioning body for the development of the Muslim economy. The function was implemented a year after that, through the provisions of the Perlis law, phase number 4, administration Islamic religious enactment number 3/1964. This amendment has raised the position of MAIPs to move more efficiently and assume great responsibility in realizing the socio-economic agenda of Muslims especially in the Perlis State (Perlis Islamic Religious Council, 2011). Moreover, under the Perlis Islamic Religious Administration Enactment of 2006 under Section 16 (Perlis Islamic Religious Administration Enactment, 2006). MAIPs has created two main divisions namely the Management Services Division which manages administrative, financial, and ICT matters as well as the Baitulmal Division which manages the management of Zakat, Waqf, General Resources and MAIPs Development and Investment. The establishment of these divisions is in line with the proposed transformation of MAIPs by the Malaysian Administrative Modernization and Management Planning Unit (MAMPU), the Prime Minister's Department (Prime Minister's Department, 2013).

In the context of MAIPs, accountability is not fully practicing. Accounting and reporting practices of the transaction are difficult to be obtained. Thus, MAIPs has to an emphasis on accountability and transparency. However, in terms of the organization structure in MAIPs is disclosed to the public. Thus, it is a good practice were implemented by the MAIPs in order to show to the public about their transparency of waqf governance. Donors or beneficiaries are influenced if the organization of waqf management is consists of intelligent, trustworthy, honest and sincere person.

## Sarawak

In Sarawak, the administration of waqf is being handled by Tabung Baitulmal Sarawak (TBS) which was incorporated under the Sarawak Islamic Council Ordinance (Incorporation) (Amendment) 1984. (Siraj, 2012). One of the great hopes of Muslims in Sarawak as soon as achieving independence through Malaysia in 1963 was to see the rise of Islamic law in the land of the former Brooke colony. Thus, TBS was established in 1966 through the Zakat Law in 1966 with the efforts of Most Honourable Pehin Sri Haji Abdul Taib Mahmud. At that time, it was known as the Zakat and Fitrah Fund. From the legal aspect, waqf in Sarawak is under Section 43 and 51 to 54 of the ordinances 2001 which stated that the administration of Muslim's property shall be in accordance with the Islamic law (Ayedh and Aimi Fadzirul, 2018). Thus, Sarawak religious council is accountable to manage Islamic matters in this state. The sequence, in preparation for a change in the 21st century, Tabung Baitulmal Sarawak (TBS) management restructuring was approved on December 15, 1998. The general manager was appointed to lead the management of TBS. The Sarawak legislative assembly in November 2001 also approved the Sarawak Islamic council ordinance 2001 which directly further enhanced the role of TBS as a waqf institution. Since the restructuring, TBS has achieved remarkable success in implementing its policies and programs. Thus, the accountability practice is part of the success of waqf organization.

In terms of practicing the accountability, TBS was disclosed the structure of the organization to the public. The management team, department and officers who accountable about waqf was disclosed to the public. This is part of the accountability practice to ensure stakeholders are aware that the organization is run by professionals that will benefit the Muslim in Sarawak. However, same as other states TBS also not disclosed financial information. Thus, the accountability and transparency of TBS in managing waqf fund are not been practice since financial information is not available. Moreover, there is no information relating to the project or current activity run by TBS. Information and activities should be disclosed to gain trust and to ensure that stakeholders are in form and aware of their contributions.

### Penang

The Penang Islamic Religious Council (PIRC) has also established Perbadanan Waqf Penang (PWP), a subsidiary company of the council as an effort to increase the wealth of waqf in the state (Ismail, Muda and Hanafiah, 2014). The main purpose is to assist the PIRC to achieve the mission and objective of waqf. Generally, the mission of waqf management is to manage and add value to waqf properties effectively through cultivating waqf culture for the benefit of the society. Meanwhile, the objectives are to enhance the value added in waqf property management and cultivate waqf practices towards economic development of the society by efficacy and holistic approach in accordance with Islamic law. As for the legal aspect, waqf in Penang was under the protection of religious law. It was governed through the administration of Islamic religious enactment (Penang) 2004 under section 89 to 95.

At present, PWP has not yet been the bodies that can contribute to solving the economic problems of the ummah (society). The purpose establishment of Perbadanan Waqf Pulau Pinang (PWP) is for enrichment Islamic property and funds. According to Dana Waqf Pulau Pinang (2017), the structure of the organization was disclosed to the public through the official web site. Moreover, project availability and current activities also were disclosed in order to gain the trust of the society on what PWP doing. Few activities and project were disclosed to attract donors and beneficiaries to contribute such as the development centre of Al-Itqan education at Teluk Kumbar which costing 2.5 million Ringgit Malaysia, developing Wisma Nurul Islam at Lorong Pupos, Georgetown which costing 2.5 million Ringgit Malaysia and the developing dormitory for Islamic high school at Tanjung Putus, Permatang Pauh which costing 5.8 million Ringgit Malaysia. Thus, the disclosed these projects are benefits to the PWP itself in order to attract donor and stakeholder to know about their purpose of contribution. Besides that, PWP was disclosed total collection on cash waqf which is 2 million Ringgit Malaysia was collected in the past 19 years. However, there is no information on the financial statement and no auditing for the financial statement. Thus, beneficiaries and donors are not aware of the PWP financial statement even though each of the projects has provided details on costing.

### Kelantan

The Majlis Agama Islam Kelantan (MAIK) was established on December 24, 1915 through a declaration by His Majesty Sultan Muhammad IV. The establishment aims to

advise His Majesty Sultan as the head of Islam religion in respect of Islamic religious affairs and Malay customs of Kelantan. His Majesty Sultan Muhammad IV has established of MAIK after obtaining suggestions and views from the ulama and scholars. The history of waqf in Kelantan was begin by Tengku Kaya Pahlawan who had landed the land in 1921 for the purpose of waqf zurri which is being devoted 9/10 to family members and 1/10 for the virtues as determined by the donators in his waqf. Furthermore, Sultan Mansor was one of the earliest donators in Kelantan, in 1899. Through his lawsuits, the late Sultan Mansor had been treating the land for the purpose of studying and pilgrimages his tomb every day.

As for the legal status of waqf in Kelantan, it was governed under Section 61 of the MAIK 1994 which states that notwithstanding any provision contrary to any instrument or declaration, the council shall be the sole controller of all waqf, whether general or special waqf, all general vows and all charitable trusts for the benefit of the Islamic religion and the Muslims, to the extent that the property is vested in him or situated in the state.

In Kelantan, the practices of accountability were implemented as such all the information and reports on waqf activities are available on the MAIK web site. Among is the organizational structures which show who runs the organization, governance, current activities and other reports relating to waqf in Kelantan can be found on the MAIK web site (MAIK, 2018). For example, the development of Pondok Bunut Gayung at Kota Bharu. The purpose is to develop an Islamic study centre and developing 2 dormitories for students. This was costing 5.6 million Ringgit Malaysia. This explains that MAIK strongly emphasizes the concept of transparency and accountability in matters related to waqf in Kelantan. However, in terms of financial statement and auditing. MAIK is not transparent and accountability because there is no statistical financial document disclosed for waqf purpose in Kelantan. Thus, donors and beneficiaries did not know about their contribution. This will create untrusty behaviour amongst donors because they did not know what happen to their donation.

## Johor

The first waqf practiced was in Johor in 1895, which was directly administered by the Sultan of Johor. Subsequently, the Johor State Secretary has been appointed as a trustee in managing waqf, before submitting the response to the Johor Religious Department under the administration of the President. From the legal aspect, waqf in Johor is under Section 89 to 95, affairs of waqf were administered by the Johor Islamic Religious Council (MAINJ). According to Section 89 of the enactment, MAINJ is the sole trustee of all waqf, nazr and charitable trust located in Johor to support and advance the religion of Islam or for the benefit of Muslims in accordance with the Shariah Law. The scope of power held by MAINJ includes the administration, registration and management of mauqf in accordance with the objectives set by wakif. Thus, JCorp appointed Waqf An-Nur Corporation Berhad (WANCorp) to be its corporate waqf administrator in order to generate wealth.

In line with the change of name, the WANCorp administration is now more focused on corporate waqf affairs. The appointment of WANCorp as special nazir by MAINJ enables the corporate waqf to be managed professionally and systematically on the basis of continuous integration and distribution of benefits and management autonomy (WANCorp, 2007). MAINJ is acting as the general nazir and is responsible for ensuring the implementation of corporate waqf fulfils the conditions set forth. As a result, WANCorp is productive in generating wealth and is responsible for adding the value of waqf property such as stock. However, like other states of waqf institution. WANCorp's also does not mention and disclosed the financial information on the official website or other media. Thus, the practicing of accountability is limited to all aspects. Transparency of the donor's fund is not given to the public. This will lead to the untrusty and misconduct of Muslim fund and property in terms of waqf.

### Terengganu

Majlis Agama Islam dan Adat Melayu Terengganu (MAIDAM) established in 1949 when the law number 1 was gazetted on February 16, 1949. The Sultan would cause the law to be set up for the purpose of organizing all religious matters and to establish a State Islamic Religious Council (SIRC) for assisting and advising the Sultan in all matters pertaining to Islamic Religion and Malay Customs. Waqf is a worship sacrifice that Muslim possess for the use of the community with the intention of worship to bring ourselves closer to Allah S.W.T The scholars view that the practice of waqf is a form of charity which promises the reward continues to the donators in the hereafter. It is a pious charity whose wages will be given continuously by Allah SWT. The donator as long as the treasured property remains and is used. The position of waqf properties remains at the right of Allah S.W.T. Thus, the property of waqf shall not be owned, sold, rewarded (given), inherited and imprisoned.

From the legal aspect, waqf in Terengganu is under the Islamic Religious and Customs Laws Act 1949 (1368). Subsequently, on November 22, 2001, the government approved the administration of Islamic affairs (Terengganu) 2001 enactment which came into force on August 1, 2002. Amendments were made in 2003 on Shariah enforcement officers and 2008 on the authority of the Sultan that appoint the president of the council and other members. The latest amendment to this enactment is in 2012. The state government through the legislative assembly convened on April 25, 2012, has approved the amendment of this enactment containing twenty sections. The commissioner's post is still retained and the power of appointment remains in the hands of the Sultan. The religious affairs commissioner will also be the secretary and chief executive officer of Terengganu Islamic religious and customs council (MAIDAM, 2016). In line with the provisions of Clause 4 (1) of the Terengganu government act (First Chapter) and the provisions of the administrative affairs (Terengganu) under the administration enactment 2001 (Amendment 2012), it is the main objective of MAIDAM to continue to assist and advise the Sultan of Terengganu in all matters affecting religious affairs, the development of Islamic teachings and the socio-economic well-being of Muslims in Terengganu based on the Quran and Sunnah.

In terms of practicing the accountability, information and reports on waqf activities and projects are available on the MAIDAM web site. The organizational structure was disclosed (MAIDAM, 2016). Besides that, activities and project run by the MAIDAM were disclosed to aware public about waqf. For example, the project and activity disclosed is an awareness program on waqf. The purpose of the disclosed is to ensure the public trusts the waqf institution, especially in Terengganu. This was explaining that MAIDAM strongly emphasizes the concept of transparency and accountability in affairs related to waqf in Terengganu. However, like other states waqf institution. MAIDAM who are accountable to waqf is not mentioned and disclosed financial information. Thus, the practicing of accountability is limited to only the governance. Transparency on donor's fund and property are not informed to the public. This will lead to the untrusty and misconduct of Muslim fund and property in the future.

### Pahang

The Majlis Ugama Islam Pahang (MUIP) was first established in 1926. The first president of the council is of Tengku Sulaiman. In the beginning, the Council was known as the Pahang Islamic council, then changed its name to the Pahang Malay Islamic Religious Advisory Council, eventually turning to the Pahang Malay Religious and Resilience Council which remains today. On May 8, 1974, Sultan Haji Ahmad Shah the Sultan of Pahang was accompanied by the throne of the Pahang government. Pahang religious leader, His Majesty has chaired the council meeting. Nevertheless, from November 1, 1984, the Sultan had appointed the crown prince of Pahang as the president of the council and remained at the helm of the council until today. From the legal aspect, waqf in Pahang is under Section 70 to 78 the administration of Islamic law enactment (Pahang) 1991. This enactment was stated that the administration of Muslim's property shall be in accordance with Islamic law.

In terms of practicing the accountability, the information and activity report is available on the MUIP web site. Among them are statistically of financial, organizational structures, governance, project available and other reports related to waqf in Pahang can be found on the MUIP website (MUIP, 2013). As an example of a report on the development project of a Training Centre and Agricultural on 5 acres of the agricultural status of waqf land in Karak and Bentong. This waqf project is a combination of training centres for muallaf and activities involving cash crops or vegetables and fish ponds. The waqf project at Rias, Karak will provide benefits in terms of education services or skills training to the local community as well as income from agricultural activities (MUIP, 2013). This explains that MUIP emphasizes the concept of transparency and accountability in matters related to waqf governance in Pahang. However, financial information is not disclosed. Thus, the practicing of accountability is limited only to the governance. Transparency on donor's fund and property are not informed to the public. This will lead to the untrusty and misconduct of Muslim fund and property in the future.

### Malacca

The Melaka Islamic Religious Council was established on September 28, 1960. It is aimed at managing the affairs of the Melaka Islamic State as well as assisting and advising

Yang di Pertuan Agong (YDPA). As for the legal aspect, waqf in Malacca is under Sections 77 to 83 of the Islamic religious administration enactment 2002. Moreover, this enactment stated that waqf was under the protection of religious law, therefore courts mostly decided in favour of the founders whose will be respected according to the endowment deed. The right of founding a waqf was granted only to Muslims in an Islamic State (Ayedh and Aimi Fadzirul, 2018; Babacan, 2011).

The affairs related to waqf in Melaka are placed under the property development management unit. The management structure of Waqf in MAIM involves four management units, namely enforcement, management of waqf, mosque and mosque and madrasah management. However, the management of waqf in Melaka is at a moderate level, with the lack of any waqf related activities carried out directly or indirectly by MAIM. Recognizing the great potential of waqf, the MAIM should play a role in promoting waqf among the people of the state in order to ensure the economic development of Muslims. Moreover, the financial statement has not been disclosed to the public. Thus, waqf matters under MAIM are not gaining trust from stakeholders. Because stakeholders want to know the details for every single practicing in waqf institution.

### Negeri Sembilan

Perbadanan Waqf Negeri Sembilan Sdn Bhd (PWNS) was established on June 10, 2005 and is a wholly 100 percent owned subsidiary by MAINS Holdings. PWNS plays a role in the management of waqf and matters related to waqf in Negeri Sembilan in a professional and organized manner. In line with PWNS 'goals and efforts to strengthen the waqf management institution in Negeri Sembilan. Formulate, build and generate the economic system of Muslims in Malaysia generally and in Negeri Sembilan especially to be stronger and beneficial to all. Thus, the management of the more endearing and professional waqf institutions can encourage the community to feel more confident with the waqf institutions and to encourage more Muslim societies to practice waqf and charity as well as to shape the Muslim socioeconomic strength for the long term.

In terms of legal aspect, the Council on the basis of consent has approved the proposal of waqf (Negeri Sembilan) enactment during the 187th general meeting of MAINS on July 27, 2004. The proposed draft of the waqf enactment (Negeri Sembilan) was drafted by the MAINS enactment revision technical committee and this enactment has come into force in the year 2005. The enactment gives new meaning to MAINS because it provides a wide range of provisions to the Baitulmal as administer, manage and develop properties of waqf in a more structured way so that it can be fully utilized by Muslims. Hence, there are some provisions which have been enacted in the Islamic Religious administration (Negeri Sembilan) enactment 2003 under section 89 to 95 which need to be utilized and implemented to further strengthen the management of the waqf institution in Negeri Sembilan.

The institution of waqf is one of the most important institutions in the socioeconomic development of Muslims. However, its capability is still relatively low and requires a more robust and comprehensive system and framework to achieve its true potential. The position and a total number of awake properties of Negeri Sembilan Islamic Religious

Council (MAINS) are much lower and slightly compared to other states. Most of the land available in MAINS is the land of state government awards while most lands, mosques, surau, religious schools, cemeteries and so on are registered and state-owned land reserves. This situation does not meet the requirements of waqf condition where the reserve status land is not the property of Muslims and MAINS as it can be cancelled at any time without any compensation or replacement by the government. Due to the lack of staff, resources and bureaucratic red tape in Baitulmal, there is no effective effort to register and develop all the land of waqf or savings as well as campaigns to encourage the Muslim community to practice waqf.

## Sabah

The Sabah Islamic Religious Council (MUIS) is an organization that works for hand in hand with the Sabah Islamic Religious Affairs Department (JHEAINS) has been in operation since January 1, 1996. Its establishment is a continuation of the agenda of the ruling of Islam. MUIS is an organization that works hand in hand with JHEAINS in addressing the current development and progress of Islamic religion in Sabah. MUIS is responsible for delivering Islamic teachings, providing education and knowledge of Islamic religion, building and administering mosques and surau buildings, Muslim marriages, the inclusion of Islamic religion throughout Sabah to the community regardless of race, religion, gender and age limits. From the legal aspect, waqf rules are under Sabah State Islamic Council Enactment 2004 under sections 51 to 57 that provides matters relating to waqf in Sabah. This enactment clearly stated that the administration of Muslims property shall be in accordance with Islamic law.

In terms of accountability practicing, Sabah Economic Development Corporation (SEDCO) is one of the agencies in collaboration with MUIS in the development of waqf. Approximately 5.7 million Ringgit Malaysia has been allocated for the distribution of the City Mosque Bazaar, Bukit Padang Bazaar, Ranau Bazaar and Kinabatangan project. The objectives of the joint venture are to help develop local entrepreneurs through the provision of business premises in realizing the power of trade and industry (SEDCO, 2012). Expected within the agreed period, the waqf asset will be handed over to MUIS as a single waqf. Among the projects that have been completed and fully operational is the RM 1.2 million Bazaar al-Mubarak City Mosque. The provision of premises, a conducive and encouraging business market will greatly benefit small traders to prosper their economies.

In addition, community social development spaces through waqf practices are able to expand. Waqf practice should not only stop the land submission for the purpose of building a mosque or burial ground lot but can also be expanded for the purpose of land development. The education endowment organized by the City Mosque for the purpose of rebuilding a religious school equipped with facilities for learning can be seen as a beginner's initiative in education in Sabah. Through this practice, society does not have to rely entirely on financial allocation from the state government. This is because it is necessary for us to realize that education is an important agenda for outstanding human capital development. Waqf is able to assist the development projects of shelter houses for orphans or children from uneducated families. In Sabah, as far as the writer's observations

are there are 4 orphanages that help the welfare of orphans and uneducated families Tambunan Orphanage, Beaufort's Orphanage, Home, Ranau's Hope Home Prince and As'Sakinah Show Orphanage (SEDCO, 2012). Dependence on government assistance can be mitigated through the empowerment of waqf management and development. In this regard, we hope that Sabah will also be able to provide shelter homes with comfortable, comfortable and safe facilities. However, financial information is not disclosed. Thus, the practicing of accountability is limited only to the governance. Transparency on donor's fund and property are not informed to the public. This will lead to the untrusty and misconduct of Muslim fund and property in the future.

### Federal Territory

The Federal Territory Islamic Religious Council (MAIWP) was established on 1 February 1974 simultaneously with the establishment of the Federal Territory of Kuala Lumpur. Its establishment is to take care of Islamic affairs in the Federal Territory of Kuala Lumpur which was previously placed under the Selangor state government. MAIWP was subsequently responsible for managing the affairs of Muslims in Labuan and Putrajaya after they were announced as the Federal Territories on April 16, 1984 and February 1, 2001 respectively. The MAIWP's objective is to establish and create a dynamic and progressive Islamic society that always seeks the pleasure of Allah SWT. In addition, it fosters faith and strengthens the Islamic world among Muslims in the Federal Territory and in particular Malaysia to achieve a unity of the ummah. In addition, MAIWP's objective is to extend the welfare efforts and to prevent the disadvantages of the Muslim community and the latter to undertake efforts to increase MAIWP's assets through investments and other halal efforts for the benefit of the ummah. Therefore, to manage the matter of investment and the addition of property acquired from waqf business. MAIWP has set up Waqf Centre for the Federal Territory Islamic Religious Council (PWM) Sdn. Bhd, which is a subsidiary of MAIWP and was registered in August 2014, which operates in managing waqf funds in the Federal Territory of Kuala Lumpur, Putrajaya and Labuan. Establishment of Waqf Centre MAIWP (PWM) Sdn. Bhd, which serves to focus on managing waqf property affairs to make it more comprehensive and orderly. In fact, the establishment of this company will also enable the campaign and promotion of waqf to be implemented more systematically and effectively. This also allows PWM to invite many corporate companies to undertake any joint venture and partnership in the development of waqf property.

From the legal aspect, waqf in Federal Territory is under the administration of Islamic law (Federal Territories) act 1993 [act 505] which clarifies that notwithstanding anything to the contrary provision contained in any instrument or declaration creating, controlling or affecting the matter, the Majlis shall be the sole trustee of all waqf, whether general waqf or waqf, all general nazr, and all trusts of any description creating any charitable trust to support and promote the religion of Islam or for the benefit of the Muslims in accordance with Shariah law.

PWM also implemented several other waqf projects such as Darul Ilmi, Darul Kifayah and Darul Hidayah. Darul Ilmi was established as an institution that provides education according to the cottage system to senior citizens who are interested in deepening

religious knowledge. The centre adopts a cottage-based Islamic study that provides accommodation and not the concept of a senior care centre. Meanwhile, Darul Hidayah complex is one-stop centre for newcomers. The construction of the complex shows MAIWP's concern and seriousness to help newcomers in the country. For Darul Kifayah, it is set up to safeguard the well-being of orphans, asnaf and poor students by providing temporary shelter, providing religious and moral guidance as well as providing perfect educational facilities in the effort to produce Muslim individuals who are virtuous and skilled. PWM also cooperates with Islamic banks such as Bank Islam, Bank Muamalat, CIMB Islamic and others including Yayasan Waqf Malaysia (YWM) and strategic partners for PWM waqf collection. PWM will continue to implement socialization programs to embark on waqf practices in the community, especially in raising the asnaf economy in the Federal Territory. In line with current developments and demands, PWM will continue to implement transformation by introducing various forms of new waqf in order to benefit the Muslim community especially in terms of economic development (Utusan Malaysia, 2018). However, financial information is not disclosed. Thus, the practicing of accountability is limited only to the governance. Transparency on the donor's fund and property are not informed to the public. This will lead to the untrusty and misconduct of Muslim fund and property in the future.

### *Critical Analysis*

From the above analysis of the content are available information on the waqf intuitions website and other related source of documents. As shown in Table 2 is the mechanisms of discharging accountability according to fourteen states in Malaysia. Hence, the waqf matters are handle by the State of Islamic Religious Council (SIRC), the information is gathered through the web site of SIRC's and some of the states have established a sole body to manage waqf matters. Only Sabah did not have access to their waqf institution. Table 2 explains a critical analysis from the findings of this research. From the perspective of qualitative information, there are several criteria was identified to ensure the practice of accountability for each waqf institutions in Malaysia. Such as governance, organizational, project, beneficiaries and events are list under qualitative information. From these findings, Malacca, Sabah and Federal Territory have not disclosed their project info, beneficiary's info and events of the program.

Meanwhile, the rest of states are available all the information from their web sites. Meanwhile, for quantitative information such as financial statements, audited on financial statements, expenses, total donations or funds and project statistics was identified. From this perspective, most of the waqf institutions in states are not disclose the information. Thus, it is hard for researchers to get the data. Based on findings, Pahang was disclosed their expenses matter, total donations or funds and statistics of project handled by the waqf institutions. Waqf institutions in Kelantan and Sarawak had disclosed total donations or funds and project statistics. Meanwhile, Perak, Terengganu, Perlis and Penang only disclosed their project statistics on their web sites. Rest of states are totally not disclosed quantitative information in their web sites. In terms of feedback communication, all of the states have their social media and web site for questions and answer or numbers of contact. Feedback and communication are important especially for waqf institutions to inform stakeholders about their activities. Accountability practice is

found in qualitative information. However, accountability practice from a quantitative perspective is not fully implemented on waqf institutions in Malaysia.

Table 2: Mechanisms of discharging accountability

Mechanisms of discharging the accountability	State													
	Selangor	Federal Territory	Negeri Sembilan	Johor	Perak	Pahang	Kelantan	Terengganu	Malacca	Sabah	Sarawak	Kedah	Perlis	Penang
Website														
Existing	√	√	√	√	√	√	√	√	√		√	√	√	√
Static/dynamic website	√	√	√	√	√	√	√	√	√		√	√	√	√
Qualitative Info														
Governance	√	√	√	√	√	√	√	√	√		√	√	√	√
Organizational info	√	√	√	√	√	√	√	√	√		√	√	√	√
Project info	√		√	√	√	√	√	√			√	√	√	√
Beneficiaries info	√		√		√		√	√			√	√	√	√
Events for Donors/Beneficiaries	√		√		√		√	√			√	√	√	√
Quantitative/Financial info														
Financial Statements														
Audited Financial Statements														
Expenses						√								
Donations/Fund						√	√		√		√			
Project					√	√	√	√	√		√		√	√
Feedback Communication														
Social Media	√	√	√	√	√		√	√	√		√	√	√	√
Website Question & Answer/Contact us	√	√	√	√	√	√	√	√	√		√	√	√	√
Others											√			

\*= (√) is for availability.

In addition, by scanning and analyzing the current practices of the waqf institutions, it could conclude and draw some of the challenges that facing the waqf development and revival process: legal practices, management and accountability. Waqf experience in Selangor, Negeri Sembilan, Perak, Kelantan, Terengganu, Sarawak, Kedah, Perlis and Penang could be a considered as best practice among the Waqf institutions in Malaysia due to outstanding performance of waqf practices and flexibility of legal form (transparent and accountability of the waqf management) and the less interfere by the government which enhance the trust of waqf and community in general. Moreover, it is creating a dynamic waqf institution by generating revenue from investing waqf property which enhances the trust of waqf and community in general. As shown in Figure 2 (see

Figure 2), the accountability dimension implements according to the waqf state in Malaysia.

## **Conclusion and Recommendation**

In conclusion, from the analysis of accountability practices in waqf institution in Malaysia, the management of waqf institutions are different from one state to the others. For certain states, they practice share scheme and some states do not practices such. However, there are also some similarities, for example, most of the waqf properties are developed for common purposes for instance mosques, educational development and social welfare (Rabitah Harun et al., 2012). For instance, Johor (WANCorp) and Selangor (PWS) are more accountable in managing waqf property through transparent information and details provide to the society. Much more, this will gain trust and confidence to the wakif. This paper attempted to conduct critical analysis of the accountability of the Waqf institutions organized by the State Islamic Religious Councils (SIRCs) in Malaysia. The critical analysis of waqf experiences in selected environment provides a better picture of waqf practices in a systematic and comparable manner. The critical analysis is based on four main elements, namely: a history of waqf, legal, current practices, and accountability practices in waqf institutions involved.

From the analysis, it could be stated that there are three essential and common obstacles facing the development and sustainability of waqf organizations, namely: the legal form of waqf which restricted the waqf funders' conditions, a way of management, and investment. Second is an obstacle the corruption in waqf management and the third obstacle is government interfering in managing waqf. Besides that, it could be concluded, Selangor waqf experience was extraordinary splendid as with rigorous legal (i.e. government) requirements the waqf institutions in Selangor able to meet all legal requirements (transparency, quality services, etc.) and also able to gain the public confidence in waqf management and transform to income generator instead of being receiver of donations only. On the other hand, Johor, Perak, and Federal Territory experience record outstanding performance due to the less interruption by the state government and establishment of the sound of governance, internal control and accountability tools.

Though the current work laid the ground for further empirical studies and contributed significantly to the area of waqf, it is still subject to a number of limitations. Firstly, as stated above this paper is based on critical analysis of the waqf experiences literature review in Malaysian states. Future research might integrate this critical analysis with the empirical methodology. Secondly, there is a smaller number of information about waqf have been included in this study; future research might include more experiences. In terms of the implications of findings, it hopes that the findings give more comprehensive and cross states picture of waqf experience and practice, which will assist the related waqf regulators in the evaluation process of waqf management practices and determine best practice as well set up a benchmark waqf management practices, especially in Malaysia. This work is enhancing the process of standardizing waqf industry by shading the light into the best practice in terms of legal, current practices, and management practices.

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## References

- Abd Latiff, A. Z., Ismail, C. Z., and Mohd Daud, N. (2006). *Pengurusan harta wakaf dan potensinya ke arah kemajuan pendidikan umat islam di Malaysia*. Artikel dibentangkan di Konvensyen Wakaf Kebangsaan 1214 September 2006 di Hotel Legend Kuala Lumpur, Malaysia.
- Abdul Rahim A. R. (1998). Issues in corporate accountability and governance: An Islamic perspective. *The American Journal of Islamic Social Science*, 15(1), 55-69.
- Askary, S. and Clarke, F. (1997). *Accounting in the koranic verses*. Accounting, commerce and finance: The Islamic perspective international conference, Sydney: Australia.
- Auditor General's Report. (2014). *Auditor general's report*. The activities of the departments/ agencies and management of state government's companies, 3rd Series.
- Awaludina, N. S., Nahar, H. S., Bakar, N. S. and Yaacob, H. (2016). *Tracing Awqaf Mutawalli's Accountability: Some Preliminary Malaysian Evidence*. International Conference on Accounting Studies (ICAS), 15-18 August 2016, Langkawi, Kedah, Malaysia.
- Ayedh, A. M. A. and Ihsan, H. (2013). *Do we need for accounting standards for awqaf*, Paper presented at the Paper presented at the 9th International Conference on Economics and Finance (ICIEF) Turkey.
- Ayedh, A. M. A. and Kamarubahrin, A. F. (2018). Analytical review of selected Muslim and non-Muslim countries in waqf experiences. In Ramli, N. M., Ab. Aziz, M. R., & Alias, M. *The management of waqf concept, development and issues* (pp. 84-102). USIM Press. Negeri Sembilan, Malaysia.
- Baydoun, N. and Willett, R. (2000). Islamic corporate reports, *Abacus*, 36(1), 71-90.
- Cajee, Z. A. (2008), *The revival of waqf in Muslim communities*. Implementation of the recommendations of the international waqf conference South Africa, Cape Town, 2007. In Conference proceedings, International conference on waqf and Islamic civilization (pp. 243-278), Isfahan, Iran.
- Cameron, W. (2004). Public accountability: Effectiveness, equity, ethics. *Australian Journal of Public Administration*, 63(4), 59-67.

- Chowdhury, M. S. R., Chowdhury, I. A., Muhammad, M. Z., and Yaso, M. R. (2012). Problems of waqf administration and proposals for improvement: A study in Malaysia. *Journal of Internet Banking and Commerce*, 17(1), 1-8.
- Connoly C. and Hyndman, N. (2004). Performance reporting: a comparative study of British and Irish charities. *British Accounting Review*, 36(2), 127-154.
- Dahlia, I. and Haslindar, I. (2017). Revival of waqf properties in Malaysia. Paper Proceeding of the 5th Islamic Economics System Conference (iECONS 2013), "Sustainable Development Through the Islamic Economics System", Organized By Faculty Economics And Muamalat, Universiti Sains Islam Malaysia, Berjaya Times Square Hotel, Kuala Lumpur, Malaysia.
- Ebrahim, A. (2003). Accountability in practice: mechanisms for NGOs. *World Development*, 31(5), 813–829.
- Ebrahim, A. and E. Weisband. (2007) *Global accountabilities: participation, pluralism, and public ethics*, Cambridge: Cambridge University Press.
- Edwards, M. and Hulme, D. (1996). Too close for comfort? the impact of official aid on nongovernmental organizations. *World Development*, 24(6), 961-973.
- Fox, J. A. and Brown, L. D. (1998) *The struggle for accountability: The world bank, NGOs, and grassroots movements*, Cambridge, MA: The MIT Press.
- Gambling T. E. and R. A. A. Karim. (1986). Islam and social accounting. *Journal of Business Finance and Accounting*, 13(1). 39-50.
- Gray, A. and Jenkins, B. (1993). Codes of accountability in the new public sector. *Accounting, Auditing and Accountability Journal*, 6(3), 52-67.
- Gray, R., Owen, D. and Adam, C. (1996). *Accounting and accountability: Changes and challenges in corporate social and environmental reporting*. Prentice Hall, London.
- Habidin, N. F., Mohd Hussin, M. Y., Muhammad, F., Janudin, S. E., and Mohd Fuzi, N. (2017). Critical success factors, benefit, and auditing of waqf accounting. *International Journal of Academic Research in Business and Social Sciences*, 7(4), 1184-1189.
- Haniffa, M. (2001). *Social responsibility disclosure: An Islamic perspective*. Discussion Paper, University of Exeter, UK.
- Haniffa, M. (2002). Social responsibility disclosure: An Islamic perspective *Indonesian. Management and Accounting Journal*, 1(2), 128-146.
- Haniffa, R., Hudaib, M. and Mirza, A. M. (2004), *Accounting policy choice within the shari'ah Islami'iah framework*. Retrieved February 9, 2013 from <http://businessschool.exeter.ac.uk/documents/papers/accounting/2002/0204.pdf>.

- Hyndman, N., and McConville, D. (2015), Transparency in reporting on charities' efficiency: A framework for analysis", *Non-profit and Voluntary Sector Quarterly*, 1 - 22.
- Ihsan, H and Shahul, H. M. I. (2011a), Waqf accounting and management in Indonesian waqf institutions: The cases of two waqf foundations, *Humanomics*, 27(4), 252-269.
- Ihsan, H, Maliah, S., Norhayati, M. A. and Muhammad, A. A. (2017). A study of accountability practice in dompet dhuafa waqf of Indonesia. *JKAU: Islamic Economics*, 30(2), 13-32.
- Ihsan, H. and Ayedh, A. (2015), A proposed framework for Islamic governance for awqaf, *Journal of Islamic Economics, Banking and Finance*, 11(2), 117-133.
- Ihsan, H. and Shahul, H. M. I. (2011b), Waqf accounting and possible use of SORP 2005 to develop waqf accounting standards, In Kahf, M., and Siti-Mashitoh (eds.), *Essential reading in contemporary waqf issues* (pp. 353-385), Kuala Lumpur: Cert Publications.
- Ihsan, H., Ayedh, A. M. and Shahul, H. M. I. (2006), Towards the better management and transparency of waqf institutions: Lessons from the charity commission, UK, *Al Risalah*, 6, 27-46.
- Ihsan, H., Eliyanora, and Septriani, Y. (2016), Accountability mechanisms for awqaf institutions: lessons learnt from the history, *Journal of King Abdulaziz University: Islamic Economics*, 29(1), 41-54.
- Kahf, M. (1998). *Financing the development of awqaf property*. Paper presented at the Seminar on development of awqaf Kuala Lumpur.
- Lewis, M. (2001). Islam and accounting, *Accounting Forum*, 25(2), 103-27
- Lloyd, R., Oatham, J. and Hammer, M. (2007) *2007 global accountability report*, London: One World Trust.
- Maali, P. Casson, C. and Napier. (2006). Social reporting by Islamic banks. *Abacus*, 42(2), 266-289.
- Mahamood, S. M. (2000). *The Administration of Waqf, Pious Endowment in Islam: A Critical Study of The Role of The State Islamic Religious Councils as The Sole Trustees of a Waqf Assets and The Implementation of Istibdal In Malaysia with Special Reference to The Federal Territory of Kuala Lumpur*. (Ph.D. Thesis), Birmingham University.
- Mahamood, S. M. (2006). *Waqf in Malaysia: legal and administrative perspectives*. University of Malaya Press.

- Mohiddin and Nooraini. (2015). *Waqf Development in Malaysia and Singapore: A Comparative Study*. Retrieved September 5, 2018 from <https://ethos.bl.uk/OrderDetails.do?uin=uk.bl.ethos.650210>.
- Nahar, H. S., and Yaacob, H. (2011). Accountability in The Sacred Context: The Case of Management, Accounting and Reporting of a Malaysian Cash Awqaf Institution. *Journal of Islamic Accounting and Business Research*, 2(2), 87-113.
- Patrizia, G., and Massimo, R. (2011). *Transparency in Italian Non-Profit Organizations*. Department of Economics, University of Insubria, Varese, Italy
- PWS. (2018). Perbadanan wakaf Selangor. [Selangor Waqf Corporation]. Retrieved September 2, 2018 from [www.perbadanan\\_waqf\\_selangor](http://www.perbadanan_waqf_selangor) (PWS).
- Ramli, N. M, and Muhamed, N. A. (2013). *Good Governance Framework for Corporate Waqf: Towards Accountability Enhancement*. Paper accepted for Proceedings of World Universities' Islamic Philanthropy Conference 2013. Available at SSRN: <https://ssrn.com/abstract=2437260>
- Rashid, S. K. (2008), *Reason for decline of awqaf and how to bring about their revival*, In Conference Proceedings, International Conference on Waqf And Islamic Civilization (pp. 135-168), Isfahan, Iran.
- Roberts, J. and Scapens, R. (1985). Accounting systems and systems of accountability – understanding accounting practices in their organisational contexts. *Accounting, Organisations and Society*, 10(4), 443-356.
- Rohayati, H., Rusnadewi, A. R. and Noor, I. Y. (2016). Exploratory study on waqf implementation in Malaysian public and private universities: With special reference to Turkish universities. *International Journal of Business, Economics and Law*, 9(4), 16-23.
- Roshayani, A. and Norzaihan, M. Z. (2017). *Performance measurement and accountability of waqf institutions in Malaysia*. SHS Web of Conferences 36, 00005.
- Sadeq, A. M. (2002), Waqf, perpetual charity and poverty alleviation, *International Journal of Social Economics*, 29(1-2), 135-151.
- Safiah, M., Dalila, D., Siti Rokyah, M. Z. dan Ahmad, C. Y. (2006). *Ke arah perlaksanaan sistem perakaunan wakaf yang piawai*. Artikel dibentangkan di Konvensyen Wakaf Kebangsaan 12-14 September 2006 di Hotel Legend Kuala Lumpur anjuran Jabatan Wakaf, Zakat dan Haji, Jabatan Perdana Menteri, 2006.
- Sapingi, R., Sheikh Obid, S. N., and Nelson, S. P. (2014). Towards developing a disclosure index for Malaysian zakat institutions. *The Journal of Muamalat and Islamic Finance Research*, 11(1), 1-11.

- Shahul Hameed, M.I. (2000). *The need for Islamic accounting perceptions of its objectives and characteristics by Malaysian accountants*. Academics PhD thesis. University of Dundee.
- Shakrani, M. S., Ahmad, J. and Zamzuri Noor, M. S. (2003). *Tinjauan Awal Isu-Isu Yang Mambataskan Penggunaan Wakaf Dalam Pembangunan Ekonomi Ummah di Malaysia*. Artikel ini dibentangkan di Bengkel Ekonomi Islam, UKM 15 Januari 2003
- Sinclair, R., Hooper, K. and Ayoub, S. (2010). *Perspectives of accountability in charities*. 6th Asia Pacific Interdisciplinary Research in Accounting (APIRA), 11-13 July, University of Sydney, Australia
- Yasmin, S., Haniffa, R., and Hudaib, M. (2013). Communicated accountability by faith-based charity organizations. *Journal of Business Ethics*, 122(1), 103-123.
- Yunanda, R. A., Shafii, Z., and Tareq, M. A. (2016). Accountability of Islamic based non-profit sector: The case of waqf organizations. *Jurnal Ekonomi dan Bisnis Islam*, 2(2), 105-124.
- Zuraidah, M. I., Norhidayah, A. and Rabitah, H. (2011). *A comparative study of waqf management in Malaysia*. International Conference on Sociality and Economics Development, 10, 561-565.