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Islamic accountability framework in the zakat funds management

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Abstract

The purpose of this paper is to provide a discussion on the Islamic accountability in the zakat funds management. The in-depth understanding over the accountability system and practices of zakat institutions may assist to identify the underlying factors that lead to inefficiency in zakat distribution. The article is primarily theoretical and conceptual in nature. The paper discusses the suitability and applicability of the Islamic accountability framework in the zakat funds management. The Islamic accountability framework presented here, however, is an early attempt in understanding and assessing the effectiveness of accountability practices in managing zakat funds.

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Keywords: Accountability; Islamic accountability framework; zakat funds; zakat funds management

1. Introduction

The payment of zakat is one of the five pillars in Islamic principle. Zakat is an important mechanism for the development of the country as it contributes to social security and harmony to help bridge the gap between the rich and the poor as well as to strengthen the economic independence of the Muslim community. It is also an important financial resource for an Islamic state in addition to the tax funds. Generally speaking, the distribution of zakat funds could help the government to generate economic activity through an increase in individual's purchasing power and finally help to alleviate poverty. Zakat funds can assist the government in combating poverty through

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the Government Transformation Plan (GTP), National Key Result Areas (NKRA), and Raising Living Standards of Low-Income Households. Zakat funds could be used to improve the living standards of the people who have low income households.

Given the importance of zakat to the economy and society, in country like Malaysia, zakat institutions have been set up to collect and distribute funds. They are under the control of Islamic Religious Councils (IRC) of each state. The IRC play an important role in the administration and management of zakat institutions.

Empirical evidence indicates that Malaysia's zakat collection has been increasing from year to year and the means of the distribution of zakat has become a model for other Muslim countries (Wahid & Kader, 2010). Zakat institutions as a non-profit financial organization has several direct impacts on the economic system (Khan, 1995 as cited in Norazlina and Abdul Rahman, 2011) and is regarded as a complement to the financial institutions and as part of a comprehensive Islamic economic system.

Some recent studies, however, revealed many shortcomings of the zakat institutions. One of the issues pertaining to this is the surplus of millions of ringgits of zakat funds that are not distributed to the recipients. Reports on zakat collection and distribution in Malaysia from 2007 to 2009 showed the performance of zakat distribution is fairly low as compared to zakat collection. For 2007, the amount of zakat collection across the country is RM805.6 million and this number had increased up to RM1,037.6 million in 2008 and increased by RM1,196.2 million in 2009. The amount of funds distributed, however, yield inconsistent with the amount collected. For example, for the year 2007, only RM640.6 million has been distributed and leaving the sum of RM165 million that are not distributed. The amount of undistributed zakat funds had increased significantly in 2008 when there were surplus of funds of RM288 million. For the year 2009, a total of RM176.1 million undistributed zakat funds.

Prior studies on zakat management have provided us with various useful insights about issues and challenges surrounding the management of zakat funds (see, for example, Hairunnizam, Sanep & Radiah, 2012a; 2012b; 2012c; Mahyuddin & Abdullah, 2011; Muharman et al., 2011; Hairunnizam, Sanep & Radiah, 2010; 2009; Ataina & Achmad, 2010). A number of recommendations including models or frameworks were proposed to improve particularly the distributions of zakat. Despite these suggestions, as stated earlier one of possible effects of the inefficiency of zakat management is the issue of surplus of zakat funds, which are not allocated to eligible recipients.

While there are prior studies that suggest ways to overcome the inefficiency of zakat distribution (see, for example, Azman, Mohamad & Syed, 2012; Norazlina & Abdul Rahim, 2011), there is little studies, however, have been undertaken on this issue by examining the zakat institution's accountability system and practices. The in-depth understanding over the accountability system and practices of the zakat institutions may assist to identify the underlying factors that lead to inefficiency in zakat distribution. Through the identification, the zakat institutions may undertake necessary steps in improving, for example, the procedures and/or processes of zakat fund distribution itself. Thus, the paper aims to explore the accountability relationships of the zakat institutions and develop an initial understanding on Islamic accountability framework in the zakat institutions.

2. Zakat definitions and objectives

Zakat, or also known as Islamic religious tax, is one of the pillars of Islam that must be met by the Muslims who are eligible. According to Islamic history, the word zakat has two different connotations. In terms of language, the word zakat comes from the root of Arabic word of 'zaka'. Qardawi (1988) clarify that 'zaka' means mercy, grown, clean, good, and be proud of. In terms of terminology, zakat means some specific properties that are required by Allah SWT to be given to those who are entitled (Qardawi, 1988). This means that zakat is a blessing, purity, kindness, and progress on the property after the payment of tithes was made at a certain rate and be distributed to its entitled recipient. As clearly stated in the Quran (Surah At-Taubah: 60), there are eight people who are eligible to receive zakat funds, i.e. the poor, the needy, zakat administrators, those whose hearts are inclined towards Islam (including the new converts to Islam who lack of economic support), slaves, debtors (debt due to the real needs), in the way of Allah (Fi sabilillah), and wayfarers (Ibnu Sabil).

The objectives of zakat are twofold. Spiritually, paying zakat purifies and cleanses something from dirt or filth.

Thus, individual who pay zakat is said free from having a bad habits such as greed, selfishness, and arrogance (Nur Barizah, 2007). Economically, paying zakat will give a good effect on several economic dimensions, such as aggregate consumption, savings and investment, aggregate supply of labour and capital, poverty reduction and economic growth (Nur Barizah & Abdul Rahim, 2011). Zakat funds are also an important source of finance for Islamic countries besides tax funds (Diabi, 1993). Thus, zakat could help generate the prosperous society through redistribution of income between the rich and the poor and increase the individual's purchasing power parity.

3. Zakat management

Zakat management has been argued as the most critical aspect in determining the direction of the zakat institutions as a systematic and efficient management would ensure optimization of the zakat (Mutiarra, Zakaria & Zahri, 2013). Generally, management of zakat has been understood to involve in two activities, which are collection and distribution of zakat funds (Ahmad, 2009). One main objective of zakat management is to achieve the best possible outcome in the timely collection and distribution of zakat as ordained in Islamic Shariah (Abdul Quddus, 2009, p.316).

Zakat management is important to help Muslims perform the third pillar of Islam and establish its primary function as a means to alleviate poverty (Abdul Quddus, 2009). Moreover, the effectiveness of zakat management is important to enable zakat to be a catalyst in improving the lives of the poor and needy (Mahyuddin & Abdullah, 2011). A sufficient level of trust is crucial to be maintained between Muslims and zakat institutions or otherwise the potential zakat payers would prefer to pay out zakat directly, for example to the poor or needy, rather than through the zakat institutions (Abdul Quddus, 2009). On the other hand, it has been argued that the zakat management should exhibit professionalism and trust to maintaining the interest of zakat recipients (Ataina & Achmad, 2010).

A considerable number of prior studies on zakat management (see, for example Sari, Bahari & Hamat, 2013; Abdullah, 2010; Hidayati & Tohirin, 2010; Lessy, 2009; Oran, 2009; Suhaib, 2009) have been carried out, conceptually and empirically, from various angles. One stream of research focuses on the issue of zakat compliance behaviour; for example, Ram Al Jaffri et al. (2010) who conducted a study to find out determinants of zakat business compliance behaviour. They found factors such as attitude, subjective norm and perceived behavioural control are important factors in shaping businessmen decision to pay zakat.

Another focus of research is zakat distribution (see, for example Mahyuddin & Abdullah, 2011; Ataina & Achmad, 2010; Muharman et al., 2011). Mahyuddin and Abdullah (2011) argue that a more proactive mechanism, whether in form of monetary capital or equipment is vital to help recipients to improve their standard of living. They claimed a more self-sustained mechanism of zakat distribution could become the most effective tool that guarantees better quality of life for the zakat beneficiaries. On the other hand, by exploiting the technology Muharman et al. (2011) propose an integrated information system that could help to improve the zakat management. Meanwhile, there are a few previous studies which propose the collaboration between zakat institutions with microfinance institutions in order to improve the efficiency of zakat distribution (see, for example, Nur Bani, Abdul Halim & Noor Ashikin, 2012; Yumna & Clarke, 2011).

Another stream of research focuses on issues related to zakat institutions (see, for example, Azman, Mohamad & Syed, 2012; Norazlina & Abdul Rahim, 2011). Azman's et al. (2012) work identifies and explores some problems and issues, which include for example inefficiency and capacity building, of zakat institutions in Malaysia in a great detail. They believe spirit to uphold Islam as a religion for all humanity spirit must be the foundation in operating the zakat institutions because it would enhance their well-being and quality of life, provides employees a sense of purpose, meaning at work, a sense of interconnectedness and community (Azman et al., p.41). On the other hand a conceptual framework could be used to evaluate the efficiency and governance of the zakat institutions in Malaysia was proposed by Norazlina and Abdul Rahim (2011). They argue that such evaluations are crucial for the Islamic financial system to function effectively in order to achieve the noble objectives of socio-economic justice through proper distribution of wealth (Norazlina & Abdul Rahim, 2011, p.

43).

4. Research methodology

In addressing the research objectives the paper explores an idea of incorporating the Islamic research methodological foundation in deliberating the issues related to the Islamic position. We believe the understanding of the ontological and epistemological foundation is best fit in contemplating Islamic position since zakat payment is one of the Islamic pillars that have to abide by all Muslims. For this reason, the paper argues the social constructions of human actions through conversations and actions will construct the social reality within the human agencies. The paper highlights the understanding that human relations consists intangible relations that uniquely relate to the submission of Allah, the one God.

“And I did not create the jinn and mankind except to worship Me.”

(Chapter Az-Zariyat: Verse No 56)

Since zakat is considered as a mandatory obligation for Muslims from the Allah, the human actions regarding to this matter has to be fulfilled by a man once the requirement related to zakat is satisfied. Failure to do so, the man will be punished in the life of the hereafter (Surah At-Talaq: Verse No 8).

From this argument, Muslim indirectly has to follow and abide by the order from Allah, which constitute the direction of human actions. In the Islamic pathway, the social agency of a Muslim is constructed through a fundamental worldview that related to the religiosity, which can be translated through human actions based on the Al Quran and Sunnah.

Following the notion stated above, the paper expands on the understanding of zakat within the Islamic methodological foundation to provide a clear direction about the intangible relations between a man and their submission to Allah.

“But if they repent, establish prayer, and give zakah, then they are your brothers in religion; and We detail the verses for a people who know.”

(Chapter At-Taubah: Verse No 11)

The paper develops within the position of Interpretation (“Tafsir”) that referring to the understanding of texts in Al-Quran and Sunnah. According to Shukri (2013), this approach provides a basis for interpreting and analysing texts in Al-Quran and Sunnah, which is essential within the Islamic position studies. This provides a link to the contemplation of intangible relations between human and the submission to Allah, which construct the social reality within the Islamic foundation. We adopts narrative notion from “Tafsir” methodological position in addressing the research objectives. The coherent evidence about “Tafsir” can be referred to:

“And they do not come to you with an argument except that We bring you the truth and the best explanation.”

(Chapter Al-Furqan: Verse No 33)

The further elaborations on the Islamic accountability in zakat fund management will be scrutinized in the next section.

5. Islamic accountability framework in the zakat fund management

In general, efficiency[†] and governance[‡] of the zakat institutions have been argued as a mean of demonstrating accountability to the zakat payers and ultimately to Allah, whilst taking into consideration the requirements of the shari’ah law (Norazlina & Abdul Rahim, 2011). Norazlina and Abdul Rahim (2011) argue that the governance of zakat institutions refers to the governance structure and mechanism to ensure financial and managerial accountability of zakat collection and distribution. They also argue in order to be accountable, to the public as well as to institutional stakeholders, organizations need to be fully transparent by ensuring processes, institutions, and information are accessible and sufficient to the related parties, especially to the stakeholders for monitoring

[†] refers to how well zakat institutions are using its resources to meet its objectives of socio-economic justice (e.g. reducing poverty)

[‡] refers to the process and structure in directing and managing the affairs of the zakat institutions

purposes.

On the other hand, the roles and responsibilities of the zakat institutions is not only important for them to be accountable but to demonstrate how accountable they are in fulfilling their tasks to the public, zakat payers, other stakeholders and ultimately to Allah. Hence, we argued that zakat institutions accountability system and practice is vital as it partially determine, to a great extent, who, what, and how they are going to account to (Haniffa, 2002; Lewis, 2006) in distributing zakat, which include for example, the “Asnaf” and the zakat payers. Despite the possible impact of accountability system and practice could have on the zakat institutions, a few empirical studies have been undertaken on zakat institutions accountability system and practices and examine the impact it has on the effectiveness and efficiency of zakat institutions in managing zakat fund.

On the other hand, in Islam, the rights and obligations of individuals and organizations with respect to others are clearly defined by religion, and are neither imposed by secular law that is exposed to change, nor subject to personal views. From an Islamic standpoint, this is considered to make Islam a stronger and more effective basis for ethical values. Despite the presence of many schools of thought in Islam, there is agreement on basic matters of principle (Hamid et. al, 1993, p. 136).

In addition, in the Islamic context, the social responsibilities of individuals that are derived from the word of Allah (contained in the Qur’an) and from his prophet Mohammed’s deeds and sayings (the Sunnah) also apply to firms. Similarly, the main purpose of an Islamic business is to satisfy the will of Allah, through following the Qur’an and Sunnah. Islam considers work to be part of the worship of Allah (Haniffa, 2002; Haniffa & Hudaib, 2004).

The discussion on Islamic accountability can be seen in a wider perspective that it involves the one’s relationship with Allah and to other human beings.

“Ignominy has been pitched on them, wherever they are, they shall get no security save a rope from Allah and a rope from men, (they may get protection).”

(Chapter Al-Imran : Verse No 112)

The relationship to Allah can be counted through the word “hisab”, which is repeated in the Al-Quran for more than eight times (Askary & Clarke, 1997). The word “hisab” reflects “account”, which brings a universal sense relating to one’s obligation to account to Allah and to other mankind. In this sense, every Muslim has an “account” with Allah, in “recording” all good and bad deeds, which will continue until the death. And, for Allah, the accounts for all his servants will be delivered to the mankind on the day of judgement.

“To Allah belongs whatever is in the heaven and whatever is in the earth; and if you disclose whatever is in your heart or keep it hidden, Allah will call you to account for it; then He will forgive whomsoever He pleases and punish whomsoever He pleases, and Allah is potent over everything.”

(Chapter Al-Baqarah: Verse No 284)

“And how many a city rebelled against the Commandments of its Lord and His Messengers then we took a severe account from it, and gave it a horrible punishment.”

(Chapter At-Talaq: Verse No 8)

Additionally the relationship with Allah is deliberated by Lewis (2006), the concept of accountability in Islam is derived from the concept of Tauhid (the unity of Allah). The concept of the unity of Allah implies total submission to Allah’s will and following the religious requirement in all aspects of life (Maali, Casson & Napier, 2003). Baydoun and Willett (2000) said that the concept of the unity of Allah gives rise to different and broader concept of accountability in the Islamic foundation. The verse “Allah takes careful account of everything” (Surah An-Nisa’: Verse 86) reinforces the notion that everyone is accountable to Allah on the Day of Judgement for their actions during their lives.

In Islamic foundation, accountable to Allah implies accountable to society, which emphasized on rights of others. This can be concluded in the second discussion, which concerns the relational obligation to the mankind. In Islam, the rights and obligations of individuals and organizations with respect to each others are clearly defined. Thus, the definition on “responsibilities” in Islam is a well-defined and unwavering, do not change or irrelevant over time or places because it’s derived from Allah and Prophet Muhammad (peace and blessings be upon him) (Haniffa, 2002; Lewis, 2006).

In understanding the relationship between the community, Islam concerns for the social environment and the way one's engage with other people (Kamla, Gallhofer, & Haslam, 2006). The term brotherhood (*ukhuwwah*) in Islamic societies is a clear example of the importance of social responsibility in Islam. Muslims are supposed to take care of others in society – the Prophet Mohammad (peace and blessings be upon him) said, “the Muslims in their mercy towards each other are like a body, if single part of it complains the other parts would be affected” (Al-Bukhari & Muslim).

Muslim cannot (in good faith) compartmentalise their behaviour into religious and secular dimensions and their actions are always bound by the *Shariah* based on Quran and Sunnah. Thus, submission to the Allah includes recognising the rights of others and the involvement of oneself to the society justly (Maali, Casson, & Napier, 2006). This can be verified through the verses in the Al-Quran, which provide the relational factor between Allah and other mankind.

“Undoubtedly, in the creation of heavens and earth and in the mutual alternation of night and day, there are signs for men of understanding. Who remember Allah standing and sitting and lying on their sides, and contemplate in the creation of heavens and earth; (saying) "O our Lord! You have not made it in vain, hallowed be You, You save us from the torment of the Hell.”

(Chapter Al-i'Imran: Verse No 190-191)

Therefore, this theoretical foundation for this study is based on the Islamic accountability position, which stems the relationship of human to Allah and the relationship of human to other mankind. By referring to this notion, we believe the study will delineate the ultimate relationship of zakat institutions where it involves the relationship of the agency members with the Allah that is based on moral imperatives and values in oneself and the relationship with other community at large – including ‘Asnaf’ and the zakat payers.

We believe the moral imperative and values is built in the Islamic moral foundations that individual has to undertake in fearing of Allah, honesty, trust, keep-promises, cooperation and forgiveness.

“Undoubtedly, Allah bids justice and good doing and giving to kindred and forbids indecency and wicked things and rebellion. He admonishes you that you may be mindful.”

(Chapter An-Nahl: Verse No 90)

For one's good and bad deeds to Allah and mankind shall retain in the account of Allah on the judgement day.

“Then as to one who is given his record in his right hand. He will soon have an easy reckoning.”

(Chapter Al-Inshiqaq: Verse No 7-8)

In summary, the Islamic accountability theoretical foundation underpins the relationship between human and one's Creator, Allah, and other mankind (Gambling & Karim, 1986; Haniffa, 2002; Lewis, 2006). The proposed Islamic accountability framework in zakat fund management, hence, can be represented as in Figure 1. As shown in Figure 1, accountability relationships in the zakat fund management involve various parties such as the zakat institution (which manages the zakat fund), zakat payers and recipients and what is unique and fundamental is that each party are (ultimately) accountable to Allah. As discussed earlier the responsibility and accountability duty of each party have been clearly stated in Quran and Sunnah. Hence, differ from western view, in Islam the accountability and its relationships between the accountant and the accountee are stable over time, for example between the zakat institutions and the zakat payers. On the other hand, based on the earlier analysis/interpretation of the relevant verses of Quran, it can be argued that the ultimate accountability of all parties to Allah is the most fundamental accountability relationship, not only in zakat management but in other aspects of life, which is crucial to ensure that other accountability relationships are satisfied.

Focusing on the accountability of the zakat institution that has direct responsibility in managing zakat fund, as shown in Figure 1, it is accountable to various parties including the zakat recipients and zakat payers. To both zakat payers and recipients, the zakat institution in general is accountable to efficiently manage the zakat fund so that the objectives of zakat collection (from the zakat payers) and zakat distribution (to the recipients) can be achieved. The ways of managing zakat (as part of ways to discharge responsibilities) of the zakat institutions should be in line with what have been stated in Quran and Sunnah. Then, the accountability duty of the zakat institutions will be discharged mainly by providing explanations or accounts on how the zakat institutions are fulfilling its responsibility in managing zakat to relevant parties like the zakat payers (and ultimately to Allah). However, to other accountees like the zakat recipients the accountability duty of the zakat institutions may be discharged through action-based accountability mediums as well that can empower the recipients to hold the accountors accountable.

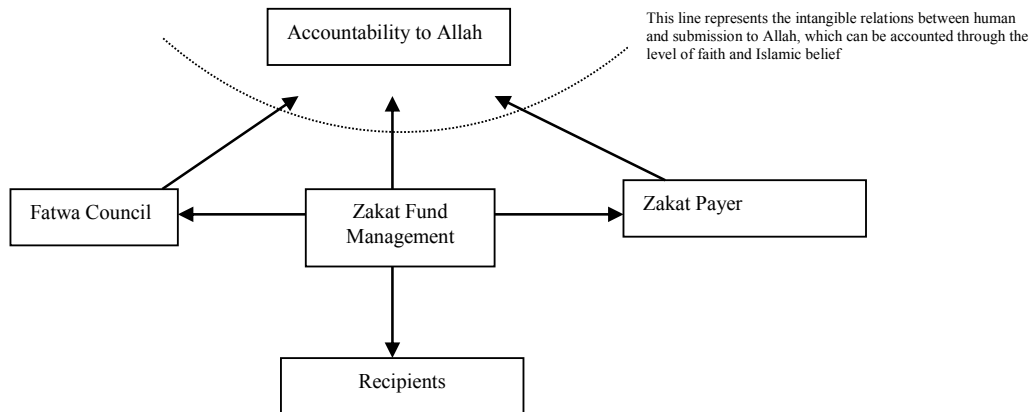


Fig. 1. Islamic accountability framework in the zakat fund management

6. Conclusion

In conclusion, the accountability in the zakat fund management is driven by the Islamic foundation, which cannot be separated from the Islamic teachings and pathways. For this reason, the zakat contribution is essential, which all the Muslims have to abide by, through the shadowing of the intangible relations within the human beings i.e. Muslims and submission to Allah. This relation is unseparated, which the social action is constructed in the social reality within the social praxis of individual and their accountability to Allah as:

“And I did not create the jinn and mankind except to worship Me.”

(Chapter Az-Zariyat: Verse No 56)

Given the essential of zakat the ways of managing it is also crucial so that its objective can be achieved and the issue of zakat management is argued in this paper as closely related to the accountability relationships in the zakat fund management. Differ from western understanding over accountability, Islamic accountability framework proposed and analyzed here provides a broad and integrated understanding over the accountability in zakat fund management that can help the relevant parties to manage the zakat fund more effectively and efficiently.

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