

Shari'a Compliance by Malaysian Muslim Businesses with Respect to Guidelines Given in Islamic Marketing

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Abstract

This research aims to investigate the perceptions of Muslim businessman regarding the extent to which Malaysian businesses comply with the Shari'a rules and regulations given in Islamic Marketing. Information on perceptions of Muslim businessman were obtained by administering a structured survey questionnaire, by trained enumerators, in various States of Peninsular Malaysia. A total of 150 completed questionnaires were used in the research analysis. The components of the questionnaire were statements derived from the Quran and the Sunnah, and also those reported in the Islamic literature. The findings from this research indicate that businesses generally felt that for most of the statements presented to them on Islamic marketing, only up to 50% of business respondents adhered to Islamic Marketing guidelines. These were some differences though. The responses were more positive with respect to Halal products, in which a higher percentage of businesses were perceived to follow this Islamic guideline.

Keywords ---- Muslim Business Perspectives, Islamic Marketing guidelines, Shari'a Compliance by Businesses in Malaysia.

1. Introduction

This research study aims to examine the perceptions of Muslim businesses regarding the extent to which businesses in Malaysia comply with the recommended Islamic rules and regulations of marketing. In line with this a structured questionnaire was administered to 150 Muslim businesses, spread over many States in Peninsular Malaysia. Also, the demographic background of respondents, such as age, gender and educational level were recorded for subsequent analysis and inference.

Malaysia is unique in that the population is made up of 60% Muslims and 40% Non-Muslims.) Businesses in Malaysia are operated by both Muslims as well as Non-Muslims. About 60 percent of businesses are owned by Non-Muslims and 40 percent by Muslims. The clients of the Non-Muslim businesses include Muslims as well non-Muslims. It is felt that Muslim consumers would achieve a higher level of consumer satisfaction, including religious satisfaction if businesses they patronised practised a higher level of Islamic marketing.

The information given in this research is a sequel to the earlier research findings reported in the article by Kalsom & Ahmad, reported in Vol.1, No.3 of the Journal of Islamic Marketing, regarding Shari'a compliance of businesses as perceived by consumers. It was felt that businesses themselves may have a different perspective, about whether businesses in general comply with the recommended Islamic rules and regulations regarding marketing. Hence, the present research in which businesses were interviewed to get their opinions regarding Shari'a compliance by businesses. This is expected to provide further information compared to the above Kalsom & Ahmad study regarding Shari'a compliance by businesses in Malaysia and its impact on Muslim consumers in Malaysia.

1.1 Literature Review

The nature, concept and principles of Islam is not only a religion but also a way of life, where the economy is based on *Shari'a* which is principally found in the *Qur'an* (Words of Allah s.w.t.) and the *Hadith* (sayings of Prophet Muhammad s.a.w.). Islam gives guidelines not only for the general ummah but also for businesses as

well (Panda, 2005). This includes proper business relations in terms of exchanging food and raw materials for finished products.

It is widely known that Islam has, since the beginning encouraged businessmen to actively participate in trade. In the 8th century enlightened Spanish Muslims such as *Iqbal Qasim* and others were writing treatises or the principles of trade and commercial laws and rates. (Panda, 2005) Islam has encouraged trade, including international trade not only for economic reasons but also for establishing a universal brotherhood through mutual exchange of ideas and knowledge. Islam prohibits interest but allows profit. It promotes trade as an occupation and regards profit as a bounty from Allah. Conventional economics revolves around the notion of profits. Price theory, the core of economics cannot stand from without the assumption of profit maximization (Zubair, 2008). Generally, price represents the value at which a seller is prepared to exchange and the value at which the customer is prepared to participate in that exchange (Rowley, 1997). Saeed Muhammad has dealt with the importance of value maximisation in the approaches taken by business. Whilst profit maximisation is important to business they should also take into account value maximisation which will benefit the whole of society. (Muhammad Sayeed and Zafar U Ahmad, 2001).

Saeed Muhammad *et al* (2001) and Muhammad Buraey (2004) have shown in their writings how the '4Ps' (Product, Place, Price & Promotion) popularly addressed in conventional marketing approaches can be adapted and used in Islamic marketing research.. Price fairness is an inherent feature of economic transactions (Shehryer and Hunt, 2005). Consumer fairness perceptions are composed of both distributive and procedural components. Thus it is expected that a consumer who finds that others paid less money for the same product or service should feel upset and angry over the perceived inequality. According to Islam price inequality is not fair and is not recommended, Further, Islam prohibits pricing that contains elements of '*Maisir*' (attempts to find short cuts to get more profit); '*Tatfif*' (reduction of the quality and/or quantity of product without changing the price); '*Ihtikar*' (hoarding) and monopoly that is prejudicial and leads to unreasonable pricing, 'price fixing to deceive the consumer' and the 'lack of disclosure' All these are not recommended in Islam. (Abdullah, 2008) All the above concepts are incorporated into the questionnaire used in this research in order to find out the extent of the use of Islamic recommendations are used in practice by businesses in Malaysia.

1.3. Objective

The main purpose of this research study is to investigate the business perceptions regarding the degree of Shari'a compliance to Islamic marketing guidelines among businesses in Malaysia. Data was obtained from a sample of Muslim businesses spread throughout the States of West Malaysia (11 States in all). Information was solicited regarding the practices of businesses using a structured questionnaire. The respondent's gender, religious background and other demographic characteristics were also recorded.

1.4 . Research Methodology

The perspectives of Muslim businesses as to whether they are fully compliant with Islamic marketing guidelines, were investigated by posing a series of statements given to them regarding the practices of Islamic marketing rules and regulations.

Data Collection – for the research involved the use of a structured questionnaire which was developed for data to be collected by face to face interview. The questionnaire was administered by trained enumerators. A convenience sample of 170 small to medium sized Muslim businesses was selected. West Malaysia was divided into 4 regions for sampling purposes. The target was 40 in the Eastern region (States of Kelantan, Trengganu, Pahang), 40 in the Northern region (Kedah, Perlis, Penang) and 50 in the Western region (Perak, Selangor, Kuala Lumpur) and 40 in the Southern region (Johore, Negri Sembilan, Melaka). After screening for errors, incomplete and missing responses, 150 questionnaires were considered complete and valid for final analysis. The response rate is about 88 percent, which is considered acceptable for statistical reliability and generalisability (Sekaran, 2003).

Interview Method – The standardised questionnaire that was developed by the researchers was used to interview the selected business which was represented by the Owner, Manager or other key management staff of the business concerned. The data was analysed using the SPSSPC Software. Calculations were carried out for descriptive statistical analysis and the Chi-square was utilised for cross-tabulations analysis.

5. Results and Discussion

In the initial part of the analysis a descriptive statistical technique was employed to analyse the data. Table 1 below presents the various demographic features of the respondents.

Table (1) : Demographic Characteristics of Respondents

Age of the Respondents				
	Frequency	Percent	Valid Percent	Cumulative Percent
Above 60	8	5.3	5.3	5.3
Between 40 and 60	55	36.7	36.7	42.0
Between 20 and 39	86	57.3	57.3	99.3
Others	1	0.7	0.7	100.0
Total	150	100.0	100.0	
Gender				
	Frequency	Percent	Valid Percent	Cumulative Percent
Male	67	44.7	44.7	44.7
Female	83	55.3	55.3	100.0
Total	150	100.0	100.0	
Marital Status				
	Frequency	Percent	Valid Percent	Cumulative Percent
Married	87	58.0	58.0	58.0
Not Married	63	42.0	42.0	100.0
Total	150	100.0	100.0	
Level of Religious Education				
	Frequency	Percent	Valid Percent	Cumulative Percent
Completed Quran	63	42.0	42.0	42.0
Certificate in Islamic Studies	9	6.0	6.0	48.0
Diploma in Islamic Studies	16	10.7	10.7	58.7
Degree in Islamic Studies	56	37.3	37.3	96.0
Others	6	4.0	4.0	100.0
Total	150	100.0	100.0	
Occupation				
	Frequency	Percent	Valid Percent	Cumulative Percent
Own Business	58	38.7	38.7	38.7
Partnership	15	10.0	10.0	48.7
Part-time Business	17	11.3	11.3	60.0
Manager, but not a owner	11	7.3	7.3	67.3
Asst. Managers, but not a owner	15	10.0	10.0	77.3
Others	34	22.7	22.7	100.0
Total	150	100.0	100.0	
Western				
	Frequency	Percent	Valid Percent	Cumulative Percent
Others	112	74.7	74.7	74.7
Western region (KL, Selangor, Perak)	38	25.3	25.3	100.0
Total	150	100.0	100.0	

Table 1 shows that 37 percent of respondents were between the ages of 40 – 60 and 57 percent were in the 20 to

39 years age range at the time of the survey. 48 percent are males and 55 percent are females. Further 58 percent were married. Interestingly 37 percent of respondents reported they had a degree in Islamic Studies and 10 percent held a Diploma in the same field. Thus a total of 47 percent have strong Islamic educational background. Regarding occupation 39 percent of respondents were owners of the business, 10 percent were business partners and 11 percent were involved in the business on a part-time basis. 17 percent were Managers but did not have ownership. Thus a sizeable 60 percent of respondents had ownership interest in the business. 4 regions were identified for sampling purposes. As stated earlier, they were the : Northern, Southern, Western and Eastern regions..

Data is given in Table 2 regarding respondents' views about various Islamic marketing guidelines practised by Malaysian businesses.

Table (2) : Descriptive Analysis on Respondents' views on Practising Islamic Guidelines in Business

Items		Few <25%	Some 25%- 50%	Majority 50%-75%	Almost All >75%	Others	Total
1. Businesses follows Islamic Guidelines	Frequency	49	70	18	8	5	150
	Percent	32.7	46.7	12.0	5.3	3.3	100.0
2. Muslim Businesses Practice Islamic Guidelines on Marketing	Frequency	28	55	45	20	2	150
	Percent	18.7	36.7	30.0	13.3	1.3	100
3. Fair Dealings	Frequency	38	67	34	8	3	150
	Percent	25.3	44.7	22.7	5.3	2.0	100.0
4. Practices of 'Halal' Rules	Frequency	24	48	52	23	3	150
	Percent	16.0	32.0	34.7	15.3	2.0	100.0
5. Not Hide any Drawbacks of the Products	Frequency	17	40	54	37	2	150
	Percent	11.3	26.7	36.0	24.7	1.3	1.0
6. Following 'Maisir' Principle	Frequency	10	31	59	45	5	150
	Percent	6.7	20.7	39.3	30.0	3.3	100.0
7. Following 'Tatfif' Principles	Frequency	35	56	33	21	5	150
	Percent	23.3	37.3	22.0	14.0	3.3	100.0

The first column in Table 2 refers to the various statements that were put to the respondents and then their views were sought. The results are recorded in columns 2, 3, 4, 5 and 6 of the Table. The respondent was required to give the responses in the following way : (i) **Few** (Less than 25%) of business adhered to this (ii) **Some** (25% - 50%) of businesses adhered to this (iii) **Majority** (50% - 75%) of businesses adhered to this (iv) **Almost All** (> 75%) of businesses adhered to this.

For example, regarding the first statement in Table 2 is "Businesses follow Islamic Guidelines". The respondents were asked "Do you think businesses in Malaysia (not only Muslim businesses but generally all businesses) are following Islamic guidelines and regulations. The data in Table 2, in columns 2 – 6 shows the responses with respect to Statement 1 as follows: 33% of respondents felt that only "a few" (< 25% of businesses) adhered to Islamic Guidelines and 47% felt that only some (25%-50%) of businesses followed Islamic guidelines. The overall indication for this statement 1 is that 80 percent of respondents felt that 'less than 50 percent of businesses' generally follow Islamic guidelines in their businesses. Hence, a substantial number of respondents perceived that businesses generally do not fully comply with Islamic guidelines in carrying out their businesses. It must be noted here that Muslim as well as Non-Muslim businesses were included in the questionnaire pertaining to this statement (1) because Non-Muslim businesses serve Muslim consumers as well.. This could have contributed to the perspective that less than 50% of businesses in Malaysia followed Islamic Guidelines.

In statement 2 views were sought about Muslim businesses. 43% of respondents felt that the majority (50%-75%) or almost all (>75%) of Muslim businesses followed Islamic guidelines on Marketing. However, 19% of business respondents felt that 'only a few' and 37% perceived that 'some' (25%-50%) Muslim businesses followed Islamic guidelines on marketing. It is of concern to note that a large proportion of Muslim businesses are perceived, by businesses themselves, to be not following Islamic Guidelines in marketing.

In the next statement 3, the respondent was given the explanation that Islam stresses fair dealings in the conduct of businesses. Unfair margins of profits in any kind of business, are not recommended in Islam".

The respondent was asked if he/she thought that businesses in Malaysia (Muslim as well as Non-Muslim businesses) are generally following this Islamic guideline of fair dealings. 73 percent of respondents were of the view that ‘only a few or some’ of the businesses practised fair dealings.

Statement 4 refers to the fact that ‘the product that is marketed must be ‘halal’ and according to Islamic law’, Islam forbids marketing items which are not halal. The question posed was: Do you think businesses in Malaysia (not only Muslim business but generally all businesses) are following these Islamic guidelines regarding the ‘halal’ rules. The result for ‘Halal’ practices was divided : 49 percent of respondents felt that ‘few or some’ of the businesses followed the Halal regulations whereas 50 percent of respondents were of the view that the ‘majority’ (50-75%) or ‘almost all’ (>75%) of businesses followed the Halal rules. Again the reason could be the inclusion of non-Muslim businesses in the survey. This would probably have influenced the views of respondents who are Muslims.. Non-Muslim owned businesses are not generally perceived by Muslims as stocking Halal goods, although in practice some do..

Certain other results in Table 2 show differing views by respondents. A total of 61 percent of respondents felt that businesses do not hide product drawbacks and practice disclosure about product’s potential life as well as expiry dates. The responses for this statement 5 was : : 36 percent felt that the majority (50%-75%) of businesses and 25 percent felt that ‘almost all’ (> 75%) of businesses do not hide drawbacks of products. This is encouraging.

The results for Maisir (statement 6) indicated that 69 percent of respondents perceived that ‘the majority’ (50%-75%) or ‘almost all’ (>75%) of businesses practised the Maisir principle (i.e. attempts by businesses to find short cuts to make more profits). Such a practice is not recommended in Islamic Marketing.

Regarding statement 7 in Table 2, 60 percent of respondents were of the view that the ‘Tatfif’ principle (Price changes should be accompanied by changes in the quality of the product”) is perceived to be upheld by ‘only a few’ (<25%) and by ‘some’ (25%-50%) of businesses. This is not encouraging.

5.1 Pricing Practices

Opinions were sought on various pricing and related practices to ascertain if the businesses are adhering to accepted Islamic guidelines on pricing Table 3)

TABLE 3

Descriptive Analysis on Respondents to the statements on Pricing and related Practices

Items		Few	Some	Majority	Almost All	Others	Total
8. Pricing Method based on Interest or Usury	Frequency	22	17	53	54	4	150
	Percent	14.7	11.3	35.3	36.0	2.7	100
9. Pricing methods based on Profit Sharing Guidelines in Islam	Frequency	38	70	26	13	3	150
	Percent	25.3	46.7	17.3	8.7	2.0	100
10. Hoarding and Selling Goods at the Highest Prices	Frequency	30	47	48	20	5	150
	Percent	20.0	31.3	32.0	13.3	3.3	100
11. Fixing Prices to Deceive Buyers	Frequency	50	38	37	21	4	150
	Percent	33.3	25.3	24.7	14.0	2.7	100
12. Disclosure to Buyers	Frequency	35	47	35	22	11	150
	Percent	23.3	31.3	23.3	14.7	7.3	100

In Table 3, among others, the results are given for statements on ‘Hoarding’ (10), Fixing Prices (11) and ‘Disclosure to Buyers (12). The accompanying statements put to the respondents were:

When Hoarding or ‘*Ihtikar*’ (statement 10): the business creates an artificial shortage of product and sells the goods at the highest price. This is not recommended in Islam. The question posed to the respondent was : “Do you think businesses in Malaysia (not only Muslim businesses but generally all businesses) are hoarding and selling goods at the highest price ?

Fixing Prices (statement 11): The statement to the respondent was : “Prices should not be fixed to deceive the buyer.” Question posed was : “ Do you think businesses in Malaysia are fixing prices to deceive buyers? “

Disclosure to Buyers (statement 12). The statement given to the respondent was: “Business should follow the Islamic Guidelines regarding disclosure to buyers (disclosure regarding, drawbacks, expiry dates and other conditions of product). This question following this statement was : “ Do you think businesses in Malaysia (Muslim as well as other businesses) are following such disclosure practices towards their customers?

The results of respondents’ perspectives on the above 3 statements and questions, are as follows. Regarding statement (10) above, 51% of respondents felt that only a ‘few’ (<25%) or ‘some’ (25-50%) of businesses were hoarding and selling goods at the highest prices. However, 45% of respondents felt that the

‘majority’ of businesses (50-75%) or ‘almost all’ (>75%) do carry out hoarding and price fixing. Thus the views on hoarding are divided. 51% of respondents feel the only a few or some businesses hoard. However, a considerable 45% of respondents felt that Malaysian businesses indulge in hoarding and sell goods at the highest prices. Presumably the larger businesses are able to do this.

On the question of fixing prices to deceive buyers (Statement 11), 59% of the respondents felt that only ‘a few’ (<25%) or ‘some’ (25 – 50%) of businesses do indulge in price fixing. However, 40% of respondents felt that the ‘majority’ (50% – 75%) of businesses) or ‘Almost all’ (>75% of businesses) are engaged with price fixing to deceive buyers. Again, the respondents’ view on this are divided. The perspective of business respondents is that about 50% of business do indulge in fixing prices, but they felt that a substantial proportion of businesses (40%) do not indulge in fixing prices to deceive buyers. Although the latter figure is encouraging, it is of concern that a large proportion of respondents feel that businesses do indulge in price fixing, which is not recommended in Islamic Marketing..

The next statement (12) is: Disclosure to buyers.. Here we are referring to provision of information on goods and services, so that consumers can make good decisions when it comes to purchases. It also includes provision of information to customers on defective goods.

38% of respondents felt that the ‘majority’ (50% – 75%) or ‘almost all’ (>75%) of businesses do practice disclosure. The results for this statement on disclosure suggest that a fairly large proportion (38%) of businesses do practice disclosure, This is encouraging.

Cross-tabulation and Chi-square analysis

The Chi-square analysis results given in Table 4 indicate the significance of relationships between various statements tested and selected demographic factors (from Table 1) The demographic factors selected were : Age, Gender, Educational level and the State (State of domicile of respondent)

Table (4) - Summary of Cross-tabulation Results between demographic profiles and Selected Statements

SELECTED STATEMENTS		Age	Gender	Education	State.
1. Businesses following Islamic Guidelines	Pearson Chi-Square Value	7.578	7.050	14.886	10.453
	Significance	0.817	0.133	0.533	0.033*
2. Fair Dealings	Pearson Chi-Square Value	17.906	2.326	14.259	8.042
	Sig	0.119	0.676	0.579	0.090
3. Halal Rules	Pearson Chi-Square Value	12.460	2.964	16.060	6.858
	Sig	0.409	0.564	0.449	0.144
4. Not Hide any Drawbacks of the Products	Pearson Chi-Square Value	13.528	3.156	16.981	3.384
	Sig	0.332	0.532	0.387	0.496
5. Following Maisir Principle	Pearson Chi-Square Value	10.263	2.274	17.465	7.316
	Sig	0.593	0.686	0.356	0.120
6. Following Tattif Principle	Pearson Chi-Square Value	24.689	1.021	23.704	3.560
	Sig	0.016*	0.907	0.096	0.469
Statements relating to Pricing					
7. Based on Interest or Usury	Pearson Chi-Square Value	9.934	8.949	11.715	0.602
	Sig	0.622	0.062	0.763	0.963
8. Based on Profit Sharing	Pearson Chi-Square Value	14.928	4.971	12.478	7.114
	Sig	0.245	0.290	0.710	0.130
9. Hoarding and Selling at Highest Price	Pearson Chi-Square Value	16.784	1.922	22.152	2.737
	Sig	0.158	0.750	0.138	0.603
10. Pricing to Deceive Buyers	Pearson Chi-Square Value	28.399	2.383	19.181	3.574
	Sig	0.005*	0.666	0.259	0.467
11. Disclosure to Buyers	Pearson Chi-Square Value	11.329	11.645	17.170	18.752
	Sig (2 sided)	0.501	0.020*	0.375	0.001*

The assumed null hypothesis states that the background of Muslim businesses does not influence their

perception on the degree of compliance to the Islamic marketing guidelines among Muslim businesses in Malaysia. To examine the significance of association between their background and observed degree of compliance, Pearson Chi-square test is employed. Chi-squared analysis is employed as a test of independence between the chosen demographic features and types of responses given by the respondents : is there any significant association between a demographic feature and the type of response given. Setting the significance level¹ equal to 0.05, for that reason the P-value² is 0.05, provides empirical evidence that confirms the perceived degree of compliance among businessmen to the Islamic marketing principles is generally not significantly influenced by the background. .

1) Statements on Practice of Islamic Guidelines in Business conduct (Statements 1-6, Table 5)

With regards to the adherence of Muslim businesses to Islamic guidelines in their daily business conduct, only perceptions on one descriptive statement was empirically proven to be significantly influenced by the respondents' background. Firstly, the perception on "Businesses follow Islamic Guidelines" is significantly depended on the respondents' State (of residence). Secondly the degree of compliance to "Tatfif" principle" (Price changes should be accompanied by changes in the quality of the product") is also significantly dependent on the respondents' age. For these two statements, HO is rejected. But for the other statements HO are accepted.

2) Statements on Islamic Pricing Practices (Statements 7-11, Table 5)

The analysis shows that there is no significant influence of demographic factors in the perceived degree of adherence of businesses to Islamic pricing principles given by the respondents, except for one factor. Only the perception on "Pricing to deceive buyers" is identified to be significantly dependent on the age of the respondents. H0 is thus rejected for this statement only. The responses given for other statements associated with Islamic pricing practice show the absence of significant influence of the prevailing differences in the respondents' demographic background. ,

Conclusion

The objective of the study was to find views about the extent to which businesses in Malaysia practised Islamic marketing approaches. This was done by obtaining the opinions of businesses i.e. business owners or their key representatives). A structured questionnaire was used to carry out a face-to-face interviews. Various statements regarding appropriate Islamic marketing practices were presented to the respondents, who were then asked to give their views as to whether businesses in Malaysia practised these Islamic marketing tenets. Completed questionnaires from 150 respondents from Muslim businesses were obtained and used for analysis in this research.

The findings from this research indicate that business respondents generally felt that for most of the statements presented to them on Islamic marketing, the perspective reported by Muslim This research indicates that there is room for improvement in the practice of Islamic marketing by businesses in Malaysia. The present researchers feel that there has to be intervention from the relevant authorities, especially in terms of training and information. JAKIM ('Jabatan Kemajuan Islam Malaysia') is the government body that coordinates and controls all Islamic activities in Malaysia. It is situated in the Prime Minister's Department and 'JAKIM' carries much weight insofar as Islamic Religious Affairs in Malaysia is concerned, including the regulation of Islamic businesses.. JAKIM carries out numerous activities. One of JAKIM'S activities is the conduct 'Programmes and Training'. Although numerous training programmes are carried out by JAKIM, this study shows that more needs to be done in the area of Islamic marketing and business aspects. As shown in the results of this research that only about 50% of businesses follow recommended Islamic marketing practices. It is felt that with more information and training inputs from JAKIM for businesses in Malaysia, would rise to higher levels of Islamic Marketing.

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¹ The P-value is the probability of observing a sample statistic as extreme as the test statistic

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