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Corporate Social Responsibility Communication and Legitimacy in Indonesia Islamic Banking

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Abstract

Corporate social responsibility (CSR) is one of the main issues in business and society in recent years. Despite its importance studies of this topic particularly in an Islamic context still limited. CSR seen as important to enhance legitimacy, especially in Islamic perspective. Islamic CSR (ICSR) is also discussed since there are different views on this matter. In expressing Islamic banks' commitment to their stakeholders, communication attempts using rhetorical strategies (*ethos*, *pathos*, and *logos*) is needed. One of rhetorical strategy is *ethos*, which this study attempts to develop this concept from an Islamic point of view. Discussion of other strategies and the research of ICSR rhetoric is suggested.

Keywords: Islamic banking, legitimacy, Islamic CSR, CSR communication

1. INTRODUCTION

One of the main issue in business and society in recent years both academically and practically is Corporate Social Responsibility (CSR) (Hassan & Harahap, 2010). Business is performed not only for the sake of profit but also for the social good beyond company's interest and law requirement (Caulfield, 2013; Jayakumar, 2013). Islamic banks that deliver similar services as other conventional banks are required to comply with *Shariah* (Islamic Law) (Farook, 2007). Accordingly, it should emphasize the sense of social responsibility.

In the context of Islamic banks, due to their religious identity, stakeholders are expecting more for their socially responsible actions (Mallin, Farag, & Ow-Yong, 2014). As a matter of fact, this industry is experiencing pervasive attention and recognition globally (Bedoui & Mansour, 2013). In Indonesia, Islamic banking was founded based on an amendment of Banking Act No. 7 of 1992 (Republic of Indonesia, 1998) that allowed the banking business to earn profit from revenue sharing instead of interest income.

There is a political will to develop this industry as envisioned by Indonesia Financial Service Authority (known as Otoritas Jasa Keuangan) for this industry: "To establish Islamic banking that provides significant contributions to sustainable economic growth, equitable development, financial system stability, and has high competitiveness" (Otoritas Jasa Keuangan, 2015). Indonesia as the largest Muslim country is the target market for Islamic banking. Therefore, in line with its economic growth, better education, growing awareness among Indonesian Muslims and outlet diffusion of Islamic bank (Darmadi, 2013), the future of this industry is promising.

According to Indonesia Banking Act No. 21 of 2008, beside intermediary function, Islamic banks could engage in social activities by receiving and channeling social funds. Act No. 40 of 2007 (Republic of Indonesia, 2007) demands corporations to perform CSR. Undoubtedly, Indonesian Islamic banks are endorsed by the law, Islamic ethics, and stakeholders' expectation to implement CSR programs.

By engaging in CSR activities, the coherence between stakeholders' expectations and organization actions is raised, which in turn helps the organization to increase its legitimacy in the eyes of society (Colleoni, 2013).

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Legitimacy is an imperative prerequisite for organizations to access resources and market, which are critical for their growth and continued existence (Colleoni, 2013; Díez-Martín, Prado-Roman, & Blanco-González, 2013; Siwar & Hossain, 2009). Prior studies showed that legitimacy can be enhanced by CSR (Castelló & Lozano, 2011; Devin, 2014; Harmon, Green, & Goodnight, 2015; Marais, 2012; Suddaby & Greenwood, 2005).

The ability to establish congruence between social expectations and organizations' CSR programs depends on the organizations' ability to communicate with different stakeholders (Colleoni, 2013). Therefore, CSR communication is needed as a means to express organization's commitment to preserving the interest of stakeholders (Branco & Rodrigues, 2006).

However, most of CSR communication researches have been conducted mainly in a Western context. This paper will extend the knowledge by studying this topic in Indonesia Islamic banking context. This study will focus on the understanding of how Indonesian Islamic banking explore their rhetorical strategy to enhance their legitimacy. Furthermore, this paper is expected to contribute to the body of knowledge of CSR communication in maintaining or developing Islamic banking legitimacy.

2. THE IMPORTANCE OF LEGITIMACY

Legitimacy refers to the perception of organizational behavior in alignment with social values, beliefs, rules, and norms (Brennan & Merkl-Davies, 2014; Marais, 2012; Sonpar, Pazzaglia, & Kornijenko, 2009). By being legitimate, organization could attract resource, accepted by the market and will be supported continuously by stakeholders (Sonpar et al., 2009; Tian & Gao, 2006), and consequently achieve long-term growth and sustainability (Colleoni, 2013; Díez-Martín et al., 2013; Siwar & Hossain, 2009). For those reasons, legitimacy is imperative and has becoming an important issue.

Although an organization has met stakeholders' expectations, its legitimacy can be threatened if it failed to demonstrate its social responsibility activities (Farook, Hassan, & Lanis, 2011). Therefore, social responsibility activities should be communicated to get attention and comprehension from its stakeholders (Farache & Perks, 2010). When stakeholders perceive that the organization's actions meet their expectations, organization's legitimacy will be enhanced.

According to legitimacy theory (Branco & Rodrigues, 2008), communicating to stakeholders is needed to convince them that organization committed to fulfilling their expectations. The stakeholder is a key dimension in the discussion of CSR (Bhattacharyya, 2014), and an important area of research interest (Freeman & McVea, 2001). Since stakeholders have expectations toward organization's responsibility beyond legal requirements (Carroll, 1979), the organization should interact with stakeholders morally.

Within the moral dimension, Schwartz (2006) pointed out that the term stakeholders not only refer to all the creatures but has extended to the God as the Creator. Studies (Schwartz, 2006) showed that the majority of Americans, including employees, managers, and investors, believe in God presence. Even many people in the world think that to be a moral person, belief in God is a must (Pew Research Center, 2014).

Using Mitchell, Agle, & Wood's (1997) criteria of stakeholder (power, legitimacy, and urgency), Schwartz (2006) stated that God is fulfilling all those criteria based on the following reasons. First, God is perceived by corporate managers who believe in God has power, even treated as the highest power. They probably less willing to act unethically because God will notice their thoughts and attitudes. Second, those who believe in God that is beneficent and merciful would likely assume that all of God's actions, in whatever form, were necessary, appropriate, and in line with their values, beliefs, and norms. And the last is urgency reason. A belief that God is always watching makes managers aware that there will be consequences for inappropriate behavior whether in this world or in the day after. This awareness could keep them away from misconduct behavior.

Cook, Cottrell, & Webster (2015) stated that "religion—or God—acts as an ultimate source of normative and moral influence, encouraging appropriate behaviors (e.g., cohesion, cooperation) and punishing inappropriate ones (e.g., lying, stealing)". Managers who accept God as a legitimate managerial stakeholder might become alerted to the moral implications of their activities toward each stakeholder (Schwartz, 2006) and making a decision by considering normative judgment. This kind of attitude and behavior could result in moral legitimacy.

Suchman (1995) described moral legitimacy as resulting from ''a-positive normative evaluation of the organization and its activities''. It reflects a prosocial logic that differs fundamentally from narrow self-interest

(Suchman, 1995). In this case, the audience evaluates organizations not based on their immediate benefits, but on whether it is the right thing to do (Colleoni, 2013). They evaluate the issues like "global responsibility, humanism, diversity, respect, openness to others, etc." (Marais, 2012).

The term moral legitimacy here as understood by all Muslim can be referred to the relationship between human (*hablun minannas*). Whereas in an Islamic context, it should include the relationship between human and God (*hablun minallah*) and can be termed as divine legitimacy. According to Bangash (2000), this kind of legitimacy is the basis for another legitimacy, and can be acquired when managers obey God and His Messenger. Divine legitimacy is important for managers and could shape their behavior and attitude.

3. ISLAMIC CSR (ICSR)

CSR concept has been discussed and practiced for a long time. However, the academic discussion about the businesses' societal contribution was started at 1950's (Caulfield, 2013) when Howard R. Bowen issued his seminal book *Social Responsibilities of the Businessman* in 1953. It triggered the scientific discussions about CSR, and this made him recognized as the "Father of Corporate Social Responsibility" (Carroll, 1999).

The substance of CSR concept is the notion that organization in conducting business not only just for the sake of profit, but also for the social good beyond company's interest and law requirement (Caulfield, 2013; Jayakumar, 2013). CSR definition that relates organization's activities to the society's benefit is stated by Carroll (1979) by embodying economic, legal, ethical, and discretionary responsibilities. Many authors have developed a model based on Carroll's definition (Rajeh, Alamer, Salamon, Qureshi, & Rasli, 2015).

The expectation of society toward business performance currently is heightened as a result of growing ethical issues and sensitivity to the environmental problem (Okonkwo, 2014). Thus, managers should understand and pay attention to the ethical demand in society's back mind, beyond just obeying the law. Likewise, CSR involves doing good things for shareholders as well as for other stakeholders beyond the maximization of profit objectives (Bakar, 2015). Albeit, the adoption of CSR might be influenced by institutional factors such as history, legal, moral, cultural beliefs, and local government policy (Avetisyan & Ferrary, 2013). Considerable studies showed that Islamic bank industry also promoted social welfare besides offering *Shariah* compliance products (Akbar, Shah, & Kalmadi, 2012). Furthermore, there are growing discussion about CSR in Islamic view, alongside with the growing of Islamic finance and banking industry.

In Islamic banking context, many Muslim scholars argued that ICSR is different from CSR that applied in The West (Akbar et al., 2012). The function of Islamic bank is promoting social welfare in the society, not just only offering *Shariah* compliance product which based on profit and loss sharing (Akbar et al., 2012). Thus, CSR in Islamic view encompasses a broader meaning by which corporations as a group of individuals are not only responsible to the society, but also to the God (Dusuki, 2008). Hence, ICSR can be understood as business policies and practices in fulfilling social objectives that are developed in line with Islamic laws and principles (Darus, Yusoff, & Zain, 2013).

Scholars have offered different paradigms and concepts in formulating ICSR as mentioned by Bakar (2015): "(i) *Tawhid* paradigm; (ii) *Taqwa* paradigm; (iii) the concept of *maqasid Shariah* and *maslahah* (the public interest); (iv) four ethical axioms (unity, equilibrium, free will and responsibility); (v) mandatory and recommended forms of Islamic CSR; (vi) the extended model of Carroll (1979) from the Islamic perspective and (vii) the application of *maslahah* (public interest) and importance of social capital." These paradigms and concepts are not contradictory ones to another because it just interprets the same thing from different perspectives.

An opposing view was argued by Ismail, Tag el-Din and Sadeq (Platonova, 2013; Sadeq, 2007; Sairally, 2006). They argued that these responsibilities are normally assigned to public sector welfare organizations, specialized development institutions in the public sector, charitable organizations, or Islamic *da'wah* (missionary) organizations. Since Islamic banks are part of the commercial sector of the economy, their main responsibility is for economic and financial activities (Sadeq, 2007). As business enterprises, they have to be profitable because there is no prohibition to seek maximum profit as long as it is conducted in *Shari'ah* compliant way.

Dusuki (2008) explained that basically there is no difference between those views, it just varies in emphasis and degree of adoption. Both agreed that Islamic banks have a socially responsible obligation. First view highlighting the direct social responsible obligation of Islamic banks, whereas the other argued that social commitment can be reached indirectly by achieving banks performance in profitability and sustainability. The view of ICSR as

mentioned by Bakar (2015) probably more appropriate for Muslim majority country and the other is for more pluralistic communities.

4. ICSR COMMUNICATION

Corporations have to express their commitment to preserving stakeholders' interest (Branco & Rodrigues, 2006). To acquire stakeholders' recognition, CSR communication is conducted by doing "the rhetoric of CSR", that is the art of persuading stakeholders in order to make them accepting a new idea or doing activities (Bonet & Sauquet, 2010; Castelló & Lozano, 2011). Aristotle (2007, p. 37) mentioned that "Rhetoric as an art of communication was morally neutral, that it could be used for either good or ill". The rhetoric analysis implies understanding the three primary forms of persuasive appeals in the rhetoric subject (Aristotle, 2007; Castelló & Lozano, 2011): Logos or appeals to reason, ethos or appeals to the subject's character and pathos or appeals to the emotions of the audience.

CSR communication is a new theoretical phenomenon that appears together with the global trend of CSR where the social responsibility subject has experienced the increasing number of academic research, theory building, media coverage, scrutiny, debates, and commentary (Bartlett & Devin, 2014). Scholars from various disciplines have involved in this area (Bartlett & Devin, 2014). They focused primarily on how social actors use rhetoric to build legitimacy, justify actions, and institutionalize practices (Harmon et al., 2015). Recently, institutional scholars have also focused attention on using rhetorical analysis to examine legitimation processes (Erkama & Vaara, 2010; Harmon et al., 2015). Unfortunately little is known about the adoption of this concept in Islamic banking context.

Aristotle's Rhetoric was reintroduced to the West, mainly through translations and interpretations of the greatest Islamic scholars—Al-Farabi (870-950), Avicenna (983-1037), and Averroes (1126-1198) (Copeland, 2014; Merriam, 1974). By the middle of the thirteenth-century Latin translations of the Rhetoric was started by using Arabic and the other anonymous translation from Greek (Copeland, 2014). The linguistic source had been used to interpret Al Qur'an by Islamic scholars to understand the meaning of Qur'an in order to implement the messages (Borrowman, 2008). Within this spirit, the Rhetoric was studied to seek the pleasure of Allah Almighty, along with persuading people to be in the way of Islam.

Although this concept is not alien to Islamic scholars, CSR communication/rhetoric in an Islamic context is not researched yet. Here are some comments about CSR rhetoric in Islamic lens, particularly for ethos, referring to Tomeh (2010).

Ethos consists of two types of expression, namely individual and institutional authority (Tomeh, 2010). Individual authority comes from jurists' capacity in an Islamic bank. Jurist is a legal expert who expends great effort in deriving a legal opinion interpreting *Qur'an* and *Sunnah* (prophetic praxis), as the sources of Shariah (Kettell, 2011). They should have expertise, experience, education, and knowledge in their field to earn respect from society (Tomeh, 2010).

An institutional authority, on the other hand, is the authority that emerges from *Shariah* Supervisory Board (SSB). SSB is an authoritative institution in reviewing, appraising, monitoring and advising the board on the implementation of the Islamic bank's business, to ascertain that there are no elements that are not permissible (*haram*) in Islamic law (Ismail, 2014).

Individual authority and institutional authority is important to confirming that organization's decisions comply with *Shariah*. This compliance is needed to please God, or in another word, to seek divine legitimacy. *Shariah* compliance and seeking the pleasure of God is an element of *ibadah* (worship) in Islamic teaching. *Ibadah* is "an all-inclusive term for all that God loves of external and internal sayings and actions of a person" (Basharat, 2009).

Accordingly, the good governance of SSB is expected to enthuse the organizations always considering that God as a stakeholder in making their decisions, policies, and activities. Consequently, as mentioned by Schwartz (2006), they are expected to behave more ethical, more appropriate, and more aware of avoiding misconduct.

5. CONCLUSION AND FUTURE RESEARCH

CSR in Islamic view is based on Islamic law objectives (*Maqasid Shariah*), whereas its application relies on society and government support. Indonesian Islamic bank is required not merely to make a profit but also doing some social and economic activities. Consequently, CSR framework should be described by using Islamic perspective.

This paper introduces the concept of divine legitimacy. In pursuing this legitimacy, CSR rhetorical style is needed, and the use of ethos in communication is discussed. By using Islamic lens, this paper develops from the concept of ethos, the concept of individual authority and institutional authority, to seek for divine legitimacy. However, there are other rhetorical styles (logos and pathos) that need to be explored. This is maybe a beginning of a journey in this new body of knowledge. Discussion and empirical research about ICSR rhetoric in Islamic perspective is suggested.

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