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THE MOTIVE OF CSR PRACTICES IN INDONESIA: MAQASID AL-SHARIA REVIEW

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Abstract

This research examines the underlying motive of CSR implementation and design, according to magasid al-sharia. A qualitative descriptive approach was used to obtain primary data through interviews with 5 CSR informants. Secondary data was collected from the public company's annual report on the IDX in 2019. Data was sampled and examined using purposive and content analysis technique. The results showed that there are 2 motives in CSR. specifically social and economic. Furthermore, the economic motive is more dominant and expects provision of monetary feedback. Consequently, CSR becomes less effective and most programs do not follow the real stakeholders' needs. The dignity of CSR needs to be regained by implementing magasid al-sharia dimensions. There are 2 approaches used to implement CSR, including a support system that utilizes pressure. The transcendental approach initiates corporate actors through religious values from magasid al-sharia, making the implementation more humanist and stakeholder-oriented.

Keyword: Social motive, economic motive, *maqasid alsharia*, system support, transcendental support.

A. Introduction

The CSR implementation is not effective in solving the community's problems, especially sustainability and development issues (Duska, Duska, & Ragatz, 2011; Hadi & Baihaqi, 2020; Hadi & Khanifah, 2017). According to Hadi (2018), these effects are caused by the motive shift from a charity based transcendental value to a corporate strategy that prioritizes economic value. The current CSR focuses more on building an image, legitimacy, litigation, and promotion (Hudaefi & Noordin, 2019; Ridho, 2016). Consequently, programs offered by corporations do not match the assisted communities' real needs.

The deviation between the CSR programs and community needs is wider when the economic rationale is corporative. Trade cost and benefits are the principles of calculating CSR policies (Bahsoan, 2011; Hadi, 2018; Zappi, 2007). Even though the CSR program increasingly broad in scope, the community has not experienced its effectiveness. CSR practices have changed to business activities and new company strategies. Many companies implement CSR in a limited way, with objectives directed at improving internal stakeholders or employees' quality. CSR economic content became new material in constructing the company's strategy. Therefore, companies succeed in implementation, promotion objectives and legitimacy. The corporation-based CSR implementation has been the dominant approach for the last 10 years.

Several previous studies on CSR effectiveness from social and economic aspects have been conducted. However, the results of previous researches focused primarily at the effectiveness of CSR corporations. Studies, such as (Belkaoui

& Karpik, 1989; Choi, Kwak, & Choe, 2010; Garriga & Melé, 2004; Mackey, Mackey, & Barney, 2007; Naser & Hassan, 2013; Orlitzky, Siegel, & Waldman, 2011; Wang & Choi, 2013), examined social responsibility disclosure effectiveness to encourage economic, environmental and social performances. These studies concluded that there was inconsistency in the results or effectiveness of disclosure in social responsibility. Furthermore, motive content in CSR contains seriousness in implementation accuracy, which determines its effectiveness.

This article focuses on 3 main factors in hypothetical CSR implementation affecting effectiveness in Indonesian corporations. These factors include the cause of implementation, effects of motive shifting and a review of *maqasid al-sharia* as a response to the transcendental dimension of *Illahiyah*. The motive of operation determines the type, pattern, and company's seriousness in implementing CSR. The inclusion of these dimensions makes the designed CSR program more humanist, stakeholder orientation, and balanced.

B. Literate Review

1. Social Contract Theory

Company existence in a community is directly and indirectly bound by a set of values (Hadi, 2018). According to Wijaya (2016), the community value system is upheld by rights and is the basis for orderly agreement relationships or social contracts. Hobbes (1588-1679) and Locke (1632-1704) stated that the nature of the social environment is political in which actors have a responsibility to obey established laws (Baier, 1988; Distefano, 1991; Gauthier, 1990). According to Locke (1632-1704), the social contract is needed to protect

other parties' ownership and rights because everyone has their own desires. Furthermore, social contracts are also needed in contemporary management since companies involve many stakeholders (Hadi, 2017; Mouritz, 2010; Nbete, 2012; Rawls, 1999).

A company has an obligation to maintain congruence between its wishes and expectations to exist in a community (O'Donovan, 2002; Ika Era Pratiwi, 2018). Congruence is achieved when the company's operations consistently adhere to a system of values, norms, rules, and social agreements (Adams & Kuasirikun, 2000; Belal, 2008; Buniamin, 2010; Gray, 2002; Hadi, 2018; O 'Donovan, 2002). Therefore, the social contract is a Pareto optimal potential for conflict between the parties.

Medina Charter shows Islamic social contract between the Muhajirin, the Ansor, and the Jewish tribes during the Prophet Muhammad's time. The Medina Charter is based on respect for the pluralistic freedom value. Six basic values were developed and became the determinants social contract. These values include appreciation for implementing good customs, freedom from deprivation, fear speech and religion and persecution rights. The Muhajirin and Quraish groups adhered to good customs and believers should not let someone bear the burden of debt and family. According to the Medina Charter document, the Jews had a right to protection and equality without persecution against. Also, people who lived in Medina had the freedom to remain safe unless they sinned. Article 37 which stated that people were allowed to give good advice and embrace deeds without sin. The Medina charter determination provides answers to social situations

such as diversity in religious communities and urban beliefs (Fahruddin, 2013; Fauzi, 2005; Patamatta & Jumardi, 2020).

Conclusively, the Medina Charter is a social Islamic contract based on Al-Qur'an noble values. This is explained in the Qur'an, surah al-Maidah:

O believers! Stand firm for Allah and bear true testimony. Do not let the hatred of a people lead you to injustice. Be just! That is closer to righteousness. And be mindful of Allah. Surely Allah is All-Aware of what you do (QS: al-Madinah: 8).

2. Social Responsibility

Companies are community groups which directly and indirectly impact the environment and society. Carroll & Buchholtz (2011) and Deegan (2002) stated that companies have a responsibility to shareholders, society and the environment. Carroll (2016) developed 4 categories of corporate responsibility, including economy, law, ethics, and philanthropy.



Figure 1: Carrol's Pyramid of CSR (Fadun, 2014)

Economic responsibility refers to improving shareholders by increasing profit per share, competitiveness, and efficiency (Carroll, 2016). To adhere to legal responsibility, companies

should maintain business stability by complying with applicable regulations, constitution, and laws (De Schutter, 2008; Phillips, Freeman, & Wicks, 2003). Companies must uphold ethical principles, respect values in society, code of conduct, and conventions that apply in society (Carroll, 1991). Philanthropic responsibility is achieved by upholding humanity, empathy, charity, and responding to community problems.

Social responsibility is an important medium in managing a company more humanely by paying attention to the planet and people (Carroll 2016). According to Elkington (1997), social responsibility refers to systematic, proactive, structured, and sustainable realization in socially acceptable and environmentally friendly business operations. The EU Commission (2002) stated that CSR allows companies to integrate social and environmental concern in business operations and interactions. Therefore, the company's operations need to synergize by protecting the social and physical environment. CSR directs corporate management to several orientations, including mandatory and voluntary serious commitment, partial physical and social environmental concern, charity and community development, sustainability, stakeholders internal and external improvement. accountability, disclosure, business ethics, economic growth and value feedback.

3. Maqasid al-Sharia

Islam introduces benefit, safety, and welfare of nature-based on *maqasid al-sharia* teachings. Imam Asy-Syatibi explained 5 forms of *maqasid al-sharia*, including protecting religion, the soul, mind, property and offspring. According to

Imam As-Syatibi's, the *maqasid al-sharia* completes the tahsil and ibqa. Tahsil is concerned with securing benefits, while ibqa prevents damage or injury (Al-Ubaidi, 1992; At-Thohir, 2001; Dusuki & Abdullah, 2007; Zagibah, 1996; Ira Eka Pratiwi, 2018).

The 5 maqasid al-sharia principles have strong coherence with CSR dimensions, including the planet, people, and profit which determine company responsibility (Elkington, 1997). These objectives can be mutually adopted and integrated to develop a harmonious CSR design based on maqasid al-sharia. The CSR program implementation sincerity can be shown by corporate intentions and motives based on integrated maqasid al-sharia principles. Consequently, a visionary, sincere, sustainable entity that safeguards the interests of creditors, suppliers, employees, consumers, and the society is created (Carroll, 2016, Carroll & Buchholtz, 2011; Alamer et al. 2015; Aksak et al. 2016; Adams, 2002; Hadi, 2018). Maqasid al-sharia serves both individual and social interests. Therefore, CSR needs to integrate maqasid al-sharia principles and develop a more humanist and stakeholder-oriented entity.

C. Method

This research focused on the underlying CSR implementation motives, types, and strategies. The study used a descriptive-analytical approach by examining the business annual report and interviewing 5 purposively sampled CSR informants.

Data was analyzed using the content-based procedure, as shown in Figure $\boldsymbol{1}$

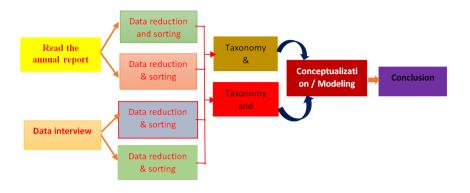


Figure 2: Step of Data Analysis

Figure 1 shows several data analysis steps, including collection by reading and in-depth examination of the annual report and interviews with informants. Data as checked to determine its relevance before reduction or grouping according to certain characteristics. Furthermore, comparisons and patterns were conducted to find the initial insight, which is validated in the last step.

D. Result

The motives behind the CSR implementation determine the form, pattern, and strategy. Two types were analyzed, including 15 annual company reports from various industries and interviews results from 5 CSR management executives. The results showed that there had been a shift in CSR implementation motives which determines typology and influences effectiveness levels.

Table 1. Description Object

	Number of	Social & Environmental Disclosure						
Industries	firms	Energy	Community	Environment	Product	Employee	Other	
Agriculture	2	9	12	20	10	18	4	
Mining	3	17	23	32	14	34	6	
Basic	2	12	18	21	11	26	5	
Finance	2	6	12	8	7	18	3	
Consumer								
Goods	2	8	10	14	20	13	3	
Miscellaneous	2	10	11	12	15	16	4	
Property	2	8	9	10	7	10	2	
Total	15	70	95	117	77	135	27	

Source: Annual Report 2019

1. Motive of CSR Implementation

CSR implementation in Indonesia has experienced significant developments. In the annual report, social disclosures show changes in patterns and forms of implementation, strategies used, involved external parties, and costs incurred. According to the Annual Report in 2019, there are 2 types of motives, including social and economic. The social motive is concerned with company responsibility to reduce the negative impact of operations and community problems. Also, social CSR activities are based on the intention to ease community burdens. CSR provides corporate charity to society through compensation for blood donors, cataract surgery, nursing homes, mass circumcisions, orphanages, street lighting, religious holidays, religious harmony (Annual Report, 2019 and interview results).

The economic motive provides value feedback company on image building, promotion and legitimacy. This motive often distorts CSR effectiveness by focusing more on stakeholders than corporates and the community. Economic motives are characterized by programs intended more for

internal stakeholders, activities tailored to the company's operations, promotional content, limited charity and strong trade-off costs and benefits considerations. Moreover, these motives improve employee welfare through promotion, skills, education, health and job security. CSR activities for external parties are directed to promotional value, image and company operations. Table 1 shows the mapping of CSR implementation from 15 sample companies.

Table 2. CSR Patterns and Forms

		Motive		Operation Suitability (%)		Object CSR	
No	Dimensions	Charity	Eco. Motive	Yes	No	Internal	External
1	Energy	12	58	92	8	48	22
2	Environment	30	87	67	33	76	41
3	Employee	10	125	95	5	103	32
4	Community	40	55	63	37	39	56
5	Product	15	62	82	18	65	12
6	Other	12	15	52	48	17	10
	Total	119	402	75,17	24,8	348	173

Source: Secondary Data (Annual Report) Processed

Table 2 shows that the CSR program is undergoing considerable development through a variety of activities. However, many programs support company interests, such that 402 items had economic motives while only 119were meant for charity. There were 348 items allocated for internal stakeholders, while only 173 items were for external actors. Also, many activities have content to build an image and promote companies. Furthermore, 75.17% of CSR activities are directed at the company's business suitability, while 24.8% were based on community welfare.

2. Shift in CSR Implementation Motives

The underlying CSR implementation motives influence form, pattern, strategy and orientation. Therefore, the motive is an internal power of CSR implementation, which encourages construction to certain expected goals. The study results showed that companies understand their operations have a negative impact socially and environmentally. This is natural if companies impose social costs to respond and be empathetic to the society. However, companies continue to pay attention to trade-off costs and benefits, because CSR contains high costs that affect profitability (Hadi. Nor, et al., 2018; Hudaefi, FA, & Noordin, K., 2019; Guthrie, J., & Abeysekera, I., 2006; Carroll, AB, 2016). Furthermore, most companies are open to CSR implementation because of economic benefits, such as promotion and legitimacy.

The results also show a shift in the CSR implementation pattern triggered by social to economic motive, as shown in see table 1. Several programs focus on internal perspective, including employee welfare, production system improvement to ensure quality and health, green energy, and recycling production waste. The CSR has economic feedback for the corporation. The external oriented programs include SME and natural disaster assistance and community empowerment but are always accompanied by promotional messages, as shown in Table 1. Therefore, the CSR program is less interested in helping solve social problems because there is a deviation from the initial stakeholders. To change these trends, the government needs to strengthen regulations and supervision. Also, there is a need for systemic corporate awareness to create a binding pressure. The social perspective by stimulating religious transcendental values for business people.

3. System and Transcendental Support

System and transcendental support can be used to achieve stakeholder value alignments in CSR. System support is related to government authority which incorporates awareness and pressure through issuing regulations and monitoring. CSR implementation is managed in a structured and institutionalized manner through foundations and management departments. Therefore, its implementation is managed in a systematic, planned, sustainable binding manner.

Transcendental System is corporate awareness involving transcendental aspects based on spiritual values and corporate religious dimension. CSR programs are matched or developed with religious teachings from the *maqasid al-sharia* principles. Its implementation is primarily focused on the response to religious values and not a matter of fulfilling the litigation and strategy. Incorporating the *maqasid al-sharia* value into CSR designs places religious teachings into the actor's empirical behavior based on the *Lillah-Billah* intention. Corporate operations have become more humanistic, generous and stakeholder-oriented. CSR programs are directed to helping others, preventing exploitation and other needs affecting the society.

E. Discussion

This study results showed that CSR program form and strategy could not be separated from the underlying motives. Generally, the 2 types of CSR design and implementation motive include social and economic. The social motive solves problems and difficulties faced by stakeholders through empathy and responsibility. Contrastingly, the economic motive contains economic interests, such as building an

image, promotional value, and legitimacy (Hadi. Nor, et al., 2018; Carroll, 2016; Low, MP, 2016; Shin, Y, & Thai, VV, 2015). The initial goal of the company was to develop the community and the environment. Also, another intended goal was to taking responsibility for negative impacts reported and have economic feedback. CSR is more humane and the partiality value will be stronger attention is paid to transcendental (*Illahiah*) values based on *maqhoshid shari'ah* dimensions. This value provides more productive CSR because it is more stakeholder-oriented. The *maqhosid shari'ah* values include protecting religion, the soul, mind, property and offspring (Hafidz, 2007; Farook, 2007; Al-Ubaidi, 1992; At-Thohir, 2001; Dusuki & Abdullah, 2007)

The company pays attention to the trade cost and benefit principle for all decisions. This attitude brings CSR out of its original spirit, which was charity, responsiveness attitude on the environment and economic values. CSR was more than just fulfilling the prevailing regulations (litigation), and its implementation was not about regulations. However, the CSR program's deviation is high and the implementation does not match the real needs felt by stakeholders and does not provide solutions. Therefore, CSR implementation motives need to be reconstructed and returned to the original spirit. The company management should be humanist and responsive to society and the environment. CSR construction needs to consist of the sincere intention to do charity in obedience to religious teachings or *Illahiyah* response. Companies need to conduct managerial functions on profit orientation and also worship form through provision for eternal life.

Two strategies could help CSR corporations return to the original charity-oriented spirit. The system support involves a more active government role through regulation and supervision. Currently, the government has regulations to promote CSR, such as Law no. 40 of 2007, PP. 47 of 2012; POJK Number 51 of 2017 and Regulation of the Minister of State for Indonesian SOEs No. 4 of 2007. However, these regulations are not strong because the content is still ambiguous, such that no percentage income allocated to CSR and company sanctions do not comply. This strategy can also be implemented by corporations forming foundations or departments dealing with CSR management to make its organization better structured, institutionalized and sustainable.

The transcendental support is a CSR implementation strategy based on Islamic values that operationally incorporate the *maqasid al-sharia* dimension. Incorporating religious values into the CSR program design is easy when directors realize leadership or management is religious. This can be achieved by integrating existing CSR programs with the *maqasid al-sharia* dimension. It includes making religious teachings an actus in a khaffah or a source that benefits nature and humans. The incorporation of *maqasid al-sharia* into CSR can be completed by conducting a theoretical study of Islamic teachings or *fiqh* and analyzing assisted stakeholders' contextualities. Lastly, integrating the *maqasid al-sharia* dimension with existing CSR programs to obtain the religion-based CSR dimensions.

Islam provides good corporate governance, by paying attention to society, the environment and not neglecting its business objectives. Islam is present with the messenger of

Allah and mercy upon the universe (QS. Al-Anbyaa: 107). Table 3 shows several verses of the Qur'an and Hadith that can be referenced to develop *maqhisid shari'ah* integrated CSR.

Table 3. The Basic of CSR in Al-Qur'an and As-Sunnah

Responsible	Verses of Al-Qur'an & Hadith				
Community	Al-Baqarah: 2, 11, 12, 43, 167, 245; At-Taubah: 103; Al-Maidah: 2, 11; Al-Mujadilah: 11; Al-Kahfi: 95; Al-Qhashas: 34-35; Al-Fath: 29; Al-Hujarat: 9-10, and others.				
Environment	Al-Baqarah: 205; Ar-Rum: 41; Ali-Imron: 134; Al-Mulk: 3- 4, HR. Tirmizi, No. 653, and othres.				
Energy	Yasin: 80; Al-Waqi'ah: 72-73; Nuh: 15-16; Yunus: 22; Al-Isra': 69; Al-Ambyak: 81; Al-Furqon : 48; Ar-Rum: 46; Al-Fatir: 9; dan lain lainnya.				
Employee	As. At-Taubah: 9; Al-An'am: 135, Hud: 36; At-Thalaq: 6; Az-Zuhruf: 2; Az-Zumar: 39; Al-Baqarah: 279, and others. HR. Malik: 795, 980; HR. Bukhori: 30, 2227; HR. Ibnu Majah: 2442; HR. Muslim: 2328, 2310; HR. Abu Daud: 4786, 4773; dan lainnya.				
Ethic	Al-Baqarah ayat 167, QS. 31: 20; (QS. 15: 29; QS. 75: 36; QS, 31: 28; An-Naim: 3; Al-Furqan: 23; Al-An'am: 152; AS-Syuaro': 181, and others.				
Economic	Al-Humazah: 1-4; Al-Taqabun: 64; Ali Imron: 14; Al-Baqarah: 164, 275, 282; At-Taubah: 24, An-Nur: 37; Al-Fatir: 29; At-Taubah:18; An-Nahl: 90; Al-Qasas: 77; Al-An'am: 152; As-Syuaro' 181, and others.				

Sources: Al-Qur'anul Karim and Sunnah Rasulullah

Applicable verses and hadiths are translated into *fiqh* or operational practice procedures. Al-Quran requires translation to provide *maslahan* or benefits values that take into account contextuality. Therefore, *maqasid al-sharia* helps translate into various actus, including the Islamic CSR, as shown in Figure 3.

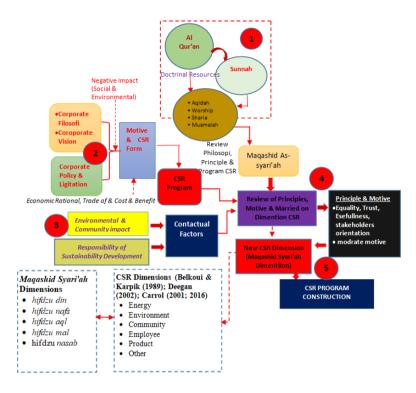


Figure 3: Procedure for CSR Development Based on Magasid Al-Sharia.

Figure 3 shows the transcendental support procedure in three dimensions, including *maqasid al-sharia*, CSR programs, and stakeholders' contextuality in formulating dimensions. The Al-Qur'an and As-sunnah are the main teachings in *aqidah*, worship, *al-sharia*, and *muamalah* and this situation. For existing CSR designs, companies are based on vision and applicable government regulations. Contrastingly, CSR design should pay attention to the contextuality of the community and the environment. The three phenomena' analysis and integration are conducted to obtain more moderate and applicable CSR principles, motives, and orientation. Furthermore, the *maqasid al-sharia* dimensions are formulated as the basis for implementing CSR programs. The 5 described

maqasid al-sharia dimensions include protecting religion, the soul, mind, property and offspring (Al-Ubaidi, 1992; At-Thohir, 2001; Dusuki & Abdullah, 2007; Zagibah, 1996; Wahibur Rockman, 2016). This maqasid al-sharia mindset could be the reference for Islamic CSR research development with concepts in Belkoui & Karpik (1989); Deegan (2002); Caroll, 2001, 2011, 2016).

study examines the motives behind CSR implementation and the implication of shifts on effectiveness. Novelty is shown through the development of an effective CSR strategy known as transcendental support. In previous studies, CSR effectiveness is bias on the corporate side or economic perspective, (Aupperle, Carroll, & Hatfield, 1985; Belkaoui & Karpik, 1989; Choi et al., 2010; Guthrie & Abeysekera, 2006; Mackey et al., 2007; Naser. & Hassan, 2013). The research concluded that social disclosure has a positive effect on profitability, market performance, and the environment. Similarly, (Basu & Palazzo, 2008; Brammer & Pavelin, 2006; Hassan & Nareeman, 2013; Mankelow, 2008; Shin & Thai, 2015; Spence, Coles, & Harris, 2001) stated that social disclosure affects customers satisfaction and SMEs.

F. Conclusion

The motives behind CSR implementation determine its form and orientation, which cause effectiveness issue. This study focused on 2 CSR implementation motives, specifically social and economic. There has been a shift from social to economic motives directing program more to internal stakeholders who can provide valuable feedback. This condition has cost CSR its original charity-based values. Placing

the CSR motive to the essence of origin and constructing CSR principles and dimensions is essential. System support and transcendental support are relevant in creating a principles program. The support system develops a structured authority as binding pressure, while transcendental incorporates *maqasid al-sharia* dimensions. These dimensions give value to CSR, such as philosophy, principles, motives, and indicators.

Shifting to *maqasid al-sharia* value and support system will solve effectiveness problems because of binding pressure and religious power. Transcendental values provide therapy and direct CSR intentions aimed at gaining *ukhrowi* or the afterlife. CSR programs will be designed to match community needs. The *maqasid al-sharia* dimension will teach company management aspects of balance, trust, usefulness, stakeholder protection and corporate awareness.

Research limitations were related to CSR dimensions development in *maqasid al-sharia* perspective, which is contextual to stakeholder conditions. Also, the model design was not empirically validated. Therefore, further research needs to develop and factorial test a contextual dimension of *maqasid al-sharia*. Moreover, the research could design an empirical model through a developmental approach.

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