

Investigating the Influence of Public Trust on the Revival of *Waqf* Institution in Uganda

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Abstract: This study investigates the influence of public trust on the revival of *Waqf* institutions in Uganda. Based on survey from 320 respondents, the findings reveal that the majority of the respondents do not trust Islamic religious bodies in the country because they believed that their leaders are not trustworthy, accountable, transparent, reliable, competent and honest. Moreover, respondents believed that good governance, transparency and accountability are vital in reviving *Waqf* institution in Uganda. This paper is perhaps the first to examine the impact of public trust on revival of *Waqf* institutions in Uganda.

Key words: Impact • Public Trust • *Waqf* • Revival and Uganda

INTRODUCTION

Uganda is located in Eastern Africa and has an area of 240,038 km square. The population is estimated at 34 million with a population growth rate of 3.4 percent [1]. It is still a low income developing country ranking 161 on the Global Human Development Index in 2012 [2]. Although Uganda has experienced strong economic growth averaging 7% in real terms in the last 10 years, further growth has been constrained by inadequate infrastructure, limited capacity in the energy sector and high interest rates among other factors [1]. Uganda Muslim Supreme Council (UMSC) is the highest body that manages the affairs of all Muslim in the country and Muslims make up 30 percent of the estimated total population [3]. Under the 1972 UMSC Constitution, UMSC shall be the only single body in perpetuity unifying all Muslims in Uganda. A Mufti of Uganda shall be the leader and the head of all Muslims in Uganda. Thus, all *Waqf* assets are supposed to be governed and administered by the UMSC as the sole trustee of the *Waqf* properties. UMSC is supposed to ensure that the *Waqf* properties are well administered and managed for the welfare of the Muslim community. From the legal aspect, UMSC is responsible for the development and

management of *Waqf* assets and the distribution of their benefits to the Muslim community [4]. Besides UMSC, there are other bodies that manage affairs of Muslims in the country, for example, Kibuli and Nakasero religious bodies.

Unfortunately, of recent, there are tension, conflicts and mistrust between Muslim community in Uganda and their leaders. Muslim community sued the mufti and his top officials to the civil court for selling *Waqf* properties in the heart of the capital city to private business for personal interests. Moreover, this is one of the many cases where over the years, *Waqf* properties were systematically converted into personal properties and some were sold by UMSC officials. The crisis in UMSC is a symptom of a serious deficiency of organizational, leadership and management capacity. There are no proper management systems in place in these Muslim religious-based organizations [5]. Muslim religious-based organizations are not transparent and accountable to Muslim community. According to the [6], Uganda scored 26 on the scale of 0 to 100 in 2013 down from 29 in 2012. The higher the score, the least corrupt a country is perceived to be. The report stresses that bribes and backroom deals don't just steal resources from the most vulnerable, but they undermine justice and economic

development and destroy public trust in leaders. In fact, this is not an isolated case. Unfortunately, *Waqf* institutions have been to a great extent mismanaged throughout the Islamic history [7]. This is because *Waqf* management teams either lack the required qualities or they simply abuse the public trust [8]. Confusion, uncertainty and often conflict of interests are common among *Waqf* administrators. Financial reporting in the *Waqf* sector has long been regarded as something of a 'black hole' [9]. It is generally agreed that lack of transparency in the financial reporting of *Waqf* institution, does limit their accountability to the public, to the beneficiaries and to the prospective lenders and donors [10].

In addition, experiences have shown that due to the increasing decline in our sense of moral responsibility and accountability, *Waqf* management team exhibits varying degrees of dishonesty, corruption and mismanagement. The administration falsifies *Waqf* account, fabricate vouchers and receipt and there is no accountability for donations [9]. In addition, *Waqf* properties are illegally expropriated and there are also under-hand dealings with tenants' of *Waqf* properties so that they pay very low rent. Moreover, in most cases, the management team lacks managerial skills and competences that are necessary for the proper and efficient management and development of the *Waqf* properties [8]. [7] has also expressed his dissatisfaction and asserts that *Waqf* administration is supposed to manage *Waqf* properties to the best interest of its beneficiaries. *Mutawallis* are supposed to preserve *Waqf* properties, maximize their revenues and distribute them according to the objectives of *Waqf*. Unfortunately the opposite is true [7]. Indeed, these have resulted in an overwhelming dissatisfaction among donors and *Waqifs*. Prospective *Waqifs* feel disinterested to dedicate their properties as *Waqf*, after looking at the sad plight of *Awqaf* and how their income was plundered [8]. Nevertheless, according [11], there are growing interest and awareness about managing *Waqf* institutions based on good corporate governance, *i.e.* good management practices, transparency and accountability so as to build public trust. Many Muslim countries have embarked on reforming the administration of *Awqaf* by separating the management functions from custody services and by making *Waqf* institutions effective autonomous entities. The purpose of these reforms are to recover, preserve and develop several *Waqf* properties so as to finance and provide social services such as helping the poor, building hospitals, schools, mosques and provide fund for microfinance in order to improve socio-economic

conditions of *theummah* [7]. Kahf suggests that the corporate management techniques such as transparency, accountability and good governance should be adopted to enhance *Waqf* (or any other religious institutions) efficiency and allow it to meet its obligations as well as gaining public confidence. However, there are hardly any empirical studies on the impact of public trust on the revival of *Waqf* institution. Therefore, this study fills the research gap by examining the impact of public trust on the revival of *Waqf* institution in Uganda. Based on these backgrounds, this study attempts to answers the following research questions:

- Is the Muslim community in Uganda trust Islamic religious institutions that manage *Waqf* assets in the country?
- Are Islamic religious institutions in Uganda that manages *Waqf* assets transparent and accountable to Muslim community?
- Does a public trust have a significant impact on the revival of *Waqf* institution in Uganda?

Review of Literature

Allah SWT says in the Qur'an:

Al-Qur'an says: "Verily, Allah does command you to render back your trust to whom they are due"(An-Nissa: 58). "O ye that believe betray not the trust of Allah and the Messenger, nor misappropriate knowingly things entrusted to you" (Al-Anfal: 27).

"We did indeed offer the Trust to the Heavens and the Earth and the mountains; but they refused to undertake it, being afraid thereof, but man undertook it. He was indeed unjust and foolish." (Al-Ahzab: 72). Prophet (P.B.U.H) says:

"Every one of you is a guardian and everyone will be asked about his subjects. Imam is a guardian. He will be asked about his subjects. A man is the guardian of the persons in his household. He is answerable about them. A woman is the guardian of her husband's house. She will be asked about her responsibility. The servant is the guardian of the articles of his master. He is answerable about this responsibility of his"(Bukhari).

"One who has no trust (*Ammanah*) has no faith (*Iman*) and one who does not fulfill his promise has no religion. He (P.B.U.H) further stated that the trustworthy and honest businessman will be together with those who die in the path of Allah in the Hereafter" (Bukhari).

A man came to the Prophet and asked when the Doomsday would occur. The Prophet answered: "When deposits in trust would start being lost, then wait for the Doomsday." He was again asked: "What is the meaning of loss of trusts?" He replied: "When responsibilities are entrusted to unfit persons and then wait for the Doomsday (Bukhari).

"Keeping trust has been naturally ingrained in the depths of men's hearts, Then Quran came and people learned it from Quran and Sunnah." (Muslim).

The importance of responsibility and honesty is illustrated by Umar Ibn *al- Khattab*. On one hot summer day, he ran after a camel, which escaped in order to return it to *Baitul Mal*. When Ali Ibn AbiTalib said to him: "you have humiliated the caliphs who come after you", Umar told him: "do not blame me, for by the One who sent Muhammad as a Prophet, if a goat went to the coast of the Euphrates, then, Umar will be asked about it on the Day of Judgment [12]. Abu Ya'laMa'qil Ibn Yasar(r.a.) related that he heard the Prophet say:

"A person who is appointed in authority over people and he betrays them, will not be allowed to enter Paradise, after his death" (Bukhari and Muslim).

"Whomsoever we will entrust with service, the provision of his needs is also our responsibility, If he takes more than this then he is committing misappropriation," (Abu Daud).

"Whomsoever we have given some post and he has concealed a needle or a thing smaller than that, then it will be a misappropriated thing with which he will have to appear on the Day of Judgement" (Muslim).

According to Muhammad al-Ghazali, in the eyes of the Shariah, trust has a very broad sense. This word contains an ocean of meaning, but underneath it all is the sense of responsibility, the sense of having to appear before Allah and to account for one's actions. Everything should be placed at its proper and deserving place. An office or a post should be offered only to the deserving person; and responsibility should be given only to that person who is able to shoulder it and who has the capability to do justice to the trust placed in him. He adds that it is a fact that mere excellence of education or experience does not make a person most suitable for some office. It is also possible that a man may have good moral

character and a righteous person, but he may not have the capabilities to fulfil the responsibilities of a certain office. Thus, he should have both the competencies and the moral values. Trust demands that if a man is appointed to a certain high office he should not use it for self-aggrandisement or for the benefit of his relatives and use of public funds for personal purposes is a crime.

[13], agreed with Muhammad al-Ghazali arguments on trust and in his views trust is a complex construct which is difficult to define and operationalize . Consequently, it has remained an elusive term in social science literature and has often been used differently in different context [13]. However, despite such divergences, it is universally accepted that trust is a psychological state comprising the intention to accept vulnerability based upon positive expectation of the intentions or behavior of another [14]. [15] defined trust as the willingness of one party to be vulnerable to another party based on the confidence that the later party is: (a) benevolent, (b) reliable, (c) competent, (d) honest and (e) open. According to public trust theory, society trust authority or agent because of belief that the authority or agent is reliable, competent, honest, open and able to fulfill their promised obligations [16]. [17] suggests that we trust people (agent) whom we believe have a good reason to take our interests into account; their interests must "encapsulate" our own. [18] empirical research reveals that trust will decrease when individuals or organization try to maximize their own self interest (*i.e.*, opportunistic behavior) at the expense of others. A British Survey found six factors clearly influencing trust, some of them connected to services and management. These factors are the keeping of promises, learning from mistakes, comments of family and friends about services, the staff conduct towards customers, their interest in people's views, the qualities of leaders and the quality of leadership/management [19]. Christensen and [20] asserted that when citizen trusts strongly one organization, he/she is likely to also trust other public sector organizations. [21] assert that although trust and good governance are different concepts, they are directly related to each other. [22] shows that potential donors to charitable organization considered efficient management as the most important factors to influence their decision to donate. Individuals will donate more to charitable organizations if there is transparency and accountability and the organization could demonstrate tangible impact of the donations. [23] study further reveals that, the more benevolent, honest and reliable charitable organization, the more trust

society will have in that particular organization. Thus, he concludes that trust can be linked to competencies, integrity and benevolence.

Societal perceptions studies of trust in governmental and non-governmental organizations revealed that societies trusted more nongovernmental organizations than governments [24, 25, 26]. For instance, according to Edelman Barometer trust and credibility survey report (2010), NGOs are the most trusted institution in the Western world. Across all regions, trusts in NGOs have gradually increased. In China, trust in NGOs grew by 25 points since 2004. The report also revealed that partnerships rooted in promoting societal good are now viewed as a pathway toward earning trust. The overwhelming majority of publics surveyed said that they would be more likely to trust a company affiliated with an NGO to solve global problems than just a corporate or government entity acting alone. Hence this study hypothesizes that:

- Muslim community in Uganda trust Islamic religious institutions that manage *Waqf* assets in the country
- Islamic religious institutions that manage *Waqf* assets in Uganda are transparent and accountable to Muslim community
- There is a significant and positive relationship between elements of public trust and revival of *Waqf* institution in Uganda.

Research Methodology: This study has used quantitative research method (self-administered survey) for data collection and analysis. According to [27] a survey is a suitable method for collecting data about attitudes and opinions. It also allows quantitative analysis to be conducted in the testing of inferences and also permits generalisation of findings. The process of questionnaire development began with an extensive analysis on literature related to *Waqf* and public trust. Some of the items which are used in this research have been adopted from previous studies on trust such as [25] with some modification. The questionnaire is designed based the Likert scale because it consists of statements that express agreement and disagreement of the respondents toward the object of interest [28]. The Likert scale is also easy to develop and easy for the respondents to answer question and more reliable [29]. Therefore, this study used four-point Likert scale and the responses ranges from “agree to strongly agree” to “disagree and strongly disagree” for all the questions in the questionnaire.

A total of 320 questionnaires were collected as valid and complete from a total of 400 distributed questionnaires. The questionnaires were distributed to the Muslim population across the central, southern and northern Uganda. Respondents were classified by gender, age, marital status and education level. The findings reveal that majority of the respondents were middle-aged, married, male and with some form of qualification. Cronbach’s Alpha test was conducted to measure reliability of the instrument and the coefficient for all items is 0.896. This indicates a satisfactory level of internal consistency and the scale can be considered reliable with our sample [30]. Other statistical tools used for analysis include percentage, descriptive statistics, multiple regression and content analysis.

RESULTS AND DISCUSSION

Questions were posed to the respondents to tackle many issues such as public trust, good governance and accountability and willingness of the respondents to donate their assets as *Waqfs* for socio-economic development of Muslim community. Descriptive statistics were used to gauge the perception of the respondents. The perceptions are measured on a four-point Likert-type scale (from 1 = strongly agree to 4 = strongly disagree). The results are presented in the form of descriptive statistics. Mean scores range from maximum of 3.021 to a minimum of 1.422 regarding the respondents’ agreement on each characteristic. The standard deviation scores range from maximum of 0.845 to a minimum of 0.143 revealing that most of the responses were clustered around distribution curve. The results are tabulated in Table 1 below:

The result in Table 1 indicates that the majority of the respondents 66% do not trust religious institutions in the country. This is because they believe that the Islamic religious authorities who manage *Waqf* assets are incompetent, not accountable, transparent and trustworthy. According to the respondents, although most of Muslim leaders that manage Muslim organizations in the country are graduates with *Shariah* background, the majority of them are corrupt, inefficient, dishonest and incompetent. The Mean result of 2.712 reinforces lack of public trust of Muslim community on their leaders. Standard deviation result of 0.845 indicates wider distribution of the responses, with most responses were concentrated between disagree and strongly disagree. This finding is consistent with arguments put forward by [31, 7, 8, 10] on issues of public trust, accountability

Table 1: Perception of Respondents on Public Trust, Good Governance and Accountability

Statement	Agree to strongly agree (%)	Disagree to strongly disagree (%)	Mean	Std. Dev.
Public Trust	34	66	2.712	0.845
Good governance and Accountability	16	84	3.021	0.143
Enforcement of accountability	30	70	2.881	0.698
Willingness to donate	90	10	1.422	0.593

Note: 1 = strongly agree; 2 = agree; 3 = disagree; 4 = strongly disagree

and transparency among Islamic religious institutions. For instance, [31] surveyed on public trust reveal that most people in Indonesia do not trust any existing government institution to manage cash *waqf* fund and control its investment activities, especially because cash *Waqf* management will involve large amount of endowment funds. According to [8] Islamic religious institutions in general and *Waqf* in particular have become irresponsible and unaccountable institutions; and in most cases management teams are dishonest, corrupt and incompetent. Sayed added that lack of transparency in the financial reporting of *Waqf* resulted in a universal dissatisfaction among donors and the prospective *Waqifs* as people feel reluctant to donate their assets for religious cause, after looking at the way the religious authorities misused and abused *Waqf* assets. Muhammad al-Ghazali concludes that it is a fact that mere excellence of education or experience does not make a person most suitable for some office but the person need to be a righteous person with good moral values. Furthermore, overwhelming majority of the respondents (84%) disagree to somewhat strongly disagree that Islamic religious institutions in the country that manages *Waqf* assets do not practice good governance and accountability. According to them, there is no transparency and accountability, no publication of annual report and management team is incompetent as they do not possess managerial skills. The Mean result of 3.021 indicates strong consensus among the respondents that Islamic religious institutions that manage *Waqf* assets are not practicing good governance and accountability. Standard deviation result of 0.143 indicates less distribution of the responses, with most responses were concentrated between disagree and strongly disagree.

Moreover, majority of the respondents (70%) are neither aware of the different ways to make their leaders accountable and transparent nor they are capable of demanding for accountability and better services delivery from their leaders. The Mean result of 2.881 and standard

Table 2: Multiple Regression Results

Variables	Beta	T- Value
Constant	2.05	11.23
Good Corporate Governance	0.124	3.045
Accountability	0.145	2.397
Transparency	0.277	3.977
R Square	: 0.743	
F value	: 7.140*	

*Significant at 1% level

deviation result of 0.698 reinforces that findings by indicating that most of the responses were concentrated between disagree and strongly disagree and agree to somewhat strong disagree being the least. Yet, an overwhelming majority (90%) agreed to somewhat strongly agree that they will be more willing and able to donate their assets as *Waqfs* for socio-economic development of the community if Islamic religious institutions in the country are trustworthy, transparent and accountable and practice good governance. The Mean result of 1.422 and standard deviation result of 0.593 substantiate the findings by revealing that most of responses were concentrated between agree and strongly agree and disagree to somewhat strong disagree being the least. According to [10], donors usually are generous and feel more comfortable to donate more with organisation whose operations are governed by generally acceptable standards of accountability and transparency. Financiers also are more willing to provide capital for projects of organisations that adopt best practices of corporate governance.

Indeed, the above findings are reflection of situation in the least developed countries where general masses are taken for ride by social institutions. In most cases there is a complete information blackout. There is no publication of annual report, pamphlets, or even no websites that will inform the public about the activities of these social institutions. Societies tend to be ignorant about their rights and anti-corruption agencies often fail to enforce implementation of good governance and accountability on these social institutions. Last but not least, to find out the impact of public trust on revival of *Waqf* institutions in Uganda, we used multiple regressions analysis. The results on the Table 2 reveals that F statistic ($F = 7.140$) is significant at the level 0.01. Therefore, there are significant positive relationship between elements of public trust such as good governance, accountability, transparency and revival of *Waqf* institution in Uganda. Besides, the R^2 score in this study is 0.743; meaning 74.3% of the variance on public

trust had been explained by all independent variables which are good governance, transparency and accountability. The finding shows positive impact of good corporate governance, transparency and accountability on public trust. In other words, it predicts that if the Islamic religious institutions in Uganda practice good corporate governance such as appointing independent of directors to manage *Waqf* institution, publishing detail annual reports, audit the activities of these institutions by independent auditors and use management information system to provide access to relevant information to all stakeholders. In addition, being transparent and accountable to Muslim community, this will definitely increase public trust on Islamic religious institutions. Restoration of public confidence will encourage both external and internal donors to contribute to *Waqf* institutions. Ultimately, the social welfare of Muslim community will improve as income generated from *Waqf* assets will now be used, effectively and efficiently in various programs particularly in poverty eradications. This is in line with [7] suggestion that the corporate management techniques such as transparency, accountability and good governance should be adopted to increase efficiency of *Waqf* institution so that it can be able to meet its obligations and gain public trust. According to agency theory, governance mechanisms should be implemented to protect stakeholders, control agency costs and align the goal of agent with the goal of the principal [32]. Two governance mechanisms, compensation plans and governance structures have been given substantial attention [33, 32]. Compensation plans are expected to align the goal of both parties by giving the agent long-term rewards which are tied to firm performance [34]. Governance structures, such as boards of directors, keep agents in line by performing financial audits and conducting regular executive performance evaluations [34]. Additionally, boards are expected to communicate the goal of shareholders to the agent and monitor the action of the agent in order to minimize agency costs [34]. Maintaining board independence is desirable to provide objective agent oversight [32].

CONCLUSION

The study has highlighted that lack of public trust, absence of good governance and accountability will be the main obstacles in reviving *Waqf* institution in Uganda. The findings reveal that Muslim community does not trust their leaders because they believed that they are dishonest, corrupt, incompetent and irresponsible and

with no fear of Allah. In addition, the majority of the respondents are ignorant on their rights to make their leaders accountable and transparent. This creates sense of helplessness, anger, tension and conflicts among Muslim community and their leaders. This problem is partly contributed due to the lack of will by anti-corruption body in enforcing laws on good governance and accountability. Ironically, the overwhelming majority of the respondents agreed that they will donate their assets as *Waqf* for socio-economic development of the community as long as the *Waqf* institutions will be managed by best management practices. Furthermore, the findings reveal that good corporate governance, transparency and accountability will be vital in reviving *Waqf* institution in Uganda. Thus, building public trust is very crucial in reviving *Waqf* institutions in Uganda. The Muslim institutions which manage *Waqfs* in Uganda must extremely work hard to build public trust. This can be achieved through implementation of best corporate management practices, appointing leaders who are knowledgeable, qualified, competent, reliable and honest, with high level of integrity, and above all have *taqwa*. In addition, the policymakers must enforce anti-corruption laws to ensure that the Islamic institutions do not abuse public trust.

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