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# Financial Contracting, Governance Structures and the Accounting Regulation of Islamic Banks: An Analysis in Terms of Agency Theory and Transaction Cost Economics

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## Abstract

Because Islamic banks are prohibited from entering into transactions based on riba (interest), they mobilise funds mainly on the basis of the mudaraba (profit-sharing) form of contract. Thus, in the place of interest-bearing customer deposits, Islamic banks offer investment accounts the return on which depends on the return on the pool of assets in which the customers' funds are invested by the bank. In contrast to conventional deposits, such investment accounts therefore

yield a variable periodic return which may be negative (a loss). Islamic investment accounts are thus a form of limited-duration equity investment.

This type of investment account raises a set of issues concerning the contractual relations between the bank and the holders of such investment accounts. These issues may be addressed from the perspectives of both Agency Theory (principal-agent and principal-principal relations) and Transaction Cost Economics (contractual forms and governance structures), and it is the purpose of this paper to do so. In particular, we focus on governance issues such as the monitoring possibilities which may or may not be contractually available to investment account holders. We conclude that, under present contractual arrangements, investment account holders depend unduly upon 'vicarious' monitoring by or on behalf of shareholders, a situation aggravated by current shortcomings in financial reporting and limitations of the scope of external auditing. The latter have implications for accounting regulation as applied to Islamic banks. The paper concludes with some suggestions as to how this situation could be ameliorated.

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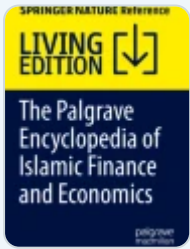
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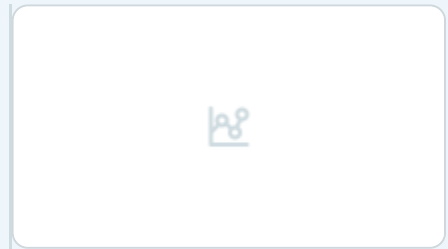
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## References

Accounting and Auditing Organization for Islamic Financial Institutions (AAOIFI): 1993, *Financial Accounting Statement No. 2: Concepts of Financial Accounting for Islamic Banks and Financial Institutions* (Bahrain: AAOIFI), October.

AAOIFI: 1996a, *Auditing Standard for Islamic Financial Institutions No. 2: The Auditor's Report* (Bahrain: AAOIFI), May.

AAOIFI: 1996b, *Financial Accounting Standard No. 2: Murabaha and Murabaha to the Purchase Orderer* (Bahrain: AAOIFI), May.

AAOIFI: 1997a, *Auditing Standard for Islamic Financial Institutions No. 4: Shari'a Supervisory Board: Appointment, Composition and Report* (Bahrain: AAOIFI), June.

AAOIFI: 1997b, *Financial Accounting Standard No. 6: Investment Accounts and Their Equivalent* (Bahrain: AAOIFI), June.

Al-Deehani, T., R.A.A. Karim and V. Murinde: 1996, "The Capital Structure of Islamic Banks Under the Contractual Obligation of Profit Sharing", Working Paper, University of Birmingham.

Archer, S. and R.A.A. Karim: 1997, "Agency Theory, Corporate Governance and the Accounting Regulation of Islamic Banks", *Research in Accounting Regulation*, Supplement 1, Special International Edition.

Barnea, A., R.A. Haugen and L.W. Senbet: 1985, *Agency Problems and Financial Contracting* (New Jersey: Prentice-Hall, Inc.).

Bowie, N.E., and R.E. Freeman (eds.): 1992, *Ethics and Agency Theory: An Introduction* (New York: Oxford University Press).

Bryer, R.: 1993, "Double-Entry Bookkeeping and the Birth of Capitalism: Accounting Further Commercial Revolution in Northern Italy", *Critical Perspectives on Accounting* 4(2): 113-140.

Capital Intelligence: 1996, *Rating Report BH1095RR/12-96: Faysal Islamic Bank Bahrain*. December.

Carlson, P.: 1997, "Advancing The Harmonisation of International Accounting Standards: Exploring an Alternative Path", *The International Journal of Accounting* 32(3): 357-378.

Çizakça, M.: 1996, *A Comparative Evolution of Business Partnerships: The Islamic World & Europe, with Specific Reference to the Ottoman Archives* (Leiden/New York/Köln: E.J. Brill).

Dasgupta, P.: 1988, "Trust as a Commodity", in Gambetta, D. (ed.), *Trust: Making and Breaking Cooperative Relations* (Oxford: Basil Blackwell).

Dees, J.G.: 1992, "Principals, Agents, and Ethics", in N.E. Bowie and R.E. Freeman (eds.), *Ethics and Agency Theory: An Introduction* (New York: Oxford University Press), pp. 25-58.

DeGeorge, R.T.: 1992, "Agency Theory and the Ethics of Agency", in N.E. Bowie and R.E. Freeman (eds.), *op. cit.*, pp. 59-72.

Duska, R.F.: 1992, "Why Be a Loyal Agent? A Systemic Ethical Analysis", in N.E. Bowie and R.E. Freeman (eds.), *op. cit.*, pp. 143-168

Hart, O.: 1995, *Firms, Contracts, and Financial Structure* (Oxford: Clarendon Press).

Islamic Banking, *Middle East Economic Digest* (12 July, 1996), pp. 7-12.

Jensen, J. and W. Meckling: 1976, "Theory of the Firm: Managerial Behavior,

Agency Costs and Capital Structure, " *Journal of Financial Economics* (October).

Karim, R.A.A.: 1990, "Standard Setting for the Financial Reporting of Religious Business Organisations: the case of Islamic Banks", *Accounting and Business Research* 20(80).

Karim, R.A.A.: 1994, "Accounting Aspects of Profit Allocation Methods Between Shareholders and Investment Account Holders in Islamic Banks", *Journal of Economic and Administrative Science* 10: 33-44.

Karim, R.A.A.: 1995, "The Nature and Rationale of a Conceptual Framework for Financial Reporting by Islamic Banks", *Accounting and Business Research* (Autumn) 25(100).

Karim, R.A.A.: 1996a, "Economic Consequences of Accounting Standards and Islamic Banks", *Research in Accounting Regulation* 10: 111-137.

Karim, R.A.A.: 1996b, "The Impact of the Basle Capital Adequacy Ratio Regulation on the Financial and Marketing Strategies of Islamic Banks", *International Journal of Bank Marketing* 14(7): 32-44.

Karim, R.A.A. and A. E. Ali: 1989, "Determinants of the Financial Strategy of Islamic Banks", *Journal of Business Finance and Accounting, UK* (Spring) 16(2): 193-212

Kreps, D.M.: 1990, "Corporate Culture and Economic Theory", in J. Alt and K. Shepsie (eds.), *Perspectives on Positive Political Economy* (Cambridge: Cambridge University Press), pp. 90-143.

Mallat, C.: 1988, "The Debate on Riba and Interest in Twentieth Century Jurisprudence", in C. Mallat (ed.), *Islamic Law and Finance* (London: Graham &

Trotman), pp. 69–88.

“Major Expansion Under way for Islamic Banks”, *International Herald Tribune* (25 April, 1995), p. 14.

Moe, T.M.: 1984, “The New Economics of Organization”, *American Journal of Political Science* (November) 28: 739–777.

Noreen, E.: 1988, “The Economics of Ethics: A New Perspective on Agency Theory”, *Accounting, Organizations and Society* 13(4): 359–369.

de Roover, R.: 1963, *The Rise and Decline of the Medici Bank* (Cambridge, MA: Harvard University Press).

Saleh, N.A.: 1992, *Unlawful Gain and Legitimate Profit in Islamic Law* (London: Graham and Trotman Ltd.).

Taylor, T.W. and J.W. Evans: 1987, “Islamic Banking and the Prohibition of Usury in Western Economic Thought”, *National Westminster Bank Quarterly Review* (November): 15–27.

Udovitch, A.L.: 1970, *Partnership and Profit in Medieval Islam* (New Jersey: Princeton University Press).

Williamson, O.E.: 1975, *Markets and Hierarchies: Analysis and Antitrust Implications* (New York: Free Press).

Williamson, O.E.: 1995, *The Mechanisms of Governance* (Oxford: Oxford University Press).

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