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The research aimed to analyze the land waqf dispute resolution mechanisms in Indonesia and Malaysia to provide the Indonesian government with ideas regarding land waqf dispute resolution laws. The approach adopted was a comparative study that highlights the mechanisms and models of waqf dispute resolution in Indonesia and Malaysia. The results show that the Indonesian waqf dispute resolution mechanism comprises two approaches: juridical and sociological. The juridical approach is based on Waqf Law No.

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#### Religious Practices of Land Endowment: Examining Reform and Dispute Resolution Alternatives of Land Waqf in Indonesia and Malaysia

Islamiyati, Dewi Hendrawati, [Aisyah Ayu Musyafah](#), Asma Hakimah, Ruzian Markom

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## RELIGIOUS PRACTICES OF LAND ENDOWMENT: EXAMINING REFORM AND DISPUTE RESOLUTION ALTERNATIVES OF LAND WAQF IN INDONESIA AND MALAYSIA

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#### Keywords

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The research aimed to analyze the land waqf dispute resolution mechanisms in Indonesia and Malaysia to provide the Indonesian government with ideas regarding land waqf dispute resolution laws. The approach adopted was a comparative study that highlights the mechanisms and models of waqf dispute resolution in Indonesia and Malaysia. The results show that the Indonesian waqf dispute resolution mechanism comprises two approaches: juridical and sociological. The juridical approach is based on Waqf Law No. 41 of 2004, Article 62. Meanwhile, the sociological approach is based on local wisdom and policies derived from Islamic law. In comparison, the mechanism for resolving waqf land disputes in Malaysia consists of two routes: the non-litigation path, via the sharia court. In the Malaysian mediation pathway, the mediator and the advocacy institution are State Islamic Religious Councils (SIRCS), assisted by waqf managers and experts. An arbitration mechanism is often chosen because the management of waqf land is, for about 40 percent, associated with business, commerce, industry, and property. The similarities between the two countries are that they are committed to resolving waqf land disputes based on applicable law, the concept of justice, and the desire to protect human rights, minimize expenses, build good relationships after disputes, and provide advocacy for the rescue of the donated land assets.

**Contribution/Originality:** By comparing studies in Malaysia and Indonesia, this research contributes to the study of waqf law, especially the law governing the settlement of waqf land disputes. In addition, this research provides recommendations to improve the legal mechanism for resolving waqf land disputes in Indonesia.

### 1. INTRODUCTION

Land waqf has spread throughout the world from the birthplace of waqf law in Saudi Arabia, and the management of waqf land has consequently advanced rapidly (Azhah, Baharuddinb, Sayurnoc, & Afandie, 2013; Ismail, Salim, & Hanafiah, 2015). Land that has been entrusted to waqf management can be used to build places of worship, public facilities, Islamic boarding schools, hospitals, and graveyards, fund scholarships, and help people in need (Dogarawa, 2009; Thaker & Bin, 2018). The concept of land waqf has spread to various countries, including Turkey, Egypt, Iran, Pakistan, Malaysia, Bahrain, Bangladesh, and others. It has been shown to improve the quality



## CORPORATE GOVERNANCE AND ORGANIZATIONAL PERFORMANCE: EVIDENCE FROM NIGERIA

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### ABSTRACT

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Corporate governance  
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Managerial ownership  
CEO ownership  
Return on asset  
Return on equity.

#### JEL Classification

G34, M19.

This study examined the relationship between corporate governance and organizational performance in Nigeria via quantitative research design. Corporate governance measures of board size, board independence, chief executive officer ownership and managerial ownership and organizational performance proxies of returns on assets and equities were sourced from quoted oil and gas companies in Nigeria from 2010–2020. Data obtained were analyzed using descriptive and inferential statistics. Overall, the findings revealed that corporate governance measures have a significant effect on performance proxies. More so, the canonical correlation result showed that board size and board independence were the best sets of corporate governance measures that have significant effects on organizational performance in Nigeria. Based on the findings, it is recommended that the stock market regulators should make concerted efforts towards instituting monitoring mechanisms that will ensure independence of the board. In addition, ownership concentration of the board should be adequately specified by the codes of corporate governance such that the proportion of concentration is not skewed in one direction. The practical implication of the study is that an understanding of the best sets of corporate governance measures will assist the management of companies in identifying and implementing the optimum set of corporate governance mechanisms for enhanced organizational performance.

**Contribution/Originality:** This study contributes to literature by showing the best sets of corporate governance measures that have the most significant effects on organizational performance. This study also contributes to knowledge by revealing that corporate governance measures of the study significantly affect the performance of organizations in Nigeria.

### 1. INTRODUCTION

Corporate governance researches have generated renewed interest in the performance of firms in industrial and emerging nations such as Nigeria. This renewed interest stems from the reality that shareholders have become much more interested in the organization's ability to maximize wealth and be sustainable amidst prevailing economic circumstances. Hence, the need for reliable information about the performance of firms within and outside the stakeholders' immediate environment cannot be over emphasized. Tulus (2018) asserted that corporate governance encompassed standards designed to keep track of management activities and measures aimed at boosting transparency of corporate information. Corporate governance is a system through which firms are managed and controlled (Cadbury, 1992). Similarly, Uddin (2013) sees corporate governance as an array of