



Understanding Shariah Audit Practice in Kuwait Islamic  
Banks – Three Papers

Khaled J A B Y Albader

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## **Abstract**

This thesis examines the emergence, practice, and socio-political consequences of Shariah audit within Kuwaiti Islamic banks. While existing research in Islamic accounting has largely focused on normative prescriptions or conceptual critiques, it has paid limited attention to how Shariah audit is constituted and enacted in practice. Addressing this gap, the thesis adopts an interpretive and critical approach to investigate Shariah audit as a socially embedded and power-laden field of governance.

Drawing on the sociological framework of Pierre Bourdieu, the study conceptualises Shariah audit as a dynamic field structured by struggles over authority, legitimacy, and interpretation. The analysis is organised into three interconnected empirical papers. The first examines the emergence of Shariah audit as a field of power, demonstrating how competing actors—particularly Shariah auditors and financial auditors—negotiate authority within overlapping institutional logics. It shows that Shariah audit does not exist as a stable or unified practice, but is continuously shaped through contestation and negotiation. The second paper shifts focus to the everyday enactment of Shariah audit, analysing how practices are performed through routine interactions, organisational processes, and embodied dispositions. Using the concept of habitus, it reveals how audit practices are structured and reproduced through the social positioning of actors within the field. The third paper explores the broader consequences of Shariah audit, conceptualising it as a form of symbolic power that shapes organisational legitimacy, moral accountability, and social acceptance. It demonstrates how religious authority operates through doxa and symbolic violence, producing taken-for-granted acceptance of Shariah audit judgments.

Methodologically, the study employs a qualitative case study design based on in-depth interviews, archival materials, and contextual analysis. A purposive sampling strategy is used to engage key actors within the Shariah audit field, enabling theoretically informed insights rather than statistical generalisation. The analysis is iterative and reflexive, moving between empirical material and theoretical concepts to generate a nuanced understanding of practice.

The thesis makes three key contributions. First, it advances Islamic accounting research by shifting the focus from normative debates to the empirical study of practice. Second, it extends critical accounting literature by demonstrating how religious auditing operates as a socio-institutional dispositive of governance. Third, it contributes to Bourdieusian accounting research by applying concepts of field, habitus, and symbolic power to a novel empirical context. Overall, the study provides a theoretically integrated and empirically grounded account of Shariah audit as an emergent and contested field that actively shapes the organisation, legitimacy, and meaning of Islamic banking.

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## **Author's Declaration**

I declare that this thesis has been exclusively authored by me and has not been submitted, in whole or in part, for any previous degree application. Unless stated otherwise by citation or acknowledgement, the work presented is entirely my own.

Signature:

Printed Name: Khlaed J A B Y Albader

## **List of Abbreviations**

AAOIFI	Accounting and Auditing Organization for Islamic Financial Institutions
AUB	Ahli United Bank
CBK	Central Bank of Kuwait
CEO	Chief Executive Officer
CMA	Capital Market Authority
CSS	The Cultural and Social Society
EY	Ernst & young
KAAA	Kuwait Accounting and Auditing Association
KCCI	Kuwait Chamber of Commerce and Industry
KFH	Kuwait Finance House
KIB	Kuwait International Bank
KIA	Kuwait Investment Authority
KPMG	Klynveld Peat Marwick Goerdeler (auditing firm)
KSE	Kuwait Stock Exchange
NBK	National Bank of Kuwait
PBUH	Peace Be Upon Him
PHD	Philosophy Doctorate
SRS	Social Reform Society
UK	United Kingdom
US	United States



# Chapter (1) Introduction

## 1.1 Introduction

The global financial system has witnessed a growing trend toward Islamic banking since the 1990s (Sandal, 2019). This trend has become evident with the emergence of Islamic banks around the world, even in non-Muslim countries. Islamic banks strive to offer Islamic alternatives to conventional banks' interest-based financial products, providing Sharia-compliant options that enhance their resources. To ensure that the financial products offered by Islamic banks are Sharia-compliant, these banks appoint an independent regulatory audit body specialising in Sharia provisions.

Hence, Sharia experts entering the financial field, utilising their Sharia knowledge to audit the financial operations of Islamic banks. This intervention has not come without problems, as the field has faced a torrent of criticism from several angles. First, Sharia audit has been subject to objections, arguing that banks are not the right place to be subject to religious oversight. This wave of criticism believes that spiritual laws are regressive and incompatible with the nature of banking operations. They think that this type of religious oversight limits the opportunities available to banks in the financial sector and for offering diverse financial products. The second wave of criticism argues that Sharia audits in Islamic banks should be codified and standardised globally. This is no less important than financial auditing, which utilises unified international and local laws that are applied clearly and objectively. The third wave of criticism of the field of Sharia audit rejects current Islamic banking practices and calls for the establishment of an Islamic banking system derived from Islamic Sharia. Critics believe that Islamic law is philosophically rich and facilitates the creation of Islamic products with a purely religious character, thus eliminating the need to imitate the usurious financial products available in the conventional banking market.

It is clear from these criticisms that the field of Shari'ah auditing in Islamic financial institutions faces several regulatory and implementation problems. To accurately understand these problems and identify any shortcomings, one must focus intensively on the structural fabric and engage in understanding its political and

social context. As the backbone of the global economy, banks have been chosen as a fertile environment for studying and understanding the field of Shari'ah auditing. As is well known, strict regulations are usually applied to banks through governmental legal oversight. Since banks enjoy government financial solvency, it is only natural that countries are keen to harmonise local laws in the interest of preserving the strength of the banking sector. Considering all these facts, the field of Shariah auditing in Islamic banks remains fragile and vulnerable to fundamental criticism.

## **1.2 Background of the Study**

The field of Shari'ah auditing has undergone significant changes over the years due to economic shifts, increased demand for Islamic financial products, and the emergence of Shari'ah innovation. Shari'ah auditing is no longer limited to Islamic entities, such as charitable institutions. Still, it has expanded to encompass the new world of economics and finance, most notably in Islamic financial institutions. As a result, Shari'ah auditing has become a prominent feature of Islamic financial banks, rivalling the field of financial auditing in its composition. However, this non-traditional field of auditing suffers from a real dearth of research in accounting and accountability. This dissertation is an initiative to address this dilemma.

### **1.2.1 Islamic Banks**

Islamic banks are unique in their financial system, which blends religion and finance. The Islamic banking experience is unique, as Islam is the only religion that has successfully navigated the capitalist system and is embedded in highly respected banks. The strength of the banking financial system has centred around the Sharia audit system, which applies Sharia principles to monitor the operations of Islamic banks. However, this Sharia oversight system has faced numerous challenges. Lewis believes that the current Sharia oversight system mimics interest-based banking products. He believes that Sharia is so rich in meaning that it enables the creation of religious financial products, such as the good loan. In this context, Lewis thinks that current Islamic banking cannot be called Islamic because Islamic banks should

not rely on a capitalist logic that contradicts the sanctity of Islam. At the same time, Islam is a religion rich in profound concepts that serve social roles. Therefore, it is imperative to incorporate these concepts in the design of Islamic banks that serve the public good (Kamla, Gallhofer, and Haslam, 2006; Lewis, 2001; Tinker, 2004).

In Islam, the ultimate goal of accountability and responsibility is to fulfil one's obligations to God, society, and the environment (Kamla, 2009; Mukhlisin, 2016). This is achieved by embracing the holistic meaning of the Islamic religion without confusing divine laws with secular laws. The capitalist financial and regulatory system is fundamentally at odds with Islamic law, as the financial accounting system prioritises material profit and overlooks the public interest (Makamara and Karim, 1991). Therefore, the Islamic economic system has been subject to severe criticism, centring on the legitimacy of this system and its eligibility to bear the name of Islam (Ibrahim, 2007; Kamla, 2009; Lewis, 2001; Vinnicombe and Park, 2007).

### **1.2.2 Shariah as a form of audit**

Conventional accounting practices conflict with the philosophy of Islamic banking, simply because their essence is fundamentally different from Islamic principles. Unlike Islamic principles, conventional accounting does not focus on the public interest in its practices (Hamed et al., 1993). While there is a significant philosophical gap between the two systems, Islamic banks still adhere to a Western accounting and finance system, as most Arab countries have been influenced by Western ideology (Napier, 2009). Many have called for the development of a theoretical approach to accommodate Islamic accounting practices in Islamic banks. Abdul Majeed's (1981) theory is considered the first and most well-known applied theory that seeks to rely on Islamic philosophy as a driver of the economy.

Since then, the literature in the field of accounting and auditing has been divided into three categories. The first category falls under the category of descriptive research, which calls for the establishment of an Islamic accounting and auditing system based primarily on Islamic Sharia. The study addresses what this system

should look like (Hamed et al., 1993; Adnan and Gavekin, 1997; Baydoun and Willett, 2000; Mirza and Baydoun, 2000; Suleiman, 2000; Lewis, 2001; Hanifa and Hadib, 2002).

The second category examines the accounting aspects related to Islamic banking products, highlighting the similarities between the financial products of Islamic banks and their Western counterparts. Given that these products mimic Western products, some question the need to address or audit them in a Shari'a-compliant manner (Archer and Karim, 2001; Heikal, 1989; Al-Obaji, 1989). This research trend demonstrates the shallowness of Islamic banking products. It suggests that Islamic banks should adopt an accounting and auditing system based on Shari'a.

The final part of the accounting research examines the regulatory aspect of Islamic accounting, stating that there is a legislative deficiency to regulate Islamic accounting and auditing. This research notes that the Accounting and Auditing Organisation for Islamic Financial Institutions (AAOIFI) issues specific standards for accounting, auditing, governance, and ethics derived from Islamic Sharia. While this organisation has issued more than 100 Islamic standards (AAOIFI, 2019), these standards are not typically adopted by Islamic banks and are viewed as guidance. The blame here lies in the fact that national or local legislation dominates Islamic banks, leaving no room for adopting Islamic accounting principles (Karim, 2001).

The field of Sharia auditing requires in-depth studies to understand its internal dimensions from a practical perspective. I have observed that most existing research lacks a comprehensive understanding that considers the social and political dimensions of this field. To achieve this goal, this research attempts to understand the practices of Sharia boards in Kuwaiti Islamic banks. This research not only seeks to understand the economic dimensions but also tries to uncover historical dimensions that may help us understand the mechanism of operation and the formation of Sharia boards in Kuwaiti Islamic banks.

### 1.3 Research Issue and Objectives

The work of Sharia auditors in Islamic banks is focused on auditing the bank's financial operations. Since Sharia auditors often lack the accounting or financial knowledge necessary to understand complex banking products, some question how they undertake such tasks. Interestingly, there are two types of auditing in Islamic banks: Sharia auditing and financial auditing. While both disciplines share the responsibility of auditing the operations of Islamic banks, their philosophical foundations differ. It is natural for these two disciplines to conflict in practice and encounter practical conflicts during their daily work within the bank. Another controversial issue is that financial auditing in Islamic banks relies on international accounting standards and local positive laws.

In contrast, Sharia auditing relies on the Sharia knowledge of the bank's Sharia board members. Since Sharia knowledge is based on understanding and interpreting the meanings of the Quran and Sunnah<sup>1</sup>, financial fatwas<sup>2</sup> in Islamic banks are now based on the interpretation of the Sharia auditor. These issues related to the field of Shari'a auditing require careful exploration and understanding through an in-depth study of the work of Shari'a auditors in Islamic banks.

Based on these data, I have defined my research topic as understanding auditing in its Sharia shape (and its social and political implications) in the context of Kuwaiti Islamic banks. This research topic is divided into three separate but interconnected objectives:

1. To understand the emergence, formation, and practice of Shariah audit field in the context of Islamic banks.
2. To explore the mundane practice of Shariah auditors in Islamic banks.
3. To understand the implications of religious influence that Shariah audit profession in Islamic banks produces.

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<sup>1</sup> Sunnah means the way of the Prophet Muhammad (peace and blessings be upon him). It includes everything he said, did, and approved of

<sup>2</sup> *Fatwa*, in Islamic jurisprudence, a formal ruling or interpretation on a point of Islamic law given by a qualified legal scholar (known as a *Mufti*)

In the next section, I will briefly present the research questions related to these research phenomena.

### **1.3.1 Positivistic Problem and the Philosophical Positioning**

Accounting phenomena, within this study, are approached as socially constructed and politically embedded practices rather than as objective and neutral representations of reality. This position departs from the positivist tradition that has historically dominated accounting research, where accounting is treated as a technical instrument capable of producing objective, value-free knowledge about organisational performance and economic activity (Chua, 1986; Hopper and Powell, 1985).

The positivist orientation assumes that social reality exists independently of actors and can be accessed through scientific methods that prioritise measurement, generalisation, and prediction. In accounting research, this has led to a focus on quantification, efficiency, and capital market outcomes, often privileging economic rationality while marginalising the social, cultural, and political dimensions of accounting practices (Hopwood, 1983; Miller, 1990). Such an approach has been widely criticised for its narrow conception of accounting as a neutral technology, overlooking its role in shaping organisational behaviour, constructing visibility, and sustaining particular forms of governance and control (Burchell et al., 1980; Cooper and Sherer, 1984).

Critical accounting scholars argue that positivism obscures the ways in which accounting is implicated in broader power relations and ideological processes. By presenting accounting numbers as objective facts, positivist approaches tend to naturalise existing social arrangements and reinforce dominant economic and institutional structures (Chua, 1986; Tinker et al., 1982). In this sense, positivism does not merely describe reality but contributes to its stabilisation by privileging certain forms of knowledge while silencing alternative perspectives, particularly those grounded in social, ethical, or cultural considerations.

Within the context of Islamic banking and Shariah audit, the limitations of positivism become even more pronounced. Shariah audit practices are inherently interpretive, relying on religious reasoning, contextual judgement, and moral evaluation rather than universally codified rules. Treating such practices through a positivist lens risks reducing them to technical compliance mechanisms, thereby neglecting their embeddedness in religious epistemologies and socio-cultural contexts. As Burrell and Morgan (1979) suggest, understanding such phenomena requires an anti-positivist stance that recognises knowledge as socially constructed, context-dependent, and mediated through human interpretation.

Accordingly, this study adopts an anti-positivist orientation that seeks to understand accounting—and specifically Shariah audit—not as an objective system of measurement but as a socially situated practice shaped by meanings, power relations, and institutional dynamics. This perspective enables a more nuanced engagement with the complexities of Shariah audit, particularly its reliance on interpretation, its variability across contexts, and its role in constructing legitimacy within Islamic banking.

This study is grounded in a coherent set of philosophical assumptions that shape how the field of Shariah audit is conceptualised, investigated, and theorised. Drawing on the framework developed by Sociological Paradigms and Organisational Analysis, the research is positioned within an interpretive tradition that foregrounds the socially constructed, meaning-laden, and power-infused nature of organisational life.

Ontologically, the study adopts a nominalist orientation, treating Shariah audit not as a fixed institutional arrangement but as an emergent and relational phenomenon. Rather than assuming a stable and universally defined practice, Shariah audit is understood as constituted through ongoing interactions between actors, religious principles, and institutional contexts. Its form, meaning, and authority are therefore continuously produced and reproduced through practice. This framing is particularly important in a field characterised by multiple interpretations of Shariah law and the coexistence of religious and financial logics.

Epistemologically, the study aligns with an anti-positivist stance. Knowledge is not viewed as objective or externally discoverable but as generated through engagement

with the interpretations and practices of social actors. In the context of Islamic banking, Shariah audit judgments are not derived from fully codified rules but from interpretive reasoning grounded in religious texts and scholarly authority. Understanding this process requires access to how actors interpret, negotiate, and enact Shariah principles in practice. Knowledge is therefore treated as situated, contingent, and co-produced through the research process.

The study's view of human nature reflects a qualified voluntarism. While actors are recognised as capable of interpretation and strategic action, their practices are shaped by historically embedded dispositions and institutional structures. This perspective draws on the work of Pierre Bourdieu, particularly his conceptualisation of practice as arising from the interplay between habitus and field. Shariah auditors, financial auditors, and other actors are neither fully autonomous nor fully determined; rather, their actions reflect the dynamic interaction between embodied knowledge, professional positioning, and broader socio-cultural conditions.

Methodologically, these assumptions lead to an ideographic orientation that prioritises depth, context, and meaning. The study adopts a qualitative approach to explore how Shariah audit is formed, enacted, and experienced within Kuwaiti Islamic banks. This is not simply a methodological preference but a consequence of the study's philosophical commitments, which require close engagement with practice, interpretation, and context.

Overall, these assumptions position the study primarily within the interpretive paradigm. However, the analysis does not remain confined to understanding social order. Instead, it extends toward a critical interrogation of how power, authority, and legitimacy are produced within the field of Shariah audit. This dual orientation enables the study to both interpret the lived realities of practice and examine the broader socio-political dynamics through which Shariah audit operates as a form of governance.

#### **1.4 Three Papers—Questions and Contributions**

To achieve the research objectives stated in the previous section, this thesis presents three research papers. These papers bear the following titles: Audit as

a Struggle: A Case of Power Relations and Capital in the Context of Shariah Audit in Kuwait Islamic Banks, Mundane Practices of Shariah Auditing: The Case of Kuwait Islamic Banks, and Symbolically Violating a Doxic Society: Legitimising Islamic Banks through Shariah Auditing Practice in Kuwait. And since the thesis aims to explore the field of Shariah auditing in Islamic banks and its social and political implications, each research paper contains empirical material that supports this objective. Accordingly, each paper addresses both theoretical and empirical questions.

The first paper explores the field of Shariah audit in Kuwait Islamic Banks, to understand the structure of the field and how it operates by asking the following questions:

- a- How Shariah audit practice emerged in the Islamic banks.
- b- How Shariah audit practice and financial audit practice coexist in Islamic banks; and
- c- How can Shariah law, with its multiple interpretations, govern the practice of Shariah auditors in Islamic Banks?

And with such field of practice, the second paper tends to understand the social and political structure of Shariah auditors by discovering the mundane practice of Shariah audit practice in Kuwait Islamic. Thus, the questions asked in the paper are:

- a- How is the social orientation of Shariah auditors reflected in their role in Islamic banks? and
- b- How is the political orientation of Shariah auditors reflected in their role in Islamic banks?

And to understand how Shariah audit practice, with its religious authority, affects the social sphere of the field, the third paper underpins the consequences of the presence of Shariah auditors in Islamic banks towards the social system by asking the following questions:

- a- Why people take for granted Shariah auditors' opinion in Islamic banks; and
- b- Why Shariah experts choose to become Shariah auditors in Islamic banks?

Although the thesis is organised into three discrete papers, it advances a unified and cumulative argument that engages deeply with contemporary debates in accounting, auditing, and governance. Rather than treating Shariah audit as a bounded technical practice, the thesis theorises it as an emergent, contested, and consequential field of governance. Across the three papers, the analysis develops progressively—from formation, to enactment, to effects—thereby offering a comprehensive account of how Shariah audit is constituted, stabilised, and mobilised within Kuwaiti Islamic banking.

The first paper locates the emergence of Shariah audit within wider discussions on the institutionalisation of novel auditing regimes in pluralistic organisational environments. It shows that Shariah audit does not enter the field as a fully formed or universally understood practice; instead, it is shaped through ongoing struggles over meaning, scope, and authority. In Kuwaiti Islamic banks, these struggles are particularly pronounced due to the coexistence of Shariah audit with conventional financial audit, giving rise to overlapping jurisdictions and competing claims to legitimacy. By foregrounding these dynamics, the paper contributes to literature on institutional complexity and audit plurality, demonstrating how religious, professional, and market logics are not merely co-present but actively negotiated. Shariah audit emerges here as a fragile and evolving assemblage, whose contours are continuously redefined through interaction and contestation.

The second paper builds on this by shifting the analytical lens from emergence to everyday practice. Drawing on practice-based and sociological approaches to accounting, it examines how Shariah audit is enacted through routine activities, interactions, and organisational processes. Rather than assuming coherence, the paper reveals how audit practices are continually performed and adjusted in situ, shaped by the relational dynamics between Shariah scholars, internal auditors, management, and regulators. In doing so, it brings into view the field-level architecture within which Shariah audit operates, highlighting how authority and expertise are distributed, contested, and reproduced. The analysis demonstrates

that the effectiveness and meaning of Shariah audit are not secured through formal standards alone, but through situated practices that embed it within broader social and political structures. This extends existing work on the social life of auditing by showing how an ostensibly faith-based audit practice is organised through complex configurations of power, knowledge, and institutional positioning.

The third paper advances the argument further by interrogating the consequences of these practices. Moving beyond questions of how Shariah audit emerges and operates, it examines what Shariah audit does. Engaging with critical accounting and governance literatures, the paper conceptualises Shariah audit as a productive and disciplinary force that shapes organisational conduct, moral accountability, and institutional legitimacy. It demonstrates how audit practices generate particular forms of visibility and evaluation, enabling certain behaviours while marginalising others. In this sense, Shariah audit is not simply a mechanism of oversight but a modality of governance that actively constitutes the subjects and objects it purports to monitor. Its influence extends beyond compliance, informing how Islamic banking is understood, enacted, and legitimised both internally and externally.

Overall, the three papers offer a theoretically integrated and empirically rich account of Shariah audit as a dynamic field of governance. By tracing its emergence, unpacking its everyday enactment, and revealing its broader consequences, the thesis contributes to a more nuanced understanding of how alternative auditing regimes are formed and sustained within complex socio-political contexts. More broadly, it advances accounting scholarship by demonstrating how auditing practices—particularly those grounded in religious and ethical traditions—operate as powerful socio-institutional arrangements that organise action, produce knowledge, and shape the contours of accountability.

Taken together, the three studies show how Shariah audit is formed, enacted, and made consequential within Kuwaiti Islamic banks. Rather than treating it as a stable or fully codified system, the thesis demonstrates that Shariah audit is produced through ongoing interactions between Shariah auditors, financial auditors, and organisational actors. The analysis shows that what counts as “Shariah compliance” is not given in advance but emerges through negotiation over audit scope, evidence,

and authority, particularly where interpretive religious reasoning intersects with codified financial auditing practices.

The thesis further shows how Shariah audit is sustained through everyday organisational work. The empirical material documents how audit practices are carried out through routine reviews, iterative checking of documents, and informal consultations with Shariah scholars and management. These practices rely on practical judgement, prior experience, and established ways of working, indicating that audit is not implemented through rules alone but reproduced through situated and socially embedded processes.

Building on this, the thesis demonstrates that Shariah audit has observable organisational and social effects. The findings show how audit practices shape how decisions are justified, how compliance is interpreted, and what is accepted as legitimate within the bank. In particular, repeated reliance on certain forms of documentation and verification privileges specific interpretations of Shariah, while alternative interpretations struggle to gain recognition unless they align with established practices. In this way, Shariah audit contributes to structuring organisational behaviour rather than simply evaluating it.

These empirical insights are explained through a theoretically informed analysis drawing on Pierre Bourdieu's concepts. The notion of field and struggle is used to interpret how authority is contested between actors, habitus explains how routine audit practices are carried out through embodied dispositions, and the concepts of doxa, hysteresis, and symbolic violence are used to analyse how particular interpretations of Shariah compliance become taken for granted and reproduced over time. These concepts are mobilised to make sense of the empirical material rather than applied abstractly.

Overall, the thesis provides an empirically grounded account of Shariah audit as a socially organised practice, showing how it is constituted through interaction, reproduced through everyday routines, and made consequential through its effects on organisational conduct and legitimacy within Islamic banking.

## 1.5 Structure of the Thesis

This thesis includes five further chapters; they are organised as follows:

**Chapter 2** “Theoretical and Methodological Approach” provides an illustration of the theoretical notions that are used in each paper. The chapter starts by presenting Pierre Bourdieu’s notions that are used in the thesis. Second, the chapter presents Burrell and Morgan’s philosophical approaches, which guide this study. Thirdly, the chapter presents the researcher’s philosophical stance. Fourthly, the chapter shows the research methods adopted in this study. Finally, the chapter illustrates the data analysis strategies of this thesis.

**Chapter 3** presents the first empirical paper, titled “Audit as a struggle: A case of Power relations and capitals in the context of Shariah audit in Kuwait Islamic Banks”. In the introduction part, the paper identifies the meaning of ‘Shariah audit’, and what theoretical notions are used to discuss ‘Shariah audit’ and how the data in this paper have been collected. The literature review section discusses issues related to Shariah audit practice and highlights the need for a deeper understanding of these issues. In the next section, a summary of the theoretical concepts is presented and connected to the relevant literature. The following section presents the adopted research methods. Afterwards, the context section presents the field Shariah audit in Kuwait as a field of power relations and struggle. Then, the analysis part of the paper presents the empirical data of the research. The following section engages with the literature to discuss audit as a struggle.

**Chapter 4** presents the second empirical paper, titled “Mundane Practices of Shariah Auditing: The Case of Kuwait Islamic Banks”. In the introduction, the paper presents the mundane accounting setting, and the theoretical notions used to discuss mundane accounting practices, as well as how the data in this paper were collected. The literature review discusses religion as a mundane aspect of accounting practice and how such practice needs to be studied thoroughly. In the next part, the theoretical notions adopted in this paper are discussed and connected to the literature. The following section presents the research methods. Afterwards, the

context section presents the social and political orientations of Shariah auditors. Then, the analysis section of the paper presents the empirical data from the research. The following section engages with the literature to discuss habitus as a mundane practice.

**Chapter 5** presents the third empirical paper, titled “Symbolically violating a doxic society: Legitimising Islamic Banks through Shariah auditing practice in Kuwait”. In the introduction section, the paper presents the religious authority of Shariah auditors, and the theoretical notions used to discuss religious power, as well as how the data in this paper were obtained. The literature review discusses Shariah audit as a taken for granted religious authority, and how such a field needs to be studied deeply. In the next part, the theoretical notions adopted in this paper are discussed and connected to the literature. The following section presents the research methods. Then, the context section presents religious authority and domination of Shariah auditors in Kuwait Islamic banks. Subsequently, the analysis section of the paper presents the empirical data from the research. The following section engages with the literature to discuss how Shariah audit field symbolically violates a doxic society.

Finally, **Chapter 6** concludes the thesis. It summarises the thesis and presents the theoretical and empirical contributions. It also shows limitations and suggests future research routes.

## **Chapter (2) Theoretical Approach**

### **2.1 Introduction**

This chapter develops the theoretical framework that underpins the analysis of Shariah audit practices in Kuwaiti Islamic banks. It focuses specifically on the sociological insights of Pierre Bourdieu, whose conceptual apparatus provides the primary analytical lens for the thesis. The purpose of this chapter is to establish a coherent theoretical foundation through which the emergence, practice, and consequences of Shariah audit can be understood.

To this end, Morgan and Smircich's (1980) criticism of social science research concerned its inability to explicate underlying methodological assumptions. Inversely, as Hopper and Powell (1985, p. 429-430) proposed, "By making explicit the basic assumptions behind different pieces of work, it is hoped that a greater tolerance and awareness of research from alternative disciplines and perspectives may be encouraged." As such, this chapter has two objectives: first, to clarify the theoretical notions used in each paper of this study; and secondly, to illustrate the philosophical grounds that underpin this thesis.

The chapter initially discusses Bourdieu's notions as a roadmap of this study then more deeply explains various Bourdieusian notions used in this thesis, including 'field', 'capitals', 'habitus', 'field of power', and symbolic violence and doxa. This section ends with concluding remarks on and justifications for the current study's theoretical framework.

### **2.2 Bourdieu's work as a roadmap**

This section presents the theoretical framework underpinning my data analysis process in understanding Shariah audit practices in Kuwait Islamic banks. As this study explores the sociopolitical dynamics involved in producing Shariah audit practices, I employ Pierre Bourdieu's notions to theorise and therefore guide the analysis. The first paper uses Bourdieu's power relations and field of struggle to frame the sociological argument surrounding the emergence of Shariah audit

practice in Kuwait Islamic banks. The second paper uses the notion of habitus to understand everyday/mundane Shariah audit practice in Kuwait Islamic banks. The third paper uses the notions of doxa and symbolic violence to frame how Shariah auditing practice uses religious symbols to maintain its acquired position within a doxic society.

I decided to rely solely on several of Pierre Bourdieu's theoretical notions in this study for various specific reasons, though I did so overarchingly because I believe Bourdieu's theorisation of practice and its social dynamisms complements my research story well and allows meaningful analysis. Specifically, Bourdieu's work on the field of struggle helps this study understand the social and political struggle underpinning the field of Shariah audit practice in Kuwait Islamic banks. Moreover, habitus, especially its structured and structuring structure dynamic, enables understanding of Shariah mundane practice. Also, the notions of doxa and symbolic violence facilitate insights into how Shariah audit practice uses Islamic symbols to maintain its taken-for-granted social status.

The following is the chapter's structure. It discusses pertinent sociological notions of Bourdieu on individual activities in the social space from the micro to the macro, thus giving a comprehensive explanation of relevant Bourdieusian practice ideas. The second part of this section provides insights into Bourdieu's doxa and symbolic violence notions.

### **2.3 The “practice” of Pierre Bourdieu**

Before discussing Bourdieu's theorisation of practice, his methodological role first needs clarifying. When it comes to conceptual theories, Bourdieu is a little vague. He refers to his own work as "constructivist structuralism or structuralist constructivism" (Bourdieu, 1989, p. 14). For Bourdieu, this vagueness in mixing and connecting factual structure with subjective disposition is "irreconcilable" yet "fruitful" in determining the "reality of the social world" (Bourdieu, 1989: 22) and "evidence of human practice" (Bourdieu and Wacquant, 1992, p. 10). As he himself explains, on the one hand structuralists are conscious and unconscious “objective structures” that direct and constrain practice, while constructivism, on the other

hand, is a combination of habit and social structure (Bourdieu, 1989, p. 14). If I had to place Bourdieu's philosophical assumptions on the Burrell and Morgan (1979) quadrant paradigms of research philosophy, they would be in the top-middle, which combines both "radical humanist" and "radical structuralist" paradigms, ignoring the vertical line that separates the two radical positions as criticised by Hopper and Powell (1985). Despite Bourdieu relying heavily on codification, figures and statistics in many of his investigations, I believe it is the aim of science that distinguishes theory, not simply assessment dependent on methodology. To put it another way, Bourdieu's use of big data is to create a "general" idea.

Positioning Bourdieu's work within a humanist-structuralist realm is because of his ontological realisation from using objective structure to unravel systemic contradictions, dominance styles and implicit behaviours. In a nutshell, Bourdieu's practice logic is driven by the nature of domination that social agents represent (Friedland, 2009). The symbolic mechanism between social and mental systems, according to Bourdieu, is a tool of influence (Bourdieu and Wacquant, 1992, p. 13). Both of these observations regarding the essence of culture underpin Bourdieu's conservative stance focused on Burrell and Morgan's conceptual classification (1979).

## **2.4 The practice theory**

Regarding his notion of practice, Bourdieu was always fascinated with the associated forms of power within the symbolic structure of social fields (Everett, 2002). His theoretical notions always evolve around power dynamisms within social structures (Friedland, 2009). Bourdieu developed an empirical social world framework to explain human disposition and experience. Semi-autonomous fields are used to describe the objective structure; actors in every field strive for dominance and power.

Bourdieu's objective-subjective framework (practice theory) is described by six "key" interrelated master concepts: field, habitus, capital, field of struggle, doxa and symbolic violence. Such notions are explained thoroughly in the upcoming sections.

### **2.4.1 Field**

In mapping out the social space structure, Bourdieu coined the term 'field' in this context, defining it as

a network or configuration, of objective relations between positions. These positions are objectively defined, in their existence and in the determinations they impose upon their occupants, agents or institutions, by their present and potential situation (situs) in the structure of the distribution of species of power (or capital) whose possession command access to the specific profit that are at stake in the field, as well as by their objective relation to other position.

(Bourdieu and Wacquant, 1992: 97)

It is within fields that we understand the practices, relationships and forces of individuals and/or groups in any given social space.

In Bourdieu's terms, field is a social space of conflict and struggle that thus hosts competition for domination (Bourdieu and Wacquant, 1992). Hence, social practices are nothing but a game of struggle wherein players strive to enhance their position within the field (Maton, 2008). The sphere of life for Bourdieu includes a range of social fields such as education, religion, politics and bureaucracy. Each field has its own predictable, patterned and regular practices along with its own culture, history, norms and particular logic of practice (Thomson, 2008). Bourdieu uses the word field to broaden the range of potential drivers that assess action rather than confine conduct to activity areas (Swartz, 1997).

In this sense, then, all hierarchical struggle is about reaching the top of a field. Actor dominance and arrangement strategies (habitus) nevertheless depend on the actor's role within a domain and the level of recognition (capitals), as well as on the accumulation of important, unique capitals. Field, capitals and habits are relational for Bourdieu as they all work simultaneously.

### **2.4.2 Capitals**

Weapons accumulation is a source of engagement and competitiveness in the field (to dominate), as the social actor uses weapons to compete (play game) based on

the logic (structure) of a field and the actor's position within it. Bourdieu calls these weapons capital.

Capital defines the agent's role and, as noted, is the means of exercising control over a field. For Bourdieu, it takes two forms: materialised or embodied. Bourdieu developed his notion of capital upon the economic theory that capitalizes power and wealth by adopting two ranks of transformability to monetary gain: immediate convertible capital (economic capital) and limited convertibility capital (social and cultural capital). The limitation is the condition(s) existing during the transformation into economic form. As with any field, some capitals affect others, the structure that represents the structure and purpose of the field of distribution of the capital(s). Bourdieu has set up several capital forms: cultural, economic, social and symbolic. The next subsections introduce the cultural capital.

#### **2.4.2.1 Cultural capital**

Capital in its cultural form concerns all the qualities and powers individuals possess that make them competent social actors within their particular cultural field. Hence, Bourdieu describes cultural capital as power propaganda rather than power per se (Friedland, 2009). Bourdieu (1986) also argues that cultural capital must be addressed beyond the conventional meaning of capital. For him, cultural capital indirectly contributes to the creation of economic capital, so it drives social actors to materialising capital gains (Emirbayer and Johnson, 2008). Bourdieu categorises cultural capital into three types: embodied, objectified and institutionalised cultural capital.

*Embodied cultural capital* in Bourdieu's (1986) thinking can neither be recognised easily nor justified clearly. It is usually symbolic and should be understood deeply in association to social actors' overall field position. Specifically, Everette (2002) identifies embodied cultural capital as the knowledge and abilities that influence social agents' ways of thinking and behaving. An example is the physical influence knowledge has on the ways a social actor dresses, eats, walks, etc. In Bourdieusian (1986) terms, embodied cultural capital is exterior wealth transformed into actor

habitus. Notably, for him this transformation is not instantaneous, occurs subconsciously and is contingent upon social circumstances and field structure.

*Objectified cultural capital* is a physical representation of cultural outputs such as writing, tools and machines. According to Bourdieu (1986), such representation encompasses both embodied and economic capital. For instance, social actors require economic capital to acquire a material good but to use the object for its intended purpose either the possessor or another actor must possess embodied cultural capital. Bourdieu suggests that if the actor does not own the material object but benefits from their cultural capital or some other form of capital by selling services that allow the material object's development, then they are categorised as a dominant community that expands their embodied cultural capital. Such material and symbolic action, according to Bourdieu (1986), is used as a tool for cultural reproduction and class hierarchy creation.

*Institutionalised cultural capital* is basically institutional acknowledgment of cultural capital - for example, certain academic institutions relying on their powerful recognition and prestige to allure a specific class of students. Bourdieu (1986) says institutional recognition is enforced via institutionalising variants among social agents' capabilities and cultural capital. This appreciation results in distinct transfer rates of cultural to economic capitals. Additionally, the material and symbolic worth of institutionalised cultural resources is contingent upon demand and the field's structure.

#### **2.4.2.2 Economic capital**

Economic capital is a form of capital similar to financial wealth, profit and likewise properties that can be converted directly and instantly into money (Bourdieu, 1986). It finds its institutional expression in property rights (Anheir et al., 1995) and is essentially the foundation of other forms of Bourdieusian capital as it allows access to other critical resources within a competitive social field (Silva and Edward, 2004). Economic capital is important for social dominance, according to an analytical study of American society (Bourdieu, 1987). Thus, economic capital ownership influences agents' roles within the social arena.

### **2.4.2.3 Social capital**

Social capital refers to an individual's social network. Bourdieu says each society's social capital has a unique function, process and form. For instance, social capital is formed in certain societies by political capital, which functions similarly to economic capital in other societies (Bourdieu and Wacquant, 1992). Bourdieu (1986) describes social capital as a series of enduring relationships. Social capital is shared and sustained by the financial and/or symbolic gains associated with institutionalised relationships. It comprises personal identity and its social influence, as well as relatives and friends. This kind of capital is culturally shaped according to the contextual logic.

Bourdieu believes that social capital is always associated with an individual's cultural and economic capitals. It is produced and reproduced collectively or individually and both consciously and unconsciously.

### **2.4.2.4 Symbolic capital**

Symbolic power concerns the output generated from other kinds of capitals. It takes the shape of reputation and prestige as symbolic forms of power (Bourdieu, 1989). Bourdieu defines it as “*capital* - in whatever form - insofar as it is represented, i.e., apprehended symbolically, in a relationship of knowledge or, more precisely, of misrecognition and recognition” (Bourdieu, 1986, p. 56). Bourdieu also deems symbolic capital the refutation of economic capital, as it is recognised not as a source of authority but as a legal form of acknowledgment, service, protection and obedience. The concept of symbolic capital remains important and applicable to contemporary cultures, as business needs certain honorific justifications for its operations (Swartz, 1997). Other capitals (economic, social and cultural capital) become symbolic capital when they are regarded, recognised and legitimised by social actors (Bourdieu, 1989). By intervening human habitus, symbolic capital influences how a field operates (Bourdieu, 1986).

The above discription of capitals outlines an understanding of what they are but also how they relate to and are easily convertible into each other. They also depend on the field logic and structure in their level of apperence and conversion (Everett, 2002).

### **2.4.3 Field of power**

To reach domination within a given field, social actors must maximise their power accumulation (Bourdieu, 1996). Power in this sense is the sort of capital that is relevant to the field logic (economic, social, cultural), though more generally Bourdieu believes that social agents with strong relationships dictate the power field. He also argues that the field of power is linked to the structure of the social field (Everett, 2018).

It is not *only* about achieveing change, though. In any field of power, various social agents struggle simply to uphold their power and maintain their position. Both types of struggles occur simultaneously, as agents thus compete with others in various conflicts. For example, Bourdieu argues that within the field of power social agents who have a high degree of economic capital and low degree of cultural capital fight with social agents who have a low economic capital and high culture capital. In this example, some struggle to hold and legitimise their domination, while others strive to invert their position and achieve such domination. All this is done by agents adopting and readopting strategies, and it is in fact the strategies both parties adopt in their particular quest within the field that actually produces the struggle (Bourdieu, 1996). Hence, the struggle is at least partly or even entirely determined by methods for (re)defining dominant capitals as well as the transition process of various capitals in different fields. In sum, actors make sacrifices to preserve or strengthen their symbolic status and position in social space.

Field of power is evident within societies among ruling or elite classes (Swartz, 2008). In this research, it is occupied via Shariah scholars who uphold the power/capital of religion within society. This is a field of struggle in the scense that every group of Shariah scholars represent different Shariah schools of thought. Each

group is trying to dominate (or preserve their dominance in) the field of Shariah audit vis-a-vis the field of power. The next section explains the notion of habitus.

#### **2.4.4 Habitus**

Habitus is Bourdieu's most famous notion, arguably because it is considered crucial for grasping social understanding of individual behaviour (Fee and Macintosh, 2008).

In his own words, Bourdieu (1990, p. 53) defines habitus as

systems of durable, transposable dispositions, structured structures predisposed to function as structuring structures, that is, as principles which generate and organize practices and representations that can be objectively adapted to their outcomes without presupposing a conscious aiming at ends or an express mastery of the operations necessary in order to attain them.

Individual habitus evolves throughout long-term life experiences of perceiving everyday realities, acquiring knowledge, receiving social influence and earning family values that eventually shape our perception of reality (Maton, 2008). The same author adds that habitus creates the underlying structure of our mundane practices and can help explain our everyday actions.

A social agent's habitus brings together combined history (structured structure) and ongoing everyday experiences (structuring structure) in the shaping of today's decisions. Such a dynamic is an ongoing cycle that drives social agents' responses to everyday life happenings in relation to their accumulated past experiences. Bourdieu argues that habitus works via a pre-reflective manner as new choices are taken unconsciously in social agents' minds, and it is habitus that ultimately legitimises the taken decisions (Bourdieu, 1990). Habitus thus involves mental and physical acts performed in accordance with intangible and perceptible meanings (Bourdieu & Wacquant, 1992). Habitus thereby constantly evolves over time. Within this process may occur a shift in the field's characteristics and the emergence of new conflicts over capitals (Bourdieu & Wacquant, 1992).

In sum, habitus refers to the ways social actors think and behave in response to their historical, continuous and evolving physical and embedded capitals, implicit views, social structures, and field structure and dynamics. It also encompasses social actors' roles and interactions in various areas while helping them cope with

and (re)act appropriately in diverse circumstances. In the next section I will discuss the notion of symbolic violence and doxa.

#### **2.4.5 Symbolic violence and Doxa**

Bourdieu's point about symbolic structures being products of social injustice (Swartz, 1997) indicates that the ruling classes are actually absorbed into social systems and hierarchies by their own system of implicit dominance. Bourdieu argues that promoting the dominated requires taking established social pyramids for granted, thus creating/espousing the delusive belief that what is given as a valid social ladder is what the abstract structure most accurately reflects (Bourdieu, 1977). The world's historical and social construction generates and reproduces systemic structures in which violence manifests itself symbolically (Bourdieu, 1988), which Bourdieu simply terms symbolic violence.

Schubert (2008) calls symbolic violence an unseen system of violence wherein power is used to maintain social order. In other words, the dominant party in such a structure exerts pressure to retain its dominance. This is not necessarily via direct action, though, as the ruling party can sometimes "let the system they dominate take its own course in order to exercise their domination" (Bourdieu, 1977, p. 190). In this scenario, the ruling parties are preserving their own dominance simply by adhering to the prevailing rules of the game, thereby protecting their own privilege. Following that, social pyramids are replicated to legitimise them in the eyes of the powerful and dominated, since they become the perfect structure for performers to interpret and retain.

Bourdieu (1992) argues that symbolic violence causes an equal amount of pain as actual violence does, subsequently noting how such misery is often overlooked because it is reflected, assumed and perceived to be a legitimate way of life that "is itself the effect of power, which is durably inscribed in the bodies of the dominated, in the form of schemes of perception and dispositions" (Bourdieu, 1997). These structures are exemplified by "reputation and glory [and] give respect and veneration to persons, works, laws, and great" (Bourdieu, 1997).

Bourdieu adds that accepting symbolic violence creates a doxic society, and doxa involves accepting the world without question (Bourdieu and Wacquant, 1992). Being a doxic individual therefore means accepting current social orders and rules, but this reciprocally creates symbolic violence. Hence, the cycle continues. Indeed, symbolic violence and doxa are relational for Bourdieu. A doxic society fuels symbolic violence, and symbolic violence likely reinforces and furthers a doxic society (Bourdieu and Wacquant, 1992).

Bourdieu's formulation of doxic culture relates to the organisation and behaviour of social agents. He argues that greater doxa is possible in a prosperous organised society in which the logic of basic reproduction is unquestioned (Bourdieu, 1977). The symbolic power of doxa legitimisation can be seen and felt in "language and linguistic exchanges and the misrecognized arbitrary classifications, categorization and differentiation they operate and reproduce " (Deer, 2008, p. 122).

#### **2.4.6 Final remarks on Bourdieu's notions**

In this section I clarified my interpretation of Bourdieu's philosophy by going through a few of his original, translated, works. Although I have presented Bourdieu's central notions here, since Bourdieu is such a well-known figure in the accounting literature differences occur regarding how his theories are understood and interpreted.

Bourdieu's practice theory is not without limitations. A primary critique levelled at his analytical framing concerns his social scheme's omission of "sentiment" (Friedland, 2009, p. 896). Omitting emotions (because of difficulties in codifying them) can arguably be an effort to generalise a roadmap for interpreting the social world and behaviours. Another disadvantage I see concerns connecting all actors' dispositions to economic resources as, particularly in Western cultures, not all behaviours are programmed to be transformed to economic influence (Spence et al., 2017). Similarly, actors do not fight for supremacy in every field, and the danger of such a conceptualisation is that it underpins in society certain capital (competitive) ideas.

This section has conveyed my understanding of Bourdieu's notions. I rely on these notions in analysing my data and understanding the field of Shariah audit in Kuwait

Islamic banks. The next section discusses the methodological and philosophical assumption that underpins this research.

## **2.5 Concluding Summary**

This chapter has established the theoretical foundation of the thesis by mobilising key Bourdieusian concepts to analyse Shariah audit practices. It has shown how the notions of field, capital, habitus, field of power, doxa, and symbolic violence provide a coherent framework for understanding the social, political, and symbolic dynamics underpinning Shariah audit in Islamic banking.

Rather than treating Shariah audit as a purely technical or regulatory function, the chapter has conceptualised it as a socially embedded practice shaped by struggles over power, legitimacy, and authority. Bourdieu's framework enables the analysis to move beyond surface-level descriptions and instead interrogate how practices are produced, reproduced, and stabilised within structured yet dynamic social fields.

Having established this theoretical grounding, the next chapter turns to the philosophical and methodological foundations of the study. It outlines the epistemological and ontological assumptions guiding the research, justifies the chosen research design, and explains how empirical data were generated and analysed in alignment with the theoretical framework developed here.

## Chapter 3: Philosophical and Methodological Approach

### 3.1 Introduction

This chapter sets out the philosophical and methodological foundations that guide the research. Building on the theoretical framework established in the previous chapter, it explains how the study approaches the social world, how knowledge is generated, and how empirical inquiry is conducted.

The chapter is structured in three parts. First, it outlines the philosophical assumptions underpinning the study, drawing on the framework developed by Burrell and Morgan (1979). Second, it articulates the researcher's own philosophical positioning, highlighting how interpretive and critical orientations are combined to analyse Shariah audit as a socially constructed and power-laden practice. Third, it presents the methodological approach, including research design, data collection, and analysis strategies, demonstrating how these align with both the theoretical framework and philosophical stance of the study.

### 3.2 Research Philosophy

Cunliffe (2011) says research methodology is nothing but a reflexive mechanism that facilitates the relationship between our perception of reality and our researching and theorising choices. Nevertheless, research methodology relates to methods chosen and involves applying philosophy to the social world. Hence, research philosophy, chosen methods and theoretical framework must align accordingly for specific research.

In Burrell and Morgan's (1979) work, the authors sought to ease the intricacy of the domain of research philosophy by dichotomising social science research philosophy into two related rationales: the horizontal axis of the subjective-objective dimension and the vertical axis of the nature of the social world. These philosophical axes generate four philosophical paradigms when they intersect: radical humanists, radical structuralist, interpretive and functionalist (Figure 3-1) (Burrell and Morgan, 1979).

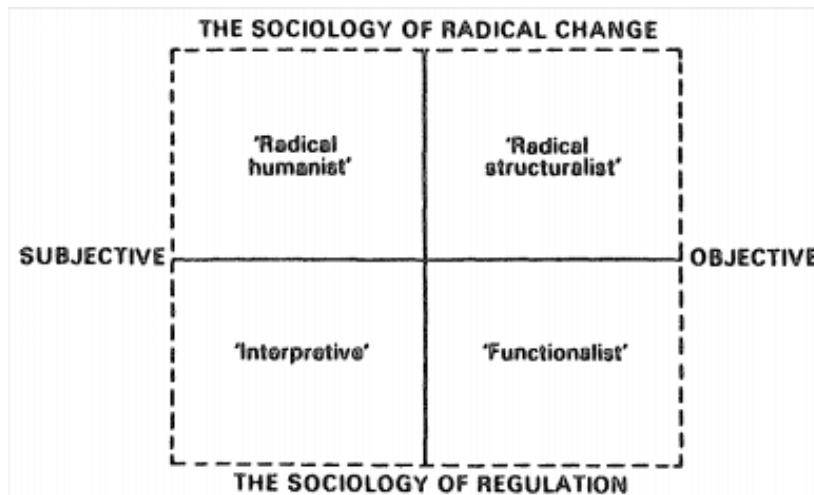


Figure (3-1): “Four paradigms for the analysis of social theory”  
 Source: Burrell and Morgan (1979, p. 22)

### 3.2.1 Burrell and Morgan’s dimensions on the nature of social science

To clarify the approaches of social research, Burrell and Morgan (1979) explored particulars of the subjective-objective opposition along the horizontal axis. They argued that the philosophical positions on this axis comprise four related assumptions - namely epistemology, ontology, methodology and human nature (Figure 3-2).

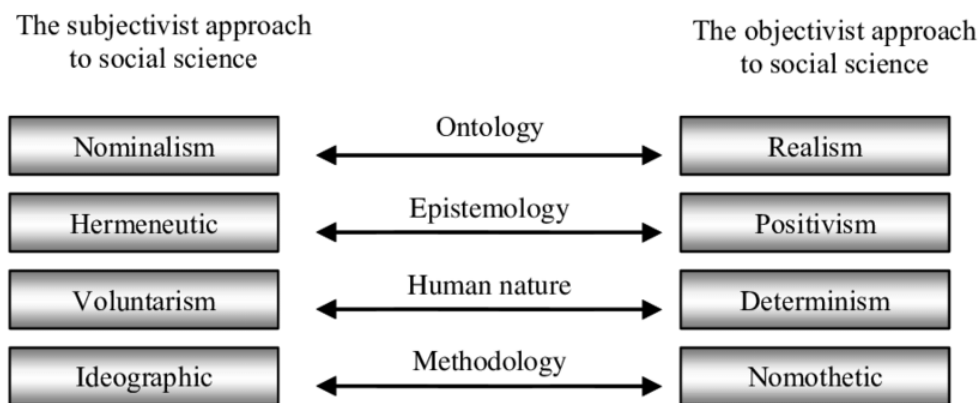


Figure (3-2): “A scheme for analysing assumptions about the nature of social science”

Source: Burrell and Morgan (1979, p.3)

Ontology represents the independency of truth within individuals' own social reality but without peoples' influence, as people are perceived as physical objects. One's perception of truth here is aligned with individuals' consciousness, which is produced and reproduced by everyday social interaction, collective meanings and structures. For example, Lyon (2017) says an ontological query could be achieved when one questions their own ability to produce a free will choice without being subjected to external forces.

The assumption of epistemology concerns the process of knowledge generation. An epistemological query can be as simple as questioning the legitimacy of knowledge, or even distinguishing between true and false knowledge. Burrell and Morgan (1979) state that according to ontology one can acquire the social world objectively through scientific knowledge. Such an approach, positivism, deems knowledge to exist independently from human behaviour.

In contrast, Burrell and Morgan (1979) describe the epistemological position of 'anti-positivism' as knowledge being subjectively obtained through individuals, perceptions, meanings, experiences and nature (interpretive). In this philosophical position, reality is understood by interacting with individuals. Hence, interpretivists become closely and deeply involved with other people in their quest for answers rather than hypothesising their assumptions from a distance.

Burrell and Morgan (1979) understand the association between individuals and their environment as an attached assumption to ontology and epistemology within social science research. Simply put, it is human nature. This lies between two assumptions of human life: voluntarism and determinism. A subjective voluntarist acquires free will and adapts to given situations voluntarily. On the contrary, an objective-deterministic has their actions and practices determined by the environment.

Burrell and Morgan's analysis of human nature tackles only these voluntarist aspects. Their attribution towards this important philosophical assumption is somehow negligible. They excluded its wider sense to axiological assumptions (Burrell and Morgan, 1979).

Ontological and epistemological stances, along with human nature, assist in help procure truth by having a direct implication on methodology (Burrell and Morgan, 1979).

Methodology is the process of gaining knowledge. Researchers taking an objective approach towards the social world are usually concerned with generalising the quantitative outcomes they generate from applying statistical analysis methods to their questionnaire and survey data (hence, secondary data) (Hopper and Powell, 1985). The opposite branch of methodological researchers believe reality is obtained by interacting with humans and that social interactions facilitate understanding of the social world. They rely on primary data (e.g. interviews and observations) as a source of knowledge and value direct and deep engagement with individuals and the environment.

The next section will continue to explain Burrell and Morgan's research philosophy theorisation. It will justify their vertical axis, which theorises the assumptions about the nature of society.

### **3.2.2 Burrell and Morgan's assumptions on the nature of society**

The previous section elaborated on Burrell and Morgan's subjective versus objective horizontal axis on social research. This section does similar for the vertical axis but also explores the four research paradigms resulting from these two axes intersecting, which describe four underlying assumptions about the nature of society.

Burrell and Morgan (1979) criticise researchers for not realising the importance of adopting a specific view of studied societies. For the two authors, to study societies researchers must adopt one of two positions: the sociology of regulation or the sociology of radical change. The choice depends on the researcher's aim, strategy and approach regarding either challenging the social order or accepting the status quo. Although both are valid ways of conducting academic inquiries, each has its own focus. The sociology of regulation, on the one hand, stresses the significance of social unity and acceptance of the social world as it is. Such a view, for Burrell and Morgan, is constructed upon the status quo of social order. It believes in the importance of regulations within human lives to maintain the taken-for-granted assumption within society. The sociology of radical change, however, adopts a deeper understanding of social phenomena and how social orders work in modern societies. It also acknowledges social conflicts and power dominations of societies.

For Burrell and Morgan (1979), this approach focuses on liberating societies from their systematic constraints. It is about enabling social justice by encouraging challenges to the status quo. Through adopting such an approach and likely both calling for reformations and providing reasonable alternatives, researchers challenge social injustice.

### **3.2.3 Burrell and Morgan's philosophical paradigms**

As noted, Burrell and Morgan say that when the horizontal axes (the assumption of social science) intersects with the vertical axes (the assumption of the nature of society) four philosophical paradigms result. These are radical humanist, interpretive, radical structuralist, and functionalist. Those paradigms are detrimental according to researchers' view of the social world. Such methodological stances relate to accounting research queries like critical, interpretive and mainstream theories (Ryan et al., 2002). On such aspects, Guba and Lincoln (1994) say the philosophical paradigm(s) researchers choose shows how they understand and view the world in relation to their beliefs. In relation to Burrell and Morgan's abovementioned two fundamental positions towards social science research, of their four philosophical paradigms these two authors say subjective interpretivist and objective functionalist both share common theoretical understanding of the sociology of regulation. On their other position, the sociology of radical change is portrayed within the subjective radical humanist and objective-radical structuralist paradigms. Nevertheless, Burrell and Morgan (1979) deem every theoretical paradigm to be distinct given their exclusive characteristics. Most pertinent of these for this work are the structuralist and the humanist paradigms, as these are centered within my way of thinking.

The humanist paradigm is a subjective element to radical change, according to Burrell and Morgan. This paradigm posits that an ideological system controls an individual's consciousness, governs their perceptions and enforces their submission to the current social order, which prevents humanity from advancing. The humanist paradigm is hence concerned with human consciousness. It fights modes of alienation and domination by encouraging change.

The structuralist paradigm, however, is an objective element to radical change (Burrell and Morgan, 1979). While the objective/subjective aspects clearly differentiate them, they are evidently similar in their pursuit of radical change. This structuralism paradigm nevertheless goes further than the humanist paradigm by focusing on understanding conflicts and structural associations. It aims to free humans of the restraints imposed on them by an embodied social order. The only distinction in Burrell and Morgan's understanding of the two paradigms is that a structuralist considers the social world as an embodiment of structural conflicts whereas a humanist does not accept submission of consciousness due to its false belief in the status quo.

### **3.2.4 Critical insights into Burrell and Morgan's philosophical approaches**

In their theorisation, Burrell and Morgan (1979) evidently engraved an explicit distinction on humanism and structuralism that separated them according to their objective/subjective definitions. Like many theorists, they relied on Marx's epistemological theorisation (Hopper and Powell, 1985). Such paradigms have richly challenged specifically those with relation to radical change (Chua, 1986; Cooper, 1983; Ryan et al., 2002). Hopper and Powell (1985) criticised Burrell and Morgan's radical structural paradigm for its incompetency and irreconcilability regarding "stressing consciousness" when dividing its radical theories. They say that such division is unnecessarily dividing "dialectical aspects of the same reality" (ibid., p. 451). On the same page, Cooper (1983) believes that Burrell and Morgan's four paradigms show an alternate means towards understanding organisational activities. But, such paradigms are easily criticised in the sense "that there is no likelihood of synthesis of these views" (Chau et al., 1982, p. 272).

Hopper and Powell give a valid criticism of Burrell and Morgan's separation of radical paradigms. In Bourdieu's theorisation, the social world is objectively structured, which enables understanding of individuals' subjective practices that uphold conflicts and domination. Within his theoretical world, Bourdieu recognises taken-for-granted notion as a motivator of individuals' consciousness practices. In addition, Bourdieu's notion of habitus tackles both the consciousness and structure of humans.

Bourdieu's theorisations locate him within the structuralist/humanist philosophical space of Burrell and Morgan - a philosophical position he retained into the later stages of his life. He depended on the structuralist/humanist philosophy to understand the social world.

### **3.3 The Researcher's Philosophical Stance**

#### **3.3.1 Bridging Interpretive and Radical Change Paradigms**

Although the study is grounded in interpretive assumptions, its analytical orientation extends beyond the descriptive understanding of meaning. The empirical context of Shariah audit, characterised by contested interpretations, institutional authority, and religious legitimacy, requires engagement with questions of power, ideology, and social reproduction. This brings the study into dialogue with the dimension of radical change identified by Sociological Paradigms and Organisational Analysis.

The interpretive paradigm is primarily concerned with understanding how social reality is produced and maintained. However, in the context of Shariah audit, the processes through which meanings become authoritative cannot be separated from the structures that sustain them. The authority of Shariah auditors, for example, is not merely a matter of individual interpretation but is embedded within broader systems of religious and institutional legitimacy. This necessitates an analytical move towards examining how such authority is constructed, stabilised, and reproduced.

In this regard, the study resonates with elements of the radical humanist paradigm, particularly in its concern with the role of symbolic systems in shaping consciousness and limiting contestation. The acceptance of Shariah audit judgments within Islamic banking contexts often operates at the level of taken-for-granted belief, where questioning such authority may be culturally or socially constrained. This reflects the operation of doxa, where dominant interpretations become naturalised and alternative perspectives are marginalised. The analysis therefore engages with how social actors come to internalise and reproduce these structures, often without explicit coercion.

At the same time, the study does not disregard the structural dimensions of social life. Through its engagement with Bourdieusian concepts such as field and capital, it acknowledges that practices are situated within structured relations of power. The field of Shariah audit can be understood as a space of struggle, where actors compete for legitimacy and authority through the mobilisation of religious, cultural, and symbolic resources. This introduces an affinity with the radical structuralist paradigm, particularly in its attention to structural inequalities and institutional constraints.

Rather than adhering rigidly to any single paradigm, the study occupies a position that traverses these boundaries. The interpretive concern with meaning is combined with a critical engagement with power and domination, while structural analysis is integrated without reducing social life to deterministic forces. This positioning reflects a recognition that subjective interpretations and objective structures are interdependent, and that understanding one requires engagement with the other.

### **3.3.2 Implications for the Study of Shariah Audit**

The philosophical stance outlined above has direct implications for how Shariah audit is conceptualised and analysed within this study. By rejecting an objectivist view of social reality, Shariah audit is approached as a practice that is continuously constituted through interpretation. The multiplicity of Shariah opinions observed across Islamic banks is not treated as an anomaly but as an inherent feature of a system grounded in interpretive reasoning. This highlights the limitations of viewing Shariah audit as a standardised or universally applicable framework.

At the same time, the study emphasises that these interpretive practices are not neutral. They are embedded within a field of power relations where certain actors are able to assert authority and define legitimate interpretations. Shariah auditors occupy a privileged position within this field, deriving legitimacy from their association with religious knowledge. However, this legitimacy is not simply given; it is produced and maintained through ongoing processes of recognition and acceptance within the broader social context.

The concept of symbolic power becomes particularly significant in this regard. The authority of Shariah auditors extends beyond formal institutional roles to shape how practices are perceived and evaluated. The acceptance of their judgments often reflects deeper cultural and religious assumptions, which operate at the level of doxa. In such contexts, questioning the legitimacy of Shariah audit may be perceived as challenging broader religious values, thereby reinforcing the stability of existing arrangements.

This perspective also draws attention to the consequences of these practices. The variability of Shariah interpretations across institutions introduces inconsistencies that have implications for governance and accountability within Islamic banking. At the same time, the taken-for-granted nature of religious authority may limit the scope for critical engagement with these inconsistencies. By examining these dynamics, the study moves beyond descriptive accounts to provide a theoretically informed analysis of how Shariah audit operates as both a technical and social practice.

### **3.3.3 Reflexive Positioning within the Research Process**

Within the interpretive and critical orientation adopted in this study, the researcher is positioned not as a detached observer but as an integral component of the knowledge production process. This positioning is consistent with the anti-positivist assumptions outlined in *Sociological Paradigms and Organisational Analysis*, where understanding social phenomena requires engagement with actors, meanings, and practices rather than distance from them. Accordingly, the researcher's role is to access, interpret, and theorise the situated realities of Shariah audit by working through the accounts, experiences, and practices of those who constitute the field.

This embedded position was instrumental in realising the research aims of the study, which seek to understand the emergence, everyday practice, and broader social consequences of Shariah audit in Kuwaiti Islamic banks. The researcher's familiarity with the Kuwaiti socio-cultural and institutional context enabled privileged access to key actors, including Shariah auditors and associated stakeholders, and facilitated

the elicitation of rich, contextually grounded accounts. Such proximity allowed the research to move beyond surface-level descriptions and engage deeply with the implicit norms, taken-for-granted assumptions, and culturally embedded meanings that structure Shariah audit practices. In particular, it enabled the identification of nuances in interpretation, authority, and legitimacy that would be difficult to capture through a more distanced or purely external perspective.

At the same time, this closeness to the field required careful reflexive management to avoid reproducing its assumptions uncritically. The researcher's positioning within the same cultural and institutional environment as participants introduced the possibility of overlooking practices and meanings that appear self-evident within that context. To address this, reflexivity was operationalised as an ongoing methodological practice rather than a retrospective reflection. This involved continuously interrogating how access, interpretation, and representation were shaped by the researcher's own position, and how certain narratives might be privileged or marginalised in the process of analysis.

The engagement with the theoretical framework of Pierre Bourdieu played a central role in enabling this reflexive distancing. Bourdieusian concepts such as field, habitus, and symbolic power provided analytical tools through which empirical observations could be reinterpreted beyond their immediate context. Rather than treating participants' accounts as transparent representations of reality, the researcher was able to situate them within broader structures of power, capital, and social reproduction. This theoretical mediation was essential in transforming contextually rich data into theoretically informed insights, thereby advancing the study's explanatory ambitions.

Furthermore, the multi-paper design of the thesis contributed to the realisation of the research aims by structuring reflexivity across different analytical levels. The first paper examines the emergence of Shariah audit as a field of struggle, the second explores its everyday practices through the lens of habitus, and the third analyses its broader social consequences in relation to doxa and symbolic violence. This layered approach enabled the researcher to revisit the empirical material from

multiple perspectives, reducing the risk of singular or static interpretations and allowing for a more comprehensive understanding of the phenomenon.

Through this combination of contextual immersion, reflexive scrutiny, and theoretical engagement, the researcher's positioning becomes a methodological resource rather than a limitation. It enables the study to generate insights that are both empirically grounded and theoretically robust, thereby fulfilling its aim of advancing a sociologically informed understanding of Shariah audit practices in Kuwait.

### **3.4 Research method**

Method is a vital process in the pursuit of knowledge as it can guide the research inquiry along a clear path of knowledge generation (Morgan and Smircich, 1980). Hopper and Powell (1985) say methods must align with both theoretical framework and philosophy to achieve the research aim, while Morgan and Smircich (1980) believe that research methods are generated from the chosen research philosophy and methodology. Despite such frameworks, both methods and methodological assumptions must be chosen freely (Chua, 1986), and they arguably still can still be done within the aforementioned parameters.

The application of theory into social research forms the research approach, and Yin (2014) says an academic researcher must adopt either an inductive or deductive approach towards explaining and theorising knowledge. The deductive approach tends to use hypotheses to reach logical theoretical conclusions, while the inductive approach, on the other hand, works by theorising data. The inductive approach creates wide understanding of the world, whereas the deductive approach only forecasts general reliabilities.

Putting all this in mind in relation to my philosophical stance (see 2.6), my philosophical position can be called constructivist interpretivism. In this work I employ a qualitative inductive case study inquiry to explore my research question and understand my research problem. In my opinion, by understanding a social case the researcher can explore, describe and explain the studied phenomena. Such an

argument aligns with Ryan et al.'s (2002) assumption that researchers can both explore and explain as there is no clear separation between the two types of inquiries. Hence, my research tends to understand practices relating to specific social surroundings, and my case study route is explanatory because it tends to understand a certain phenomenon (Shariah audit) within a certain field (Islamic banks in Kuwait).

#### **3.4.1 Case study design**

Social science studies vary according to research particularities as there are no subjective formalities for conducting inquiries (Yin, 2014), though many share broader similarities such as this study's qualitative approach. This approach helps understand the social construction of reality to acquire truth within the studied case. As I mentioned earlier, I believe that reality lies within individuals but they require appropriate techniques to extract understandings and perceptions. Among various possible research techniques (e.g. grounded theory, experimental, archival research), I believe case study is the most appropriate and effective for this inquiry for various reasons.

The case study is an imperial inquiry towards specific current phenomena that involves a real-life investigation within a contextual space (Robson, 2002). Hence, after long consideration I deemed case study the most suitable research method, particularly as it evidently syncs with the study's methodological position and research aim but also the researcher's philosophical assumption, as advised by Ryan et al. (2002).

#### **3.4.2 Pilot interviews**

Prior to my main data collection stage, I conducted several pilot interviews in May/June 2016. Such a step was vital in determining the validity of data collection, appropriate technique and interviews, and it helped me assess the degree of access such a field provides academic researchers. In this stage, I developed a clear idea about key actors and gained contact information that I eventually used to collect the data. The pilot interviews also gave me the opportunity to learn from this

process and devise explicit interviewing strategies for my data collection stage. Furthermore, in them I asked general questions about the nature of Shariah audit practice in Kuwait Islamic banks. From these interviews I navigated through the responses and developed the clear research interest of understanding the social and political connections within Shariah audit field in Kuwait Islamic banks.

The questions in the pilot interviews focused on broad ideas about the Shariah audit field that helped me construct the field along with its power relation dynamism. During this pilot study I performed four interviews - all on a face-to-face basis (see Table 3-1). Two of the four interviewees were Shariah auditors in two different Kuwaiti Islamic banks. The third was a Shariah expert on Islamic banks and a former Shariah auditor, while the fourth was a former senior manager at a Kuwaiti Islamic bank. These four individuals were selected for two main reasons. First, I was eager to understand contemporary behind-the-scenes Shariah audit practices and how a Shariah audit process is performed, so such inquiries would be valid only if they were addressed by current Shariah auditors. Secondly, the social dimension of the Shariah audit field in Kuwait is a vague field that has not been hitherto addressed adequately by researchers. Most literature on Kuwaiti Shariah audit focuses on statistical relations linking performance measurements only.

Interviews	Job title	Institution
Pilot 1	Shariah auditor	Islamic bank
Pilot 2	Shariah auditor	Islamic bank
Pilot 3	Shariah expert	Shariah scholar
Pilot 4	Former senior manager	Islamic bank

Table (3-1): Pilot interviews

Each interview lasted between 60 and 80 minutes and all were audio recorded, with participants' permissions. I also took field notes about the settings, surroundings, perceptions, appearances, locations and much more. The interview questions were as general as possible on, for example, Shariah audit practice, the emergence of Islamic banks in Kuwait, Shariah issues in Islamic banks and Shariah influence among Islamic banks. The four participants understood that interviews were only initial

interviews, therefore, they agreed to participate in the main data collection phase. The nature of my pilot interviews was closer to conversational than academic interview. A benefit of this was that I gained insights into things I was not aware of within the field as participants shared certain personal, interesting stories, which I used later to construct my main interview questions. In fact, I have not used the outcome of my pilot interview in this research, and they were instead used mainly to develop my interview questions for my main data collection phase.

This pilot investigation nevertheless also helped me focus my research agendas on specific sociopolitical inquiries. It directed my research aim towards understanding the sociological dimension of Shariah audit practice by adopting a social science framework. In addition, this pilot understanding of the field helped me identify the proper literature to my study. It also shifted my research aim and focus towards deeper understanding of Shariah audit practices in Kuwait Islamic banks. In the next section, I will elaborate on my main data gathering stage.

### **3.4.3 Interview process**

Various decisions were made regarding the interview process, particularly about using structured interviews (giving interviewees a set of specific inquiries) or/and unstructured inquiries (providing a wider space for richer responses). Open-ended semi-structured interviews suits my methodological stance and serves my research aim. I compared this technique with different types of interviewing methods, but the others had issues and did not suit my research. Furthermore, they aligned with the nature of my exploratory research aim, as Saunders et al. (2009) advised.

To formulate a broader and a contextualised understanding of Shariah audit practice, I researched it generally and the emergence of this practice in the State of Kuwait specifically. In this endeavour I went through numerous documents and archival materials (e.g. annual reports, Shariah opinion reports, regulations). Some of the documents were publicly available but most were kept behind closed doors so appropriate access had to be granted. I studied such documents because I believed that relevant documents complement the research inquiry by providing broad ideas and validity (Yin, 2014). I used these documents (annual reports, Shariah opinion

reports, regulations) to construct my interview questions though they also subsequently became an evidential source of information that helped in the analysis process.

Another strategy regarding secondary data documents (Shariah reports, Shariah reports, and regulations) was to show selected documents to my research participants. For example, while interviewing Shariah auditors, I used archival Shariah audit reports to understand the circumstances that led them to formulate such reports. I did this for two reasons. First, to gain their insights into and thoughts on them as this would bring back forgotten memories sometimes. For example, I asked several participants about a personal letter that mentioned the need for an Islamic banking system in Kuwait, dated 1977. None of the participants were aware of this document, so they were intrigued to read it and provided insightful comments on it. Secondly and perhaps more shallowly, there were a vast number of documents but some seemingly with much significance so I shared particular ones here simply to verify the most important ones by validating their sources with the help of my research participants (interviewees).

#### **3.4.3.1 Developing the interview questions**

Strictly directing the line of responses that interviewees can provide may be appropriate in highly structured research designs; however, within interpretive qualitative inquiry, allowing participants to articulate their views in their own terms is essential for generating rich and contextually grounded data. As Jennifer Mason (2002) argues, qualitative interviewing should privilege flexibility and openness, enabling participants to construct meanings rather than merely respond to predefined categories. Similarly, Steinar Kvale and Svend Brinkmann (2009) emphasise that semi-structured interviews function as guided conversations, where depth emerges through interaction rather than rigid standardisation.

In line with this approach, the interview protocol for this study was organised around three broad thematic areas: the emergence of Shariah auditing in Kuwait, the everyday practices of Shariah audit within Islamic banks, and the social and political dimensions of Shariah audit practice. Each theme included approximately five to six

guiding questions, resulting in a total of around fifteen core questions. This structure reflects what Robert K. Yin (2018) describes as a case study protocol that balances consistency across interviews with sufficient flexibility to pursue emerging insights. The relatively limited number of questions was intentional, allowing space for probing, clarification, and follow-up inquiries, thereby enabling participants to elaborate on issues they considered significant.

The design of the interview questions was informed by multiple sources. First, existing literature on Shariah accounting and auditing was reviewed to identify prevailing debates and gaps. However, as much of this literature adopts a predominantly positivistic orientation, it often overlooks the social and interpretive dimensions of Shariah audit practice. This limitation provided an important point of departure, helping to identify underexplored areas such as legitimacy, inconsistency in practice, and the role of regulation. Second, insights from pilot interviews were incorporated to refine the questions and ensure their contextual relevance to the Kuwaiti setting. As noted by Matthew B. Miles and A. Michael Huberman (1994), early engagement with the field is crucial for developing empirically grounded and meaningful data collection instruments.

In addition, regulatory and institutional documents—including Kuwait Central Bank regulations, Ministry of Commerce guidelines, and internal governance frameworks of Islamic banks—were used to inform the interview design. These sources ensured that the questions were anchored in the formal structures shaping Shariah audit practice. At the same time, the incorporation of Pierre Bourdieu's theoretical concepts introduced a sensitising framework that guided the formulation of questions without constraining participants' responses. In this sense, the study adopts what Mason (2002) refers to as a theoretically informed but empirically open approach, where theory shapes inquiry while remaining responsive to the field.

The interview themes were intentionally constructed to remain broad and open-ended, allowing participants to introduce issues beyond those anticipated by the researcher. This openness aligns with interpretive research principles, where meaning is co-produced through interaction and cannot be fully predetermined. However, such an approach also generated a large and diverse body of data.

As Robert K. Yin (2018) notes, case study research often involves managing extensive qualitative material, requiring careful organisation and iterative analysis. Given that the study engaged key actors within the Shariah audit field, the diversity of perspectives was expected and considered essential for capturing the complexity of the phenomenon under investigation.

#### **3.4.3.2 Collecting data from a purposive (judgemental) sample**

In qualitative case study research, sampling is not concerned with achieving statistical representativeness but with enabling theoretically meaningful engagement with a phenomenon in its context. Unlike quantitative designs, which rely on probabilistic sampling to generalise findings to a wider population, qualitative inquiry prioritises depth, relevance, and richness of insight. Accordingly, it is neither realistic nor methodologically appropriate to seek access to an entire population (Saunders et al., 2009). Instead, this study adopts a purposive (judgemental) sampling strategy, whereby participants are selected based on their relevance to the research questions and their positioning within the field under investigation.

This sampling approach is consistent with the epistemological and theoretical orientation of the study. The aim is not to produce statistically generalisable findings, but to develop theoretically informed insights into the emergence, practice, and consequences of Shariah audit. In this sense, the study aligns with the logic of analytical or theoretical generalisation, where empirical observations are used to extend, refine, or challenge existing theoretical understandings rather than to infer population-level patterns (Yin, 2014; Northcott and Parker). The significance of the sample, therefore, lies in its capacity to illuminate the structural relations, interpretive processes, and power dynamics that constitute the Shariah audit field, rather than in its numerical size.

The empirical context of Kuwaiti Islamic banking provides a particularly appropriate setting for such an inquiry. Within Kuwait, the banking sector represents the most formalised and regulated domain in which Shariah audit is institutionalised. The

sector consists of five Islamic banks, each governed by an independent Shariah board comprising approximately three to five scholars. As such, the total population of Shariah auditors is relatively small, estimated at around twenty individuals. This structural boundedness of the field further reinforces the appropriateness of a purposive sampling strategy, as the key actors are both identifiable and limited in number.

This study engaged with the majority of these Shariah auditors, thereby capturing a substantial proportion of the field's central actors. However, rather than treating these participants as a "sample" in the statistical sense, they are understood as occupying positions within a Bourdieusian field characterised by varying forms of capital, authority, and influence. Interviewing actors across these positions enables the study to capture not only individual perspectives but also the relational dynamics that structure the field of Shariah audit.

To avoid an overly internal or institutionally bounded account, the sample was deliberately extended beyond Shariah auditors to include informed external actors, such as specialist journalists and political commentators. These participants were selected because of their engagement with Islamic banking discourse and their capacity to offer critical or alternative interpretations of Shariah audit practices. Their inclusion enhances the analytical depth of the study by situating institutional practices within broader social and political debates, thereby allowing the research to move beyond insider narratives.

In addition to interviews, the study draws on archival material accessed through the private library of the late Ahmad Bizie Al-Yaseen, widely recognised as a foundational figure in the development of Islamic banking in Kuwait. These historical documents provide valuable contextual insight into the formation and evolution of Shariah audit practices, enabling the study to trace continuities and transformations within the field over time. The integration of such material strengthens the study's empirical grounding and supports a more historically informed analysis.

Gaining access to participants required navigating both institutional and practical constraints. While Shariah scholars are generally receptive to academic research—given their familiarity with scholarly inquiry—access was often shaped by logistical

challenges, particularly in relation to time availability and scheduling. To address this, the research adopted a flexible and adaptive approach to fieldwork. Interviews were conducted across a variety of settings, including offices, mosques, cafés, private residences, and, in one instance, an airport. Such flexibility was not merely pragmatic but also methodologically valuable, as it enabled engagement with participants in contexts that were comfortable and familiar to them, thereby facilitating more open and reflective discussions.

Initial access was often facilitated through existing social and professional networks, which is a common and legitimate practice in qualitative research involving elite or specialised actors. In the context of Kuwait, where professional and social relations are closely intertwined, such networks provided an effective means of establishing trust and securing participation. Importantly, this mode of access did not restrict the diversity of perspectives captured, as participants were selected based on their relevance to the research questions rather than their proximity to the researcher.

#### *Addressing Bias and Ensuring Rigour in Qualitative Sampling*

A common critique of purposive sampling concerns the potential for bias in participant selection and data interpretation. However, such concerns often stem from applying positivist criteria of validity and objectivity to qualitative research contexts where different standards of rigour apply. In interpretive research, bias is not understood as a contaminant that can be fully eliminated, but as an inherent feature of the research process that must be acknowledged, reflected upon, and managed.

First, the selection of participants was guided by theoretical and empirical relevance rather than convenience alone. Actors were chosen because they occupy key positions within the Shariah audit field or because they provide informed perspectives on its operation and implications. This ensures that the data generated speaks directly to the research questions and contributes meaningfully to the development of theoretical insights.

Second, the inclusion of multiple categories of participants—internal actors (Shariah auditors) and external commentators—introduces a degree of analytical

triangulation. By engaging with diverse viewpoints, the study is able to contrast institutional narratives with critical perspectives, thereby reducing the risk of reproducing a single dominant account of Shariah audit practices. This multiplicity of perspectives enhances the credibility and robustness of the findings.

Third, the research process was characterised by ongoing reflexivity. Given the researcher’s familiarity with the Kuwaiti context, there exists a potential risk of taken-for-granted assumptions influencing both data collection and interpretation. To address this, the study adopted an iterative approach to analysis, moving continuously between empirical material and theoretical concepts. Engagement with Bourdieusian theory, in particular, enabled the researcher to interrogate surface-level accounts and to situate participants’ narratives within broader structures of power, capital, and social reproduction.

Finally, the strength of the study lies in the depth and richness of its empirical engagement rather than in the breadth of its sample. By engaging extensively with key actors and contextual materials, the research generates detailed and nuanced insights into the practices and dynamics of Shariah audit. These insights are not intended to be statistically generalisable; rather, they contribute to theoretical understanding and may be transferable to other contexts where similar institutional and socio-political conditions exist.

In line with qualitative research principles, the validity of the study is therefore grounded in its analytical coherence, empirical depth, and theoretical contribution. The purposive sampling strategy adopted here is not a limitation to be defended, but a methodological strength that enables the study to capture the complexity and situated nature of Shariah audit practices in Kuwait.

Position/title	Place of Interview	Duration	Code
Shariah Auditor 1	Mosque	1 hour 13 minutes	SAM01
Shariah Auditor 2	Interviewee’s office	2 hours 10 minutes	SAM02
Shariah Auditor 3	Interviewee’s house	1 hour 31 minutes	SAM03
Shariah Auditor 4	Mosque	3 hours 05 minutes	SAM04

Shariah Auditor 5	Mosque	2 hours 12 minutes	SAM05
Shariah Auditor 6	Coffee shop	1 hour 10 minutes	SAM06
Shariah Auditor 7	Meeting room	1 hour 50 minutes	SAM07
Shariah Auditor 8	Mosque	2 hours 25 minutes	SAM08
Shariah Auditor 9	Interviewee's office	1 hour 35 minutes	SAM09
Shariah Auditor 10	Phone call	1 hour 12 minutes	SAM10
Shariah Auditor 11	In the airport	1 hour 37 minutes	SAM11
Shariah Auditor 12	Interviewee's house	3 hours 11 minutes	SAM12
Shariah Auditor 13	Library	2 hour 09 minutes	SAM13
Shariah Auditor 14	Meeting room	1 hour 53 minutes	SAM14
Shariah Auditor 15	Mosque	2 hour 28 minutes	SAM15
Shariah Auditor 16	Phone call	53 minutes	SAM16
Shariah Auditor 17	Interviewee's office	3 hours 02 minutes	SAM17
Political journalist/writer	Interviewee's office	3 hours 34 minutes	PJ01
Islamic journalist/writer	Interviewee's office	2 hours 21 minutes	IJ01
Political Activist	Interviewee's office	1 hour 13 minutes	PA01

Table (3-2): Interview participants

Of the conducted interviews, five interviewees decided to meet in a mosque. Although it was an unusual place for me to conduct an academic interview, eventually such a religious place added an exceptional atmosphere. Most participants are well known and respected Shariah scholars in the social domain. During each interview in a mosque, I had to pause the recorder to make way for people who want to greet the scholar and ask him about religious issues. People were also eager to approach Shariah scholars and interact with them after every prayer. The prestige and status of Shariah scholars in the social domain was significantly clear.

To make the most of my data collection period in Kuwait, I arranged most of the interviews in advance. I scheduled them by contacting the participants directly via phone calls and text messages. As I tried to fit around all their schedules, it required much flexibility and organisation to arrange my own schedule accordingly. Only four participants subsequently rescheduled, which ultimately proved only a minor

inconvenience as I managed to fit their new requirements into my schedule accordingly. The rest of the interviews thus took place according to plan. Some of the participants were short on time for the first interview but agreed to a second one. All interviews were face to face except for two, and these were conducted via phone calls. All participants are males, which is necessarily so given cultural and religious perspectives (Shariah audit practice in Kuwait is a male exclusive field), and all decided to conduct their interview in the Arabic language.

The shortest interview took only 53 minutes whereas the longest was 3 hours and 34 minutes. All interviews were audio recorded via a voice recorder device and a mobile phone back-up in case of device failure. All interviewees were happy to be voice recorded and signed the consent form for this. Both recording devices were positioned in places visible to the participants. In addition to the voice recording, I was constantly taking notes about various things that occurred during the interviews including aspects such as body language, participants' appearance and descriptions of places.

Notably, I assured my participants full anonymity, including with their names, organisations or indeed anything that could expose their identity. As most hold the same job title (Shariah auditor), we agreed to share this job title only, doing likewise with the few others. Most participants talked freely when they were assured of full discretion, which helped us discuss sensitive religious issues within the field. Although some participants were willing to disclose their full identities alongside their statements, I thought that this would be inappropriate culturally as it might lead to religious debate, which is sensitive and taboo in terms of culture and traditions in Kuwait. I took this decision based on the many bold statements from my participants that criticised Shariah audit practice in Kuwait. Other participants sometimes became anxious to discuss religious issues publicly, but I assured them that I will do my best to hide their identity if I needed to use their words in the research. To keep my promise, I anonymised their names and their workplace. I also deeply examined the data to alter any words that could lead to expose their identities.

An appropriate disclose here is that I conducted the interviews almost exclusively with members of Shariah audit boards (Shariah auditors) within the five Islamic banks

in Kuwait. Each Shariah board includes between three to five independent Shariah audit members, and a few of these auditors are working with more than one of these banks simultaneously. Prior to my data collection phase, I contacted the five Islamic banks to ask for official permission to conduct my interviews. All of them, however, advised me to seek permission directly from the Shariah auditors as they are independent Shariah audit board members. Details about the Shariah audit members are in the below table (3-3).

	SAB member	Work place	Qualification
1	SAM01	Islamic Bank	PhD
2	SAM02	Islamic Bank	PhD
3	SAM03	Islamic Bank	PhD
4	SAM04	Islamic Bank	PhD
5	SAM05	Islamic Bank	PhD
6	SAM06	Islamic Bank	PhD
7	SAM07	Islamic Bank	PhD
8	SAM08	Islamic Bank	PhD
9	SAM09	Islamic Bank	PhD
10	SAM10	Islamic Bank	PhD
11	SAM11	Islamic Bank	PhD
12	SAM12	Islamic Bank	High Degrees
13	SAM14	Islamic Bank	High Degrees
14	SAM14	Islamic Bank	High Degrees
15	SAM15	Islamic Bank	High Degrees
16	SAM16	Islamic Bank	Bachelor
17	SAM17	Islamic Bank	Bachelor

Table (3-3): Interviews with Shariah audit members of Kuwait Islamic banks

### 3.5.4 Data Analysis

Qualitative research allows many approaches to analysing verbal data depending on the researchers' strategy or the nature of the research inquiry. For example, some research adopts a grounded theory approach to analysing and presenting verbal data, unlike content analysis and discourse analysis. Although these strategies are valid for analysing qualitative data, the analytical strategy must align with key facets of the research (e.g. problem, aim) and epistemological stance. Hence, an inductive thematic strategy both reflects my constructivist stance and allows me to address the research problem/s accordingly.

This section explicates my data analysis strategies. It includes several personal arbitrations I went through in rendering my research findings. First, I relied on the original language of the transcripts. Secondly, I relied on a specific theoretical lens to analyse the data. Lastly, I adopted a thematic analysis technique to describe the data, for which this research employs Braun and Clark's (2006) thematic analysis techniques.

While analytical software can offer much to research, a concern is that it is unable to capture the lively human behaviours aspect of qualitative data (Yin, 2014). As such, I decided to analyse my data manually to understand its broader contexts deeply without being the subject of artificial judgement. I appreciate that it would be beneficial to learn how to use computerised software's to analyse data, but in this stage and with the complex nature of my research inquiry, I preferred the manual data analyses approach.

#### **3.5.4.1 Transcribing the data**

I used Microsoft Word software to transcribe all the interviews in their original language (Arabic). I transcribed every spoken word to reflect the actual atmosphere of every interview and capture much detail. This includes out-of-context conversations, interruptions from third parties and changing of tune. In some cases where I was asked to pause the recording, I would always use my field notes to grasp any important events. During the transcription process, I faced a dilemma in addition to the other associated transcription problems (e.g. time consumption of transcribing and data protection issues), though this one is not well presented in research method and methodology books (e.g. Bryman (2016); Ryan et al. (2002); Saunders et al. (2009); Yin (2014)). This issue concerns translating transcribed interviews.

Braun and Clarke (2016) argue that transcribing interview material is a vital process of conducting research. They say this process is actually an early analysis of data because of its importance within the research process and that it therefore should be diligently conducted. Given its significance, I was aware of the need to get this difficult phase correct. However, as well as common transcription issues there was

an added dimension of concern here coming from all my interviews being conducted in Arabic. I thus faced numerous challenges during the analysis phase in this regard besides the obvious time consumption implications: 1. Can I rely on the original Arabic transcript or should I translate the whole interviews into English prior to analysing them? 2. If I decided to translate the interviews into English, how can I preserve the cultural significance of the data? 3. As some phrases or proverbs cannot be translated accurately, will much of the ‘flavour’ be lost if I decide to translate? The detrimental results of what could be lost in the second and third points were, for me, of much significance. Translating the whole interviews into English would not only fail to add any significant benefit regarding the research aim but also possibly have devastating implications for the accuracy and quality of the data. Indeed, the danger of translating interview material is that it will trigger an epistemological threat as there are grave concerns that the “linguistic and cultural nuances be lost in the process” (Spence et al., 2017, p. 561).

Translating interview manuscripts across languages is thus a problematic process with many such risks, with Ragmi et al. (2010, p. 19) warning that fundamentally “ideas, concepts, and feelings might not always translate exactly from one language to another”. In this study, I sought to experience what happens with translation directly so tried to translate a couple of interviews from Arabic to English. However, I noticed substantial change in their context. I thus sensed that if I translated all the interviews into English for data analysis I risked also losing ethnic meanings and this would both neutralise the cultural character of the findings and ultimately affect the analysis, besides having ethical implications regarding representing participants, their backgrounds and their words accurately.

Andrew et al. (2019) say social studies must be presented using the original language of the studied setting. For them, language is an inseparable aspect of the sociocultural settings, and it is difficult to disagree with this sentiment. Furthermore, the authors add that once the original language is translated, it is then left to the imagination and awareness of the reader to understand the original cultural dimension of the data.

My end decision, then, was to translate only quotations that cited in this study to support my findings. By taking this decision, I have addressed the epistemological

risk of translate all the manuscripts then analysing them. As the sole author of this study, this issue of translation is also part of my ethical code of conduct towards my general audience. I think that translation matter in the academic research is a trust matter lied in the hands of the researcher. Therefore, it must be left to the author's call and judgement.

#### **3.5.4.2 Analysing the data**

The analysis in the case study method is usually wide and uncodified, as it relies on the methodology and objectives of the research (Yin, 2014). However, Braun and Clarke (2006) argue that a clear explanation of the analysis process helps in assessing the methodological and epistemological stances. I think that by explaining my analysis process clearly, I will keep the reader well informed about my analysis choices. Such approach might elicit some critical comments, but I am sure any such queries will be justified sufficiently.

The first stage towards analysing my case study involves outlining my analysis strategy (Yin, 2014) and thus connecting my research objectives, data gathering process, data interpretation and conclusions (findings). Yin's (2014) strategies for analyzing data are based on: theoretical assumption (deductive), theory generating (inductive), building case study understanding and opposition explanation, but Yin's analytical strategies aroused two main concerns in me. First, they are generally constructed with no explicit considerations towards micro details. Secondly, Yin's understanding of pattern analysis contradicts the philosophy of this research, as it tends to adopt a positivistic understanding of research. In contrast, Ryan et al.'s (2002) use of pattern model as an analytical strategy and aligns with this study's philosophy. Also, Braun and Clarke (2006) understand thematic analysis techniques.

#### ***Strategies for analysing the data***

The pattern model of explanation facilitates understanding of the vibrant nature of social phenomena by enabling social empirics to explain the studied social context (Ryan et al., 2002). This analytical strategy says researchers identify patterns within the studied case. It also uses social theory lenses to help researchers, but also to

have such information stimulate further insights into theory and theory in practice, meaning researchers can consequently understand and explain their empirical material. Such an approach of analysis, hence, enables “a two-way interaction between theory and observation” (Ryan et al., 2002, p. 148).

Ryan et al. (2002) talk about theory as providing researcher understanding of the studied problem and it does indeed help one understand the complex nature of social dynamics within a given field, but the authors give few specifics of this process, which is an omission I want to avoid here. In this study I used social science theoretical frameworks to guide me through the analysis phase. Specifically, I adopted several theoretical notions as roadmaps for my analysis to help my understanding of the social complexity of the problem. These notions, relating to Pierre Bourdieu’s practice theory, are called *doxa* and *symbolic violence*. Such theoretical notions assisted my analysis process from coding the data to generating the thematic issues. During this process, I was able to develop a solid connecting between my data and theoretical notions by visiting and revisiting the data continually. Such a process was time consuming and required much effort.

The dependent of external social theory in the analysis process has nevertheless been criticised, including by Ryan. For instance, having social theories direct the thematic process of analysis could somehow make one neglect the need to adopt new ideas (Ryan and Bernard, 2003). Such a criticism somehow makes sense in a way, especially when weak theories are used, but using an external social theory in the analysis phase, the characteristics of the context strengthens the logic of analysis. Suddaby (2014) also says social theories enable a clear illustration of what the reality is supposed to be. In addition, social theories unfold the complex nature of the social world.

Within this research, the rich set of data generated enabled me to understand the practice and characteristics of the Shariah audit field within Kuwait Islamic banks. Employing heavy theoretical notions allowed me to divide the research inquiry into three academic papers. The collected data along with the application of Pierre Bourdieu’s theoretical notions unfolded new meanings and delivered interesting insights into the practices of Shariah auditors in Kuwait Islamic banks. Hence, the

use of social theory in this study offered insightful meanings to the complex field of Shariah audit by assigning meanings to its social features.

### ***Analysis techniques and themes generation***

A thematic analysis is a means of “identifying, analyzing and reporting patterns within data” (Braun and Clark, 2006, p. 79). Generating a thematic pattern relies not only phrase repetition but also factors such as cultural features and underlying social issues (Ryan and Bernard, 2003). In this sense, when conducting a thematic analysis a constructionist could consider hidden features of the data to create social meaning. Such an approach must align with the research aim with the researched context.

Thematic analyses can generate a “wide area” of qualitative textual data for understanding the investigated inquiry (Braun and Clarke, 2006; Ryan and Bernard, 2003). However, although this approach is widely adopted within qualitative research no clear standardised instruction exists for applying it properly (Bryman, 2016). Nevertheless, this lack can be overcome by applying a rigorous theoretical framework (Braun and Clarke, 2006), and the same authors did this themselves in their thematic analysis, which is relevant to this research.

In fact, this study followed Braun and Clarke’s (2006) six stages for conducting a thematic analysis (Figure 3-3), albeit with some slight deviation. When initially strictly following their process, I felt the sequel of thematic analysis these authors used was not appropriate for all research, mine being an example. Despite the authors implying otherwise, for me the six phases should not be sequentially fixed as this order and they can sometimes be applied more effectively in a different sequel. Before looking at how and why my order changed, it is useful to outline Braun and Clarke’s (2006) components in their proposed sequence.

Phase	Description of the process
1. Familiarizing yourself with your data:	Transcribing data (if necessary), reading and re-reading the data, noting down initial ideas.
2. Generating initial codes:	Coding interesting features of the data in a systematic fashion across the entire data set, collating data relevant to each code.
3. Searching for themes:	Collating codes into potential themes, gathering all data relevant to each potential theme.
4. Reviewing themes:	Checking if the themes work in relation to the coded extracts (Level 1) and the entire data set (Level 2), generating a thematic 'map' of the analysis.
5. Defining and naming themes:	Ongoing analysis to refine the specifics of each theme, and the overall story the analysis tells, generating clear definitions and names for each theme.
6. Producing the report:	The final opportunity for analysis. Selection of vivid, compelling extract examples, final analysis of selected extracts, relating back of the analysis to the research question and literature, producing a scholarly report of the analysis.

Figure (3-3): Phases of thematic analysis (Source: Braun and Clark, 2006, p. 87).

The above process, based on the work of Braun and Clark (2006), helped this research construct the overall story of Shariah audit practice in Kuwait Islamic banks. Specifically, three prominent general themes emerged from it that influenced the structure of this overall research, which ended up taking the form of three separate papers. As such, each of the three sub-papers within the overall one has both its main general theme but also relevant themes under this.

In the first paper, the general theme is about understanding “how” Shariah audit practice emerged in Kuwait. Such a simple yet general theme led the paper into analysing multiple related themes to deeply understand the “whys” that led to the main one. Through these aspects, this paper also considers the social and political features surrounding the emergence of Shariah audit practice in Kuwait Islamic banks.

The second paper’s general theme is about understanding “how” social and political structures could play a role in everyday Shariah audit practice in Kuwait Islamic banks. To understand this relationship, I similarly categorised certain data into several related sub-themes, which provide detailed insights into how mundane Shariah audit practice in Kuwait Islamic banks is driven by social and political structures. In other words, the paper studies an audit process that is guided by religious norms and a social and political structures, doing so by also demonstrating an example. This analysis was enabled by carefully sectioning the data into themes using the Braun and Clark six phases of analysis.

In the third and final paper, the main general theme is to understand “how” Shariah audit practice creates and maintains a *doxic* belief within Kuwait Islamic banks. In this it considers how such maintenance is symbolically portrayed in the social space. In other words, this paper relies on seeks to understand “why” Shariah audit practice uses extensive religious symbols (Quranic verses, Hadith, etc.) rather than financial facts and figures like conventional banks do, and it does this mainly via historical annual reports and the Shariah auditors’ interviews that resulted in producing multiple themes.

I have fortunately collected much relevant data through my data collection field. This helped the study to understand the Shariah audit practice in Kuwait Islamic banks thoroughly. But, like any PhD project, it is hard to include all the findings in one research. This is due to the time frame limit and size constraint of the thesis. However, I believe that I was fortunate to have gathered such data which helped in understanding the Shariah audit practice in Kuwait Islamic banks.

### **3.6 Concluding Summary**

This chapter has outlined the philosophical and methodological foundations of the study. It has demonstrated how the research is grounded in an interpretive epistemology while extending toward a critical engagement with power, authority, and social reproduction. By drawing on Burrell and Morgan’s framework, the chapter has situated the study within broader debates in social science research, while also showing how these paradigms can be traversed rather than rigidly applied.

The researcher’s positioning has been presented as both embedded and reflexive, enabling deep engagement with the empirical field while maintaining analytical distance through theoretical mediation. This positioning has been crucial in realising the research aims, particularly in capturing the nuanced and contextually embedded practices of Shariah audit.

Methodologically, the chapter has justified the use of a qualitative, inductive case study approach, aligned with the study’s interpretive and constructivist commitments. The research design, data collection methods, and analytical

strategies have been shown to support a rich and theoretically informed understanding of the field.

Together, the philosophical and methodological choices outlined in this chapter provide a coherent foundation for the empirical analyses that follow. The next chapters build on this foundation to examine the emergence, practice, and consequences of Shariah audit within Kuwaiti Islamic banks.

## **Chapter (4) Paper 1: Audit as a struggle: A case of Power relations and capitals in the context of Shariah audit in Kuwait Islamic Banks**

### **Abstract**

Shariah auditing researchers have primarily been addressing the output of the Shariah auditing process rather than understanding the social and political implications that underpin the production of the Shariah audit field. In relation to Kuwait Islamic Banks, this paper aims to understand the struggles and power relations that the Shariah audit field produces. As it seems in this context, audit practice, which is usually a clear account of objective practices, is a manifestation of power struggle. Such a struggle is evident when the logic of financial audit collides with the logic of Shariah auditing, which involves multiple interpretations. However, the findings show that the social and political orientations of the Shariah audit field in Kuwait Islamic Banks play a significant role in the continuation of such struggle. This paper benefits from three months of data gathering fieldwork, enriched with interviews and secondary data. The data from the fieldwork is analysed using Bourdieu's notions of capitals, struggle, and field of power, which illustrate how the Shariah audit field in Kuwait Islamic banks is a manifestation of power struggle rather than an appearance of objective account of processes and practices of auditing.

**Keywords:** Shariah audit, Islamic Banks, Bourdieu, Power Relation, Struggle, Kuwait.

## 4.1 Introduction

This paper aims to present how audit, in the form of Shariah audit, could be a struggle. A deep understanding of the field of Shariah audit in Kuwait Islamic Banks elaborates upon such an idea. By adopting the Bourdieusian notions of capital and power, this paper argues that the field of Sharia auditing in Kuwait Islamic banks appears to be a manifestation of a power struggle rather than an objective account of processes and practices of auditing. The paper thus first shows how this co-existence is evidenced in annual reports, how this co-existence is unfolded into multiple interpretations by groups of Sharia scholars, and their power struggle implicated in their mobilisation efforts, and, in turn, how such audit process is produced within a field of Shariah multiple interpretations. The paper aims to understand the field of Shariah audit in Kuwaiti Islamic Banks by tracing its emergence and evolution throughout its practice.

This paper builds on and extends critical debates within the Islamic accounting literature, which have long problematised the philosophical tensions underpinning contemporary Islamic financial practices (Ibrahim, 2007; Kamla, 2009; Lewis, 2001; Vinnicombe and Park, 2007). While these foundational studies highlight the contradictions between Islamic ethical principles and the operational logics of modern financial systems, subsequent research has increasingly called for greater attention to how such tensions are enacted and negotiated in practice, particularly within institutional and organisational settings (Kamla, Gallhofer and Haslam, 2006; Napier, 2009; Kamla and Rammal, 2013).

Responding to this call, the present paper shifts the analytical focus from abstract philosophical critique to the empirical constitution of Shariah audit as a social and institutional field. It conceptualises the Shariah audit field in Kuwaiti Islamic banks as a site of ongoing struggle, where multiple interpretations of Shariah law are mobilised, contested, and legitimised by differently positioned actors. In doing so, the paper moves beyond viewing inconsistency in Shariah interpretations as a technical deficiency and instead theorises it as an outcome of deeper social and political dynamics.

By examining how authority, legitimacy, and expertise are constructed within this field, the paper contributes to a growing body of critical scholarship that positions Islamic accounting as a socially embedded and politically mediated practice rather than a purely normative or technical system (Kamla, 2009; Napier, 2009; Kamla and Rammal, 2013). In particular, it highlights how Shariah audit operates as a relational and contested domain in which religious authority is neither fixed nor uniformly applied, but continuously negotiated through practice.

Empirically, the paper addresses a key limitation in the literature, which has been dominated by conceptual and normative discussions, by offering a deeply contextualised case study of Shariah audit in Kuwait. Such case-based analyses remain relatively underdeveloped in Islamic accounting research, particularly those that engage critically with everyday practices and their broader socio-political implications. By foregrounding the lived realities of Shariah audit, this study provides a richer and more nuanced understanding of how Islamic accounting is enacted in practice, thereby advancing both empirical and theoretical debates in the field

The theoretical framework of this paper relies on Pierre Bourdieu's writings on capital, power, and field of struggle. Such theoretical framing positions this paper within the Bourdieusian accounting literature stream. This stream has used the work of Bourdieu on power and struggle in different accounting contexts (Archel et al., 2011; Goddard, 2004; Jayasinghe and Wickramasinghe, 2011; Malsch et al., 2011; Stringfellow et al., 2015; Alawattage, 2011; Cooper and Joyce, 2013; Farjaudon and Morales, 2013). As with such several Bourdieusian's accounting mobilisations, this paper extends such notions into an Islamic accounting context. The paper, therefore, relies on Bourdieu's notions to frame the argument and provide an understanding of the studied context.

This paper analyses the field of Shariah audit practice in Kuwait Islamic Banks. It generates its data from interviews and in-depth observations collected over three months. The paper is advantaged by the access it has gained within the field of Shariah audit in Kuwait. Such access facilitated an understanding of the social and political dynamics of the field. It enables a series of interviews with Shariah auditors and experts.

Additionally, the paper relies on secondary data in its analysis process. This includes newspaper archives, annual reports, and various documents. With such data, this paper was able to conduct a thorough analysis of the social and political roots of the Shariah audit field in Kuwait's Islamic Banks.

The paper contributes to understanding the social and political dynamics of the field of Shariah audit in Kuwait. It presents audit as a struggle within the context of Shariah audit in Kuwait Islamic Banks. Such a case adds to the limited literature on accounting and religion. Additionally, the paper introduces a new dimension of analysis to current Islamic accounting critical studies. The study also contributes to the Bourdieusian accounting perspective. It employs concepts of power and struggle to demonstrate how Shariah-based audit shapes and produces conflicts as it functions.

The paper consists of eight sections hereafter. It presents a literature review of the Shariah auditing debates. It also reviews writings on the process of Shariah interpretation. Then, the paper introduces the theoretical notions of Bourdieu adopted in this study. The next section explains the data gathering methods. Subsequently, the paper discusses the Shariah audit field within the context of Kuwaiti Islamic banks. This is followed by an empirical analysis of the Shariah audit struggles in Kuwait's Islamic Banks. Section six analyses the field of Shariah auditing in Kuwaiti Islamic Banks. This section is then followed by a discussion on auditing as a struggle. The final section offers concluding remarks, along with the limitations of the study and suggestions for future research.

#### **4.2 Co-existence and multiple interpretation: A literature review**

Civil statutory laws mainly regulate Islamic banks. Such regulations contradict with the essence of Shariah law (Islamic Law). Lewis (2001) argues that accounting, if practised under Shariah law, must look like as much an act of devotion as prayer. He believes that the current Islamic accounting and auditing conceptual framework is merely a Western practice imposed on an irrelevant domain. Such a framework contradicts significantly with the sanctity of Islam at large. Kamla and Haque (2018) believe that “from Islamic theoretical perspective, accounting should build on Islamic principles to serve broader social roles, provide holistic, multidisciplinary and religious perspectives of organisations”. Islam must rely on its core fundamental

concepts such as *Hisba* (social accountability); *Umma* (community principles); *Tawheed* (Unity); *Khalifa* (Stewardship) “and the holistic approach towards life and nature” to develop a unique Islamic accounting and auditing approach (Kamla, Galhofer & Haslam, 2006; Lewis, 2001; Tinker, 2004; Riaz et al. 2023).

The primary goal of accounting and auditing in Islam is to fulfil one’s obligations to Allah, society, and the environment (Kamla, 2009; Mukhalisin, 2016). These obligations are met by embracing the Islamic principles of Adl (justice) and falah (the path to success), rather than depending on the Western capitalist accounting system - a system that, as noted, conflicts with Islamic fundamentals and moral principles, since it relies on business morality and private morality as its foundation (Gambling and Karim, 1991). Therefore, the current approach to Islamic accounting and auditing is essentially a mixture of conflicting philosophical ideas (Ibrahim, 2007; Kamla, 2009; Lewis, 2001; Vinnicombe and Park, 2007). It is a combination of Anglo-American accounting logic, which is superficially cleansed of its faults but still remains tainted.

#### **4.2.1 Shariah audit research**

Conventional accounting practices are philosophically inappropriate for Islamic financial institutions. Put, the essence of the former conflicts with Islamic principles, is inappropriate to the objectives of Islamic accounting, and lacks focus on the social and economic goals of Islam (Hamid et al., 1993).

Despite the philosophical gaps between the two systems, Islamic Banks are still riding the Western approach of accounting and auditing. As most Muslim countries were at one point in time either colonised or under a protection treaty (Napier, 2009). This has resulted in a two-sided dilemma: should Islam accommodate the technological, social, and political advances related to the West, or should it revive the Islamic Renaissance by resisting the Western ideologies embedded in its culture (Napier, 2009)? Such a dilemma rested for decades until 1981, when Abdel-Magid (1981) called for a theoretical approach that accommodates Islamic accounting practice in Islamic Banks.

Since Abdel-Magid's initiative, Napier (2009) suggests that Islamic accounting and auditing literature has fallen into three categories. The first focuses on general debates that call for a distinct Islamic accounting system to be created and discusses a general view of what Islamic accounting should entail. The author argues that most of this literature is descriptive (e.g., Hamid et al., 1993; Adnan and Gaffikin, 1997; Baydoun and Willet, 2000; Mirza and Baydoun, 2000; Sulaiman, 2000; Lewis, 2001; Hannifa and Hudaib, 2002).

The second strand of the literature examines accounting treatments for Islamic banking products, focusing on the extent to which these products diverge from or replicate conventional Western financial instruments. While Islamic finance is formally grounded in Shariah principles—such as the prohibition of interest (*riba*), the emphasis on risk-sharing, and the ethical orientation towards social justice—many scholars argue that, in practice, Islamic banking products often mirror the economic substance of their Western counterparts, albeit through different contractual forms (Archer and Karim, 2001; Heikal, 1989; Al-Obaji, 1989). This has generated an ongoing debate as to whether such products genuinely embody an alternative financial logic or merely repackage conventional practices within a Shariah-compliant structure. From an accounting perspective, this tension raises a fundamental question: should Islamic financial transactions be accounted for using conventional frameworks that prioritise economic substance and comparability, or should they be governed by distinct Islamic accounting principles derived from religious doctrine and ethical considerations? Much of this literature is critical of the limited originality of Islamic banking products, arguing that their close alignment with Western financial logic undermines the development of a truly Islamic accounting system. Consequently, it calls for a reorientation of accounting and auditing practices towards Islamic epistemological foundations, where Shariah principles are not simply overlaid onto existing systems but serve as the primary basis for financial representation and accountability.

The third body of Islamic accounting research addresses issues of regulations, primarily considering the Accounting and Auditing Organisation for Islamic Financial Institutions (AAOIFI) as an active body that promotes and maintains Shariah standards for Islamic financial institutions worldwide. To issue pure Islamic

Accounting, Auditing, Governance, Ethics, and Shariah standards, the AAOIFI was established in 1991 in the State of Bahrain. AAOIFI is endorsed by Islamic Financial Institutions, Central Banks, regulatory bodies, and accounting and auditing firms from more than 40 countries. Its vision is to harmonise accounting, auditing, and Shariah practice in Islamic financial institutions globally (AAOIFI, 2019). However, with more than 100 Islamic standards, the Islamic Banking industry remains far from harmonisation. Karim (2001) blames the supervisory authorities for their differing methods of regulating Islamic Banks. He illustrates that national legislations dominate the financial market and do not incorporate the uniqueness of Islamic banks' identity. that various countries have adopted three approaches to regulating Islamic banking (figure 4-1), and that, with these differences, harmonisation is consequently far from reality.

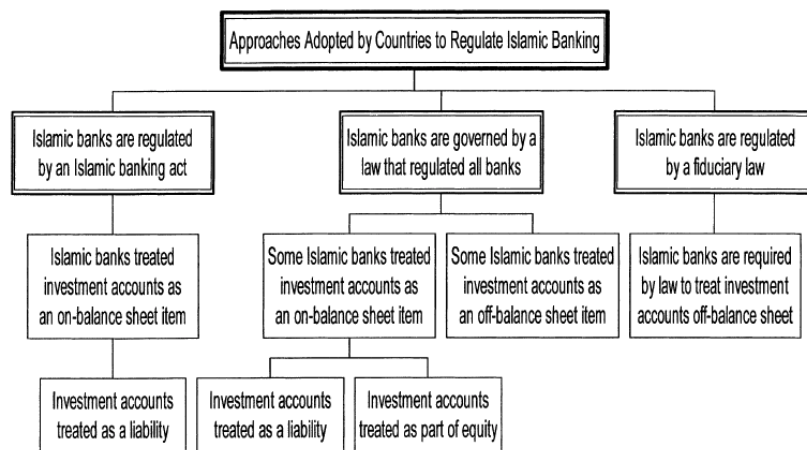


Figure 4-1 The Three Approaches Adopted by Countries to Regulate Islamic Banking (source: Karim, 2001)

These three approaches to regulating the Islamic Banking industry indicate that countries struggle to situate this religious entity, as is evident in their treatment of such banks. Some countries treat Islamic Banks as unique institutions that require a distinct set of regulations that suit their religious identity (e.g. Kuwait). In contrast, other nations have decided that since Islamic banks provide banking products, they should be governed like any local conventional bank, which suggests that Islamic Banks must adhere to regulations, even if they violate Shariah law. Between those two approaches lies another model of Islamic Banking regulation whereby Islamic

Banks are regulated according to a fiduciary law. With these different approaches to governing Islamic Banks, the shape and logic of such an institution differ significantly among jurisdictions. While all of them seemingly carry the same name, institutionally they diverge. This affects the adopted accounting and auditing practices, as well as Shariah governance. Some countries restrict Islamic banks from governing according to Shariah, while others grant absolute freedom in this regard. Such inconsistency in this industry combines capitalist financial practices with Islamic fundamentals. Many are 'Islamic banks' in name only.

In this sense, the co-existence of Islamic accounting and auditing philosophy with Western accounting practice formulates its logical conclusions. Contested power relations in the Islamic banking field likely result from these different but competing logics. Regardless of the space of such competition, a struggle to dominate always manifests, even if, as noted, much accounting research has hitherto omitted it - that is, until now.

When Islamic banks undergo both financial and religious, or Shariah, audits, each of these processes is performed by different experts (Shariah auditors and financial auditors), occurs under different philosophical backgrounds and serves goals unrelated to those of their audit counterpart. Internal auditors and external audit firms perform the financial audit. These assess and assure that the financial statements are in line with international accounting standards and national regulatory requirements, a process that distinguishes between Islamic and conventional banks, reflecting solely a financial opinion. Thus, the financial audit assesses the financial aspect of Islamic banks and is not concerned with the Islamic element.

On the other side, the Islamic, or Shariah, audit is concerned with the Islamic legitimacy of the bank's transactions in terms of the Bank's Islamic identity. As these banks are established exclusively to provide Islamic financial products, they must comply with Shariah law. However, Shariah law is not a unified written code and is

without clear financial rules and regulations. It is derived primarily from two Islamic sources: the Quran and the Sunnah<sup>3</sup>.

Shariah law is one of the three elements of Islam: *aqida* (faith and belief), *akhlaq* (moral and ethical principles), and *Shariah* (practices and activities) (See Figure 4-2) (Kettell, 2008). It frames the practical aspects of Muslims' mundane life and focuses on two key features of Islam: *ibadat* (worship directed towards Allah) and *muamalat* (interactions between individuals). The latter, man-to-man activities further divides into three paths: political, social, and economic activities (Kettell, 2008).

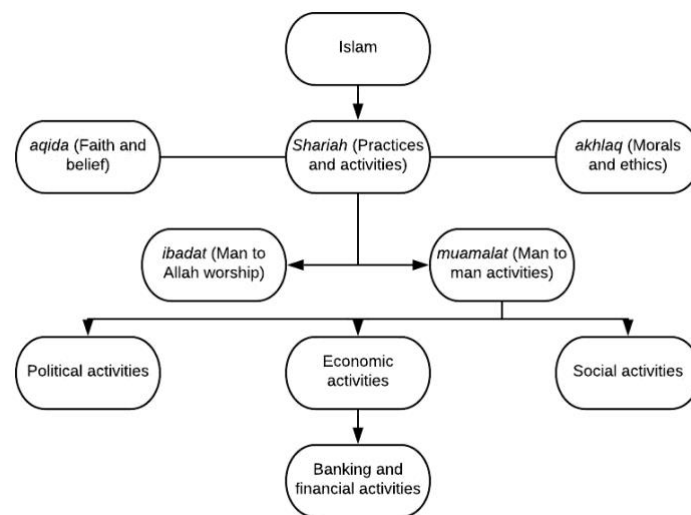


Figure 4-2: Islam's components (Source: Kettell, 2008).

This religious system is driven by its two primary sources of Shariah law: Quran and Sunna. Shariah law is primarily derived from the Quran; hence, it is the primary source of Islamic law. In addition, Sunna - the sayings and doings of the Prophet Muhammad (PBUH) - is the second source of Shariah law. It explains the profound meanings of the Quran (Kureshi and Hayat, 2015). Both sources are used to construct numerous Islamic regulations from different perspectives (e.g. Sunni, Shia).

<sup>3</sup> Sunnah means the way of the Prophet Muhammad (peace and blessings be upon him). It includes everything he said, did, and approved of

However, amid the modern complexities in social, political, and economic spheres of Muslim societies, Shariah scholars must interpret Shariah law to address the emerging problems from an Islamic perspective. In other words, Islamic societies are facing contemporary issues that are not discussed in the 1400-year-old Quran or Sunnah<sup>4</sup>. To address such issues, Shariah must provide solutions that cater to the religious and secular aspects of Muslim societies, and this requires an interpretation of the two primary sources of texts. Such a dilemma is reflected in the everyday life of Muslims. Given the lack of literature addressing this struggle from a social construction perspective, this study contributes to filling this gap and furthering our understanding of it in both practical and theoretical dimensions.

#### **4.2.2 Interpreting Shariah law: The struggle of multiple interpretations**

The process of interpreting Sharia law (Islamic law) is built upon the epistemological and ontological stance of Islam. Muslims, in general and Shariah scholars in particular, believe that Allah is the one and only God, and as the creator of the universe, Allah is the source of all knowledge. This concept is called *tawhid*, which signifies the Oneness of God and the Oneness of Knowledge (episteme). Choudhury and Hoque (2006) believe that Islamic epistemology is derived from this faith-based model embodied within Islamic characteristic view, which is built upon *tawhid* epistemology.

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<sup>4</sup> Sunnah means the way of the Prophet Muhammad (peace and blessings be upon him). It includes everything he said, did, and approved of.

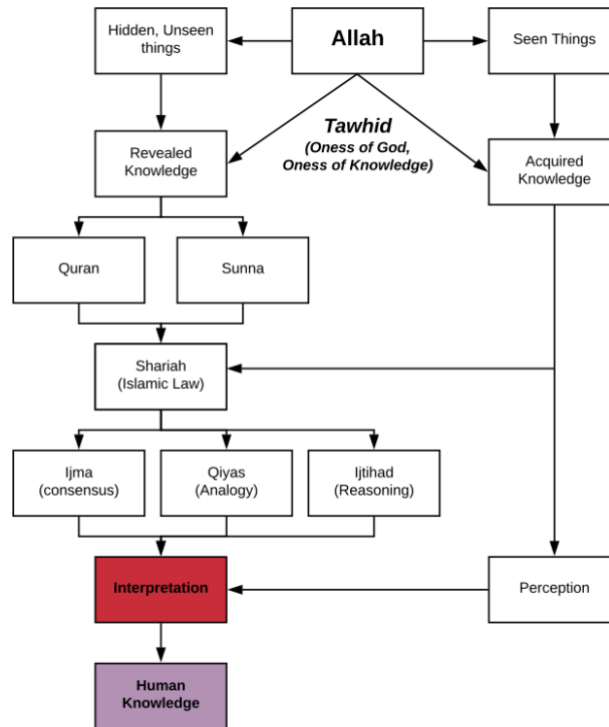


Figure 4-3: The process of interpretation in Shariah law (Source: this study)

Figure 4-3 illustrates the secondary sources of Shariah Law: *ijma* (consensus), *qiyas* (Analogy), and *ijtihad* (Reasoning). Those sources rely on the interpretation of Muslim scholars on matters not mentioned in the Quran and Sunna. In other words, the Quran and Sunna present the religious framework of Muslims' lives, but on specific matters, such as Islamic banking issues, this framework needs interpretation to address modern religious concerns (Kureshi and Hayat, 2015). Diverse contextual factors can aggravate this issue. As Muslims are spread around the world, groups of Muslims live in different countries, speak other languages, and are culturally diverse. Such significant diversification creates a different perception towards Islam as a whole. For example, Arab speaking Muslim nations find it easier to understand Quran and Sunna since Islam was revealed in Arabic. Inversely, a non-Arabic speaking Muslim continent must either learn Arabic to understand it let alone interpret it or read these sources published in another language, both of which bring inevitable translation issues.

Such diversification towards Islam spawned numerous Islamic schools of thoughts, which eventually yielded different interpretations of Quran and Sunna. These

primary sources of Shariah law, Quran and Sunnah<sup>5</sup>, guide Muslims and their lives. However, the cultural diversity of the Muslim world means that people from every continent seek answers to their religious questions. It is in such instances that Muslim scholars utilise their Islamic interpretive tools of *ijma* (consensus), *qiyas* (analogy), and *ijtihad* (reasoning) to provide answers.

Given the high volume of Islamic inquiries, Shariah scholars began prescribing their opinions in books and manuscripts, which serve as secondary sources of Shariah law (Warde, 2010). Interpretations varied across continents and jurisdictions, and Islamic scholars have disagreed on the degree of accuracy and thus the importance of many creeds within Islam. Hence, several Islamic schools of thought emerged, with each trying to impose its Shariah law onto all Muslims without addressing the cultural dimensions of every continent of the Islamic world (Shepard, 1987).

The four leading Shariah schools of thought within the Sunni tradition are Hanbali, Maliki, Hanafi and Shafii. In theory, every Sunni Muslim follows one of these schools as a source of Shariah law (Shia Muslims have their school of thought). During the classical Islamic age, Islamic judges in major Islamic cities would adopt one of the four schools of thought to fill gaps where Quran and Sunna are vague. As the years advanced, each school of thought found a jurisdiction that favours its opinions on Shariah law. For instance, the Hanbali school of thought is concentrated in Saudi Arabia. In contrast, the Maliki school is favoured in North and West Africa, and the Shafii school dominates Shariah law understandings in Malaysia, Indonesia, and segments of Egypt (Heer, 1990; Hallaq, 1997; Weeramantry, 1988). Importantly, however, it is not within the scope of this research to present the interpretation methodologies that each Islamic school of thought adopts; instead, it aims to provide a brief description of how multiple interpretations of the divine texts of Islam produce struggles in the social, political, and economic spheres.

As religious institutions, Islamic banks appoint Shariah scholars to act as independent Shariah Auditors to undertake Shariah audit practices. These scholars aim to produce Shariah law interpretations of the Islamic texts in relation to the financial realities of Islamic banks. Such scholars thus serve as mediums between the two primary

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<sup>5</sup> Sunnah means the way of the Prophet Muhammad (peace and blessings be upon him). It includes everything he said, did, and approved of

sources of Shariah law and Islamic banks. The board could be a formation of Shariah experts that perceive and monitor the Islamic banks' mundane financial transactions.

The Shariah audit board is a key and distinctive feature of Islamic banks. Structurally, however, it represents the only difference between an Islamic bank and a conventional bank (see Figure 4-4). Its members include Shariah scholars and clerics who are specialists in Islamic law; however, the qualifications of such board members are unclear due to a lack of regulation. Indeed, the standards for appointing such members vary not only from country to country but also sometimes even from bank to bank within the same jurisdiction. This inconsistency is nevertheless consistent with the multiple interpretations such board members produce.

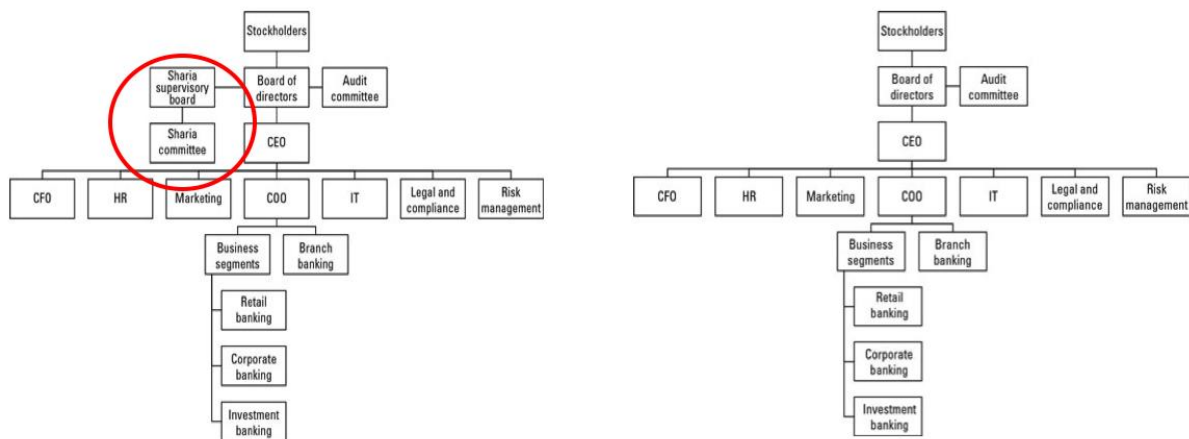


Figure 4-4: Islamic bank structure vs conventional bank structure (Source: This study)

Shariah auditing reports are an integral element of Islamic banks' annual reports (often situated in the early pages) that contain the opinion of Shariah auditors on a bank's Islamic compliance. It promotes the opinion of the external Shariah audit board regarding the extent to which an Islamic bank and its operations comply with Shariah law. By maintaining a valid Shariah report, a bank can continue to promote Islamic financial products, and it is this report that conveys a bank's Shariah validity to a broad audience. As this report becomes a public record and serves as a means of holding Islamic banks accountable, such banks do not want to risk violating Shariah values in a way that results in a negative audit opinion, although, as noted, much of this involves interpretation.

The Shariah auditing literature is under-researched yet poses some fertile issues for debate. And with the apparent inconsistency, such a field is worth discovering. Most of the literature in this area focuses on general debates about what Islamic accounting should entail. Other studies focus on the innovation of Islamic banking products. Such innovation includes new vision of Islamic auditing practices. The final avenue of study examines the role of AAOIFI in developing consistent Islamic accounting, auditing, and governance standards. All the mentioned literature has contributed to our understanding of the Shariah Auditing concept. However, little is known about the Shariah audit process in Islamic banks and how it can produce an audit opinion without being subject to capitalist pressure. Such inquiries require clarification from those who are involved in this field. Therefore, this paper aims to show that instead of being an objective account of processes and practices of independent Shariah audits, the Shariah audit field is a field of power relations where the co-existence of audits and multiple interpretations of Shariah law poses as the unknown reality of such a field.

Prior literature has not presented the social construction of the Shariah audit, and thus has neglected how such a field is subjected to multiple interpretations of Shariah law, overlooking profound developments and failing to capture the accurate insights required for a deep understanding. This research addresses this gap by conducting a thorough investigation into the Shariah audit field in Kuwaiti Islamic banks, drawing on insights from those immersed in it and responsible for interpreting Islamic texts related to bank practices, as well as those who make decisions regarding all such matters. This field has been chosen to understand the effects multiple interpretations of Shariah law have on the practice of Shariah auditing, particularly and Islamic banks as a whole. To facilitate understanding in this field, the study uses a theoretical framework which is described in the next section.

#### **4.3 Capitals, field of power and practice: Theoretical framing**

Social reality, in Bourdieu's understanding, accommodates two social origins. One concerns the schemes of recognition, beliefs and dispositions that establish what he calls *habitus*. *Habitus* occupies and structures the *field* of power by generating groups/classes (Bourdieu, 1989). For Bourdieu, power and domination are achieved

in the political economy reality through everyday practices. It is the relationship between materialism and symbolic dimensions, in the sense of the objective versus subjective aspects of social life.

Bourdieu understands social form as fundamental to society, as it shapes social reality by fostering the cognitive and objective structures of social agents. Thus, it creates and forms social reality. Such understanding is vital to this paper, which reflects on both dimensions to analyse the proposed social reality (Swartz, 1997).

Bourdieu connects the socialised body and the social arena's organisational logic through theoretical concepts, which also collaborate to develop an understanding of both the social body and the logic of the field in which they operate, as well as the field's logic of practice. Figure (4-5) outlines my conceptualisation of Bourdieu's field of power. Such a mobilisation captures the practice of Shariah audit in Kuwait Islamic banks.

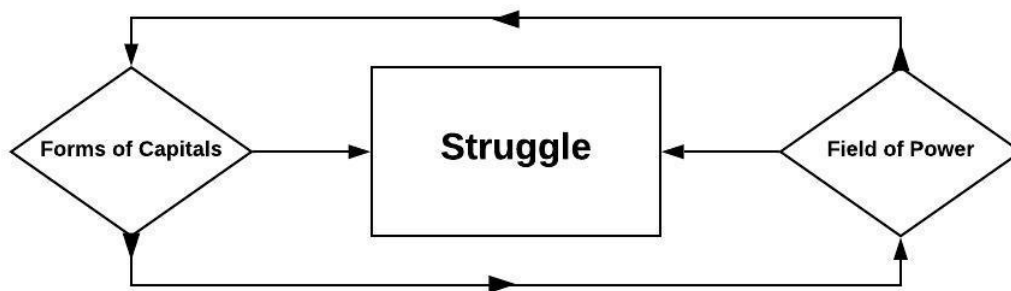


Figure 4-5: Bourdieu's field of struggle and power (Source: this study)

Bourdieu (1995) sees 'field' as an arena where domination is contested and struggle as an ongoing battle for such hegemony. The dynamics of the field require social agents to acquire different forms of capital in their quest for power and domination.

### 3.3.1 Forms of capital

"Capital does not exist and functions except in relation to a field" (Bourdieu and Wacquant, 1992, p. 101). Capital is accumulated labour, both in embodied and material forms (Bourdieu, 1986). Embodied forms of capital can be felt rather than seen, and examples include reputation, knowledge and social settings, whereas

material capital is tangible and tradable, and this type includes forms such as money or any sort of tangible asset. Social agents are mainly positioned in fields according to the volume of capital available to them, and domination over fields is achieved according to capital accumulation among agents in a given field. According to Bourdieu, then, *capital* refers to generalised resources that constitute various types of capital, and as noted, these include both non-monetary and monetary, as well as tangible and intangible forms. Specifically, Bourdieu notes the following kinds of *capital*.

#### 4.3.1.1 Cultural capital

Bourdieu (1986) categorises cultural capital into three types: institutionalised, objectified, and embodied. *Cultural capital* within the embodied state constitutes the long-term disposition of the mind and body. It also involves the “ensemble of cultivated dispositions that are internalised by the individual through socialisation and that constitute schemes of appreciation and understanding” (Swartz, 1997, p. 76). Nearly all *cultural capital* features within the embodied state relate to the body and presuppose embodiment; hence, *capital* accumulation begins from early childhood and takes place during the embodiment process vis-à-vis culture, cultivation, and education. *Cultural capital* within the object state refers to an object in the form of cultural goods such as writing, painting, artwork and monuments. These cultural goods require specific cultural capabilities to facilitate engagement with them (Bourdieu, 1986). *Cultural capital* within the institutionalised state refers to the educational credential system (Swartz, 1997).

*Cultural capital*, unlike *economic capital*, is not universal or stable. The accumulation of *cultural capital* may be weakened by criticism and suspicion, which makes it unstable. Furthermore, whereas *economic capital* can be passed on to another generation (intergenerational transmission, such as within a family), *cultural capital* cannot be negotiated. In sum, it is much easier to manage *economic capital* than cultural capital, because the former can be calculated, transmitted and conserved.

Shariah auditors share a clear cultural capital: their religious education enables them to interpret and understand Shariah laws. This type of education enhances the

cultural capital of Shariah auditors, particularly when all of them hold a PhD in Shariah Studies.

#### 4.3.1.2 Economic Capital

Economic capital (e.g. financial resources, income and various assets) can be directly and immediately changed into money (Bourdieu, 1986) but gets its institutional appearance in property rights (Anheir et al., 1995). It is considered, in Bourdieu's context, the foundation of other types of capital since it enables access to other essential resources within the aggressive social field (Silva and Edward, 2004). An empirical examination of American society reveals that *economic capital* is relevant to social power, thereby supporting the idea that agents' positions within the social arena are influenced by *their possession of financial capital*. Notably, Shariah auditors financially benefit from their position in the field. In the Islamic banking sector, this is particularly true, as relatively few institutions dominate the entire industry.

#### 4.3.1.3 Symbolic capital

*Symbolic capital* is fundamentally a disguised or transformed physical and *economic capital* (Bourdieu, 1977). Bourdieu also talks about it as “*capital*-in whatever form-insofar as it is represented, i.e., apprehended symbolically, in a relationship of knowledge or, more precisely, of misrecognition and recognition” (Bourdieu, 1986, p. 56). According to Bourdieu, *symbolic capital* is the negation of economic capital and is understood not as a power but as a lawful type of recognition, service and defence to others as well as obedience. The concept of *symbolic capital* remains applicable and relevant in modern-day societies because businesses require some honorific justifications for their activities (Swartz, 1997).

The symbolic capital of Shariah auditors is evident. Their religious status within society affords them privileges. These auditors consider themselves to be a connection between God and society, and as a bridge between Shariah law and its interpretation. This median role their religious power gives/allocates/provides them shapes their *symbolic capital* in the field.

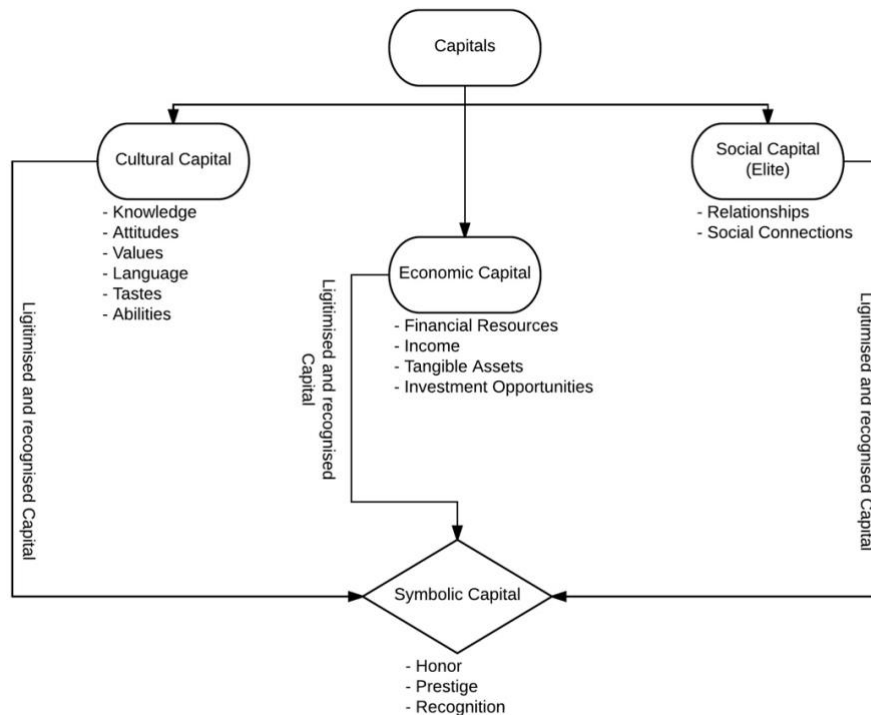


Figure 4-6: The different types of capital (Source: Author, Based on Bourdieu's notions)

Figure 4-6 illustrates the various types of capital among social agents in the field, and it shows the legitimation stage at which capitals take on their symbolic form.

As previously discussed, a *field* is a multi-dimensional and dynamic social space that ought to be viewed as a battlefield, where actors compete in a game about moving towards *capital* accumulation. Agents then exploit the various types of *capital* to heighten or maintain their relative position within a *field*, which generates *capital* that becomes a “social relation to power” (Swartz, 1997, p. 117). As such, identifying the most efficient and consequential types of *capital* increases a player's chances in a specific competitive game (Bourdieu, 1987). The various forms of *capital* are interconnected (Portes, 1998), so agents can maximise their *social capital* to gain direct access to different kinds of economic resources, including investment opportunities, customers, and subsidised loans. Additionally, *cultural capital* can be enhanced by players forming connections with professionals who embody *cultural capital* or through their affiliations with other institutions that confer value credentials, leading to institutionalised *cultural capital*.

Although all conversions in every situation will not be the same, different kinds of capital can also be interconverted (Swartz, 1997). Economic capital, in most cases, can be easily converted into *social* and *cultural* capital, but not vice versa. Most goods and services can be obtained immediately and directly with *economic capital*, although in specific situations, goods and services are also available through *social* and *cultural* capital. So while social and cultural networks are regarded as *capital*, the footing is not equivalent to property and money of economic capital because each capital symbolises its own dynamics to economic exchange (Portes, 1998). This means that converting *social capital* into financial *capital* usually is more expensive and contingent.

Additionally, *social capital* acquisition is necessary for individuals to invest in both economic and cultural resources. Nevertheless, *social* and *cultural* capital cannot be easily reduced into financial *capital*. Several transactions that involve *social capital* are characterised by less transparency and more uncertainty, like unspecific obligations and uncertain time horizons (Anheir et al., 1995). Moreover, despite social capital and cultural capital being comparatively close, converting *cultural capital* into *social capital* is much easier than vice versa (Anheir et al., 1995).

#### 4.3.2 Field of power

As Bourdieu articulates, any field can be conceptualised as a structure of interactions among not the social agents themselves but rather the social positions these agents hold within the field (Bourdieu, 1993). The contestation of power occurs according to the given position of a social agent and is about domination, resources and stakes within their given field (Emirbayer and Johnson, 2008).

Bourdieu first used the term "field" in his article "*Champ intellectuel et project créateur*". Thus, "*field*" (also called *le champ*) in this context refers to a given piece of land, encompassing knowledge of both the *field* and the battlefield. Bourdieu uses the term as a spatial sociology metaphor, which he defines as: "a network or configuration of objective relations between positions. These positions are objectively defined, in their existence and in the determinations they impose upon their occupants, agents or institutions, by their present and potential situation

(situs) in the structure of the distribution of species of power (or capital) whose possession command access to the specific profit that are at stake in the field, as well as by their objective relation to other position.” (Bourdieu and Wacquant, 1992, p. 97).

In sum, a *field* is a type of social space and, concurrently, a space of conflict and competition wherein struggles happen for resources and value accumulation (Bourdieu and Wacquant, 1992). Thus, every social practice must be understood as a competitive game or a *field* of struggle in which the agent imposes specific strategies to enhance or maintain their standing within that field (Maton, 2008). For Bourdieu, the sphere of life encompasses various social fields, including education, religion, politics, and bureaucracies. Each *field* has its own predictable, patterned and regular practices, together with its history, lore and rules as well as unique practice logic (Thomson, 2008). Bourdieu employs the term "*field*" to broaden the range of possible factors that determine behaviour, rather than confining it to specific activity areas (Swartz, 1997). Figure 4-7 illustrates the field of power that Bourdieu asserts struggle could be founded to reach domination (Bourdieu, 1992).

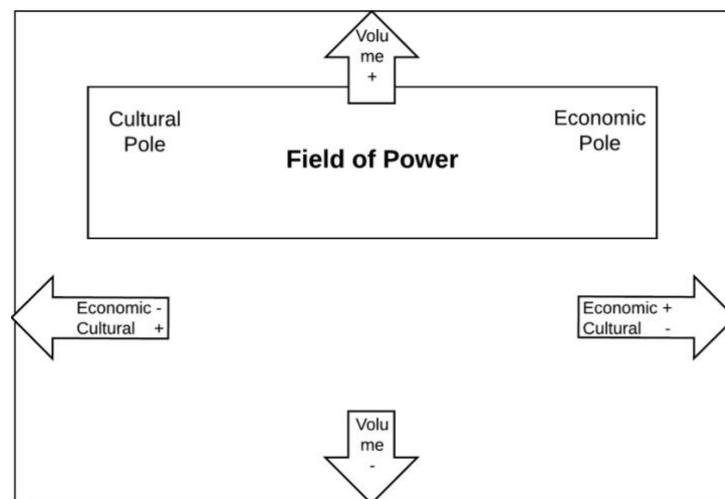


Figure 4-7 Bourdieu’s field of power (Source: Bourdieu, 1992, p. 178)

The Shariah audit field, like any other field, has its own rules and functions. The notion of *field*, as used by Bourdieu in this section, will facilitate an understanding of the field players and their roles, and consequently help recognise participants’ positions and their accumulated social power. However, as noted, every field,

regardless of its size, has its own rules and regulations. Still, another perspective from this comes from the fact that each field is basically a social construction, so social actors will harbour different capitals that help them survive in such a field to varying degrees. The next section will therefore introduce the concept of capital from Bourdieu's perspective.

### **4.3.3 The production of struggle**

As demonstrated, a social field of practice hosts a competitive game wherein social agents struggle for domination or to preserve their position. In it, players try strategically to maximise their situations. The ongoing dynamic of the field forces participants to use their dispositions and resources according to the rules of the game. Such resources represent the value of accumulated capital among social agents in a social field, which generates and operates the notion of struggle (Bourdieu and Wacquant, 1992). Central to Bourdieu's theory, then, is that fields are sites of struggle.

Indeed, a social field generates struggle between social agents who have different degrees of capital, but the various shapes of social fields mean that the struggle is not confined to or ruled by it; instead, it simply follows the logic of the field. Examples include the struggle between elite and avant-garde and populist forms in literature (Bourdieu, 1996a); between family photograph art and gallery art (Bourdieu et al., 1990); and between arts and science in academic disciplines (Bourdieu, 2004b). The struggle to dominate social fields is nothing but a reflection of the consumption of power in the form of capital. Therefore, as social agents are eager to dominate, struggle will always in some way be visible in the field of power. The notion of such struggle is to be captured according to the logic of the field.

Bourdieu argues that struggle is only one of many fields' concepts and that "to see fully everything that separates the concepts of field and system, one must put them to work and compare them via the empirical objects they produce" (Bourdieu and Wacquant, 1992a, p. 104).

#### 4.3.4 Operationalising the Theoretical Framework in this Study

Rather than positioning Bourdieusian concepts within accounting research in general terms, this study mobilises them as a tightly integrated analytical framework through which the empirical reality of Shariah audit is made intelligible. The concepts of field, capital, habitus, field of power, doxa, and symbolic violence are not treated as abstract descriptors but as relational devices that structure the analysis across the thesis. In doing so, the study moves from merely invoking theory to actively *using* it to explain how Shariah audit is constituted, enacted, and made consequential.

The study begins by conceptualising Shariah audit as a *field*: a structured social space in which actors occupy positions defined by differential access to forms of capital. This framing allows the analysis to move beyond viewing Shariah audit as a technical mechanism and instead examine it as a site of struggle over authority and legitimacy. The first empirical paper operationalises this by analysing how Shariah auditors, financial auditors, and organisational actors compete to define audit scope, evidence, and jurisdiction. In this context, the *field of power* becomes analytically central, as it captures how religious authority is positioned relative to professional and organisational forms of control. The field perspective therefore establishes Shariah audit as an inherently contested and relational domain rather than a stable institutional arrangement.

The concept of *capital* provides the mechanism through which these struggles are empirically traced and explained. Authority within the field is not assumed but produced through the mobilisation and recognition of different forms of capital—particularly symbolic (religious legitimacy), cultural (professional expertise), and social (networks and affiliations). By analysing how these capitals are accumulated, converted, and deployed, the study shows that dominance within Shariah audit is continuously negotiated rather than structurally guaranteed. This shifts the analysis from static descriptions of authority to a dynamic account of how legitimacy is actively constructed within the field.

While the first paper foregrounds structure and contestation, the second paper operationalises *habitus* to analyse the everyday enactment of Shariah audit. Habitus

captures how audit practices are performed through embodied dispositions rather than explicit rule-following, particularly in a context where interpretive judgement is central. Through this lens, routine practices—reviews, consultations, and evaluations—are understood as socially conditioned yet practically enacted responses to field conditions. The concept therefore links micro-level actions to broader structural dynamics, showing how the field is reproduced through practice without requiring conscious coordination.

The third paper extends this analytical trajectory by mobilising *doxa* and *symbolic violence* to examine how Shariah audit becomes stabilised and taken for granted. These concepts explain how particular interpretations of Shariah acquire legitimacy not through formal codification alone, but through processes of recognition and misrecognition that render them unquestionable. Symbolic violence operates as these dominant interpretations are internalised, while doxa limits the visibility of alternatives. This shifts the analysis from how Shariah audit operates to how it secures compliance and legitimacy, revealing its role as a subtle but powerful mechanism of governance.

Taken together, these concepts form a cumulative analytical progression across the thesis—from field and struggle to *practice and reproduction*, to *legitimation and effects*. This progression is deliberately embedded in the structure of the three papers, enabling the study to build a layered explanation of Shariah audit as a socially organised and evolving phenomenon. The theoretical framework therefore does not function as a background lens but as the organising logic through which the empirical narrative is constructed.

This theoretical operationalisation directly informs the methodological design of the study. A qualitative case study approach is adopted because the concepts employed—particularly habitus, symbolic power, and doxa—require access to meanings, interpretations, and situated practices. Semi-structured interviews enable engagement with how actors understand and perform Shariah audit, while archival materials capture how these practices are formalised and represented. The methodology is thus aligned with the theoretical framework in its emphasis on depth, context, and relational understanding.

Finally, the analysis proceeds through an iterative engagement between data and theory, reflecting the relational and non-deterministic nature of Bourdieusian inquiry. Theoretical concepts are used as sensitising devices that guide interpretation while remaining responsive to empirical complexity. This ensures that the findings are both grounded in practice and theoretically informed. In this way, the framework becomes constitutive of the research process itself, enabling the thesis to deliver a coherent and compelling account of Shariah audit as a field of power, practice, and legitimacy.

### **3.4 Research method**

This research paper adopts a case study approach of inquiry, with its data generation process orienting towards qualitative methods in the form of semi-structured interviews and archival data. The concern is Shariah audit practice in Kuwaiti Islamic banks, and this is addressed through a narrative analysis approach to understand the socio-political context of such a case. The qualitative path taken herein tends to shed light on the political and social construction of Shariah auditing in the context of Islamic banking in Kuwait, for as Mason (2002, p. 1) says it is through qualitative research that people “can explore a wide array of dimensions of the social world, including the texture and weave of everyday life, the understandings, experiences and imaginings of our research participants, the ways that social processes, institutions, discourses or relationships work, and the significance of the meanings that they generate”.

A qualitative case study appreciates the social reality of a given phenomenon and engages in deep involvement to understand its multiple dimensions. As noted, it also values the human behavioural element as a driver of the social world and, therefore, conducts ‘how’ and ‘why’ inquiries (Parker, 2012; Scapens, 2008; Yin, 2013). As a qualitative researcher, I believe that the world is socially constructed and is the place where cultural dimensions generate meanings about everyday behaviour. Notably, generalising meanings and findings is not a concern of this case study qualitative paper. Parker (2012) suggests that a qualitative researcher must focus on generating new contextual meanings and theorise such findings to widen the theoretical lens. He thinks that qualitative research unpacks cultural embodied

realities that associate human behaviour with the production of the unique and different.

This research aims to understand the socio-political dynamics that facilitated the emergence of Islamic Ideologies in the development of Shariah auditing in Kuwaiti banks. To attain such understanding, data gathering methods must target the appropriate participants, documents and materials. The targeted source for primary data is mainly Shariah auditors of Kuwait Islamic banks (who also provide *fatwas*<sup>6</sup> (religious opinions) to the broader public, besides their auditing role). To analyse socio-political historical events, a narrative approach of analysis is adopted. As Creswell and Poth (2018) note, “Narrative stories are gathered through many different forms of data, such as through interviews.”

Interviews were conducted with three groups of participants: current Shariah audit board members of Kuwait Islamic banks, former Shariah audit board members of Kuwait Islamic banks and experts in the development of the Kuwait Islamic banking field. I designed semi-structured interviews for participants to share their experiences, with a certain structure to the questions but also opportunities for interviewees to elaborate and discuss related aspects where appropriate. The semi-structured approach also allowed the interviewer to ask further questions when more clarification was needed or when something could be explored in greater detail to enrich the data.

The interview lengths varied between 53 minutes and 3.5 hours (see Table 4-1). The participants shared their stories in detail about the emergence of Islamic banks in Kuwait, the place of religion in Kuwaiti Islamic banks and the function of Shariah as an audit tool in Kuwaiti Islamic banks. The interview themes were designed to answer the research question (Mason, 2002). Each interviewee signed a consent form to agree to participate in this study prior to the interview.

Position/title	Place of Interview	Duration	Code
Shariah Supervisory Board member	Mosque	1 hour 13 minutes	SBM01
Shariah Supervisory Board member	Interviewee’s office	2 hours 10 minutes	SBM02

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<sup>6</sup> *Fatwa*, in Islamic jurisprudence, a formal ruling or interpretation on a point of Islamic law given by a qualified legal scholar (known as a *Mufti*)

Shariah Supervisory Board member	Interviewee's house	1 hour 31 minutes	SBM03
Shariah Supervisory Board member	Mosque	3 hours 05 minutes	SBM04
Shariah Supervisory Board member	Mosque	2 hours 12 minutes	SBM05
Shariah Supervisory Board member	Coffee shop	1 hour 10 minutes	SBM06
Shariah Supervisory Board member	Meeting room	1 hour 50 minutes	SBM07
Shariah Supervisory Board member	Mosque	2 hours 25 minutes	SBM08
Shariah Supervisory Board member	Interviewee's office	1 hour 35 minutes	SBM09
Shariah Supervisory Board member	Interviewee's house	1 hour 12 minutes	SBM10
Shariah Supervisory Board member	In the airport	1 hour 37 minutes	SBM11
Shariah Supervisory Board member	Interviewee's house	3 hours 11 minutes	SBM12
Shariah Supervisory Board member	Library	2 hour 09 minutes	SBM13
Shariah Supervisory Board member	Meeting room	1 hour 53 minutes	SBM14
Shariah Supervisory Board member	Mosque	2 hour 28 minutes	SBM15
Shariah Supervisory Board member	Interviewee's house	53 minutes	SBM16
Shariah Supervisory Board member	Interviewee's office	3 hours 02 minutes	SBM17
Political journalist/writer	Interviewee's office	3 hours 34 minutes	PJR001
Islamic journalist/writer	Interviewee's office	2 hours 21 minutes	IJR001
Political activist	Interviewee's office	1 hour 13 minutes	PA001

Table 4-1: Interview participants

Twenty participants with different titles and roles were interviewed. Before the data collection process, I targeted Shariah auditors only. However, as interviews proceeded, many participants mentioned key players in the field, and I realised that some of these had to be interviewed for more comprehensive data collection and, ultimately, furthered understanding of this context. These other participants included Islamic banking experts, political activists, and political journalists, who complemented the core participants, namely Shariah auditing experts. The locations of the interviews varied among offices, participants' homes, libraries, coffee shops, and mosques. Several interviews took place in mosques where participants have designated private rooms for serving several needs, including interviews and private talks.

All participants showed full proficiency and respect towards the interviewer. During every interview, new insights and details emerged that called for follow-up questions to be asked, thereby supporting and justifying the semi-structured approach. This process helped in grasping details that I found vital in constructing a contextual

reality. Some participants also showed valuable documents and correspondence in support of their stories, which not only evidenced, explained and elaborated on their comments but also provided even further interesting insights. Most of these were scanned during the interview, with participants' consent. These secondary data sources include letters, reports and some mixed documents participants presented as evidence of their stories.

Before every interview, permission was granted to voice-record the conversation. The interviews were transcribed immediately after they concluded. Participants' confidentiality and anonymity issues were discussed and mutually agreed upon. The interviews were conducted in Arabic, so the transcripts were written entirely in Arabic but subsequently translated into English using Microsoft Word. The interviews were used with secondary data to create a timeline of events. As the paper adopts a chronological sequence to illustrate a narrative, it utilises historical events to generate thematic headings that answer the research question: How have Islam and Islamic legitimacy emerged in the Kuwaiti banking field through Shariah audit practice?

#### **4.5 Emergence of audit in Islamic banks of Kuwait (Context)**

Kuwait achieved its independence in 1961, 62 years after the end of the British protectorate agreement (Farah, 1989). The foundation of Kuwait goes back to the early seventeenth century. With its strategic location in the Arabian Gulf, Kuwait was a commercial link between the Arabian Gulf and Aleppo. However, modern Kuwait, or the golden age of Kuwait, started only in the 1940s. The modernisation of Kuwait is associated with the age of oil boom. By 1952, Kuwait had become the largest oil exporter in the Arabian Gulf region. The ruler of Kuwait, Abdulla Al-Salim Al-Sabah, ended the British protectorate treaty peacefully and granted Kuwait its independence in 1961. From this year, many events and developments continued to unfold, rewriting the new history of modern Kuwait (Alrushaid, 1978). A major achievement for Kuwait concerns being the first Arab country of the Arabian Gulf to establish a constitution and a parliament. Comprising 50 members, the National Assembly embodies the democratic experience of Kuwait. The Al-Sabah family has ruled the State for more than 270 years. The political system of Kuwait is unique, as

it is a mixture of monarch/democratic systems where the head of the state, the Amir, holds the highest power and can veto all laws (Farah, 1989).

The Kuwait population was estimated at 4.6 million in 2018. Only 27% of the population is Kuwaiti citizens, and the rest are expatriates from different continents (Farah, 1989). Kuwait is commonly described as a super rentier state in the literature, mainly because the Kuwaiti constitution grants citizens rights to free education, free healthcare, and employment in the public sector. The second article of the constitution states that Islam is the country's main religion and that Shariah law is a primary source of legislation. Although Islam is an effective element in the legal system, Kuwait has not been considered an Islamic states, most likely because it adopts a civil law system derived from the French legal system.

In contrast, Shariah law governs mostly family law of Muslim residents. This legal model reflects the social sphere of Kuwait (Almoqatei, 2010), as it offers civil legal avenues in line with the state's Islamic identity. Such concord of diversity is always visible in many spheres in Kuwait. One of the major industries to benefit from this system was the banking industry. As noted, banks in Kuwait are categorised into two types: conventional banks and Islamic banks. As both banking models offer financial products, they are regulated in the same manner. Additionally, Islamic banks serve the purposes of Islam by adhering to Shariah law.

The context of Kuwait thus reflects some distinct arrays of religious-liberal conflict, which indeed seems part of the natural composition of this context. The socio-political dimensions are reflected in many visible aspects of this nation. And with such a nature, distinct characteristics have emerged and evolved to shape the everyday realities of this context. As Islam is perceived as a natural component in the social and political sphere, its presence is considered natural in the contextual consciousness of the Kuwaiti people.

#### **4.5.1 The classic struggle of Kuwait**

Islam represents the religious orientation of Kuwait, as stated in the second article of the constitution: "The religion of the State is Islam, and the Islamic Shariah shall be a main source of legislation" (Article 2 of the Kuwait Constitution, 1962).

However, being a source of legislation undermines Islam's exclusivity as a legal reference. Over the years, Islamic political forces endeavoured to amend this article to make Islam the *only* source of legislation in Kuwait. Still, their numerous attempts were thwarted by the liberal forces' agendas.

The struggle between Islamic and liberal forces is a classic contention in, and indeed, a debate in modern Kuwait. With each party craving domination, a power relations dynamic occupies the public domain -including social, political, and economic fields. As such, Islamic forces are always trying to force their religious agendas while liberals advocate for more freedom and a separation of religion from politics. This dynamic, wherein power relations and struggles thrive, has evolved explicitly into the Islamic banking field, where both parties obtained auditing duties (Ghabra, 1997).

Notably, Kuwait has hosted this often-heated ongoing debate between Islamists and liberals for many years, and it has become part of this context's identity. In addition to its constitutional recognition, this debate highlights a struggle for dominance between the key players.

#### **4.5.2 The Kuwaiti model of Islamic banks: A dual system of auditing**

The Kuwait banking sector comprises five Islamic banks and five conventional banks. Both types are regulated by the Central Bank of Kuwait (CBK), the Ministry of Commerce and Industry (MCI) and Capital Markets Authority (CMA). Acting under the guidance of these three governmental regulatory bodies, this sector benefits from excellent support through governmental policies (Naser, 2013).

The three legislative bodies regulate both banking models, Islamic and conventional, through codes, regulations, and instructions. One of the essential regulations pertains to regulating auditing practices within the five Kuwaiti Islamic banks. Unlike traditional banks, Islamic banks must perform a shariah audit *in addition to* the financial audit conventional banks undergo. Regarding the traditional financial audit, on 13 November 1994, the Central Bank of Kuwait issued its 26<sup>th</sup> instruction, which required banks to appoint two external auditors.

“We would like to advise you that Law No. (51) of 1994 was issued on 1/8/1994, amending some of the rules of Commercial Companies Law No. (15) of the year 1960, by adding a paragraph to article (161) of the said Law, which provides that companies listed on the Kuwait Stock Exchange must have external auditors, namely not less than two chartered accountants from two separate audit bureaus.

Accordingly, your bank must take necessary action to comply with the said amendment, effective beginning of the fiscal year 1995, and notify us in advance of its nominated audit bureau before the latter’s final appointment, noting that your bank’s financial statements for 1995 will not be considered for approval unless they are endorsed by two separate external auditors.” (CBK, 1994). This instruction is still in effect. Also, the external auditors “must be a full member of an international auditing firm” and must be endorsed by CBK upon appointment or replacement (CBK, 1995).

Name of the Islamic bank	Regulatory bodies	External financial auditors (2018)	Shariah audit board members	Special remarks
Kuwait Finance House (KFH)	Central Bank of Kuwait	EY and DELOITTE & TOUCHE	5	First Islamic bank in Kuwait.
Boubyan Bank	Central Bank of Kuwait	EY and DELOITTE & TOUCHE	4	A subsidiary of the National Bank of Kuwait (NBK).
Kuwait International Bank (KIB)	Central Bank of Kuwait	EY and DELOITTE & TOUCHE	4	Converted from conventional to an Islamic bank.
Ahli United Bank (AUB)	Central Bank of Kuwait	EY and DELOITTE & TOUCHE	3	A subsidiary of AUB Bahrain.
Warba Bank	Central Bank of Kuwait	EY and KPMG	3	Established and owned by the government.

Table 4-2: Shariah and financial auditors of Kuwait Islamic bank

(Source: This study, based on various secondary data)

However, each of the five Islamic banks in Kuwait has special characteristics. For example, KFH is the most significant and oldest Islamic bank in Kuwait, and for nearly two and a half decades, it took advantage of being the sole Islamic bank in Kuwait. On the contrary, Boubyan Bank has become an Islamic subsidiary of the National Bank of Kuwait (NBK), primarily because the Central Bank of Kuwait banned

conventional banks from offering Islamic products. Consequently, NBK acquired Boubyan Bank to serve as its avenue into the industry (see Table 4-2).

Ahli United Bank (AUB) converted into an Islamic bank in 2010, a move made to satisfy shareholder demands, according to the chairman (AUB, 2010). Kuwait International Bank (KIB) underwent a complete conversion when it entered the Islamic banking field in 2007, with KIB now being the only Islamic bank in Kuwait that has a Shia Muslim Shariah audit board member, in addition to its Sunni Muslim and Shia Muslim Shariah supervisory boards.

Audit Type \ Regulatory Body	Central Bank of Kuwait	Ministry of Commerce and Industry	Capital Market Authority
External financial auditors	1994 Instruction: Banks must appoint two external auditors	Act of 2016, Article 227	2015 Act Article 4-3: Regulating the Audit profession
Shariah audit board	2016 Instructions: governing the Shariah audit in Islamic Banks	No regulations	No regulations

Table 4-3: Regulations of the audit profession in Kuwait Islamic banks

(Source: This study, based on various secondary data)

The Central Bank of Kuwait (CBK) started regulating the Shariah audit field in 1994 (see Table 4-4). Previously, the field was self-regulated. As the sole regulatory body, the CBK issued several codes and instructions to govern the practice of Shariah auditing in Kuwaiti Islamic banks.

Date	Codes and Instructions
Phase one	14/09/1994 CBK issued a letter to Islamic Financial Institutions (Including Islamic banks) to stress the importance of appointing a Shariah audit board. CBK required to have the name of every appointed member thereafter.
	04/06/1997 CBK issued instructions (2/rs/25/1997) on the appointment and responsibilities of Shariah audit members in Islamic Financial Institutions (including Islamic banks).
	12/05/1999 CBK issued a circular to cancel clause (3) of the instructions (2/rs/25/1997), which requires Islamic Financial Institutions (Including Islamic banks) to gain approval from the Ministry of Islamic Affairs prior to appointing members of Shariah audit board.
Phase two	25/05/2003 CBK issued act (30), which separates Islamic Financial Institutions from Islamic banks.

	15/06/2003	CBK issued instructions (2/rba/100/2003) regarding the rules and conditions for appointment and responsibilities of the Shariah audit board in Islamic banks.
	19/06/2003	CBK amended clause (2) of the (2/rba/100/2003) instructions.
Phase three	18/07/2016	CBK drafted a law about governing Shariah audits in Islamic banks and sent it to active Islamic banks in Kuwait to seek their opinion.
	20/09/2016	CBK issued Instructions regarding “the governance of Shariah audit in Kuwait Islamic banks”. These instructions replaced the instructions (2/rba/100/2003).
	01/01/2018	Kuwait Islamic banks started working under “the governance of Shariah audit in Kuwait Islamic banks” Instructions.

Table 4-4: Regulations of the Shariah audit field in Kuwait Islamic banks

(source: Alnahidh and Sawalhi, 2018)

#### 4.5.3 Co-existence audits: Emergence of the field

Kuwait Finance House (KFH) was established in 1977 as the first Islamic bank in Kuwait (KFH, 2019), providing banking products structured in accordance with Shariah law. It was established because of socio-political demands that evolved from the 1970s Islamic awakening era. The Islamic banks industry has expanded rapidly in recent years, with two conventional banks even converting to Islamic banks to join the vast demand of Islamic financial products (See table 3.2).

#### 4.5.4 Historical highlights of the field

To understand the Islamic banking field in Kuwait, someone needs to understand the social and political factors that have shaped this field. In the pre-independence era of Kuwait, domination of the social space could be achieved with either wealth or religious status. Shariah scholars had the latter as they were even appointed as advisors to rulers, judges and teachers, but were generally very active in the public domain anyway.

Period/Phase	Shariah audit reporting development
Kuwait Finance House (KFH) operated as the only Islamic bank in Kuwait from 1978 to 2003	1978-1980 > KFH does not mention/have any Shariah audit report.
	1981 > KFH mentions that the bank has a Shariah auditing board.
	1982 > KFH mentions names of the Shariah auditing board on the ‘Organizational Aspects’ section. The <u>chairman</u> is among the four names.

	1983-1985	➤ KFH does not mention the Shariah auditing board.
	1986-1988	➤ KFH mentions names of the Shariah auditing board underneath the names of the executive directors. it excludes the chairman's name.
	1989-1994	➤ KFH puts the names of the Shariah auditing board on a separate page before the BOD and the executives. ➤ Shariah audit report consists of one paragraph along with pictures and signatures of the Shariah audit board members.
	1995-2002	➤ KFH removes pictures of Shariah audit board members from the Shariah audit report.
From 2003 until today, the Islamic banking sector in Kuwait consists of five banks.	2003-2012	➤ Banks include pictures of the members of the Shariah audit board in the Shariah audit report. ➤ The Shariah auditing report is extended to a full page. It includes information about number of board meetings, details on the scope of the Shariah audit, Shariah-violation incidents along with the resolutions of the incidents.
	2013-2018	➤ Every Shariah auditing board member holds a PhD, except one member. ➤ The Shariah auditing board of Kuwait International Bank added a 'forward page' to its Shariah audit report.

Table 4-5: Historical highlights of the Kuwait Islamic banking field

(Sources: Annual reports of five Kuwait Islamic Banks 1978-2018)

The social, political and economic characteristics of Kuwait composed a distinctive Shariah audit field in Islamic banks (see Table 4-5). Unlike any jurisprudence, the socio-political dimensions of the State of Kuwait created an audit struggle in the Islamic banking sector. The following section will thoroughly analyse the contextual data that led to this conclusion.

## 4.6 Structuring the field of Shariah Auditing

### 4.6.1 Emergence of the field

The field of Shariah audit in Kuwait Islamic banks is governed by its embodied, objectified and institutionalised forms of power. Such a field consists of social agents who strive to dominate by consuming their cultural and social capitals. Using their capital, they position themselves according to their adopted strategies for opposing one another. Like others, then, Islamic banking is a “field of struggles for power among the holders of different forms of power” (Bourdieu and Wacquant, 1992, p. 76).

The rules of the Shariah audit field have not developed independently; they have emerged, changed, and been shaped according to numerous circumstances over time. The field of Shariah audit, in fact, emerged in 1978 in Kuwait with the establishment of KFH as the first Islamic bank in the country. As participant SABM03 said:

“During the establishment years, the governance and management of Islamic banks were not shared in Kuwait or the wider region. The Islamic banking system was new, and we were working to develop this system by filling the gaps. People thought of Islamic banking only as ‘Interest-free’ banks... but the system was bigger than this. We have relied on Dubai Islamic Bank experience... We used their Shariah experts to manifest our Shariah guidelines. The bank was only beginning to offer simple banking services such as current accounts and savings... I was fortunate to be one of the first Shariah scholars in Kuwait and the region... I am forever grateful to Sheikh Ahmad Alyaseen for giving me this opportunity.”

(SABM03)

The field of Shariah audit in Kuwait Islamic banks emerged as a non-regulated field in parallel with the establishment of KFH, which was founded to assess and audit Shariah aspects of banks and to produce Shariah opinions on the Islamic contracts of banks. However, to better understand any given field, examining its origins before it existed can shed light on the field’s development, what led to its establishment, and the rules that maintained its survival. Revisiting preorigins and the founding can also do much more, as Bourdieu (1993b; 1996a) believes that the struggle for domination in modern capitalist societies is due to the nature of circumstances that led to the emergence of the social field. He argues that the formation of the field of power involves a continual space of struggle between social actors. SABM06, a Shariah audit member in KFH, who witnessed the period before and the establishment, says:

The philosophical purpose of founding KFH was because people wanted to obey Allah with their money. They tried to take out their funds from usury banks and put them somewhere that does not sell money for money. At the beginning, it was just a dream... Today, it is one of the biggest banks in the region [KFH].

(SABM06)

What happened in this institution (KFH) was that the Shariah audit members of KFH started producing Fatwas<sup>7</sup> (religious opinions) to be published in KFH annual reports and specialised booklets (see an example in Figure 4-8). Fatwas, as a valid religious opinion, are reached upon consensus among the Shariah scholars of the Islamic bank.



Figure 4-8: KFH Shariah Fatwa booklet

To become what it is today, the logic of the field changed according to the rules of the field. Table 4-6 illustrates significant changes in the field from its emergence until today.

Timeframe	Significant changes in the Shariah audit field in Kuwait Islamic banks
1978-1985	<ul style="list-style-type: none"> <li>➤ Shariah auditor engages in everyday banking transactions in KFH branches.</li> <li>➤ Shariah auditors are responsible for educating first-line employees (tellers, account managers, branch managers) about the Islamic aspects of the bank.</li> <li>➤ The chairman of KFH becomes a Shariah auditors and gets involved in the bank's operational activities.</li> <li>➤ The Shariah auditor role was everywhere.</li> <li>➤ Shariah audit started as individual judgmental practice.</li> <li>➤ The process of obtaining a Shariah opinion is unclear and unregulated.</li> </ul>

<sup>7</sup> *Fatwa*, in Islamic jurisprudence, a formal ruling or interpretation on a point of Islamic law given by a qualified legal scholar (known as a *Mufti*)

1986-1993	<ul style="list-style-type: none"> <li>➤ Names of the Shariah auditing board are highly recognised and respected.</li> <li>➤ The Shariah auditing board brands each financial product with its religious Fatwa.</li> <li>➤ The power of SAB is derived from its religious knowledge and individual cultural and social capital.</li> </ul>
1994-2003	<ul style="list-style-type: none"> <li>➤ CBK starts to regulate the field of Shariah auditing.</li> <li>➤ Regulations reflect the logics of the field.</li> </ul>
2003-Present	<ul style="list-style-type: none"> <li>➤ Multiple Interpretations of Shariah law creates a struggle in the field.</li> <li>➤ Multiple Fatwas (religious opinions) = struggle to dominate.</li> <li>➤ Emergence of new Shariah scholars to the field.</li> </ul>

Table 4-6: Significant changes in the Shariah audit field in Kuwait Islamic banks

(Source: Annual reports of Kuwait Islamic banks, CBK regulations)

#### 4.6.1.1 Constructing the logics of the field

When KFH was established as the first Islamic bank in Kuwait, the bank's Islamic Identity was present throughout the organisation. In other words, KFH was indeed an Islamic bank but based on what? Its organisational identity? Its establishment contracts? The elimination of interest? Since there was no previous Islamic banking experience in Kuwait and no appropriate legislative framework for it, KFH created its own rules and image, which later became what is now called 'Islamic banks' of Kuwait. KFH was privileged as it could set its logics to create a new game with its own rules.

Shariah scholars took multiple roles in the KFH organisational structure. Since there were no existing legal borders to frame the Shariah scholars' roles in Kuwait Islamic banks, this gave them absolute freedom to spread their wings among KFH. As one such Shariah scholar, SABM01, says:

"During the establishing years of KFH, we were present in banking branches to provide legal answers to customers. We trained the banking departments and senior management on the nature of the jurisprudential issues on which we rely for the legitimacy of banking contracts... I recall when I had to answer some of the customers' general inquiries about KFH."  
(SABM01)

Identifying characteristics present at the emergence of an autonomous field gives a better understanding of the origins of its current logics and rules (Bourdieu, 2000a). Such an understanding of the different roles that Shariah scholars played at KFH could demonstrate how their roles have evolved compared to today's Shariah audit field. Also, between yesteryears and current years, logics of the field change in favour for those who dominate.

#### 4.6.2 The co-existence

The Shariah audit field, like any field, acquires its own logical dimension. In this instance, it produces and reproduces Shariah-binding Fatwas<sup>8</sup> regarding the Islamic bank's financial matters mundanely. Such Fatwas contradict the bank's financial goals and, consequently, often struggle to gain practical implementation. The contradiction between the Shariah and financial audit in Kuwait Islamic banks is a ongoing struggle within the organisation. It demonstrates how Shariah auditors utilise their religious authority, or religious capital, to gain influence over financial auditors. Such a privilege favours Shariah auditor because religious risk endangers the bank's Islamic identity. As Shariah auditor SAM05 stated:

“We have three Shariah assessment processes in the banks: pre-Shariah audit, post-Shariah audit, and random Shariah audit. The pre-Shariah audit is conducted before the execution of any contract. We assess Shariah validity and produce a valid opinion to the management... The random Shariah audit is what I call Shariah police work... I conduct a random Shariah test on current financial transactions and provide my religious opinion. This is primarily done to generate a Shariah report annually. In my opinion, the most crucial audit is the post-Shariah audit. I recall a time when I discovered an investment contract that violated a fundamental Shariah principle... The bank invested in a hotel in a foreign country. This hotel happened to serve alcohol to its guests... As a significant Shariah risk, we recommended that the bank sell the hotel and eliminate the accumulated profit from this investment.”

(SABM05)

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<sup>8</sup> *Fatwa*, in Islamic jurisprudence, a formal ruling or interpretation on a point of Islamic law given by a qualified legal scholar (known as a *Mufti*)

The financial auditors of Islamic banks are not specialised in Shariah law, so Shariah risks impose no threat to their audit process. Although the philosophical approaches of the two audits share some similarities in core audit aspects, they also harbour differences and both battle to gain legitimacy when they clash. In this conflict, each side uses its strategies. For financial auditors, this includes using explicit written auditing standards to justify their audit opinion - standards that do not take into account the bank's Islamic aspects. For Shariah auditors, much is based on the opinions of Shariah scholars regarding the bank's financial contracts - the primary sources being the Quran and Sunna, which Shariah scholars interpret accordingly. Fundamentally, then, financial auditors rely on International Auditing Standards in producing a viable audit opinion while Shariah auditors interpret the two primary sources of Shariah legislation: Quran and Sunna. Table 3-7, however, compares the various significant features of the Shariah audit role with those of financial audits in Kuwaiti Islamic banks.

The “perspective of Islamic Banking” section on Boubyan Bank’s website implicitly blames of slow paste of the Islamic banking industry on Shariah principles. In the bank’s words,

“A primary challenge facing Islamic banking today is the reconciliation of its dual role as a business facilitator and a financial institution. The slow evolutionary process of Islamic banking is exemplified in the prevalence of diluted alternative applications of Shari’a principles instead of the ideal balance between the application of the Profit & Loss Sharing (PLS) mode of financing in measured combination with other fixed return modes.”  
 (Boubyan Bank, 2019)

The coexistence of Islamic and financial auditors in Islamic banks has led to a clash of opinions between the two sides. As both sides conduct their everyday auditing processes, they struggle to reach consensus on numerous occasions.

Audit features	Shariah audit	Financial audit
Source of legislation	<ul style="list-style-type: none"> <li>• Quran and Sunna</li> </ul>	<ul style="list-style-type: none"> <li>• International Auditing Standards</li> </ul>
Specialisation of auditors	<ul style="list-style-type: none"> <li>• Shariah and Islamic studies</li> </ul>	<ul style="list-style-type: none"> <li>• Accounting degrees</li> <li>• Accounting professional certification</li> </ul>

Open to interpretation	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<ul style="list-style-type: none"> <li>• No</li> </ul>
Type of risks	<ul style="list-style-type: none"> <li>• Shariah risk</li> </ul>	<ul style="list-style-type: none"> <li>• Financial risk</li> </ul>
Audit published opinions	<ul style="list-style-type: none"> <li>• Shariah audit report (annual report)</li> <li>• Shariah awareness special booklets</li> </ul>	<ul style="list-style-type: none"> <li>• Independent financial auditor report</li> <li>• Internal auditing report (annual report)</li> </ul>
Position on Islamic bank's structure	<ul style="list-style-type: none"> <li>• Independent Shariah auditors' board</li> <li>• Serves shareholders' interests</li> </ul>	<ul style="list-style-type: none"> <li>• Under the Board of Directors (internal financial auditors)</li> <li>• Independent external financial auditors serves shareholder's interests</li> </ul>

Table 4-7: Features of Shariah and financial auditors in Kuwait Islamic banks

(Source: Annual reports and interviews)

#### 4.6.2.1 Who has the upper hand?

In Bourdieusian terms, the field represents a game that takes place in a social space wherein social agents/players compete using different strategies to improve or preserve their position in the field. The social agents' accumulation of capitals is the process by which they develop the means for competing (i.e., capitals). Different types and levels of capitals mean that certain players are privileged in this regard over other players within a specific context. In the Shariah auditing field, the primary tool for competing is 'religious capital', which takes the form of Shariah knowledge, Shariah language, and Shariah appearance. A main 'religious power' producer of Kuwaiti Islamic banks concerns their annual reports. In these, Shariah audit board members' pictures are situated in the first pages (see Figure 4-9 for an example). Although such an audit board is entirely independent and appointed by shareholders during the annual general assembly, banks have decided to include their portraits in their annual reports. Despite external financial auditors also getting appointed by shareholders during annual general assemblies, their portraits are *not* printed in these annual reports.

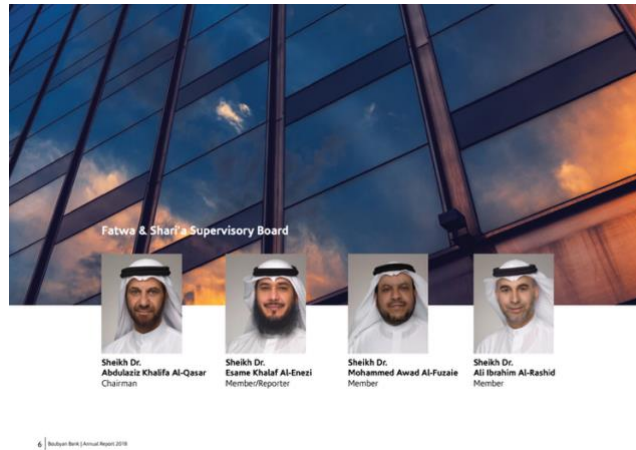


Figure 4-9 Fatwa and Shariah supervisory board portraits in Boubyan Bank 2018 Annual Report

(Source: Bank Boubyan Annual Report 2018, p. 6).

This habit of displaying the faces of external Shariah audit board members dates to 1999, when KFH included the portraits of its three Shariah audit board members in that year’s annual report (see Figure 4-10).



Figure 4-10: Shariah audit board members in the 1991 KFH Annual Report

(Source: KFH Annual Report, 1990-1991, p. 27)

Shariah auditors SABM11 justify this in the sense that investors must know the names and appearance of their Shariah safeguards. He says:

As a representative of Shariah law, I must be as transparent as possible... customers must know me... my name, how I look... We live in a small country where most tribes are familiar with one another... One could assess the Shariah scholars from their looks and names to know who the people are who are safeguarding this bank from the Shariah risks that surround it.

(SABM11)

Including Shariah audit members in such annual reports favours the Shariah auditors over the financial auditors in their mutual race for legitimacy. Most Kuwaiti Islamic banks include Shariah scholars' portraits in their annual reports, but also notably position them in the early pages of these, yet financial auditors do not get this publicity in the annual report.

This privilege is also reflected internally. Here, SABM05 continues his narrative of the hotel investment that sold alcohol:

“After we decided to get rid of all the profit that came from alcohol... My fellow Shariah scholar thought the bank must completely purify its profit portfolio from this investment... after several Shariah audit board meetings, we decided to eliminate six million Kuwaiti Dinars and give them to charity... the management were not happy with this decision... the financial auditors tried desperately to convince us only to limit the purification process to alcohol profits... They explained that according to their books, we do not have to eliminate irrelevant profits like room rental profits... but the board insisted on purifying the whole profit.”

(SABM05)

This shows the strength of Shariah audit members. Although their judgment is built on Shariah reasoning, so is an unwritten tool of Shariah auditing. The fact that management favours their decisions indicates the power of this capital. Furthermore, if management disobeys the Shariah board's resolution, this would constitute a Shariah risk, which would be reported in the Shariah audit report and consequently damage the bank's image.

The battle for domination between Shariah auditors and their financial counterparts is an ongoing game in which both parties strive to utilise their strategies effectively to improve or maintain their respective positions. Shariah auditors are armed with the religious weapon, whereas for financial auditors, their primary resource is International Auditing Standards. Such opposition has led to considerable conflict

between them. The ongoing nature of this field feeds upon the struggle to dominate in the field of opinion.

#### **4.6.3 The multiple interpretation struggle**

The field of Shariah auditing in Kuwaiti Islamic banks is unregulated and characterised by diverse opinions, forces, and contradictions. As such, its social agents endeavour to be fully equipped with the appropriate tools and strategies to compete. As it was observed, the primary division here concerns Shariah and financial auditors, but this is not to say that the former makes uniform interpretations and form concurring opinions. The Shariah audit field indeed appreciates the social capital of Shariah scholars and how they utilise their Shariah knowledge to maintain and produce viable Shariah opinions. However, the fact that such opinions vary between Shariah scholars depending on the Shariah law tool used to obtain them has ramifications and is problematic for some. For example, the Chief Executive Director of KFH, Mr Mazen Alnahedh, stated the following:

“It is common to have different opinions among Shariah auditors in Kuwait... but it seems ironic how such differences have affected the Islamic banking sector in Kuwait... Some banks permit certain financial products, while others forbid the same product. As an insider, I know that Shariah scholars go through extensive workshops before producing their religious decision, but when their decision contradicts those of other Kuwaiti Islamic banks’ Fatwas... this is embarrassing in front of our stakeholders”

(AlQabas Newspaper, 2015)

The above statement from the CEO of the biggest and oldest Kuwait Islamic bank must not be taken for granted. He explicitly mentions that multiple Shariah auditors produce numerous interpretations of Shariah law, so which interpretation Shariah auditing boards should settle on and why they should do so are profound considerations for them to address. Nevertheless, Shariah auditors SABM15 think that this negative slant must not be given much attention and that it is a positive feature of interpreting Shariah law:

“As Shariah audit members, we are fortunate that our Shariah allows us to have multiple views... This indicates the tolerance of Islam and its ability to provide solutions to every societal problem, including financial issues... We go through rough times to reach consensus, but this is normal...”

X product might be prohibited in our bank, but if we find the right Shariah law formation for this product, we will offer it. This is how simple it is”

(SABM03)

There are significant implications from this for Shariah auditors within their field of struggle regarding the interpretation of Shariah law in the Kuwait Islamic banks alongside competitor/other Shariah auditors. It suggests that whoever can utilise the source texts to suit varying and often deeply concerning issues accordingly via his interpretations will gain a capital advantage over others, which, as has been demonstrated, helps him in his struggle. Additionally, this may be of value in terms of long-term processes, as even though a religious opinion might not be viable at a certain point in time, it may be utilised in the future if it gains traction.

Bourdieu suggests that once social agents understand the logic of the field, they will occupy a particular space within the field that suits their current abilities, or capitals. The social field of Shariah auditors changes according to the imposed strategy. Shariah interpretations fight for recognition and they get this in ways such as solving issues via their Shariah interpretations and by building up capital.

Indeed, the degree of religious capital Shariah auditors accumulate determines their hierarchical position in the field of power. In other words, a newly appointed Shariah auditor cannot impose his interpretation over his fellow scholars, as illustrated in this statement by Shariah auditor SABM 12:

“The process of interpretation requires experience and practice... since we are religious scholars, we need time to familiarise ourselves with the nature of the bank... When I was appointed, seven years ago, I was overwhelmed with the number of financial technicalities that I was required to understand... I was not given the opportunity to cast my voice until my third year... I was basically learning how to produce a viable Shariah interpretation to suit the financial capacity of the contracts”

(SABM12)

Thus, one must gradually construct one's religious capital. And over time, he will master the rules of the game - that is, Shariah auditing.

#### 4.6.3.1 Multiple opinions debate

In 2019, Shamal Al-Zour (Az-Zour North) Power and Water Company's initial public offering (IPO) ignited a Shariah debate between two Islamic banks in Kuwait. Although Shariah experts and auditors deemed the company's operations lawful under Shariah law, the main Shariah debate centred on the company's financial and accounting practices.

Aljasser believes that there are two fundamental problems with the Shamal Al-Zour company's financial accounts. First, the second article of the company's memorandum of association does not restrict the company's investment funds to be Shariah compliant. As such, the company's investments could violate Shariah law. As for the second problem, Aljasser thinks article number (52) of the memorandum of association stipulates that the company's funds must be deposited in one or more Kuwaiti local banks. It therefore does not require the company to deposit its funds with Islamic banks; hence, the company's funds might be exposed to unlawful Shariah activities if deposited in a non-Islamic bank (Alqabas, 2019).

This debate went viral, and people began to question more Shariah experts in the lead-up to the IPO date. The head of the Shariah audit board, Mohamad Altabtabae, issued a public opinion arguing that it is lawful under Shariah law to participate in this IPO. He contended that Shamal Al-Zour company's main activity is to provide energy and water, which is a lawful activity under Shariah law. He believes that as long as the company's activity is deemed lawful under Shariah, then the financial matters are not of importance (Al-Rai, 2019). Additionally, after the IPO, KFH issued an official statement, which assured its clients that Shamal Azzour Company's shares are Shariah-compliant, according to the bank's Shariah audit board. As KFH stated:

"In response to what was raised about the compliance of trading the shares of Shamal Al-Zour company or not, we would like to make it clear to our esteemed customers that we appreciate and respect all opinions and jurisprudence issued by all parties, but our main legal reference in all fatwas and decisions is the Fatwa and Shariah audit board of the bank. Where the commission has performed its role in researching and studying the issue from the Shariah point of view and based its opinion in accordance with its pure convictions that the shares of Shamal Al-Zour company may be traded lawfully under Shariah law."

(KFH, 2019)

Against this, Boubyan Bank (2019) issued an official statement suggesting the Shamal Al-Zour company does not comply with Shariah law, doing so in response to KFH's Shariah resolution that deemed Shamal Al-Zour company Shariah compliant: "After review and discussion, the Shariah audit board decided that Shamal Al-Zour company does not comply with the Shariah standards."

The Shariah debate between two of the largest Islamic banks in Kuwait has greatly divided public opinion. As Shamal Al-Zour was one of the most anticipated IPOs in Kuwait, this Shariah-compliant issue raised significant questions regarding the Shariah legitimacy of the company. It also sparked a somewhat contentious debate over Shariah between two respected Islamic banks in Kuwait. Dr Nayif AlAjmi stated that only ten per cent of the total Kuwait population decided to participate in Shamal Al-Zour company's IPO. As he said, such a low participation rate reveals the strong commitment of the Kuwaiti people towards Shariah law (Kuwait Press, 2019).

The Shamal Al-Zour example illustrates a significant divergence among Shariah auditing members in Kuwaiti Islamic banks. This space for Shariah opinions raises significant questions about the Shariah auditing process within Kuwait Islamic banks. It shows that the Shariah auditing field in Kuwait Islamic banks is struggling to produce consistent audit opinions among Shariah auditors. The field of Shariah audit failed in this case to issue a unified Shariah opinion, resulting in two conflicting Shariah audit verdicts that divided public opinion. This example of multiple interpretations of Shariah law manifests the Shariah audit as a field of struggle in Kuwait Islamic banks. In the next section, the discussion of this matter is given.

#### **4.7 Discussion: Audit as a Bourdieusian Field of Struggle**

The empirical material presented in the previous section demonstrates that Shariah audit in Kuwaiti Islamic banks is neither a stable nor a unified practice. Rather than producing consistent audit outcomes, it generates divergence, contestation, and ambiguity—most visibly in cases such as conflicting Shariah opinions across banks and the division of public response in high-profile decisions. These empirical dynamics can be more rigorously understood by conceptualising Shariah audit as a *Bourdieusian field*: a structured yet fluid social space constituted by relations of

power, within which actors struggle to define legitimate interpretations of Shariah compliance.

From this perspective, the coexistence of Shariah audit and financial audit is not simply an institutional arrangement but the intersection of two partially overlapping fields with distinct logics of practice. Financial audit derives its authority from codified rules, standardisation, and regulatory enforcement—forms of *institutionalised cultural capital* that produce stability and comparability. In contrast, Shariah audit is grounded in *embodied and symbolic cultural capital*, rooted in religious scholarship, interpretive reasoning, and jurisprudential tradition. The empirical evidence of divergent Shariah rulings—particularly in contested cases—reveals that these forms of capital are not commensurable. Instead, they generate friction, as actors attempt to impose their respective logics as the dominant principle of evaluation. The audit process thus becomes a site where competing capitals are not reconciled but continuously negotiated, producing a structurally unstable field.

The variability of Shariah interpretations observed in the data is therefore not a technical deficiency but an effect of how *capital is distributed and mobilised within the field*. Shariah scholars occupy positions of authority through the accumulation of symbolic capital—recognition of their religious knowledge and legitimacy as interpreters of Shariah. However, as the empirical material shows, this symbolic capital is plural rather than unified. Different scholars draw on distinct schools of thought, interpretive traditions, and social affiliations, resulting in competing claims to legitimacy. In Bourdieusian terms, this reflects a field in which the *principles of hierarchisation themselves are contested*. What counts as legitimate Shariah knowledge is not fixed but subject to struggle, as actors attempt to convert their specific forms of capital into recognised authority. The disagreement over Shariah compliance in practice thus reveals the field as a space of active competition rather than settled consensus.

This struggle is further intensified by the positioning of Shariah audit within a broader *field of power*, where religious authority intersects with economic and organisational imperatives. The empirical data show that Islamic banks, while

founded on the moral objective of “obeying Allah with our money,” operate within competitive financial markets that demand profitability, growth, and innovation. This introduces pressures that reshape the conditions under which Shariah audit is performed. In this context, symbolic capital (religious legitimacy) must be continually negotiated in relation to economic capital (market performance) and organisational capital (institutional stability). The field of power thus imposes constraints and opportunities that shape the strategies of actors, as they seek to maintain religious credibility while accommodating market realities. Shariah audit becomes a mediating practice through which these competing demands are reconciled, albeit temporarily and imperfectly.

At the level of practice, these dynamics are not experienced as abstract struggles but are enacted through the *habitus* of Shariah auditors. The empirical material indicates that audit decisions are not derived solely from explicit rules but emerge through practical judgement, consultation, and routine interaction. Habitus, as a system of durable and transposable dispositions, enables auditors to navigate the indeterminacy of Shariah interpretation by drawing on embodied knowledge, prior experience, and socially acquired sensibilities. This explains how audit practices can appear both structured and flexible: structured because they are shaped by the field and the distribution of capital, and flexible because they are enacted through situated judgement. The persistence of divergent audit outcomes thus reflects not inconsistency in individual reasoning, but the operation of habitus within a field that lacks a single dominant orthodoxy.

Crucially, the field is not only characterised by struggle but also by processes of *stabilisation through doxa*. Despite the variability and contestation evident in the data, Shariah audit retains a high degree of social legitimacy within Kuwaiti society. This apparent paradox can be explained through the concept of doxa—the taken-for-granted acceptance of the fundamental principles of the field. The empirical material shows that Shariah audit is rarely questioned at the level of its existence or necessity; rather, debates occur within its boundaries. This indicates that the authority of Shariah audit is underpinned by a doxic belief in the legitimacy of religious oversight in financial practice. Such belief constrains the scope of

contestation, as alternative positions must be articulated within the accepted framework of Shariah compliance.

Within this doxic context, *symbolic violence* operates as a subtle but powerful mechanism of domination. The acceptance of Shariah audit judgments—even when they are contradictory—reflects a process of misrecognition in which the contingent and contested nature of interpretations is obscured. Actors, including bank employees and the public, come to perceive these judgments as inherently legitimate, rather than as the outcome of struggle within the field. The empirical example of divided public response to conflicting Shariah rulings illustrates this dynamic: while disagreement is recognised, the authority of Shariah auditors as arbiters is not fundamentally challenged. Symbolic violence thus reproduces the field by aligning perceptions with its underlying power structures, ensuring its continuation despite internal tensions.

Taken together, these dynamics reveal Shariah audit as a field characterised by the simultaneous operation of struggle, practice, and legitimation. The field is structured by unequal distributions of capital, enacted through the habitus of its actors, and stabilised through doxa and symbolic violence. What appears as inconsistency or ambiguity at the surface level is, in fact, an expression of the field's underlying logic. Audit outcomes are not the product of applying fixed rules but the result of ongoing negotiations over meaning, authority, and legitimacy.

This reconceptualisation has important implications for understanding Shariah audit within Islamic banking. It shifts the analytical focus from questions of standardisation and harmonisation to the relational dynamics through which audit practices are produced. Rather than seeking to eliminate variability, it recognises that plurality and contestation are intrinsic to a field grounded in interpretive religious knowledge. Shariah audit, in this sense, does not resolve uncertainty but organises it, producing forms of legitimacy that are contingent, negotiated, and socially sustained.

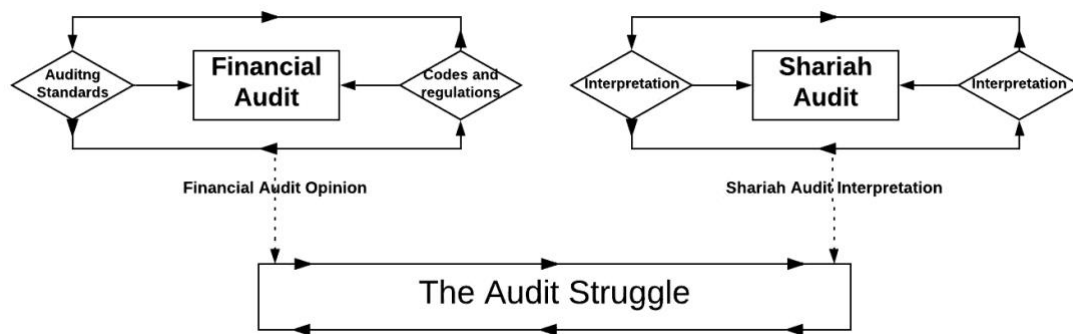


Figure 4-11: Illustration of the audit struggle dimension in Kuwait Islamic banks

## 4.8 Conclusion

This paper has analysed the field of Shariah auditing in Islamic banks of Kuwait. It has shown how a co-existence of two contradicting audits with one of these having a multiple interpretation field of opinion, renders the audit a process of struggle. Drawing on Bourdieu's notions of capital and field of power, this chapter argues that the field of Shariah auditing in Kuwaiti Islamic banks acts as a power struggle field rather than an objective account of the practice and process of independent auditors. The study drew its data from semi-structured interviews conducted over three months of data collection in Kuwait. The participants remain anonymous for confidentiality and ethical reasons, but they do represent the whole population of current and former Shariah auditors of Kuwait Islamic banks. In addition, the study utilises secondary data resources, including regulations, annual reports, and historical and archival data.

The study's findings make particular contributions to the accounting literature. First, the paper contributes to the limited literature on Shariah auditing by conducting a social inquiry into the logics of the Shariah auditing process. The nature of this inquiry unveils new insights into the understudied field of Shariah auditing. In addition, the study clarifies a major misconception about the production of Shariah audit interpretations in Islamic banks. And in theorising the studied context, this study contributes to the notions of capital and field of power as outlined by Pierre Bourdieu. And despite the unique cultural dimension of the studied field, Kuwait Islamic banks share a similar Shariah auditing structure with many jurisdictions. And

yet, the main problem that arises in the literature of Shariah audit is the inconsistency of audit opinions. Such a gap could be filled with deep inquiries through research like this study. To solve problems, one should investigate the roots of it and try to understand the social construction of the field.

This study relies on a single contextual field as its inquiry, so its findings are not generalizable, as similar situations would not necessarily occur in another scope of Shariah audit. Nonetheless, such a deep understanding of a singular case study could prove to be viable in jurisdictions that share similar Shariah audit fundamentals. Further studies may attempt to explore different contextual settings that could yield new insights and foster a broader understanding.

## Chapter (5) Paper 2: Mundane Practices of Shariah Auditing: The Case of Kuwait Islamic Banks

### Abstract

Auditing is subject to international standards and national rules and regulations; however, auditing practice in Kuwait has, in many ways, failed to meet these requirements. It remains far from such harmonisation overall but even takes many variations within the country. While much literature has bemoaned the former and urged Islamic banks to harmonise their Shariah auditing practices to these overarching principles, little detailed, specific guidance has been offered on how to do this, or even if this is feasible for Islamic banks and, if it is not, what can be done to improve accounting. Furthermore, the internal variations have also received relatively little attention, especially as focus on the objective profession has largely neglected the subjective experiences, particular interpretations, specific contexts, and mundane practices of the Shariah scholars conducting these audits. Those that have approached these in some ways have often done so via secondary resources anyway. Still, this paper takes a different approach by primarily directly interviewing the Shariah auditors themselves and observing them in practice, albeit using documents as supplementary resources. The paper's theoretical background is Bourdieusian, particularly the notion of 'habitus', to understand the dynamics of everyday Shariah auditing practices in Kuwait and its dual aspects of structured structure and structuring structure. The form of this work thus considers the open-to-interpretation mundane Shariah auditing practices in Kuwaiti Islamic banks as both structured and structuring structures and as reflections of Shariah auditors' *habitus* within these practitioners' socio-political and cultural contexts.

**Keywords:** Shariah Audit, Islamic Banks, Bourdieu, Habitus, Kuwait.

## 5.1 Introduction: From Field Formation to Mundane Practice

The preceding paper in this thesis conceptualised Shariah audit as a field of struggle, demonstrating how competing actors negotiate authority, legitimacy, and interpretive control within Kuwaiti Islamic banks. Building on this foundation, the present paper shifts the analytical focus from the *formation* of the field to its *everyday enactment*. In doing so, it directly addresses the second objective of the thesis: to explore the mundane practices through which Shariah audit is performed and reproduced in organisational settings.

While existing research in Islamic accounting has largely concentrated on normative prescriptions, regulatory frameworks, and conceptual critiques, it has paid limited attention to how Shariah audit is actually carried out in practice. Much of the literature asks what Islamic accounting *should be* or whether Islamic financial products are genuinely distinct from their conventional counterparts (e.g., Lewis, 2001; Kamla et al., 2006; Archer and Karim, 2001). Even studies that engage critically with Islamic accounting tend to focus on institutional structures, standard-setting bodies, or ideological tensions, rather than the situated activities through which auditing is enacted. As a result, Shariah audit is often treated as a formalised system of oversight, rather than as an ongoing, socially embedded practice.

This limitation mirrors a broader tendency within accounting research to privilege formal systems, standards, and outputs over the everyday processes through which accounting is accomplished. Practice-based studies in accounting have challenged this orientation by demonstrating that accounting is not simply applied through rules but is continuously performed through situated actions, interactions, and judgements (Hopwood, 1983; Ahrens and Chapman, 2007; Schatzki, 2001). These studies emphasise that accounting gains its meaning and effectiveness through the routine activities of actors, rather than through abstract frameworks alone. However, such insights have yet to be fully extended to the context of Islamic accounting and, more specifically, Shariah audit.

Addressing this gap, the present paper conceptualises Shariah audit as a *mundane practice*—a set of routine, taken-for-granted activities through which audit work is

accomplished in everyday organisational life. This shift in focus is not merely empirical but theoretical. It requires moving beyond viewing Shariah audit as a system of rules or a site of high-level contestation, towards understanding how it is enacted through the embodied dispositions and practical judgements of actors. In this regard, the paper mobilises Pierre Bourdieu's concept of *habitus* to analyse how audit practices are structured and reproduced through socially conditioned ways of thinking, acting, and evaluating.

The notion of *habitus* is particularly suited to this context because Shariah audit operates in a space characterised by interpretive ambiguity rather than strict codification. As established in the previous paper, Shariah audit lacks a unified set of universally binding standards and is instead grounded in religious reasoning and scholarly interpretation. In such a context, audit decisions cannot rely solely on formal rules; they depend on the practical sense of auditors—what Bourdieu describes as a “feel for the game.” *Habitus* enables the analysis to capture how auditors navigate this indeterminacy by drawing on embodied knowledge, professional experience, and culturally embedded understandings of Shariah.

Empirically, the paper draws on in-depth interviews, field observations, and archival materials to examine how Shariah audit is performed within Kuwaiti Islamic banks. These data reveal that audit practices are not discrete or isolated events but are embedded in ongoing organisational processes, including routine document reviews, informal consultations, iterative decision-making, and interactions with financial auditors and management. Through these practices, Shariah audit is continuously enacted, adjusted, and stabilised, even in the absence of fully codified standards.

By focusing on these mundane dimensions, the paper extends the argument of the thesis in two important ways. First, it demonstrates that the field of Shariah audit, previously conceptualised as a site of struggle, is sustained and reproduced through everyday practices that are largely taken for granted by its participants. Second, it shows that the authority and legitimacy of Shariah audit are not only negotiated at the level of institutional conflict but are embedded in routine activities that normalise particular ways of thinking and acting.

In doing so, the paper contributes to three strands of literature. It advances Islamic accounting research by shifting attention from normative and regulatory debates to the empirical study of practice. It contributes to practice-based accounting literature by extending its insights into a religious auditing context, demonstrating how accounting practices are shaped by culturally and religiously embedded dispositions. Finally, it develops Bourdieusian accounting research by showing how habitus operates within a field characterised by interpretive plurality, linking micro-level practices to broader structures of power and legitimacy.

Overall, this paper provides a necessary bridge within the thesis's cumulative argument. While the first paper establishes Shariah audit as a contested field and the third examines its broader socio-political consequences, this paper reveals how the field is *lived and enacted* in everyday organisational life. In doing so, it shows that Shariah audit is not only a site of struggle or a mechanism of governance, but a socially organised practice reproduced through the mundane actions of its actors.

## **5.2 Religion as a mundane accounting practice: A literature review**

The study of accounting in the context of everyday life has been central to rethinking accounting as a pervasive social practice rather than a purely technical system (Hopwood, 1994). This shift repositioned accounting as something that does not simply represent organisational reality but actively participates in constructing it through routine activities, inscriptions, and interactions. In doing so, it opened up a broader analytical space in which accounting could be examined as embedded within the mundanity of organisational and social life. Yet, despite this important development, the literature has not fully realised the implications of this shift. Much of accounting research continues to privilege formal systems, standards, and regulatory frameworks, leaving the everyday enactment of accounting comparatively underexplored (Jeacle, 2009).

At a formal level, accounting practice is typically conceptualised as a set of objectives, rule-bound activities governed by standards, procedures, and codes (Schatzki, 2002). This view reflects a concern with what accounting *is supposed to be*—stable, coherent, and universally applicable. However, such a perspective

captures only the *opus operatum* of accounting—the finished, visible outputs—while obscuring the *opus operandi*, namely the situated, ongoing practices through which accounting is actually produced.

Insights from the sociology of practice and science and technology studies have long challenged such formalist accounts. Scholars such as Woolgar (1988) and Garfinkel (1967) demonstrate that organisational realities are not pre-given but are continuously accomplished through mundane, routine activities. Woolgar's studies of laboratory life, for instance, reveal how facts and objects are stabilised through everyday interactions, negotiations, and inscriptions. Similarly, ethnomethodology highlights how social order is sustained through practical reasoning and tacit understandings embedded in everyday conduct. From this perspective, the mundane is not peripheral but constitutive: it is through routine practices that organisational phenomena come into being and are maintained.

Accounting research has partially absorbed these insights through practice-based approaches (Ahrens and Chapman, 2007; Schatzki, 2001), which emphasise the situated, relational, and processual nature of accounting. These studies show that accounting is not simply implemented but enacted through judgments, improvisations, and local adaptations. However, even within this stream, the empirical focus has remained largely within secular organisational settings, with limited attention to contexts where accounting is intertwined with religious logics.

This omission becomes particularly important when considering contexts such as Kuwait, where auditing practices are embedded within both regulatory and religious frameworks. Existing critiques of auditing in such contexts often focus on deviations from international standards, highlighting inconsistencies and lack of harmonisation.

Yet, these critiques tend to assume that standards represent an appropriate benchmark, rather than questioning how auditing practices are actually constituted in context or how religious and cultural factors shape their enactment. As a result, the literature remains largely silent on the everyday processes through which auditing practices are constructed, negotiated, and stabilised.

### 5.2.1 Religion in the mundanity of accounting

The relationship between accounting and religion has been explored through several overlapping but analytically distinct streams, each illuminating particular aspects of this interface while leaving others underdeveloped. An early and influential strand frames accounting and religion as fundamentally in tension, often articulated through a sacred-secular divide. Foundational studies such as Laughlin (1988) and Booth (1993) conceptualise accounting as an instrumental, rational, and calculative practice that sits uneasily within domains governed by faith, morality, and transcendence. In this view, accounting is positioned as an external imposition—an “intrusion” that risks displacing spiritual values with technical rationality. While this perspective is important in highlighting deep epistemological contrasts, it remains analytically limited. It tends to stabilise both “accounting” and “religion” as internally coherent and separate domains, thereby overlooking their mutual constitution in practice. Moreover, its primary concern with doctrinal and institutional incompatibilities diverts attention from how such tensions are negotiated, mitigated, or even rendered invisible in the course of everyday organisational life.

A second stream of research complicates this dichotomy by demonstrating that accounting and religion can coexist and, in some cases, reinforce one another. Empirical studies by Jacobs and Walker (2004), Quattrone (2004), and Irvine (2005) show how accounting practices become embedded within religious organisations as instruments of stewardship, ethical accountability, and organisational governance. In these contexts, accounting is not experienced as contradictory to faith but as aligned with religious objectives—for example, in ensuring the responsible management of resources perceived as entrusted by God. This body of work represents a significant advance by destabilising the assumption of inherent conflict and illustrating the compatibility of calculative and spiritual logics. However, its analytical focus remains largely functional and organisational. Accounting is primarily examined as a tool deployed within religious settings, rather than as a practice whose very form, meaning, and execution are shaped by religious dispositions, moral vocabularies, and embodied understandings. As such, it does not

fully interrogate how accounting itself is transformed when enacted within religious lifeworlds.

A third stream extends this integration further by situating accounting and religion within broader historical and institutional trajectories. Studies such as Carmona and Ezzamel (2006), Bigoni et al. (2013), and McPhail et al. (2005) demonstrate that accounting practices have long been intertwined with religious traditions, contributing to the governance, continuity, and moral ordering of religious institutions. This perspective is valuable in revealing that accounting is not an external addition to religious life but has often been constitutive of it. Yet, despite this more nuanced understanding, the analytical emphasis remains predominantly at the macro level—focusing on institutional arrangements, historical developments, and organisational roles. Consequently, it provides limited insight into the micro-level processes through which accounting and religion are enacted, negotiated, and reproduced in everyday practice.

Across these strands, a shared limitation becomes apparent. While the literature has evolved from framing accounting and religion as antagonistic to recognising their coexistence and interdependence, it continues to privilege structures, doctrines, and institutional configurations over the mundane practices through which this relationship is actively produced. The everyday activities, interactions, and judgments through which accounting is enacted within religious contexts remain largely unexamined. Insights from practice theory, ethnomethodology, and science and technology studies suggest that such mundane practices are not peripheral but constitutive of social order. Scholars such as Garfinkel (1967) demonstrate how social reality is continuously accomplished through practical reasoning, while Woolgar (1988) shows how organisational facts are stabilised through routine interactions and interpretive work. Similarly, Ahrens and Chapman (2007) emphasise that accounting is enacted through situated action rather than mechanically applied. However, these insights have not been systematically integrated into accounting and religion research, leaving a significant gap in understanding how accounting practices are actually lived and performed.

This omission is analytically consequential because it obscures the processes through which religious meanings are reproduced, transformed, and stabilised within accounting practice. Religion, in such contexts, does not operate merely as a set of abstract principles imposed on accounting systems but is enacted through the embodied dispositions, interpretive judgments, and routine actions of practitioners. Accounting practices are thus shaped by the ways in which actors draw upon religious vocabularies, moral expectations, and culturally embedded understandings in the course of their everyday work. Without attention to these processes, the literature risks presenting an incomplete picture in which religion appears either as an external constraint or as an institutional feature, rather than as a lived and generative force within practice.

This limitation is further reinforced by the empirical concentration of existing studies within Anglo-Saxon Christian contexts, with relatively little engagement with non-Western and non-Christian settings (Joannidès de Lautour, 2016). Such a focus restricts the analytical scope of the field, as it overlooks contexts in which religion permeates everyday life more extensively and operates as a primary organising principle of social and economic activity. In these settings, the distinction between the religious and the secular is less pronounced, making it particularly important to examine how accounting practices are constituted within religiously infused lifeworlds. Addressing this gap requires a shift towards studying the mundane enactment of accounting in such contexts, where religion, culture, and organisational practice are continuously intertwined and mutually constitutive.

### **5.2.2 Shariah auditing as a mundane practice**

The previous section focused on understanding accounting practices within religious institutions. Another important dimension of this relationship is that religion has also extended into and influenced the broader accounting-capitalist sphere. However, such influence has not been sufficiently theorised or empirically examined within accounting research and therefore remains underdeveloped (Lewis, 2001). In particular, the literature continues to lack engagement with non-Western theological settings, where religion is not simply an institutional feature but a pervasive element of everyday life. In this regard, Islamic banking represents a

significant yet underexplored arena in which accounting and religion intersect in complex and contested ways.

Islamic banks emerged approximately five decades ago as an alternative to interest-based capitalist systems, grounded in the aspiration to establish a broader Islamic socio-economic and political order (Choudhury, 1986; El-Gamal, 2006). Over time, this model has expanded rapidly and is now considered one of the fastest-growing sectors within global finance (Rad, 2006). Its appeal lies in its alignment with the religious and cultural values of Muslim communities, particularly the desire to safeguard financial activities within an Islamic moral framework (Iqbal, 1997). To operationalise this system, Islamic banks have developed distinct financial instruments and governance mechanisms, most notably the prohibition of interest (*riba*), which fundamentally differentiates them from conventional banking systems (Kuran, 2004).

However, this apparent distinction masks a deeper tension within Islamic banking practices. As several scholars argue, Islamic banks are not entirely independent systems but are instead deeply embedded within, and shaped by, global capitalist logics (El-Gamal, 2006; Maurer, 2002; Alam et al., 2022). This has led to the widespread critique that Islamic accounting and auditing practices often mirror international standards rather than embodying distinctly Islamic principles. The Accounting and Auditing Organisation for Islamic Financial Institutions (AAOIFI), for instance, adapts international accounting frameworks to fit Islamic contracts, thereby achieving legitimacy within global financial markets while simultaneously raising questions about the authenticity of Islamic practices (Lewis, 2001).

Such adaptations reflect a broader process of translation and negotiation, where religious principles are reconfigured to align with market realities. From a practice-based perspective, this can be understood as a form of *hybridisation*, in which accounting practices are neither purely religious nor purely secular but are constituted through ongoing interactions between these logics. Yet, despite recognising this hybridity, much of the literature continues to analyse Islamic accounting at the level of standards, frameworks, and institutional structures, rather than examining how these tensions are enacted in everyday practice.

This limitation is particularly evident in critiques that portray Islamic accounting as a superficial modification of conventional systems, focusing primarily on the prohibition of interest while leaving underlying capitalist structures intact (Alchaar, 2007; Maurer, 2002). While such critiques are valuable, they remain largely *macro-level* and fail to engage with how these contradictions are experienced, interpreted, and managed by practitioners in their everyday work. As a result, the literature provides limited insight into how Islamic accounting operates as a lived practice.

Calls for reform within Islamic accounting further highlight this gap. Kamla (2009), for instance, argues that Islamic accounting needs to be rethought in light of its underlying philosophical and ethical foundations. Similarly, Gambling and Karim (1991) emphasise that Islam represents a comprehensive way of life, encompassing not only economic transactions but also moral, social, and cultural dimensions. However, despite these insights, the literature continues to privilege top-down approaches that focus on theoretical models and regulatory frameworks, while largely neglecting the bottom-up processes through which accounting practices are constituted in everyday settings.

This neglect is particularly problematic when considering Shariah auditing, which is inherently interpretive and context-dependent. Unlike conventional auditing, which relies on codified standards and procedures, Shariah auditing is grounded in religious jurisprudence, which is subject to multiple interpretations and contextual variations. To address this complexity, Islamic banks have developed Shariah audit systems, typically overseen by independent Shariah boards that evaluate financial activities against Islamic law. These mechanisms are intended to ensure compliance and maintain the religious legitimacy of Islamic banking operations.

However, as the literature suggests, these formal structures do not fully capture the realities of Shariah auditing in practice. Instead, they obscure the everyday processes through which audit decisions are made. Drawing on insights from practice theory and science and technology studies, it becomes clear that auditing outcomes are not simply the result of applying predefined rules but are produced through mundane activities such as meetings, discussions, negotiations, and document reviews. Scholars such as Woolgar (1988) and Latour (1987) demonstrate how

organisational facts and decisions emerge through such routine interactions, while ethnomethodology (Garfinkel, 1967) highlights how social order is continuously accomplished through practical reasoning. In a similar vein, Ahrens and Chapman (2007) show that accounting practices are enacted through situated actions rather than imposed mechanically through formal systems.

Applying these insights to Shariah auditing suggests that its outcomes are shaped not only by formal principles but also by the everyday practices and dispositions of auditors. This brings into focus the role of habitus, as the embodied knowledge and practical sense through which auditors navigate the complexities of Shariah interpretation. Yet, existing literature on Islamic accounting rarely engages with such micro-level processes, instead focusing on structural contradictions between religious and capitalist logics.

These contradictions are often framed as a clash between ontotheological commitments and epistemological frameworks of modern finance (Maurer, 2001). While this framing highlights important tensions, it risks reifying the divide between religion and accounting, rather than examining how these logics are negotiated in practice. In reality, Shariah auditors operate within this tension, drawing on both religious and technical knowledge to produce audit judgments. This creates a dynamic interplay between subjectivism and objectivism, where formal audit procedures coexist with interpretive religious reasoning (Gambling and Karim, 1991).

Despite recognising these tensions, much of the literature continues to evaluate Shariah auditing in terms of its failure to meet international standards. Such critiques implicitly assume that these standards are appropriate benchmarks, overlooking the possibility that they may not adequately account for the religious and cultural dimensions of auditing practice. As a result, the literature tends to diagnose problems without fully understanding their underlying causes, particularly the role of everyday practices in shaping audit outcomes.

From a practice-based perspective, mundane activities are not merely repetitive routines but are meaningful and constitutive of organisational processes (Chapman et al., 2009). While everyday accounting practices are sometimes dismissed as trivial or mechanical, they are in fact central to the production of accounting knowledge

and decisions. Understanding these practices requires engaging directly with practitioners and examining how they interpret and enact their roles within specific contexts.

This highlights a critical limitation in the accounting and religion literature, which often relies on theological doctrines and institutional frameworks to explain practice. As Joannidès de Lautour (2016, p. 97) notes, such approaches tend to focus on what is imposed on practitioners rather than how practices are actually performed. Consequently, they overlook the lived experiences, interactions, and interpretations that constitute accounting in religious settings.

In response to this gap, this paper adopts a different approach by focusing on the mundane practices of Shariah auditors within Kuwaiti Islamic banks. By engaging with their everyday activities, interactions, and decision-making processes, the study seeks to understand how accounting and religion are mutually constituted in practice. In Bourdieusian terms, this involves examining how these practices reflect and reproduce a *structured and structuring structure*—that is, how habitus operates as a generative force shaping Shariah auditing. Through this lens, Shariah auditing is not viewed as a static system but as an ongoing accomplishment, produced through the practical actions of auditors within a religious and organisational field.

### **5.3 Mundane practices: Bourdieusian perspective**

#### **5.3.1 Embodied practices**

A critical theory definition of practice calls it “a code word in cultural studies for what people do in the course of their everyday life” (Buchanan, 2010, p. 383). Practice is a focal point for many cultural studies, as social agents can identify *what* people do through diverse observable and recordable activities. However, it is not so easy to understand *why* they do it, as their intentions and purposes are unseen.

Bourdieu identifies a form of social practice that each group, culture, and society has in its own, involving theoretical understanding of their world or the space they occupy (e.g., the way the world should be, how it is natural to its occupants). For Bourdieu, ‘practice’ possesses many unique attributes (Jenkins, 2003). Foremost of these is that it is carried out in a specific time and space and can be noticeably

observed by a spectator. Also, it is not wholly unintentionally structured or wholly orchestrated. According to Jenkins (1992, p. 70), “Nothing is random or purely accidental but, as one thing follows on from another, practice happens.” Another attribute is that practice is the product of a continuous learning process, neither completely unconscious nor completely conscious. A practice commences in early childhood via participation in social forums, through which social actors grasp knowledge unconsciously (Bourdieu, 1990a). Such structured structure varies from Early years’ experiences and education, though according to Bourdieu, a practice that is not a product of a logical decision is an experimental scheme (Polkinghorne, 1997).

A mundane accounting practice could be categorised as indeterminate and sometimes fluid. The complexity of social life does not derive from a normative model, specific recipe or adherence to certain rules. It is not possible, therefore, for mundane accounting practice to have a prescription or rule for each situation, as mundane accounting practice constantly offers a space for accountants to invent their techniques. It is not a result of structural or rigid regulations but rather the product of a performer's strategies for achieving their objectives. Mundane accounting practice, therefore, has a function. Hence, this paper calls for an understanding of the mundane practices of Shariah auditors in Kuwaiti Islamic banks, and it endeavours to advance such understanding herein. As such, practice is far from random and operates according to an embodied structure; understanding and analysing this practice is essential for obtaining a clear understanding of how the embodied structure is portrayed in a mundane practice. Thus, the embodied structure of participants need to be comprehended to capture the logics of everyday practice. Such understanding requires the researcher to dive into the structured and structuring structure of the field - or, as Bourdieu calls it, habitus.

### **5.3.2 The structured and structuring structure of mundane practices**

Habitus is Bourdieu's crucial idea for capturing social practices or actions (Fee and Macintosh, 2008), and it provides a source for understanding meaning by linking micro and macro analyses in the field. Moreover, habitus (Figure 5-1) is a “system of durable, transposable dispositions, structured structures predisposed to function as

structuring structures, that is, as principles which generate and organise practices” (Bourdieu, 1990b, p. 53). Habitus evolves through a long process of experience during a social agent’s lifetime, and it does so through factors such as family values, formal education, and socialisation, which influence behaviour and ways of perceiving reality. ‘Habit’ is a notion that very frequently is related to *habitus* (Maton, 2008) , but erroneously, as the two are different (only the latter helps explain social construction). The significant difference between habit and habitus is that habit involves a mechanical action connotation, reproductive, repetitive, as opposed to automatic and productive (Goddard, 2004; Bourdieu, 1995), whereas habitus underscores the fundamental structure of practice, implying that a generative principle strengthens acts (Maton, 2008). Habitus relates to field reproduction as Shariah auditors rely on their past experiences in their mundane practice (Malsch et al., 2011). Notably, Bourdieu is very careful about such a distinction when noting that he said “habitus so as not to say habit” (Bourdieu and Wacquant, 1992, p. 122).

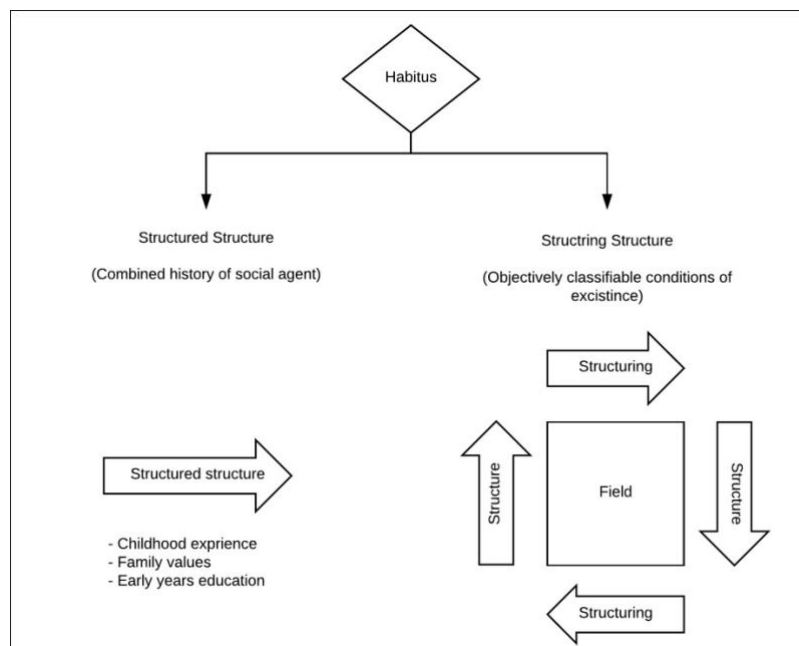


Figure 5-1: Habitus (Source: Author)

As a reflection of social agents’ practice, habitus is mobilised in this paper as a generator of Shariah auditing practice. This adoption is built on the idea that Shariah auditors’ mundane practices are merely a reflection of their embodied structure that structures their daily behavioural interactions, including their practice. Habitus

represents the cumulative history of social agents, where the durable effects of family values, education, social relationships, and past experiences shape individuals' current tastes, personality, decisions, dispositions, understandings, and emotions (Bourdieu, 1989). Thus, Shariah auditors' habitus starts developing as early as childhood begins: (i) when social agents are struggling for assigning meanings to everyday situations; (ii) where natural behaviour is not yet deemed natural; and (iii) where personality is still in the making (Wacquant, 2005). Then, as habitus develops into a unique feature of each social agent, it magnetises their accumulated life experience and thus helps them respond to new life experiences. Hence, habitus could be treated as a generator of mundane Shariah audit practice. In other words, habitus could be live as Shariah auditors are, and it is the unconscious logic social agents rely on to generate meanings mundanely.

Bourdieu (1990a) states that habitus operates pre-reflectively, as new decisions are made unconsciously in the moment by an individual's mind before any reflection has occurred. Still, it is developed reflexively as the decision subsequently gains legitimacy or is negated. Habitus thus comes to life through mental and physical structures where actions take place according to intangible yet sensed meanings (Bourdieu & Wacquant, 1992). Despite this, habitus is anything but eternal, as it associates social actors' deep and occupational identities (Meisenhelder, 1997), and this is itself also in a state of ongoing flux. In this work's particular context, then, the habitus of Shariah auditors is continuously changing over time. This could be perceived as a change in field features, and new struggles over capital evolve (Bourdieu & Wacquant, 1992).

In this capacity, habitus governs and controls the mundane practice of Shariah auditors. By interacting and conducting their mundane practice, auditors are structuring the structure of Shariah auditing. As a structuring process, it structures and continues to structure everyday practice according to a structured framework. Bourdieu himself divided habitus into structured structure and structuring structure. What is structured today was, in the past, a structuring structure. This ongoing feature of habitus suggests that it is a behavioural reflection of mundane practice.

A common misrecognition of habitus amongst scholars is that some believe in its rigidity, frozenness and fixity. As Bourdieu (2000, p. 161) clearly and explicitly declares,

Habitus changes constantly as a function of new experiences. Dispositions are subject to a sort of permanent revision, but one that is never radical, given that it operates on the basis of premises instituted in the previous state. They are characterized by a combination of constancy and variation that fluctuates according to the individual and her degree of rigidity or flexibility.

These degrees of rigidity are never absolute, just as flexibility has its variations within an active range, so habitus itself is never fixed, for these reasons. There are also differences within the concept of habitus itself, and Wacquant (2014) advocates separating it into primary and secondary types. Primary habitus represents the solid childhood dispositions social agents tacitly embody throughout their growing phases. This habitus emerges slowly and shapes itself into an explicit personality, in which individuals define universal beliefs based on its foundation (Bourdieu and Passeron, 1977). The secondary habitus is “any system of transposable schemata that becomes grafted subsequently, through specialised pedagogical labour that is typically shortened in duration, accelerated in pace, and explicit in organisation” (Wacquant, 2014, p. 7). Hence, the first comes to social agents simply by living, while the second requires effort, energy and an eagerness to become.

From the above definition of the term ‘habitus’, three core aspects of habitus can be noted. First, habitus is ‘structure’, which implies that it is organised in an orderly manner instead of a random one (Maton, 2008). This structure encompasses the system of disposition that fosters practice, perception, and appreciation. Therefore, habitus is made up of the two important elements of propensity and structure, which influence people to act and react in a specific manner (Swartz, 1997). According to Bourdieu (1977, p. 214), the term ‘disposition’ suitably conveys what habitus covers:

It expresses first the result of an organizing action, with a meaning close to that of words such as structure; it also designated a way of being, a habitual state (especially for body) and, in particular, a predisposition, tendency, propensity or inclination.

Such dispositions as these are resilient and last for a long time. Bourdieu stresses that “the habitus [...] is that which one has acquired, but which has become durably incorporated in the body in the form of permanent disposition” (Maton, 2008, p. 56). Therefore, habitus refers to something that connects to an individual’s history, in addition to belonging to a genetic mode of thinking. Moreover, habitus also implies something such as capital or property (Maton, 2008). As disposition can also be transposed, the implication is that habitus is an adaptive power (Bourdieu, 1995), in becoming active in a wide range of social structures (Maton, 2008).

Secondly, *habitus*, as a ‘structured structure,’ means it is socialised, encoded, and learned into the person from early childhood, thereby influencing individual actions. Thus, habitus is a product of socialisation through family background, education, and experience, all of which are shaped by external or internal structures, causing people to behave involuntarily.

Thirdly, habitus as ‘structuring structure’ implies that habitus details present as well as future personal behaviours regarding carrying out a definite practice (Jayasinghe and Wicramasinghe, 2011). The social background of Shariah auditors, including their educational experiences and familial upbringing, indirectly or directly influences their habitus and thus shapes their everyday Shariah auditing practice.

In sum, understanding habitus is essential for understanding Shariah auditors and why and how they produce specific practices that extend beyond the limits of structures, thereby differentiating habitus from obvious rules such as regulations or laws that govern people’s behaviours in many ways. Moreover, habitus concerns the unconscious ways individuals act and react, concentrating on their techniques of thinking, being, acting and feeling (Maton, 2008), including both structuring present structure (*modus operandi*) and structured past structure (*opus operatum*). As such, habitus is open to objectification as well as being a means of producing common-sense, reasonable behaviour, actions and thought (Bourdieu, 1977; Grenfell, 2008; Bourdieu, 1992). It also bonds the past, present, and future actions of Shariah auditors. Nonetheless, although habitus develops through primary socialisation from childhood, it is not resistant to change. Neither is habitus absolute (Maton, 2008), and continuous adaptation occurs despite this being slow and unconscious. Habitus,

therefore, explains new situations instead of transforming towards essential dispositions (Swartz, 1997).

Habitus is key for theoretically framing Shariah auditors' mundane practice. This paper argues that structured and structuring structure of habitus is reflected in the mundane practice of a Shariah audit. This practice involves mundane activities such as doing, acting, feeling, thinking and reacting. These are practised according to a structured structure, yet also form a lively further structuring of the structure of Shariah audit practice. This ongoing dynamism of habitus denotes a living thing as it structures the mundane practices of Shariah audit.

#### **5.4 Research Methods**

This study's foundation is the social construction of accounting practice, and its intention is to understand how the structured and structuring structure of Shariah auditors in Kuwait Islamic banks becomes a mundane practice. Regarding its approach, the study adheres to the underlying principle that the researcher should be actively involved in the field rather than remaining isolated (Davis, 1999). In such involvement, the researcher can seek answers directly from key players in the specific field and consequently unleash new insights. Based on this contention, the primary source of data is generated through interviewing active and retired Shariah Auditors of Kuwait Islamic banks. Philosophically, the study excludes positivistic assumptions and instead adopts a critical approach of enquiry as a means of knowledge development.

The fieldwork for data collection took place between October 2016 and January 2017. During this time, the researcher interviewed 17 members of the Shariah audit boards in Kuwaiti Islamic banks. As Shariah scholars, the interviewees were familiar with face-to-face interviews and granted the researcher instant access. As a part of their religious duties towards society, most Shariah scholars' daily routine involves answering the public's religious enquiries, so participants' open-door policy facilitated data and access issues. Additionally, many participants conduct interviews regularly to share their religious opinions or to disseminate their knowledge of Shariah.

This work's interviews covered countless issues as the researcher enquired into different aspects of Shariah auditors' profession and practices in Kuwait Islamic banks - especially the everyday practice of conducting Shariah audit processes, the appointment process of Shariah auditors, professional certificates and prior education of Shariah auditors, and more. Interviews took place in various locations, including mosques, offices, houses, coffee shops, libraries, and meeting rooms. This provided the researcher with the opportunity to gather field observations in various locations. Such observations are central to understanding how Shariah auditors' mundane practices are reflected on/in their habitus. Table (5-1) gives an overview of the research participants and brief information about the place and duration of each interview.

Position/title	Location	Duration	Code
Shariah Supervisory Board member (former)	mosque	1 hour 13 minutes	SAM01
Shariah Supervisory Board member	interviewee's office	2 hours 10 minutes	SAM02
Shariah Supervisory Board member	interviewee's house	1 hour 31 minutes	SAM03
Shariah Supervisory Board member (former)	mosque	3 hours 05 minutes	SAM04
Shariah Supervisory Board member	mosque	2 hours 12 minutes	SAM05
Shariah Supervisory Board member	coffee shop	1 hour 10 minutes	SAM06
Shariah Supervisory Board member	meeting room	1 hour 50 minutes	SAM07
Shariah Supervisory Board member	mosque	2 hours 25 minutes	SAM08
Shariah Supervisory Board member	interviewee's office	1 hour 35 minutes	SAM09
Shariah Supervisory Board member	interviewee's house	1 hour 12 minutes	SAM10
Shariah Supervisory Board member (former)	in the airport	1 hour 37 minutes	SAM11
Shariah Supervisory Board member	interviewee's house	3 hours 11 minutes	SAM12
Shariah Supervisory Board member	library	2 hour 09 minutes	SAM13
Shariah Supervisory Board member	meeting room	1 hour 53 minutes	SAM14
Shariah Supervisory Board member	mosque	2 hours 28 minutes	SAM15

Shariah Supervisory Board member	interviewee's house	53 minutes	SAM16
Shariah Supervisory Board member	interviewee's office	3 hours 02 minutes	SAM17

Table 5-1: Overview of the research interviews process

In addition to the interviews and observations, this study uses many documents and reports as sources of data. Where appropriate, consent was granted from participants to use copies of documents and archival evidence to support the case of enquiry.

Interviews had all participants' consent. For the interviews, participants advised on the time and location according to their preferences. The interview sessions varied in length, but most took between 1 and 3 hours, with one lasting 53 minutes and a few going a little over 3 hours (11 minutes more being the longest of these). All the interviews were recorded using an audio recorder situated in front of the participants. The interviewees' consent was granted before each session. Later, the recorded material was transcribed, translated and used accordingly in this study. All participants were informed in written statements that their identities would remain confidential. Any reference that would possibly jeopardise their identity was altered or removed from the study.

During the interviews, the interviewer observed the participants' body language and gestures, recording comments in a notebook. Such information was used to analyse religious rituals, gestures, hints, the atmosphere of the place, the outfits of the scholars, their looks and appearances, the use of technology, and general unspoken observations. In addition, these observations extended to the surrounding culture of the Shariah auditors, including their everyday encounters with bank workers, worshippers at mosques, and people at various sites. Such observations helped in understanding and analysing participants' daily behaviour and its role in Shariah audit practices. These observations are included in the analysis section to complement the interviews, helping to construct analytical themes.

Interview transcripts along with field observations were read thoroughly to identify relevant themes. Field documents were assessed thoroughly to support the thematic outcomes from the interviews and observations. Next, relevant issues were

organised in a Microsoft Word file to facilitate easier identification of links. The resultant links and issues were then categorised and subcategorised. Such a process has been arranged in a coherent sequence to address the research's aim: understanding how the structured and structuring structure of Shariah auditors in Kuwait Islamic banks becomes mundane practice. Finally, the analysed story engaged with the current literature issues to formulate the contributions of this study in the discussion section.

### **5.5 The structured structure of mundane practices: A socio-political context**

To understand the mundane logic of Shariah audit practice in Kuwait Islamic banks, this work engages with the field's socio-political structured structure. Such engagement generates meanings to the mundane Shariah audit practice. This objective reality emerged due to subjective social and political forces. The development of this context underwent several stages, a brief overview of which is sufficient for this work. Initially, Islamic political forces in Kuwait gained governmental approval to establish the Kuwait Finance House (KFH) in 1978. Fundamental to this was the fact that three Islamic-oriented ministers who had good ties with the state authoritarians used their power to influence this decision and thus the establishment of this bank. After KFH was established as the first Islamic bank in Kuwait, the bank appointed Shariah scholars as Shariah auditors. Expert Shariah scholars who were actively engaged in Kuwait's social sphere were recruited and appointed to audit KFH's daily financial matters. A key point here, then, is that Shariah auditors in Kuwait Islamic banks are Islamic scholars who hold Islamic studies degrees. In addition to their academic qualifications, and line with their Shariah auditing duties, these figures are also well-known and respected in Kuwait's social and political spheres. Shariah auditors are therefore highly socially and politically engaged, and they have profound socio-political connections. This section explores these and how they are portrayed in the structured and the structuring structure of the mundane practice of Shariah audit in Kuwait Islamic banks.

### 5.5.1 The structure of Islamic groups in Kuwait

An Islamic orientation has always characterised the social and political landscape of Kuwait. This is not surprising, considering that Islam is the official religion, as stated in the Kuwait constitution. Additionally, Islamic forces, in their social and political forms, are comprised of three groups.

Since 1980 the Islamic forces have consisted of three main groups: the mainstream Muslim Brotherhood, whose base is in the Social Reform Society; the more marginal Ancestral (Salaf) Islamic group, which has its base in the newly formed Heritage group (al-Turath); And the Cultural and Social Society (Jamiyyat al-Thaqafah Al-Ijtimayyah), which is under the influence of the forces inspired by the Iranian Revolution and represents the interests of segments of the Shia

(Ghabra, 1997, p. 60)

Each Islamic group is led and directed by well-known and respected scholars of Shariah. These scholars implicitly and explicitly guide their Islamic group members according to their Shariah fatwas and interpretations. Counterpart groups likewise have their interpretations of this, and such diversification of Shariah interpretation has, on many occasions, created social and political clashes between and even among Islamic forces. Each group thus differs from the others primarily based on interpretation, as well as the results of this variation, such as the principles, structure, and orientation of their Islamic group; however, for each, these are connected in social and political spheres.

The first Islamic group is oriented towards the Muslim Brotherhood school of thought. It acts under the umbrella of the Social Reform Society (SRS). The Society adopts the second group for the Revival of Islamic Heritage (SRIH) and adheres to the Salafi school of thought in Islam. The third group is the Shi'i group. It adopts the Shi'ism school of thought and is driven socially by The Cultural and Social Society (CSS). Each of these Islamic forces has its own designated mosques where ideas are spread among their audiences. Each group adopts a specific Islamic school of thought in interpreting the Quran and Sunna; hence, they conflict with each other in many Islamic contexts. Such contradictions within Islamic thought have led to the development of three distinct Islamic structures. The three contradicting Islamic structures represent the Islamic reference of the State of Kuwait. In other words, Shariah law of Kuwait is structured according to these three Islamic groups.

Specifically, each of these Islamic groups is structured with a distinct socio-political structure. Such a structure is closely tied to an individual group's Islamic school of thought and is prevalent throughout Kuwait's social and political spheres. It is formed through various shared means but with individual takes. For example, all of one group's members are structured with a similar Shariah education, but will have their perceptions within this broad school. They also go to the same mosques and participate in the group's own social events. Such social bonding of each Islamic group's members creates a distinct structured structure in which the individual operates. This structure is also structuring within members' mundane practices, and it reflects their social and political orientations as they pursue their everyday practices. To elaborate further on their structured structure, the following three subsections present the three Kuwaiti Islamic groups in more detail.

#### **5.5.1.1 Salafist Islamic structure**

The Islamic Salafist movement began in 1969 with a handful of Kuwaiti youths. At its inception, this movement had no underlying agenda; instead, it sought only to spread the Islamic thoughts of Ibn Taimiya<sup>9</sup>. This small group continued to work in mosques, spreading their ideas by inviting young Kuwaitis to join them. They were inexperienced at the beginning of their missionary journey, as they had no history or organisational heritage to follow. They focused on correcting and distinguishing Hadiths and rejecting weak hadiths. They believed that other Islamic groups, such as the Muslim Brotherhood, relied on hadiths that were inaccurate and weak. They also considered the Muslim Brotherhood an educational community with no tight Islamic roots. These Salafi group members focused their work on delivering and clarifying details of jurisprudence related to Hadith. Each of the three Islamic groups has different orientations from the others so ongoing conflict has resulted as each continually condemns the misinterpretations of other Islamic groups.

One of the most famous founders and leaders of the Salafists is Sheikh Abdul Rahman Abdul Khaliq, who outlined the underlying goals of the Salafist group in Kuwait. He

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<sup>9</sup> Ibn Taimiya (1263–1328) is a well-known Islamic scholar. His school of thought and books provide guidelines for the Salafists school of thought. He believed that Islamic law must be understood by referring to the primary sources of Shariah: Quran and Sunna.

believes in the formation of a true Muslim who knows and understands Islam as the only true religion and thus works according to this. He also believes in forming a society in which the word of Allah is supreme, and he asserts that this can be achieved by creating a society reform built on Islamic principles. He nevertheless called for uniting Islam in Kuwait as a unified religion without rival factions, thereby avoiding misconduct and misinterpretation of Islamic law. These underlying foundations of Salafists were used for preaching in mosques, as well as for lectures, phonograms, and cassettes. The Al-Watan newspaper also devoted a religious page to the Salafi movement's writings, as the newspaper used Salafi thought to fight the Muslim Brotherhood group publicly.

The Salafists group started a parallel strategy for forming and developing its underlying structure. To achieve this, it established the Society for the Revival of Islamic Heritage in 1982, which served as an umbrella organisation for spreading its social activities locally. The group also participated in various student elections and occasionally succeeded in these. In 1975, it supported several parliamentary candidates, and in 1981, it officially entered the parliamentary polls by nominating several scholars.

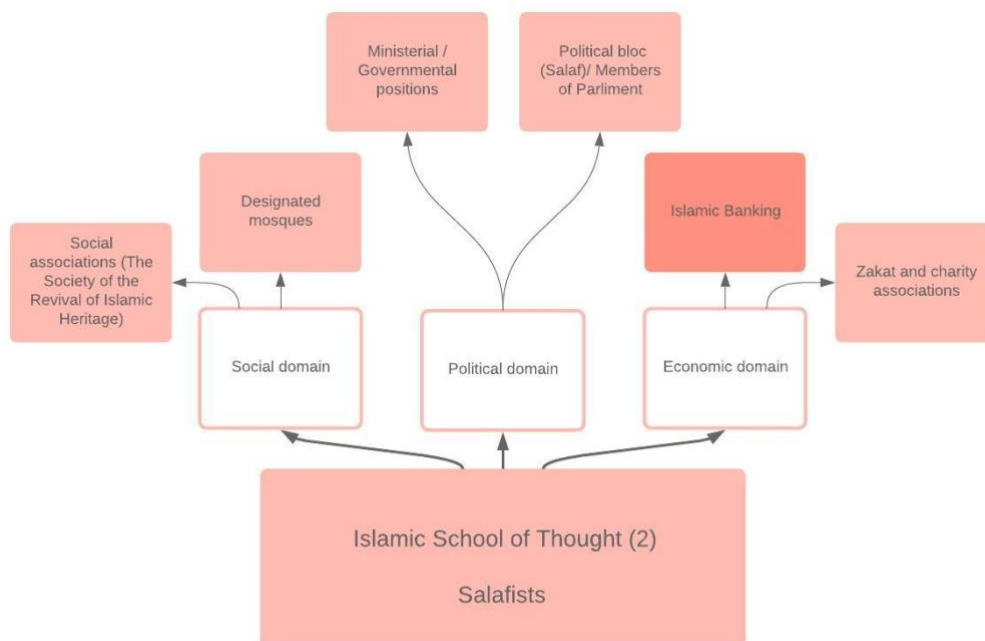


Figure (5-2): Salafists Islamic group in Kuwait (source: the author)

The Salafists group is based on preserving the primary sources of Islam: Quran and Sunna. This structured structure shapes the group's identity and is evident in their mundane interactions and practices. Most followers of the Salafists structure believe that it represents the Prophet Mohammad's (PBUH) Islam. This structured structure of their practice is shown in their social and political mundane engagements. By mundane, the scope of engagement is broad and includes interactions, meetings, looks, discourses, influences, etc. Such mundane practice is not necessary explicit, as it can take the form of implicit embodiments.

#### 5.5.1.2 The rise of Muslim Brotherhood's school of thought

As the Kuwait state spared no effort or expense when it came to Islamic public facilities, mosques were built extensively in every residential area to direct the youth to adopt religiously driven beliefs and ethics. In this endeavour, mosques were open not only for prayer but also as a social gathering space where Islamic teachings were spread.

The Muslim Brotherhood led the first wave of the Islamic movement in Kuwait. The Brotherhood movement is based on the *fiqh* (doctrine) of *Ahl al-Sunnah wa al-Jama'a* (the companions of the Prophet Muhammad), which emerged in the seventh century AH (12th century AD). Those of the last four Imams followed this era.<sup>10</sup>, the origin of the Sunni dogma, with its ideas and Imams.

Contrary to the overwhelming majority of scholars of the Sunna, the leadership and scholars of the Muslim Brotherhood Movement believe in the political dimension formerly enjoyed by the four Imams, which, in essence, constitutes the instrument of legitimacy for waging battles of political activity.

(Awadh, 1999)

The Kuwaiti branch of Muslim Brotherhood started its mission to spread its Islamic thoughts through the Social Reform Society (SRS) (*Jamiyat allslah Al-Ijtimai*)<sup>11</sup>,

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<sup>10</sup> The four Imams are as follows: (1) Imam Naaman Bin Thabet (80-150 H.), known as Abu Hanifa; (2) Imam Abdullah Malek bin Anas (93-179 H.), known as Imam Malek; (3) Imam Mohammed Bin Idriss Bin Shafa'a (150-204 H.), known as Imam Al-Shafa'ay; and (4) Imam Ahmad Bin Hanbal (164-241 H.).

<sup>11</sup>The Social Reform Society (*Jamiyat allslah Al-Ijtimai*) was founded in 1952 under the name of *Jamiyat al-Irshad* as a social reform society. It acts as the Kuwaiti social branch of the Muslim

which was founded in 1963 and flourished under the government umbrella as one of the most influential Islamic social societies in Kuwait. It is organised as follows:

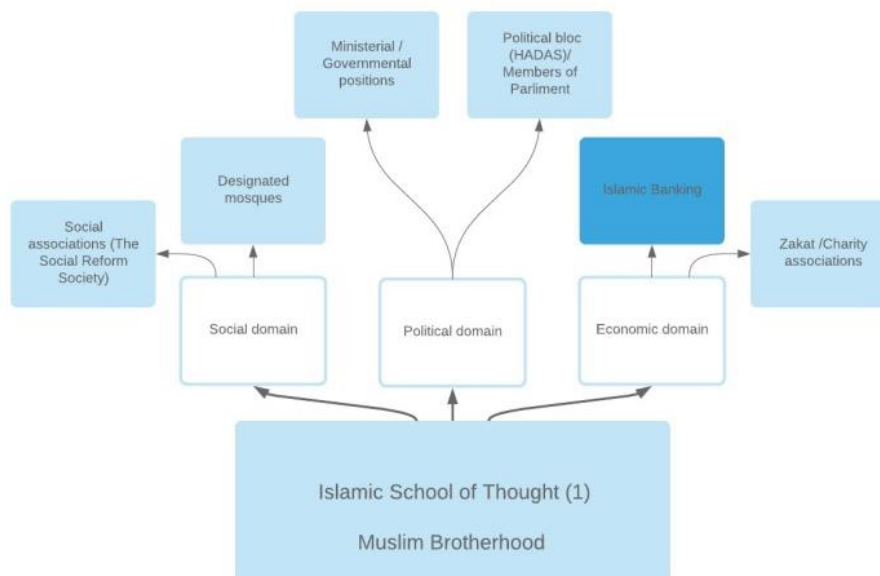


Figure (5-3): Muslim Brotherhood group in Kuwait (source: the author)

The government awarded the Social Reform Society for not condemning the dissolution of the 1976 parliament by appointing its chairman, Yusuf Al Haji, as Minister of Religious Affairs. Following this appointment, the Kuwaiti branch of the Muslim Brotherhood group established an active political presence. Such political engagement strengthened this Islamic body, making it an active political force in Kuwait.

The structured structure of the Muslim Brotherhood group involves a distinct flexibility towards Shariah law. Unlike the Salafists' rigidity, the Muslim Brotherhood group flexibly interprets Shariah law. The Shariah education of the Muslim Brotherhood group is structured in universities that promote the group's ideas. Such an educational structure is instrumental to structuring their everyday practice as a group. Also, regardless of the shape of the practice they undergo, their habitus governs this practice.

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Brotherhood Movement. In 1963, it restructured its name and engaged extensively among society. With government endorsement, the society became empowered as the social arm of the Muslim brotherhood movement in Kuwait.

### 4.5.1.3 Shi'ism as a third school of thought in Kuwait

Shi'i represents 20-30% of Kuwaiti citizens. Although representing a minority compared with the mainstream Sunni citizens, these citizens signify an inseparable part of Kuwaiti history (Awadh, 1999).

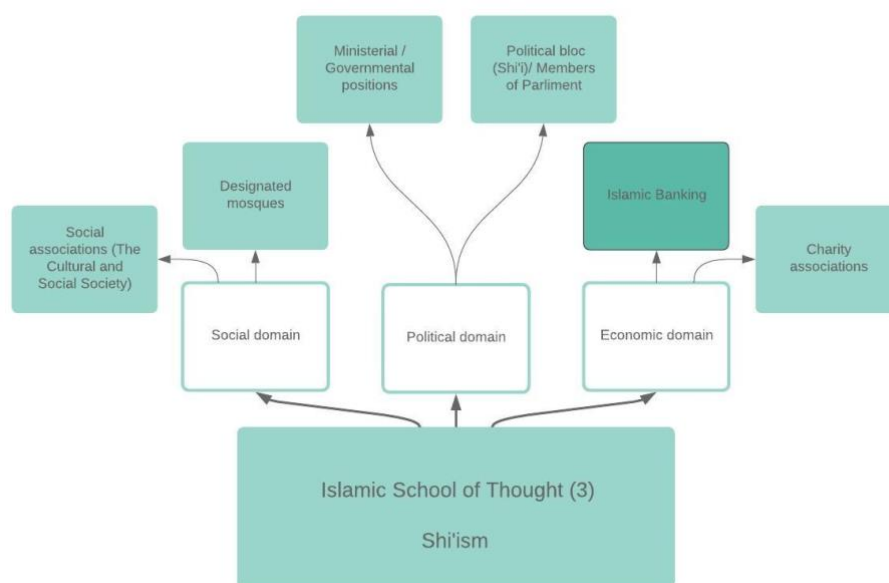


Figure (5-4): Shi'ism Islamic group in Kuwait (source: the author).

Shi'a dogmatists gained much inspiration for spreading their beliefs from the 1979 Iranian revolution, though they already had support in promoting their dogma. The Shi'a were guided and helped by the Cultural and Social Society (CSS), which was established in 1968 and actively created its Islamic identity. This support advanced after the Iranian Revolution (Ghabra, 1991). The CSS thus helped shape the significance of the Shi'i Muslim community in Kuwait, as it became a major driver of political, social and economic Shi'i functions in Kuwait (Bill, 1984).

Historically, Kuwaiti Shi'i emerged from two main origins: Iran and Iraq. The Kuwaiti market attracted many Iranian merchants during the first decade of the nineteenth century (Awadh, 1999), and the Iranian Shi'i wave settled in Kuwait for trading and

economic purposes (Aljassem, 1973). Most of these Iranians were granted citizenship and became first-class Kuwaiti citizens or 'original Kuwaitis'<sup>12</sup>.

The second Shi'i wave came to Kuwait from Iraq, mainly during the 1940s, and these Iraqis migrated because the discovery of oil in Kuwait offered them job-seeking opportunities. Despite the much closer proximity between Kuwait and Iraq compared to that between Kuwait and Iran, the number of Kuwaiti Shi'i who originated from Iraq was insignificant due to Iraq's high living standards at the time (Awadh, 1999).

The socio-political structure of the Shi'i group is least visible because its followers are a minority in Kuwait. Although being a small group does not exclude them from the picture, they can still contribute to this work. Their structured structure is built on the Ja'fari school of thought. Their *habitus*, or their structured and structuring structure, is portrayed in the social and political spheres of Kuwait.

The three mentioned Islamic groups dominate the socio-political Islamic scene in Kuwait. Their presence in Kuwait is due mainly to the Islamic social revival of the 1970s, which significantly altered the social and political landscape of Kuwait. Islam subsequently dominated the social scene as it filled the gap the departed nationalists' ideology left. As the form of society transformed dramatically, manifestations of this transformation appeared in public spaces - for instance, the head cover (*hijab*) became a widespread form of apparel for Kuwaiti females.

Islamic forces thus conquered Kuwait's social body during the 1970s and 1980s, gaining complete control of the most influential social organisms. Student unions and teacher associations were Islamically mobilised to influence the education system. Additionally, the extensive establishment of mosques throughout Kuwaiti residential areas helped scholars propagate their ideological agendas (Al-Mdaires, 2010). Although mosques were built to accommodate Muslims' daily prayers, scholars were also using them as a congregation space for meetings following the afternoon prayer. Donations were thus collected in these mosques, especially after the Friday

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<sup>12</sup> Kuwaiti citizenship law categorises citizenship into eight levels, with first class citizenship being granted only to those who were in Kuwait prior to the year 1969 and had been in Kuwait at least from 1920. All eight levels of citizenship are generally treated equally, but the right to vote and run for parliament is exclusive to first class citizens.

prayer, without any legitimate representation (Al-Qabas, 2005). Much propagation happened then, as it was “the role of religious parties to spread their ideas in society through the power of using mosques, schools and the official and non-official media to achieve their tasks” (Alkhatib, 2015).

### 5.5.2 Islam in the political game

After 1979 in Kuwait, Islamic forces seemed increasingly bold, as the secular nationalist forces lost many of their traditional bases of power, such as the teachers’ and students’ association. In most non-governmental organisations (Kuwait is known for these influential associations), every election after 1979 was characterised by an attempt on the part of Islamic forces to gain control.

(Ghabra, 1997)

The political sphere of Kuwait, a reflection of the social domain, was primarily dominated by the pan-Arab Nationalist group before the Islamic movement emerged in the 1960s. This group was influenced by the spirit of nationalism strongly felt by the Egyptian president, Gamal Abdunnasir. The pan-Arab movement was concerned with the Israeli occupation of Palestine, with its aim to expel Western colonialism and influence from Arab countries. Several Arab countries adopted this nationalist movement, as did Kuwait through its active social and political members. However, the 1967 war between Arab forces and Israel, along with its allies, brought this movement to its grave. Similar to the defeat of the Arab side, the popularity of nationalist parties declined dramatically in the Arab world (Ghabra, 1997). The Kuwaiti government seized this opportunity to undermine the powerful national party in its country by endorsing various Islamic forces in different ways. For instance, the state made “structural changes intended to undermine the parliament by mobilising new constituencies to weaken the power of the merchants and the Arab nationalists who formed the core of the opposition” (Tétreault, 2012). Also, the state’s “south allies among Kuwaiti Islamists, and enlarged the electorate by conferring first-category citizenship on Bedouins from Najd in central Arabia, allowing them to vote and run for office” (Tétreault, 2012). As one of the most active nationalists in Kuwait, Al-Khatib (2015) questioned the Islamic forces’ political intentions: “[A]re these religious parties entrenched by the electoral victory are trying to take over the ‘cake’ in whole or in part?” he asked. He also criticised the

political role of the religious institution while upholding political power. He believes that Islamic political forces are packed with ideological agendas of domination, which he thinks are hidden behind their religious scarves.

Inroads were nevertheless made, as Islamic forces gained access to government through ministerial positions. One of the first Islamic appointments was that of Yusuf Al-Hajji (1976-1984) as the Minister of Religious Affairs. Al-Hajji was chairing the Social Reform Society, also known as the Muslim Brotherhood Social Society, before his ministerial appointment (Ghabra, 1991). Such an appointment was an award from the state and a demonstration of the latter's appreciation for the Social Reform Society's stance against the dissolution of parliament in 1976 (Ghabra, 1997). Since then, Islamic forces have been represented in every single governmental formation.

Islamist political forces were eagerly pursuing their goals in the Sharia sense. Their first political outcry occurred in 1971, when they condemned the coeducation system at Kuwait University (Ghabra, 1991). They called for immediate segregation within the University on the basis that mixed classes do not conform to Sharia law. Although such a desire was not effected, the Islamic political forces caused a furore. They continued to battle their opponents using their political positions and religious power to legitimise their demands.

Islamic political forces generated further legitimacy, and they soon became the "only organised mass-political force in the country" after the state in the 1980s (Ghabra, 1997). They were actively challenging any societal behaviour that contradicts Sharia law and taking advantage of their powerful position within the state by, for instance, implementing laws that strengthened the role of religion in Kuwait (e.g. establishing a Shariah college).

The scale of the Islamic groups' expansion into Kuwait's political arena became vast. Each Islamic group spread its structured structure to acquire ministerial positions and parliament members. They then used their political influence to issue Islamic legislations and diminish their non-Islamic oppositions' authorities. So again in Bourdieu's terms, they politicised their structured structure to serve their structuring agendas. A classic battle is the Salafists' attempts to amend Article 2 of the Kuwait Constitution. They wanted to change it to testify that Shariah law is the only law of Kuwait. This change would have brought framework state law in

accordance with the Salafists' structured structure, but they did not effect this change due to its great unpopularity within the parliament. Such an example is nevertheless one of many where Islamic forces tried to impose their structured structure within Kuwait's political sphere.

### 5.5.3 Islam in the economic game

On the economic level, the movement [Muslim Brotherhood] was able to build a network in every mosque and neighbourhood, and major institutions founded in the mid-1970s complemented their power. For instance, Bayt Al-Tamwil (Kuwait Finance House) became the second major bank in Kuwait. The movement built and solidified its base in the 1980s. Kuwaiti Islamists became key players in the financial support given to Islamic movements in Afghanistan, Egypt, Algeria and Sudan.

(Ghabra, 1997)

The state's primary goal in empowering Islamists was to halt and even reverse the ascendancy of merchants and nationalists in Kuwait (Tétreault, 2012), as the nationalists dominated the social and political spheres while the merchants controlled the economic field. Besides what has been noted on the social and political fields, the Islamic forces sought to create a suitable religious-derived pathway for them to enter the economic sphere of Kuwait through banking.

As drivers of economies, banks are the most influential financial entities. Economies are evaluated based on the stability and efficiency of their banking systems. In the 1970s, the Kuwait banking field consisted of seven competing banks. As Islam was not a factor in such competition, banks were free from religious orientation. This, however, changed when the Kuwait Finance House was established in 1978 as the first Islamic Bank in Kuwait. KFH provided the Islamic forces with their desired path into the economic field. In terms of Islamic banks, they must comply with Shariah to retain their Islamic character, and such Shariah compliance requires Shariah specialists to monitor and assess each bank's mundane operations. This role was handed to Shariah scholars, who were appointed as 'independent' Shariah auditors.

On a broader note, the Shariah auditing profession is structured on the basis that Islamic banking must adhere to Shariah law. The emergence of this new auditing profession gave Shariah scholars the space to structure it according to their

structured structure. This auditing structure was consequently constructed in response to the social and political agendas from which these Islamic forces have emerged.

## **5.6 The process of mundane practices: Structuring Shariah auditing practice**

Bourdieu views habitus as a dispositional characteristic rather than a deterministic one. Instead, it is socially constructed and personally behaved. This section explores how the structuring structure of Shariah auditors' everyday mundane Shariah auditing practices in Kuwaiti Islamic banks reflects their habitus. In other words, their habitus is a mundane practice that generates its meanings and attributes from its socio-political structured structure. In these mundane Shariah auditing practices, such structure is structuring according to embodied meanings and concepts.

Kuwait's specific Shariah auditing practices derive from the Kuwait Finance House, which was established in 1978 as the first Islamic Bank in Kuwait. Recruiting Shariah scholars into the banking field seemed logical to due of their expertise in Shariah and how this aligns with the bank's Islamic vision. The bank's management thus gave Shariah scholars particular Shariah auditing responsibilities. SAM15 was one of the first Shariah auditors in the Bank and describes the scene during that first year:

“I agreed to be part of this bank to help with my Shariah knowledge ... This great Islamic establishment was founded to provide an Islamic avenue to Muslims ... It provided an Islamic alternative to the unlawful banking products in Kuwait ... It was astonishing how such capitalistic financial activities transformed into Shariah compliance products ... I was privileged to facilitate this transformation ... Me and my fellow Shariah auditors were working days and nights to enact Shariah rules and fatwas to the Bank's management... We also were responding to the enormous Shariah enquiries from both employees and customers.”

(SAM15)

SAM15 and his Shariah auditing team were establishing a Shariah audit practice at KFH. They relied on their Shariah knowledge to create and facilitate a practice from scratch. Such a mission took time and required patience. He elaborates on this point:

“What you see today in the Shariah audit profession is a result of decades of hard working and dedication ... this profession was built from scratch ... when we joined this organisation - an Islamic Bank - we only used to assess the legitimacy of simple financial transactions. and as we progressed through time, everything got complicated. customers demanded new financial products such as Murabaha and Mudharaba. the government started to regulate our profession ... and the bank’s management wanted to compete with interest-based banks locally and internationally. all these elements have played vital roles in shaping and changing the Shariah audit profession in Islamic banks locally.”

(SAM15)

Shariah auditing in Kuwaiti Islamic banks was once a space of unregulated practice. With no prior or parallel experience to follow or use for guidance, such a practice structured its own logic by objectifying the mundane, subjective acts of Shariah auditors in Kuwaiti Islamic banks. This section provides an empirical analysis of the structuring structure of Shariah auditing practice. This will facilitate an understanding of how the mundane practice of Shariah audit portrays a structured and structuring embodiment of socio-political reality.

#### **5.6.1 PhD as a pathway into the field**

A significant characteristic of Shariah auditors in Kuwait Islamic banks concerns educational qualifications. Figure (5-5) gives extracts from the annual reports of KFH, Boubyan Bank and Warba Bank that note information about these banks’ Shariah auditors, all of whom are PhD holders.

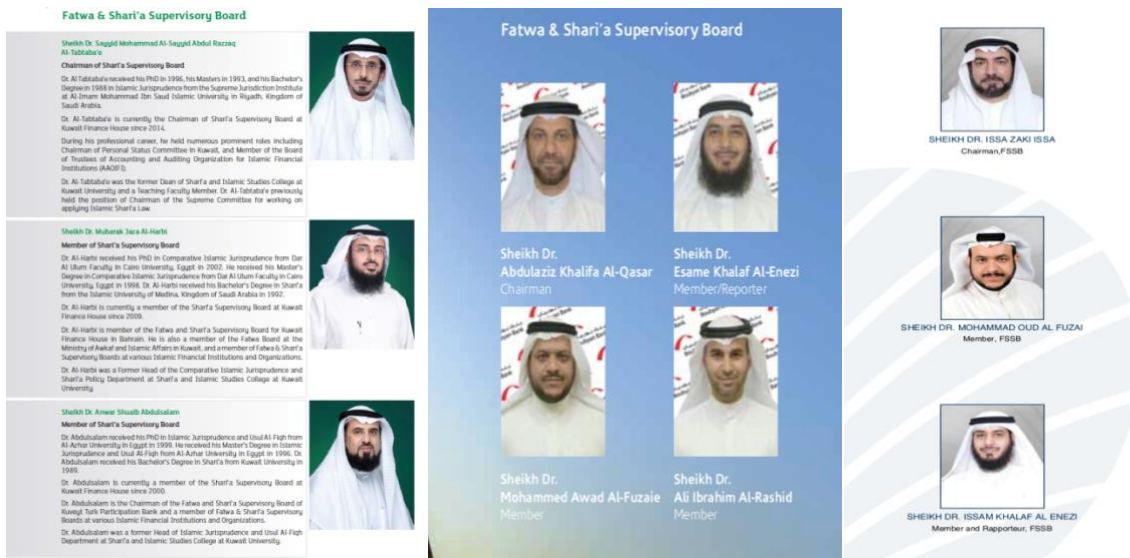


Figure (5-5): Shariah audit members in Kuwait Islamic banks

(Sources: the 2017 annual reports of KFH, Boubyan Bank and Warba Bank)

SAM12 commented on Shariah auditors in Kuwaiti Islamic banks consistently holding such qualifications:

“I believe that every Shariah scholar must continuously educate himself to provide answers to social Shariah matters ... The nature of our practice is to provide religious justifications to people who seek us on an everyday basis ... holding the higher educational degree in your field counts in our favour and credits our position ... If you, for example, want to consult a doctor, the one with the highest educational qualifications would attract you more than those who hold lower qualifications.”

(SAM12)

The systematic order of educational qualifications in this context shows a structure of dispositions that aim to generate practice, or, in other words, *habitus* (Bourdieu, 1990c). As Bourdieu says, educational experiences, as a part of the habitual state, structure the social agent’s perceptions, predispositions, tendency or inclination (Bourdieu, 1977b). Such dispositions, in turn, affect and shape the field of practice.

Such a visible title in higher education suggests an educational benchmark for Shariah auditors to hold themselves to in practice. However, in this context, there are no stipulations regarding the academic degree required for a Shariah auditor. SAM17 is actually against the idea of a certain level of educational qualification

being needed to participate in this field of practice and instead lauds other considerations:

“Shariah scholars are purer than any higher educational degrees ... The current educational ladder should not affect the sanctity and holiness of Shariah scholars regardless of their location ... a Shariah scholar must not seek after titles ... it must be knowledge that we seek.”

(SAM17)

Implicit in this is that, for him, specific degrees provide esteem but not the required knowledge. Additionally, they may hinder auditors’ mundane practices, particularly regarding specific sources of such qualifications and their origin. The point that needs exploration (see the following subsection) is that in some cases, the educational institution reflects a particular school of thought that Shariah auditors adopt in their practical activities, which may not always be the case.

#### **5.6.1.1 Educational background as a structured structure**

As the last section mentioned, most Shariah auditors in Kuwait Islamic banks hold a PhD qualification. This section analyses the sources of these qualifications and how these sources form part of the structured and structuring structure of Shariah auditors’ mundane practices. Every Shariah auditor in Kuwait’s Islamic banks adopts a particular school of thought in their Shariah justifications, but what these are depends on the Islamic group to which each Shariah auditor considers themselves to belong. For example, Shariah auditors who obtained their PhD from Saudi Arabia tend to be influenced by the country’s mainstream Islamic school of thought. Thus, Shariah universities and colleges in Saudi Arabia tend to teach and produce Shariah scholars with orientations towards Salafists’ school of thought. xxxx. Al-Azhar University in Egypt, however, adopts a comparative approach towards Shariah studies, despite its historical orientation towards the Muslim Brotherhood group. As noted, Shariah auditors in Kuwait Islamic banks are mainly categorised as Salafist, Muslim Brotherhood or Shi’i minority, which reflects the social and political orientation of such Islamic groups. About this matter, SAM17 noted the following:

“Shariah scholars in general are oriented towards different school of thoughts ... we have Muslim Brotherhood scholars ... we have Salafists scholars ... we also have Shi’i scholars ... there are more but those are the

main ones today ... every group of scholars prefer to work together because they share similar understanding of Shariah ... I prefer to work with a Shariah auditing group that can understand my interpretations and respect them... We also share similar personalities; we understand each other. Such synchronisation makes our everyday work easier ... whereas, on the other side, when the bank appoints Salafist Shariah auditors from the I find it hard to agree with them ... They do not have Shariah flexibility about banking transactions ... it is either right or wrong, with no innovative solutions ... Their Shariah education is strict... I do not think that banks are right for them.”

(SAM17)

The structured portrayal of Shariah auditors with orientations toward Muslim Brotherhood tends to acclimate in the banking sector. In contrast, Salafists’ rigidity in applying Shariah law sometimes collides with an Islamic bank’s aspirations and visions. As both models of Shariah auditors work collectively in the Shariah audit field, conflicts inevitably arise. SAM17 understands that such interaction between Shariah scholars is natural:

“As Shariah scholars we adopt different techniques to reach an audit opinion ... this opinion might not suit the other scholars ... maybe he thinks that the Shariah justification is weak ... or in some cases, the analogy method gets refuted ... most of the differences occur between Salafists and Muslim Brotherhood auditors ... But it seems that Salafists are mostly in agreement with each other ... the same thing is with Muslim Brotherhood auditors.”

(SAM17)

Educational background is an essential structured structure that governs mundane Shariah auditing practices in Kuwaiti Islamic banks. Different backgrounds harbour different structural Shariah schools of thought, with each having its own Shariah interpretation that guides its mundane practice. Such structured structure plays a vital role in constructing the everyday practice of Shariah auditing in Kuwaiti Islamic banks. Within this structure, the mundane happenings of Shariah auditing practices are structuring according to their structured structure. Such happenings could include appearances, prestige, talks, interactions, the use of technologies, and meeting settings, among others. The following section extends the analysis into the structuring structure of everyday Shariah audit practices.

## 5.6.2 Reputation and prestige

Shariah auditors in Kuwaiti Islamic banks structure their Shariah opinions in accordance with the financial matters of Islamic banks and are active Shariah scholars in Kuwait's social sphere. Their roles and the values they promote in the name of Islam have earned them social respect. Admiration, respect, and affection towards Shariah auditors summarise their daily interactions with the public. As this occurs in particular ways, the following subsections examine how such an attitude is evident in these social agents' primary contexts: the social sphere and the workplace.

### 5.6.2.1 In the social sphere

As most of the interviews were conducted face-to-face, the surrounding environment of each encounter provided a distinct social experience. An example of such an environment came from six Shariah auditors proposing that mosques be the place for their interviews, which all took place after prayer time. The first experience was with SAM01, who suggested that the ideal time would be after the afternoon prayer in a mosque near his residence. As the prayer started, SAM01 led the worshipers by standing in front of us. After the prayer had finished, most worshipers went to greet SAM01, and some ended up chatting with him. After waiting for an appropriate opportunity, the researcher approached him and introduced myself. He welcomed me and told me to wait for him in the mosque's *diwaniya*<sup>13</sup>.

This scene made a strong impression on the researcher regarding the vast respect and prestige this scholar has in this mosque. Before proceeding, SAM01 stated that he had a video clip to shoot for a charity committee before conducting the interview. In the video shooting session, he encouraged people to donate to a specific charity. He emphasised Quranic verses when calling on the Kuwaiti people to donate to specific religious causes. He said he was then ready to start the interview and was soon asked about the purpose of this room in the mosque:

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<sup>13</sup> A Diwaniya is a social space where people gather to discuss various issues. Diwanis can be formal with dress codes and at specific times but also informal so much more casual way. A Diwaniya can be part of a residential house or as a standalone building. In this case, the Diwaniya was part of a mosque.

I use this room to meet with people who seek Shariah clarifications. People know that this is my mosque ... they can find me here whenever they want me after the al-asr [afternoon prayer] and sometimes after the al-maghrib [dusk prayer]

(SAM01)

Most Shariah auditors perform as leaders, or *imams*, during prayer congregations. Most mosques where they perform are usually packed with worshipers compared with other mosques. The five interviews that took place in mosques demonstrated remarkable similarities regarding the prestige and reputation afforded Shariah auditors in their mundane interactions with people, and the auditors also have views on this. SAM04 believes that his role as a Shariah scholar holds him to account in front of Allah to provide answers to people's enquiries:

“To engage with the public, I hold a daily interaction session after al-asr, the afternoon prayer ... people come up to me with their different enquiries ... some of which relate to financial matters and some to any daily basis matter ... some days ago, someone asked me about the Shariah opinion on participating in a current IPO ... and, as a Shariah auditor, I happen to be familiar with the technicalities of this IPO. so I provided him with my opinion, and I based my opinion on the debt ratio of this company. It seemed that this company deals with usury in its financials, so it is not permissible to participate in such IPO.”

(SAM04)

SAM04 conveys the influence, significance, and reputation of Shariah auditors in the social sphere of mosques. Mosques, as places of worship, are regularly used to provide Shariah opinions on various issues, including financial matters. A Shariah scholar structures and maintains his position in the field by delivering religious opinions, or *fatwas*, to the public, alongside his role as a Shariah auditor in Islamic banks. Such interactions in the social sphere enhance the credibility of Shariah auditors. They also legitimise their position in the Islamic banking field as guardians of Shariah law in the face of capitalistic practices. The reputation they earn in the public domain through interacting with people is part of their mundane practice as Shariah scholars. Such interactions are, in SAM04's opinion, vital:

“I believe that because we interact with people daily, they know who we are and what we stand for ... that is why they trust us with their money in the bank ... I mean, we have practised Shariah for decades, and such experience is accumulated ... it became through years of experience and education ... I believe that reputation in our field is essential. I always give clear evidence along with my religious opinions to support it ... Some

Shariah scholars only provide opinions without giving clear justification ... I do not blame them because people sometimes do not ask for justification as long as they got their fatwa.”

(SAM04)

Mundane interactions with people are part of the routine of Shariah scholars. In this case, mosques host such interactions. As Shariah scholars perform prayer five times a day, mosques are an accessible place for people to meet daily. Those mundane meetings take the form of social gatherings where general Shariah enquiries are made and subsequently discussed. They are a mundane opportunity for Shariah auditors to extend their reach with the public.

#### **5.6.2.2 In the workplace**

As with mundane interactions within banks, the floor for Shariah auditors, unlike those of others in the bank, is well-decorated and designed. The front desks are designated for the male secretaries of the Shariah auditors, whose duties include managing and processing the Shariah auditors' paperwork. They are also responsible for setting up and attending meetings with Shariah auditors. They link Shariah auditors with the rest of the bank's departments. Their meetings are restricted to Shariah auditors, secretaries, bank management and employees who have raised Shariah-related enquiries. As researchers cannot attend such meetings, information on their proceedings was derived from the interviews.

SAM09's arrival on the floor attracted the employees' attention. Most of them stood up to welcome the Shariah auditor. Some employees shook his hand, and several even kissed his head, suggesting a sign of ultimate respect. SAM09 asked one of the secretaries about the meeting agendas for today, then went to his office. To compare the place before and after his arrival, the secretaries seemed to rush one another to complete a file to take it into the Shariah auditor's office. The impact of the arrival of SAM09 to the floor was thus clearly visible, indicating the great respect such an individual possesses within the bank. SAM09 appreciates this respectful behaviour and the secretaries' work.

The work that we conduct in this floor is based on respect and trust ... the bank appointed the secretaries to facilitate our work, especially with the vast quantities of Shariah enquiries that we receive from different departments of the bank ... They - the secretaries - help us by doing the required paperwork ... They also set up meetings and communicate our resolutions to the bank's management.

(SAM09)

As with financial auditors, Shariah auditors are external workers to the banks but the workplace is very different for these two groups. Both have full access to the bank's financial matters, but Shariah auditors have additional privileges, including secretaries, private offices, meeting rooms, and designated tea boys. The bank's staff also refers to them as 'Sheikhs', which symbolises the high status they hold. The prestige and status that Shariah auditors hold in the workplace are integral to their everyday practice. Such ongoing sanctification of Shariah auditors is deemed natural as a part of what they represent. Calling them by their first name would be considered disrespectful, both in the bank and outside of it. In the auditing field, then, such sanctification to auditors exists only as a part of Shariah auditors' habitus. On this, SAM09 commented:

The respect that we get here, in the bank and outside it, is a result of our good reputation ... As servants of Allah, we dedicate our lives, knowledge, and conscience to serve our societies by spreading Allah's messages among people... I believe that Islam must keep on spreading its message to make this world a better place... We dedicated our lives to serve Allah, protect and preserve this religion... in return, society pays its respect towards what we represent ... It is a gift from Allah who gave us this great responsibility."

(SAM09)

Following our meeting, SAM09 invited me to Al-Asr prayer. We went for ablution for prayer, which was on the same floor, and when we returned to the secretary's office space, the floor was neatly covered with a large prayer mat. We stood up in two rows, each row containing six to seven employees/secretaries. We were led to the prayer by SAM09, who stood alone in front of us. After the prayer was concluded, the researcher greeted SAM09 and left the floor. As the researcher descended the staircase, they observed a similar prayer situation on each floor, where employees took a break from their duties to practice the Al-Asr prayer. The prayer break ritual is well-known, even in the branches of Islamic banks in Kuwait. As branches take an approximate thirty-minute break to perform the Al-Dhuhr prayer (mid-day prayer),

customers join in to pray or wait in their seats for the branch's staff to resume their duties.

### 5.6.3 Shariah auditors' look and appearance

In addition to reputation and prestige, the appearance of Shariah scholars reflects certain meanings. Shariah audit board members mostly wear a white dress and white head cover, as their self-portraits in the annual reports show (see Figure 4-5). As SBM03, who asked to be interviewed in his residence, states:

“This is an odd observation! But I will answer for myself ... White usually indicates purity and serenity ... this indication must reflect the Shariah scholar's conciseness towards society and humanity ... As a representative of Islam, I must be as white, as clean, as possible ... as reprehensive of the Shariah auditing profession, I must maintain an integral form and behavior ... As Islamic scholars, we do not only reflect ourselves. We reflect the Shariah knowledge invested in us.”

(SAM03)

As part of their public image, Shariah auditors must appear as pure as possible. Unlike the rest of the public, they must present a holy appearance, which in turn reflects the sanctity of the Shariah knowledge they represent. With an experienced eye, the distinction between Shariah auditors' appearance could lead to Islamic group - school of thought. When asked about the long beard as part of Shariah scholar look, the same participant replied:

It is a debatable matter in Shariah ... As Muslims, we must follow the Sunna of the Prophet Mohammad (MBPUH) as he encouraged men to unleash their beards ... but as you can see some Shariah scholars only have a short beard ... and some of them shave it ... As a follower of the Salafists school of thought, I am obliged to unleash my beard and shorten my moustache.

(SAM03)

Thus, the structuring of Shariah auditors' mundane appearance and look is evident in their beards and white dresses. The variation of beard lengths among Islamic groups further demonstrates this: Salafists Shariah auditors mostly have long beards to be in line with the Sunna of the Prophet Mohammad (PBUH); and Muslim Brotherhood Shariah auditors have short beards as they represent the flexible

modern Shariah. When asked about the embodied structure of variation of beard lengths among Shariah auditors, the same participant notes the following:

“It is not a rule, but usually those who have long beards are oriented towards Salafists school of thought ... but it is not a rule as I told you... most Shariah scholars who follow the school of thought of Salafists tend to shorten their dress and lengthen their beards ... it is Sunna... We have in the workplace some Shariah auditors who have short beards and long dresses ... it is not a reflection not only of their appearance but also their interpretation of Shariah law ... they tend to tolerate some financial issues that we disapprove of ... So, you could tell which is which from his look.

(SAM03)

Essentially, the appearance and demeanour of Shariah auditors reflect their orientation towards a particular school of thought. As SAM03 mentions, Salafists tend to apply Shariah strictly, whereas other schools of Shariah tend to be more flexible regarding current issues. This structural appearance also relates to the length of a Shariah auditor's dress. Salafists tend to shorten their dress according to Sunna, whereas Muslim Brotherhood Shariah auditors' dresses are not shortened. Such structuring of the mundane aspects of Shariah audit's look and appearance. It reflects the socio-political orientation of Shariah auditors as embodied in their everyday appearance and look. On how his look and appearance relate to his designated school of thought, SAM06 states:

Beard shape and length and dress length could tell you a lot about the Shariah scholar ... but it differs according to the country ... in Kuwait, we are all Muslims but some people try to follow the Sunna in their everyday life strictly ... this is not wrong, but it is wrong is to heavily criticise those who do not apply Sunna as they do ... My short beard and long dress do not make me less of a Muslim ... But we should focus on the important things like Shariah knowledge and the abilities of Shariah auditors rather than focusing on looks.

(SAM03)

The appearance in mundane Shariah auditing practices is, hence, apparent in two significant features: dresses and beards. The length of these provides further information as well. Such features are structuring the structure of Shariah auditing figures in Kuwait Islamic banks. It illustrates that this practice is structured around specific appearance features (i.e. dresses and beards).

#### 5.6.4 Everyday interactions of Shariah auditors

Shariah auditors' meetings are scheduled whenever a Shariah question or issue arises. The secretaries set up the agendas for every meeting and contact the chairman of the Shariah auditing board to seek his approval for a meeting date and time. Afterwards, each Shariah auditor is notified of these details by phone call or WhatsApp message. No emails are sent at this stage as a means of communication between the secretaries and the external Shariah board. When a date is set, the secretaries of the Shariah board notify the bank's management via email.

On the meeting day, the secretaries prepare the meeting agendas and supporting documents for each Shariah auditor. All employees attending the meeting must be present at the Shariah Audit Department before the meeting commences and even before the Shariah auditors arrive. SMB02 set up his interview for this research after this Shariah board meeting took place. He brought a large amount of paperwork from the meeting and piled it on his desk. He seemed slightly irritated about several issues discussed in the meeting:

In most of our meetings, employees from different departments attend to ask us about the Shariah opinion on different matters ... Today, a group from the international investment department brought a case about a potential investment opportunity in a foreign non-Muslim country ... to clarify this matter, I asked them specific questions which they failed to answer due to their poor preparation ... I decided to suspend this investment until I get further information ... they were not happy about my decision and started directing their argument to one of the auditors who they think is less strict in Shariah matters than me ... They sometimes think that providing Shariah is always an easy task ... it takes sometimes days to reach such an opinion, especially with the complexity of today's financial matters.

(SBM02)

During the Shariah audit meetings, a vote is taken when consensus is not reached. According to SBM02, some Shariah auditors easily approve financial matters without thoroughly understanding them. When asked whether their school of thought is more flexible than his, he agreed. He kept calling them 'ikhwan', as an indication of their orientation towards Muslim Brotherhood. He believed that Salafists and Muslim Brotherhood Shariah auditors have different Shariah interpretations. Such differences are also visible in the social, political and financial spheres of Kuwait:

Every Shariah auditor is subjected to his school of thought ... But Ikhwan are too flexible and take Shariah opinion to the edge ... As a believer in the Salafists school of thought, I got my Shariah education from a well-known and respected Saudi Shariah scholar. His interpretation of Shariah law is based on analogy of the Quran and Sunna purely ... But what we hear about a flexible Shariah opinion or modern Shariah is mostly bida'a, novelty, which is not related to pure Islam ... it sometimes leads to misinterpretation of Shariah law and in return confuses Islamic banks' customers.

(SBM02)

Consensus between Shariah auditors is vital to reach a Shariah opinion. As multiple Shariah opinions on financial issues exist, resolving sometimes requires a vote. In 1983, a lawyer named Bader Abdullah Almutawa condemned the Shariah auditing practices of the Kuwait Finance House (Fig. 5-6). He issued a sixteen-page booklet in which he refuted a Shariah-approved financial product. In his introduction section, he wrote the following:

What led me to write these lines in this small booklet is what I have seen and understood about the Murabaha situation at KFH. Especially Murabaha relating to the opening of documentary credits for the export of goods, and what I observed in terms of trickery, damage to, and violation of Shariah law. I am therefore not accusing Shariah auditors of putting the Murabaha system in KFH with any deficiency or deliberately, because it was decided diligently and in good faith. But not all diligence is right, even if it was done with good intentions.

(Almutawa, 1983)

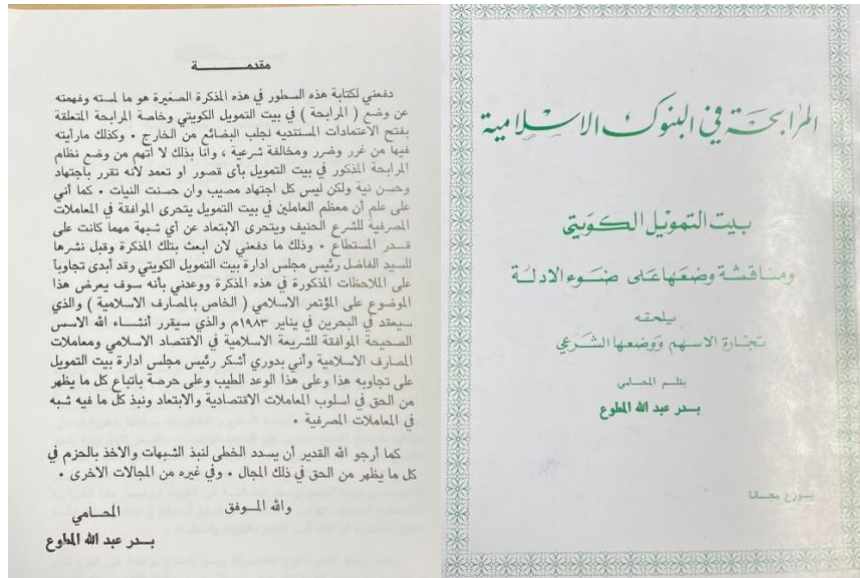


Figure 5-6: Murahaba in Islamic banks (Source: Almutawa, 1983)

Such an accusation of Shariah legitimacy raises eyebrows, especially when Islamic banks claim to appoint the finest Shariah scholars as Shariah auditors. This issue was discussed with SAM01, who gave a clear distinction about how Shariah auditors produce Shariah opinion:

Reaching fatwa [Shariah opinion] on any matter requires good understanding of different Shariah schools of thought ... In the end, we want to make people's lives easier by finding a suitable Shariah justification to permit financial products ... We sometimes employ Shi'i or Ibadi doctrine to justify our audit opinion ... But some restricted Salafist scholars consider this unlawful and a breach of Shariah conduct."

(SAM01)

When confronted with the claim that "Kuwait Finance House is reported to be the financial arm of the Muslim Brotherhood in Kuwait" (Clark R., 2003), SAM01 calmly responded:

The creators of KHF were Muslim Brotherhood's advocates ... it is common sense to have Shariah scholars from the same orientation at the bank ... We have worked alongside Salafist Shariah auditors in Islamic banks and we had some differences ... it is not a matter of who is right and who is wrong ... it is a matter of clear Shariah justification ... and in most of our battles, a vote will be in our favour.

(SAM01)

Islamic schools of thought govern Shariah auditing in mundane practices, and these often conflict. On the one hand, for example, Salafists who practise Shariah audits tend to be restricted by following explicit texts of Quran and Sunna. In contrast, Shariah auditors with an orientation towards the Muslim Brotherhood cultivate flexible Shariah auditing practices. Additionally, this field of opinion is no longer shared equally, as, according to participants, it has shifted towards and is now dominated by the latter group. The Muslim Brotherhood's flexible approach towards Shariah auditing facilitated the approval of a significant number of financial products. A distinct case where divergence of opinion between these two types of Shariah auditors entered the public sphere in the Tawarruq debate. Essentially, Tawarruq is an Islamic financial instrument comparable to personal loans offered by conventional banks. Such a transaction begins when a customer requests a financial loan from their Islamic bank. For Islamic banks, selling money for money is forbidden under Shariah law. The Islamic bank will agree to buy a commodity for the customer, which in Kuwait is usually cement. The bank will then sell the commodity on spot for less than its nominal value. The difference between the selling price and agreement price will be the margin of profit for the Islamic bank. Finally, the customer will receive the financial loan by cheque from the commodity company. The monthly payments will be taken from his account via the Islamic Bank (Hattab, 2019).

Such financial instruments have received much criticism, to the extent that their prohibition has occurred in some Islamic jurisdictions. In Kuwait, this financial product oscillated between gaining approval from Shariah audit members and being rejected by them, amid fierce debates. Such a debate confused customers and caused doubts regarding the legitimacy of the Shariah tools Islamic banks apply. When asked about this issue, SAM14 said the following:

Tawarruq was approved behind the scenes ... The flaws that such an instrument carries are disastrous ... Although I am a Shariah auditor at this bank, which offers this product, I disapprove of this product under Shariah law. The rest of the Shariah auditors have given their approval on this matter, but I have not. People think that I have approved Tawarruq because I am a Shariah Auditor. Still, they do not understand that sometimes we disagree on many Shariah matters.

(SAM14)

Although it is available in every Islamic Bank in Kuwait, Tawarruq has raised many Shariah red flags. Hattab (2019) believes that during the process of Tawarruq Islamic banks collude with commodity merchants in placebo sales to fasten the Tawarruq process. This is only one example of what multiple Shariah opinions can yield.

The CEO of KFH has raised the issue of Shariah inconsistency among Kuwaiti Islamic banks. As he said to AlQabas newspaper:

Shariah auditing practice is inconsistent from the outside. Sometimes, Islamic banks in Kuwait disagree with each other about Shariah-compliant products. However, such a dilemma is visible due to the nature of the Shariah opinion process adopted in each bank. Most Shariah auditors resort to voting when a consensus is not reached. This sometimes leads to a Shariah audit opinion that differs from those of other Islamic banks. We are trying our best to resolve this issue without compromising the essence of Shariah.

(AlQabas, 2005, p. 16)

Mundane interactions of Shariah auditors in Kuwait Islamic banks reflect their socio-political structure. Such a structure reflects a structured structure in a game that is governed by Shariah schools of thought govern. Such schools reflect both restricted and flexible examples of Shariah auditing practice. This field of opinions reveals how every Shariah auditor enters the field equipped with his socio-political structure. In some instances, Shariah auditing opinions receive a majority vote to be recognised. This might open questions about the Islamic orientation that the Shariah audit report represents. While the reports attest that banks operate according to Shariah law, they do not typically specify which Shariah law is being referenced. With such a sensitive issue as Shariah, one might think that Shariah opinions are either black or white, but what is evident is that Shariah audit opinions can be driven by the socio-political structure of Shariah auditors.

## **5.6.5 Appointments and remuneration of Shariah auditors**

### **5.6.5.1 Maintaining the system**

As an equivalent to independent directors, Shariah auditors are structured as independent Shariah scholars. Such a profession has a mundane structure of appointing and recruiting new Shariah auditors to the field. The Central Bank of

Kuwait's 2016 regulation on appointing external Shariah auditors in Kuwait Islamic banks states the following:

Firstly: The General assembly must approve the appointment of the Shariah Audit Board, with consideration to the BOD's recommendations.

Secondly: An external Shariah Auditor must not be a member of more than three Kuwaiti Islamic banks.

Thirdly: The bank must appoint at least three external Shariah Auditors. They must be known for their efficiency in society.

Fourthly: Shariah Audit board must not include members from BOD or the executive body of the Islamic Bank. And they must not own Shares that constitute more than 5% of the Bank's capital.

(Central Bank of Kuwait, 2016, p. 16)

Kuwait Islamic banks must follow these four clauses before appointing any external Shariah auditors. With the numerous flows that such a law appears to encompass, Kuwaiti Islamic banks have taken advantage in some situations. As SAM12 says:

When we need to appoint a new Shariah scholar to our existing board, we agree on a specific scholar who has good financial knowledge along with his Shariah knowledge ... Additionally, we seek scholars who share similar views on the Shariah school of thought. This issue is very vital because our work must be conducted as a team. We do not want to appoint someone with abnormal Shariah thoughts to what we have. Then, we ask the CEO to recommend the scholar's name to the BOD in the general assembly... they always approve the appointments of Shariah auditors without any hesitation.

(SAM12)

Current Shariah audit board members control the appointment process for new external Shariah auditors, which shows that Shariah auditors can influence the decisions of BOD and the general assembly. It does, however, mean that scholars who share the same current school of thought are appointed. Ultimately, this means they are structuring the mundane Shariah audit practice in their particular way. Muslim Brotherhood and Salafists Shariah auditors strive to structure their field of Shariah auditing with their mundane practice. The ethical consequences of such behaviour should be questioned. Circumventing the law should not be acceptable for Shariah scholars or any religious clerics. Such acquisition is far from the truth, in SAM14's view:

“When Islamic banks were introduced in Kuwait, the appointment of Shariah auditors was the CEO’s duty ... The CEO always consulted current Shariah auditors before appointing any new auditor ... the same tradition is still on but with more formalities and paperwork ... the logic of our intervention in the appointment process is that we require harmonisation in the Shariah audit process ... And as you might see, most Shariah auditors used to be Shariah scholars with no financial literacy ... We do not want to be forced to work with someone who lacks the financial knowledge ... In this field, we base our audit opinions on specific financial and technical details. On the other side, we would like always to appoint members that share the same Shariah orientation with current members ... We have fought our way to what you see today ... We do not accept strict Shariah views to violate our process.”

(SAM14)

The clash between different schools of thought within Shariah is a primary feature of Shariah auditing in Kuwait's Islamic banks, with numerous notable implications. This conflict also casts its shadow over the process of appointing Shariah auditors. Each team tries to restrict entry to their followers in an act that is packed with Shariah blessing in the name of Shariah harmonisation. With the influence and power of Shariah, their attitude will always be beyond questioning. From another perspective, auditors themselves are notably conferred non-tangible benefits such as esteem. More practically speaking, such an auditing role is attractive in terms of financial rewards. However, remuneration for Shariah auditors tells a different story.

#### **5.6.5.2 In it for the money?**

External Shariah audit members in Kuwaiti Islamic banks receive annual remuneration for their auditing duties, although their remuneration is subject to approval by the general assembly. The amount they receive is not known, as Kuwait Islamic banks’ annual reports do not disclose specific remuneration figures. Although SAM09 believes that Shariah auditors are the backbone of any Islamic Bank, he argues that their economic income from this role does not match the great responsibility they bear.

Because of our role in a financial institution, one would assume that we get paid well ... We take on our shoulders a great responsibility ... We make sure that Islamic banks stay Islamic in the face of Shariah risks ... I understand that we are a big part of Shariah dynamism ... but if any Shariah risk arises, we will be held accountable ... this responsibility or position

must at least have some financial privileges ... it is on the contrary here, unfortunately.

(SAM09)

Most Shariah auditors disclosed during interviews that their annual remuneration varies between 8,000 and 10,000 Kuwaiti Dinars (between 20,000 and 25,000 pounds sterling). When comparing such a payment with Shariah auditors' practices and responsibilities, it is understandable how their financial remuneration is often perceived as an unfair reward. This is especially so given that the banks themselves somewhat venerate these positions and recognise their importance and significance. Shariah auditors' names, portraits and résumés are structured within the first pages of the annual reports. Their names are positioned after the BOD's names, which reinforces their status as indispensable tools in the Islamic Banking field. Nevertheless, this glamorous representation is not well reflected in the financial incentives/rewards Shariah auditors receive, but they do receive other types of rewards. SAM05 even argues that economic capital should not be the first concern of Shariah auditors, and he highly values the different kinds of rewards this role brings. He says:

The philosophy of Islamic banks lies in the application of Shariah within its transactions. We have dedicated ourselves to serving this Shariah wherever it is found. The primary incentive we should look forward to is Allah's rewards, which are intangible yet priceless. For me, the respect and appreciation I receive from people are enough. My inspiration is to make others' lives easier and to provide Shariah-based solutions to their daily life.

(SAM05)

Shariah auditors believe they are underpaid. Despite this, they still deem it an attractive field for Shariah scholars. The above suggests some reasons why, as they receive many other rewards, such as respect. Through this position, they also evidently fulfil specific religious and philanthropic endeavours. Furthermore, being a Shariah auditor in Kuwait Islamic Bank means scholars can benefit from the bank's publicity and resources. In addition, their independence and authority provide them with an excellent platform for controlling the Islamic banking sector. Such privileges interfere with their perceived financial underpayments. In this capacity, then, Shariah auditors in Kuwait Islamic banks are not financially capitalized. Still, they

do gain much more from this in other ways, such as social respect and appreciation of their solemn services.

#### **5.6.6 Technology in the mundane practice of Shariah auditors**

During many interviews, Shariah auditors frequently used their smartphones to answer calls and send messages. For example, SAM04's smartphone rang more than ten times during his interview. On every occasion, he answered the phone and gave a short response before hanging up. At the end of the interview, he was asked about those phone calls:

Those were people calling to seek my Shariah opinion on some issues ... We [Shariah auditors] must provide open access to the public who have Shariah questions ... Most Shariah scholars distribute their mobile numbers so people can reach them with their enquiries ... So I do not ignore my mobile even during meetings and interviews.

(SAM04)

As a part of their mundane Shariah practice, Shariah auditors respond to calls and messages regarding Shariah enquiries. Some even carry an extra phone that is specifically designated to Shariah calls. This illustrates how technology, particularly smartphones, is utilised as part of mundane Shariah auditing practices. This usage is extended to the WhatsApp messaging application, as SAM09 explains:

I have created many WhatsApp chat groups on my phone. Each group has different content and serves different members. I could add you to my 'Shariah audit group,' which is where I answer Shariah questions related to my role here at the bank. WhatsApp messaging is very practical for answering Shariah matters nowadays.

(SAM09)

Smartphones, along with messaging services, are becoming integral to everyday Shariah auditing practices. As most Shariah auditors use such technological means, it opens up their practice to a much wider audience and makes the auditors more easily accessible. The smartphone is also used to set up Shariah audit meetings, as Shariah auditors no longer rely on emails. SAM09 adds:

Whenever a Shariah auditing meeting is set up, my secretaries message me the details along with the meeting's agenda via the WhatsApp application ... they also include PDF files, Word documents and pictures...

I do not rely on email anymore ... with the iPhone I have, I can perform my work from anywhere.

(SAM09)

Technology is structuring mundane Shariah audit practice in this context. With the evolution of smartphones, Shariah auditors provide on-call Shariah opinions. They also engage with people via WhatsApp groups and chats, providing Shariah answers through these channels. Such use of technology has become part of the mundane structuring structure of Shariah audit practice in Kuwait.

### **5.7 Discussion: Habitus as a mundane practice**

It is striking how the literature of accounting and religion is still relatively immature. Such a limited stream leaves a vast gap in terms of both theoretical and practical understanding of this area, so relevant research needs to be developed to enrich our knowledge of the religious function in accounting. This work has endeavoured to do this.

With the widespread adoption of the Islamic banking model globally, it is essential to note that Shariah auditing has emerged from specific contexts and cultures that are highly significant to its manifestations and practices, as religion plays a crucial role in these. Specifically for this work, the religion in focus is Islam, although, as noted, other faiths have also been relevant in this area (e.g., Christianity). Indeed, investigating the specific topic of Shariah auditing practice (and its background) herein has opened the door to multi-religious realities. Contemporary accounting and religion literature could and does adopt perspectives from various religions, each of which represents different logical and philosophical notions and beliefs. Such diversity of complex religious arenas and beliefs yields division regarding underlying arguments and principles. Such differences are not just *between* religions, though, as this work has demonstrated that they occur *within* the same religion as well. Accounting in the context of Churches, for instance, involves debates as to which branch of Christianity such a church represents. More specifically, regarding the focus of this work (i.e., Shariah auditing in Islamic banks), Islam and Shariah have undergone various forms and interpretations from different groups and individuals within them. These multiple interpretations of Shariah and Shariah auditing require

a deep understanding of the various groups through which they emerge, the field in which they are conducted, and the mundane practices that embody these. Again, this is what this work has endeavoured to further.

With the contemporary shifts in religion from the mid-1970s onwards, some major socio-political incidents have brought religion back to the academic agenda for social reconsideration (Smith, 2008). These incidents include “the rise of religious conservatism and the evangelical movement in the US, the growth of Pentecostalism across Africa, Latin America and large swathes of Asia, and most obviously, the emergence of militant forms of Islam and their conflict with the West” (Tracy, 2012, p. 5). Such socio-political sets of events, and much more, have increased the importance of socio-political dialogue between religion and contemporary organisational realities (Tracy, 2012). Yet, scholars have persistently ignored a lively engagement with the socio-political agendas embodied within the religious shape of organisations (Tracy, 2012). And, or, to understand the practical realities of religious functions in secular institutions.

As the literature that has approached accounting and religion has generally focused on Western Christianity and Islam, it has largely ignored mundane practices and remained largely oblivious to their significance (Laughlin, 1988; Hankerson, 2016; Booth, 1993; Cordery, 2015; Carmona and Ezzamel, 2006). In the context of accounting and Christianity, most research is conducted in churches and charitable institutions, examining how the nature of these contexts adopts accounting as a calculative tool for their financial matters. Even in cases where accounting has been found to invade the sacred nature of the Christian context, opponents have denied any sacred-secular clash between accounting and Christian institutions. This stream of research formulates its conclusion from the religious logic and accounting logic. What it has thus neglected is how religion is always tied with social and political realities. That is, until now, as this work’s premise is that such realities must not be isolated in the literature debate

This paper illustrates how mundane Shariah audit practice is a structured and structuring structure. It mobilises the Bourdieusian notion of habitus to create a sense of the everyday practice. Bourdieu presents habitus as a social notion that captures the feeling of practice (Fee and Macintosh, 2008). He defines it as a

“system of durable, transposable dispositions, structured structures predisposed to function as structuring structures, that is, as principles which generate and organise practices” (Bourdieu, 1990b, p. 53). This paper argues that since habitus could be seen and portrayed in mundane Shariah audit practice, it could be considered as a generator of everyday practice in the sense that it structures everyday practice while practising in the universal structured structure of this practice.

Habitus in its structured and structuring structures, emphasised to be central to the structure of practice (Bourdieu, 1995; Goddard, 2004). Social agents rely on their structured experiences, or their past experiences, in structuring mundane practices (Maton, 2008). Such a justification of habitus reflects mundane Shariah auditing practice as a structured framework, which relies on the socio-political structure of Shariah auditors. These auditors rely on their experience, social and political orientation, and school of thought in structuring or performing their everyday Shariah audit practices. This theoretical understanding of the Shariah audit practice suggests how habitus could come to life in this mundane practice.

This paper provides a deep understanding of the everyday culture of Shariah auditing in practice, associating social and cultural meanings with such behavioural routines. Rather than relying on the practical outcomes of accounting, this research focuses on the embodiment of meanings in constructing an understanding of Shariah auditing practice in Kuwait Islamic Banks. It creates a theoretical dimension in which habitus is viewed through mundane practice.

The paper shows that the field of Shariah auditing in Kuwait Islamic banks is a socio-political structure. Such dimensions are grasped from observational and oral interactions with Shariah auditors and their surrounding environment. The social and political influence that has structured and continues to structure their Shariah audit practice is visible in the mundane culture. As the analysis engages with the everyday culture of Kuwait's Islamic banks, the Shariah auditors always appear to be positioned at the centre of mundane practice. This is illustrated in the power vested in them by the social and political spheres. The Shariah auditors in Kuwait Islamic banks are categorised according to their socio-political orientation, and that their orientation determines their structural structure and their structuring structure

(*habitus*) within the field. This work thus shows how every Islamic group uses its habitus mundanely.

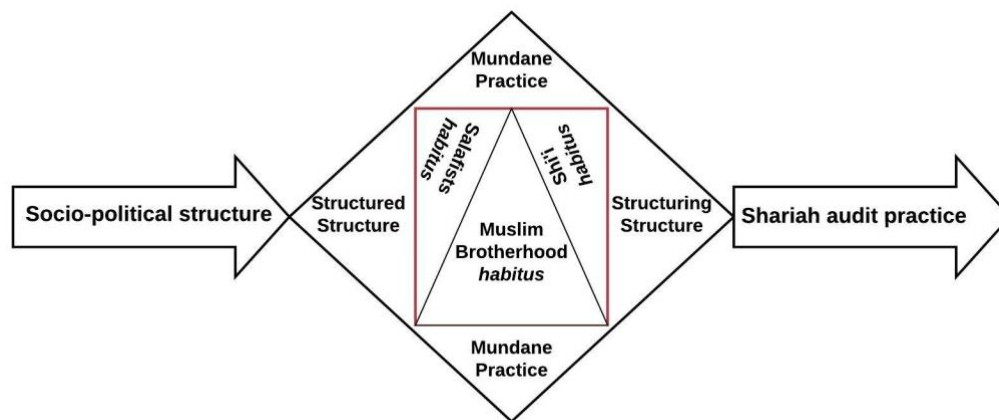


Figure (5-7): Illustration of the mundane Shariah Audit practice in Kuwait Islamic banks (Source: Author)

Figure (5-7) illustrates the process of Shariah audit practice in Kuwait Islamic banks' mundane culture, and it shows how three groups occupy the Shariah audit field in Kuwait's Islamic banks. Muslim Brotherhood Shariah auditors dominate this Shariah audit field, and their domination largely derives from Shariah scholars with ties to this school of thought, who established this field. The second Shariah auditing group is the Salafist school of thought, which is considered to adopt an extreme Islamic view. The last and most recent group is that of the Shi'i Shariah auditors, which is represented only by two Shariah scholars and is almost invisible in the Shariah auditing sphere. Each Shariah audit group is influenced by its social and political structured structure, which is reflected in mundane practice. In this capacity, the Shariah audit field in Kuwait Islamic banks shows how habitus is a mundane practice. In this context, such habitus is practised according to social and political structures. Each Shariah auditing group operates according to its socio-political structure, and its auditors' everyday practice can be understood by deeply understanding these social agents' structured and structuring structure.

According to the everyday culture of the Shariah audit field in Kuwait Islamic banks, members of each Shariah group share similar structured and structuring structure within the field. Islamic Brotherhood Shariah auditors, for example, share almost

identical educational backgrounds. Most have attended universities that promote their group's school of thought, and all of them are active members of Islamic social associations that to adhere in and advocate the Brotherhood school of thought. This applies to other groups as well. Salafist Shariah auditors, for instance, are graduates of Salafist universities and colleges. Most actively promote this branch of Islam as the real Islam and say it is so because it relies on the primary sources of Shariah. Lastly, Shi'i Shariah auditors are a minority group with almost no influence over the field of Shariah auditing in Kuwait Islamic banks. With only two representatives, the Shi'ism school of thought is considered a newcomer to the Islamic Banking sphere. This group represents a socio-political reflection of Shi'i agendas and thoughts in the field of Shariah auditing. Such a structured structure of the Shariah auditing field consumes the everyday culture of Shariah auditing practice in Kuwait Islamic banks.

Therefore, the mundane practice of Shariah auditing in Kuwait's Islamic banks illustrates the social agents' habitus. Instead of being a field of objective auditing duties, this field portrays a socio-political reality through Shariah audit. Despite there being multiple Shariah representatives, the everyday practice illustrates a space of opinion wherein each Shariah auditor strives to transform their structured approach into the structured approach of Shariah audit practice. This has forced each group to rely on its social and political weight within Shariah auditing practice. Such dynamics in these practices have created a new understanding of auditing in the shell of religious reality. This case has demonstrated that the Islamic social and political arenas in Kuwait have transferred their competitive agendas to the economic field through the gate of Islamic Banking. Every Shariah auditor holds a social and political structured structure, and their mundane practice reflects a socio-political illustration of structuration between Islamic scholars in the name of Shariah auditing practice.

## **5.8 Conclusion**

This paper has analysed the mundane Shariah audit practices in Kuwait Islamic banks to make sense of the accounting-religion interaction in such a context. Drawing on Bourdieusian theoretical notions of habitus, structured structure, and structuring structure, this study examines the current literature on accounting and religion interactions in everyday culture. It considers the mundane Shariah audit practice in

Kuwait Islamic banks as a portrait of the accounting and religion field, characterised by its own rules and realities. This field has illustrated how socio-political structured structure could be portrayed as a structuring structure of everyday Shariah audit practice. This study demonstrates how a form of audit is practised in a mundane yet culturally specific manner, wherein honour, prestige, educational background, social and political orientations, etc., act as mundane dynamics in the process of producing Shariah audit opinions.

Shariah audit practice in Kuwaiti Islamic banks is a reflective socio-political mundane practice, as evident in the everyday culture of Shariah auditors. Also, these auditors' habitus is a structuring structure of their mundane culture of the practice. Hence, such practice is socially and politically motivated. It also fails to adhere to the objective rules and regulations of a Shariah audit. Instead, it relies on the socio-political orientations of its social agents as a mundane practice. Nowadays, Shariah audit opinions undergo complex processes before being delivered. Such a process relates to the space of the views that Sharia auditors go through according to their structured structure. Muslim Brotherhood Shariah auditors accuse their Salafist counterparts of adopting extreme Islamic agendas. Such extremism does not align with the market logic of Islamic banking, which tends to be flexible and open to contemporary ideas and opportunities. In return, Salafist Shariah auditors believe that to call it Islamic, a bank must adhere to the Shariah law according to its primary sources (i.e. Quran and Sunna). They argue that Muslim Brotherhood Shariah auditors are modernising Shariah law to impose their socio-political structured structure.

The interaction between accounting and religion has been addressed poorly in the accounting literature. This work has instead investigated such an interaction from its cultural dimensions. The current literature on this matter is primarily concerned with the clash between secular and sacred functions in religious institutions. This work has sought to gain a deeper understanding by examining the social, political, and cultural aspects of accounting/religion interactions. This study acknowledged the socio-political realities of Shariah audit from a cultural perspective. Such an orientation created contextual-specific dialogue between a religious audit practice and its social and political dynamic roots. This understanding created solid grounds for understanding contemporary Shariah audit practices in Kuwait Islamic banks.

What this field seems on the surface to be an objective, legitimate audit practice, is not so, as it is a socio-political structured structure.

This paper contributes to the accounting and religion literature by presenting a mundane accounting practice case within a religious context and showing how this mundane practice reflects a structured and a structuring structure. It adds significantly to the limited stream of accounting and religion literature by providing a detailed illustration of such a mundane practice. The paper also contributes a new root argument to the current debate between secular and sacred perspectives in the accounting and religion literature (Carmona & Ezzamel, 2006; Booth, 1993; Laughlin, 1988; Quattrone, 2004; Jacobs, 2005; Faircloth, 1988; Swanson & Gardner, 1986). Furthermore, it extends the theoretical mobilisation of habitus in the accounting stream of literature (Alawattage, 2011; Goddard, 2004; Hamilton and Ó hOgartaigh, 2009) by arguing that habitus is a mundane practice. This understanding of habitus argues that habitus can live as the embedded structures that social agents mundanely act and perform according to in their everyday practices.

This study has made and advanced a call for accounting and religion interactions to be revisited and understood, with the premise for this being that culturally driven studies would enrich this stream of research, contribute to the noted academic gap in accounting and religion studies, and further particular understandings of cultural dimensions would enrich the literature. Despite these positives, the reported findings of this paper may not be directly applicable to other contexts, as they are based explicitly on the Shariah audit field in Kuwaiti Islamic banks and are not generally applicable to different contexts. Other jurisdictions likely differ according to their religious beliefs, cultural values, regulatory settings and political shape. Such dimensions play a critical role in shaping the function of religion in everyday practices. Further studies must be conducted to understand the dynamics of accounting and religion in other Islamic financial institutions, such as Islamic insurance companies, Islamic investment companies, and Islamic real estate companies, to further and broaden the work this study has done on Islamic banks.

## **Chapter (6) Paper 3: Symbolically violating a doxic society: Legitimising Islamic Banks through Shariah auditing practice in Kuwait**

### **Abstract**

Even with the belief that Bourdieu's religious dialogue was not navigated towards understanding religion per se. This assumption has not stopped religion scholars from adopting a Bourdieuan perspective to describe religious settings. It shows the rigour and power of his theory of practice in reaching and theorising various religious settings. This paper draws on Bourdieu's theoretical notions to understand the social influence of the Shariah auditors in Kuwait's Islamic banking field. It extends the theoretical reach of Bourdieu towards Shariah auditing practice as a producer of religious domination in the Banking field. And how such religious practices maintain their legitimacy symbolically in a doxic society. By creating a dialectical understanding of Bourdieu's literature on religion and practice, this paper argues that the Shariah auditing field in Kuwaiti Islamic Banks symbolically violates the doxic social sphere.

**Keywords:** Shariah Audit, Islamic Banks, Bourdieu, doxa, illusio, Hysteresis, Symbolic Violence, Kuwait.

## 6.1 Introduction

Doxa is apparent in many aspects of our daily lives. Doxa governs our morals, doxa governs our opinions, doxa governs our decisions. Societies, nowadays, live by the views of an elite group of opinion makers, whereas social agents take for granted ideas and beliefs without questioning or challenging them. Doxa, or doxic society, is a society that submits its will to those who control the space of opinions.

This paper aims to demonstrate how audit, in the form of Shariah audit, symbolically violates a doxic society. This perception is based on an in-depth understanding of the field of Shariah audit in Kuwait Islamic banks. The paper utilises four theoretical concepts from Bourdieu to analyse the data. The concepts of doxa, illusio, hysteresis, and symbolic violence are mobilised to develop a clear understanding of the field.

The paper expands the Shariah audit literature within Islamic banking (Hamid et al., 1993; Adnan and Gaffikin, 1997; Baydoun and Willet, 2000; Mirza and Baydoun, 2000; Sulaiman, 2000; Lewis, 2001; Hannifa and Hudaib, 2002; Kahf, 2004; Tripp, 2006). This body of literature has addressed philosophical issues that current Shariah auditing encounters. The paper extends this stream by examining the social implications of Shariah audit practice. It contributes to the emerging critical studies of the Shariah audit field in Islamic banks.

The theoretical understanding of this paper is based on Pierre Bourdieu's concepts of doxa, illusio, hysteresis, and symbolic violence. These concepts situate this paper within Bourdieu's accounting literature. This body of work has referenced Bourdieu at various points (Alawattage, 2011; Cooper et al., 2011; Farjaudon and Morales, 2013; and Stringfellow et al., 2015 (symbolic violence)), (Alawattage, 2011; Cooper et al., 2011; Gracia and Oats, 2012; and Stringfellow et al., 2015 (doxa)), (Andon et al., 2014; Cooper and Johnston, 2012; Cooper and Joyce, 2013; Farjaudon and Morales, 2013; and Gracia and Oats, 2012 (illusio)). However, this paper employs these four notions collectively to explore the implications of Shariah audit practice. The paper generates its data from primary and secondary sources collected during a three-month field trip.

The paper presents the social implications of the dominance of Shariah audit in Kuwait's Islamic Banks. It argues that audit, in its Shariah shape, is symbolically violating a doxic social sphere. The paper illustrates the contextual dynamics of the field to present the formation of Shariah audit domination and its social reflection.

## **6.2 Shariah audit as a taken-for-granted religious authority: A literature review**

“The rise of Islamic capital may be looked at in the history of the Middle East and the Muslim World as the economic phase of independence that followed the political phase. The last three decades of the twentieth century witnessed the emergence of Islamic banks as growing centres of economic power in most Muslim and Arab countries. Islamic banks were accompanied by a new alliance with the *ulama*, or shariah scholars. Such an alliance came about as a result of the pressing needs of the new Islamic bankers for legitimacy and recognition. While this alliance benefited its parties in several ways, its growth in many Arab and Muslim countries created two noteworthy effects on the socio-political scene: an enabling economic/political power was generated for the implementation of shariah, even under adverse reactions from the dictatorial governments; and a gradual moderation effect on the political Islamists that allows for reconciliatory compromises with the prevailing regimes. The bankers' allied *ulamas'* role as leaders of public opinion gained acceptance from both governments and Islamists. They were instrumental in bringing about these effects, yet it was, in a sense, a dialectical material development because Islamic bankers could not afford to ally themselves with either the Islamic intelligentsia or the political Islamists. After centuries of dormancy, the *ulama* have a new chance to play a crucial role in the development of events in their countries, without being brushed aside by political Islamic movements.” (Kahf, 2004, p.32).

Given the fundamental role played by members of the Sharia boards of Islamic banks, we note that their role has given them symbolic influence stemming from their control of public opinion through Sharia. Their current perception as influential figures in the Islamic banking field has given them a dominant role in shaping Islamic banking operations. Kahf (2004) argues that members of the Sharia boards have

started to dominate this field with the approval of bank owners, who have realised that by appointing them, they will garner public support. This alliance between Shariah experts, ulamas, and the founders of Islamic banks shifts religious influence from the social domain to the banking sector.

### **6.2.1 emergence of the Shariah elite**

Critical accounting research contends that capitalist structures, when socially and economically involved in power relations, transfer control to a few social groups and favour them over the greater majority (Annisette, 2000; Chua and Poullaos, 2002; Tinker, 2004; Gallhofer and Haslam, 2004). From this perspective, accounting in all its forms can act as a tool of control and domination over those in authority. When examining the field of Sharia auditing, it grants those involved the power to make and enforce decisions within society. It is widely recognised that Sharia auditors serve as the link between society and the sacred divine word. They possess the scientific and legal expertise to understand, interpret, and implement the teachings of Sharia, unlike others. This Sharia knowledge, held by a small group of scholars, allows them to impose their views on the majority, who are unaware of Sharia knowledge.

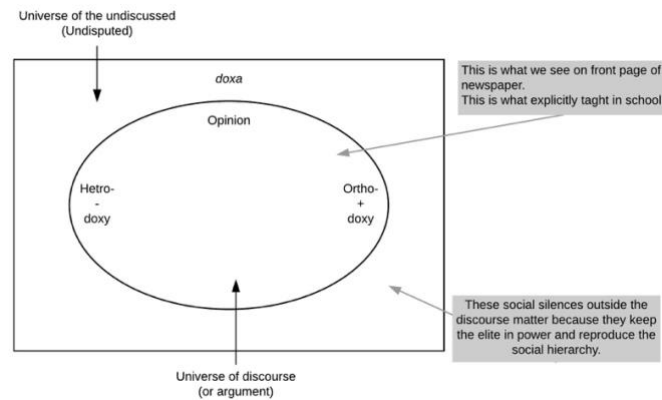
In the early days of Islamic banks, there was a need to consult Shariah scholars, from mosques and Islamic colleges, who were knowledgeable in Islamic teachings and respected by society to help interpret banking and financial instruments. However, the dominant role of Sharia auditors in Islamic banks faced criticism (Tripp, 2006). Critics believed that members of the Sharia authority should not hold senior positions in the bank because they were not specialised in business and were not qualified to lead a capitalist entity. Despite the resistance that the Shariah audit field faced at its early years of Islamic banking, the next few years witnessed the birth of a new Shariah audit field. “The beginning of the new alliance between shariah scholars and bankers had to wait until 1976 when the Faisal Islamic Bank of Egypt was established. The bank was the first to have a formal shariah board consisting of selected ulama from Egypt. This tradition continued with the establishment of the Jordan Islamic Bank (1978), the Faisal Islamic Bank of Sudan (1978), the Kuwait Finance House (1979), and it went on with other Islamic banks throughout the Arab countries, Turkey, Bangladesh, and more recently, the private sector’s Islamic banks in

Pakistan”. (Kahf, 2004, p.22). Since then, members of the Sharia boards have been based in Islamic banks, creating a field of work rooted in their knowledge of Sharia. To this day, I observe that the field of Sharia auditing has firmly established its influence within Islamic banks and has become an integral part of them.

## 6.3 Theoretical Framework

### 6.3.1 It goes without saying: doxa

Bourdieu has addressed the concept of *doxa* on several occasions in his work. In his own words, *Doxa* is “a set of fundamental beliefs which does not even need to be asserted in the form of an explicit, self-conscious dogma” (Bourdieu 2000a, p. 16). *Doxa* represents the taken-for-granted, unquestioned opinions and perceptions within the field. It indicates the unquestioned behavioural attitudes which are usually associated with tradition or ancient practice. Everett suggests that a *doxic* society can be identified when legitimacy is not apparent and symbolic struggles are not contested (Everett, 2002). A *doxic* society takes for granted the systemic functions of the field as a legitimate way of belief. Operating rules take the *doxic* shape when they are observed as natural by social agents to the degree that it “*goes without saying because it comes without saying*” (Bourdieu, 1977: 167). Bourdieu’s concept of *doxic* society is closely tied to the structure and the way social agents live. He believes that a higher production of *doxa* can be created in a stable, structured society, where the logic of simple reproduction prevails without being questioned (Bourdieu, 1977). The symbolic power of legitimising *doxa* could be seen and felt through “language and linguistic exchanges and the misrecognized arbitrary classifications, categorisation and differentiation they operate and reproduce” (Deer, 2008, p. 122).



**Figure 6-1 Doxa (Source: Bourdieu (1972, p. 168), modified)**

As it legitimises itself, *doxa* evolves in a field as accepted ‘unquestioned’ beliefs which form the notion of symbolic power (Figure 6-1). Thus, *doxa* is empowered symbolically by accumulating the various capitals (social, economic, and cultural) that underpin its social foundation (Deer, 2008). Social agents who share a similar habitus are most likely to share similar *doxic* beliefs, as they act according to the same sets of rules of the game. In this sense, *doxic* beliefs can take various shapes and numerous empirical forms, as they reflect the habitus and power structure of independent fields, which have their dynamics of logic (Deer, 2008). *Doxa* characterises the field by distinguishing itself through the empowerment of its borders and the legitimisation of its embodied functions. With Sharia Supervisory Board practice, *doxa* appears as the unquestioned religious beliefs. It empowers the sharia board members and legitimises their decisions.

In summary, *doxa* is recognised as an embodied feature of a field that represents its own beliefs, thereby attaching social agents who happen to share a similar *habitus*. It is an effect of the occupation of specific normative and performative assertions repeatedly expressed across significant field elements, to the extent of situating the field as a unique body of beliefs, rules, laws, actions, behaviours, and barriers of entry. As a field evolves in time, its socio-historical roots of emergence are often ignored or neglected; therefore, it produces *doxic*, taken-for-granted, unquestioned beliefs (Deer, 2008). Bourdieu believes that a clear example of a *doxic* field is the economic field, which is characterised by its historic normative assumptions and dispositions, where central beliefs have lost their roots of emergence (Bourdieu, 2000).

Religious belief is one of the most taken-for-granted, unquestioned beliefs. It puts the power in the hands of Sharia scholars. *Doxa* appears when a regular practice is deemed normal simply because it exists. This is evident in the varying interpretations of Sharia among scholars in Kuwait's Islamic Banks. In the next section, the concept of *Illusio* is presented and analysed.

### 6.3.2 *Illusio*

Bourdieu proposes an interesting concept to help with understanding the social world. He describes *Illusio* as the way of existing in the world or the game, of being interested in that game, and of taking it seriously as a matter of life or death (Bourdieu, 1998). Attaching significance to the social game is by far what *Illusio* is trying to achieve. Bourdieu believes that social agents who share similar *habitus and* act in a collaborative field are interested in their field of play. They share the same interest in this field and recognise the value that playing this game provides. Social agents participating in this game/field are aware of its stakes and willing to pursue it regardless of the consequences. Their attachment to the game, *Illusio*, is an effect of “ontological complicity between mental structures and the objective structures of social space” (Bourdieu, 1998, p. 76-7). Games become essential to the participant when they become interesting by introducing the ‘feel for the game’ form to the field (Bourdieu, 1998).

Swartz (1997) believes that each field has its own unique *Illusio* for which it maintains its shape according to its participants. Hence, joining a field requires an absolute belief and acceptance of the rules of the game. The rules of the game imply that implicit approval of specific forms of struggle is necessary to defend actions, routines, and practices that have always been done in a certain way. Bourdieu articulates the *Illusio* sense as “All those who are involved in the fields, whether champions of orthodoxy or heterodoxy, share a tacit adherence to the same *doxa* which makes their competition possible and assigns its limits” (Bourdieu, 1997, p. 102).

*Illusio* does not imply that all participants in the game should be satisfied with its rules and objectives (Colley, 2013). Players are derived by their *habitus* and field

dynamics in which they agree to the field's rules without even feeling this agreement.

The *Illusio* of SSB members is evident. Their interest in the game could partly be seen in the long years of service they spend in the Islamic bank. They created the field of play according to their own rules and *illusio*.

The next section will address the change factor in Bourdieu's concept of *hysteresis*.

### **6.3.3 Hysteresis (Change)**

Bourdieu implies that to understand the mutuality between his key concepts *habitus* and *field*, one should be familiar with *hysteresis* as a necessary consequence of the field's dynamic. Hysteresis acts as a field condition, as a medium between society and social agents, as a vehicle between the subjective and the objective (Hardy, 2008). The term Hysteresis is mainly considered a scientific term that describes a divergence between two elements that were previously perfectly harmonised and then permanently changed. According to Bourdieu, these dependent elements are *field* and *habitus*.

Bourdieu uses the term Hysteresis to describe a disruption, a mismatch and consequently, a change in the social dynamics of *habitus* and the *field* structure. In this notion, Bourdieu opens the doors wide to the possibility of change within any given field, as it reflects the natural behaviour of adapting to new societal agreements among social agents (Hardy, 2008). Bourdieu implies that the Hysteresis effect will result in a significant change to the logic of the field by disrupting the objectivity to act upon and within (Bourdieu, 1977b).

Bourdieu defines Hysteresis as: "The hysteresis of habitus, which is inherent in the social conditions of the reproduction of the structures in habitus, is doubtless one of the foundations of the structural lag between opportunities and the dispositions to grasp them which is the cause of missed opportunities and, in particular, of the frequently observed incapacity to think historical crises in categories of perception and thought other than those of the past" (Bourdieu, 1977, p. 83). Bourdieu acknowledges the breach that new opportunities carry when change occurs in any given field. Thus, social agents' attitude towards these opportunities diverts their

*habitus* towards new tastes and preferences, which produces change (*hysteresis*).

*Hysteresis* represents a change in the field where social agents' behaviour shifts toward new opportunities, thus producing new unoccupied opportunities that call for a dispositional transformation to occupy these opportunities efficiently and successfully. *Hysteresis* provides profound insights into Bourdieu's theoretical frameworks. It takes into consideration the time dimension of the mismatch between *field* and *habitus*. Most importantly, *Hysteresis* helps in understanding the lag in which *habitus* becomes out of synch with a *field*, where new *habitus* evolves as *field* changes and develops.

The path of Shariah audit in Kuwait Islamic Banks shifted on several occasions during the years. It underwent dramatic changes until it reached its current state. Bourdieu's concept of change, "Hysteresis", is used to utilise the stages that Shariah authors saw until it matured recently.

In this section, I have discussed Bourdieu's concept "*Hysteresis*", its origins, and the dynamics in which it works. In the next section, I will discuss the idea of "symbolic violence" as an essential component of this research.

#### **6.3.4 Symbolic violence**

Bourdieu observes that symbolic forms are a product of social inequality, as they reproduce themselves when domination occurs in a given field (Swartz, 1997). Hence, dominant groups in the societal system and hierarchies are integrated with their system of symbolic domination. Bourdieu believes that encouraging the dominated group by taking for granted the existing social pyramids. Therefore, there is a belief that what is available as a legitimate social ladder is, by far, what symbolic system represents (Bourdieu, 1977). The historical and social construction of the world produces and reproduces hierarchical systems in which violence is manifest in its symbolic form (Bourdieu, 1988). Bourdieu refers to the outcomes of such domination as *symbolic violence*.

Schubert (2008) articulates that *symbolic violence* represents an intangible system of violence where force is required to sustain a social pyramid. Hence, the dominant group in such a system must exert pressure to maintain its dominance. Thus, the

dominant group “let the system they dominate take its course to exercise their domination” (Bourdieu, 1977b, p. 190). In this sense, dominant groups maintain their existing power by adhering to the current rules of the game, thereby retaining their privilege. Afterwards, social pyramids are reproduced to be legitimised in the minds of both the dominant and the dominated, as it becomes the ideal system where actors thrive on perceiving and maintaining.

Bourdieu believes that symbolic violence produces suffering similar to that of physical violence. (Bourdieu, 1992a). He thinks that such suffering does not granted recognition in most cases as it embodied, taken for granted, and believed to be legitimate system of living where “It is itself the effect of power, which is durably inscribed in the bodies of the dominated, in the form of schemes of perception and dispositions” (Bourdieu, 1997). An example of such systems is what “reputation and glory which give respect and veneration to persons, works, laws, and great” (Bourdieu, 1997). It is what gives doctors the power to gain our trust; it gives ministers the power to interpret religion; it also gives governments the authority to govern us. It is, as Bourdieu concludes, a symbolic violation of the social system by legitimising itself as a representation of economic and political power in a taken-for-granted social setting.

Shariah auditors are creating a social belief where they represent themselves as the only individuals who could interpret Sharia laws. This behaviour creates what they call ‘a trust’ between them and the bank’s customers, where nobody questions the legitimacy of their shariah audit knowledge. They maintain their position in the field as an authoritative religious reference. They rule the game, a game which appears to be vague from an outsider’s lens. Thus, violating the field symbolically.

#### **6.4 Research methods**

The paper believes that accounting practices are socially constructed. Hence, it aims to understand the symbolic violence inherent in Shariah audit practice within a social *doxic* context. As with such social involvement, the researcher must be deeply involved rather than isolated from the studied contextual phenomena (Davis, 1999). Such commitment enables the researcher to pursue answers and discover insightful events. Based on this social construction, the paper relies on the output of a series

of interviews with current and former Shariah auditing experts as a primary source of data. Such a data source enables the research to dismiss positivistic suppositions by embracing a critical paradigm of inquiry as a driver of knowledge development in this paper.

The data collection process took place between October 2016 and January 2017, during a field trip to Kuwait. This field trip facilitated 13 face-to-face interviews with current and former Shariah auditors of Kuwait Islamic Banks. All participants were comfortable with the interview process. As Shariah scholars, they regularly engage with the public to disseminate their Shariah knowledge to the broader community. As a religious obligation towards society, Shariah scholars encourage the public to reach out to them to seek spiritual guidance. Answering public inquiries has become part of their routine practice. During the interviews, I discussed broad issues related to their roles at Kuwait Islamic Bank. Among other topics, we discussed their roles in promoting Shariah symbols and language to legitimise the banks' image. These face-to-face interviews were conducted in various locations, including mosques, offices, coffee shops, houses, and meeting rooms. Such sites provided the researcher with countless observations, in addition to the interviews. These observations were in line with the research inquiries and aligned with the analytical themes. Table (5-1) provides an overview of the interview participants, with information regarding the interviews' locations and timings.

The study also relies on archival material as sources of data. Such a secondary source of data complemented the analysis part and enriched the discussion. All the obtained documents are pre-approved by participants to be used in support of the study.

Interviews were conducted with the participants' consent. The participants chose location and timing of the interviews. The interviews ranged from two to three hours and were voice-recorded using an audio recorder device, with the consent of the interviewees obtained before each session. The recorded data was subsequently transcribed, translated, and put in the study. In written statements, participants were informed that their characters would be anonymised in the study. Any reference that could threaten their privacy will be omitted from the research.

Throughout the interviews, I noticed the participants' body language and movements and wrote them in my notes. Such data is used to spot religious symbolism. My

observations have extended beyond the interviews to include examining the surrounding symbolic materials with spiritual messages. Such observations helped capture both tangible and intangible religious symbolic indications. I used these observations to complement the interview outcomes in the analysis section of this paper.

Additionally, the study relies on relevant content from Kuwait Islamic banks' annual reports. The researcher successfully obtained all the annual reports published between 1978 to 2018. Such annual reports include valid data on Shariah-compliant indicators. They facilitated providing the research on the progression of Shariah symbolic usage in annual reports over the years.

The interview data, along researcher's observations from the field, are used in conjunction with the annual reports' outcomes to answer the research question thoroughly. The analysis is also supported by archival data materials and documents in constructing the thematic structure of the study. Afterwards, significant issues were organised in a text to create appropriate linkage. Such links helped in generating headings and subheadings. This process was conducted in a systematic sequence to fulfil the research aim of understanding how Shariah audit is symbolically violating a doxic society. Conclusively, the analysis section of this paper draws on relevant literature to inform the discussion.

### **6.5 the context of doxa and symbolic violence: Shariah audit in Kuwait Islamic Banks**

This section examines the context of Shariah audit in the Kuwaiti Islamic banking sector and how this field, through the religious influence of its members, creates a doxic social construction, thereby violating the field symbolically. The section discusses the formation of Shariah audit members in Kuwaiti Islamic banks and their influence over time.

### 6.5.1 The beginning of Dominance

Kuwait Finance House was established in 1978 as the first Islamic Bank in Kuwait and the second Islamic Bank globally after Dubai Islamic Bank. KFH adopted a religious method to market and spread its Shariah message. SAM12 describes this era as:

...a liberation from the usury era... As Shariah scholars, we were spreading the Quranic verses that forbid usury, which involves lending money for a profit. We aimed to raise awareness of the significant Shariah risk associated with dealing with conventional banks that offer interest-based products. We used every available means to reach out to people. We used annual reports to communicate our Shariah messages to the public. We conducted extensive Shariah workshops to educate the public about our role as Shariah auditors in preserving the bank's Islamic identity.

(SAM12)

As is clear in this context, members of the Sharia bodies spared no effort in conveying their jurisprudential messages to gain the trust of society. As SAM12 mentioned above, Shariah auditors were extensively active in the social sphere. They were eager to engage with the social sphere, to educate them about the new Islamic entity.

The idea of establishing an Islamic bank in Kuwait was often linked to Shariah scholars rather than financial experts. In one of his letters to the Shariah scholar Ahmad Alyassin (The founder of KFH), Essa Abdu discussed critical social and political issues about the lack of Islamic banking avenues. He believed that Muslim oil-exporting countries are being taken advantage of by Western nations. He thinks that it is unfair to use Muslims' money to save a non-Islamic capitalistic system from collapsing. He then calls for the establishment of Islamic banks. Figure (6-2) shows his hand-written letter followed by the translation of its contents.

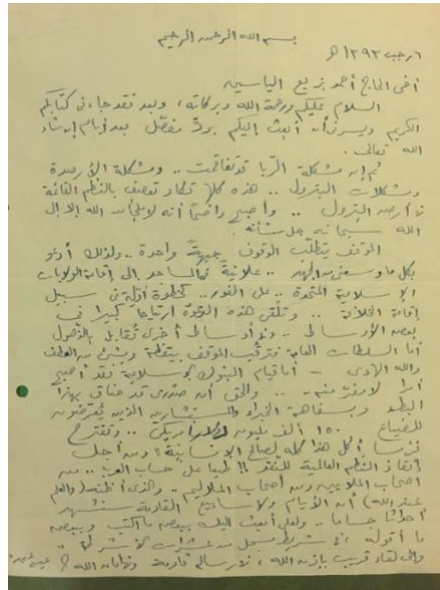


Figure (6-2) Essa Abdu's letter (Source: Photographed by the author)

“The problem of usury has been exacerbated; the issue of balances and oil problems as well are booming. These are almost all ravaging the existing systems in the land of oil [Islamic countries]. And it became clear that the only path is to Allah Almighty. The situation requires a unified front. Therefore, I call openly in all my efforts in the mosque for the establishment of the Islamic United States immediately as a first step towards establishing the caliphate. And this invitation is met with satisfaction in some quarters, while in others, it is met with shock. As for the public authorities, they monitor the general situation seriously, with a kind of sympathy. The establishment of Islamic banks has become inevitable. The truth is that my chest has grown so slowly and amicably that the experts and advisers who are losing \$150 million are concerned. France suggests that all this is in the interest of humanity. And to save the world's capitalist system, of course, at the expense of millions of Arabs and Muslims. What I think is that the coming days and weeks will witness significant events.”

(Essa Abdou, 1973).

The letter could be understood from two angles. The first dimension is related to the explicit contradictions between capitalistic and Islamic values and beliefs. Gaining legitimacy by delegitimising and undermining the other is one primary strategy of Islamic banking. The fact that neither the sender nor the recipient of this letter is a financial expert is interesting. They discuss Islamic banking as a

solution to an Islamic problem. Such a mixture of Islam and money, facilitated by Shariah scholars who later became Shariah auditors, is what commonly governs the reality of Islamic Banking.

### **6.5.2 Shariah auditors as religious representatives**

Shariah auditor role was not explicitly defined in the early years of Islamic Banks in Kuwait. The vagueness of duties has expanded the Shariah auditor's presence across the bank's departments and branches. On the one hand, they were educating branch staff during working hours on specific Shariah issues related to Islamic accounts and deposits. Meanwhile, they were engaging with the public in various locations to spread the message of Islamic Banking. Such engagements took place in mosques, social gatherings, media outlets, and in public social societies. The main aim of their public activities is:

“... to connect modern banking activities like deposits, current accounts, savings accounts, and investment schemes to the Shariah law... We were actively receiving questions and numerous queries about the Shariah legitimacy of KHF's products. Given the Islamic nature of our society, we did not encounter major issues from people in accepting the Islamic banking model. We were sometimes asked about the similarities between KFH and conventional banks and why Islamic products are almost identical to those offered by interest-based banks... this question opened many debatable issues in our public meetings... people were arguing that Islamic products must at least look Islamic from the outside rather than the inside... for example, I remember that one elder man raised an issue about interest-free loans, and why they are not available for Islamic banks' customers... he went further on to criticize the Islamic banking model as it does not represents Islam explicitly”

(SAM12).

KFH offered very similar financial accounts and services to those provided by conventional Banks. This has raised questions on the Islamic notions that such a bank represents. Since Islamic banks emulate the traditional banking model, such issues must be thoroughly reviewed by Shariah experts. This task was entrusted to Shariah auditors, who already enjoy public trust due to their widespread acceptance among Kuwaiti society. They were also entrusted with adding a religious character to KFH's

annual report. In 1978, KFH's yearly report included Qur'anic verses to legitimise the Islamic vision of KFH.

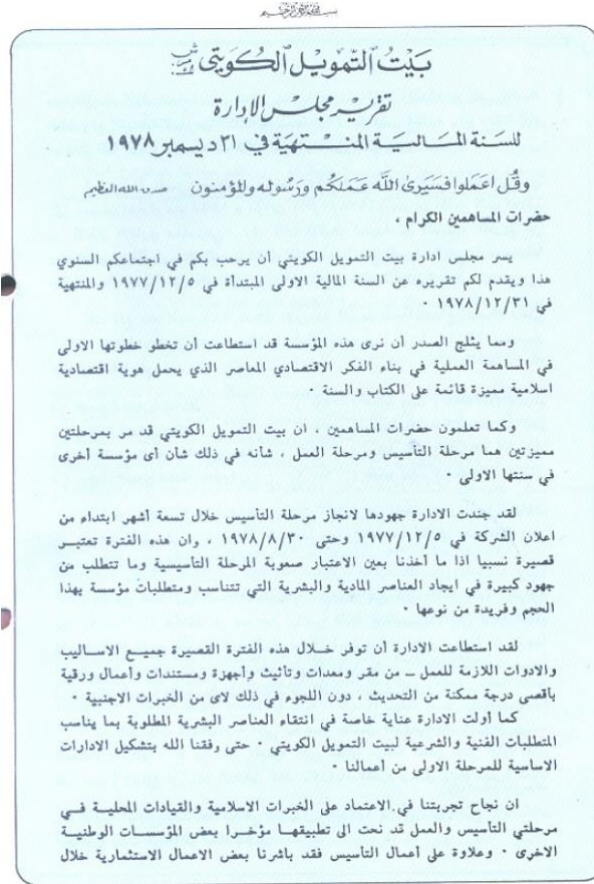


Figure (6-3) KFH Board of Directors' report 1978 (source: KFH annual report, 1978)

The use of the Islamic discourse in KFH annual reports, figure (6-3), was explicitly visible. It relied on Shariah justifications to establish its religious legitimacy and to spread the new model of Islamic banking realities in Kuwait. During those early years, Islamic Bankers injected Islamic messages into the public domain to associate Shariah reality with banking reality as a continuum, an inseparable legitimate Islamic body. The first BOD message in KFH's 1978 annual report began by hailing Shariah norms as an effective underlying factor in KFH's establishment.

It is heartening to see that this institution has been able to take its first step in the scientific contribution in building contemporary economic thought that carries a distinctive Islamic economic identity based on the Qur'an and Sunnah. This institution is nothing but a response to the Islamic awakening era, which we thank God for ... This financial institution will strive in serving Muslims and Islam by spreading the notion of Islamic

banking as an economical alternative to the evil usury financial practices (CEO and Chair of Shariah auditors: Ahmad Alyasin, KFH 1978: 10).



**Figure (6-4) KFH Branch in 1979 (Source: KFH annual report 1979: 22)**

Even with the limited resources KFH had back then, its reliance on Shariah auditors and scholars helped create a sense of religious legitimacy. Such a vision was evident in the discourse of the bank and the social sphere through Shariah auditors. In addition to the discourse, KFH annual reports include several pictures of KFH branches. Figure 6-4 shows a Shariah scholar in the back-office area. His role was to answer customers' Shariah questions and educate the staff simultaneously. This phenomenon of legitimation marked the first phase of Shariah's embodiment in the Islamic banking field. This stage used Islam as the primary state religion in enabling the Islamic banking model to impose its financial reality. It relied on Islam as a tool to bridge the gap between the religious awareness of society and the economic products of the Islamic bank. This transformation was led by recruiting well-known and respected Shariah scholars from the social sphere to be the Shariah representatives of KFH.

### **6.5.3 Establishing a new Shariah reality**

On its second year of operations, KFH proudly and publicly disclosed its strategy of relying on Shariah scholars as Shariah auditors to legitimise the Islamic identity of

the Bank. The success of this vision depended on the Islamic character of the country. As a religiously driven social sphere, this mission of imposing a religious, financial institution went smoother than expected.

“These Islamic institutions spare no effort in their endeavour to unite efforts to achieve the common goal, which is to consolidate the pillars of the Islamic economic edifice. In this regard, the Kuwait Finance House has taken a leading role in relying on Islamic expertise and local Shariah scholars during the establishment and operational phases. The success of this experiment led to its application in other Islamic banks. Also, Kuwait Finance House was the first to replace terminology and prevailing banking business with Shariah terminology and Islamic business.”

(KFH, 1979: 21)

SAM 14 believes that the revolution of Kuwait Islamic banking would not have succeeded had it been applied in another jurisdiction. He argues that the Islamic social and political spheres of Kuwait, as an Islamic country, and during the Islamic awakening era, the Islamic Banking idea emerged as a logical, economic, and smooth effect. He describes the first years of KFH as a form of Islamic conquest against the evil injustice of capitalist banks. He adds:

“... The everyday conversation of people in Kuwait often revolved around Islamic banking... I assured those who questioned the quality and efficiency of KFH... The common questions concerned the Islamic compliance of the Bank and whether it would survive the competition with Kuwaiti conventional banks. I always assured people that they should trust us as Shariah experts with the Islamic compliance of KFH... and about the performance of KFH, I used to tell them that their money is now pure from the forbidden, and this is the biggest achievement for us as Muslims”

(SAM14)

Additionally, KFH actively engaged in the social sphere to promote the concept of Islamic banking. It “spares no effort in spreading the concepts of Islamic transactions. This is achieved through explanations and elaborations on these concepts in the media, employing lectures, discussions, interviews, and the issuance of books and booklets on various Islamic financial issues. In this respect, the following books and pamphlets have so far been issued: Guidebook of Kuwait Finance House, Discussions and Recommendations of the Islamic Bank Conference Held in

Dubai, Fatwas<sup>14</sup> on Economic Issues, Forward Sale According to Shariah, Zakat on Cattle, and Book of Fasting (KFH, 1981).

This series of Islamic events and publications was funded by KFH and conducted by Shariah auditors. The strategy of KFH had two paths: one relying on new Islamic products, and the other taking advantage of Kuwait's Islamic society in its legitimation conquest.

#### 6.5.4 Gaining the Trust

Each Islamic bank in Kuwait is accompanied by a Shariah supervisory board, which contains an independent staff of Shariah auditors. According to Kuwaiti law regulating Islamic banks, Sharia board members enjoy great legal support. The Central Bank of Kuwait deems Sharia Audit as more critical than the Financial Audit due to its Sharia composition, which is indispensable in Kuwaiti Islamic banks. This great interest and recognition from the government give Sharia auditors authority, which in turn translates into power and influence in the social sphere (Almoqatei, 2010).

Since Islam is the official and primary religion of the State of Kuwait, it is not surprising that the state supports Islamic formation in all its shapes, including, in our case, the Islamic banking field (AlJassem, 1973). And since Islamic banks are financial institutions that offer banking products in an Islamic format, it was necessary to have specialists in Islamic jurisprudence, as they possess the Shariah knowledge that no one else within the Islamic bank possesses. In that capacity, the state requested Islamic banks in Kuwait to appoint independent Islamic Shariah experts to form an independent Sharia board whose members are specialists in the field of Shariah law with no mention of banking or business knowledge.

As members of the Sharia Board possess solely Sharia knowledge, which includes Islamic financial matters such as Islamic inheritance calculations and Islamic taxation (Zakat), among other things. However, at the beginning of their careers in

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<sup>14</sup> *Fatwa*, in Islamic jurisprudence, a formal ruling or interpretation on a point of Islamic law given by a qualified legal scholar (known as a *Mufti*)

this field, they did not possess the financial and economic knowledge that would qualify them to engage and work in the banking sector, let alone be appointed as Sharia auditors to oversee and audit complex Banking matters.

In the early days of Islamic banking in Kuwait, members of the Sharia Boards made their voices heard through the bank's annual publications. The most important source of their voice was the bank's annual report. The report contained messages explaining the board's responsibilities and its importance in facilitating the day-to-day operations of the Islamic bank. For example, in 1981, a message from the Sharia Board members included reassuring words to the stakeholders that the Sharia Board plays a key role in society. It states that "Kuwait Finance House has a Sharia supervisory body which reviews all our transactions to ensure that they comply with Islamic Sharia. The supervisory body also plays a vital role in educating the public and Kuwait Finance House customers on Sharia rulings for various financial transactions. This is done through answering enquiries and questions and by issuing 'Fat'awa' in various fields" (KFH, 1981, p. 18). Interestingly, this statement is not considered as an auditor's report because it did not include the Shariah board's opinion on the bank's transactions. It is more of a means of conveying a veiled message to the stakeholders that there are Sharia specialists who take care of Sharia matters in the bank, and those specialists are worthy of your trust.

#### **6.5.5 Engaging with the Public**

During the 1990s, a fundamental shift occurred in the representation of Sharia auditing in Islamic banks, as the reputation of Sharia auditors began to flourish more clearly and intensively. KFH began publishing the 'Report of Fatwa and Shariah supervisory authority' along with a picture of each member of the Shariah Board (Figure 5-1). And to compare the Sharia Board's report at that time with the financial auditor's report, I find that only personal photos of the Sharia Board members were included. This gives the impression that the bank's Sharia Board members, despite performing a similar role to the financial auditor, were privileged. Such recognition became evident in subsequent years, as it became customary for the bank's Sharia audit report to be published, accompanied by photos of the Sharia Board members, signed by them (see Figure 6-5).

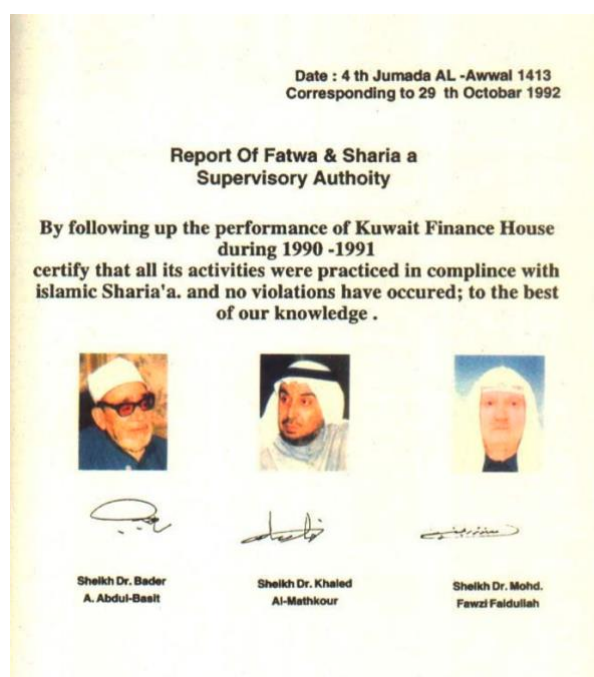


Figure 6-5: Report of fatwa and Shariah supervisory authority

(Source: KFH annual report 1990-1991 p.18)

And with the absence of a specific law regulating the work of Sharia supervisory boards in Kuwait until 2016. All practices that preceded this year were not based on laws and were the efforts of banks or members of Sharia boards (Alnahidh and Sawalhi, 2018). Thus, the work of the Sharia boards in Kuwaiti banks was not based on a legal mechanism, but rather a set of practices that evolved over the years according to the whims of the Sharia board members and the Islamic banks themselves—by establishing a supervisory audit system with unknown dimensions, tending toward a religious nature rather than an administrative one.

It is worth noting that all members of the Sharia boards of Kuwaiti Islamic banks are considered experts in Shariah matters and are highly regarded by society as respected religious authorities. That is, they lead Muslims in prayer in mosques daily and also deliver sermons and seminars regularly. They also provide spiritual and intellectual advice to the public through phone calls or text messages. In addition to these, social tasks and their duties in the Sharia Supervisory Board of Kuwaiti

banks, shows that the community trusts their work within the bank because it also trusts them outside the bank (Ghabra, 1997).



Figure 6-6: Report of fatwa and Shariah supervisory authority  
(Source: KFH annual report 1993 p.55)

Members of Sharia boards are actively engaged in the social sphere, interacting closely with people in mosques and other social settings, and providing them with guidance on religious and jurisprudential matters. In return, people trust them with their work as Sharia auditors in Islamic banks (Ghabra, 1997). Thus, engaging with the public regularly has proven beneficial to the Shariah audit member, as he earned the public's trust.

## **6.6 The domination of Shariah audit**

The Islamic banking concept was a response to the Islamic awakening movement in Kuwait. Such a wave of religious beliefs profoundly impacted the social, political, and economic spheres of Kuwait and most Arab countries. It appeared in the economic field with the establishment of Islamic Banks. Such financial establishment relies on religious values and beliefs as sources of its Islamic legitimacy (Ghabra, 1997).

Islamic representation in Kuwait's Islamic banking sector played a significant role in shaping its identity and vision. The Islamic nature of the Kuwaiti Islamic banking model was evident in various aspects of its religious orientation. KFH, as a first Islamic bank in Kuwait, used Islamic symbolic indications extensively to legitimise its spiritual orientation.

### **6.6.1 The social doxic submission towards Shariah auditors in Kuwait**

In this subsection, I present the words of two of my interviewees, which illustrate how Islamic bank customers do not question the opinions of Shariah auditors. I employ the Bourdieuan notion of doxa to connect the contextual data with this idea.

According to Bourdieu, the social system reproduces itself through what is known as "doxa," whereby social norms, values, and concepts become familiar perceptions for individuals, who embrace them and live by them without realising that they are imposed on them by dominant social structures (Bourdieu, 1977). According to SAM12 and SAM17, the bank's customers do not doubt or question the Shariah opinion of Shariah auditors.

Of course, they trust us. We possess Shariah knowledge, which we utilise to evaluate the banks' financial matters. We do our best for the sake of Allah, and our customers are well aware of this. There are no reasons to do otherwise.

(SAM17)

Most of the Shariah auditors know that Islamic Bank's customers trust their Shariah judgment. They believe that it is normal not to question their Shariah audit opinion,

as it is derived from Shariah. SAM12 also shares the same ideas regarding whether Islamic Banks' customers question their Shariah opinions. He replies:

We use our Shariah tools and try very hard to find suitable Islamic solutions to modern-day business products. And we are cautious when it comes to Shariah. Sometimes, we take the time to consult with each other before making a decision. We ensure that our Shariah opinions align with the Quran and Sunnah. Then, why would customers question our Shariah opinions?

(SAM12)

However, when I asked SAM12 whether he thinks people take the Shariah audit roles for granted, he surprisingly blamed the bank's customers.

“In the establishment days of the bank, people were asking questions about the bank. They inquired about the Islamic products offered by the bank. They also asked deep Shariah questions. I do not blame them; Islamic banking was a new concept to them. However, most of the new generation these days do not care about understanding Islamic banking. For example, suppose you asked customers about the difference between Islamic loan, which we provide here at the bank, and a non-Islamic loan. In that case, I bet that more than eighty per cent of them [customers of Islamic banks in Kuwait] would not know the answer. They know it's Shariah compliance, but they do not know why.”

(SAM12)

SAM12 and SAM17 believe that customers of Kuwait Islamic banks are *doxically* submitted to the Shariah audit opinion. They believe that customers of Kuwait Islamic banks take the Shariah audit opinions for granted. The interviewees also believe that the function of the Shariah audit has been neglected in recent years. I aim to discuss these findings in further detail in the discussion section (see section 5.7).

### **6.6.2 Shariah auditors' attachment to the field**

Shariah auditors in Kuwait Islamic banks are aware that customers are not interested in inquiring about Shariah opinions within the bank. They believe that customers have entrusted them with this responsibility. However, three Shariah auditors have raised some issues regarding the role of Shariah audit in Kuwait Islamic banks. SAM9

argues that in recent years, the Shariah audit profession has encountered some problems.

“As long as this profession [Shariah audit] is not regulated in Kuwait, it always will be vulnerable and fragile. As a former Shariah auditor, I was always unconvinced with the shape of Shariah audit as a profession in Kuwait. I do not know why many Shariah experts are holding on tightly to this field. None of them, including me, have studied in business schools, yet they work and regulate the banking industry here”.

(SAM9)

The profession of Shariah auditing in Kuwaiti Islamic banks is governed by its own set of rules. There are no explicit rules to follow throughout the audit process. SAM9 portrays such professionals as an invasion from Shariah experts who acquired the Islamic banking sector without having the appropriate business knowledge. He also explains why this profession attracts Shariah experts.

“I believe that the Shariah audit is becoming a prestigious job. Shariah auditors have neither the opportunity, nor the authority and status, to govern such banks. This is why most Shariah auditors strive to avoid losing their jobs. Imagine the recognition that Shariah audit board possess in the bank, it’s the dream job for any Shariah expert”.

(SAM9)

It is interesting to observe the perception of Shariah experts regarding Shariah auditing. As it represents a dream job, according to SAM9, it is no wonder that many Shariah auditors have spent years pursuing this role.

Bourdieu (1998) uses the term ‘*illusio*’ to describe the way social agents are interested and willing to hold on in a field. He argues that once social agents get attached to a specific field, they start to formulate a shared *illusio* within the field. Bourdieu describes *illusio* sense as “All those who are involved in the fields, whether champions of orthodoxy or heterodoxy, share a tacit adherence to the same *doxa* which makes their competition possible and assigns its limits” (Bourdieu, 1997, p. 102). This theoretical notion of Bourdieu is evident in the Shariah audit profession in Kuwait Islamic Banks. As reflected in the attachment, Shariah auditors have a strong attachment to their job and a desire to stay in it for the longest possible time.

### 6.6.3 From obedience to rebellion: the change of Shariah audit role

Bourdieu explains *hysteresis* as: “The *hysteresis* of habitus, which is inherent in the social conditions of the reproduction of the structures in habitus, is doubtless one of the foundations of the structural lag between opportunities and the dispositions to grasp them which is the cause of missed opportunities and, in particular, of the frequently observed incapacity to think historical crises in categories of perception and thought other than those of the past” (Bourdieu, 1977, p. 83). Bourdieu believes that new opportunities create a gap when a field changes. Therefore, the role of social actors in responding to new opportunities shifts their habits toward new tastes and preferences, leading to change, or, as he calls it, ‘hysteresis.’

The role of Shariah audit in Kuwaiti Islamic banks has changed fundamentally since the field's establishment. Such a change is not merely reflected in the Shariah audit practice, but it also affected the foundation of the field.

“At the starting years, we [Shariah auditors] were appointed in Islamic banks to serve things differently than what we see today. We have been asked to find Shariah alternatives to usurious banking products. The people of Kuwait were happy that, finally, a Shariah-compliant bank was opening. Our mission was to provide them with Shariah alternative products so that they can obey Allah with their money. But, as years progressed, the role of Shariah audit changed dramatically. Now, Shariah audit role mainly concerns mimicking conventional banks' products, but with a Shariah flavour.”

(SAM7)

The role of Shariah audit has changed over the years. The essence of this audit was originally to provide Shariah-compliant products. However, as the business model of Islamic banks in Kuwait expanded, Shariah auditors found that their field was also affected by this expansion. And despite the changes that the Shariah audit profession has undergone, it remains one of the most sought-after jobs for Shariah experts.

“The roles of the Shariah auditors in Kuwait Islamic banks have changed in the last two decades. Yet, it is still considered one of the career options for Shariah graduates or experts. Once you enter this field of work and see the prestige that this job offers, you become entrenched in this career forever”.

(SAM7)

It is interesting to observe that the Shariah audit profession has undergone fundamental changes over the years. Such a radical change would affect the participants in the field. However, Shariah auditors in Kuwait Islamic banks believe that such a career is too precious to let go. Bourdieu's concept, hysteresis, describes the change that occurred in the field of Shariah audit in Kuwait Islamic banks. It portrays how social agents are willing to adjust their career preferences to maintain their position within the field.

#### **6.6.4 The production of symbolic violence in the Shariah audit profession**

According to Bourdieu, Symbolic violence is any power that seeks to impose meanings and legitimise them, or any influence that succeeds in imposing specific meanings as legitimate (Bourdieu, 1988). Thus, this subsection discusses how the shariah audit profession in Kuwait Islamic banks manifests and produces symbolic violence.

Shariah auditors have obtained recognition due to their religious role in Kuwait Islamic banks. The reputation that they built throughout the years has given them status, prestige, and entitled them with the public's trust. Notably, most Shariah auditors in Kuwait's Islamic banks have held this position for decades.

“The Shariah audit profession has gained its reputation due to its exclusivity. It is challenging to become an independent Shariah auditor in Kuwait's Islamic banks; the process requires time and effort, and it is nearly impossible. Additionally, current Shariah auditors have held their positions for decades. It is rare to hear that a Shariah auditor has willingly retired or quit his job.”

(SAM9)

The attachment that Shariah auditors have towards their profession has closed the gate towards newcomers. And since there are only five Islamic banks in Kuwait, with each one employing three to five independent Shariah auditors, it is hard to see new Shariah auditors in the field. Such attachment in this field limits creativity and innovation, as those in charge are limited to a few names.

“In general, the assembly of the bank votes in favour of the same Shariah audit names every year. It is very rare to see new names. The current

names have governed this profession for decades. They are familiar with every aspect of Shariah law related to the bank. Why would someone choose to change them? They earned the trust of the stakeholders.”

(SAM9)

The dominance of this field by a small number of Shariah auditors has created a symbolic hegemony. Their long-standing presence as the sole decision-makers in this field has given them a significant symbolic influence. The power of these individuals is evident in their ability to maintain a presence on the Shariah audit platform in Kuwaiti Islamic banks for decades without change. They exercise their acquired power and influence to seize the keys to the field and remain at its pinnacle for as long as possible. And since this monopoly of power is established through voting during the annual general assembly of Islamic banks in Kuwait, shareholders' votes have allowed for the continuation and control of this intellectual hegemony over the years.

This subsection has mobilised Bourdieu's concept of symbolic violence in conjunction with the contextual data from the research. It portrays how the Shariah audit field in Kuwait Islamic banks creates, maintains and produces symbolic violence. I aim to discuss these findings in further detail in the discussion section (see section 5.7).

### **6.7 Discussion: Symbolically violating a doxic society**

Bourdieu (2014) theorised that symbolic violence is evident in the religious field. He believed that the position of religious clerics in the field gives them religious superiority over the public, and therefore, control and domination of the field. However, Bourdieu uses the example of churches as a religious authority setting in his understanding of the religious field. In this paper, the notions of Bourdieu are mobilised in the context of Shariah audit in Kuwait Islamic banks. I have chosen Bourdieu's notions of doxa, illusio, hysteresis, and symbolic violence to understand the Shariah audit profession in Kuwait Islamic banks.

Some studies in the literature have discussed Shariah audit board practices; a limited number have considered the social dimension of this field, as most Shariah audit literature is positivistic. Besides being little studied, the social aspect of the Shariah

audit in Islamic banks continues to be widely ignored. The lack of socially driven studies in the literature of Shariah audit has driven me to understand the social aspects of this field in the context of Kuwait Islamic banks. Although the paper illustrates how Shariah auditors have positioned themselves in Kuwait Islamic banks, one of the crucial matters that my findings show is how Shariah auditors in Kuwait Islamic banks have acquired and maintained their position in the field.

I believe Bourdieu's theorisations helped to understand the social formation of the Shariah audit field in Kuwait Islamic banks. Firstly, Bourdieu defines doxa as "a set of fundamental beliefs which does not even need to be asserted in the form of an explicit, self-conscious dogma" (Bourdieu 2000a, p. 16). The doxa represents a taken-for-granted perception within the field. A doxic society is a society where social agents tend to obey the rules without questioning, as they submit to the rules of the dominant class. And when mobilised with the Shariah auditors' perception of the field, it is evident that Shariah auditors believe that social agents of Kuwait do not question opinions of the Shariah auditors. Stakeholders of Kuwait Islamic banks do not doubt the legitimacy or question the validity of the Shariah rulings issued by members of the Shariah auditors.

Secondly, the contextual data show that Shariah auditors in Kuwaiti Islamic banks understand the influence and authority they exert over society. However, they continue to expand their religious authoritarian impact by staying in office for decades. Such attachment that Shariah auditors show towards the field has closed the field towards new Shariah auditors. As mentioned in (section 5.6.2), Shariah audit is considered a prestigious career and a dream job among Shariah experts, which explains why current Shariah auditors are attached to their chairs. Thus, I use Bourdieu's notion of *illusio* to understand the behaviour of Shariah auditors in this case. Bourdieu uses "illusio" to explain the condition of field participants, their desire, and adherence to continue participating in the field, as they share a similar habitus.

Thirdly, the analysed data shows that Shariah audit profession in Kuwait Islamic banks has witnessed fundamental changes during its course of existence. An example of such a change is that the Shariah audit role was merely supervisory at the beginning of the field. Nonetheless, nowadays, a Shariah auditor possesses absolute

authority to make fundamental decisions related to all aspects of the Islamic bank. Yet, such a dramatic change in the role of Shariah auditors has not brought about any changes to the names of Shariah auditors. Bourdieu (1977) believes that actors within the field are receptive to changes in the field and are willing to adapt to new rules of the game. He uses the notion of hysteresis to describe the willingness of the field's actors to accept change and adjust accordingly. He believes that participants in the field adapt to change and therefore change their habitus to accommodate the new rules of the game.

The fourth and final theoretical notion used in this paper is symbolic violence. Bourdieu believes that symbolic violence manifests itself in the field when domination occurs through those who possess power over the field (Swartz, 1997). He also suggests that doxic society encourages the production of symbolic violence, especially when it takes for granted the existing social pyramid. In this paper, symbolic violence is present within the Shariah audit profession in Kuwait Islamic banks. Shariah auditors enjoy great recognition and status; therefore, they impose their religious opinions on the doxic social structure of Kuwait, which takes them for granted. Figure 6-7 illustrates the Shariah audit field dynamics in Kuwait Islamic Banks.

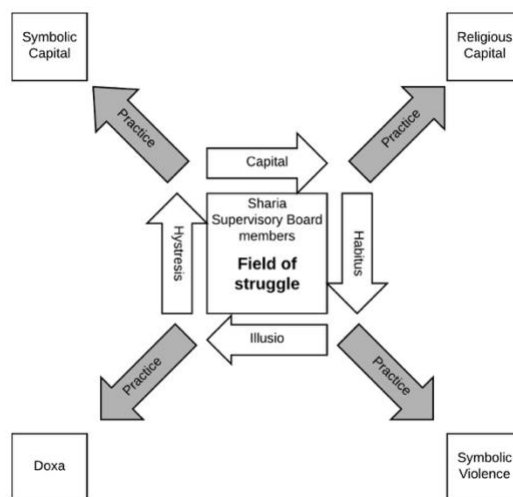


Figure 6-7 The dynamics of Shariah audit field in Kuwait Islamic Banks

(Source: This study)

This section has discussed the findings of this paper. It demonstrated how Bourdieu's theoretical notions have helped to understand how the Shariah audit field in Kuwait Islamic banks creates a taken-for-granted belief, which is the result of the authoritarian nature that Shariah auditors possess socially. Such a field creates its own rules of the game with a set of unregulated Shariah tools, thus exercising symbolic violence in doxic social settings.

## **6.8 Conclusion**

This paper has analysed the Shariah audit practice in Kuwait Islamic banks. It has shown how Shariah, in the context of Islamic banking, can manifest as dominant practice. This, in turn, produces symbolic meanings within a submitted social sphere. Based on Bourdieu's theorisations, this paper argues that Shariah audit field in Kuwait Islamic banks symbolically violates a doxic society. The study obtained the data from primary and secondary sources within the field.

The study contributes to the body of research on Shariah auditing and Islamic Banking. First, this paper contributes to the limited research on Shariah auditing by examining the social aspects of the Shariah auditing field. This investigation offers new insights into an area of Shariah accounting that has received little attention. Additionally, the study presents Shariah audit practice in a social dynamic way. It also extends Pierre Bourdieu's concepts of doxa, illusio, hysteresis, and symbolic violence by theorising the specific context examined. Although the focus area has a different cultural background, Kuwait's Islamic banks employ a Shariah auditing structure similar to those used elsewhere. Nonetheless, a key challenge in Shariah audit research is that audit perspectives can vary widely. Addressing fundamental questions, as done in this study, can help bridge such gaps. The most effective approach to solving these issues is to explore their origins and understand how the field is socially constructed.

## Chapter (7): Conclusion

### 7.1 Recap of the thesis

This thesis explores the Shariah audit practice in Kuwait Islamic banks. Drawing on semi-structured interviews with Shariah auditors, this research investigates the social and political implications of the Shariah audit field by examining the everyday practices of Shariah auditors. As mentioned in Chapter One, three separate but related objectives have been considered to achieve the thesis's aim (section 1.3). Each of the objectives has been addressed through research questions explored in the empirical chapters, specifically Chapters 3, 4, and 5.

Chapter 2 establishes the philosophical and theoretical framework for this thesis, which was developed throughout the research. Moreover, every paper provides illustrations of the theoretical and empirical findings.

Chapter 3 examined the field of Shariah audit in Kuwait Islamic Banks. The paper argues that audit, within the context of Shariah, embodies a struggle in the field of power relations. This study accomplishes the first objective of the research. The field of Sharia auditing in Kuwait emerged following the establishment of Islamic banks, which at the time required specialists in Sharia jurisprudence to support their daily operations. Since then, the field has experienced a lack of intellectual consistency. According to our study, this is due to the existence of multiple interpretations of Sharia law, which make the field unregulated. The research uncovered the competing forces within this domain, where the logic of Sharia auditing conflicts with that of financial auditing.

Chapter 4 examined Shariah audits in the mundane practice of Shariah in Kuwait Islamic banks. The research achieved its second objective by understanding how mundane Shariah audit practices are influenced by the social and political orientation of Shariah auditors in Kuwaiti Islamic banks. The paper understands the structured and structuring structure of the Shariah auditors, or their habitus. The paper concludes with the belief that the mundane practice of Shariah audit field in Kuwait Islamic banks is a reflection of the social and political orientation of Shariah auditors.

Chapter 5 examined the implications of Shariah audit practice on the social sphere. The paper argues that Shariah auditors in Kuwait Islamic Banks dominate the field with their Shariah influence. The research achieved its objective by illustrating that the Shariah audit field is symbolically violating a submitted, doxic, social sphere. The Paper argue that the Shariah audit obtained social respect due to their religious influence, thus producing a social sphere that does not question Shariah audit practice.

## **7.2 Contribution to Existing Knowledge**

This thesis contributes to existing knowledge by providing a detailed, empirically grounded account of how Shariah audit is formed, enacted, and made consequential within Kuwaiti Islamic banks. Rather than approaching Shariah audit as a predefined regulatory mechanism or a normative ideal, the thesis demonstrates—through three interconnected empirical studies—how it is produced through ongoing interactions, shaped by organisational conditions, and sustained through social and symbolic processes.

Across the three papers, the thesis shows that Shariah audit does not exist as a stable or universally defined practice. Instead, it is constituted through contestation, negotiation, and interpretation. The first paper demonstrates this by examining how Shariah audit emerges in relation to financial audit within Islamic banks. The empirical material shows that tensions frequently arise over audit scope, evidence, and authority, particularly where financial auditors rely on codified standards while Shariah auditors draw on interpretive religious reasoning. These interactions reveal that “Shariah compliance” is not a fixed benchmark but an outcome of ongoing negotiation between actors with different forms of expertise. In this sense, the thesis provides concrete evidence that auditing, in this context, is organised through overlapping and sometimes conflicting logics rather than through a unified framework.

Building on this, the second paper shows how Shariah audit is sustained through everyday organisational practices. The analysis moves beyond formal structures to

document how audit work is actually carried out—through routine reviews, informal consultations, iterative checking of documents, and continuous engagement with Shariah scholars and management. The findings demonstrate that audit practice relies heavily on practical judgement, prior experience, and socially embedded ways of working. For example, auditors often defer to established interpretations, rely on precedent, or adjust their practices in response to organisational pressures. This shows that Shariah audit is not simply implemented through rules but is reproduced through embodied dispositions and situated decision-making. As such, the thesis provides a detailed account of how auditing operates as a lived practice rather than a formal system.

The third paper extends this analysis by showing the consequences of these practices within the organisational and social environment of Islamic banking. The empirical findings illustrate how Shariah audit contributes to shaping what is accepted as legitimate practice within the bank. In particular, the authority of Shariah auditors is shown to influence how decisions are justified, how compliance is understood, and how organisational actions are evaluated. The study demonstrates that certain interpretations of Shariah become dominant not because they are universally agreed upon, but because they are repeatedly enacted, recognised, and accepted within the field. At the same time, alternative interpretations are less likely to gain traction unless they are aligned with established practices. This shows how Shariah audit actively structures organisational behaviour and contributes to the stabilisation of particular forms of legitimacy.

Taken together, the three papers provide a cumulative account of Shariah audit as a socially organised and materially enacted practice. The thesis shows, first, how the field is formed through struggles over authority; second, how it is reproduced through routine practices and interactions; and third, how it generates effects by shaping organisational conduct and social acceptance. This moves the understanding of Shariah audit away from abstract prescriptions and towards an empirically grounded explanation of how it operates in practice.

The thesis also contributes by demonstrating how religious authority becomes embedded within organisational processes. Rather than treating religion as an

external influence on accounting, the analysis shows how it is mobilised within audit practices, translated into organisational routines, and stabilised through repeated use. Religious knowledge does not simply guide action; it is actively interpreted, negotiated, and enacted within specific organisational contexts. This provides concrete insight into how religious principles are operationalised in complex institutional environments such as Islamic banking.

In developing this analysis, the thesis mobilises Bourdieu's theoretical concepts as analytical tools to explain the observed empirical dynamics. In the first paper, the notion of field and struggle is used to interpret the tensions between Shariah auditors, financial auditors, and management, showing how authority is contested and negotiated. In the second paper, the concept of habitus explains how audit practices are carried out through routinised dispositions, enabling auditors to act without constant explicit deliberation. In the third paper, the concepts of doxa, hysteresis, and symbolic violence are used to analyse how certain interpretations become taken for granted, how mismatches emerge between evolving practices and established beliefs, and how authority is exercised through recognition rather than coercion. Importantly, these concepts are not introduced abstractly but are used to make sense of specific empirical observations across the three studies.

Overall, the contribution of the thesis lies in providing a coherent and empirically substantiated explanation of Shariah audit as a dynamic field of practice. By tracing how it is formed, enacted, and made consequential, the thesis offers a grounded understanding of how auditing operates in a context where religious authority, organisational processes, and professional practices intersect.

### **7.3 Practical Implications**

Based on my findings, the Shariah audit field in Kuwait requires regulation. Policymakers should review the current practice of Shariah auditing. However, I recognise that the Shariah audit practice derives its regulations from Quran and Sunna, and such sources are open to multiple interpretations, which produce different Shariah audit practices. Based on my findings, I will present several significant problems within the field of Shariah audit in Kuwait Islamic Banks here:

- It is necessary to create academic specialisations at universities to graduate specialists in the field of financial auditing in Islamic financial institutions. In these specialisations, students combine financial studies with the study of Islamic law, thus qualifying them to work in Islamic banking.
- It is necessary to establish a central Sharia audit body to supervise and audit the work of members of the Sharia boards of Islamic banks in Kuwait. This central body will be responsible for unifying Sharia fatwas<sup>15</sup> among banks to eliminate any discrepancies in their opinions.
- The mechanism for appointing members of Sharia boards in Islamic banks must be transparent and open to all qualified individuals. This provides an opportunity for new, young people to work in this field.
- Sharia board members should not be appointed to more than one bank at the same time due to conflicts of interest. The Sharia audit committee should be treated like any other committee serving within the bank and should not be exempt from the laws.
- The Central Bank of Kuwait should consider the number of years Sharia board members are allowed to serve in a single bank. This limit is currently not specified by law.
- Sharia board members in Islamic banks should contribute to the innovation of Sharia-inspired Islamic products that serve society and the public good. They should also refrain from imitating usurious products.
- Given that society ignores the Sharia application used in Islamic banks, Islamic banks should issue the fatwas used to legitimise their financial products, thereby educating society on Islamic Shariah matters.

I believe the Kuwaiti government is very interested in developing the field of Sharia auditing in Islamic banks, as it owns a stake in most of these banks as a major shareholder. The recommendations resulting from this research will be seriously considered if they reach decision-makers. Islamic banking in Kuwait is a vital and dynamic sector for the Kuwaiti economy, so any attempt to develop it will have a

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<sup>15</sup> *Fatwa*, in Islamic jurisprudence, a formal ruling or interpretation on a point of Islamic law given by a qualified legal scholar (known as a *Mufti*)

positive impact on the country's economic growth. All the proposed suggestions are applicable, but they require decision-makers who have the keys to change.

## **7.4 Limitations**

This thesis has some limitations. The main challenge lies in its subjective methods, especially the risk of not accurately capturing individuals' ideas. However, I used several strategies to reduce this risk. I collected data from a representative group of key stakeholders in the Shariah audit field, carried out a detailed analysis, and incorporated external theoretical frameworks to address these concerns. Despite these efforts, I believe that epistemic risk is inherent in interpretive philosophy.

Another significant limitation, based on my observations, is that although I have tried to broaden my research to include stakeholders' perspectives on Shariah audit, I am still unable to engage in philosophical religious discussions due to the sensitivity of social attitudes towards religious topics. I have consciously refrained from questioning the reasoning behind Shariah audit on an individual level.

A major challenge for this thesis was addressing religious topics. Kuwaiti society's conservatism means that criticising members of Sharia bodies can be seen as criticising Islam itself. My goal was to clarify my intentions in examining the development of Sharia auditing. I aimed to respect the participants' religious sentiments, focusing on critiquing the field of Sharia auditing rather than religion itself.

Regarding data collection, I encountered challenges in obtaining historical information on Islamic banking in Kuwait. My efforts to access archives of Islamic banks were met with rejection from several institutions. The data I found was limited and unreliable, primarily consisting of historical texts that focused on politics. However, within this context, they also address some of Kuwait's economic issues.

## 7.5 Recommendations for future Research

This thesis explores how Sharia auditing functions within Kuwaiti Islamic banks. It highlights the ongoing power struggle between conflicting philosophical views in the field. Additionally, the thesis reviews various interpretations of Sharia law, which have contributed to a lack of regulation in Shariah auditing across Kuwait Islamic banks. The influence of Shariah authorities on society through Islamic banks is also analysed. During this research, I identified some recommendations that future researchers in this field can consider:

- In this research, I relied on members of the Sharia boards as the primary source of data. This enabled me to obtain accurate information about their work in Kuwaiti Islamic banks. It would have been interesting to have been able to reach executive directors of Kuwaiti Islamic banks to learn their perspectives on this topic. I therefore advise researchers in this field to consider this source of information, as it will contribute to the literature.
- The results of this research are based on a study that examined Islamic banking in Kuwait. Given Kuwait's unique political and social characteristics, other fields don't need to share the findings of this research. Therefore, it is interesting to examine the social and political aspects of other jurisdictions to gain a different perspective on Shariah audit practice.

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