

THE ADMINISTRATIVE EFFICIENCY FROM THE ISLAMIC JURISPRUDENCE PERSPECTIVE

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ABSTRACT

This study aims at demonstrating the relevant jurisprudential provisions to the administrative competence, which increase and improve administrative competence. The research adopted the deductive and inductive approaches. It consists of two components. The first component is devoted to the jurisprudential rulings on individual competence. The second component is devoted to the relevant jurisprudential rulings to the strategic competence. The results of the study illustrate the necessity to prefer qualified appointees to others in terms of competencies in the selection, appointment and assigning forbidding the influence of favouritism or enmity in appointing the competent. We must endeavor to find qualified appointees to perform the tasks and prevent the corruption caused by assigning the incompetent. Planning and organizing are legitimate issues in the Holy Quran and the Prophetic Sunnah. They are obligatory if the goals are obligatory and more desirable in the desirable goals. Further, it is an obligation to monitor in a way that achieves the public interest and prevents corruption.

Keywords: Administrative Competence, Individual Competence, Jurisprudential Study, Strategic Competence

INTRODUCTION

The administrative competence of enterprises has become a contemporary necessity to overcome the challenges. It is the key element to achieve the continuity and competitive advantage of the enterprise. Islamic jurisprudence is rich in well-organized systems, provisions and partials, which guide and improve the administrative competence. Accordingly, this research aims at demonstrating some relevant jurisprudential provisions to the procedures, which will increase and improve the administrative competence.

RESEARCH PROBLEM

Within the stage of advancement and progress and increasing financial and human resources, the absence of administrative competence that improves the administration of those resources can create an atmosphere that promotes slouch and wastage. Therefore, only intensive efforts to improve administrative competence can guarantee the achievement of the anticipated objectives. This study is, therefore, an illustration of the jurisprudential provision, which will increase and improve administrative competence.

THE MAIN OBJECTIVE

The main objective of the study is to demonstrate the concept of administrative competence, and the relevant provisions to it, which will increase and improve administrative competence.

Subsidiary Objectives

The main objective has further been subdivided into two secondary objectives. The subsidiary objectives of the study are:

1. To demonstrate the concept of individual competence and its provisions
2. To demonstrate the concept of strategic competence and its provisions

RELATED LITERATURE

After searching, I could find neither a book nor a jurisprudential study that includes administrative competence. The previous relevant studies have been taken on as a general, cultural and historical narration. In addition, the issue of administrative competence was not specifically addressed.

RESEARCH METHODOLOGY

The study adopted the deductive and inductive approaches, by portraying the matter and analyzing any possible controversy. It reviewed the original resources and references for analyzing, deducting and documenting.

THE DEFINITION OF ADMINISTRATIVE COMPETENCE

Definition of Administrative Competence

Linguistically, Kaf فالكلا, Fa ءافلا, and Humza ءزملا are two origins, one of which indicates equality in two things and the other indicates tilt and curvature. The first انال ف تافاك means if you encounter him as he acts (Ibn Fares, 1979). Equivalence means equality (Ibn Fares, 1979; Ibn Mandhoor, 1994; Zubeidi, 2001). The source is competence by Fathh & Madd: symmetry and resemblance (Al-Rasaa, 1932). From this source, it is defined as a similarity between two things in characteristics and features in both comparison and difference.

The use of the term competence has been expanded, and it has spread to be used in various fields. It has been used in economics, administration, and product description. It does not have a specific meaning and its meaning is illustrated in accordance with the context, in which it is used. The focus of this study is administrative competence. There are several similar definitions of administration; the most inclusive of such definitions defines competence as the capability to optimize the use of resources in a way that contributes to the achievement of the anticipated results (Riad, 2001).

Definition of Administration

Dal, Wawa & Ra are of the same origin, which indicates surrounding one thing with things around it" (Ibn-Fares, 1979).

By saying that I administrated someone on this matter means, I tried to oblige him to perform that, and I administrated him away from this matter means I asked him to leave it (Ibn Mandhoor, 1994). Administrating matters is asking to perform them (Zubeidi, 2001).

There are several ways in which the term administration has been defined. However, keeping in view the aim of this study it is defined as managing others to perform the works by

planning, organizing, directing and controlling their efforts (Al-Hawari, 1970). The goal of this research is to study a set of administrative procedures aiming at optimizing the resources in achieving the results. It is a jurisprudential study to reach the legal provisions on these procedures.

INDIVIDUAL COMPETENCE, AND ITS RELEVANT RULINGS

The Concept of Individual Competence

Individual competence has been defined by several similar definitions. It is defined as a set of knowledge, procedural capabilities and structured behaviours in the context of achieving a goal of a situation (Anis & Tawfiq, 2017). It is also defined as a set of acquired knowledge, which constitutes individuals' characteristics and can belong to different areas such as personality merits, capability, etc (Maryam, 2017). These definitions demonstrate that the term individual competence is synonymous with the terms, eligibility, validity and adequacy among jurists in the chapter of the public jobs or public posts the way they are called today. Following is the review of these synonyms:

Eligibility

Eligibility has a legitimate origin in the Holy Quran and Sunnah.

Almighty God says:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا

Allah doth command you to render back your Trusts to those to whom they are due. (An-Nisa, 58)

Trusts should be entrusted to those who are eligible to carry them (Al-Bukhari). There is a hadith of Prophet Mohammed (ﷺ), narrated by Abu Hurairah:

The Prophet (ﷺ) said, 'When the power or authority comes in the hands of unfit persons (ineligible), then wait for the Hour (Doomsday)'. Sahih Al-Bukhari 59¹

For a jurist, the competent demonstrates the capabilities represented by the stipulations of each job according to its meaning and goal (Al-Kasani, 1986; Ibn-Khalil, 1998).

Sufficiency

The term "sufficiency" is often repeated by jurists in the chapter of the public posts to indicate a person's capability to perform the job tasks entrusted to him (Al-Maliki, 1998). This capability is measured by the characteristics of the person who is capable to carry out the responsibilities attached to the tasks. These capabilities are clearly indicated by the different regulations stipulated for each type of public post (Al-Mawerdi, 2018).

Eligibility

The terms eligibility and validity are synonyms. Eligibility is used for the decision and validity for the capabilities to carry out the duties of the job to achieve its goals (Abu Habib, 1998). Jurists formed the concept of individual competence into two main pillars: power and trust. All the stipulated conditions that should be met by the appointee in the public post are derived from these two pillars. From trusts, religion, morality and justice are branched out and

from power, scientific and personal qualifications and physical capability are branched out (Ibn Taymiyyah, 1998).

The Provision on Appointing the Competent

Portraying the Matter

What is the provision on appointing the most eligible and capable individual who has power and can handle the trust to perform tasks?

Ruling

The jurists agreed on the obligation of appointing the fittest to take care of Muslims' interests. Everyone who is appointed to look after Muslims' interests must make use of everything under his power to perform the tasks of the job better (Al- Mawerdi, 2018; Al-Jouini, 1981; Al-Shatabi, 1997; Ibn Taymiyyah, 1998).

This is inferred from the Holy Quran, Sunnah and logic. Almighty God says:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا

Allah doth command you to render back your Trusts to those to whom they are due. (An-Nisa, 58)

Addressing the governors of the state, it is advised that trusts must be rendered to competent and eligible people. Concerning the public posts and senior positions in the state, the governors are commanded to appoint the competent and the trustworthy (Ibn Hayyan, 2000; Ibn Kabir, 1999; Al-Sa'adi, 2000).

Abu Dharr narrated that he asked God's Messenger to make him a governor, but he struck him on his shoulder with his hand and said, 'You are weak, Abu Dharr, and it is a trust which will be a cause of shame and regret on the day of resurrection except for him who undertakes it as it ought to be undertaken and fulfils his duty in it' Mishkat Al-Masabih 3682².

The Hadith indicates that the appointing is a trust and that must be entrusted to those who are eligible, and it is a heavy and challenging trust that only a powerful person can undertake (Al-Hawari, 1970).

Allah's Messenger (ﷺ) said, "Surely! Every one of you is a guardian and is responsible for his charges: The Imam (ruler) of the people is a guardian and is responsible for his subjects; a man is the guardian of his family (household) and is responsible for his subjects; a woman is the guardian of her husband's home and his children and is responsible for them, and the slave of a man is a guardian of his master's property and is responsible for it. Surely, every one of you is a guardian and responsible for his charges." Sahih Al-Bukhari 7138³.

The ruler of the people is the guardian and is responsible for taking care of their interests, including seeking the competence of those who are appointed, so that the work with competencies is controlled, and the capitals with the trust-worthies are reserved (Al-Mahdi, 2006).

It has been narrated on the authority of Abdullah Bin Zeyad, "I heard the Messenger of Allah (ﷺ) saying, 'A ruler who, having obtained control over the affairs of the Muslims, does not strive for their betterment and does not serve them sincerely shall not enter Paradise with them'"⁴.

There is a strong threatening for those who do not work hard to investigate and find someone competent for an appointment. It is compulsory for the rulers to appoint competent people who are capable to achieve the intended goal they are appointed for.

Logic

The public interest requires a competent person who is capable of achieving the intended goals and performing the duties and responsibilities efficiently. Moreover, its impact is evident on the level of achievement regarding the tasks and in achieving the goals effectively at a lower cost.

The Provision on Appointing the Incompetent

Portraying the Matter

What is the provision on appointing the incompetent person who does not have the scientific and practical capacity and the trust to perform the tasks of the post and governance, while the competent people exist?

Ruling

It is prohibited to appoint those who are incompetent while competent people are available. This is considered a great betrayal of trust as evidenced by the following:

Almighty God says:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَخُونُوا اللَّهَ وَالرَّسُولَ وَتَخُونُوا أَمَانَاتِكُمْ وَأَنْتُمْ تَعْلَمُونَ

O ye that believes! betray not the trust of Allah and the Messenger, nor misappropriate knowingly things entrusted to you. (Al-Anfal, 27)

Appointing the untrustworthy is a great betrayal of trust. The ruler may favour those who are close to him and appoint them to senior positions. By doing so, he betrays Almighty God and his Messenger and betrays his trust (Ibn Taymiyyah, 1998).

Ibn Abbas Narrated, “God's Messenger says, ‘He who hires a person and he knows that there is another one who is more qualified and competent then he has betrayed Allah and his Messenger and the Muslims’”⁵.

A strong threatening is for those who do not work hard to investigate for the appointment of a competent person, and that is a form of betrayal to Almighty God, his Messenger and the Muslims (Ibn Taymiyyah, 1998).

Abu Dharr narrated that he asked God's Messenger to make him a governor, but he struck him on his shoulder with his hand and said, ‘You are weak, Abu Dharr, and it is a trust which will be a cause of shame and regret on the day of resurrection except for him who undertakes it as it ought to be undertaken and fulfils his duty in it’ Mishkat Al-Masabih 3682⁶.

The Prophet (ﷺ) rejected to appoint Abu Dharr in a post in government as he was incompetent and was not sufficiently capable to perform the job tasks.

Abu Bakr said when he sent me to Syria: O Yazeed, you have relatives and you may give them precedence in allocating positions of authority; that is the most serious thing I fear for you because the Messenger of Allah (ﷺ) said: ‘Whoever is appointed in charge of any affair of the Muslims and appoints over them anyone by way of favouritism, the curse of Allah be upon him

and Allah will not accept any obligatory or nafl prayer from him until he admits him to Hell' Musnad Ahmad 21⁷.

Those who appoint incompetent people for the sake of kinship, friendship or due to their hatred or enmity towards the competent people have been warned.

Allah's Messenger (ﷺ) said, 'When trust is lost, then wait for the Hour.' It was asked, 'How will honesty be lost, O Allah's Messenger (ﷺ)?' He said, 'When authority is given to those who do not deserve it, then wait for the Hour' (Sahih Al-Bukhari, 1996).

The rulers have been trusted by Almighty God over the believers. Appointing the incompetent is a betrayal of the trust that Almighty God has entrusted them with (Ibn Bital, 2003).

Ma'kel ibn Yassar narrated that he heard God's Messenger saying, 'Anyone who is asked by God to take charge of subjects and does not protect them with good counsel will not smell the fragrance of paradise.' (Bukhari and Muslim) Mi'shkat Al-Masabih 3687⁸.

Those who appoint the incompetent to take care the affairs have been seriously warned.

The Provision on Appointing the Competent with the Presence of a More Competent

Portraying the Matter

What is the provision on appointing the competent person, who has the minimum specifications and characteristics that qualify him to achieve the intended goal, while a more competent, capable and trustworthy person is available?

Provision

The jurists addressed this issue in the chapter of the governing, concerning the appointment of a less competent person despite the availability of a more competent one. The jurists agreed that the imam should appoint those who are found trustworthy, have power and are more competent. As the imam looks after the interests of Muslims, he must choose the most competent for them because the most competent is better and more efficient. (Ibn Abedin, 1992)

They are of two different opinions on the appointment of a competent person while a more competent person is available:

The First Opinion

According to the first opinion, it is permissible to appoint a competent person despite the availability of a more competent person. It is the requirement of the Hanafi doctrine to appoint the competent⁹ and more correct for the Malikis (Al-Qarafi, 1994) the chosen one at Shafi'i (Ghazali, 1997; An-Nawawi, 1991; Al-Rafii, 1964) and the correct one of the doctrine of Hanbalis (Al-Bahouti, 2009; Al- Mardawi, 1986).

Evidence

- The prophet's act: Prophet (ﷺ) appointed Atab ibn Asyed as the ruler of Makkah, despite the fact that he was not regarded as the most competent among Al-Sahaba (may Almighty God bless them) (Al-Atheer, 1994; Ibn Hajar, 1995).

- The consensus of Al-Sahaba (may Almighty God bless them): The competent of the Al-Sahaba were appointed despite the availability of the more competent. Such an act took place repeatedly. No one denied this, and it was the consensus. (Al-Bahouti, 2009)

The Second Opinion

It is not permissible to appoint the competent while more competent people are available. This opinion is followed by the Shafi'is (An-Nawawi, 1991; Al-Rafii, 1964) and the Hanbalis except for public interest (Al-Mardawi, 1986).

Evidence

Caring to increase virtue and the public interest (Al-Rafii, 1964). It was discussed: the increase in virtue was an exaggeration of selection, not considering the terms of appointment (Al-Mardawi, 1986).

The first opinion is most likely due to the strength of its evidence and the weakness of the evidence of the second opinion.

The Provision on Ijtihad in Seeking the Most Competent

Portraying the Matter

What is the provision of ijthad on seeking for the competent and the capable and on seeking the availability of the conditions and characteristics, which qualify a person to undertake his mission and achieve its intended goal?

Ruling

It is obligatory to seek for the competent, diligent and seek his competence by every means such as interview, examination, testing, consultation, election, education, training, or other means. This has been demonstrated by the texts of the Holy Quran, the Sunnah.

Almighty God says:

رَوِّشَاوِرْهُمُ فِي الْأَمْرِ

And consult them in affairs (of the moment). (Aal-Imran, 159)

The Shura gives absolute importance to identifying the competent.

When the Messenger of Allah (ﷺ) intended to send Mu'adh ibn Jabal to Yemen, he asked, 'How will you judge when the occasion of deciding a case arises?' He replied, 'I shall judge in accordance with Allah's Book.' He asked, '(What will you do) if you do not find any guidance in Allah's Book?' He replied, '(I shall act) in accordance with the Sunnah of the Messenger of Allah (ﷺ).' He asked, '(What will you do) if you do not find any guidance in the Sunnah of the Messenger of Allah (ﷺ) and Allah's Book?' He replied, 'I shall do my best to form an opinion and I shall spare no effort.' The Messenger of Allah (ﷺ) then patted him on the breast and said, 'Praise be to Allah Who has helped the messenger of Allah to find something which pleases the Messenger of Allah',¹⁰.

The Prophet (ﷺ) interviewed with Muath and tested him before appointing him.

Othman bin Abi-Alass said, 'Oh Messenger of God teach me the Holy Quran and appoint me to be the Imam of my people',¹¹.

The indication: education and training are ways to qualify and to be competent.

Omar ibn Al-Khattab wrote to the people of Kufa, the people of Basra, and the people of Damascus to send him one of the competent and virtuous men. He said: The people of Kufa sent him Othman bin Farqed, the people of Damascus sent to him Ma'an Bin Yazid, and the people of Basra sent him Al-Hajaj bin Alatt. All of them were competent and efficient. He said: he appointed each of them in his country¹².

It indicates that election is a way to recognize the competent and the most efficient.

And the Guarantee of Appointing the Incompetent

Portraying the Matter

If those who have the right to appoint, appoint an incompetent person who is not competent, and that person undertook his tasks without having the required competence and eligibility and that act resulted in harm for others. Is there a guarantee which obliges those who appointed the incompetent person who was not competent, not trustworthy and was unable to perform his job?

Jurisprudential Adaptation

Governing positions are trusts, as previously mentioned. It is an obligation entrust them to those who are competent and eligible. If a person appoints an incompetent person who then commits an unauthorized or illegal act, which has caused the harm, which was caused directly by his acts. Those, who appoint the incompetent have caused harm by selecting him.

Ruling

The provision on this matter comes out on the famous rule in the chapter of guarantee. If the direct and culprit are met, the judgment is for the direct and its exceptions (Al-Zahili, 2012). The jurists have agreed on the principle of giving precedence to the direct over the culprit. They excluded some cases, in which the culprit and the direct share the guarantee. They differed in the assessment of cause and directness.

The involvement of the culprit, with the directness in the guarantee –collectively-, is conditioned by the Hanafis to be the cause, which leads to be the only factor (Al-Zelai, 1896; Al-Haskfi, 2002).

According to the Malikis, Shafi'is and Hanbalis (Al-Dardair, 1964; Al-Rafii, 1964; Al-Bahouti, 2009; Ibn Kodama, 1969), collectively is conditioned that the directness is based on the cause and resulted from it so that if the cause did not exist, the harm would never exist.

There are differences in assessing directness and cause in each particular issue. Ibn Rajab (1996) has formulated this rule, with its exceptions, by saying 'if the harm of humans' money and souls is based on directness and a cause, the guarantee is attached to the directness without the cause unless its directness is based on the cause and resulted by it whether it is compelling or not. Then if the directness and the case have no harm at all, only the cause has the guarantee, and if there is a harm, the cause shares in the guarantee.

This matter also goes beyond the question of the guarantee of a deposit if a thief directed to a deposit. He guarantees the thief and the deposit together for his violation and trespass (Al-

Bahouti, 2009). Therefore, those who appoint the incompetent participated in the harm caused by the act of the incompetent.

Moreover, the aspect of the violation of those who appointed the incompetent was to enable him to perform what he was not authorized to. This is also luring others in that the appointment of the incompetent to work is a certification of his eligibility and capability to work.

STRATEGIC COMPETENCE AND RELATED RULINGS

The Concept of Strategic Competence

The concept of strategic competence includes skills and technologies that contribute to the organization strategy. In addition, it is about all the workers in the organization. Moreover, it is formed through coordinating mechanisms between individual competencies, collective skills, private assets and regulations¹³. Strategic competence can be improved by three types of physical resources: equipment, buildings and technology.

Human resources include individual competencies and regulations resources are coordination and monitoring systems¹ (Maryam, 2017). As we have reviewed the jurisprudential provisions on individual competencies, we will review the relevant jurisprudential provisions of regulations, planning and monitoring, which are among the most important resources of strategic competence (Ibn Mandhoor, 1994).

Provision of Planning

The Concept of Planning

It includes planning or a plan or a matter in writing or head.

In a hadith "He said, 'Well, this man (i.e. the Prophet ﷺ) has offered you a well proposal; you had better accept it and allow me to meet him''¹⁴.

Any affair that is clear in guidance and integrity (Al-Atheer, 1994). A plan is an approach or a method or a set of precautions and actions undertaken aiming at performing something (Omar, 2008).

Planning is defined by several definitions. It is a mentally organized process to select possible means to achieve specific goals (Hobaish, 1978). Planning was also defined as an administrative function undertaken by an individual or a group in order to make permissible practical arrangements to meet legitimate future requirements with the accurate information available (Al-Zubeidi, 2001).

Provision on Planning

Portraying the Matter

What is the provision on setting permissible practical precautions and arrangements to face the future and achieve the future goals?

Ruling

Planning is considered legitimate in the Holy Quran and the Sunnah. It is mandatory if the goals are to be achieved. In addition, a person does not deny the dependence on Allah as long as his heart is devoted to Almighty God and he is confident in what Almighty God has for him. Sharia orders people to have the causes to obtain what is aimed for. Almighty God says:

وَنَهُمُ اللَّهُ مِّنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ وَآخَرِينَ مِنْ دُونِهِمْ لَا تَعْلَمُوا عَدُوَّكُمْ لَهُمْ مَا اسْتَطَعْتُمْ يَعْلَمُهُمْ

Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies of Allah and your enemies, and others besides, whom ye may not know, but whom Allah doth know. (Al-Anfal, 1960)

Almighty God's orders to work, plan and prepare for the future. Almighty God says:

بَعْدَ ذَلِكَ سَبْعَ شِدَادٍ يَأْكُلْنَ مَا قَدَّمْتُمْ لَهُنَّ إِلَّا قَلِيلًا مِّمَّا تُحْصِنُونَ ثُمَّ يَأْتِي مِنْ

Then will come after that (period) seven dreadful (years), which will devour what ye shall have laid by in advance for them, (all) except a little which ye shall have (especially) guarded. (Yusuf, 48)

Yosof's act was the preparation for a famine by better utilizing the available possibilities and by saving the harvest of the seven years of prosperity to face the seven years of hardship.

Al-Miqdam bin Ma'diyakrib narrated, "The Prophet (ﷺ) said, 'Measure your foodstuff and you will be blessed.'"¹⁵

The meaning of the hadith is to eat the food with a recognized measure so that you can make it last longer for a determined period (Ibn Hajar, 1995). This indicates that planning and rationalization are the causes of the blessing.

A'isha said, "The poor among the people of the desert come (to the towns) on the occasion of Eid Al-Adha during the lifetime of Allah's Messenger (ﷺ). Upon this Allah's Messenger (ﷺ) said, 'Retain with you (the flesh) sufficing for three (days), and whatever is left out of that give in charity.' After this, they (the Muslims) said, 'Allah's Messenger, the people make waterskins with the (hides) of their sacrificed animals and they melt fat out of them.' Thereupon he said, 'What then?' They said, 'You forbade (us) to eat the flesh of sacrificial animals beyond three (days).' Whereupon he said, 'I forbade you for those (poor persons) who flocked (to the towns on this occasion for getting meat) but now when (this situation has improved) you may eat, preserve and give -in charity.'"¹⁶

The Prophet (ﷺ) prohibited eating of the sacrificial animals beyond three days to face the circumstances surrounding Madinah from the descent of the Arabs who needed food. Afterwards, he permitted it due to the public interest.

Sa'd bin Abu Waqqas narrated, "The Prophet (ﷺ) came visiting me while I was (sick) in Makkah, ('Amir the sub-narrator said, and he disliked to die in the land, whence he had already migrated). He (i.e. the Prophet ﷺ) said, 'May Allah bestow His Mercy on Ibn Afra (Sa'd bin Khaula).' I said, 'O Allah's Messenger (ﷺ)! May I will all my property (in charity)?' He said, 'No.' I said, 'Then may I will half of it?' He said, 'No.' I said, 'One third?' He said: 'Yes, one third, yet even one third is too much. It is better for you to leave your inheritors wealthy than to leave them poor begging others, and whatever you spend for Allah's sake will be considered as a charitable deed even the handful of food you put in your wife's mouth. Allah may lengthen your age so that some people may benefit by you, and some others are harmed by you.'"¹⁷ Sahih Al-Bukhari 2742¹⁷.

Abu Huraira narrated, “The Prophet (ﷺ) said, ‘Paradise is for him who holds the reins of his horse to strive in Allah's Cause, with his hair unkempt and feet covered with dust: if he is appointed in the vanguard, he is perfectly satisfied with his job of guarding, and if he is appointed in the rearward, he accepts his job with satisfaction; (he is so simple and unambiguous that) if he asks for permission he is not permitted, and if he intercedes, his intercession is not accepted.’” Sahih Al-Bukhari 2887²⁰

The Prophet (ﷺ) promised a reward of a good condition or a tree in paradise for those who are obedient to what they are ordered to undertake, stay where they are ordered to stay and do not leave their place for whatever cause, and perform the task that is assigned to them. The Prophet (ﷺ) mentioned the guard and the water quenching because they were difficult. First is when they enter the war and the other is when they finished the war (Al-Qari, 2002). In both, there is a preference of discipline in organizing work to achieve the intended goal. The Prophet's practical Sunnah was full of regulation, dividing and assigning the work tasks to achieve legitimate goals.

Provision on Monitoring

The Concept of Monitoring

Linguistically, R ءارلا and Q فاقلا and B ءابلا are of one steady origin. It indicates the supervision of something, including the monitorer and the keeper (Ibn Fares, 1979). Monitoring the things means observing them and monitoring the things means securing them.

There are several definitions mentioned in the terminology of administrators, which explain monitoring. These definitions are consistent in the general sense but differ in details and inclusiveness. One of the most comprehensive definitions explains monitoring as a function performed by the competent authority with the intention of verifying that the work is proceeding in accordance with the planned objectives and is on time (Al- Attar,1974). It is reviewing the work to ensure that its implementation matches the set standards in order to detect errors or weaknesses and work to correct them (Hashim, 1983).

Provision on Monitoring

Portraying the Matter

What is the provision on monitoring the progress of the work activities in accordance with the plans and programs in a way that achieves the intended goals and reveals deviations and irregularities following the rules of Islamic Sharia?

Provision

The texts of the Holy Quran and the Sunnah indicated that censorship must be controlled in the interest and to prevent corruption.

Almighty God says:

مَا أَمَرَهُمْ نَفْسُكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا النَّاسُ وَالْجِبَارَةُ عَلَيْهَا مَلَائِكَةٌ غِلَاظٌ شِدَادٌ لَا يَعْصُونَ اللَّهَ مَا أَمَرُوا قُوا أَوْ يَفْعَلُونَ مَا يُؤْمَرُونَ

O ye who believe! save yourselves and your families from a Fire whose fuel is Men and Stones, over which are (appointed) angels stern (and) severe, who flinch not (from executing) the Commands they receive from Allah, but do (precisely) what they are commanded. (At-Tahrim, 6)

In the holy verse, there is an order and the order means obligation. It orders the father to protect himself and to protect his children who are under his custody. He can perform this by monitoring them if they fail in their duties, which Almighty God has ordered them to act so. The head of the family is responsible for his own failure and the failure of those under his custody.

Allah's Messenger (ﷺ) said, 'Surely! Every one of you is a guardian and is responsible for his charges: The Imam (ruler) of the people is a guardian and is responsible for his subjects; a man is the guardian of his family (household) and is responsible for his subjects; a woman is the guardian of her husband's home and his children and is responsible for them; and the slave of a man is a guardian of his master's property and is responsible for it. Surely, every one of you is a guardian and responsible for his charges.' Sahih Al-Bukhari 7138²¹.

The guardian is committed to the best interest of those under his custody. In addition, he is required to carry out his duties including monitoring and following them.

Abu Humaid As-Sa`idi narrated: "Allah's Messenger (ﷺ) appointed a man called Ibn Al-Lutabiyya to collect the Zakat from Bani Sulaim's tribe. When he returned, the Prophet (ﷺ) called him to account. He said to the Prophet (ﷺ), 'This is your money, and this has been given to me as a gift.' On that, Allah's Messenger (ﷺ) said, 'Why didn't you stay in your father's and mother's house to see whether you will be given gifts or not if you are telling the truth?' Then the Prophet (ﷺ) addressed us, and after praising and glorifying Allah, he said: 'Amma Ba'du, I employ a man from among you to manage some affair of what Allah has put under my custody, and then he comes to me and says, 'This is your money and this has been given to me as a gift. Why didn't he stay in his father's and mother's home to see whether he will be given gifts or not? By Allah, not anyone of you takes a thing unlawfully but he will meet Allah on the Day of Resurrection, carrying that thing. I do not want to see any of you carrying a grunting camel or a mooing cow or a bleating sheep on meeting Allah.' Then the Prophet (ﷺ) raised both his hands till the whiteness of his armpits became visible, and he said, 'O Allah! Haven't I have conveyed (Your Message)?" Sahih al-Bukhari 6979²².

The Prophet (ﷺ) monitored and held his workers accountable. It was the Sunnah of the Caliphs to monitor, follow up, hold workers accountable and look after the parish. It was limited to one piece of evidence.

Omar bin Khattab said, 'Did you realize if I appointed the eligible and competent to look after your interests, and then I ordered him to be fair, did I carry out what I had to do?' They said, 'Yes'. He said, 'No until I look at his work, did he carry out what I ordered him or not'²³.

CONCLUSION

Islamic jurisprudence has critical guidelines and provisions in everything that would increase administrative competence. Those who are competent must be preferred over others in the selection, assignment and appointment. Further, it is prohibited to prefer anyone over a competent person in favoritism or enmity, and this is a betrayal of the trust. It is obligatory to seek after qualified professionals to perform the tasks properly. However, it is likely permissible that a competent person can be appointed with the availability of those who are more competent than the one who is appointed. There is a need for the guarantee of appointing the incompetent. In

addition, planning is legitimate in the Holy Quran and the Sunnah; it is an obligation if the goals must be achieved. Organization is a legitimate mechanism to achieve the interests and it prevents corruption. Moreover, monitoring must be organized to achieve the best interest and prevent corruption.

ENDNOTES

1. Al-Bukhari narrated it in Sahih Al-Bukhari, Chapter of Science (The person Who Asks Something), (1/21) 59.
2. Directed by Muslim in (Book of the Governing, Unnecessary Hating of the governing, (3/1457), 1825
3. Al-Bukhari directed it in Al-Sahih, The Book of Marriage, The chapter of the Woman As a guardian in her husband's house, 7/31 (5200), Muslim included the word in Al-Sahih, the Book of the Government, the Chapter of the virtue of the fair imam, the punishment of the unfair, and the urge to be kind to the parish 3/1459 (1829)
4. Al-Bukhari included it in his Sahih, the Chapter of Judgments, The Chapter of the ruler who does not care about the parish 9/64, (7150) and Muslim in his Sahih Muslim included the word, the Chapter of Governing, the chapter of the virtue of the fair ruler, the punishment of the unfair ruler, and the urge to be kind to the parish (3/1460) (142)
5. Directed and investigated in the Book of Judgments, Al-Mostadrak Ala Al-Sahihen, 1411, (4/104), (7023), and the Beheqi in his Sunan AlBeheqi is a Chapter of not appointing a woman, nor ignorant for a position, 1424, (10/201) (20364), See: Al-Zilai, 1418, 4/62, Al-Sana'ni said: "In his Mosnad wah, ibn Namir approved it and Al-Temedhi corrected it," ways of peace, (2/666), and his Al-Abani weakened it in the Dha'eef Al-Game'a Al-Sagheer, (5401)
6. Directed by Muslim in His Sahih Muslim, The Book of the Emirate, The Unnecessary Hating of the Imamate (3/1457) (1825)
7. Directed by Ahmed in his Mosnad, 1416, 1/202, (21), and the ruler in the Al-Mustadrak said: True attribution, book of judgments, 4/104, (7024) Mansour bin Shoa'bah Al-Baghdadi: Hassn Al-Matn is strange in attribution, and Ibn Kabir said: Who is at the heart of the validity of this hadith. See Al-Hindi, 1401, (5/666).
8. Al-Bukhari directed it in his Sahih Al-BuKhari, the Book of Judgments, The Chapter of appointing for positions, but did not investigate 9/64, (7150) and Muslim in his Mosand, the Book of the Government, the Chapter of the virtue of the fair imam, the punishment of the unfair, and the urge to be kind to the parish (3/1460) (142).
9. The judge may be an evil liver in the Hanafi doctrine, See: Ibn Al-Hamam (7/253) and Ibn Abedin, 5/356
10. Was directed in Sunan Abu Dawood, the Book of Governments, The Book of Jurisprudence in the Judiciary, 1430,(3/303) (3592), And Sunan Al-Bahqi, the Book of The Ethics of the Judge, chapter of what the Ruler rules, 1410, (4/132) (3250). It was weakened by the scholars, although its true meaning was received by the imams of ijthad and jurisprudence by acceptance, See: Al-Zilai, (4/63), Ibn Al-Mulqin, 1425, (9/534) and Ibn Hajar, 1419 Ah- 1989 AD), (4/445).
11. Directed by Ahmed in his Mosnad, (29/439) (17913), and ibn Khazameh in Bab Al-Zjar for taking the wage on the adhan, and corrected by Al-Adhami, 1424, (1/221), (423).
12. Mentioned by Abu Yusuf in his Mosnad (p. 126)
13. See: Al-khdar, Modern Methodological Requirements for Investing and Managing Human Resources Competencies in the Knowledge Society, Politics and Law Books Journal, Issue 14, 2016, p. 335
14. Al-Bukhari directed it in the book of conditions, the door of conditions in jihad and reconciliation with the people of war, (3/193) (2731)
15. Directed by Al-Bukhari in Sahih, The Book of sales and trade, (3/67) (2128)
16. Directed by Muslim in Al-Sahih, The Book of Sacrifices, the door of what was forbidden to eat sacrificial meat after three, (3/1561) (1971).
17. Al-Bukhari directed it in Al-Sahih, the Book of Commandments, the chapter of leaves his heirs rich, better than begging people, (4/3) (2742), and Muslim in the Sahih, the chapter of wills, the chapter of the commandment by one third (3/1250) (1628).

18. Al-Bukhari directed it in AL-Sahih, The Book of Morals, Chapter: The Believer is not bitten from the same hole twice, (8/ 31) (6133), and Muslim in the chapter of asceticism and Al-Rakayek, Chapter Believer is not bitten from the same hole twice (4/2295) (2998)
19. Directed by Abu Dawood in Sunan, the Book of Jihad, chapter of the people they travel to order one of them and said the Arnaout: His men are trustworthy, Sunan Abu Dawood investigated by Arnaout (4/249) (2608) and Al-Albani made it Hasan in Al-Sahih series (3/314) (1322)
20. Al-Bukhari directed it in his Sahih, The Book of Jihad and Walking, The chapter of guarding in the invasion for God's sake (4/34) (2887)
21. Al-Bukhari directed it in his correctness and pronunciation, a book on lending, performing debts, stone and bankruptcy, Bab al-Abd ra'a in his master's money, (3/151) 2558, and a Muslim in His Truth, The Book of The Emirate, Bab al-Fadhila al-Imam al-Adl, The Punishment of the Unjust, and the Urge for Parish Kindness, (3/1459) (1829)
22. Al-Bukhari directed it in Sahih, The Book of Tricks, The chapter of The Worker's Fraud to be gifted (9/28) (6979), and Muslim in Sahih, The Book of the Emirate, The chapter of prohibition of workers' gifts (3/1463) (1832)
23. Directed by Al-Beheqi in his Al-Sunan Al-Kobra, the chapter of the rulers, Bab Fadl Al-Imam Al-Adl (8/ 282) (16655)

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