

ISLAMIC BUREAUCRACY IN PUBLIC ADMINISTRATION PHILOSOPHY

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Abstract

This article analyzes the bureaucracy and public administration with an Islamic values approach regarding norms, ethics, and mursalah as the spirit of the law. This paper can provide the color that Islam is constantly developing and can answer the challenges of modernity with the character of continuity and change. Islam still pays attention to the reality of society, so it gives birth to a humanist and authoritative formulation of Islamic law, not the authoritarianism of Islamic law. The method used for this study is a literature study. This study can be integrated with Maqhasid Syariah by exploring the philosophical values (the theory values) of norms and ethics related to bureaucracy and public administration in Islamic law. Several theories recognize that Islamic matters such as performance, ethics, and accountability influence public administration. Deviating from Islamic principles and following a secular path will fail in Muslim societies, and social reforms require returning to Islam. This discussion will appreciate diversity, and even in the Islamic world, bureaucracy and public administration in the Islamic world consider the importance of religion, its values, and culture. In the end, the view of the legitimate form of bureaucracy and public administration in the Islamic world is of academic interest and global political importance.

Keywords: Bureaucracy, Islam, Public Administration.

Introduction

Bureaucracy (al-diwan) is a group of people who work for state administration and public services in a country. The bureaucracy was

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formed to maintain matters relating to the rights of the sultanate concerning work, property, soldiers, and workers who carry out these tasks (Kamaruddin, 1997). At the beginning of Islam, there were three kinds of diwan, namely: Diwanul Insha (Office for Making State Letters), Diwanul Jaisyi (Military Personnel Data Center), and Diwanul Kharaj/Al-Jibayah (Center for State Financial Management). The person who initiated this diwan was Amirul Mukmini Umar bin Khattab (Muhammad Mustafa 2008). This is the opinion of Al-Mawardi in his book *Ahkam al-Sulthaniyah* (Uup Gufron, 2017). Therefore, if you look at the function, use, and existence of such a diwan, then in the context of current state administration, a diwan is the same as "Governmental Bureaucracy," namely a group of people who work in a work unit or office as an administrative center. Al-Ghazali (1998) said diwan when referring to an institution or work unit (Abdul Qayyum, 1976).

The government bureaucracy is shifting with several corrective efforts, seeking neutrality for the growth of democracy and the growth of orientation to society. The bureaucracy is moving from a centralized to a decentralized paradigm, from authoritarian to egalitarian and democratic, state sovereignty to people's freedom, large organizations become lean and rich in functions, and rowing becomes steering. However, these efforts are still overshadowed by uncertainty (Habibuddin Siregar, 2011). The phenomenon that occurs in various Muslim-majority countries, the bureaucracy in public administration is undergoing a cultural, institutional, and instrumental process of Islamization. These values are based on the continuation of the Tradition established in the Qur'an and Sunnah (Samier, 2014).

Jhon Afrizal (2015) asserts the principle of bureaucracy in Islam. Islam does not set limits on the government system but leaves it to the people to freely choose a plan that follows the culture, environment, and era and remembers that the invitation to Islam is universal da'wah, suitable for all times and places. Talking about Islam is closely related to various aspects of human life. Islam exists not only for its people but for all humanity. This is reflected in the universal substance of the Qur'an (M. Anzaikhan, 2019).

LITERATURE REVIEW

Referring to the existing consensus among public administration scientists that there is a significant role for Islamic values to affect improving the quality of work and organizational effectiveness, contributing to a thriving and stable society and economic growth, and limiting other significant factors, such as social strife and war, where Islamic values can intervene (ElKaleh, 2013). Several theorists admit that Islamic values influence public administration, such as

performance, ethics, and accountability to good governance (Samier, 2017).

The views of Umar Chaptra (2000) and Hezam Mater O. Al Mutairi (2002) state that bureaucracy in Islam is built based on the philosophy (qaedah) "Give it easy and don't make it difficult, give good news and don't scare you." (Sahih Bukhari, No: 69). In Islam, the type and principle of the state are the most important in serving the community through a bureaucracy system based on the divine concept; The position of bureaucrats is a mandate that must be accounted for, working sincerely for the pleasure of Allah, serving the community must not be outside the provisions of the Shari'ah, the principle of helping is a supporting aspect of performance and constantly feeling supervised by the Almighty (muraqabah). The point is that the Islamic bureaucracy's primary type or character is Islam with its shari'ah.

Bureaucracy in Islam is built on the philosophy: wa-in kaana dzu 'usratin fanadhiratun ila maysarah (If people have difficulties, then it should be seen how to make it easier). Thus, it is to facilitate affairs and not suppress, let alone extort people who want their benefits fulfilled or fulfilled. The strategy to deal with this administrative problem is based on a rule: Simple in regulations, fast in service, and professional in handling. Generally, people with these needs want them to be served quickly and flawlessly (satisfactorily). Prophet Muhammad SAW said:

قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسِّرُوا وَلَا تُعَسِّرُوا وَسَكِّنُوا وَلَا تُنْقِرُوا

It means: "Make it easy and don't make it difficult; give good news and don't scare." (Shahih Bukhari, No: 5660).

The government has a significant role in fostering and maintaining the continuity of ethical integration in this bureaucracy. This distinguishes it from a government that applies capitalist and socialist schools in its public administration bureaucracy (Junaidi ath-Thayyibiy, Achmad, 2007). The principle of law relating to norms and ethics of public administration is clarified by the hadith of the Prophet Muhammad SAW, which means: "Every Muslim is obliged to listen and obey (the leader) in matters he likes or hates unless he is ordered to commit immorality, then (the leader) does not need to be heard. and obeyed" (Sunan Ibn Majah, Juz II, Hadith No. 2894, p. 148). This hadith gives an understanding that administration it is not carried out without limitations, but some constraints should not be violated; Islamic laws and regulations are made to solve the problem of human activity and

explain whether the act is obligatory. Permissible, unlawful, and others.

Dwiyanto et al. (2008) also provide a more precise basis for understanding. Namely, the paternalism culture in society also forms a paternalist bureaucratic culture. Meanwhile, Abdun Noor (2007); Umar Chaptra (2000) and Hezam Mater O. Al Mutairi, 2002; Shuriye AO, Jamal Ibrahim (2010), Ibnu Khaldun, 1332-1406 M (2013) are of the view that the culture and behavior of professional and trustworthy apparatus and religious understanding are the main principles. The development of a country will be successful if it is supported by an experienced and reliable bureaucracy (Ibn Khaldun, 1332-1406 AD, 2013). This is evidenced by several studies showing that values derived from religion can be accommodated in improving bureaucratic performance in all aspects (Fikri Habibi, 2020).

METHOD

This research takes sources from journals and all references that support research needs. The sources taken are related to bureaucracy and public administration about Islam. The type of data used is secondary data. The method used for this study is a literature study. The data obtained were compiled, analyzed, and concluded to get a conclusion.

RESULT AND DISCUSSION

Basic Values of Islamic Bureaucracy in Public Administration

Islamic bureaucracy has a great profile, namely a simple mechanism, fast in service and completion, and is carried out by professional people. These three principles are built based on human reality, requiring their benefits to be fulfilled quickly, uncomplicated, and completed satisfactorily. In the Islamic system, the person who becomes the administrator of the bureaucracy must meet the requirements to serve the benefit of the people. The requirements include Faith in Allah, sincerity, trustworthiness, capability, and professionalism. The development of bureaucratic networks is an effort to meet these new demands (Riswanda Imawan, 1998).

The main basic principles of Islamic bureaucracy that distinguish it from the administrative Tradition have been identified, which include: 1. Al-Ubudiyyah, the organizing principle based on devotion to Allah 2. Al-Shura, decisions are logical, informed, and made in consultation with those with knowledge, experience, and skill 3. Al-Hurriyah, the principle of human rights and freedom 4. Al-Musawah, the focus of

equality and equity 5. Al-Adam, that thoughts and actions are based on justice (truth, honesty, trust) (Talaat et al. (Talaat et al. (2016). Islamic administration is also distinguished for social, political, and moral values that must be developed by administrators, starting from how they treat others in an ethical system that includes behavior, actions, thoughts, and hearts with the central values of virtue (Ihsan), by al-Qudsy (2007) as an emphasis on 'sincerity', namely sincere behavior and prohibitions against depriving others of the rights and use of bribes.

Departing from the paradigm and concept of bureaucracy above, the objectives of bureaucracy in Islam are: First, the preparation of implementing structures and division of labor tasks. Second, formulate and determine the agendas to be implemented. Third, the implementation of the work agenda leads to the planned program. Fourth, the development of work programs and other institutional programs. Fifth, assistance in the performance of work programs or holders of authority. Sixth, evaluation is a form of control and follow-up of work programs that have been implemented (Djunawir Syafar, 2017).

Norms and Ethics of Islamic Bureaucracy in the Philosophy of Public Administration

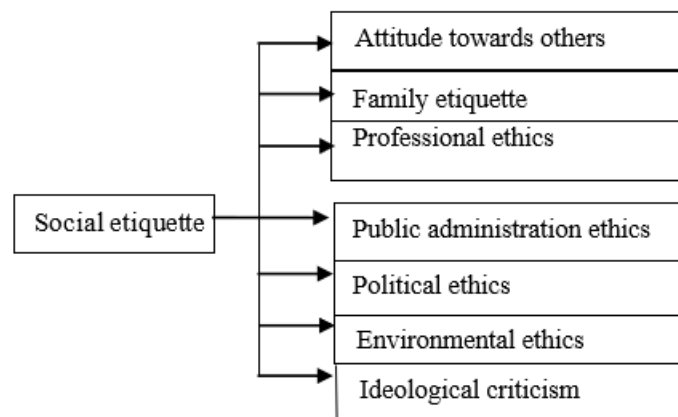
The superiority of the Islamic bureaucracy when compared to the capitalist and socialist bureaucratic schools is the combination of ethics in administrative activities. Islamic bureaucratic ethics add value to the system (Agung Eko Purwana, 2014). Islam contains and regulates all aspects of human life, both as individuals and as a society (Maya Wulan Pramesti, 2018). Based on the reality of human civilization (waqi'at al-'umran albasari) (Ibn Khaldun, 1951), the ongoing government system can be analyzed with two approaches, namely the hierarchical irrational and the egalitarian rational structure. The proper egalitarian installation emphasizes that all bureaucratic policies must be easy to understand and obtain. While the irrational-hierarchical network prioritizes the rulers' interests by denying the roles they control, the impact of this kind of government will cause a catastrophic explosion that will destroy the state and bureaucratic authority and also destroy the social system that has helped enforce it. Muhammad A.S. Hikam. 1999).

Fakih and Wijayanto (2001) argue that in Sharia principles, the apparatus assigned to take care of the affairs of the people must have the spirit of maintaining trust and trust, be sincere and have a heart of service, serve the community well, be humble towards power, be honest, have a vision of the people and moral responsibility so that he does not dare to commit fraud and oppress the people (Al-Faruqi, 1982). Islam protects against bureaucratic disease by coating Islamic

values within the framework of sharia and always acts on everything that is only aimed at achieving blessings in this world and in the hereafter. Dwight Waldo (1980) makes the case that religion can contribute to the development of administrative theology. Acceptance of the role of religion in public administration is not acceptance of the government's theological perspective. Rather, it is a more secular contributor to faith than public service. It recognizes the spirituality of public service where "the secular dimension is essential in governance, especially concerning the ethics and values of public service" (Dwivedi 2005), and there is also a growing literature on Islam (Drechsler 2014).

Associated with bureaucratic activities in administrative services, Islam always protects against all irregularities. This is known as Maqhasid Syariah, which fulfills five things (dharuriyah al khamsah): The safety of religious beliefs. Safety of mind. Soul safety. Family and family safety, and property safety. These five guarantees are the pillars of human life in the context of obtaining the victory of a human being as a servant of Allah (Muhammad Abu Zahrah. 2013). Holilah (2013) asserts that Public administration ethics, as part of social ethics, has a very close relationship with professional ethics, political ethics, environmental ethics, family ethics, attitudes towards others, and even ideological criticism, as described as follows:

Figure 1. Public Administration Ethics as Part of Social Ethics



Source: Kumorotomo, 2007:123-125

The chart above shows that the ethics of public administration is between professional ethics and political ethics. The assumption is that an administrator is a person who must apply management and organizational knowledge professionally. He must solve tactical problems, manage the organization efficiently, and be accountable to a broad and diverse society. For this reason, administrators are

required to have high sensitivity. Bureaucratic ethics in public administration ((Raymond, 2009) is a set of values that becomes a reference or guide for human actions in organizations. Ethics is closely related to achieving good governance (Siti Nuraini, 2020).

Maslahah Mursalah: The Spirit of Public Administration Law in Islam

Etymologically, *maslahah mursalah* is translated as general welfare. According to Abdul Wahhab Khallaf (1978), an expert in Islamic legal methodology, the term *maslahah* is where the *shari'a* (lawmakers) do not require a law to realize the *maslahah*, nor are there any arguments that show its recognition or cancellation. The basic understanding is that there is no law for activities (*maslahah*) and the formation of laws for activities (*maslahah*) has no other purpose except to realize the public benefit of humans. *Maslahah* is very dynamic following the dynamics of humanity and develops according to environmental developments.

The description above illustrates what the spirit of the emergence of public administration law and the nature of Islamic law have in common, namely, realizing justice and eliminating injustice. The public benefit (*maslahah mursalah*) in Islam is the main goal in Islamic law, which is popularly referred to as the Five Goals of Islamic Law, which includes the protection of religion, life, property, lineage, and honor. Within the scope of Islam revealed to this world is for *Rahmatal Lil 'alamin*, which means the public benefit for humans and the universe. Islam's concern for *maslahah mursalah* has made the majority of scholars (*jumhur ulama*) agree on it as the basis for the method for establishing a law that has not been found and is dynamic following the development of the human condition and environmental effects (Amir Mu'allim, 2003). Thus, public administration ethics as a branch of philosophy only refers to norms, but when it comes to the noble values of religion, let alone we realize that criteria differ in various places and times. Religion tends to be relatively more universal (Hasbi Shiddiq Fauzan, 2017).

Al-Ghazali (1988) is of the view that a good bureaucracy is a bureaucracy that prioritizes good public service (Uup Gufron, 2017). A good service barometer can be created if the bureaucracy has openness or transparency (*al-syafafiyah*), practical (*al-fialah*), efficient (*al-kafa'ah*), equality (*al-musawah*), and forward-looking (*himmah al-Islam*). *aliyah*). This view is not much different from the concept of modern bureaucratic ethics. The concept of modern bureaucratic ethics is a concept that has recently been used regularly in the fields of political science and public administration by UNDP, ADB, IMF, and other world financial donor institutions in the early 1990s. The concept of bureaucratic ethics initiated by Al-Ghazali (1988) is also not much

different from the ideas of modern thinkers such as Jan Wouters and Cedric Ryngaert (2005).

Public administration in Islam is believed to be divine (Ilahiyah), so that it can be functional, binding, and effective without penetration and strict intervention from the state. Sayyed Hossein (1985) asserts that, building administrative law with the *maslahah mursalah* paradigm will have the same power as Islamic law. However, the praxis of reintroducing Islamic law in the contextual discourse of nationality must be carried out selectively, measurably and openly. Therefore, in this context, the law needs to be distinguished into Islamic law: *qadhai* (juridical) and *diyani* (ethical). *Qadhai* law is Islamic law that deals with juridical issues and has touched the community's social interests. Meanwhile, called *diyani*, is Islamic law that is ethical and personally demands submission and obedience.

It can be said, according to *maslahah mursalah* if the existing conditions have been met, which include: Something that is considered *maslahah* must be in the form of an essential benefit, that is, one that can be ascertained and will bring benefits or reject harm. Something considered beneficial should be in the form of public interest, not personal interest (*maslahah al-ammah*). Something considered beneficial does not conflict with provisions expressly stated in the Qur'an or the Sunnah of the Prophet, or contrary to *ijma'*. In this case, namely providing convenience and avoiding difficulties, as mentioned in Q.S. Al-Baqarah: 185:

يُرِيدُ اللَّهُ بِكُمْ الْيُسْرَ وَلَا يُرِيدُ بِكُمْ الْعُسْرَ وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَىٰ مَا هَدَاكُمْ
وَلَعَلَّكُمْ تَشْكُرُونَ

It means: "Allah wants ease for you, and does not want difficulty for you".

The verse contains a big rule, in the tasks imposed by the Islamic creed as a whole, namely, "to provide convenience and not to complicate". This is in accordance with the purpose of *maslahah mursalah*, which is to provide convenience and keep away from difficulties. Therefore, to realize good governance, the concept of *maslahat mursalah* is a reference in the government system. According to Muhammad Islahuddin (2020) that, the concept of *maslahah mursalah* is very appropriate to the conditions and places in order to realize a benefit in government, so that good governance can be created because all the policies taken by the government are for the good of the people they lead.

The strategy carried out in order to deal with this administrative problem is based on a rule: "Simple in regulations, fast in service, and

professional in handling". The description of the three things is: Simple in rules because simplicity it will lead to ease. Fast in service, because speed can make it easier for people who have a need for something to get it, and the job is handled by an expert (professional). This problem is taken from the reality of service to the needs themselves (Romdloni, 2019). Islam teaches freedom within the framework of values and norms that must always run simultaneously with the Shari'a (Umar Chapra, 2000). Islam has taught all things related to the joints of life, including government issues related to administrative bureaucracy in providing services to the public.

Islam encourages him to model the behavior of Rasulullah Muhammad SAW because in fact, his morals have reflected the Qur'an and hadith as the source of all sources of law that are the handlers of the Islamic ummah (Hasniati, 2013). Bureaucrats as the spearhead of public services need to understand the nature of the tasks and functions they carry out. It is necessary to make the character of the Prophet uswatun Hashanah (a good role model). Rasulullah SAW has four characteristics that can be used as role models by front-line bureaucrats. The four characteristics are Siddiq, Amanah, tabligh and fathanah. He became a leader who solved problems by deliberation, the way and method of the Prophet in leading the people were followed by his four main companions who ruled after he died, so they were nicknamed Khulafaur Rashidin; guided substitutes.

CONCLUSION

Bureaucracy can be seen as a rationalized contemporary world order that is very fully rationalized. society is the object of public administration as a medium. Public administration plays a role in relationships in society, where that role is how to form individuals who must carry out their roles in building an understanding of the process of administering the apparatus in the public service itself. The Islamic spirit needs to be encouraged with technical administrative steps through improving the recruitment process, institutional restructuring, optimizing the work of the bureaucracy, strengthening the supervisory function, and taking firm action against law violations that are clearly detrimental to the wider community. Thus, public administration is expected to be able to restore the khittah of the bureaucracy itself as a means of public service.

Islam has a bureaucratic concept of comprehensive government administration as exemplified by the Prophet Muhammad while leading the people in Medina. In Islam, the state administration bureaucracy cannot be separated from the collective concept that exists in the moral and Islamic foundations of Islamic law. The concept

of ukhuwah and the concept of tausiyah is the foundation for building an Islamic administrative bureaucratic institution in the form of a state. Islam is the foundation or principle, while power is the guardian of that foundation or principle. So there is a mutually beneficial and strengthening relationship. On the one hand, Islam is the foundation for the administrative bureaucracy to act for its people toward prosperity. Meanwhile, the administrative bureaucracy becomes a tool for Islam so that it is spread and implemented correctly and kaffah.

Public administration runs in harmony with Islamic values. As a country with a Muslim majority population, it is appropriate for the implementation of public administration to elaborate on Islamic values in public administration. The understanding of public administration from a western perspective does not completely dominate public governance in a country where the majority of the population is Muslim. The conception of government in the Islamic world is unique in several aspects. It is argued in this paper that a thorough understanding of the values emanating from Islam and their relevance to government is necessary to develop a broad theory of Islamic governance. Maqasid al-shariah and the maslahah that accompanies it are good starting points for this development. An Islamic bureaucratic approach to a globalized and globalized philosophy of public administration can help define the Islamic government further.

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