

Accounting and Fraud Curriculum from The Perspective of Islamic Law

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ABSTRACT

Hudud's thinking aims to provide an alternative answer to the relative failure of developing the accounting curriculum in anticipation of accountant malpractice. Efforts to improve and develop the accounting curriculum, changes in accounting standards, forensic accountant certification, considerable data utilization and more have been undertaken in anticipating accountant malpractice. After graduating accounting students work, but the structure of the accountant (the other) is less successful in negotiating when dealing with clients (the power) while working. Accountants understand that being part of an act of theft of stored goods through science and technology can destroy the universe. The Qur'an provides a reference to avoid theft through education. The result concludes that Islamic law regarding Hudud should be passed on by educators to the learners in an accounting course.

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ABSTRAK

Pemikiran tentang Hudud bertujuan untuk memberikan jawaban alternatif terhadap kegagalan relatif pengembangan kurikulum akuntansi dalam mengantisipasi mal-praktik akuntan. Upaya untuk meningkatkan dan mengembangkan kurikulum akuntansi, perubahan dalam standar akuntansi, sertifikasi akuntan forensik, pemanfaatan big data dan banyak lagi telah dilakukan dalam mengantisipasi mal-praktik akuntan. Setelah lulus mahasiswa akuntansi akan bekerja, namun struktur akuntan (the other) kurang berhasil bernegosiasi ketika berhadapan dengan klien (the power). Akuntan memahami bahwa menjadi bagian dari tindakan pencurian barang simpanan melalui penggunaan sains dan teknologi dapat menghancurkan alam semesta. Al-Qur'an memberikan referensi untuk menghindari pencurian melalui pendidikan. Hasil pemikiran menyimpulkan bahwa hukum Islam tentang Hudud harus disampaikan oleh pendidik kepada peserta didik dalam kurikulum akuntansi.

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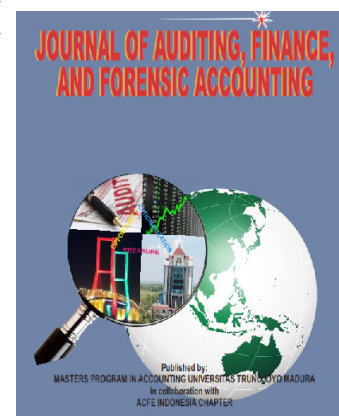
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Keyword:

Hudud, Accounting Curriculum, and Fraud



1. INTRODUCTION

Do we still consider that fraud committed by companies correlates with the accounting curriculum? Most academics have the perception that curriculum evaluation that increases students' ethical, critical, and creative attitudes will be able to reduce the malpractice of accountants in the future. Research results that summarize the results of research from 1991 to 2022 on the need for continuous evaluation of the accounting curriculum were conducted by Rebele et al. (1998) and Apostolou et al. (2019). After the evaluation of the accounting curriculum is carried out and implemented, will the ethical, critical, and creative attitudes of accounting study program graduates increase to reduce accounting scandals? Kukreja & Gupta (2016) concluded that no matter how good the corporate internal controls are, no matter what principles and standards underlie the presentation of corporate financial statements, no matter what reputable independent accounting firm, if the humans who are part of the accounting system are dishonest, fraudulent activities are very likely to occur.

As the upstream of the accounting system, the accounting curriculum feels the need to deconstruct the definition of accounting from the point of view of honesty. Luca Pacioli, the author of "Summa de Arithmetica Geometria et Proportionalita" in (Smith, 2018), states that humans who record transactions must be honest people and have high ethical and moral attitudes. These humans must be free from negative perceptions of society, for example, free from alcohol, not gambling, worship experts, and so on. As accountants, we are also required to have the knowledge to carry out our activities. The process of becoming a trustworthy accountant is done through an understanding of science and technology. The owner of science and technology is Allah Swt, so we need to have adequate values to carry out this ownership (fortune). There are at least two types of ownership, namely ownership of material and ownership of something immaterial. Something that exists is nothing, and something that does not exist is something that exists. We as humans are creators who with the permission of Allah Swt with the provision of knowledge can form a new entity called a company.

In the learning process (doing business), the values of honesty are things that are absolutely owned by business people. This is necessary because the value of the spirit of the company is not only to make a profit but beyond that, namely the value implementation strategy. Asgariyazdi (2012) states that the knowledge gained by human beings is due to effort and the permission of Allah Swt in the form of revelation. So humans who have knowledge and fortune (through the company) deserve to thank him through honesty. An assessment of the definition of accounting and its dynamics is considered relevant to the reality of the business (entity). However, the loss of awareness values that should be attached to accountants as agents of capital owners actually escapes the observation of business actors. For the reader (expert), when looking at the definition put forward by Luca Pacioli-

the father of accounting, valuation is only attached to the material side (profit) and does not talk in the least about non-material (including the value of honesty). Does the accountant not realize that the accountant is bound by the laws of Allah Swt, that there is “retribution”. In the Indonesian proverb retribution is internalized into the wise phrase “whoever crops must harvest the produce”.

Karl Marx said “that in capitalist society there is a class struggle”. This is not only between the bourgeoisie and the proletariat but also between the in man, namely good and bad attitude. This class struggle is beginning to be proven by what Allah Swt calls the all-seeing and all-hearing. The explanation above has mentioned that technology also belongs to Allah Swt and can be used to realize the ability of the all-seeing and all-hearing of Allah Swt. With the era of implementing big data and the ratification of the era of information disclosure by various countries, the attitude of moral hazard of accountants will automatically be reduced. Transactions and events related to finance will be recorded relatively correctly from various sides, namely the seller, buyer, broker, bank/fintech, government, and so on. If fraud accounting is still carried out, then in the era of information disclosure it can certainly be proven through computer audits using “big data”. Using big data analysis, the audit team can reduce the risk of failure to prove the occurrence of fraud.

Seeing the benefits that will be obtained from utilizing big data, the world’s four major independent accounting firms have increased investment from \$34 in 2013 to \$232 in 2016 (Gray & Alles, 2015). The audit team utilizes data analysis when performing attestation services such as initial data collection, data integration, and identification of indications of fraud committed by clients (Tang & Karim, 2019). Further, Rezaee & Wang (2019) concluded that there is a relationship between big data, fraud and accounting curriculum development. The western curriculum has separated science from its owners. Positivism and empiricism are based on human reason without considering that there are other groups of people who have orthodox divine beliefs. Two groups of modern humans and fanatical humans were formed. Then propaganda dances around these two types of human groups.

The big question is why the academic world in accounting still seems reluctant to implement the big data era in its curriculum development. In addition, why has it taken so long to utilize big data to anticipate fraud by independent accounting firms? If the assumptions that the gap between academics and practitioners narrow, then public accounting firms implement big data in the world of practice. Starting from the evaluation of the accounting curriculum that gives students the freedom to choose their courses (subjective theory of value) which turned out to be positively correlated with the quality of graduates studied by (McGee, 2000). Even, Tinker (2004) observed that the reality of the modern era through capitalists who use orthodox economics and accounting ideology needs to be evaluated through the development of progressive accounting that restores integrity and honesty.

The rationale of the two studies above opens the opportunity that the definition of accounting is not only the art of recording, science, or technology but we as Muslims can choose the definition of accounting which is an order to record correctly. According to Foucault in Kamahi (2017), power and knowledge are formed as an effort to control society through state institutions, especially hospitals and prisons. There are two structures, namely the superior structure (the power), namely the owner of power and knowledge in this case represented by the institution, and the inferior structure (the other), namely the community. Why we as Muslims view accountants (the other) and place Allah Swt as the power and not the client, is simply because of the subjective values we believe in?

Accountants only have to realize that the laws of the world are not only warnings, fines, and prisons but also *karma* (read retaliation). The dishonest accountant has an understanding that what he is doing is a mistake (*khatiya*). This has an impact on fear but is covered up by the inability to say no, which in the end becomes a sin that continues until it is no longer a matter of thought. The assumption of no longer being thought about does not mean that the sense of sin is gone but settles in the accountant's subconscious. An alternative world punishment for the crime of malpractice of accountants is the discourse delivered by one of the members of MUI about the punishment of cutting hands. If a "crime of breaking into stored treasures" is not due to a state of "*shubhat*" then the Qur'an gives the last world punishment which is cutting off the hand (his is called *Hudud* in arabic language). This idea is presented in the research of Akhtar (2011), concluded that educators need to convey Islamic law in the accounting curriculum, namely the law of *Hudud*.

This article continues to discuss research methods and then the discussion is divided into several parts. The first part of paper mining, the second part of the demand for changes in the accounting curriculum, the third part of the accounting curriculum in the era of disruptive innovation, the fourth part of the relationship between accounting and the Qur'an, the fifth part fraud accounting from the point of view of the Qur'an and in the last part explained about *Hudud*, namely Islamic law for accountants who continue to carry out accounting mal-practice activities. The last part of this paper concludes that accounting is a command of Allah Swt to do business, so it must be done honestly. This honesty should be part of the accounting curriculum as well as the consequences of Islamic law for dishonest accountants, namely the enactment of *Hudud* law.

2. LITERATURE REVIEW

Demands for changes in the Accounting Curriculum

Initially, the demands for curriculum changes were due to the gap in expectations between academia and practitioners. As is known, the accounting standards board is late to provide a guideline for the dynamically developing business world. Accounting practices

evolve very rapidly along with the development of transaction types and technology, whereas the governing standards are only compiled afterward. This happened especially in the era before the enactment of principle-based standards. May et al. (1995) state that the lack of commitment of the academic world to curriculum reform is due to the lack of partnerships between academia, standard setters, and the business world. Bullock et al. (1995) offer a collaboration in the form of partnerships between interested parties in the development of the accounting curriculum.

Another important factor is the research in accounting conducted by the academic world. In general, at that time the research conducted was limited to the scope of profit accounting and its relation to market response. Research has not yet reached other fields of science such as sociology, psychology, communication, and others. Nelson (1996) argues that theoretical and empirical research in accounting education can relate to four variables in the cognitive psychology learning model, namely (1) criteria of steps, (2) characteristics of learners, (3) learning activities, and (4) nature of materials. Nikolai (1996) offers suggestions for research on thinking and communication skills for accounting students.

From the development of this research comes a new demand to add courses that can improve students' ethical, critical, and creative attitudes. It is expected that with this curriculum change, accounting graduates will be able to say no to every attempt to malpractice accounting practices. But reality shows the opposite, the academic world has succeeded in proving that accounting practices tend to commit unethical acts and even lead to fraud. Pujiono & Sawarjuwono (2005) mentioned that one of the causes of the financial crisis in the United States was due to ethical and moral violations committed by the accounting profession. They also concluded the need for ethics and morals courses in accounting curriculum development to support the business world. Miller & Shawver (2018) concluded that the curriculum development suggested by the Ethics Education Framework (EEF) to be implemented in the accounting curriculum in the UK is insufficient has not changed much over two decades and is not effective in anticipating fraud.

The next curriculum evaluation carried out by the academic world in the 2000s was to add new courses, namely forensic accounting and the like. To see the effectiveness of this course, many studies were conducted in case studies, explanatory and exploratory. The results showed that students succeeded in becoming more creative in finding indicators of companies committing fraud. Efiog (2013) in his dissertation tested the effectiveness of forensic accounting courses to improve students' ability to detect fraud through experimental testing. The results concluded that the level of creativity of students who took forensic accounting courses was more creative than students who did not take forensic accounting courses. If the curriculum and accounting research have successfully identified companies that commit fraud, then why are there still many studies that prove

that relatively many companies listed on the stock exchange floor still commit accounting fraud.

Why is the curriculum development of educational institutions in accounting that generally use westernization references always lagging if you don't want to say it fails? This is because the western curriculum does not refer to the *ilwiira* philosophy. Triwuyono (2006) states that in the *ilwiira* philosophy, science, technology, and art are built (*shariat*) and practiced (*tarikah*) to recognize (*makrifat*) the greatness of Allah Swt. The container of science, technology, and art is a human being who will return to, essence (*al-Haqq*) with a pure, calm, and contented soul. The oriented side of the Western curriculum is worldly, hence the widening gap. To make matters worse, this gap has caused the universe to begin to show its existence through the permission of Allah Swt.

Accounting Curriculum in the Era of Disruptive Innovation

Competition between programmers and accountants in presenting financial reports has become the focus of attention of academics to develop the accounting curriculum. The era of big data is a turning point in the development of the conventional accounting curriculum into a modern accounting curriculum. Dzuramin et al. (2018) and Gamage (2016) concluded that big data will have an impact on the future role of the accounting profession. These studies propose to add courses on techniques for analyzing big data. The results of this study were followed up by research using survey data conducted by Ballou et al. (2018). The results concluded that accounting graduates need knowledge, skills, and abilities in the field of data-driven decision-making related to accounting practices. Through the utilization of big data, graduates are expected to have the understanding to detect fraud efficiently.

Research that examines the benefits of developing an accounting curriculum with big data for forensic purposes is still very minimal. Seda et al. (2019) observed the role of computer forensics courses from an academic perspective and how to improve the computer forensic accounting curriculum through the use of big data. The results of their survey research found that to improve the quality of graduates, computer forensic certification is needed for graduates.

Gepp et al. (2018) observed the utilization of big data to support audit practices. They concluded that through big data, financial distress modeling and financial fraud modeling can be done efficiently. They even predict that there is a high possibility of conducting real-time audits through a collaborative platform between public accounting firms and the trading floor.

3. RESEARCH METHODS

This article was prepared using a literature study. Literature study is the first step in the data collection method. A literature study is a data collection method directed at finding data and information through documents, both written documents, photographs, images, and electronic documents that can support the writing process. Step one, process mining papers, researchers explain how

to access papers from Google Scholar, Scopus, Web of Science, Science Direct, Ebsho, SpringerLink, Emerald, and ProQuest. The boolean used are as follows: 1) hudood; 2) accounting curriculum; 3) fraud. Based on mining papers from the link above, many files with the ris extension were obtained. On the mining paper, it can be concluded that the interesting discussion is about the accounting curriculum and fraud as many as 3356 papers. Although this number is likely to be duplicated, compared to topics related to hudood, it can be concluded that the interesting thing for researchers is not anticipating fraud but rather discussing fraud.

There is only 1 book that discusses how the three variables can be interrelated (Lin, 2018). Based on section 1 of discussion 4 of the book, it is presents how accounting in Pakistan, incidentally uses Islamic law. This journal was written by Imtiaz Badshah a head lector at the Faculty of Business, Languages, and Social Sciences, in Norway. Badshah et al. (2013) concluded that the development of accounting (and its curriculum) in Pakistan tends to stagnate when related to Islamic law.

The author tries to conclude that Islamic law which regulates hudood punishment for accountants who commit fraud is the main obstacle to the development of accounting practices in Pakistan. The next discussion focuses on the relationship between the hudood, boolean, and fraud. The results of mining papers from the links of the two booleans above will be sorted using the rayyan.ai web. Include the following: 1) hudood, 2) fraud, and 3) punishment. The results of the relevant papers from rayyan.ai results will be downloaded for further discussion.

4. RESULTS AND DISCUSSION

Relationship between Accounting Curriculum and the Qur'an

If we assume that accounting is a science, then this discussion is an effort to prove the truth of the Qur'an through science. Humans as the subject of science are creatures created in a perfect state because of the provision of faith reason and senses. However, this provision must be developed through the mastery of science and technology to be practiced for the benefit of the people. Allah Swt explicitly describes the construct of "kalam". This kalam construct can be understood as a means of proving the truth of science deductively and inductively. Through the Qur'an, mankind is given signs of the need to research natural phenomena, especially on things we do not know. In general, the Qur'an command to master science is found in *Surah Al-Alaq* verses 1 to 5 which read:

اقْرَأْ بِاسْمِ رَبِّكَ الَّذِي خَلَقَ ﴿٩٦:١﴾ خَلَقَ الْإِنْسَانَ مِنْ عَلَقٍ ﴿٩٦:٢﴾ اقْرَأْ وَرَبُّكَ الْأَكْرَمُ ﴿٩٦:٣﴾

الَّذِي عَلَّمَ بِالْقَلَمِ ﴿٩٦:٤﴾ عَلَّمَ الْإِنْسَانَ مَا لَمْ يَعْلَمْ ﴿٩٦:٥﴾

Meaning: “Read in the name of your Lord, Who created man from a clot of blood. Read, and your Lord is the Most Gracious, Who teaches (man) by the medium of the kalam, He taught man what he did not know”.

His verse explains that the owner of knowledge is Allah Swt. As mortal beings, we have no power to master knowledge except by His permission. Therefore, mankind deserves to ask Him to be given the provision of knowledge to be utilized for the benefit of the people. After we make a request, we must try to seek knowledge through reading, writing, researching, and so on. If Allah Swt is pleased with our prayers and efforts then it is likely that we can be entrusted with the knowledge. Shihab (2002) mentions the meaning of *iqra’ bismi rabbik* is to read, move, and work for the sake of your Lord.

It is undeniable that there is a connection between religion and Luca Pacioli as a human monk or priest (Smith, 2018). His understanding of accounting is a reflection of his understanding of his religion. Deductively, he tried to write general statements based on the religion he believed were statements that applied specifically, especially how the business was carried out. By inductively proving the truth he came up with what is called paired accounting (double-entry bookkeeping). From this, we can conclude that verses in religion are a sign or beginning for mankind to seek deeper understanding. there is a relationship between science and technology and the signs in the Qur’an.

The relevant verse related to accounting from the point of view of Islam is *surah Al-Baqarah* verse 282:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا تَدَايَنْتُمْ بِدَيْنٍ إِلَىٰ أَجَلٍ مُّسَمًّىٰ فَاكْتُبُوهُ ۚ وَلْيَكْتُب بَيْنَكُمْ
كَاتِبٌ بِالْعَدْلِ ۚ وَلَا يَأْب كَاتِبٌ أَنْ يَكْتُبَ كَمَا عَلَّمَهُ اللَّهُ فَلْيَكْتُبْ وَلْيَمْلِكِ الَّذِي عَلَيْهِ
الْحَقُّ وَلْيَتَّقِ اللَّهَ رَبَّهُ وَلَا يَبْخَسْ مِنْهُ شَيْئًا ۚ فَإِنْ كَانَ الَّذِي عَلَيْهِ الْحَقُّ سَفِيهًا أَوْ
ضَعِيفًا أَوْ لَا يَسْتَطِيعُ أَنْ يُمِلَّ هُوَ فَلْيَمْلِكْ بِالْعَدْلِ ۚ وَاسْتَشْهِدُوا شَهِيدَيْنِ مِنْ
رِجَالِكُمْ فَإِنْ لَمْ يَكُونَا رَجُلَيْنِ فَرَجُلٌ وَامْرَأَتٌ مِمَّنْ تَرْضَوْنَ مِنَ الشُّهَدَاءِ أَنْ
تَضِلَّ إِحْدَاهُمَا فَتُذَكَّرَ إِحْدَاهُمَا الْأُخْرَىٰ ۚ وَلَا يَأْب الشُّهَدَاءُ إِذَا مَا دُعُوا ۚ وَلَا
تَسْتَمُوا أَنْ تَكْتُبُوهُ صَغِيرًا أَوْ كَبِيرًا إِلَىٰ أَجَلِهِ ۚ ذَٰلِكُمْ أَقْسَطُ عِنْدَ اللَّهِ وَأَقْوَمُ لِلشَّهَادَةِ
وَإِذَىٰ إِلَّا تَرْتَابًا إِلَّا أَنْ تَكُونَ تِجَارَةً حَاضِرَةً تُدِيرُونَهَا بَيْنَكُمْ فَلَيْسَ عَلَيْكُمْ جُنَاحٌ
إِلَّا تَكْتُبُوهَا ۚ وَأَشْهِدُوا إِذَا تَبَايَعْتُمْ ۚ وَلَا يُضَامَّرُ كَاتِبٌ وَلَا شَهِيدٌ ۚ وَإِنْ تَفَعَّلُوا فَإِنَّهُ

فُسُوْدٌ كُمْ وَ اتَّقُوا اللَّهَ وَ يُعَلِّمَكُمُ اللَّهُ وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ ﴿2:282﴾

Meaning: “O you who believe, when you do business not in cash for a fixed time, you shall write it down. and let one writer among you write it down correctly. and let not the writer be reluctant to write it down as Allah teaches him, but let him write it down, and let the debtor estimate (what will be written down), and let him fear Allah his Lord, and let him not reduce any of his debts. if the debtor is a man of weak mind or incapable of estimating, then let his guardian estimate it truthfully. and witness it with two witnesses from among those who are of sound mind or incapable of estimating. If the debtor is a man of weak mind or incapable of estimating, then let his guardian estimate honestly. and witness it with two witnesses from among men (among yourselves). If there are not two men, then one man and two women of witnesses whom you approve, so that if one man forgets, the other may remind him. do not let the witnesses be reluctant when they are called; and do not be weary of writing down debts, small or great, until the time of payment. that is more just in the sight of Allah, more corroborative of testimony, and nearer to avoiding doubt. (Write down your dealings), unless it is cash trade which you carry on among yourselves, then there is no sin on you if you do not write it down; and witness when you buy and sell, and do not make it difficult for the writer and the witness, if you do (so), then surely that is unrighteousness on your part; and fear Allah, and He teaches you, and He is aware of all things”.

The emphasis of the letter is not only on the obligation to write down transactions when doing business but also on the obligation to record transactions correctly and honestly. The Apostle when he went to Medina saw the custom of the people renting out gardens by way of debt. So the Apostle ordered to record the value of the debt and the term of the lease along with the witness. Narrated by Ibn Abbas, by Imam Al Bukhari, Imam Muslim, reads “whoever wants to deal in Salam on dates, then deal, with known scales, known measures, and known times” (hadith). If the science of recording is not carried out properly and honestly then the accountant can be classified as a group of fasiq humans (deviating / out of the commandments of Allah Swt).

This Hadith emphasizes that the purpose of the verse describing the group of ungodly people was originally aimed at those people who force the scribes (accountants) to record dishonestly. This group of people are those who deal with the unrighteous, both sellers and buyers. This group of people wanted to make a big profit by changing the records of the transaction so that it would be considered a good achievement. The owners of the date palms were the caliphs, but the management was left to the planters.

Fraud Accounting from the Quranic Perspective

Furthermore, what is meant by the construct of *fasiq* in the Quran is explained in many verses. One of the verses related to accounting is Surah Al-Hujarah verse 6 which reads:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنْ جَاءَكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا أَنْ تُصِيبُوا قَوْمًا بِجَهَالَةٍ فَتُصِحُّوا

﴿49:6﴾ عَلَىٰ مَا فَعَلْتُمْ نَادِمِينَ

Meaning: "O you who believe, if a wicked man comes to you with news, then examine it carefully so that you do not bring a calamity upon a people without knowing the circumstances, and then you will regret what you have done".

The surah above describes the lies and sins committed by the *fasiq* man Walid bin Uqbah who lied to the Messenger that Al Harith did not want to pay zakat (Hadith). Shihab (2002) describes *fasiq* as an analogy of rotten fruit skin that is very easy to peel off. Scribes who like Walid bin Uqbah very easily follow the orders of the employer (the Quraish) that are out of the truth can be classified as *fasiq*. As accounting lecturers, we must teach students to carry out the clarification command (*tabayyun*) when receiving news. The clarification command can be followed by the *tsatsabbut* (scrutinize) command. Because the purpose is to be examined as a basis for decision-making, the financial statement information prepared by accountants must be published to the public as stakeholders.

However, due to the existence of adverse selection, the agent only displays information that provides benefits to the agent. This means that the accountant submits to the orders of the company director with the power to present information that is not symmetrical to stakeholders and does not fear the prohibition of Allah Swt. *Fasiq* accountants are accountants who violate Allah's commands. The word *fasiq* comes from the story of a desert rat called *fuwaisiqah* which came out of its hiding place in search of food. We understand that our food has been stolen by rats but also that the leftover stolen food contains bacteria that can cause damage. This analogy illustrates that *fasiq* accountants deserve our opposition because they give a negative impression of the honest accounting profession.

Furthermore, we as trustworthy accountants are required to examine this information using the tools of science and technology so that we are not included in the group of people who are *fasiq*. Big data facilitates proving the truth and honesty of transactions listed in financial statements. Therefore, the development of an accounting curriculum to use forensic computer techniques is an obligation for trustworthy accountants.

Then what happens to the *fasiq* accountant? The Qur'an has explained in *surah As-Sajjah* verses 18-20:

أَفَمَنْ كَانَ مُؤْمِنًا كَمَنْ كَانَ فَاسِقًا لَا يَسْتَوُونَ ﴿32:18﴾ أَمَّا الَّذِينَ آمَنُوا وَعَمِلُوا
الصَّالِحَاتِ فَلَهُمْ جَنَّاتُ الْمَأْوَى نُ نُزُلًا بِمَا كَانُوا يَعْمَلُونَ ﴿32:19﴾ وَأَمَّا الَّذِينَ فَسَقُوا
فَمَا أُوْدِيَهُمُ النَّارُ كُلَّمَا أَرَادُوا أَنْ يَخْرُجُوا مِنْهَا أُعِيدُوا فِيهَا وَقِيلَ لَهُمْ ذُوقُوا عَذَابِ
النَّارِ الَّتِي كُنتُمْ بِهَا تُكَذِّبُونَ ﴿32:20﴾

Meaning: “Are men of faith the same as men of disbelief? They are not the same. (18) As for those who believe and do righteous deeds, for them is Jannah, their abode, as a reward for what they have done. (19) And as for those who disbelieve, their place is Jahanam. Whenever they are about to come out of it, they are returned to it and it is said to them: “Taste the torment of the hell you used to deny”.

In the surah above, it is explained the punishment in the afterlife in the form of hell that must be carried out by *fasiq* humans. But humans who believe (*Amanah*) will be rewarded in the form of heaven. Pharaoh lied by calling himself God, and for this lie, Pharaoh was categorized as an infidel. Bukhari number 6281 states “thas narrated to us [Makki bin Ibrahim] from [Al Ju’aid] from [Yazid bin Hushaifah] from [As Sa`ib bin Yazid] said; We were given a drunkard during the time of the Messenger of Allah (peace and blessings of Allah be upon him), during the reign of Abu Bakr and in the early days of ‘Umar, and we flogged him with our hands, sandals and clothes, until at the end of ‘Umar’s reign, he flogged him forty lashes until if he was still disobedient and disobedient, ‘Umar flogged him eighty times” (hadith). If all human accountants who are not trustworthy consciously realize the mistake and continue the mistake then the consequences are not only punishment in the hereafter but the promise of Allah Swt will come with punishment while in the world.

Hudud: Islamic Law that must be covered in the Accounting Curriculum

The graduated punishment given in Umar’s reign began with light, medium, and heavy lashes. But if the act of *fasiq* is still done then the punishment will be aggravated as stated in Surah that describes the *Hudud* in the Qur’an in *surah Al-Maidah* verse 38, which reads:

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جِزَاءً بِمَا كَسَبَا نَكَالًا مِنَ اللَّهِ وَاللَّهُ عَزِيزٌ

حَكِيمٌ ﴿5:38﴾

Meaning: “As for men and women who steal, cut off their hands (as) recompense for what they have done and as a punishment from Allah. And Allah is the Mighty, the Wise”.

The definition of stealing here according to Kennedy (1988) is theft that meets the *nisab* limit of 4.457 grams of gold. Stolen goods are goods that receive good protection. Proof must be through a court of law, with a minimum of two (2) witnesses. The definition of hand amputation is the wrist performed by a surgeon. From the point of view of the owner of the goods, the act of theft is very burdensome because the goods are urgently needed (at the time of the Apostle was the Shield of War). From the thief's point of view, the theft is not a matter of urgency, e.g. due to hunger. This regulation is relevant to Pakistan's Hudood Ordinance (1979). In principle, it is not the accountant (clerk) who commits the theft but the agent. However, if the accountant (clerk) acts as part of the act of theft, then based on court evidence, the accountant can be grouped with the agent, namely the group of humans *fasiq*.

Munir (2017) explained that the Islamic criminal justice system provides fundamental guarantees to defendants through 8 rights. These rights are: 1) the right of every human being to the protection of life, honor, liberty, and property; 2) the right to due process; 3) the right to a fair and public trial before an impartial judge; 4) confrontation and cross-examination of accusers and witnesses; 5) freedom from compulsory self-incrimination; 6) protection against arbitrary arrest and detention; 7) prompt judicial determination and; 8) the right to appeal. It is therefore very odd that the determination of *hudud* regulations is considered by others to be a violation of human rights.

The fundamental question in this thought is whether the malpractice of accountants can be categorized as a Hudud offense. Riaz (2020) examined the comparison for humans who commit *hudud* crimes. Whether people who repent will receive the same treatment as people who continue to commit Hudud is the fundamental question of this research. Considering the damage caused by *hudud*, repentance is an absolute requirement. However, if there is no *hudud* punishment then it is very unlikely that repentance is done sincerely. The research concludes that educators must inform students about the punishment of *hudud*.

5. CONCLUSIONS AND SUGGESTIONS

The essence of accounting is the obligation to record honestly, otherwise, the legal consequences of the world and the hereafter must be borne. It does not matter how well the development of the accounting curriculum is, how great the development of accounting standards is, how smart accountants are in public accounting firms, or how sophisticated accounting software is, if accountants are included in the *fasiq* group then massive damage will occur until it is visible by natural signs. If we are Muslims and work as accounting educators, then we are obliged to convey the commands of the Qur'an and Hadith to students that “Islamic law implements *hudud* when you take responsibility as an accountant”.

REFERENCES

- Akhtar, Z. (2011). Constitutional Legitimacy: Sharia Law, Secularism and the Social Compact. *Indonesia Law Review*, 1(2), 107–127. <https://doi.org/10.15742/ilrev.v1n2.84>
- Apostolou, B., Dorminey, J. W., Hassell, J. M., and Hickey, A. (2019). Accounting Education Literature Review (2018). *Journal of Accounting Education*, 47, 1–27. <https://doi.org/10.1016/j.jaccedu.2019.02.001>
- Asgariyazdi, A. (2012). Characteristics of Islamic Philosophy. *Existenz: An International Journal in Philosophy, Religion, Politics, and the Arts*, 7(1), 56–59. <https://existenz.us/volumes/Vol.7-1Asgariyazdi.pdf>
- Badshah, I., Mellemvik, F., and Timoshenko, K. (2013). Accounting from a Religious Perspective: A Case of the Central Government Accounting in Islamic Republic of Pakistan. *Asian Economic and Financial Review*, 3(2), 243–258. <https://econpapers.repec.org/RePEc:asi:aeafvj:v:3:y:2013:i:2:p:243-258:id:989>
- Ballou, B., Heitger, D. L., and Stoel, D. (2018). Data-Driven Decision-Making and Its Impact on Accounting Undergraduate Curriculum. *Journal of Accounting Education*, 44, 14–24. <https://doi.org/10.1016/j.jaccedu.2018.05.003>
- Bullock, J. J., Ell, V., Inman, B. C., Jiambalvo, J. J., Krull Rf., G. W., Lathan, M. H., Mitchell, A. R., Schwartz, B. N., Scott, L. P., Williams, J. R., & Barefield, R. M. (1995). Accounting Faculty/Practitioners Partnerships to Address Mutual Education Concern. *Issues in Accounting Education*, 10(1), 197–206.
- Dzuranin, A. C., Jones, J. R., and Olvera, R. M. (2018). Infusing Data Analytics into the Accounting Curriculum: A Framework and Insights from Faculty. *Journal of Accounting Education*, 43, 24–39. <https://doi.org/10.1016/j.jaccedu.2018.03.004>
- Efiong, E. J. (2013). A Exploration of Forensic Accounting Education and Practice for Fraud Prevention and Detection in Nigeria. *Thesis The Faculty of Business and Law, De Montfort University, Leicester*.
- Gamage, P. (2016). Big Data: Are Accounting Educators Ready? *Journal of Accounting and Management Information Systems*, 15(3), 588–604. <https://EconPapers.repec.org/RePEc:ami:journal:v:15:y:2016:i:3:p:588-604>
- Gepp, A., Linnenluecke, M. K., O'Neill, T. J., and Smith, T. (2018). Big Data Techniques in Auditing Research and Practice: Current Trends and Future Opportunities. *Journal of Accounting Literature*, 40(1), 102–115. <https://doi.org/10.1016/j.acclit.2017.05.003>
- Gray, G. L., and Alles, M. (2015). Data Fracking Strategy: Why Management Accountants Need It. *Management Accounting Quarterly*, 16(3), 22. <https://link.gale.com/apps/doc/A429090804/AONE?u=anon~cd6b803e&sid=googleScholar&xid=35dd76ec>

- Kamahi, U. (2017). Teori Kekuasaan Michael Foucault: Tantangan bagi Sosiologi Politik. *Jurnal Al-Khitabah*, 3(1), 117 – 133. <https://journal.uin-alauddin.ac.id/index.php/Al-Khitabah/article/view/2926>
- Kennedy, C. H. (1988). Islamization In Pakistan: Implementation of the Hudood Ordinances. *Asian Survey*, 28(3), 307–316. <https://doi.org/10.2307/2644489>
- Kukreja, G., and Gupta, S. (2016). Tesco Accounting Misstatements: Myopic Ideologies Overshadowing Larger Organisational Interests. *SDMIMD Journal of Management*, 7(1), 9–18. <https://doi.org/10.18311/sdmimd/2016/8410>
- Lin, Y.-C. (2018). The Consequences of Audit Committee Quality. *Managerial Auditing Journal*, 33(2), 192–216. <https://doi.org/10.1108/MAJ-03-2016-1350>
- May, G. S., Windal, F. W., and Sylvestre, J. (1995). The Need for Change in Accounting Education: An Educator Survey. *Journal of Accounting Education*, 13(1), 21–43. [https://doi.org/10.1016/0748-5751\(94\)00021-2](https://doi.org/10.1016/0748-5751(94)00021-2)
- McGee, R. W. (2000). Suboptimization in Accounting Education and the Subjective Theory of Value: Some Suggestions for Change. *Journal of Accounting, Ethics & Public Policy*, 2(1), 1-12. <http://dx.doi.org/10.2139/ssrn.251471>
- Miller, W. F., and Shawver, T. J. (2018). An Exploration of The State of Ethics in UK Accounting Education. *Journal of Business Ethics*, 153(4), 1109–1120. <https://doi.org/10.1007/s10551-016-3396-z>
- Munir, M. (2017). Fundamental Guarantees of The Rights of The Accused in The Islamic Criminal Justice System. *Hamdard Islamicus*, 40(4), 45–65. <https://ssrn.com/abstract=3093026>
- Nelson, I. T. (1996). A Tetrahedral Model of Accounting Education: A Framework for Research. *Journal of Accounting Education*, 14(2), 227–236. [https://doi.org/10.1016/0748-5751\(96\)00012-7](https://doi.org/10.1016/0748-5751(96)00012-7)
- Pujiono, P., and Sawarjuwono, T. (2005). Can Violations of Ethic and Moral in The Practices of Accounting Be Vanished? *The International Journal of Accounting and Business Society*, 13(1), 13–32. <https://ijabs.ub.ac.id/index.php/ijabs/article/view/153>
- Rebele, J. E., Apostolou, B. A., Buckless, F. A., Hassell, J. M., Paquette, L. R., and Stout, D. E. (1998). Accounting Education Literature Review (1991–1997), Part I: Curriculum and Instructional Approaches. *Journal of Accounting Education*, 16(1), 1–51. [https://doi.org/10.1016/S0748-5751\(98\)00001-3](https://doi.org/10.1016/S0748-5751(98)00001-3)
- Rezaee, Z., and Wang, J. (2019). Relevance of Big Data to Forensic Accounting Practice and Education. *Managerial Auditing Journal*, 34(3), 268–288. <https://doi.org/10.1108/MAJ-08-2017-1633>

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- Riaz, B. (2020). Win the Battle, Lose the War?: Strategies for Repealing the Zina Ordinance in Pakistan. *Muslim World Journal of Human Rights*, 17(1), 89–103. <https://doi.org/10.1515/mwjhr-2020-0009>
- Seda, M. A., Peterson Kramer, B., and Crumbley, D. L. (2019). An Examination of Computer Forensics and Related Certifications in The Accounting Curriculum. *Journal of Digital Forensics, Security and Law*, 14(1), 4. <https://commons.erau.edu/jdfsl/vol14/iss1/4>
- Shihab, M. Q. (2002). *Tafsir Al Misbah: Pesan, Kesan dan Keserasian Al-Qur'an*. Jakarta: Lentera Hati.
- Smith, M. (2018). Luca Pacioli: The Father of Accounting. *Working Paper*. <https://dx.doi.org/10.2139/ssrn.2320658>
- Tang, J., and Karim, K. E. (2019). Financial Fraud Detection and Big Data Analytics–Implications on Auditors’ Use of Fraud Brainstorming Session. *Managerial Auditing Journal*, 34(3), 324–337. <https://doi.org/10.1108/MAJ-01-2018-1767>
- Tinker, T. (2004). The Enlightenment and Its Discontents: Antinomies of Christianity, Islam and the Calculative Sciences. *Accounting, Auditing and Accountability Journal*, 17(3), 442–475. <https://doi.org/10.1108/09513570410545812>
- Triwuyono, I. (2006). Akuntansi Syari’ah: Menuju Puncak Kesadaran Ketuhanan Manunggaling Kawulo-Gusti. *Jurnal Akuntansi Multi Paradigma*, 2(2), 1–24. <https://www.jamal.ub.ac.id/index.php/jamal/article/view/148>

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