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Does Muslim view on tax influence compliance behaviour?

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Abstract

The problem of tax noncompliance is widely acknowledged as a massive phenomenon in many countries, especially in developing and least developing countries. Previous literatures indicate a number of factors that could possibly influence tax compliance behaviour. In regards to this, perception and attitude of taxpayers are among factors contributing toward compliance behaviour. Nevertheless, the attitude/view of Muslims towards tax has not been considered. Accordingly, the purpose of this paper is to discuss the theoretical link between the influence of Islamic religious perspective and tax compliance behaviour. Empirical evidence indicates that taxpayers are acting according to their belief and attitudes. This paper provided discussion of the Islamic perspectives about tax and relevancy of few theories in tax compliance behavioural studies. The paper concluded by urging future researchers to consider Muslim attitudes towards tax in their future tax compliance studies, particularly in any Muslim-majority community

Keywords: Tax compliance behaviour, Islamic religious perspective, attitudes

1. INTRODUCTION

Tax compliance behaviour is one of the several phenomena that has affected the global economy, and thus has attracted the awareness of researchers in the area (Ross & McGee, 2012). It is considered an important phenomenon that affects both developed and developing economies (Hindriks, Peralta & Weber, 2008). Mas'ud, Aliyu and Gambo (2014) argued that the level of tax noncompliance in developing countries is much more than developed countries.

Many studies conducted about tax compliance focused on the classic model, which views the phenomenon mainly from the economic perspective (Gupta & Mc Gee, 2010), and to some extent the social (Jackson & Milliron, 1986; Fischer et al., 1992) and legal (Klepper et al., 1991) perspectives as well. The lack of empirical research, in some aspects of the issue, is due to the fact that social effects are extremely difficult to identify (Galbiati & Zanella, 2008). Crowe (1944) as in Ross and Mc Gee (2012) proposed a comprehensive study on the ethics of tax noncompliance from philosophical and religious aspects. He found that over the centuries, there are three ethical aspects, which are 'never ethical', 'always ethical' or 'ethical' under certain facts and circumstances.

Internationally, many studies have been conducted to examine the issue of tax compliance in different countries from South America, North America, Asia, Europe, Australia and New Zealand (McGee & Rossi, 2006; McGee

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& Lingle, 2006; Gaventa & McGee, 2010; McGee, Benk, Yıldırım & Kayıkçı, 2011; McGee, Petrides & Ross, 2012).

The measurement of the Islamic viewpoints of the taxpayers in Muslim countries is of great importance and could be an essential factor that influences taxpayers' behaviour for several reasons. Firstly, Muslims have a moral responsibility to pay Zakat for the support of the poor and for the legitimate functions of government. Thus, evading one's duty to pay Zakat is classified as an immoral act. As for tax, many Muslims described payment of tax as a voluntary activity (McGee, 1997). In this context, Peerzade (2005) explained that the Zakat system is the best option system in the Muslim countries so many Muslims believe that tax must be replaced by Zakat. Secondly, it is known that Islamic teachings are clear in many issues in terms of Halal and Haram. In some issues, especially contemporary ones such as tax, there are no explicit texts clarifying whether it is Halal or Haram. In this case, Islam gave an opportunity for researchers to do their due diligence. Generally, there are several opinions about taxes, where some view tax itself as forbidden, and others believe that it is legitimate, and as such, the government has the right to impose taxes on its citizens. The different views about tax could influence tax compliance behaviour of Muslims. Finally, the level of tax noncompliance in developing countries is much more than developed countries. Since most of Islamic countries are considered developing countries, Islam may have an effect on the tax compliance behaviour (Mas'ud, et al., 2014). Consequently, investigating the influence of Islam is useful in addressing the phenomenon of tax noncompliance (Obaid, 2008), particularly among the Muslim community.

2. TAX AND ISLAM

The influence of religion occurs in the society even though individuals are not totally committed to their religion (Ali, 2013). Religion provides an essential basis for social integration. Therefore, understanding the Islamic religious viewpoints of the taxpayers in Muslim countries is of great importance and is an important factor that could likely influence taxpayers behaviour (Al-Ttaffi, 2009).

To reiterate, Islamic teachings are clear in many issues in terms of Halal and Haram, where there are explicit texts in the form of Quran statements or Hadith of the Prophet (peace be upon him). However, in some issues, especially contemporary ones such as tax, there are no explicit texts clarifying whether it is Halal or Haram, because taxes did not exist at the time of the Prophet (peace be upon him). In such case, Islam gave an opportunity for researchers to conduct their due diligence, and as such, Muslim scholars strived to provide Islamic provisions for these cases. Generally, there are several opinions about taxes, where some of them view tax itself as forbidden, and others believe in its legitimacy and the government's right to impose taxes on its citizens.

In Saudi Arabia, the government imposes tax only on foreign individuals, while Saudi citizens are not subject to any tax on their personal income. In terms of business establishments, all businesses in Saudi Arabia are also subjected to tax even if they pay Zakat (The Saudi Department of Zakah & Income Tax, 2015). Al-Ayyan (2007) argued that companies pay Zakat and also tax because Zakat is spent on specific individuals (asnaf) mentioned in the Qur'an, while tax is funded to cover the expenses of the services provided by the government to all business operating in Saudi Arabia. However, the Standing Committee for Scientific Research and Fatwa (1994) issued a fatwa to clarify the Islamic perception about tax for all Muslims. The Fatwa stated that the collection of taxes and work in tax authorities are all forbidden (Haram), and it is not permissible for the government to impose tax on individuals. Furthermore, noncompliance of tax could be viewed as permissible if it is imposed on Muslims, and therefore, taxpayers find any opportunity to do so without committing any forbidden act of Shariah, such as lying.

A prominent Saudi scholar, Abdurahman Al-Jibreen (2012) believes that tax is an issue of diligence. He stated that tax is obligatory to be paid in two cases: if tax is instead of Zakat, and if it is excess of the Zakat but it is needed to finance some essential interests. In contrast, the collection of taxes is considered forbidden in the case that the government takes from citizens and disposal unfairly. Ali Hassan (2010) quoted a number of Islamic scholar perceptions, such as Al-Albani¹, to support the notion that tax is forbidden, but some may be permissible in the following exceptional cases:

- When only the rich are taxed, and tax collected are distributed fairly.
- When there is a deficit in the state budget.
- Tax cannot be legally sustained, but it can be exceptionally imposed when necessary.

¹ Ali Hassan was a student of Al-Albani during the period 1989 – 1999.

- When tax money is not spent on anything contrary to Islam.

Mawdudi (2005) supported this viewpoint by stressing that the need for these funds must be real and not presumptive, where there should be an absence of other sources in the country to cover it. The imposition of tax does not mean that they replace Zakat, as zakat is worship, and must be paid in all cases whether or not it's needed, while tax should be imposed only when needed (Abu-Zahra, 1998; Saltoot, 2000).

In Qatar, the Fatwa Center (2012) quoted a number of researches stating that if tax is imposed fairly, it is not permissible to evade it, whereas if unfairly, the noncompliance is permissible and legal. Al-Omari (2009) elaborated on the views of the four Islamic schools (Mazhab) about taxes and they are as follows:

- a) Hanafis: They allow the imposition of tax on the people, if there is a need for it and such tax are referred to as episodes.
- b) Maalikis: They support the entitlement of the government to impose taxes for special circumstances.
- c) Shaafa'is: They acknowledge the legitimacy of tax on the rich if it's for public interest.
- d) Hanbalis: They authorized tax and they considered it as the money spent for Jihad.

In the same line of study, Nabulsi² (2005) explained his Islamic viewpoint in this issue. He believed that tax is considered one of the government's financial resources to cover their expenses, so they are permissible. Consequently, the citizens have to comply to pay their taxes.

Moreover, Peerzade (2005) proposed an alternative Islamic approach instead of tax system. He explained that the Zakat system is the best option system in the Muslim countries. Generally, the financial system and levy of zakat requires considerable guidance according to the rules of Shariah, such as the condition of Nisab to impose Zakat, deduction of expense items and avoidance of the double or multiple assessment of the same base in one stipulated period.

In this regard, McGee (1997) emphasised that Muslims have a moral responsibility to pay Zakat for the support of the poor and for the legitimate functions of government. Thus, evading one's duty to pay Zakat is classified as an immoral act. As for tax, it is described as voluntary. In exceptional cases, tax may be imposed by the government if the amount raised by zakat is insufficient to cover all the legitimate costs of government. Furthermore, imposing any payment in the citizen that create an artificial rise in the prices, such as indirect tax, is strictly forbidden. Therefore, it is not always prohibited for a Muslim to evade taxes and regulations that have the same effect as taxes.

In summary, the religious attitudes towards tax could have an impact on the behaviour of taxpayers, where people who believe that tax is forbidden will have a negative behaviour towards paying tax, while the other group who have positive perception toward tax will be more committed to the payment of the due tax.

3. FACTORS INFLUENCING TAX COMPLIANCE BEHAVIOUR

Based on the literature, the phenomenon of tax compliance is influenced by several variables. Numerous studies were conducted about tax compliance, but most of those studies focused on the economic perspectives (Mc Gee et al., 2012), with some focusing on the social (Jackson & Milliron, 1986; Fischer et al., 1992) and legal (Klepper et al., 1991) aspects as well. Crowe (1944), as cited in Gupta & Mc Gee (2010), proposed a comprehensive study of tax compliance, and he discovered three perceptions towards tax noncompliance: never ethical, always ethical or ethical under some circumstances. Jackson and Milliron (1986), through their review tax studies, summarized that 14 variables may influence tax compliance. In another review, Richardson and Sawyer (2001) provided a comprehensive literature of more than 130 studies on tax compliance published during the period from 1985 to 1997. The two articles of Jackson and Milliron (1986) and Richardson and Sawyer (2001) presented the most important variables, methods, issues and theory of tax compliance (Abdul-Jabbar & Pope, 2008). Meanwhile, Fischer, Wartick and Mark (1992) classified the determinants of tax compliance into four categories, namely demographic, proxy for compliance opportunity, attitudinal and structural. Moreover, Richardson (2006) conducted a cross country investigation through a survey and concluded that non-economic determinants have the strongest impact in tax compliance and that complexity is the most significant determinant of compliance.

² Professor at the College of Education & Shariah, Damascus University, Syria. His view about tax has been taken from his personal website.

In terms of religion, there are three recent studies. Ross and McGhee (2012) conducted study from three religious perspectives: Muslims perspective, Christian perspective, and Jewish perspective. In another study, Ali (2013) focused solely on Islamic religion, where investigated the influence of Islamic religiosity on the tax compliance behaviour in Malaysia. Islamic religiosity was referred to as internal value of taxpayers, and attitudes towards government as external value. Analysis showed that religiosity has significant positive impact on taxpayers willingness to voluntarily comply with tax laws. Further, the study suggested that the perception of government and the tax authority in encouraging their positive attitudes towards taxation is very important. The moderating effect of ethicality on morality and religiosity has been linked with tax compliance in the study of Coleman (2013). His findings supported the significant relationship hypotheses. Consequently, it could be stated that the effect of religion on individual behaviour is expected to influence certain behaviours, such as tax compliance (Ali, 2013).

Other variables that have the potential to shed better light on the phenomenon of tax compliance and noncompliance in developing countries, include tax service quality, public governance quality and tax system structure (Manaf et al, 2005; Egwaikhide, 2010; Al-ttaffi,2009; Alabede, 2012). Many studies emphasized on the model of Fischer et al. (1992) such as Palil (2010), Palil and Mustapha (2011), Borrego, Lopes and Ferreira (2013) and Richardson (2013). Furthermore, Mas'ud, Aliyu and Gambo (2014) argued that the importance of Fischer's model lies in its provision of insight into the importance of tax rate and penalties on tax compliance under the tax system structures. In general, most taxpayers in developing countries, when they intend to evade tax, they first look at two things: tax rate and penalties, and then decide whether to comply or not (Umar, Kasim & Martin, 2012). The current paper focuses on the possible link between Muslims perception on taxation and its influence on their compliance behaviour.

4. TAX AND MUSLIM TAX COMPLIANCE BEHAVIOUR

The taxpayers' behaviour is a result of their attitudes. According to Bidin, Othman and Salleh (2015), there are many empirical evidence on the influence of attitude on tax compliance behaviour. They argued that all the empirical evidence highlights that attitude toward tax is the main determinant of compliance or noncompliance with tax amongst individuals. Similarly, Witte and Woodbury (1985) showed that attitude plays an important role in influencing the intention to comply with tax. Therefore, the Islamic attitude towards tax is likely to be a key factor on tax compliance behaviour.

The Islamic scholars presented numerous viewpoints about tax and tax compliance. Some of the scholars view tax as forbidden, while some believe that it is legitimate, and the government has the right to impose taxes on its citizens. The difference in opinions about taxes resulted in a different vision about noncompliance. The behaviour of Muslim taxpayers is expected to be influenced by their perceptions towards tax. Generally, the Islamic perceptions on tax could be summarized as follows:

- Totally permissible (Halal): Therefore, noncompliance seems to be absolutely forbidden (Nabulsi, 2005).
- Totally forbidden (Haram): Consequently, noncompliance is permissible when taxpayer find an opportunity to do so without committing any forbidden act (Standing Committee for Scientific Research & Fatwa, 1994).
- Permissible under circumstances and conditions: Accordingly, tax noncompliance seems permissible when the "conditions" are not met (Mawdudi, 2005; Al-Omari, 2009; Hassan, 2010; Al-Jibreen, 2012).

Most of the researches dedicated to the influence of religious aspects on tax compliance and noncompliance have been conducted in developed countries such as the USA and European countries (Ali, 2013). However, literature shows that previous studies concentrated on religious effect through across religions, i.e. covering few religions in a single study such as Islam, Christianity and Judaism, while the current paper focuses on the perceptions within Islam itself and among Muslim taxpayers.

5. RELEVANT THEORIES FOR TAX COMPLIANCE IN AN ISLAMIC COUNTRY

The phenomenon of tax compliance in an Islamic country could be explained from different perspectives, whether from social and psychological attitudes or from economic deterrence (Ali, 2013; Ser, 2013; Umar, Kasim & Martin, 2012; Torgler, 2003). Thus, the theoretical framework could be rationally explained by social theories and economic theories. Specifically, the theory of planned behaviour (TPB), the theory of social exchange and deterrence theory are probably the most relevant theories in an Islamic country case.

Any behaviour is normally preceded by the intention to do this behaviour. Based on the theory of planned behaviour of Ajzen (1991), the personal attitudes influence the intention of the individuals, which reflect the

influence on the behaviour. In the issue of tax, the religious perspective towards tax may have an influence on the intention, and thus, on the behaviour of taxpayers. In consequence, it could be stated that the theory of planned behaviour provides a rational explanation of the behaviour of tax noncompliance and the relationship with Islamic attitudes. Moreover, the influence of some other social factors on the issue of tax compliance is explained by the theory of social exchange, which was founded by Homan (1958). Empirically, this theory was applied on tax compliance studies by Alm, Jackson and McKee (1992), Alm et al. (1992). The third relevant theory is deterrence, theory which has been established by Becker (1968). It is an appropriate theory to explain the influence of the economic factors on tax compliance. This theory has been used by many researchers in the area of tax compliance and noncompliance including Allingham and Sandmo (1972), Sternburg (1993) Hamm (1995), Slemrod, Blumenthal and Christian (2001) and Manaf (2004).

Theoretically, literature identified the basic model of tax non-compliance. Jackson and Milliron (1986) claimed that some variables may be appropriate to explain the tax noncompliance. However, these variables failed to provide adequate understanding of the causes of tax noncompliance. Torgler (2003) suggested that tax noncompliance cannot be explained by the basic model. This idea was supported by Torgler and Schaffner (2007) and Slemrod (2009) who argued that the relationship between tax noncompliance and its determinants is inconsistent. Kirchler (2007) indicated that the association could be moderated by certain variables, while Baron and Kenny (1986) argued that moderators are introduced when the relationship between variables is inconsistent.

The effect of religion on individual behaviour has been investigated in literature. Based on the results of prior studies, religion is expected to influence certain behaviours, such as tax noncompliance (Ali, 2013). Although researchers examined the moderating effect of some variables on the relationship between tax compliance and its determinants (Wenzel, 2004; Murphy, 2007) but the moderating effect of Islamic perspective of taxpayers have not been tested so far. However, Al-Ttaffi et al. (2011) investigated the Islamic perspective as independent variable, and suggested further studies to examine its moderating role. Thus, the current paper urges more studies to be conducted by integrating Islamic religious perspective as an important variable. Tax service quality, public governance quality, tax rate and penalties are proposed as independent variables. Moreover, Islamic religious perspective is integrated as a moderator in the model.

Currently, pioneering empirical investigations in Yemen as a Muslim country and one of the least developing countries that suffer from a high volume of economic, financial and administrative corruption, showed that the most prominent economic and financial problems is tax noncompliance, which was recorded to be high during the last few decades (Transparency International's Quarterly Newsletter, 2005; Ministry of Planning & International Cooperation MPIC, 2009; Aljamaree & Algaylee, 2011; Yemeni news agency, 2012; Central Organization of Audit & Control COCA, 2012; Helhel, & Ahmed, 2014; Al-Saadi, 2014; COCA, 2014). It seems that the proposed solution is very applicable to the environmental of Yemen for several reasons. The first reason is that Yemen is a Muslim country, thus, the religious perspective of taxpayers could have an important role in influencing tax compliance behaviour. The second reason is that Yemeni citizens believe that the quality of tax service is very poor (Al-Yasani, 2005), so this variable is included in the model of tax noncompliance to be tested. Specifically, Alabede (2012) said that the tax noncompliance behaviour may perhaps be an indication that the taxpayers are not satisfied with the quality of public governance. The political changes in Yemen have resulted in an unstable situation in the whole country. This situation limited the accountability of the people in charge and accordingly, the quality of public governance became low (Al-Rabea, 2014). This situation of Yemen justifies the integration of the variable in the model of tax noncompliance in Yemen. The third reason is the suggestion of Umar, Kasim and Martin (2012) in regards of the tax system structure. They claimed that most taxpayers in developing countries who intend to evade tax, mainly consider two things: tax rate and penalties, this holds true for the taxpayers in Yemen. Generally, literature suggests that tax service quality, public governance quality and tax system structure are considered to be relevant to understand tax noncompliance behaviour in developing countries such as Yemen (Manaf et al, 2005; Egwaikhide, 2010; Al-Ttaffi,2011).

6. CONCLUDING REMARKS

It is worth highlighting the numerous factors that influence the behaviour of tax compliance as it is possible to conduct the proper orientation of taxpayers perspective towards tax compliance through the factors that reduce tax noncompliance. One of the most important factors, which could influence tax compliance behaviour is the attitudes of taxpayers. Normally, religious attitudes are expected to have the priority among all other social attitudes and consequently, in Muslim countries, Islamic perspective towards tax is anticipated to be one of the factors that influence the behaviour of taxpayers. Briefly, the Islamic views towards tax could be categorized into three possibilities: totally forbidden, totally permissible, and permissible under circumstances and

conditions. Moreover, other factors based on social, physiological and economic theories could reasonably explain the phenomenon of tax compliance. Therefore, a proposed theoretical is suggested in this paper to be empirically tested in an Islamic country.

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