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**Islamic Perspective on the Impact of Ethics and Tax for Nigerian  
Economic Development**

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ABSTRACT

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The tax system, policies, and structures have been one of the significant factors that directly affect the social and economic activities of any nation. Despite the importance of tax, the attitude of the taxpayers, their reaction concerning tax, could in greater sense facilitate or draw back the policies and system from their original intention and purposes, particularly from an Islamic perspective. Islamic tax income is for the benefits of poor, needy and less privileged people in the society. Even though, policies on tax approved tax avoidance and made it legal, however, tax evasion is illegal in all society because it will deviate from its purpose. The most significant point, however, evading taxes by the people is viewed as unethical behaviour in any economy as the consequences could be greater to the economy and society. Several countries used Islamic system of tax because of the ethics of the system and possibly fewer evasions by the Muslims. Given that, with the number of the Nigerian Muslims, adoption of Islamic tax system will improve the revenue generation, and thereby enhance the economic development of Nigerian economy.

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## Introduction

Islamic tax systems are based on the Sharia or Islamic laws imposed on all Muslims and sometimes on non-Muslims leaving under the shelter of Muslims during the period of Prophet Muhammad (PBUH), and even after his demise. As a result of legislation and principles, Islamic tax could differ significantly from those products in the conventional tax system. Islamic tax has been a complex system because of its adherence to the Sharia principles, a better understanding of the precise source of the income and treatment of taxes. KPMG, (2012) defined Islamic tax a product that poses a serious challenge as result of, (i) there is lack of tax knowledge by both tax authority and taxpayers, (ii) significant resources are needed to approach tax authorities on Islamic tax, and (iii) there is lengthy process on the rulings of tax by the tax authorities as a result of interpretive, technical and issues that are policy based.

The idea of tax has been in existence since when money was not used as a medium of transaction for many decades to provide administrative support to the government. The tax system is adopted by governments to raise funds for the financing of public expenditure. The current governments employ tax revenues for the payment of defence, to construct roads, buildings as well as operating schools, hospitals, to offer the poor food and medical care to the people. Without taxes to finance economic and non-economic activities, the existing of any government is impossible (Adnan, 2009). Taxation is the primary practical sources of sustainable revenue globally for the government to take care of its expenditure (Ifueko, 2012), with most of the economy dependents on taxation (Edwin, 2011). The principal purpose of taxation by the government is to raise revenue to finance its expenditure. However, the Islamic perspective, tax (zakat) is a moral obligation for the sustenance of the poor as well the legitimate or valid functions of government (Mcgee, 2012).

Although, different types of taxes exist according to Islamic law, but Zakat was one of the most prominent among them. Zakat is reported to be one of the Islamic five pillars that are obligatory as expected from Muslims to contribute in the Quran (Ram, 2014). Zakat constitutes revenue which are generated from tax and alms or charity "Sadaqah" of the taxation system (Awang, 2013). Several scholars argued that Zakat payment could reduce poverty and thereby, improve the economic condition of the society. For instance, Nazri, Rashidah, and Normah (2012) reported that zakat plays a significant position in term of moral, social and economic development of society. Also, Lubis et al. (2011) concluded that Zakat is an approach that encounter societal problem like poverty through sharing of a certain percentage of wealth as an obligation enshrine in share to the person who can afford. Several countries used Islamic tax system for poverty alleviations and

helping the poor. For instance, Malaysia, Indonesia, Saudi Arabia and many more Islamic countries.

In Islam, tax evasion is an illegal and unethical act that attracts serious penalties, yet evasion of tax is on the increase (Benk, McGee, & Yiizbafi, 2015). The effect of tax evasion is not only harmful to the economy, but it also derailed from its purpose in helping the poor as enshrine in Islam. Therefore, the need for ethics in tax is important for the society to generate revenue to the government. Ethical attitude means someone has good and clear judgement and responsibility (Hashim, 2012). Islam as an important system has ethics as its core value. Faisal (2016) reported that ethics is an important theme for Muslims as primary sources of word view on Islam, from the Holy Quran as well as the Sunnah of the Prophet Muhammad (peace be upon him). Allah has stated in the Holy Quran that;

*"The noblest of you in sight of Allāh is the best of you in conduct"  
(49:13).*

And the Prophet Muhammad (PBUH) stated that in the Hadith;

*"I have been sent for the purpose of perfecting good morals." (Ibn Hanbal, No: 8595)*

Furthermore, Prophet Muhammad (PBUH) in his prayers asked Allah to give him high ethics.

*"O Allah, grant me high ethics, nobody, but you can grant high ethics. O'Allah, keep me away from bad qualities (Muslim, 201).*

Given that, this study provides the significance of tax based on the perception of Islam for Nigerian economic development as ethics plays a major role in Islam. Even though before the coming of British people Northern Nigerian government used Islamic system of taxation because of its importance. The government has abandoned the Islamic tax system as a result of British new system of taxation introduced into the country. Several Muslim governments refused to fully integrate and take opportunity of the virtues of taxation based on Islamic tax system (Awang, 2013). In Islam, it has been made compulsory for all Muslims to pay taxes, and Muslim based on the Islamic belief will not hesitate to fill full the obligations of tax payments based on Islamic principles. Therefore, introducing Islamic based tax system in the Northern Nigeria will certainly assist in reducing poverty and thereby improved the economic condition of the country. Islam has been very concern with the poor and less privileged people and has specified how this person can be taken care, based on the distributions. In Islamic system, welfare of the people is the paramount (Rehman & Askari, 2010)

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## Nigerian Tax Environment

The dependent on the oil revenue for Nigerian economic development has been a major task for development. The oil revenue has made Nigeria neglect several sectors of revenue generations. Before the discovery of oil in the country, the regional governments generate revenue to the federal government through different types of taxes. The Nigerian income and economic activities greatly are dependent on the agro-allied product before the independence of the country (Ifueko, 2012). The major state earnings before the independence of the country from British were cash crops such as groundnut, cocoa, palm oil, rubber from different regions of the country.

The earliest direct tax system in Nigeria before the coming of British people was from the Northern Nigeria. The Northern part of the country was backed by the British for its administration because of its system of taxation. The North had an organised system of government that was different from the Southern state of the country, except in few locations. The administrative system of governance in the North is by the Emirs. The significant issue of the administration is the system of tax that was administered by the Emirs. This is because the majority of the people living in the North are Muslims. In Islam, there are different types of taxes imposed by the individuals in accordance to Islamic tenants. Consequently, taxes like Zakat, Gada, Kindi, Jangali and Karata were imposed to the subject for proper managements of the community. Therefore, British people took advantage of the system and stayed in the North to service their administrative expenditure.

Because of the existing tax structure, the British then introduce another tax as indirect taxes on goods for them to maintain their administrative expenses. Thus, in 1904 income tax was submitted by Lord Lugard, with changes in 1917 and 1918 passed as revenue ordinance act. After that different forms, taxation law was introduced into the country. Since then the system of taxation undergone significant changes with tax laws reviews because of having obsolete tax policies. In the current Nigerian tax law, the three arms of government enforce taxation. For instance, Federal, State, and Local Government has its share of revenue clearly spelt out from the taxes and levies collected based on the Decree of 1998.

The taxes collected by the government of Nigeria are based on the; (1) The Federal Government taxes, (2) State Government taxes, and (3) Local Government taxes

Despite the significant role played by the Islamic taxes and the number of Muslim in the Northern Nigeria, the government has severely neglected the system of Islamic taxes. That modern system of taxations introduced by the British and government to the people and firms in Nigeria made the

Islamic system of taxation used by the chiefs to be almost abolished. The Northern Nigeria being Muslim dominated, if Islamic tax system is introduced the level of poverty in the region will certainly reduce and thereby improve the economic condition of the country. Several countries have reaped the benefits of Islamic tax system for poverty reduction and economic development. For instance, Malaysia, Pakistan, Saudi Arabia and many other Islamic states.

### **Tax and Ethics in Islam**

In Islamic concept, there is a moral obligation to pay *Zakat* for the government to function and support the poor. Hence, failure to pay *Zakat* by a Muslim is considered as unethical behaviour. In the case where the government engaged in an act that is immoral according to Islam, evading of tax cannot be unethical to Muslims (Mcgee, 2012). Islamic taxes are based on the Islamic Sharia or law; that establishes guiding principles for implementations. In these cases, Islamic taxes or financial products significantly differ with the conventional taxes or financial product (KPMG, 2012). Islamic taxes are based on the Islamic law sanctions that on both the taxable land legal status and religious status or public taxpayers (Böwering & Crone, 2013). According to Pryor (1985), the Islamic system of economy is a particular construct that members of the Islamic faith follow. For instance, the Islamic laws on taxes paid particular attention to interest and emphasis on the wealth tax that is considered to be from aggregate savings. The Islamic scripture has shown that government has every justification to force individuals to raise tax if *Zakat* is not enough to cover allowable cost of government by Sharia (Mcgee, 2012).

To improve the economic system and provide means of sustaining governance, apart from *Zakat*, other systems of taxes were introduced during the lifetime of Prophet Muhammad (SAW) and after that. The various systems of *zakat* launched, serve different purposes and are different in character. The *Zakat* is a compulsory payment or as an obligation to all Muslims. The payment of *Zakat* shall be binding even if there is no legitimate government. Therefore, Jurist has tried to develop other Islamic taxation systems based on the Quran and other examples that were set down by the Prophet Muhammad (SAW) and the first caliphs (Böwering & Crone, 2013). The introduction of the other tax system is to complement and improve revenue generation for both economic, and social services as well as to handle government expenditure.

Ethics is our moral attitude that guided the human activities, be it in business or religion. It is part of attitude that deals with the moral behaviour of people (Abuznaid, 2009). The word ethics is an application of moral rules and values to activities of human (Iserson, 1999). Ethics is a form of moral principles that differentiate what is acceptable (right) from what is not

acceptable (wrong) (Will, 1996). Therefore, ethics as the application of moral rules and values apply to all aspect of the life of Muslims including businesses (Abuznaid, 2009). In Islam, the word ethics is from the rational systems and revelations. The rational system provides understanding and truth appreciation while revelation presents the truth. Thus ethics in Islam served as the basis of unity principle, or *tawhid*, which regulates the oneness association between God and man, man and his environment (Rana, Ishtiaq, Muhammad, Ghulam, & Tahseen, 2012).

Ethics being a normative area for moral behaviour because it suggests what is expect of one to do and not to do concerning his human activities. The Holy Quran prescribes the term ethics using different concepts such as righteousness, goodness, justice, equity, equilibrium, right, and truth, approved and known and piety. Islamic ethics cut across all sphere of life including business dealings, services, professionals, daily transactions, and the relationship among people. For instance, Samir (2009) classified ethics in Islam into two dimensions; (i) ethics towards the creator (Allah) by believing and worshipping him, (ii) ethics towards others, by doing ethical dealings, good relationship, and treatment of each other.

Ethics in business have started in various chapters of the Holy Quran and Sunnah of Prophet Mohammed (SAW). Samir (2009) looked at the definition of ethics in business as moral principles of life that have been described by both Quran and Sunnah. The study of Samir argued that ethics, as prescribed by the Quran and Sunnah, affect Muslim life in term of business in the following ways; (i) it increases effectiveness and efficiency, (ii) it causes abstaining from deceit and cheating by Muslims, (iii) it also prevent Muslims from abuse of power and corruptions, (iv) it will lead to employee rights and better care, (v) it encourages cooperation and consultations, (vi) provide room for creative initiative, and (vi) provide the best or better quality of life. This demonstrates that when the government adopts Islamic tax system, the Muslim in the country will provide an increase in revenue generation and boost economic development.

The study of Salem and Agil (2012) described the relationship between Islamic management ethics and three dimensions of commitments, affective commitment, continuance and normative commitment. The results of the study presented a good correlation between effective commitment and Islamic management ethics, while continuance and normative commitment have less correlation. Rokhman (2010) reported Islamic work ethic to have a positive relationship with job satisfaction and organisational commitment with no significant relationship between Islamic ethic and turnover intention. In medicine, the Islamic work ethic has gain more ground particularly on those aspects that are considered unethical behaviour. For instance, Padela (2007)

reported an attempt to use Islamic perspective in the medical field to cover bioethical issues like gender relation between patient and doctor relationship, abortion, euthanasia and end-of-life care.

The study of Mohamed, Karim, and Hussein (2014) linked use computer ethics with Islamic work ethic and reported a strong relationship between job satisfaction and organisational commitment. Khan and Rasheed (2015) reported a strong relationship between Islamic work ethics and human resources in term of employments. Therefore, Islamic work ethics covers all aspect of human life as stated in the Quran and Sunnah of Prophet Muhammad (SAW). The importance of ethics in Islam and adherence to ethics by Muslims, the tax system based on Islamic Sharia will have Muslims contributing to the Islamic tax funds.

Islamic tax regimes are based on the Sharia or Islamic laws imposed on all Muslims and sometimes on non-Muslims leaving under the shelter of Muslims. As a result of legislation and principles, Islamic product could differ significantly from those products in the conventional tax system. Islamic tax has been a complex system because of its adherence to the Sharia principles, a clear understanding of the precise nature of the income and treatment if taxes. The report of KPMG, (2012) that Islamic tax as a product that pose a serious challenge as result of (i) there is lack of tax knowledge by both tax authority and taxpayers, (ii) significant resources are needed to approach tax authorities on Islamic tax, (iii) there is lengthy process on the rulings of tax by the tax authorities as a result of interpretive, technical and issues that are policy issues.

### **Tax Evasion in Islam**

The history of tax evasions has been for a long period or decades (Benk et al., 2015). The evasion of tax in Islamic perspective is considered to be unethical behaviour. Even though it is unethical, taxpayers always find ways of evading tax by hiding their income or property from the government. Evasion of tax, from its very nature, has been difficult to detect (Fisman & Shang-Jin Wei, 2004). Therefore, any government that announces a tax system could not rely on the tax payers sense of duty in remitting what they are supposed to pay (Slemrod, 2007). Those who have ethical view will undoubtedly pay to the authority concern what they owe. Still, several others will not pay. The effect of the tax on distorting the whole market principle of resource allocation has a severe rippling effect on the government infrastructures (Fagbemi, Uadiale, & Noah, 2010). The attracted penalties have been made as a legal responsibility of government for those that are avoiding the payment of taxes. In Islamic system of tax payment, particularly, Zakat, has been made obligatory for Muslims to pay. According to Islamic system, it is a moral obligation for Muslims to pay Zakat to have support for the poor and service

government expenses, as such evading tax is regarded as an unethical behaviour (Mcgee, 2012).

Several studies have shown that tax evasions caused many losses of income resulting into Billions of Dollars annually (see., Gravelle, 2009). In developing countries, tax evasion has been very common despite the fact that efforts were made by the governments to reduce the level of tax evasion. The evasion of tax in developing countries is very common that these countries made several efforts to understand the ethical reasons of taxpayers evading tax (Fagbemi et al., 2010). Tax evasion is a phenomenon that could threaten the country economic system as well as deploying injustice within the taxpayers (Elgaroshi & Musa, 2013). The effect of tax evasion has been a global challenge in both Islamic and conventional system of tax collection. However, the use of Islamic system of tax, majority of Muslim will comply because of the Sharia guiding the collection and distributions. As Nigeria have tried Islamic system of taxes before the coming of British colonialism, making an effort to adopt the system in the Northern region will assist the economic development of the area.

### **Islamic Form of Taxes and their Importance**

The laws of Islamic taxes are sanctioned by the Islamic legal status of lands that are taxable, religious and communal status of taxpayers. In Islamic product like taxes, form the basis for government revenue to cater for economy and administrative expenses. Zakat form of taxes is most prominent mentioned in Islam, in fact, it is one most important five pillars of Islam. The payment of Zakat is predated many years ever before Islamic era. The chapter in the Quran was talking about a period of Prophet Abraham on what Allah has commanded his people to do concerning Zakat.

*“We made them leaders who guided by our command, and we inspired them to work good deeds, to observe the salat and to give Zakat, they were worshippers of Us” (Quran, 21:73)*

It has been spelled out clearly when Zakat is to be paid and how to be calculated. Zakat is expected to be paid whenever income is received. Muslims are to calculate annual income annual income, either from the dividends, harvest, and other income as enshrined by the Sharia. Furthermore, the Holy Quran specify when Zakat should be given out.

*“Eat from their fruits when it blossoms and gives its decreed obligation on the day of its harvest” (Quran, 6:141).*

Shehzad (1992) viewed the intrinsic nature of zakat as an act of worship because of the evidence from some verses from the Holy Quran. This has been supported by the verse in the Holy Quran on Zakat.

“[O Prophet!] Take zakat out their wealth—though would cleanse them and purify them thereby” (9:103)

And Quran is against the use of interest to increase the wealth to assist the poor.

*“That which ye give in riba in order that it many increases on [other] people’s wealth has no increase with Allah; but that which you give as Zakat, seeking Allah’s countenance, it is these people who will get manifold[in the hereafter] of what they gave’ (30:39).*

Although, Islamic taxes commenced since before the Islamic era but is more pronounce during the lifetime of Prophet Mohammad (SAW) in the Arabian peninsula. Apart from Zakat mentioned as one of the pillars of Islam, other forms zakat were also mentioned in the Quran such as, (i) *jizya tax*, that is assessed based on the per capita yearly tax to non-Muslims residing within Islamic system, (II) *kharaj tax*, otherwise known as the land tax to non-Muslims and later imposed to Muslims, (iii) *user tax*, this was not in the Quran but introduced after the death of Prophet Muhammad (SAW) on the irrigated land, harvest from rain watered, and merchandise imported into Muslim state from non-Muslim state that taxed Muslims.

## Conclusions

The tax system has been reported to be one of the most important systems of both economic developments and for the servicing of government expenditure in both developing and developed economies. Islamic tax system has been used in several countries together with a conventional system of taxes. Countries like Malaysia, Indonesia, and Pakistan, has been mixing Islamic taxes and conventional systems of taxations for revenue generations. In Nigeria, before the coming of the British government in the Northern Nigeria Islamic system of taxation was used by the Chiefs and community head to raise revenue for the government of the day. After the Oil boom, the government of Nigerian neglected this method of revenue generation and concentrate more on oil revenue. Although several reforms in taxes were conducted since before the Nigerian independence, the impact of the revenue has not been felt. Northern Nigeria has more than 50% of its population that are Muslims, bringing back the old system of taxation or using Islamic system of taxation been practiced in other Islamic countries will undoubtedly assist the region and thereby improve the economic condition of the poor. The soul aim of Islamic tax is to support the poor, therefore, once the poor are assisted the economic situation of the country will improve.

Given that the economic conditions of the country have dwindled down as a result of fall in oil prices, it is recommended that Northern Nigerian state

government should start working on how best to handle Islamic tax collection. This is achievable once government provides real intention on how to assist the poor based on the Islamic requirements on the utilisation of taxes. A visit to other countries that have using the system will provide a good insight on how to handle Islamic taxes.

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