



ETHICAL ISSUES OF TAX EVASION IN NIGERIA

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ABSTRACT: This paper examines the views and ethical justifications for tax evasion in Nigeria. The survey method was employed for the study which involves the administration of questionnaires to sixty respondents made up of the academia, civil servants, businessmen and students. The questionnaire contains scale depicting the basic views on tax evasion. Most of the statements begin with the phrase "tax evasion is not unethical if ..." which allows the respondents to either agree or disagree with the statement. The responses to each question were tallied and ranked to determine the circumstances whereby tax evasion might be considered most or least ethical. The pooled t-statistic was used to test whether there were significant differences among the respondents on the view on tax evasion. It was discovered that the respondents especially the academia agree that tax evasion was ethical. Similarly, the academia was eighteen structured statements in a 5-point likert less opposed to tax evasion than the other respondents. Moreover, the female respondents (academic and other respondents) expressed more support for tax evasion than their male counter parts. Among the most important justifications or reasons for tax evasion were: religious, political and ethnic discrimination, perception of injustice in government allocation of projects. Unfairness in the tax system was the least justification for tax evasion. It is concluded that there is serious ignorance of tax laws on the part of the respondents as no reason is sufficient to justify tax evasion which is a criminal offence. Therefore, it is recommended that government and the tax authorities should engage in massive awareness campaigns and tax education to enlighten the public on the need to pay taxes instead of evading it and also to correct the wrong perception of tax obligations of citizen in Nigeria.

INTRODUCTION

Tax evasion is a deliberate act by taxpayer not to pay tax due. Tax evasion could also involve: the failure to disclose the correct income that should be assessed either by misstatement of facts, falsification of figures, filling incorrect returns or misrepresenting the tax liability. It involves willful default and therefore a criminal offence. Evasion of income tax is a serious problem in Nigeria, more so as there is a big gap between actual and potential tax collections by the various levels of government. The criminal act could be perpetrated through the following media: total ignorance of the law, lack of faith in the ability of the government to use the money well, high tax rate which makes evasion more attractive and economical, absence of visible benefits accruing to the tax payers, outright unwillingness to contribute towards the development of the society, and the ridiculous low penalties prescribed in the laws for late payment of tax. In Nigeria, noncompliance with

relevant tax laws and process together with ignorance of the relevant tax laws on the part of tax administrators and tax payers have left a gap in the Nigerian tax regime. In fact, Adegbe and Fakile (2011) argue that tax evasion and avoidance, non (compliance with tax laws and ineffective tax administration are major hindrances to poor revenue generation in Nigeria.

The ethics of tax evasion has been examined from religious, secular and philosophical perspectives (McGee, 1994). Moreover, there are various opinions regarding tax evasion like the unethical, anarchist and circumstance opinions. For instance, supporters of the unethical opinion believe that individuals have a duty to pay whatever taxes the State demands as in democracies (Cohn, 1998; Smith and Kimball, 1998). The anarchists believe there is never any duty to pay taxes because the State is illegitimate, a mere thief that has no moral authority to take anything from anyone (Block, 1993). Supporters of the circumstance opinion believe that hence, tax evasion may be ethical under some circumstances and unethical under other circumstances. (Ballas and Tsoukas, 1998, McGee and Lingle, 2005). Gronbacher (1998) reviews the Christian literature and argues that there are limits to the duty that one owes to the State to pay taxes. Pennock (1998) and Schansberg (1998) held that Christians should base their duty of paying taxes on circumstances such as fighting an unjust war. The Islamic position on the ethics of tax evasion is also not different from the Christian position. McGee (1998) concluded that tax evasion might be justified in certain circumstances such as when tax causes price to rise (inflation) and where income tax destroys incentives. A summary review on tax evasion would seem that most people find tax evasion to be ethical in some situations, although some arguments to justify tax evasion are stronger than others (McGee and Tyler, 2006).

Nevertheless, taxes are justified as they help to fund government activities that are necessary and beneficial to society and taxes reduce inequality in a society. In essence, taxation in modern states benefits the majority of the population and social development. Therefore, payment of taxes is justified as part of the general obligation of citizens to obey the law and support established government institutions especially in democracies. It is possible to argue that local attitudes towards tax payments are cultural, during the colonial era, Nigerians in both urban and rural areas fled into the bush whenever the tax officials came. And in some parts of the country, there were protests against the imposition of poll tax, water tax, and personal income tax and so on. Thus, tax was originally seen as a tool of oppression and dispossession. Whereas the resistance during the colonial era may have been



part of the struggle against British imperial rule, the average Nigerians, in more contemporary times, resist tax payments out of the plain realization that taxes are invariably stolen by state officials and corrupt politicians. Similarly, the disconnection between collected tax revenue for economic growth and development and the lack of implementation of national objectives drives the people off tangent.

As a result, tax evasion in most developing countries like Nigeria is very rampant. Hence, when required revenue for smooth operation cannot be raised, the government often times resort to increase tax rates or borrowings which may not only crowd out the private sector of their economies but also lead to debt traps. Besides, tax evasion has the effect of distorting the principle of perfect market resource allocation and income redistribution thereby leading to economic stagnation with severe socio-economic repercussions. While a lot of researches have been carried out to investigate the ethics of tax evasion in many countries, there is dearth of research evidence on the subject in Nigeria. Therefore, the main objective of this paper is to investigate the arguments or justifications for tax evasion and whether there are significant differences in the view of the academia and other taxpayers on tax evasion in Nigeria. The rest of the paper is structured into four sections. The next section is the literature review while the third section is the research methodology employed in the study and the analysis of data. Section four is the conclusion, while section five is the recommendations.

LITERATURE REVIEW

Tax evasion entails taxpayers deliberately misrepresenting or concealing the true state of their affairs to the tax authorities to reduce their tax liability. The identified causes of tax evasion include: poor business ethics, poor or cynical perception of government, gulf between government and taxpayers, prevalence of the informal sector, poor record keeping culture, perceived weaknesses of tax authorities like issues of accountability, knowledge or efficiency. Some of the signs of tax evasion include: non-registration with the relevant tax authorities for purpose of the various taxes like: personal income tax (PIT), company income tax (CIT) or value added tax (VAT); concealing relevant information, for example, by keeping separate books of account- one for management use and other for the tax authorities; not charging VAT or deducting Pay As You Earn (PAYE) withholding taxes at the correct rate and not issuing receipt on correct invoices.

Researches on tax evasion could be traced to the study of Allingham and Sandmo (1972) on 'Income tax evasion: A theoretical analysis'. The study observed a positive correlation between tax rates and evasion. Firstly, they observed that the rates at which taxpayers are being taxed have impact on tax evasion because higher tax rate could make taxpayers to evade tax as this increases their tax burden and hence lower their disposable income. Secondly, the probability of being detected (given the level of strict enforcement of tax laws) after evading taxes was found to influence the decision of a tax payer to evade tax or not.

A link between tax evasion and corruption has also been established. For instance, it has been noted that the level of corruption and tax evasion depends on such factors as the wealth of the taxpayers and the wage of the tax officers. The failure of the government to provide basic infrastructures may aggravate tax evasion. Moreover, the lack of transparency and accountability in the use of public funds has the effect of building public distrust both in tax system and the government. This is believed to increase the level of tax evasion.

Many studies have compared ethical altitudes of men and women. While some studies found that women are more ethical than men (Boyd, 1991, Akaah, 1989, Hoffman, 1998) the other studies found that there is not a significant difference between the ethics of men and women (Browning & Zabriskie, 1983; Harris, 1990; Nyaw & Ng, 1994). Some studies found that men are more ethical than women (Barnet & Karson, 1987; Weeks et al., 1999).

THE SITUATIONS OF TAX EVASION IN NIGERIA

One of the major areas of reform in recent years has been tax administration. But the reform seems to be more of a pro-rich proposition in its design and implementation creating a regime of unfairness and unequal opportunities. However, the PITA reform of 2011 is expected to favour the low income taxpayers. Until recently when FIRS was established, insufficient attention has been paid to tax (non-oil) revenue, because of the seemingly free and over dependence on oil revenue which was squandered by people entrusted with public funds, due to lack of transparency and accountability in the system, these few individuals, enriching themselves at the expense of the citizenry, In fact, the Nigerian tax system is heavily relied on the oil industry particularly the petroleum profit tax and royalties, forming a significant part or government revenue. In 2005, Gallagher suggested it accounted for about 80% of Federal Government revenues. The 2008 draft document of the



National Tax policy shows that this is only 55% of the total tax revenue. As compared to other taxes, the personal income tax is prone to most tax evasion and also yield the lowest tax revenue to government. Almost as a rule in Nigeria, most people including the so-called rich people in the public and private sector do not like to pay taxes - whether direct or indirect. And when they do pay, it is incorrect tax. However, the tax evaders are helped by the under-developed, inefficient tax system, corruption and weak institutional framework in the country (Uche and Ugwokc, 2003, Anyaduba, 2006).

Most of the rich people in Nigeria enjoy privileges, benefits and public loots they do not deserve. They brace and brag about stolen public funds. The unfairness provokes the poor and this is partly at the root of social violence and alienation. Hence, those people who pay tax feel cheated and seek ways of, evading it. The on-going tax reforms are yet to address this anomaly to tax these 'sacred cows' in our society. In fact, poor institutional framework including weak tax system, complex legal and enforcement mechanisms, ineffective and politicized anti-corruption agencies, duplicity of tax officials, poor ethical standards of our politicians and public officials and government ineptitude to social infrastructural development and low tax or civil education on the need to pay tax among others are prevailing factors responsible for the menace of prevailing tax evasion in the country.

RESEARCH METHODOLOGY:

The research design adopted for the investigation was a survey through the administration of questionnaires to sixty (60) respondents made up of lecturers, business owners, civil servants and students on the "Ethics of Tax Evasion in Nigeria". Following McGee (2006), the questionnaire contains eighteen [18] structured, statements in a 5-point likert scale [Strongly Agree, Agree, Undecided, Disagree and Strongly Disagree] depicting the basic views on tax evasion. Most of the questions or statements begin with the phrase "tax evasion is not unethical if ..." which allows the respondents to either agree or disagree with the statement. The responses to each question were tallied and ranked to determine the circumstances tax evasion might be considered most or least ethical. A score of 5 indicated very strong agreement while a score of 1 indicated very strong disagreement. The demographics of the respondents depicting the gender, age range, educational qualification, religion and occupation are shown in the table 1 below.

Table 1: Questionnaire of Respondents 2020

	FREQUENCY	PERCENTAGE %
Gender		
Male	38	64
Female	22	36
	60	100
Age range		
28-30	2	3
31-40	21	35
41-50	34	57
Above 50	3	5
	60	100
Educational Qualifications		
GCE/SSCE	-	-
OND/NCE	5	8
HND/B.SC	28	47
Masters	27	45
Other	-	-
Religion		
Christianity	52	
Islam	8	
Others	-	-
	60	100
Occupation		
Lecturers	31	52
Civil Servants	20	33
Students	3	5
Businessmen/Traders	6	10
	60	100

Source: Researcher's Computation 2020

ANALYSIS OF QUESTIONNAIRE ON TABLE 1

No	Statements	All Respondents	All Lecturers	All Other Respondents
1.	Tax evasion is not unethical if tax rates are too high	3.512 (15)3	3.83(16)	3.17 (14)
2.	Tax evasion is not unethical even if tax rates are not too high because the government is not entitle to take as much as it is taking from me	3.52 (13)	3.87 (13)	3.17(14)
3	Tax evasion is not unethical if the tax system is unfair	3.40(18)	3.87 (13)	3.289(18)
4	Tax evasion is not unethical if a large portion of the money collected is wasted.	3.70(7)	4.19(6)	3.34(24)
5	Tax evasion is not unethical even if most of the money collected is spent wisely.	3.76(6)	4.22(5)	4.10(4)



6	Tax evasion is not unethical if a large portion of the money collected is spent to projects that are morally disapprove of	3.41 (17)	3.77(17)	3.24(10)
7	Tax evasion is not unethical even if a large portion of the money collected is spent on worthy projects.	3.48 (16)	3.96 (11)	2.96 (17)
8	Tax evasion is not unethical if a large portion of the money collected is spent on projects that do not benefit me.	3.53 (13)	3.96 (8)	3.65 (5)
9	Tax evasion is not unethical even if a large portion of the money collected is spent on projects that do not benefit me.	3.95 (4)	4.29 (3)	3.58 (6)
10	Tax evasion is not unethical if everyone is doing it	3.70 (7)	4.29 (2)	3.17(14)
11	Tax evasion is not unethical if a significant portion of the money collected winds up in the pocket of corrupt politicians or their families and friends.	3.57 (12)	3.74 (18)	3.41 (7)
12	Tax evasion is not unethical if the probability of getting caught is low.	3.85 (5)	4.09 (7)	3.41 (7)
13	Tax evasion is not unethical if some of the proceeds go to support a war that I consider to be just.	3.63(10)	4.0 (10)	3.24 (10)
14	Tax evasion is not unethical if I can't afford to pay	3.58 (11)	3.87(13)	3.20 (13)
15	Tax evasion is not unethical even if it means that I pay less, others will have to pay more.	3.68 (9)	4.06 (8)	3.37 (9)
16	Tax evasion would not be unethical if I were a Jew living in Nazi Germany in 1935.	4.38 (2)	4.25 (4)	4.48 (2)
17	Tax evasion is not unethical if the government discriminates against me because of my religion, race or ethnic background.	4.46 (1)	4.35 (1)	4.58 (1)
18	Tax evasion is not unethical if the government imprisons people for their political opinions,	4.08 (3)	4.3 (2)	4.13 (3)

Source: Researcher's Computation 2020

The table 2 shows that the most important justifications for tax evasion (first to third rankings) for all respondents and other respondents are based on religion political or ethnic discrimination, The second ranking of lecturers' response shows that they agree tax evasion will be ethical if majority of the people are evading taxes, Government insensitivity to the infrastructural and development needs of the people in the sitting of public projects or the lack of visible projects through white elephants projects, the diversion of public funds to private coffers are various argument in support of tax evasion. The least support for tax evasion by all the respondents seems to where the tax system is adjudged to be unfair. This position is also canvassed by the other respondents. But the academia believe tax evasion is least ethical where significant portion of tax money ends up in the pocket of corrupt politicians and their cronies.

Table 3.0 Combined means scores and ranking of all respondents (based on ascending order) supporting tax evasion

No	Statement	Mean Score/Ranking
17	Tax evasions is not unethical if the government discriminates against me because of my religion, race or ethnic background	4.46 (1)
16	Tax evasion would not be unethical if I were a Jew living in Nazi Germany	4.38 (2)
18	Tax evasion is not unethical if the government imprisons people for their political opinions	4.08 (3)
19	Tax evasion is not unethical even if a large portion of the money collected is spent on Projects that do not benefit me.	3.95 (4)
12	Tax evasion is not unethical if the probability of getting caught is low	3.85 (5)
5	Tax evasion is not unethical even if most of the money collected is spent wisely	3.76 (6)
4	Tax evasion is not unethical if a large portion of the money collected is wasted	3.70 (7)
10	Tax evasion is not unethical if everyone is doing it	3.70 (7)
15	Tax evasion is not unethical if some of the proceeds go to support a war that I consider to be just.	3.68 (9)
13	Tax evasion is not unethical if I can't afford to pay	3.63 (10)
14	Tax evasion is not unethical if a significant portion of the money collected winds up in the pocket of corrupt politicians or their families and friends	3.58 (11)
11	Tax evasion is not unethical if a large portion of the money collected is spent on projects that do not benefit me.	3.57 (12)
8	Tax evasion is not unethical even if tax rates are not too high because the government is not entitled to take as much as it is taking from me	3.53 (13)
2	Tax evasion is not unethical if tax rates are too high	3.53 (13)
1	Tax evasion is not unethical even if a large portion of the money collected is spent on worthy projects	3.51 (15)
7	Tax evasion is not unethical if a large portion of the money collected is spent on projects	3.48 (16)
6	that are morally disapprove of	3.41 (17)
3	Tax evasion is not unethical if the tax system is unfair	3.40 (18)

DISCUSSION OF RESPONSES

From table3, the mean score reveal the respondents agree that tax evasion is ethical in particularly in mainly statements 17, 16 and 18. In the remaining statement, the mean scores of between 3 and 4 show the respondents have different views on the ethical nature of tax evasion though their views tend



towards agreement. Foremost, the issue of religious belief has the highest mean score of 4.46 on a scale of 1 to 5 and the respondents believe they will evade tax if they are discriminated against on the basis of religion. Racial discrimination and government imprisons indiscriminately people for their political opinions with mean scores of 4.38 and 4.08 respectively were ranked second and third as arguments for tax evasion. The respondents also agree that where even if large sum of public money is spent on projects by government that do not benefits them they could evade tax. They also believe tax evasion is ethical if the probability of being caught is low. There is mistrust of government to such extent that whether the tax money collected is wisely spent or wasted, s respondents agree tax evasion is ethical. The least ethical support by all respondents for tax evasion is the unfairness of the tax system.

Table 4 Comparison of male and female score for lecturers and other respondent

State ment	Male Lecturers	Female lecture rs	Male Lectures Greater by	Female Lectures Greater By	Male (other respondent s	Female other responden t	Male (other respondent s) Greater by	Female (other respondents) Greater by
1.	3.7	4.09	-	0.39	3.2	3.09	0.11	-
2.	4.05	3.5	0.55	-	3.0	3.4	-	
3.	3.75	4.09	-	0.34	2.8	3.0	-	0.4
4.	4	4.5	-	0.50	3.16	3.18	-	0.4
5.	3.85	4.3	-	0.55	3.1	4.09	-	0.02
6.	3.4	4.4		1.00	3.3	3.09	0.21	0.99
7.	4.25	3.4	-	0.85	3.2	3.09	0.21	
8.	3.8	4.1	-	0.30	2.9	3.9	-	-
9.	4.2	4.4	-	0.20	3.2	4.09	-	-
10.	4.35	4.1	0.25		3.1	3.2		1.0
11.	3.25	4.6	-	0.35	2.6	2.9	-	0.1
12.	3.8	4.6	-	0.80	3.4	3.8	-	0.1
13.	3.8	4.3	-	0.50	2.7	4.09	-	
14.	3.8	4.1	-	0.30	2.6	4.09	-	
15.	4.05	4.09	-	0.04	3.3	3.18	0.12	0.3
16.	4.3	4.1	0.2	-	4.2	4.8	-	0.4
17.	4.15	4.7	-	0.55	4.7	4.09	0.61	1.49
18.	4.15	3.8	-	-	4.05	4.2	-	1.49

Source: Researcher's Computation 2020

A comparison of the mean responses of male and female lecturers reveal that the female lecturers mean responses on tax evasion is greater than their male counterparts in 16 out of the 18 statements. The female academia tends to be

unsympathetic to tax evasion than the male counterparts. In fact, it was only in three statements (statements 2, 10 and 16) that the mean scores for male lecturers were greater than the female lecturers. The female lecturers' mean score was greater than the male in fifteen statements. The most supportive argument for tax evasion by female is where tax money is spent for projects morally disapprove of. In all the academia seems to support tax evasion. In comparing the mean scores of below 3.0 for the other respondents (non-academia), the male tends to express more disagreements on the five statements (3, 8, 11, 13 and 14) than the female on only two statements (7 and 11). Of significant importance is that both the male and female non-academia concur that tax evasion is unethical if tax monies end up in the pocket of corrupt politicians and their families and friends (statement 11). Nevertheless the male expressed more disagreement with statement 11. Similarly, the mean scores for other female (non-academia) respondents above 3 show more support for tax evasion in eleven statements than their male counterparts in only five statements. In other words, the female respondents (academic and nonacademic) tend to support tax evasion than their male counterparts.

Our finding does not agree with McGee (2005) and, McGee and Tyler (2006) who found more opposition by female respondents for tax evasion than the male respondents in the United States and other 33 countries but agrees with Boyd (1981) Akaah (1989) and Hoffman (1998) that women are more ethical than men. However, the higher mean score for lecturers shows they have less opposition to tax evasion than the other respondents agrees with McGee and Tyler (2006) who found that people with less education tend to be more opposed to tax evasion than their better educate counterparts. The pooled t-test was conducted to find out whether there were significant mean differences between the various respondents on tax evasion. The results which reveal significant mean differences between the various respondents are shown in table 5.



T-test Computation Table

	Hypotheses	t-value	p-value	Remark
1	there is significant mean difference between the lecturers and other respondents on tax evasion	-2.630	0.018**	Significant
2	there is significant means differences between female civil servant and female lecturers on tax evasion	-3.912	0.001***	Significant
3	There is significant mean difference between male civil servant and male lecturers on tax evasion	-5.945	0.000***	Significant
4	There is significant mean difference between male and female lecturers	1.951	0.068*	Significant
5	There is significant mean difference between male and male civil servants	-2.342	0.032**	Significant
6	There is significant mean difference between male civil servants and female lecturers	-6.303	0.000***	Significant
7	There is significant mean difference between female civil servants and male lecturers	-2.380	0.029**	Significant

***** Significant at 1, 5 and 10% respectively

CONCLUSION

This study analyzed the ethics for tax evasion in Nigeria by considering (the views of the academia and other respondents on tax evasion. The findings suggest women are less opposed to tax evasion than men for lecturers and the other respondents. This finding does not confirm the results of some prior studies. Moreover, the lecturers or academia tend to be less opposed to tax evasion than the other respondents in Nigeria confirm with prior studies like McGee and Tyler (2006) that people with less education tend to be more opposed to tax evasion than their better educated counterparts.

RECOMMENDATIONS

The following recommendations are put forward to address the problems of tax evasion in Nigeria:

There should be awareness campaign, enlightenment and education of the general public on the need to pay taxes instead of evading it and the criminal offence associated with tax evasion. There is also need to review and incorporate tax education into the school curriculum. People with integrity and honest character should be recruited or appointed as tax officials in the FIRS and other tax boards by the government to collect taxes for the various levels of government on her behalf in order to prevent embezzlement of the tax money collected and corruption in grand. The recent announcement by the president that appointments to crucial government offices would be based henceforth on merit is a welcome development, the laws and policies of income taxes should be reviewed to block the loopholes that encourage tax evasion. Stiffer punishment should be met on any person or group who evade tax. The Economic and Financial Crime Commission (EFCC) should be strengthened to prosecute tax evaders and tax avoiders. As Special task force on taxation monitoring should be set up with emphasis on tracking tax evaders. The government should strengthen FIRS in its effort to revolutionize the tax system in Nigeria by appointing and allowing capable well-qualified professionals and experts to head the establishment. The government in the Federal, State and Local government levels should turn over a new leaf by addressing corruption problems and channeling tax revenues to visible social infrastructural and developments projects. Elected government should bring the dividends of democracy to the citizenry in practice by utilizing state resources totally for the public good. The academia seems to be unmerciful and support tax evasion perhaps due to the disenchantments with the profligacy unrestrained looting and massive corruption of those in government besides the continued relegation of the education sector. There is not only urgent call to educate the educator on tax matters but also urgent need for total revolution in the current politicking and governance to be geared towards people and development orientation.

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