

Ethics And Taxation-A Study

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Abstract - Tax as a major instrument for revenue mobilization becomes regnant for sustainable economic development. But most nations experience grim duress to revenue mobilization akin to tax evasion and avoidance. Contemplating the emerging involvement of the domestic economy with the global market, issues apropos of taxation develop. Multinational corporations often switch profits to low tax jurisdictions to abate their tax liability. Individual citizens also grapple with tax evasion and avoidance. In such scenario, emerging conversations on ways to attenuate tax evasion and avoidance is important. Introduction of few income disclosure schemes like demonetization to impede tax evasion, and thereby on black money is a gallop. Ethical conception of taxation and tax planning is one of the most under-estimated and fascinating subjects of assessee since most assessees reckon tax as their problem child. Surprisingly little has been researched on the subject to-date and even-so, it encompasses a key foundation of assessees: morality. Most often assessees assure to pay tax ethically, but beingness of devious tax administrators in the artifice contributes to tax evading. Most studies of tax evasion take monetary or public economy perspective. The present paper explores the demeanor of ethics and moral appeals in ensuring tax compliance and also contemplates to instill ethical awareness to assessee to that little literature. To conclude, moral appeals must be weaved in the accepted rulings methodology for long-term godsend.

Keywords—tax avoidance; tax compliance; morality; tax literacy; tax ethics.

1.INTRODUCTION

Tax constitutes the basic source of revenue to government for the welfare of the society. Efficient tax administration strategy justifies absence of unscrupulous practices and ensures everybody's righteous payment of tax. Unethical behaviour even at the bottom is detrimental. Illicit practices have perennial deleterious impacts on the development of an economy. Citizens frequently materialize tax evasion and tax avoidance. Tax evasion resorts to illegitimacy to reduce tax burden while tax avoidance discovers loopholes in fiscal authority to duck tax obligation. Tax evasion feigns both national economy and international economy en masse. Weathering international tax evasion is indispensable since it shares key daddy of guileful financial flows from several developing countries. The report suggests pellucidity to confirm citizens' congruency with tax laws. However, mostly developing countries meet challenges on this matter for their unhealthy tax policy and thus, are obliquer to tax evasion [1]. Tax planning can alleviate tax liability and congruency with income tax rules. India has nebulous black money. Black money economy estimates three-fourths the size of the Indian economy. Demonetization contributes much black money into legal circulation[2]. Still discerning the problems, there remains much to do. The problems epitomize taxpayers. Tax compliance is a multifaceted issue. This paper seeks to evaluate the role of morality and ethics in tax flaccidity.

2.OBJECTIVE

The objective of the paper is to study the impact of ethics on tax compliance.

3.MATERIALS AND METHODS

The study is descriptive in nature. Descriptive research has been preferred for developing better profundity of knowledge. Information required for the study has been collected mostly from secondary sources viz. website, books, journals, reports, etc. Besides, the paper being descriptive and conceptual in nature, the opinion expressed in this paper is author's own. The inherent limitation of the study is that as the study is based on published data and information, and this secondary source may be lacking in authenticity, the result inferred therefrom may not be completely dependable. The study takes into consideration the perspective of ethics and its impact on taxation.

4.CHARACTERISTICS OF SOUND TAX SYSTEM

- **Maximum Social Benefit:** Tax system should be on the principle of supreme blessing of the majority. To achieve this, taxes on various clusters of people should be such that marginal sacrifice of different taxes becomes same.
- **Uniformity:** Persons placed in identical scenario should bear the same burden of taxation. In varying circumstances, equality in taxation is the desirable relative treatment of persons.
- **Multi-taxation system:** Multiple taxes connote tax system where taxes are imposed on various items. Tax system should be indiscriminate instead of being concentrated in one or two taxes. Concomitantly, efforts need avoiding multifariousness of taxes.
- **Efficacy:** Tax system should bestow adequate revenue to meet governments' expenditure. With growing needs of the

public authorities, tax system also yields revenue growth.

- **Rights of tax-payers:** Healthy tax system in a democratic device must protect justice of taxpayers. Besides, current taxation intensity together with its further prospects needs their recognition.
- **Universal application:** Individuals having identical abilities should contribute equal quantity of taxes. In India, income tax lacks these properties because incomes from agriculture and non-agriculture are taxed in disparate approach.
- **Elasticity:** Tax system should provide more revenue to government with growth in the national income. Blending of direct and indirect taxes, and reservation for emergencies of certain income can generate elasticity in the system.
- **Convenience:** In devising tax system, it is crucial for the government to see that taxpayers are not positioned to any inconvenience for their contributions.

5.IMPORTANCE OF TAXES

Government of every country necessitates funding to execute its required interventions like operating public institutions, developing country's infrastructure and financing social salubrity and stratagem. In exchange, Government creates revenue required by taxing its citizens. India with its broad dissemination of staffer and sources of revenue has nothing unique. Citizens are taxed honoring their economic circumstances, thereby encouraging socio-economic equality. India with its vigorous three-tier federal structure comprising the Union Government, the State Governments and the Urban/Rural Local Bodies levies taxes and duties heeding the provisions of the Constitution. Importance of taxes is explicated by two temperaments-progressive and proportional. In progressive, tax is wreaked at booming rates to sprouting brackets of income and revenue while in proportional, tax imposed is commensurate with the income or revenue. With liberal economic policy and WTO commitments,

Indian tax system has experienced transilience.

6.LITERATURE REVIEW

Over the years, several studies have been conducted to explore the relation between ethics and tax compliance.

Bahari and Ling (2009)[3] emphasize the importance of tax education. They find that a colossal 64% of non-business respondents wish to learn and gain cognizance about basic tax principles. They suggest to incorporate tax education program for students from non-accounting background in higher study. Amoah, etc. (2014)[4] interpret various arguments to justify tax evasion and find that the citizens are reluctant to honor tax laws and other regulations in corrupt administration system. Hastuti (2014)[5] narrates the necessity of tax education to ensure tax compliance amongst new generation college students. The research aims at understanding ethical and methodological differences between business and non-business students about their tax conceptions, and finds no eloquent metamorphoses between the two clusters. Both teams opine favoring tax education for all students implying the importance of ethics in tax compatibility. Al-Maghrebi, etc. (2016)[6] propounds tax education not only assists taxpayers for being acquainted with tax administration system but also enhances transparency during the entire biennium. This is so because citizens mostly feel justified in evading taxes if the current system is weathered with corruption and other malpractices. Wadhwa and Pal (2012)[7] study the opinions of 180 tax professionals on tax evasion in India using five-point Likert scale. They conclude that high tax rates, egregious corruption in the public sector and inefficient tax authorities bear mostly responsibility behind taxpayers' evasion. Kumar, etc. (2020)[8] asseverate three basic ways to mitigate tax liability viz. tax planning, tax avoidance and tax evasion. Tax planning involves planning in legal and moral manners to boot maximum tax benefits. Tax avoidance

takes advantages of loopholes in the statute. It is highly devious since it breaks the objectives of tax administration system. Lastly, tax evasion reduces tax liability adopting felonious course. Fagbemi, etc. (2010)[9] in their paper interprets the perception of taxpayers in Nigeria towards taxation system. The results evidence unethical government breeds higher tax evasion. This further indicates the role of government in ensuring tax compliance. Government must administer its activities ethically. Moreover, better human rights approach and idyllic tax rates essential to arrest tax evasion. Sezgin, etc. (2011)[10] survey ethics of tax evasion in Turkey and Kyrgyzstan with 18 statements circulated amongst students. They find Turkish students remonstrated tax evasion unlike Kyrgyz students. The study also reveals Turkish female students have appreciable ethical values whereas Kyrgyz male students have higher moral values. This reflects the portrayal of gender in ethics and morality. Siahaan (2012)[11] investigates the impact of tax probity and communication on voluntary compliance in Surabaya, East Java with 61 participants belonging to service industry. Results show dramatic impression of tax probity on gratuitous docility by taxpayers. Communication has no impact on docility. The paper also counsels for reducing the problem of tax evasion. Uslander (2010)[12] elucidates the problem of tax evasion apropos transition economies and concludes that people are dubious to pay taxes if they believe that their money is resorting to the pockets of corrupt government officials. Government should boost confidence among citizens and be cogent of the tax money. Batra (2014)[13] surveys the opinions of tax professionals on tax evasion in India and enumerates few attributes of tax evasion viz. high tax rates, corruption in public sector units, multiple tax rates and inept tax authorities. The paper offers excellent proposals to increase tax compliance like simplification of tax administration system, emendation of tax laws to oust dodge and ameliorating tax literacy among offspring. Alm and Torgler (2011)[14] postulate the problem of tax compliance interpreted by the

transgressed contemplation of ethics. To gain holistic understanding of an individual's tax compliance decisions, ethics and morality cannot be discounted. Their paper advocates ethics and morality need acclimatize with established retribution to develop compliance. McGee, etc. (2012)[15] divulge justice is a government action concerning the exercise of tax funds in etiquette. Suminarsasi and Supriyadi (2011)[16] demark justice as a syndrome where citizens receive equal treatment in taxation by state. They mention tax ethics is envisaged as regulation governing individuals in the domain of taxation in executing their tax obligations and in understanding their compunction. Lemvora, etc. (2013)[17] show in their study that high materialism increases one's love for money and tax evasion is more ethical to do. Lalit Wadhwa and Dr. Virender Pal (2012)[18] venture high tax rates, dubious public sector units, multiple taxes, inexpedient tax administration, etc. invite tax evasion. They propose lowering taxes, delineation of tax laws, etc. repudiate ambiguity in the tax system. Appropriate information in annual return can batten Indian tax compatibility. Dr. Devarajappa S. (2017)[19] surmises one can back the Government by obeying tax procedures and paying taxes. Tax literacy refrains people from balking tax and help feel appreciative in discharging their obligations. Mr. Nishant Ravindra Ghuge and Dr. Vivek Vasantrya Katdare (2016)[20] unearth that Indian Tax Structure lags behind on almost every indicator. They propose for serious review and simplified tax structure by government. McGee (2006)[21] narrates that in democracies, tax avoidance is almost unethical. Kolstad and Wiig (2015)[22] also states that strong democracies have less government corruption. There is strong belief that individuals should conform to democracy. Christensen and Murphy (2004)[23] hypothesize that all citizens must engage themselves with broader society by paying taxes. Aid (2009)[24] stresses that tax avoiding schemes with hardly any economic substance are contemplated unacceptable rested on ethical grounds .

7. DISCUSSION AND ANALYSIS

7.1. Ethics in Taxation

Ethics reflects pragmatic exercitation of morality. Many directives contain social etiquette having rules of appropriate human behavior. Logically, morality must impress tax laws as a meed of national constitution. Idea of taxes raises ethical questions about essence of government, objectives of taxation, use of incisive power in executing tax laws, disposal of tax burden, usage of tax revenue, etc. One's contribution towards tax becomes ethical duty. Government creation is for society's common welfare. But now, government embodies almost all perspectives of human lives and economy which boosts risk of debility with some of the state's fruit nourished through taxes. Every assessee must contribute towards the support of government as per their abilities. Taxation contributes both wealth and health of nation. Nation having healthy lifecycle ultimately benefits its citizen. Business ethics and business excellence harmonize. Tax practitioners must be dexterous aerialist able to appraise lots of divergent demands[25]. They reckon discordant implorations from the clients and tax authorities and concomitantly embrace their ethicalness. Taxpayer's liability should be minimized subject to the constraints of honesty. Minimizing tax liability is incongruous with ethical code and ethics[26]. Tax practice is like other professional endeavors as it is orchestrated following the highest ethical standards bolstered by the application of elevated degree of skill, knowledge and competence[27]. Tax planning proffers assessee's concerns to maximize after-tax returns. Mainly, avoidance reduces tax liability by licit means possible, and therefore perceived as ethical and reflects clients' displeasure. Evasion breeds prosecution and imprisonment. While there are degrees of culpability in tax evasion; in tax avoidance, sometimes there remains distinction between straightforward and complex artificial schemes of minimizing tax payments[28]. Ultimate result is ineludible

loss of revenues to tax authorities and society at large. Paying tax experts for legal counsel to reduce tax liability is sound business strategy and ethically respectable[29]. Tax experts must eliminate legal ambiguity. Honest business people want no part to accent to these ambiguities. However, harmony in business among legality, profitability and ethics is important where legality is the lowest denominator of acceptable ethical behavior[30]. Socially decorum syndrome is entwined with so-called ethics of profit manipulation[31]. Nevertheless, basic ethical behavior should be same.

7.2. Tax Planning and Ethics

Taxation is just the relocation of wealth from people's pocket to state funds. Tax burden and handy tax collection system shape after-tax income. This income governs went for individual and generates mixed experience. Tax planning is viewed from a societal standpoint along with self-interest. Tax avoidance is primarily the lawful manipulation of affairs. Tax evasion is an illicit side of manipulation. Accountants and tax practitioners adduce avoidance maneuvering as tax planning or tax mitigation which emphasizes its legality and hence its perceived ethical acceptance. Avoidance opposites the spirit of law and accomplishes pre-tax objectives[32]. Little information about avoidance or evasion and no quantitative estimates of their importance. This scenario often molests tax authorities and search for loopholes inhabits[28]. High tax rates, imprecise laws, lack of deterrents, etc. normally cause tax evasion and tax avoidance. With higher tax rates, persons find it worthwhile to spend more time and money on advice, perform more complex maneuvers and take greater risks for tax liabilities. Hence, the basic fiscal argument is to lower tax rates to discourage avoidance or evasion. Tax evasion and tax avoidance synchronize ardently and incredibly blight states' finances. Social stigma of tax evasions varies between countries[33]. Ethical manager of business favors paying taxes from the outset and

prepare plans to remove monetary burden[34]. However, unfair or inefficient taxation process spawns avidity to avoid or evade tax. Recently, tax practitioners are overwhelmed with multiple changes in taxation laws. Moreover, positive emphasis on ethical and societal issues has been gradually evolving. Today accountants not only nurture their technical and professional skills, but also postulate potential ethical issues. Moral considerations and ethics should be business culture. Ethics is an etiquette of human behaviour incorporating ends, norms, good, right and choice[35]. Ethics and tax planning are polemic. Contemporary tax practitioners approach myriad of conflicting demands and plethora of penalties from tax authorities since few payers become involved into dubiety. However, tax practitioners essential logical levelness with strategy and taxpayers response before recommending any tax planning opportunities. Accountants should advise and discern the associated risks and uncertainties with possible law changes which negate them without influencing taxpayers[27]. Ethics remains an issue that must constitute addressing and take seriously. Professional standards and codes, organization's policies and personal integrity invariably stir tax accountants.

7.3. Measures to curb tax evasion

Governments at times attempt to curb tax evasion by diverse means viz. moderating tax rates, tax amnesties, advance tax payments, presumptive tax for small traders, permanent account number or general register number, survey of income-tax, summons and search and seizure, penalties and prosecutions, use of information technology in tax administration, etc. Sectors in India like real estate, financial market, bullion and jewelry market, non-profit organizations, external trade, etc. are preoccupied with unethical activities and evade tax for its perpetuity in the market.

The Government of India has taken plenty of solicitous stances for arresting the generation of black money and for its detection like Prevention of Money Laundering Act (PMLA), 2002, Benami Transaction(Prohibition) Bill, 2011, Public Procurement Bill, 2012, Lokpal and Lokayuta Bill, 2011, Citizens' Grievance Redressal Bill, Indicial Standards and Accountability Bill, 2010, Public Interest Disclosure and Protection to Persons Making the Disclosure Bill, 2010 and Electronic Delivery of Services Bill, 2011.

7.4. *Predilection of taxpayers*

Most taxpayers pay their taxes without hassle. Tax evasion involves knowingly misreporting facts and very difficult to shape it an ethical justification. Unlike tax evasion, tax avoidance does not involve concealing information. Tax avoidance abets compliance with precise letter of the law, not through breaking the law. Tax avoidance reduces satisfaction more than it increases satisfaction of the better-off people who have reduced their tax burdens. Idea of taxes raises questions of justice and morality about the nature of government, its proper objectives, use of force in obtaining revenues, and the distribution of tax burden. Over the world, taxation has had enormous influence on the structuring of society and the status of individual within society. In America, income tax presents one of the greatest potential threats to individuals and their rights to life, liberties and pursuits of their own happiness. Effective taxation creates an important bond between citizens and government.

7.5. *Tax in egalitarian society*

Tax raises revenues necessary to fund the licit purposes of government. Unfortunately, there has been an growing willingness to apply the tax laws to affect a variety of economic and social changes. Taxation should not serve as a mechanism for effecting economic changes by altering consumption patterns, redistributing income and wealth, providing jobs for the unemployed, stimulating business spending, etc. Many hold that heavier taxes on higher

incomes are justified by the belief that inequalities are immoral and taxation is an appropriate means of reducing them. Now, progressive taxation attempts to achieve social justice. In such system, there persists the temptation to raise tax rates on more productive for new social programs that transfer funds to the poor. Tax policy should be based on certain principles, viz. legitimate and fair tax system; general and clear rules; and sustainable regulations.

8. RESEARCH COMMENTS

Every individual should stand equally before tax laws. Tax should never be imposed for any objective other than raising revenue for legitimate government operations. Excessive taxation is a form of despotism. Clincher for justifying tax evasion instances government abuses and corruption, and unfair tax system. Minimizing tax evasion is less government abuses and corruption and more fairness and equity in the tax system.

9. FUTURE RESEARCH SCOPE

Empirical research should be conducted inducibly towards ethics of tax evasion to find rationalization with materiality applicable to help lawmakers. Research de facto news coverage on tax ethics provides valuable insight into how to strengthen tax compliance. Study emphasize the importance for governments in ensuring human rights issues to better compliance. Current literature evidences little research on whether political views affect individual's perceptions of tax ethics. This embryonic mold agent seems under-researched apropos ethical perceptions of tax evasion and can provide insights into unexplained differences of views found in this study and previous studies on essentials affecting individuals' tax ethics.

10. SUGGESTIONS

- 1) Ubiquity of high tax rates is the basic reason for tax evasion as it makes evasion seductive albeit the associated menace.
- 2) The public should visualize that tax evasion is asocial and hence unethical.

3) High tax rates create psychic wall and debilitate the pizzazz to nest egg.

4) A committee of experts essentials to study the utility of all extant commands and suggest elimination of bootless matters.

5) Legislative changes necessitate ensuring good governance for the healthy economy and with the minimal hassle to the public.

6) Criteria for choosing cases for annual scrutiny should be invariant nationwide.

7) Tax Department needs absolute revamp to more robust pursuit policy to enroot whole-hearted respect for the tax laws in the sagacities of the taxpayers. 8) Tax dodger should infallibly be impeached where there is a sporting shot of securing conviction.

9) Sufficient number of survey circle is essential to clinch comprehensive task by turns.

10) Department should address those taxpayers as starred assesseees who have been filing correct returns and are regular in meeting their tax obligations.

11) Draconian indictment is not sufficient to curb tax evasion. Public should brace the courses garnered against tax evasion.

12) There is an urgency to integrate agricultural income to uniform tax more or less equally with the tax on others to eliminate the scope for tax evasion.

13) No Government should confer the despotism of work to any person as it may originate domination.

14) Penalty should be against the tax sought to be evaded instead of concerned income.

15) There must-have diaphanous, receptive and sporative discriminative regulatory system.

16) Any long-term strategy to face tax evasion must ensure public recognition, broad-based political acquiescence and commitment to implement requiring necessary cooperation between the

Governments.

17) Appropriate legislative framework with speedier prosecution is required to combat illicit money and tax frauds.

18) A wider economy entails strong initiatives from the Government, allied cooperation, institutionalization and extension information exchange network at a global level for monitoring cross-broader flow of tainted wealth and unethical tax evasion or tax avoidance.

11. CONCLUSION

Tax avoidance and tax evasion are social malaises making eloquent poignancy of fiscal growth of an economy. Urgency needs, therefore, delineate specific novel approach for awakening taxpayers to deliberately obey the tax laws of the country. Public agency should participate in ameliorating tax administrative policy to weaken societal difficulties to the scantiest. Zero tolerance on crooked jurisdiction and assured enactment of law to debilitate levanter are imperative. Such gestures foster reckoning windfall revenues to the repositories of the government. Thereupon, a noble breeding apropos tax passivity needs rhythmic. Ethics succors honoring crest extremities in picking right or wrong. Hence, moral solicitation should be melded in part to reduce tax evasion. Tax illiteracy also illustrates crunch point après multiple taxpayers infringing tax laws to trim their liability. Initiating tax education in higher studies will abet in planting ethical culture towards tax statutes and taxpayer etiquette. Tax planning must be adept under probity, affinity and, above all, godly ethical climate. Tax practitioners must be factual in their approach to tax planning together with their task with professionalism to sidestep ignominy and principles. 'It is part of a civilized society that people, inside and outside business, act morally. No more and no less'. This must be the lesson for the next millennium[36].

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