"BABEŞ-BOLYAI" UNIVERSITY, CLUJ-NAPOCA

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SYNTHESIS OF DOCTORAL THESIS

TAX EVASION AND LIMITS OF SUCCESSFUL COMBATING

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Keywords: tax evasion, tax avoidance, tax fraud, public expenditures, tax burden, tax morale, benefit morale, fiscal civism

INTRODUCTION

The phenomenon of "running out of the paying taxes" is as old as taxation itself as taxpayers perceive the tax as a "necessary evil" that tries to avoid them if they have the possibility from economic and social perspective and often, a favorable legal framework. So, the phenomenon of tax evasion and fraud is widespread in the world, both in developed and under developend or poor countries.

The phenomenon of tax avoidance is practiced from individuals to large multinational corporations, always practiced with new and improved methods, and more difficult to detected by the fiscal authorities.

Always the phenomenon of tax evasion was convicted without his outlook is changed by a society or other. He continues to exist, to be seen, felt, to be a subject of analysis and even canvass in the stages of evolution of human societies. In other words, tax evasion is the logical result of defects and inadvertences of taxation system with an imperfect legislation, methods and faulty methods of application, lack of vision of the legislature on inventiveness of the taxpayer.

The thesis realizes a multiple analysis of the tax evasion phenomenon. Whether the economic boom or economic crisis, tax evasion produces an erosion of tax revenues, putting governments in difficulty to finding resources of financing the public sector. We are witness to the current situation when Romania and other European countries are facing an unprecedented economic crisis context in which individuals and corporate debt has reached impressive and national budget deficits have reached alarming levels. Many states are in imminent danger to enter the default, which determines national authorities to find solutions to overcome these difficulties in financing the public sector. In this context more countries recognize the problem, which was quite far ignored and not been praised too, the problem of tax evasion. But the current situation meant that this should be the center of debate because it is a major cause of the dramatic decline in government revenue. Tax evasion is a permanent problem for the governments because they can not

find solutions to eradicate it. More than that, the economic crisis led to increased evasion phenomena, for which revenues have decreased substantially, and public debt crisis deepened.

We believe that approaching the tax evasion in this new context of economic crisis allows a more complex study and also is a novelty of this research compared to existing approaches in economic literature. This research was oriented in new directions of study —less attended in the literature - tax morality and moral benefits deeply affected by the current economic climate. The problem of avoiding tax liability through tax evasion and fraud is much more complex than it seems at a summary analysis, for which this study comes to address the issue from several perspectives.

First we try to find the major factors of influence on the tax avoidance. In this sense the paper has proposed a review of major causes studied in the national and international literature for the identification of factors specific to the Romanian economy, for tax evasion. Our study takes into consideration that every state has own particular taxation system based on some principles and with distinguish features.

The thesis it will seek explanations and answers to dilemmas such as:

- how the phenomenon of evading from paying taxes is rational and irrational?
- how much objectivity or subjectivity is in tax evasion and fraud?
- there is a portrait of taxevader?
- how much influence have the development of a state on tax evasion phenomenon?
- tax morale is a binder of fiscal citizenship?

Another problem is tax evasion quantification and measurement in terms of loss of tax revenue for a state. The causal variables will be determined for identyfing the major influences on tax avoidance; this variables are the shadow economy, coruption, excessive tax burden.

Tax evasion will be addressed based on its underlying causes and to the overall impact on taxpayers and on the state budget. Because national literature has been written a lot about tax evasion, this work aims mainly a novelty that a different approach to tax evasion - that will analyze the importance of tax moral manifestation in determining the tax evasion and what are the factors can mitigate this running from paying taxes.

This element it was not considered into account by the previously studies in Romania. If morality were to become stronger than tax evasion phenomenon would certainly be much lower and this will decrease the negative consequences from the escapist behavior. Struggle against tax evasion is often no long-term results, even if it is checked and punished the taxpayer evasion, does not mean that there would try again in the future to make evasion. In the current situation in Romania is difficult to isolate corruption and tax evasion; there is a combination of these unwanted phenomena that reinforce each other. This paper aims to identify the links between these phenomena and finding solutions for the fiscal authoroties to combat tax evasion phenomenon. Unfortunately the tax evasion mechanism is to complex and becomes more difficult to combat and limit in an effective way.

Tax evasion is a long time a subject widely discussed in the literature in most developed countries (Andreoni, Erard & Feinstein, 1998, Cuccia, 1994, Jackson & Milliron, 1986; Kinsey, 1986, Long & Swingen, 1991, Richardson & Sawyer, 2001). However, the factors that determine tax evasion have been less studied in literature. This is disappointing, as Andreoni (1998, p.856) and Tan and Sawyer (2003, p. 454) have noticed the need to undertake international comparisons between different countries on this issue.

The first major review of the literature of tax evasion was done by Jackson and Milliron (1986) who have identified 14 key determinants of tax evasion. These include: age, gender, education and occupation (demographic), income, income source, the marginal tax rate, probability of detection and sanctions (economic factors), complexity, accuracy, control exercised by the authorities, tax ethics (behavioral factors). Based on data from five countries, OLS regression analysis results of this study showed that non-economic

factors have the greatest impact on tax evasion. In particular, the most significant factors are gender, age, education, income source, and unemployment.

The important contributions to the study of national literature on tax evasion brought: Craiu (2004), Hoanță (1995, 1997, 2000, 2010), Saguna (2001, 2003), soles (1995), Tula (2003, 2005, 2007), Toader (2007), Văcărel (1992, 2002, 2004) through clarifying concepts, typology of tax evasion and tax fraud, and by addressing regulatory measures and methods of combating.

The major objectives of the work will be reflected in the following:

- A conceptual approach to fiscal pressure and tax incidence highlighting both at micro and macro level;
- Fiscal pressure measurement using some indicators that reflect not only the theoretical but real level of tax burden;
- A comparative analysis of tax burden in Romania and EU countries;
- Highlighting the impact of financial crisis on taxation and fiscal system in the new coordinates of the crisis and its impact as a result;
- A conceptual approach of tax evasion and tax avoidance directly correlated with corruption and shadow economy;
- An analysis of tax evasion in Romania at the present time from the economic, social and political point of view with proposals for improving the fight against tax evasion.

The purpose of this paper is focused on these areas of research: analyses of the tax burden from theoretical and empirical perspective in the EU and Romania to determine the correlation between fiscal burden and tax evasion; modeling Laffer curve for Romania and EU 27 for identifying the optimum tax burden to ensure maximum receipts for the public budget.

The paper is structured in four chapters, following a logical structure to address the phenomenon of escape from the paying taxes. The first chapter deals with "avoinding

taxes" in terms of conceptual approach and in terms of the mechanism of development, achieving also a typology of the phenomenon in question.

The 2nd chapter deals with the concept of the shadow economy as the proper framework for performing the tax evasion and fraud activities. The aim is to quantify it through various methods (direct, indirect and MIMIC model); assess the implications of the underground economy on several levels: economic, budgetary, social. Also in this chapter is realized a study of underground economy in Romania, based on regression methods reflecting the macroeconomic correlations between the underground economy, tax evasion and other macroeconomic indicators.

Chapter 3 approaches the causes and consequences of tax evasion. It is a blueprint for global tax burden. It highlights the tax burden quantified through some indicators computed like: percentage of tax revenue in GDP or percentage of public expenditures in GDP. In this chapter we compare the level of tax burden in EU member states and Romania using the Laffer curve model. An important part of this chapter is dedicated to the tax morale and benefit morale – a novelty in the approach of this subject from national literature. Also in this section you can see a portrait of tax evaders according to realities of the Romanian fiscal system.

Chapter 4 examines the extent, prevent and combat the phenomenon of escape from the taxes in Romania. After a brief history of the phenomenon, our study considers ways to prevent and crack down on evasion and tax fraud. To get a complete picture of the phenomenon is carried out a statistical analysis that shows the status quo in terms of actions and results of the fiscal authorities in fighting with this phenomenon.

Our study is based on information provided by databases like Eurostat, European Commission, and Ministry of Finance website. In the study were used some statistical methods: indices, averages, standard deviation and econometric methods - regression, correlation.

Underground Economy in Romania

In the following study we try to reveal the correlations between the economy and GDP per capita to see the impact on the economy at national level. The data presented above are processed in software EViews 5.1. To highlight what kind of correlation between the variables considered exist we consider as independent variable the underground economy and GDP/capita as dependent variables. The results are presented below.

Tabel 1: Correlation between underground economy and GDP/capita in Romania between 1996-2010

Dependent Variable: GDP/capita				
Method: Least Squares				
Sample: 1996 2010				
Included observations: 15				
Variable	Coefficient	Std. Error	t-Statistic	Prob.
С	23007.66	6700.440	3.433754	0.0044
EC_SUBTERANA	-618.8203	209.4772	-2.954118	0.0112
R-squared	0.401661	Mean dependent var		3246.667
Adjusted R-squared	0.355635	S.D. dependent var		1863.126
S.E. of regression	1495.575	Akaike info criterion		17.58197
Sum squared resid	29077678	Schwarz criterion		17.67638
Log likelihood	-129.8648	F-statistic		8.726815
Durbin-Watson stat	0.380429	Prob(F-statistic)		0.011183

Source: computations in EViews

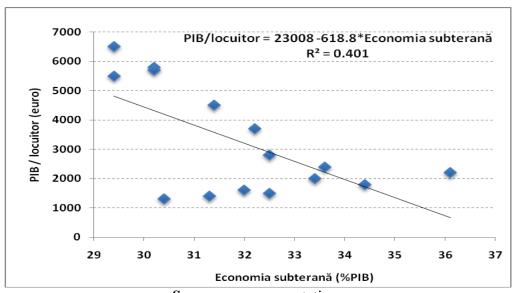
One can see that both constant and independent variable - the underground economy is significant because the probability model estimated coefficients are less than 5%. Starting from the table above simple regression equation can be written as follows:

GDP/capita = 23.007,66 – 618,8203* Underground economy

Also we can observe a negative correlation between two variables. The link between economy and GDP per capita is not quite strong (R-squared = .401661).

In this case, an increase of one unit of the underground economy, the GDP per capita drops unit 618.8203.

Figure 1: Correlation between underground economy and GDP/capita in Romania between 1996-2010



Source: own computations

As can be seen from this graph GDP/capita impact on the underground economy is important and this confirms that the current economic crisis favored the growth of shadow economy. Also, any increase in underground activities cause a reduction in official GDP.

CONCLUSIONS

Tax evasion is a serious problem of the Romanian tax system and has become stronger with the coming economic crisis which is due on the one hand increase of the budget deficit and increased propensity for evasion on lower profits and revenues.

In this study presented is found that tax morale is the major dependent variable and determinant of tax evasion and the underground economy. Thus, tax morale is influenced by socio-demographic characteristics, personal financial experiences, cultural differences, taxation system, economic variables (social status, income, and financial satisfaction), religion, institutions, attitudes (national pride, confidence in legal system).

On the other hand, morality is an important determinant of tax evasion and the underground economy. The results show that a complex tax system is the most important determinant of tax evasion (significant positive influence), followed by education (significantly negative), income from services, fairness (significantly negative) and moral (significantly negative). The moral is followed by age, gender, low income, high income tax rates and the marginal contact with tax authorities.

Also note that the moral influence exercised less tax than the tax rates but more powerful than regulation / government intervention, public goods quality management and economy status.

Tax revenues collected from the budget depends on the ratio of the propensity for tax evasion or to civics. The higher tax burden, the tax will fall civics and increase the inclination to evasion. Thus, fiscal civism is also an important determinant of tax evasion, and could identify with tax morale, moral feelings, self-esteem and disapproval of deviant behavior functioning as a mechanism limiting tax evasion, black market activity. People care what others think about them and self-esteem is important for them.

These particulars should enable governments and policy makers to better understand the variables that are significantly associated with tax evasion and to design and implement appropriate strategies to minimize harmful effects. This should lead to improved tax revenue collection by governments.

Important to note is that these results are not accurate due to several limitations such as insufficient data for other variables such as occupation, sanctions, probability of detection, reduced samples, surveys with subjective responses which raises the issue of reliability, which may be prone to measurement errors. Moreover, some researchers obtained different findings: contrary to conventional wisdom, it was found that the woman has a negative effect on tax morale suggesting that what literature found in some Western countries is valid throughout the world, second differences between countries regarding tax morals are not related to ethnicity and language.

Also, tax evaders can not be determined accurately because there are different portraits based on its cultural differences and social characteristics, economic and country-specific demographic.

Thus, further work is required on this empirical and experimental to obtain a broader and more real.

One of the worst effects induced by the underground economy is to increase the distances between various social groups. Economic differences are significant in that some social groups involved in underground economic activities are huge benefits while society is experiencing a worsening of living standards. In many poor countries the practice of economy is the only way to survive for much of the population.

However, the economy and resilience that define regenerative force, is a serious competitor for the real economy can be characterized by immobility and inertia.

Thus, the existence of the underground economy is a challenge for public authorities, which attempt to limit or taking it in the official economy, will have to take into account both negative and positive effects of it.

Following the analysis performed on the development of national economy can be seen that it has a relatively high level in the official GDP and the different influences GDP per capita, unemployment rate and tax burden. If between the economy and GDP per capita have an indirect link, the same can be said about the relationship between economy and unemployment and the economy and tax burden.

In Romania economy growth rate increases the unemployment by increasing labor illegally to avoid tax obligations. In the other two correlations explanation is that the current economic crisis is affecting growth economy. This causes a reduction in official GDP and determination of taxpayers to avoid paying tax obligations because of their increasing fiscal pressure.

However, the economy is not entirely negative phenomenon on the real economy during economic crises because of the growth economy avoids a recession and depressing, and money earned by individuals and companies in underground activities can be spent in the real economy thus stimulating economic growth and monetary policy.

Excessive taxation is increasing support tax evasion. In Romania we have a high tax burden but the degree of budgetary revenue collection is one of the lowest in the European Union, for which we propose as a measure of overall tax burden of public expenditure share in GDP.

According to the results obtained, Romania has a very heavy tax burden for certain categories of taxpayers. A solution to improve the situation can result in offering some tax incentives to allow an increase in consumption and hence the production achieved.

Directly feel the effects of tax evasion on the level of public financial resources, leading to distortions in market competition mechanism and contribute to the creation of social inequities, due to "excess" and "propensity" different taxpayers to tax evasion.

Lack of action applied by public authorities to punish and deter evasion practices will lead to loss of confidence in fiscal authorities.

Analyzing data from case studies and charts showing the evolution of the tax burden for Romania and the EU Member States can say that Romania's average is lower than that of the Member States, but only considering of this indicator is not relevant. Some countries have a very high tax burden such as the Nordic countries, but also a GDP per capita very high.

The main contributions of the thesis are reflected in the following objectives:

- measuring the tax burden through public spending as a share of GDP and construction Laffer curve for Romania and the European Union;
- conceptual analysis of tax evasion and identify psychosocial factors of importance in the scale of the phenomenon;
- analysis of tax evasion from a new perspective not covered in the literature in Romania: avoidance manifested by the benefits received by citizens of the state ought not be, for example, sickness benefits received without appropriate heating aid granted to those who have owned several homes, etc.. Having a clear picture on tax evasion supposed to believe this sort of evasion "avoidance benefits" received from the state. As a result found to consider the idea of global tax evasion by measuring the weight of public expenditure in GDP. If tax evasion is a direct result of a low budget revenue collection, evasion benefits lead to an increase in public expenditure will be borne by all taxpayers paid taxes honestly;
- the present study was able to analyze the factors related to fiscal and moral basis to identify a possible portrait of tax evaders;
- brought another novelty of the paper refers to its economy and econometric modeling for Romania, so that correlations are captured by the main determinants of the real economy and economy;

Tax evasion was analyzed in terms of indicators obtained from NAFA. As a limit of this study is measuring tax evasion only on the basis of data obtained from controls NAFA, so that we can not talk only discovered tax evasion and tax avoidance is much more

comprehensive real. Because of this, the future research should focus on identifying tax evasion function to capture the actual size of the phenomenon.

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