

A descriptive analysis of tax evasion as a crime in a least developed country: the case of Yemen

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Abstract

This paper measures the perception of Yemeni citizens on the severity of tax evasion relative to other crimes and violations. Perception of tax evasion may somewhat explain the degree of non-compliance with tax laws. Using data from a self-administered survey and a structured interview, the results of mean and comparative analysis show that the three tax evasion offences were ranked as the least serious crimes among 30 listed crimes. Further, tax evasion is categorized the least serious category out of six categories. The results of this study should be useful to policy makers in Yemen and elsewhere, as it is an alarming signal that tax evasion is relatively ranked as the least serious offence, which could lead to an environment where taxpayers may not be afraid of cheating on their tax returns.

Keywords: Tax evasion as a crime, other offences, Yemen

1. Introduction

In 2004, the application of system of self-evaluation has been brought in by Yemen to all individuals payer of tax (Aljamaree & Algaylee, 2007). In order to prevent the evasion of tax, a particular public administration was founded. In addition, efforts have been put in place at different levels of public, region, and international with aim of lessening crime associated with finance, and reducing tax evasion which is alarming (Embassy of Yemen, 2007). Studies in the past have proved in their findings that the execution of system of self-evaluation facilitates those who pay tax to do that accordingly at will which made it possible for the tax authorities to incur reduced cost of gathering the taxes (Brand, 1996). However, failure to comply with tax rules and rates are prevalent in most places thereby making the tax authorities to strive hard to ensure willingness in complying with the tax rules and rates (Hasseldine, 1999).¹

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The taxpayers in Yemen have been encouraged by this environment where failure of complying with tax payment thrives, to the extent that they never reported or paid their due income tax (Embassy of Yemen, 2007). Research carried out with consideration of tax evasion as a crime indicated that environment where failure of compliance thrives has been made to be in existence from the payers' view of tax evasion as unserious crime (Karlinsky, 2004; Abdul Manaf & Abdul Jabbar, 2006). As a result, the extent of failure of compliance with the rules and regulations guiding tax could be analyzed by the way tax evasion is viewed. There are also implications for society resulting from the way the public view the crimes been serious (Karlinsky *et al.*, 2004). The results of such studies are however not conclusive in analyzing the different views with respect to tax evasion as a crime. Furthermore, few studies have been carried out in this field and mostly in countries such as USA, Australia, and Malaysia while in Yemen, such study of the view of tax evasion is lacking. Empirical proof on how individual tax payer view tax evasion from the advanced and other developing countries could not be generally applicable in the context of Yemen due to unequal environmental factors like differences in the economy, distinction in business, cultural and regulations differences. As a result, these distinctions are anticipated to make the views of tax evasion different.

With the use of structured personal interview approach, the opinions or feelings of Yemeni people with regard to tax evasion have been examined to be affected by Islamic religious belief. In particular, Yemen has religious culture which is viewed to be unique. As an Islamic country, where all aspect of life are affected by religion, such that any regulation, rules or laws not in line with Islamic doctrine are neglected. Tax evasion is not only peculiar to Yemeni people but also to other countries such as Americans, Australians and Malaysians. But, the motives behind tax evasion differ from countries to countries. In Islamic countries like Yemen, the main motive is the belief that tax collections are not allowed by religion except Zakat. However, tax payment could be made in a situation of needs of fund by the country for important commitments. Studies carried out in the past to measure the tax evasion from Islamic religious point of view, indicates that Muslims are not all that rigid in their views about tax evasion (McGee, 1998; Murtuza & Ghazanfar, 1998). Therefore, this study measures the Yemenis' views on the seriousness of tax evasion as a crime in relation to other offences. This paper is organized as follows. The second section provides the literature review followed by the research design and methodology in the third section. Results of the study are discussed in Section 4 followed by discussion and conclusion in Section 5.

2 Literature review

2.1 Crime and tax evasion

Researchers for many years ago have examined the reasons behind payment of taxes by some people and evasion of taxes by others using different approaches. For example, Boylan and Sprinkle (2001) carried out experiments; Fisher, Goddeeris, & Young

(1989) conducted random surveys, while Erard and Ho (2001) made use of available tax databases. The features of payers of tax who fail to comply and the possible motivations to make taxpayers comply have been recognized by authors. In particular, research on tax evasion has viewed this activity as a 'white-collar crime' practice or criminal behavior practice (Wentworth & Rickel, 1985; Jackson & Milliron, 1986; Ghosh & Crain, 1995). There was discussion regarding what a white-collar crime is made up of and the way that crime is described in 1939 when the idea was differently described by Edwin Sutherland (Sutherland, 1949). The idea of white-collar crime was questioned by legal scholars' tradition and Tappan (1947). Tappan was of the argument that the description given by Sutherland was simply on the non-compliance of the rules and regulations by the high ranking managers of the big corporations in U.S. These actions were considered as merely going against the law but not really a crime since criminal law spells out what crime is all about. The ideas of crimes as merely a consequence of written law have been questioned by the sociologists (Braithwaite, 1989; Croall, 1992).

In U.S, many researches on the measurement of the seriousness of crimes have been attempted and these research works could also be observed in the sociology, psychology, and the criminal justice at the international level. However, such studies are lacking in the accounting and tax (Karlinsky *et al.*, 2004). Tax evasion is not considered by the people to be a serious crime in US as distinct from other crimes. This is because tax evasion was just considered as mere refusing to obey the law rather than being a crime. Refusing to obey the law is an illegal act that attracts the penalty of fine only while a crime attracts imprisonment as a penalty (Warr, 1989). Thirteen illegal acts have been measured by Australian institute of criminology in a study carried out in 1986. It was stated that an income tax evasion of A\$5000 was considered to be in the ninth position, about six times more severe than a stolen bicycle of AU\$ 1000. The most and the least severe illegal act are respectively murder and stealing of good from a shop with the value of AU\$5, and in between these two is illegal importation of heroine. The comparison of murder with bicycles theft in term of severity of crime shows that murder is twenty-seven more severe than bicycle theft, while stealing of goods was considered as about the same with bicycle theft (Wilson, Walker, and Mukherjee (1986).

In a study carried out by Eicher, Stuhldreher and Stuhldreher (2002) to investigate the distinctions in male and female thought concerning six attitudes. It was indicated that for both sexes, overcharged tax is the second least severe illegal act and 44% of male and 36% of female reported to have given approval in their opinion to the actions. The traffic offence of driving faster than the legal limit was shown to be the least severe illegal act and there is likelihood of males given approval to this behavior when differentiated from females. A study was carried out to measure the views of tax evasion by examining 13 crime items and eight items relating to the disobeying the law with particular examples of white-collar crimes like the crime of buying and selling shares in a company with the help of information within those connected with

the business before the information is made public, tax evasion and accounting fraud. These crimes and law disobedience are grouped into two such as victim and victimless (Abdul Manaf & Abdul Jabbar, 2006).

2.2 Crime and tax evasion in Yemen

Crime has been categorized into two by the 1994 Yemeni Penal Code Law No. (12), namely severed crimes and non-severed crimes. The severed crimes have to do with the penalty such as execution, chopping off the offender's organ, and jail for years above three years. On the other hand, non-severed crimes have to do with fine for the offenders to pay and or to serve certain jail term usually below three years. Table 1 below provides examples of the forms of crime (Yemeni Interior Ministry, 1994):

Table 1

Examples of serious and non-serious crimes

Serious Crimes	Non-serious Crimes
Rape	Pick-pocketing
Bribery	Understatement of Taxable Income
Drug Trafficking\dealing	Sexual Harassment
Financial Fraud	Overstatement of Tax Deductions
Murder	Employing Illegal Worker
Terrorism	Prostitution
Adultery	Shop-lifting
Homosexuality	Fail to submit a Tax Return
Islamic Abuse	Illegal Gambling
Official Document Forgery	Alcohol Drinking\dealing
Currency Forgery	Begging
Robbery with Firearms	Fireworks Acquiring\dealing
Official Seal Forgery	Running a Red Light
Robbery without Firearms	Intentional Killing Peoples' Animals
Arson	Speeding
Pollution	Employee Abuse
Official Stamp Forgery	President Abuse
Kidnapping	Hiding a person escaping from doing the Military service

Next is to distinguish between crimes which are committed by people and the one which are not committed by them. There has been proof that any crimes that are not committed by people are often considered less severe (Karlinsky *et al.*, 2004). It has been pointed out that disobeying the law (violation) is an illegal act since a fine is the penalty as distinct from crime. The penalty for crime used to be associated with imprisonment (Warr, 1989). Most of the disobedient of laws are associated with imprisonment as stated in the 1994 Yemeni Penal Code Law No (12). Therefore, the right classification of crimes in the Yemeni's context should be on the basis of their severity and on whether crimes are victim or not. For instance, Table 2 gives the grouping of severe and non-severe crimes as victim and victimless:

Table 2

Examples of the classification of victim/victimless crimes

Serious Crimes	Non-serious Crimes
(A1) Victim	(A2) Victim
Rape	Pick-pocketing
Financial Fraud	Sexual Harassment
Murder	Shop-lifting
Terrorism	Intentionally Killing Peoples' Animals
Robbery with Firearms	Employee Abuse
Robbery without Firearms	President Abuse
Arson	(B2) Victimless
Pollution	Understatement of Taxable Income
Kidnapping	Overstatement of Tax Deductions
(B1) Victimless	Employing Illegal Worker
Bribery	Prostitution
Drug Trafficking\dealing	Failure to submit a Tax Return
Adultery	Illegal Gambling
Homosexuality	Alcohol Drinking\dealing
Islamic Abuse	Begging
Official Document Forgery	Fireworks Acquiring\dealing
Currency Forgery	Running a Red Light
Official Seal Forgery	Speeding
Official Stamp Forgery	Hiding a person escaping from doing the Military service

Even more, the crimes can be divided into six groups based on their types. These include drug related crimes, violent crimes, commercial crimes, property crimes, traffic offences and other crimes as shown in Table 3:

Table 3

Classification of crimes into six groups

Drug Related Crimes	Violent Crimes	Commercial Crimes
Drug Trafficking\dealing	Rape	Understatement of Taxable Income
Alcohol Drinking\dealing	Murder	Financial Fraud
<u>Other Offences</u>	Terrorism	Currency Forgery
Islamic Abuse	Robbery with Firearms	Official Seal Forgery Official Stamp Forgery
Employing Illegal Worker	Kidnapping	Overstatement of Tax Deductions
Prostitution	Sexual Harassment	Fail to submit a Tax Return
Illegal Gambling	Employee Abuse President Abuse	Bribery
Begging		<u>Traffic Offences</u>
Fireworks Acquiring\dealing		Speeding
Adultery		Running a Red Light
Homosexuality		
Pollution	<u>Property Crimes</u>	
Hiding a person escaping from doing the Military service	Arson	
	Robbery without Firearms	
	Intentional Killing Peoples' Animals	
	Shop-lifting	
	Pick-pocketing	

At the international rating, it has been reported that crime rate in Yemeni is at its lowest level and it was reported to be 1.16109 crimes per 1000 people (Yemeni Crime Statistics, 2008). In fact, in Yemen, crimes do not constitute tax evasion and so they never fell under the area of authorities of the security and police administration; and Interior Ministry. However, tax evasion and other issue associated with tax fall under the Yemeni Tax Authority, and Yemeni Finance Ministry which administer them. For the year 1999, different punishments have been put in place by the Yemeni Income Tax Act No.12. These range from fines to jail terms for disobeying the stated rules and one of these is associated with tax evasion as given in chapter 7, article (90). Under this code, the deliberate attempt of tax evasion could be described by all or either of the offences stated below:

First, failure to declare the right income in line with the stated provisions of law such that there was omission, decreasing or cancelling of some proportion of income with the consequence on tax realization. Second, falsification of any statements, document and entry while submitting or filling document in line with the stated law. Third, forging of books, accounts for preparation, maintenance or permission of such book and accounts, or allowing any incorrect entries that will later be prepared and maintained not to be genuine, hide or spoiled either by part or whole. Doing these with the aim of hiding or

excluding any taxable income under this Law; or some proportion of it with aim of evading tax payment either by part or otherwise; or trying to get an illegal exemption. Fourth, any act of fraudulent approaches in whichever way; or permitting it use to prevent the tax payment or using any means to decrease the amount to be paid. Fifth, presentation of false data or statements concerning any issue or incident which could negatively affect the payment of tax or causes decreases in its amount. Sixth, presenting incorrect reply in writing to a question or a request referred to him for getting data or specific criteria under this Law, with the aim of evading tax payment either in part or as a whole. Any offender will be penalized for committing any of the above stated offenses if found guilty and such punishment could be to serve the jail term greater than one month but less than one year, or effect the payment of a fine above 50% but below 150% of the benefit gained due to the offense committed or the violation of law. If the offenses are committed twice or repeated then, the penalty on the offenders will also be doubled (Yemeni Tax Authority, 1999).

The six illegal acts listed above are taken to be an action of tax evasion. They can be grouped into three major activities such as understatement of taxable income, overstatement of tax deductions and failure to submit a tax return. There have been evidences indicating that tax evasion is complex to be measured. Previous researchers use experimental approaches to investigate the factors that help to inform the motive behind the payment of tax by the people (Lewis, 1982; Frey, 1997, Alm *et al.*, 1992, 1999; Frey and Feld, 2002; Feld and Tyran, 2002; Torgler, 2002). Also examined were the prior ideas for tax evasion which is a concept known as tax morale.

Information about the number of time cases of tax evasion have occurred in Yemeni has not been available. What was available was just the estimation of the tax gap of \$164 Million yearly by the Yemeni tax authority (Yemen Times, 2005). Therefore, the study carried out in Yemen in this field could show a rise in tax evasion with the effect of increasing domestic income and reducing income of government from tax suppose the marginal propensity to expend out of tax evasion is below unity. This is the situation experienced by Peacock and Shaw (1982). Successful tax evasion has severe effects of reducing government's income as well as promoting a threat to willingness to comply (Clotfelter, 1983).

2.3 Islamic perspectives towards tax

Not many researches have been carried out to examine the effect of Islamic religious perspectives on tax evasion. Most of the study carried out on the execution of tax system as a national revenue collection system in Islamic nations paid attention on the leveling of Zakat rather than tax. Two conditions were hypothesized by Peerzade (2005) in the tax system to be viewed as an Islamic tax system. One is that perceived method of Zakat ought to constitute the major effort of mobilizing resource. Two is that the method ought to integrate the Islamic recommendations. This is to complement

the current secular rules and regulations concerning rates, exemption levels, and administration. Murtuza and Ghazanfer (1998) investigated the literature religion and pointed out that there is responsibility for Muslims to his God which to assist the poor ones by contribution them. No indication was given regarding the association between the government and the individual.

RaquibuzZaman (1986) argues that it is not unethical for a Muslim to avoid the payment of indirect taxes such as excise taxes, customs duties and most of the corporate income taxes. Furthermore, he emphasizes that Muslims should not pay tax, especially the ones that cause the consumer prices to go up. The Islamic perspective does not support the evasion of taxes but it will not be fair for non-Muslim who avoid the tax to enjoy the benefit of taxes. Al-Awwal (2005) pointed out that individuals who pay taxes could appropriately organize their affairs such that they could bring to the minimum level the incidence of tax without going against the law. There will be tax evasion if the way they organize their affairs violates the provisions of the law. The tax payer under the tax planning is expected to make use of advantages of deductions and exemption very well in order to reduce the incidence given by the statute.

In most of the advanced nations, consultancy on tax planning is very important a business. There were also studies carried out in 1997 and 1998 in which tax evasion could be proved to be appropriate if the tax level raises the prices or if tax is level on income. However, some Islamic philosophers were of the opinion that a Muslim should pay tax for two reasons: one, the essence of tax is to compensate for the services offered and many transactions associated with the life of the taxpayer's life and trade are made possible. Two, Muslims are expected to pay their tax because taxes evasion could as well causes Zakat evasion (Islamic Economic Program, 2009). The payment of taxes by Muslims could be looked at from three Islamic points of views. Firstly, the collection of tax in all cases by governments is absolutely not allowed. Zakat has been decreed by Allah for all Muslims as stated in the Holy Quran and this is believed to be an ideal system by all Muslims. Besides, the holy Prophet Mohammad (SAW) has given lesson on how Muslim should execute this perfect system. Therefore, introducing new tax system emulated from the non-Muslim, or Western nations to replace the Islamic Zakat system is a completely not allowed. Secondly, having consented with the disallowing of tax collection in Islamic nations as understood from the first point of views of Islamic scholars, there may however, be an exception cases where government can level tax in Islamic nations without any sin committed. These cases must satisfy the following conditions before it could be carried out:

- a) A situation where the public is lawfully in need of fund for an important undertaking;
- b) A case where there is insufficient lawfully Islamic resources: Kalzakah, SayyidQutb, abscess, Ushur.
- c) Tax can be leveled on condition that wasteful spending has been abolished.

- d) Tax can be leveled following the discussion of such with Islamic parliament.
- e) No excess realization is made from tax in which case the tax should be leveled based on the amount needed.
- f) The leveling of such tax should be fair, just and in line with the legitimate Islamic resources.
- g) Expenditure of the proceeds from tax collected should satisfy the interest of the citizen.

Thirdly, it is argued under this Islamic perspective that Muslims under an Islamic government should abide by the rules and laws of the government (Verdict Encyclopedia, 2010).

3 Research design and methodology

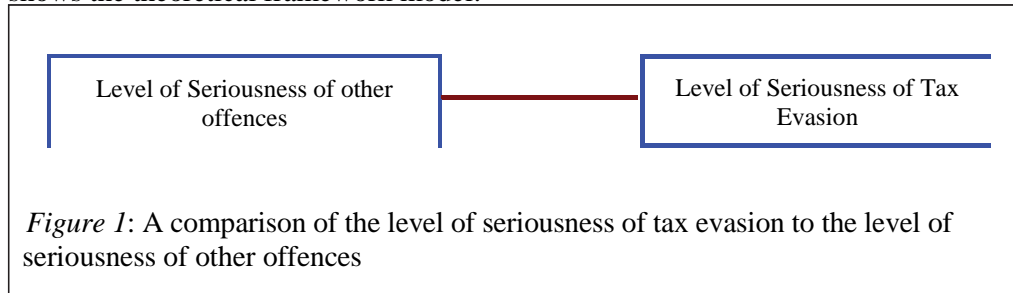
3.1 Theoretical framework

Several authors in the field of tax studies have examined the motive behind payment of tax by some people and non-payment by others. For example, Boylan and Sprinkle (2001) carried out experiments to examine these, Fisher *et al.* (1989) conducted random surveys, while Erard and Ho (2001) made use of available tax databases. The features of payers of tax who fail to comply and the possible motivations to make taxpayers comply have been recognized by authors. In particular, research on tax evasion has viewed this activity as a 'white-collar crime' practice or criminal behavior practice (Wentworth & Rickel, 1985; Jackson & Milliron, 1986; Ghosh & Crain, 1995).

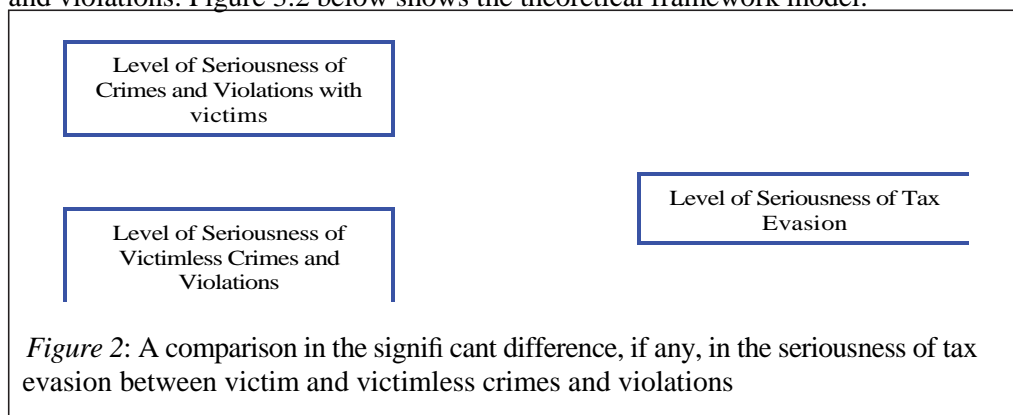
The payers of taxes in Yemeni have been encouraged by this environment where failure of complying with tax payment thrives, to the extent that they never reported or paid their due income tax (Embassy of Yemen, 2007). Research carried out with consideration of tax evasion as a crime indicated that environment where failure of compliance thrives has been made to be in existence from the payers' view of tax evasion as unserious crime (Karlinsky *et al.*, 2004; Abdul Manaf and Abdul Jabbar, 2006). As a result, the extent of failure of compliance with the rules and regulations guiding tax could be analyzed by the way tax evasion is viewed. There are also implications for society resulting from the way the public view the crime as been serious. Karlinsky *et al.*, 2004).

Consequently, there will be an increase in the domestic income and reduction in the income of government realize from tax suppose the marginal propensity to expend out of tax evasion is below unity. Successful tax evasion has severe effects of reducing government's income as well as promoting a threat to willingness to comply (Clotfelter, 1983). Firstly, this research tries to investigate the level of seriousness of tax evasion compared to other offences. A comparison will be made among the rank of each crime and violation given by the respondents as a high or low rank crime or violation. Further,

the tax evasion crime rank will be identified among the list of the offences to determine the level of the seriousness of this crime compared to other offences. Figure 3.1 below shows the theoretical framework model:



Secondly, the significant difference, if any, in the seriousness of tax evasion between victim and victimless crimes and violations. Crimes and violations will be, further, classified into crimes and violations with and without victims. A comparison will be made among the rank of each victim and victimless crime and violation given by the respondents as a high or low rank. Next, the tax evasion crime rank will be identified among the list of victim and victimless crimes and violations to determine the significant difference in the seriousness of tax evasion between victim and victimless of crimes and violations. Figure 3.2 below shows the theoretical framework model:



3.2 Hypotheses development

3.2.1 The level of seriousness of tax evasion compared to other offences

The level of seriousness of tax evasion compared to other crimes and violation has been evidenced, previously, by a few studies (Karlinsky *et al.*, 2004; Abdul Manaf & Abdul Jabar, 2006; Warr, 1989). The results of those studies show that there is a significant

difference in the perceptions of tax evasion compared with violent crimes, drug related crimes and traffic offences. The results suggest that people do not perceive tax evasion to be as serious as violent crime and drug related crimes. Thus, the following hypothesis is developed to be tested by the current study:

H1: Tax evasion is perceived as a less serious crime compared to other offences.

3.2.2 The significant difference, if any, in the seriousness of tax evasion between victim and victimless of crimes and violations.

The level of significant difference in the seriousness of tax evasion between victim and victimless of crimes and violations has been investigated by a few studies. It was found that crimes and violations involving victims are perceived to be more severe than victimless crimes and violations (Karlinsky *et al.*, 2004; Abdul Manaf & Abdul Jabar, 2006). Thus, the following hypothesis is developed to be tested by the current study:

H2: Tax evasion is perceived a less serious crime compared to other victim and victimless of offences.

3.3 Data collection

3.3.1 Sample selection

As for the sample to be chosen for distributing the questionnaire, the disproportionate stratified sampling is applied to select sample subjects that represent the most suitable ones in providing data about the dimensions of the study. This method is chosen in order to select the right sample to represent the whole population. Using the disproportionate stratified random sampling, a sample of 400 Yemeni individuals was selected for the current study. These individuals are the most suitable people to provide data about the dimensions of the study. The sample subjects include individuals working for private and governmental sectors, businessmen, students, jobless and self-employed individuals. Around 335 questionnaires were returned, representing a 84% response rate.

3.3.2 Procedures

In the current study, data is obtained from primary and secondary sources. Regarding obtaining data from the primary sources, in this research, two appropriate data collection methods are used. This includes: (1) a survey; (2) a personal structured interview.

3.3.2.1A survey method

Using this method of data collection, Yemeni individuals were asked to fill in the self-administered questionnaire. This questionnaire is adopted and adapted from the previous studies conducted to measure the perceptions toward tax evasion as a crime (Karlinsky

et al., 2004; Abdul Manaf and Abdul Jabbar, 2006).. The strength of the survey as a primary data collecting approach is that it does not require a visual or other objective perception of the information sought (Cohen, 1988). The questionnaire is divided into two sections. Section A consists of three parts relating to rating the severity of crimes. The first part (questions 1 to 30) measures opinions on 30 offences. The respondents are asked to indicate their agreement on all items using a five-point Likert scale. (1 as not serious to 5 as extremely serious). Questions 31 to 32, in Section A, deal with ranking of the top five most serious offences as well as the top five least serious offences. The respondents need to provide ranking based on the offences identified from questions 1 to 30.

Section B of the questionnaire is designed to obtain demographic characteristics of the respondents. Questions asked in this part relate to age, gender, marital status, education, source of income, and level of income. One major change made to the original questionnaire is by breaking up the general 'tax evasion' item into three specific types of tax evasion behavior. These specific tax evasion behavior items refer to understatement of income, overstatement of deductions and failure to submit a tax return. Prior similar studies have focused on 'tax evasion' or 'tax fraud' or both as a general item only (Karlinsky *et al.*, 2004). Originally, the listing of 30 offences in the questionnaire was organized randomly without stating the category of offences. The reason is to ensure that respondents fully and carefully read the questions before answering. Finally, to ensure gaining high response rate, the questionnaires were personally distributed out to the individuals.

3.3.2.2 A personal structured interview

Using this method of data collection, two predetermined questions were asked personally to the respondents. The questions were (a) How do you perceive tax evasion as a crime? (b) Are Muslims obliged to obey the Islamic leader to pay tax? Thirty individuals were interviewed personally. As the respondents expressed their views, the researcher noted them down. The same questions were posed to everyone in the same manner. The main purpose of the interview was to support the results measured by the survey instrument and to investigate the Islamic religious perception towards tax evasion as a crime. Regarding obtaining data from secondary sources, in this study, data was retrieved from existing sources such as the governmental websites, articles, magazines, internet, newspaper, governmental publications, journals, doctoral dissertations as well as master theses. Secondary data saves time and costs of acquiring information (Zikmund, 2003).

4 Results

4.1 Profile of respondents

As indicated earlier, a total of 335 questionnaires were gathered from the survey. As shown in Table 4, the majority of the respondents (78.2%) were male, and 21.8% were

female. The largest group (62.4%), in terms of age, was those aged between 30 and 49. Specifically, 27.2% were aged between 18 and 29, while 10.4% were aged 50 and above. In terms of marital status, the majority of the respondents (73.4%) were married, 23% was single, and 3.6% was either divorced or widowed. Regarding the level of education, 41.8% of the respondents were bachelor degree holders, 21.2% high school certificate holders, 19.4% diploma holders, 14% pre-high school certificate holders, and 3.6% was master and PhD degree holders.

Table 4

<i>Profile of respondents</i> Demographic Variables	Frequency (n=335)	Percent %
Gender		
Male	262	78.3
Female	73	21.7
Age (years)		
18-29	91	27.2
30-49	209	62.4
50 and above	35	10.4
Marital Status		
Single	77	23
Married	246	73.4
Other	12	3.6
Education		
Before high school		
High school	47	14
Higher diploma	71	21.2
Bachelor degree	65	19.4
Postgraduate (master & PhD)	140	41.8
Source of income	12	3.6
Private income source	86	25.7
Governmental income source	188	56.1
Owning business or self-employed source of income	24	7.2
Other sources of income	37	11
Occupation		
Private sector employee		
Governmental sector employee		
Businessmen or self-employed individuals	86	25.7
Others	188	56.1
	24	7.2
	37	11

(continued)

Demographic Variables	Frequency (n=335)	Percent %
Level of income		
240000 and below	112	33.4
240001-500000	135	40.3
500001-1000000	58	17.3
1000001-2000000	12	3.6
2000001-5000000	0	0
5000000 and above	18	5.4
Tax return preparer		
Yourself	18	5.4
Assisted by a friend, a spouse or a relative	31	9.3
Tax agent	68	20.3
Others	218	65.1

4.2 Perceptions towards tax evasion compared to other offences

The objective the current study is to measure the level of seriousness of tax evasion as perceived by the respondents compared to other offences. This section highlights perceived differences in perception of tax evasion offences compared to other offences. Table 5 highlights the Mean Scores and Rank of the 30 offences examined under this study.

Table 5

Mean Scores and Rank of Offences

Offences	Mean	SD	Rank
Islamic abuse	4.86	0.517	1
Murder	4.77	0.70774	2
Drug trafficking\dealing	4.45	0.73214	3
Adultery	4.41	0.75219	4
Prostitution	4.37	0.74592	5
Kidnapping	4.32	2.189	6
Rape	4.29	0.961	7
Robbery with firearms	4.26	0.766	8
Terrorism	4.14	1.02613	9
Alcohol drinking\dealing	4.12	0.96101	10
Arson	4.05	0.789	11
Bribery	3.92	1.081	12

(continued)

Offences	Mean	SD	Rank
Homosexuality	3.90	1.019	13
Offi cial seal forgery	3.88	0.943	14
Currency forgery	3.80	0.974	15
Financial fraud	3.77	0.83837	16
Offi cial document forgery	3.76	0.757	17
Illegal gambling	3.61	1.05250	18
Pollution	3.59	1.057	19
Shop- lifting	3.57	1.00015	20
Sexual harassment	3.51	1.11292	21
Pick- pocketing	3.15	1.07675	22
Robbery without fi rearms	3.10	0.995	23
Employing illegal worker	3.07	1.01653	24
Offi cial stamps forgery	2.81	1.063	25
Fireworks acquiring\dealing	2.77	0.952	26
Begging	2.40	1.012	27
Understatement of taxable income	2.39	1.3595 1	28
Overstatement of tax deductions	2.078	1.1425 1	29
Failure to submit a tax return	2.04	1.01988	30

As shown in Table 5, the most five serious crimes are Islamic abuse, murder, drug traffi cking\dealing, adultery and prostitution. On the other hand, the least serious offences are ranked as failure to submit a tax return, overstatement of tax deductions, understatement of taxable income, begging and fi reworks acquiring\dealing. It is obvious that the three offences related to tax evasion are ranked 28th, 29th and 30th respectively. The reasons that make Yemenis perceive Islamic abuse as the most serious crime are religious and cultural factors. Yemen is an Islamic country regulated by Islamic laws and codes. In Islam, the biggest sin is abusing any Islamic sign. Further, murder in Islam is considered one of the more severe sins.

Even though drug related crimes are victimless, as mentioned earlier, they are considered as severe because of their implications and consequences, including the potential of leading to other violent crimes. Furthermore, the culture in Yemen goes close with Islamic teachings in a way that Yemenis are more conservative people and they consider prostitution and adultery among the biggest sins. Importantly, the results of the previous studies ranked the fi rst five offences to be murder, rape and child molestation, drug traffi cking and robbery with firearms and the least serious crimes as failure to submit a tax return, driving while using mobile phone, speeding, overstatement of tax deductions and understatement of taxable income (Abdul Manaf & Abdul Jabbar, 2006).

In the study by Karlinsky *et al.*, (2004), it was found that the first three offences were ranked as murder, rape and child molestation. In the Australian study, heroin trafficking is ranked as the second most serious offence (Wilson *et al.*, 1986). While in Canada, three drugs related offences (high level of drug trafficking, drug importing and selling drugs on the street) are ranked amongst the top six most serious offences in 2000 and 2001. However, drug related offences are ranked lower (12th and 14th most serious offences) in 2003 and 2004 (Criminal Intelligence Service Alberta, 2005). It is important to note that drug offences have been reworded as <drug importing, exporting and trafficking> and <street-level drug trafficking> in 2003 and 2004 (Abdul Manaf & Abdul Jabbar, 2006). Further, the ranking is made in terms of category of crimes. There are six categories identified in this study. The results are depicted in Table 6.

Table 6

Category of offences and ranking

Category of offences	Items	Mean	SD	Rank
Drug related crimes	2	4.29	0.68457	1
Violent crimes	6	4.21	0.60121	2
Other offences	9	3.66	0.46081	3
Commercial crimes	6	3.65	0.64551	4
Property crimes	4	3.47	0.75208	5
Tax evasion	3	2.17	1.00923	6

It is important to note from Table 6 that tax evasion is sixth out of six categories of offences. The first rank is drug related crimes followed by violent crimes, other crimes, commercial crimes and property crimes. The rank of the first two categories, drug related crimes and violent crimes, goes in the same line with the previous study of Abdul Manaf and Abdul Jabbar (2006). Importantly, tax evasion category is ranked as the last in terms of seriousness. Previous studies in the US (Cabrera, 1999), the UK (Bennett, 2000), and Australia (Makkai, Fitzgerald and Doak (2000) found that there is a relationship between drug abuse and involvement in criminal activities. Consistent with those, a study on drug addicts with and without criminal history, in Penang, Malaysia, confirms that there is a positive relationship between drug abuse and involvement in criminal offences (Karofi, 2005).

The category of tax evasion is also compared with other category of crimes and offences (5 items) and the summary of paired t-test results are shown in Table 7.

The results indicate significant differences in perceptions of seriousness of tax evasion compared with drug related crimes, violent crimes, property crimes, other crimes and commercial crimes. People do not perceive tax evasion to be as serious as violent, drug

related, property, other crimes and commercial crimes. In other words, tax evasion as a crime is the least perceived offence related to the other groups of crimes. This result is in line with the previous study of Abdul Manaf and Abdul Jabbar (2006) and Karlinsky *et al.*, (2004) who suggest that tax evasion is less likely to be perceived as serious as violent, drug related and commercial crimes.

Table 7

Comparison of tax evasion to other crimes category

Pair of Offences	t-value	Sig
Tax Evasion – Drug Related Crimes	34.355	0.000*
Tax Evasion – Violent Crimes	39.841	0.000*
Tax Evasion – Property Crimes	22.289	0.000*
Tax Evasion – Other Crimes	29.667	0.000*
Tax Evasion- Commercial Crimes	- 30.052	0.000*

Significant at 0.05 level

The results indicate that tax evasion related items are ranked 28th, 29th and 30th out of 30 offences. The general trend of perceptions seems to be similar and consistent with the previous studies (Karlinsky *et al.*, 2004; Abdul Manaf and Abdul Jabbar, 2006). However, this study shows tax evasion relatively ranked as the least serious offences. This means that people in Yemen perceive tax evasion as a non-serious crime compared to the other crimes and offences. This fact leads to an environment where Yemenis practice tax evasion as an ordinary behavior. From Tables 5, 6 and 7, it appears that people in Yemen are less likely to perceive tax evasion as a serious crime compared to other crimes and offences. Thus, hypothesis H₁, Tax evasion is perceived a less serious crime compared to other offences, is accepted.

4.3 Perceptions towards the seriousness of tax evasion between victim and victimless of offences

The second objective in the current study is measuring the perception of seriousness of tax evasion compared with victim and victimless of crimes and violations. This section focuses on this second objective. As stated earlier, a violation is an offence that is usually punishable by a fine only compared to crime, which is often punishable with imprisonment (Warr, 1989). The majority of the offences in the Yemeni Penal Code Law No (12), (1994) are punished with imprisonment and they are categorized into serious crimes and non-serious crimes. Specifically, the Yemeni Penal Code Law No. (12), (1994) classifies crime into two types: serious crimes and non-serious crimes. Serious crimes refer to the crimes punished by executing, cutting off one organ or more than one, and/or imprisoning for more than three years. Non-serious crimes refer to the

crimes punished by fining and/or imprisoning for less than three years. All 30 crimes and violations in this study are further classified into crimes and violations with and without victims as shown in Table 8.

Table 8 shows that a serious crime that involves a victim is perceived as more severe than a serious crime without a victim and a non-serious crime. Also, a non-serious crime that involves a victim is perceived as more severe than a non-serious crime without a victim. It is worth to note that the severity of the first five crimes is ranked so due to Islamic and cultural factors. In Islam, the first two offences, Islamic abuse and murder, are considered the most serious sins punished by God. Drug related crimes are, also, relatively as serious as the first two crimes because drugs harms society and may lead to all types of crimes. The fourth and fifth crime, adultery and prostitution, are considered very serious sins to be committed by women in Yemen culture and in Islam.

Table 8

Serious and non-serious crimes by victim/victimless

<i>Rank</i>	<i>Offences</i>	<i>Serious\</i> <i>Victim</i>	<i>Serious\</i> <i>Victimless</i>	<i>Non-</i> <i>serious\</i> <i>Victim</i>	<i>Non-</i> <i>serious\</i> <i>Victimless</i>
1	Islamic abuse		4.86		
2	Murder	4.77			
3	Drug trafficking\dealing		4.45		
4	Adultery		4.41		
5	Prostitution				4.37
6	Kidnapping	4.32			
7	Rape	4.29			
8	Robbery with firearms	4.26			
9	Terrorism	4.14			
10	Alcohol drinking\dealing				4.12
11	Arson	4.05			
12	Bribery		3.92		
13	Homosexuality		3.90		
14	Official seal forgery		3.88		
15	Currency forgery		3.80		
16	Financial fraud		3.77		
17	Official document forgery		3.76		
18	Illegal gambling				3.61

Rank	Offences	Serious\ Victim	Serious\ Victimless	Non- serious\ Victim	Non-serious\ Victimless
19	Pollution	3.59			
20	Shop-lifting			3.57	
21	Sexual harassment			3.51	
22	Pick-pocketing			3.15	
23	Robbery without Prearms	3.10			
24	Employing illegal worker				3.07
25	Official stamps forgery		2.81		
26	Fireworks acquiring\dealing				2.77
27	Begging				2.40
28	Understatement of taxable income				2.39
29	Overstatement of tax deductions				2.07 8
30	Failure to submit a tax return				2.04

In Yemen, it is considered a blow to the tribe's reputation and name in society if a female is engaged in prostitution or adultery. In some tribes, they might be killed by the family if they have committed these sins. Importantly, tax evasion offences are considered the least serious crimes to be committed. In the previous studies, researchers divided crimes into four categories. These include: crimes with victims, crimes without victims, violations with victims and violations without victims (Karlinsky *et al.*, 2004; Abdul Manaf and Abdul Jabbar, 2006). It was found that crimes with victims are more serious than victimless crimes and violations. And violations involving victims are more severe than victimless violations.

From Table 8, it appears that people in Yemen perceive serious crimes involving victims as more severe than victimless serious crimes and non-serious crimes. Also, non-serious crimes involving victims are considered more severe than victimless non-serious crimes. As for the tax evasion crimes, the three items included under this category are perceived as the least serious crimes comparing to other offences. Thus, hypothesis H₂, tax evasion is perceived a less serious crime compared to other victim and victimless offences is accepted.

5 Discussions and conclusions

5.1 Discussion

This study measures the perceptions of Yemeni citizens as to the severity of tax evasion relative to other offences. As it is stated earlier that one major contribution of this study is the introduction of three specific types of tax evasion behavior in Yemen.

Largely, this survey utilizes insights of a questionnaire used in previous studies with some modifications to suit the context of Yemen. In this research, comparison has been made to measure the Yemeni citizens' perceptions towards tax evasion and other 30 offences. The Mean Scores on the perception of the 30 crimes were analyzed and ranked. In addition, a paired t-test was applied to compare the category of tax evasion with other category of offences as stated earlier in Section Four. The results of the analysis indicate that Yemeni citizens perceive tax evasion as the least serious crime compared to the other given offences and there is a difference between the category of tax evasion as a crime and the other categories of crimes in terms of their severity. The three offences related to tax evasion were ranked as 28th, 29th and 30th out of 30 crimes and the tax evasion category was ranked the last with a Mean score of 2.17 on a 5 point Likert scale. Accordingly, hypothesis H₁, namely, tax evasion is perceived a less serious crime compared to other offences, is accepted. Furthermore, a comparison was made to measure the Yemeni citizens' perceptions towards the seriousness of tax evasion with victim and victimless offences. The 30 given crimes have been divided into four groups that include: serious crimes with victims, serious victimless crimes, non-serious crimes with victims and non-serious victimless crimes. The analysis of the Mean Scores show that the three items of tax evasion were ranked as the least non-serious victimless crimes compared to the other crimes. Therefore, hypothesis H₂, namely, that tax evasion is perceived a less serious crime compared to other victim and victimless offences, is also accepted.

Furthermore, from the interviews conducted, it seems that respondents perceive tax evasion as the least serious crime. This perception is influenced by the Islamic perceptions towards collecting taxes. It appears that the majority of respondents agree with the first two Islamic perspectives towards collecting taxes (see section 2.2).

5.2 Conclusion

Theoretically, this study has reasonably achieved its objectives to measure the perceptions of Yemeni citizens as to the severity of tax evasion relative to other offences. The objectives of the study have been achieved through the result after conducting the analysis of Mean Scores and paired T-test. The first objective deals with whether there is a significant difference in the perception of the seriousness of tax evasion compared to the given 27 offences. The results highlight that tax evasion related items are ranked 28th, 29th and 30th out of 30 offences. The general trend of perceptions seems to be similar and consistent with the previous studies of Karlinsky *et al.*, (2004) and Abdul Manaf and Abdul Jabbar (2006). This study reaffirms that tax evasion is ranked the least serious crime compared to the other 27 given offences (28th, 29th and 30th out of 30 offences). As for the other categories, tax evasion category (3 tax evasion items) is ranked sixth (out of six categories). It is evident that tax evasion as a category of offences is found to be the least serious than the other five categories of offences.

The second objective of the study deals with whether there is a significant difference in the perception of the seriousness of tax evasion compared to other victim and victimless crimes. In general, serious crimes are perceived more severe than non-serious crimes and crimes involving victims are perceived more severe than victimless crimes. Tax evasion is perceived as the least non-serious victimless crime among the other serious and non-serious victim and victimless crimes.

As for the interviews conducted, it appears that there is an obvious influence of the Islamic perspectives on the perceptions of Yemeni people towards tax evasion. The majority of respondents believe that either tax collection by Government is completely prohibited in all cases or tax collection is permitted only in some cases as stated in section 2.2. Specifically, Yemen is a unique country in its culture with Islam influencing all aspects of life, even to the extent of ignoring regulations and laws that go against Islamic teachings. Like many Americans, Australians and Malaysians, Yemenis evade tax, but the reason for evading tax is different from the reasons stated by the other studies. The most important reason is that Islam forbids collecting tax because Muslims are subject to pay only Zakat. Moreover, tax payment is valid only in circumstances where the country is in need for further funds.

This study is still subject to some limitations. One of the limitations of this study is that this paper has reported 335 respondents' opinion towards tax evasion. Thus, the results have not shown a whole picture of all people in Yemen. Future research is required to extend the results of this research and fill in this gap. The second limitation of this study is that it only considers the perception of people in 2008. Hence, it is suggested that future research takes into account an extended period to examine if perceptions change over time. Finally, this study has explored the perception of Yemeni people towards tax evasion using questionnaires and interviews. Therefore, the results found in this study are limited to the methodological approach used. Future research is required to extend and confirm these results by using different methodological approaches and introducing several variables such as the country-specific factors: religion, culture, political system, economic development and comparing perceptions of people in South and North Yemen because they were two countries in the past, before 1990.

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