Perspective of taxpayers toward religious donations and taxes from the viewpoint of religion

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ABSTRACT

This research aims to see the factors establishing the basis of Christian and Muslim taxpayers for being more obedient in paying their religious duties such as donations or zakat. The data were gathered through in-depth interview and analysis of the factors that become the basis for Christian and Muslim taxpayers to be more obedient in paying alms or tithes than in paying tax. The taxpayers interviewed for this study are religious leaders of Muslims, called Ustadz, and religious leaders of Christians, called Pastor. Besides, this research also uses documentation study method, in which the sources are taken from articles, and literature study method, in which the sources are taken from Bible, Qur’an, and Tax Regulations. The result of this research indicates that the biggest factor affecting Christian and Muslim taxpayers to be more obedient in paying alms or tithes than in paying taxes, as their obligation of the Indonesian people, is due to the allocation. The allocation of alms or tithes is considered more transparent than that of taxes.

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1. INTRODUCTION

Indonesia is considered religious; a state based on Pancasila or Five Principles. It upholds the belief in One Supreme God. Indonesian people adhere to six major religions, namely Christian, Catholic, Hindu, Buddha, Islam, and Kong Hu Chu. All of the religions teach the disciples with good morals. Therefore, up to the present, the people still live in harmony despite many differences in the beliefs embraced. Each religion also teaches its followers to practice their religious obligations, such as praying, reading holy books, doing good, and also providing material obligation to those in need. In every religion, the material obligations or donations have different names but with similar objectives, e.g. in Islam, the donation is called zakat or alms, the Christian, it is referred to as sepersepuluhan or tithes, in Buddha, it is called charity, in Hindu, it is called Punia funds, and in Kong Hu Chu, it is called charity donation box. Furthermore, in this...
study, those obligations are referred to as religious donations. Similar to that taught in all religions, Indonesian government also requires the citizens, who have worked and had income, to perform their obligation to pay tax. The aim of tax payment is for the welfare of the people of Indonesia. It can be seen from the tax definition as defined in the Tax Act No. 28 of 2007 on General Provisions and Tax Procedures (Law CTP) that tax is “Mandatory contributions payable to the state by a private person or entity that is enforceable under the Act, not to get direct reward and used for the state purposes for the greatest prosperity of the people.”

In the provision, it is stated that the result of the tax is not directly perceived, such as retribution, but it is used for the welfare of the people, and the result can be seen through the construction of buildings, schools, roads, and many more, and it’s well enjoyed by all people of Indonesia. Meanwhile, in Islam, tax is known as daribah (levy), which includes the tax of land (kharaj) and excise tax (ushur). From the description, it can be seen that the definition of tax according to either law or religion is basically the same, i.e. to coercive dues levied.

In Indonesia, both religious donations and taxes have similar understanding and objectives, in which they are paid for the prosperity purposes. However, The General Director of Taxation, Fuad Rahmany, said, as quoted from one of the articles contained the Kompas.com news on September 23, 2013, that many Indonesian people are still reluctant to pay the tax so that the target of tax revenue in Indonesia is still lower than any other countries. This study tries to find out the background which leads Muslim and Christian taxpayers to be more obedient in paying religious donations rather than paying taxes. The question that arises: Are Muslim and Christian taxpayers in Indonesia are only obedient to pay religious donations, but avoid its obligation to pay taxes?

2. THEORETICAL FRAMEWORK
Maslow’s Hierarchy of Needs Theory
Hierarchy of Needs Theory (Maslow 1968) consists of five levels (see Figure 1). The first level, physiological needs, consisting of the needs of oxygen, food, water, and body temperature, are relatively constant and the most important needs. The second level is the needs of security. When physiological needs have been met then the security needs must also be fulfilled. In general, people have little awareness of security except in emergencies. The third level is the needs of love, affection and ownership. When the needs of security and physiological welfare are met, the next requirements are the need for love, affection and ownership. Maslow states that people seek to overcome the feeling of loneliness and alienation. The fourth level is esteem needs. When the first three needs are met, then the needs for price can be dominant. They involve both self-esteem need and the need of receiving an award from someone else. Human has a need for being firm, based on the level of self-stability and respect from others. When these needs are met, people feel confident and valuable as a person in the world. When they are frustrated, people feel inferior, weak, helpless and worthless. The fifth level is self-actualization needs. When all of the above requirements are met, then the needs of self-actualization must be met. If a person is hungry, unsafe, not loved or accepted, or lacking self-esteem, it is very easy to find out what makes the person restless. It is not always clear what a person wants when there is a need for self-actualization.

Humans, on the third level, require social
needs, which means that humans require relationships with other people, i.e. make friends. Basically, humans are social creatures. On this level, someone will do anything to be accepted by his group. In this time humans begin to have sense of concern for others. From this, there comes a desire for someone to care not only for themselves, but also for others. It can be expressed through religious donations, where the donations will also be given to others who are in real need. Religious donations can also have an effect on human needs on the fourth and fifth levels. On the fourth level, humans need self-actualization, where people need an existence on themselves. In this case, humans begin to have sense of appreciation for what they had done. Religious donations, on the other hand, will indirectly provide a sense of appreciation to the people who have contributed their religious donations, and feel that they have done the right thing. On the fifth level, humans need self-actualization, where people need an existence on themselves. In this case, humans begin to search for morality. The morality can be obtained when they participate for religious contribution.

Psychological Theory of Alms in Islam
Ibn Miskawayh, a leader of Islamic psychology, wrote a book about fear and death which are related to morality. He invites the community to enjoy activities, such as alms or charity and eager to run the obligation to pay alms or zaka, because alms are considered as a means to purify the treasure belonged.

Alms in Islam
Zakat in Islam, according to language (lughat), is growth; growing; fertility or increased (Narrated by At-Tirmidzi) or can also mean clean or purify (Surah At-Taubah 10). According to Islamic law (the term of syara’), zakat is the name for a particular decision of a particular property, according to certain nature and to be given to certain groups (Al-Mawardi in the book Al Hawiy).

In the law of zakat, zakat is one of the pillars of Islam, and become one of the key elements for the enforcement of Islamic law. Therefore, the law of zakat is obligatory (fard) upon every Muslim who has fulfilled certain conditions. Zakat is included in the category of worship, such as prayer, pilgrimage, and fasting, that has been set in detail and patent based on the Qur’an and Sunnah, as well as a social charity and humanity that can be developed in accordance with the development of mankind.

Various Zakat, based on the Law of the Republic of Indonesia Number 23 of 2011 Article 4: First, Zakat nafs (soul), also called the alms. Second, Zakat Maal (wealth). According language or lughat, property is something highly desired by man to own, used and stored. According to syar’ a, property is anything that can be owned or controlled and can be used or utilized in accordance with its ghalib or prevalent. Something can be called maal or wealth if it meets the two terms, namely: can be owned, stored, collected, controlled and may be taken its benefit in accordance with its ghalib, such as houses, cars, livestock, agricultural product, money, gold, silver, etc. Zakat maal, as referred, is property owned by an individual or business entity.

Tithing in Christian
The term offering is derived from the word mattat (Hebrew), or doron (Greek), which means something given to God as a form or in the form of awards or honors. Karuniadi (2006), expressed his understanding of the tithe as follows, the Church which does not teach its congregation to give the tithe is tantamount to closing the ears, eyes, and mouth to the words of God which always teach the basics of the life of faith, and thus this church does not open the door of faith for its members to enter into spiritual growth and knowledge of God correctly. The pastor who does not teach his congregation to know their God through giving the tithe, consequently he himself is rejected of being priest by God.

a. Tithes Offering in Christian based on the Old Testament
In the Old Testament, religious donation, or in this regard called tithing, is written in several verses, for example: Leviticus 27:32, about all the tithe of the herd or flock, then of all that passes under the rod, the time is calculated, every one tenth shall become holy offering unto the Lord. Deuteronomy 14:28, at the end of three years you have to pull out all the tithe offering of your crops in the year and put them in your town. II Chronicles 31:5, As soon as the commandment came abroad, the people of Israel brought in abundance of their first harvest, such as wheat, corn, wine, oil, honey and all sorts of crops. They also brought in the tithe of all things in large quantities. Nehemiah 10:38, a priest, the son of Aaron, will be with the Levites when they pick up the tithe. And the Levites shall bring the tithe of the tithes to the house of our God, to the chambers of the storehouse.

In Leviticus Gospel, it is explained that everything they have got, ten percent of it belongs to God and must be dedicated with holy to the Lord. Deuteronomy Gospel also said that each end of the
three years, each person must spend his offering. The tithe offering is included from his own crops. From both verses, the Old Testament does look requires people to give tithes to God as a form of thanksgiving for the blessings (crops) that they get, and the tithe was obliged in the Old Testament.

b. Tithes Offering in Christian based on the New Testament

In the New Testament, the tithe is not binding on us anymore, because Jesus Christ has redeemed our sins. The New Testament emphasizes us to obey the teachings of Love. In Matthew 22: 39, it is stated: "And the second law, which is similar to it, is: Have mercy on thy neighbor as thyself." In the New Testament, the offering could be in the form of sacrifices and offerings in the form of the inner nature of justice, loyalty and compassion, we are no longer boast of the things that are outward (I Corinthians 5: 11-21), the offering in the New Testament is no longer offering as stated in the Old Testament or the obligation of tithing, but the fruits of love that comes out from the heart that has received the grace of God (Matthew 13:23, Ephesians 2:8-10).

While the verse which says: "Give and you shall be given" (Luke 6:38), and: "Give to everyone who asks you, and do not ask for it back to the person who took yours." (Luke 6:30). Offerings in the New Testament is not to get a reward, but the fruits which are out of the heart that has been refurbished and given not by compulsion or obligation, but with eagerness and joy (II Cor. 9:7) in order to avoid gaps in the form of loving service (Acts 4:34-35; II Cor. 8: 1-15). Christian giving is the embodiment of God’s love in us (Matt. 22:37-40; I John. 3:17).

The New Testament does not specify what percentage we should give. It can be half of the property belonged as recorded in Luke 19:8, which reads "But Zacchaeus stood up and said to God:" Lord, I give half of my will to the poor, and in case there is something that I cheated on someone, I will return it fourfold”， and some even provide his whole living. The point is that the fruit of love does not specify a certain percentage, even different from the system of the Old Testament, where the tithe was more widely used by the priests but ignore the widows, orphans, laborers, and foreigners as told in the book of Malachi. The New Testament talks a lot about giving to the poor.

Definition of Tax

Based on Law no. 6 of 1983 Law CTP which has been refined into Law no. 16 of 2000, Tax is a mandated fee paid by the taxpayer based on legal norms for collective expenditures to improve the general welfare in which the reward is not received directly.

As it is defined in the Law no. 6 of 1983 on taxation that has been refined into Law no. 16 of 2000, the tax has the following characteristics: a mandatory fee charged to tax payers, mandatory fee set by norms or rule of law, the reward is received directly, used to finance the public interest, with the aims to improve the welfare of society.

The legal basis of taxation applicable in Indonesia as stipulated in the tax system is set in the following legislation: Law No. 16 of 2000 on KUP Law, Law no. 17 of 2000 on income tax, Law no. 18 of 2000 on value added tax (VAT) and luxury sales tax (LS), Law no. 12 of 1994 on property tax and amended by Law no. 20 of 2000, Law no. 13 of 1985 on stamp duty that the implementing regulations be changed with Government Regulation no. 7 of 1995 and last amended by Government Regulation no. 24 of 2000.

3. RESEARCH METHOD

This research, on the perception of taxpayers on religious donations in terms of Christianity and Islam, collected the data through in-depth interviews and analyzes what factors that make the taxpayers are willing to pay for religious donations better than taxes. The design of this study is using qualitative methods. The characteristic of qualitative method is that the data presented in the form of descriptions in narrative text, words, expressions, opinion, ideas collected by the researcher from several sources in accordance with the technique or method of data collection. Then, the data is grouped based on the needs and then analyzed.

The purpose of grouping the data is to create a systematic and to simplify diverse data into a unity according to the analysis stage.

This study outlined the perception of taxpayers on religious donations and taxes in Christianity and Islam. Thus, the data collection mechanism is using in-depth interviews with the sources. The results of these interviews are then linked to the theory of taxation and religious donations in Christianity, which is called tithe or sepersepuluh, and in Islam, called alms or zakat. The analysis will lead to the in-depth exposure on why Christian and Muslim taxpayers are easier to pay for religious donations rather than to pay taxes.

The data were the qualitative data from in-depth interviews on the respondents, i.e. the reli-
gious leader of Islam, called Ustadz, and the religious leader of the Christian, called Pastor and the congregation of Muslims and Christians. This study uses data collection techniques by means of in-depth interviews, the documentation study (internal documents and external documents) and the study of literature.

4. DATA ANALYSIS AND DISCUSSION

Christians
Mrs. “B” works every day as a textile trader in Pasar Atom, Surabaya. She is a Protestant follower and has a Taxpayer Number (TIN). From the interview with Mrs “B”, the type of taxes that she pays for is income tax which she deposits each end of the year. As a Christian, she also gives a tithe of 10% of her income per month to the church.

In addition to the tithe, she also gives some money voluntarily to the church pastor if she invites the pastor to worship together at her residence. For Mrs. "B", she prefers giving a voluntary thing as tithe to the church or giving envelopes containing money to the pastor even though it is not in small amount.

She feels that if the money is donated for tithing or voluntary payments to the pastor, the donation will be more useful and she gets the benefit directly. Besides, she is able to fulfill her role as a good congregation that has contributed to the survival of the church. Mrs. “B” also feels that the tithe is not a matter of giving money to God, but it is about God refund, tithing is returning to the owner. Tithing is one act of gratitude to God’s gift.

Christian Pastor
Pastor “A” is a shepherd who provides services in a Christian Church in the East Surabaya. Pastor “A” defines the tithe to the tax in terms of religion as follows:

Tithing in the Christianity:
In the law of God, the Israelites were required to give a one-tenth of their livestock and crops, as well as one-tenth of their income, in recognition that God has blessed them.

The point of tithing is the notion that God has everything. Humans were created by Him, and they owe to Him for every breath they breathe, so nobody has anything without receiving it first from God. In the laws of tithing, God only commanded them to return to Him what God had first given unto them.

As written in the Bible in Matthew chapter 22, “Render unto king what you shall give to king and to God what you shall give to God.” What is meant here is about what we shall give to the king or state leader, i.e. taxes. So Christians are obliged to pay taxes according to the teachings of the Bible.

In real application, tax is people’s contribution to the treasury of the state collected by force in nature and the people do not receive the reply directly. While tithing is a rule of law in which every Israelite gives 10% of everything he earns to the Tabernacle / Temple, which means that every Christian gives 10% of his income to God’s work through the church.

According to pastor "A", personally, people would rather pay religious donations than taxes, because the allocation is set clearly and transparently, unlike tax, which is much smuggled or corrupted. Clear and transparent allocation makes everyone happy. Because they know that the money is paid and used for important things.

Muslims
Mrs. "E" is a muslimin who works as an employee in a private company and she has a Taxpayer Number (TIN). Besides, she is also a housewife. Mrs. “E” always pays tax and zakat or alms of her income.

According to Mrs. 'E', zakat is to purify or cleanse. Its function is to purify or clean something removed, in this case the property or object, called zakat maal and soul zakat naff / fitrah. Mrs. “E” always pays zakat once every one year, usually before Eid Day or before Eid prayers.

Mrs. "E" is also a taxpayer who has been registered since December 2011. In addition to carrying out his duty as a Muslimin, Mrs. "E" is also carrying out his duty as a good citizen, i.e. paying tax. Types of the tax paid by Mrs. E are income tax, motor vehicle tax, and property tax.

Mrs. “E” said that she would rather pay zakat than taxes because zakat or alms is part of worship. In addition, paying zakat of her property can also help others. Thus, she can get two advantages, in the world and the hereafter.

Ustadz “L”
Ustadz "L" is a religious leader at a Mosque "U". His daily activity is to preach to the congregation in the Mosque "U". Besides, Ustadz "L" also gives Qur’an lessons for children at Religious Education Place in East Surabaya. Sometimes he is also asked to be a speaker in a religious seminar.

During the interview, Ustadz "L" explained about zakat, types of zakat, and the legal points for Muslims. According to Ustadz "L", a muslim who has the economic capacity is required to pay a por-
tion of property owned to the persons entitled to receive it, either through Zakat committee or directly distributed by himself to those in need. Zakat is one of the pillars of Islam. Law of Zakat is obligatory (fard) for those who have financial capabilities and have reached the minimum pay of zakat or called nisab. Zakat is paid at 10% of income. There are two types of zakat according to Ustadz "L", namely:

Zakat fitrah is zakat or alms issued on the eve of the feast, at the latest before the Eid prayer, to feed the needy during the feast day celebration, and it is obligatory.

Zakat maal (wealth) is zakat or alms issued by a Muslim as charity that includes professional zakat, commerce zakat (tijarah), agricultural zakat, Rikaz and mine zakat (Ma’din), animal zakat, gold and silver zakat. Each type has its own calculations.

Besides, Ustadz "L" also reveals those who are entitled to receive zakat. In Surah at-Tawbah verse 60, there are eight parties who are entitled to receive zakat, namely:

Fakir. They are the people who almost have nothing and cannot meet their basic needs of life.
Miskin or Poor. They are the people who own property, but not enough to meet the basic needs for life.
Amil. They are the people who collect and distribute zakat.
Mu'allaf. They are new people to Islam and need help to adjust to their new circumstance.
Hamba sahaya. They are slaves who want to liberate themselves.
Gharimin. They are the people who are indebted for the kosher needs and not able to repay.
Fisabilillah. They are the people who who fight in God's way (e.g. propaganda, war, etc.)
Ibnus Sabil. They are the people who are running out of charge on their trips.

Besides zakat, Ustadz "L" also expressed his opinion about tax. Tax is different from zakat. In Islam, tax is known as Adh-Dharibah, which means burden. Tax is called burden because it is an additional liability of property after the obligatory zakat, so the implementation will be perceived as a burden. Adh-Dharibah is a phrase to describe the property levied as a duty and become a source of state revenue. While kharaj is a tax from which the object is a land (conquered) and the subject is non-Muslim. While jizyah is a tax from which the object is a soul (an-nafs) and the subject is also non-Muslim. Tax is considered as a debt to the state which is arranged by law, while zakat is paid based on faith and devotion to God based on Qur 'an and Sunnah.

According to Ustadz "L", Muslims prefer paying zakat to tax because zakat is an obligation. They need to prioritize their obligations as Muslims. In addition, by paying zakat they can earn rewards and blessings. While paying taxes is something related only to worldly matters and usually less transparent in its allocation.

From the interview above, it is evident that taxpayers tend to pay alms or tithe better than taxes. In accordance with the religious teachings summarized in chapter 2, the theory of alms or tithe is taught by God himself and has a deeper meaning than tax which is required for the purposes of the state and the rules are created by humans. The reward of giving tithes described in Malachi 3: 10-11, in which God promised to pour out blessings and dispel grasshopper glutton. And described in (Matt. 22:37-40; I John. 3:17) Christian’s giving is the embodiment of God’s love on us.

By giving zakat or alms anyway, the man’s moral is considered good in the eyes of others. Besides, according to Ibn Miskawayh, an Islamic psychology figure, who wrote a book about the relationship of fear and death with religious morality, argues that the donation is a means to purify the property owned by humans. In other theories, such as Maslow’s theory, through charity man is considered doing moral things. By giving zakat anyway, the man’s moral is considered good in the eyes of his fellow man so that man can actualize himself through zakat. Level of self-actualization is the highest human need according to Maslow. So it seems that zakat has indirectly met three human needs, and therefore man will pay zakat so that his needs are fulfilled, and not just to perform obligations such as paying taxes.

Previous Research
Research conducted by Novi Mulyowati, et al. "Zakat dan Pajak dalam Perspektif Hukum Islam" ("Zakat and Tax in Islamic Law Perspective") (2008), studies about the meaning of zakat and taxation in Islamic law perspective. This study is a descriptive study in which the researcher analyzed only on the obligation of zakat and tax payment as well as the opinion of the religious leaders about it. The conclusion of this study is that both zakat and tax payment are mandatory, and the people who already pay Zakat shall also pay taxes, and vice versa. The religious leaders found that alms and tithes must be paid, while the tax may be taken if the state treasury is completely empty.

Research conducted by M. Idil Ghufron “Pen-
erapan Zakat atas Konsep Pajak (sebagai alternatif dalam mendistribusikan keuangan Negara untuk rakyat) ("The Implementation of Zakat on the Concept of Taxes (as an alternative in distributing the state finance to the people)");

The study of this thesis is using normative qualitative type of research (library research). In addition to the research method, the difference can be seen in the background contained in the formulation of the problem, namely: what are the similarities and differences between the concept of zakat and tax? What do contemporary religious leaders think about the application of zakat concept in taxes? And how is the distribution of zakat in tax concept?

Research conducted by M. Idil Ghufron inferred the differences and similarities between zakat and tax, in this case, many thinkers make different definitions. Among others are Amin Aziz, Yusuf Qaradawi and Masdar Farid Mas'udi. Tax and zakat complement each other, both the method and the size of payment are specified clearly and not all have to be paid. And the application of zakat on the concept of tax will greatly benefit both sides, the state and the people, and can be a very appropriate alternative in distributing the state finance to the people.

Research Analysis
Perspective of Taxpayers on Religious Donations and Tax from the Viewpoint of Religion is a type of qualitative research. Religions used in this study are Christianity and Islam. The method used is in-depth interviews with some taxpayers of religious leaders and followers of Christianity and Islam. In Qur'an, it is explained that religious donation in Islam is called zakat, whereas in Bible also explains that religious donation in Christianity is called tithe.

Religious donation and tax have in common, which are mandatory. The allocation of religious donations is more transparent than that of tax, which is not noticeable, and thus resulting in many cases of corruption committed by state officials. According to an Uztads (religious leader in Islam) who has been interviewed, he explained that, in Islam, tax is known as Adh-dharibah, which means a burden. Tax is called as a burden because tax is an additional liability of property after the obligatory zakat, so the implementation will be perceived as an imposed burden.

The purpose of this study is to determine whether the taxpayers, who are also religious people, are more obedient in paying their tax obligations or in paying religious donations. From the interview, it was mentioned that the respondents prefer paying religious donations to tax, because paying religious donations (zakat or tithe) is the same as worship. They can become obedient to the religious teachings of their religions and can help others. Even though actually, in paying both tax and religious donation, there are sanctions obtained when the obligations are not fulfilled. The sanction obtained if they do not pay tax is in the form of penalties or interest in material, whereas if they do not pay religious donation they will get moral sanctions.

5. CONCLUSION, IMPLICATION, SUGGESTION, AND LIMITATIONS
In general, it indicates that the religious leaders and followers of Christianity and Islam prefer paying religious donations to paying taxes. This is because religious donations are part of their worship to God Almighty. The allocation of religious donations (zakat or tithe) looks more transparent than the allocation tax which is not known by the public for sure.

According to Article 1 paragraph 1 of Law Number 28 of 2007 on General Provisions and Tax Procedures, the definition of tax is: "mandatory contributions payable to the state by a private person or entity that is enforceable under the Act, with no direct benefits and used for state purposes for the greatest prosperity of the people." From the definition, it can be seen that tax is coercive, obliged, and required to and does not gain reward directly. If the taxpayers do not comply with these rules, they will be penalized and fined. With the understanding of force, taxpayers are committed to the payment of taxes, compared with religious donations which are neither coercive nor binding sanctions and will gain reward from God Almighty. Sanction for those who do not pay for religious donations can be in a form of moral sanction.

Some suggestion can be asserted as the following. For further research, the researcher can use other religions to be studied in addition to Islam and Christianity, for example, examining the Buddhist and Hindu religions. Future studies can also use taxpayers who are not considered religious to find out their views in terms of tax payments in Indonesia.

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