

## Analysis on the Income Tax Compliance Behavior of Muzaki at Lazismu Sragen

Arvie Johan<sup>1</sup>, Dita Karisma Prasetyo<sup>2</sup>

<sup>1</sup> Faculty of Law, Universitas Gadjah Mada, Indonesia  
arviejohan@mail.ugm.ac.id

<sup>2</sup> Faculty of Law Universitas Gadjah Mada, Indonesia  
dita.karisma.p@mail.ugm.ac.id

### Abstract

**Introduction to The Problem:** Zakat as a deduction of taxable income has become an issue that has attracted the attention of the public economy. The most obvious thing is that the low realization of zakat collection and tax ratios affect the welfare gap (distribution function) and public services received by the citizens (allocation function). On an extreme scale, non-compliance with zakat and tax may threaten social cohesion and legal authority.

**Purpose/Objective Study:** This study aims to find out how zakat regulation as a deduction of taxable income affects muzaki's behavior to comply or not comply with tax obligations.

**Design/Methodology/Approach:** The research design is empirical legal research with qualitative analysis. The primary source builds on focus group discussions (FGDs). Otherwise, secondary sources are collected through a literature study of primary, secondary, and tertiary legal materials.

**Findings:** Zakat as a deduction of taxable income affects muzaki's behavior to comply with tax obligations. The zakat scheme as a deduction of taxable income greatly influences muzaki's behavior within the level of tax compliance, specifically the level of resistance to tax because the system is considered oppressive, to move up to the level of tax compliance trying to comply but having difficulty understanding tax. This significant change occurs because the Zakat scheme as a deduction of taxable income is able to eliminate the characteristic of "tax is conflicting with zakat" in the level of tax compliance resistance because the system is considered oppressive.

**Paper Type:** Research Article.

**Keywords:** Zakat; Muzaki; Income Tax; Tax Compliance Behavior

### Introduction

The implementation of zakat as a deduction of taxable income has been in effect since the enactment of Law No. 38 of 1999, which has been revoked by Law No. 23 of 2011 (hereinafter: Zakat Law). It aims to prevent a double burden for muslim individuals to pay income tax and zakat (Al Arif, 2012). Such implementation is affirmed by Law No. 17 of 2000 as amended several times, most recently with Law No. 7 of 2021 (hereinafter: Income Tax Law).



Zakat's role as a deduction of taxable income should provide several benefits. First, muslim taxpayers enjoy a reduction in gross income by fulfilling their obligations to pay zakat (Setianingrum, Madjid, & Asaari, 2018). Second, the integration of taxpayers with *muzaki* encourages both tax and zakat compliance as well (Djutmiko, 2019) (Nasution, 2017). Third, the welfare distribution mechanism runs withoutrcion (Liana, 2018) (Suprayitno, Kader, & Harun, 2013). In fact, these benefits are not visible. Outlook Zakat Indonesia shows that the realization of zakat is gone far from its potential (Canggih, Fikriyah, & Yasin, 2017) (Wahid, 2016). At the same time, Indonesia's tax ratio is still below the standard, which is 11.9% from the standard of 17,2% (OECD, 2020). The low tax ratio shows that economic growth is not followed by increased tax payments (Noveria, 2021).

The vast existing literature found a positive relationship between zakat as a deduction of taxable income with the fulfillment of tax liability (Logawali, Aisyah, Kamaruddin, & Anwar, 2018) (Yusuf & Ismail, 2017) (Salamah, 2015). Knowledge of Zakat as a deduction of taxable income contributes 59.2% to individual taxpayer compliance (Fitranoska, 2006). On the other hand, research by (Andriono & Hidayatulloh, 2020) found that knowledge of zakat as a deduction of taxable income does not affect the compliance of Muslim taxpayers. In general, the community considers this scheme unattractive because the burden of paying taxes is still too large (Djutmiko, 2019).

Departing from previous research, the main focus of this research will be examining and analyzing the motives behind *muzaki's* decision to comply or not to comply with tax provisions *vis-a-vis* the existence of the zakat scheme as a deduction of taxable income. An empirical study of *muzaki's* behavior is carried out at Lazismu Sragen. The considerations are as follows: first, Lazismu's activities in collecting and distributing zakat are considered the embodiment of the philosophy of *Al Ma'un* (poverty alleviation).

Second, Lazismu Sragen is the best Lazismu within the regency/city level in Indonesia in terms of information system-based business processes and the amount of funds collected (Romdhoni, 2018). The orderliness of the Zakat collection management facilitates the primary data collection. *Third*, Lazismu is a licensed Amil Zakat Institution (LAZ) and achieved grade A accreditation. This consideration is important because the reduction of taxable income is only allowed for zakat paid through the licensed Amil Zakat Institution (LAZ).

Based on the background above, the following important issues are: how does zakat regulation as a deduction of taxable income affect *Muzaki's* behavior to comply or not to comply with tax obligations?

### Methodology

The research design is empirical legal research (Burton, 2017) with qualitative analysis (Johns & Dobinson, 2017). Empirical legal research is intended to analyze the motives behind *muzaki's* decision to comply or not to comply with tax provisions

*vis-a-vis* the existence of zakat scheme as a deduction of taxable income. The primary source builds on focus group discussions (FGDs) that the authors conducted during one-month fieldwork in Sragen in 2020. Otherwise, secondary sources are collected through a literature study of primary, secondary, and tertiary legal materials. Empirical legal research always involves individuals and their inherent attributes; therefore (Burton, 2017) emphasizes that researchers have an obligation to uphold ethics. Confidentiality guarantees become crucial because they can make vulnerable participants (Brown, 2018). In this research, the primary source is not available to the public and tends to be used against them so that individuals and their inherent attributes are disguised.

## Results and Discussion

### Integration of Zakat with Income Tax

At first glance, zakat seems synonymous with tax. This can be seen from the similarity of the elements, i.e., liability to assets, based on governmental provisions, forceful nature, without compensation and in accordance with personal capacity, and allocated to cater to state finances (Saad & Haniffa, 2014). These similarities are only in their form, but essentially, they are not the same (Pahala, 2016) (Ashar, 2013). Islamic literature studies show the possibility of the imposition of tax for individual Muslim besides zakat, as both are in different scope of Islamic law. Tax is within the domain of horizontal obligation (state-people/*muamalat*) in Islamic law, while zakat is within the scope of vertical obligation (God-people/*ibadah*) in Islamic law (Johan, 2018).

The intersection of Zakat Law and Income Tax Law for the general welfare meets its place in the zakat scheme as a deduction of taxable income. The normative basis is the provision of Article 22 Zakat Law which is in conjunction with Article 9 paragraph (1) of Income Tax Law that the calculation of taxable income can put zakat as a deduction of taxable income. Zakat can be recognized as a deduction from taxable income when it meets several cumulative requirements. According to Government Regulation No. 60 of 2010 regarding Zakat or Religious Donations that are Mandatory what can be Deducted from Gross Income, these requirements include (1) zakat must actually be paid by an individual Muslim taxpayer, (2) zakat must be paid to the Amil zakat agency/institution formed or legalized by the government, and (3) zakat paid is zakat related with income that is the object of tax. (4) reported in the annual tax return (SPT). Such treatment is expected to result in tax compliance.

Integration of zakat with tax offers at least 3 (three) plausible things. First, the integration reduces the burden on individuals Muslim who are both taxpayers and zakat-payers. The reduction of burden is not calculated based on individual Muslim preferences on the value of the reduction but measured from the comparison of *ex-ante* (before reduction) and *ex-post* (after reduction).



Second, the integration opens up vast possibilities for the presence of positive externalities through voluntary welfare distribution. In the realm of tax science, *budgetair* is an indisputable function because the legitimacy of rights depends on the willingness of the state to collect the tax and carry out public expenditure. The state also needs the *regulerend* function through the stabilization instrument because natural exchange in the market needs to be intervened in order to improve efficiency, such as: keeping labor levels high, the exchange rate at a reasonable point, the right economic growth and taking into account the balance of net exports.

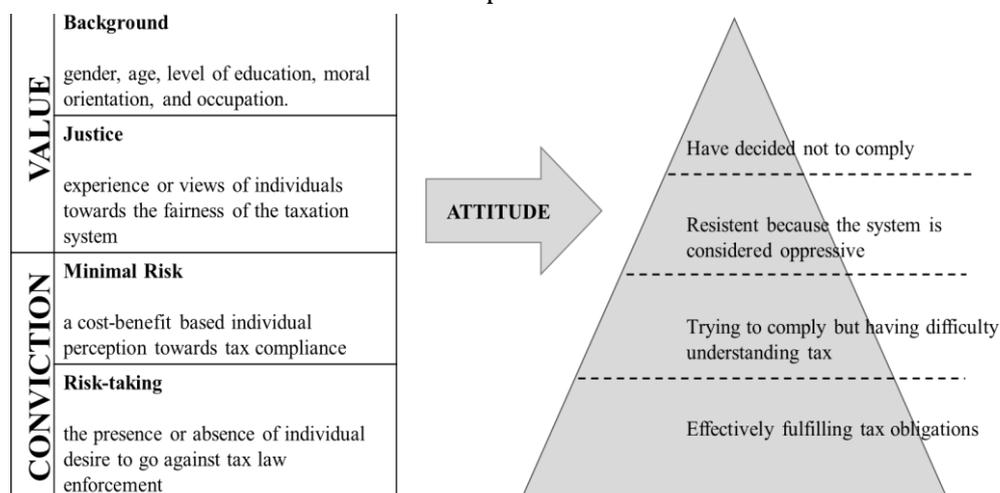
Third, the reduction of the burden and the presence of positive externalities will achieve absolute benefits if the integration leads to the behavior of *muzaki* to comply with their tax obligations. Such compliance will present: (a) optimal fulfillment of the *budgetair* function; (b) while still implementing the *regulerend* function through stabilization; and (c) efficient distribution of welfare.

### **Tax Compliance Behavior**

In the law and economics approach (Posner, 2014), individual compliance with tax obligations does not work impulsively. The individual will consider the limited resources they have in exchange with their tax compliance behavior (Casal, Kogler, Mittone, & Kirchler, 2016). If the benefits of violating tax obligations are more beneficial than compliance with tax obligations, then the individual will violate taxation obligations (Becker, 1968). This also applies vice versa (*ceteris paribus*).

Departing from the previous paragraph, it is important to understand that tax compliance is not solely whether the individual complies with their taxation obligations (Enachescu, et al., 2019). Since each individual exchanges the limited resources they have to comply with or not to comply with tax obligations, the important thing to check is the individual's motive for complying with or not complying with taxation obligations (Gneezy & List, 2013). Simply stated, the motives are influenced by various factors which affect tax compliance or non-compliance, and can be described as follows (OECD, 2004):

**Figure 1.** Factors in Value and Conviction which Affects Tax Compliance or Non-Compliance



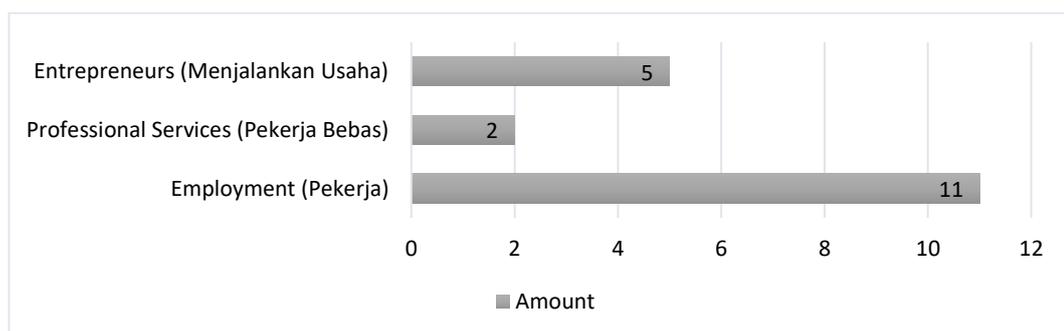
The picture above shows that when individuals are faced with tax obligations, their value and conviction will influence the attitude to comply or not to comply with them. The view over the value is formed by 2 (two) factors: individual background and perception of justice. The background factor consists of gender, age, level of education, moral orientation, and occupation. The justice factor records the experience or views of individuals towards the fairness of the taxation system.

The next one is conviction. It consists of 2 (two) factors: minimal risk and risk-taking. Minimal risk is a cost-benefit approach to violating tax obligations. Meanwhile, the risk-taking explores the presence or absence of individual perspectives who regard non-compliance as a sport they enjoy. Finally, the output of value and conviction will determine the following levels of compliance or non-compliance: effectively fulfilling tax obligations, trying to comply but having difficulty understanding tax, are resistant to tax because the system is considered oppressive, and completely reject tax and decides not to comply.

### **Analysis of the Income Tax Compliance Behavior of Muzaki** ***Value and Conviction Aspect***

This research focuses on *muzaki* as an individual person because the scheme is only allowed for zakat and not for *infaq* or *shadaqah*, which are paid by individuals and not by institutions. Such ruling is based on Article 9 paragraph (1) letter g of Law No. 36 of 2008. The total number of focus group members consists of 18 (eighteen) *muzaki*. Overall, only 2 (two) respondents who have not registered with the Tax Office, the rest or 16 (sixteen) are registered. The type profession of respondents is dominated by employment (11 respondents). More details information is presented as follows:

**Figure 2.** the Type of Profession of Respondents



All *muzaki* are explored in their view of justice which leads to the nature of income tax in Islam along with the administration of taxation, tax risk, and risk-taking. *First*, in regards to justice which leads to the nature of taxation in Islam and tax administration. With regard to tax, the eighteen *muzaki* have, in essence, interacted with various types of tax: Motor Vehicle Tax (PKB), tax on documents (Stamp Duty), Land and Building Tax (PBB), and so forth. However, in regard to the existence of income tax, the interaction is not as easy as other types of tax. The situation of such



interaction can be illustrated from the perspective of *muzaki* regarding the discourse of zakat with tax.

**Table 1.** *Muzaki's Views on the Interaction between Zakat with Income Tax*

Criteria	Frequency	Percentage (%)
Conflicting	12	66,7
Not Conflicting	4	22,2
Abstain	2	11,1
Total	18	100,0

There are 12 (twelve) *muzaki* who viewed income tax as conflicting with Islamic law in regards to the obligation of zakat. In the view of these *muzaki*, Islam only requires zakat on income and no tax. The existence of income tax is a form of the impartiality of the state to the people, both Muslim and non-Muslim.

Different views were expressed by 4 (four) *muzaki*. These *muzaki* see zakat as a vertical obligation (*ubudiyah*), while tax is a horizontal obligation (*muamalat*). These obligations should not be conflicted because Islam not only requires submission to Allah (God) but also to the leader of the state (*ulil amri*). When these obligations are conflicting, it becomes odd, as both come from Islam.

Even though most of the *muzaki* did not confirm the existence of income tax, 16 (sixteen) among the 18 (eighteen) *muzaki* will not conduct tax evasion, and only 2 (two) *muzaki* will not fulfill their tax obligations. Furthermore, regarding the administration to fulfill tax obligations, 12 (twelve) *muzaki* consider such an administration process as not simple. The rest consider the tax administration process as not complicated. Both groups' views and explanations will be illustrated in the following table.

**Table 2.** *Muzaki's Views on Tax Administration*

Category	Reason	Frequency	Percentage (%)
Not Simple	SPT filling hard to understand	4	22
	Not administering personal budgets	1	5,6
	No explanation	7	38,9
Simple	Already deducted by the treasurer	1	5,6
	Online system	1	5,6
	Has adapted	1	5,6
Abstain	-	3	16,7
	Total	18	100,0

The table above shows that such complexity affects filling annual tax returns (SPT) and the habits of individuals who do not administer their personal budgets. The number of points and tables that need to be filled in and inadequate information on the annual tax return (SPT) filling forms (both paper-based and online) is a problem that these *muzaki* experience every year. The second view is the absence of personal budget administration. These *muzaki* considers that the complexity of tax administration stems from his lack of self-disciplined habits in administering personal budgets because they did not record every income received, nor does record expenses from such income.

Furthermore, 3 (three) *muzaki* consider tax administration as not complicated. Each *muzaki* gives a different explanation. The first explanation was that income is sourced from work; thus, the treasurer has already deducted the income received. The second explanation, the online-based reporting system made it easy for taxpayers to fulfill tax administration obligations. The third explanation, this *muzaki* said, carries out tax administration obligations annually in routine. In general, methods/ways to fill annual tax return is the same.

The second is tax risk. This issue focuses on *muzaki's* view on the situation that encourages tax compliance. In short, the condition for *muzaki* to comply with taxation can be seen in the following table.

**Table 3.** *Muzaki's* Views on the Situation which Encourages Tax Compliance

Criteria	Frequency	Percentage (%)
Management Accountability	11	66,7
Severe Sanctions, Strict Supervision, and Non-selective Law Enforcement	5	22,2
Whatever the Government's Condition, He Is Ulil Amri Who Must be Obeyed	2	11,1
Total	18	100,0

The table above shows that 11 (eleven) *muzaki* consider tax management accountability as the forming factor of compliance towards tax obligations. They emphasize the importance of information or transparency regarding the use of collected tax proceeds. When the tax proceeds collected are used for the benefit of the community, the eleven *muzaki* reckon that taxpayers will obey their tax obligations.

Furthermore, 5 (five) *muzaki* consider the threat of sanctions, strict supervision, and non-selective law enforcement as the compliance factor to the tax obligations. Fulfillment of these two things will (a) force individuals to comply with their tax obligations and (b) encourage compliant individuals to continue to comply because tax law enforcement is not selective. Finally, 2 (two) *muzaki* consider that tax compliance complies with *ulil amri*. According to both of them, adherence to *ulil amri*



has been strictly ordered by Islam. If a crime occurs, it may be settled through the court.

Third, risk-takers. This discussion focuses on exploring *muzaki's* desire to go against the tax officials. Concerning the authority of tax officials to enforce tax law, as many as 17 (seventeen) *muzaki* said they have no desire to get into any problem with such enforcement. The reasons lead to 2 (two) things: awareness of being at fault and high cost.

Meanwhile, there is one *muzaki* who desires to get into problems with tax law enforcement. This *muzaki* has an experience with corrupt local tax officials. The experience formed the view that tax officials are actually trying to find fault within individuals to use the findings of the fault as a transaction with that individual. The entire description of the *muzaki's* view of tax sanctions and tax officials leads to a discussion of the situation that is considered to encourage individuals to comply with their tax obligations.

#### ***Tax Compliance Prior to the Scheme of Zakat as a Deduction for Taxable Income***

Tax compliance is a manner of fulfilling both procedural or formal (administrative compliance and timeliness) as well as substance or material (procedures and/or calculation of the amount of tax debt) tax obligations. This manner is influenced by aspects of value and conviction. Both aspects (value and conviction) will determine the level of compliance or successive non-compliance as follows:

a. Resistant to tax because the system is considered oppressive

There are 11 (eleven) *muzaki* within this level of compliance. These *muzaki* perceive income tax as conflicting with *zakat*. Regardless, these *muzaki* still fulfill their obligation to pay income tax, and it is impossible to avoid paying the tax. Moreover, these *muzaki* also consider tax administration as complicated. They also do not want to go against the tax officials who enforce tax law.

Aspects of value and conviction form the compliance of the *muzaki* at the level of resistance to tax because the system is considered oppressive. It is because income tax is seen as contradictory to *zakat*, but it is not possible to go against the state, in this case, tax officials and government policies, to deduct income tax from the income earned by *muzaki* through a third party (the financial department).

b. Trying to comply but having difficulty understanding tax

There are 4 (four) *muzaki* within this level of compliance. From the *muzaki's* view, income tax and *zakat* are not conflicting but complementary. However, both of them find it difficult to carry out tax administration. The two *muzaki* do not want to go against the tax officials who enforce tax law.

The aspects of value and conviction form the compliance of both *muzaki* within the level of trying to comply but having difficulty understanding tax. Both *muzaki*

understand that the state needs tax for development, but tax administration is difficult to implement.

**c. Effectively fulfilling tax obligations**

There are 2 (two) *muzaki* within this level of compliance. From both *muzaki's* view, income tax is not conflicting with zakat. Their fulfillment of tax obligations is on the ground that paying tax is a form of empowering the people so that tax administration is not complicated. Moreover, these *muzaki* do not want to fight tax officials who enforce tax law.

Both value and conviction aspects form *muzaki's* compliance at the level of effectively fulfilling tax obligations. Because these *muzaki* consider tax to be a government order (*ulil amri*) for development purposes, it must be obeyed.

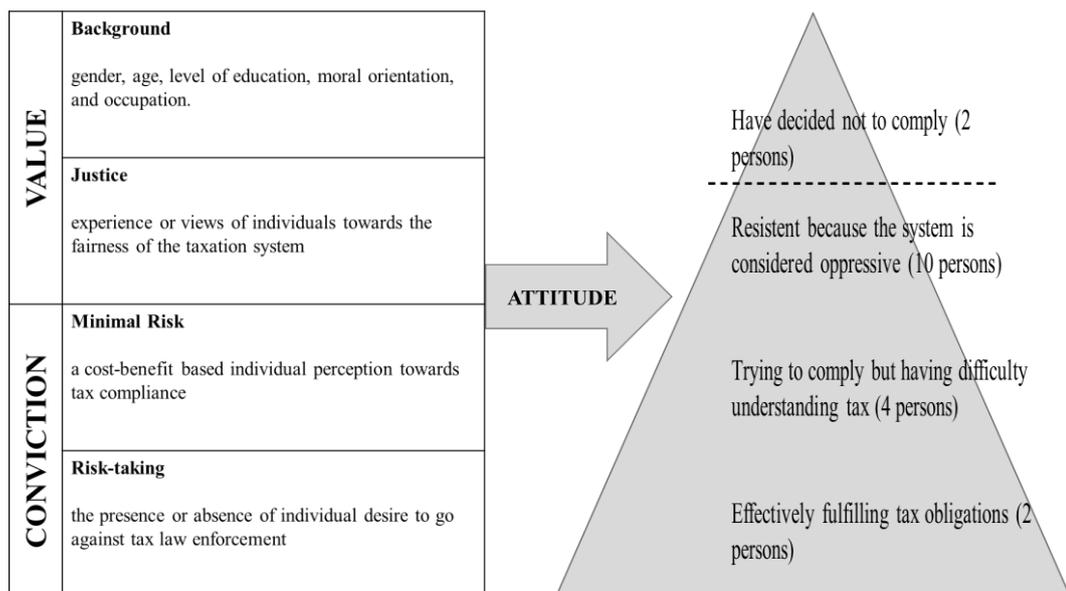
**d. Completely rejects tax and decides not to comply**

There are 2 (two) *muzaki* within this level of compliance. From both *muzaki's* view, income tax is conflicting with zakat. In line with this, both are also reluctant to fulfill their obligation to pay income tax. These *muzaki* has a desire to get into problems with tax law enforcement.

The aspects of value and conviction form the compliance of the *muzaki* at the level of completely rejecting tax and decides not to comply because both *muzaki* consider the tax as conflicting with zakat and tax officials as well as the use of tax proceeds is not for the public interest, and therefore the tax is not complied with.

Based on the description above, the level of *muzaki's* tax compliance prior to the zakat as the deduction of income scheme is simply illustrated as follows:

**Figure 3.** Tax Compliance Prior to the Scheme of Zakat as a Deduction for Taxable Income





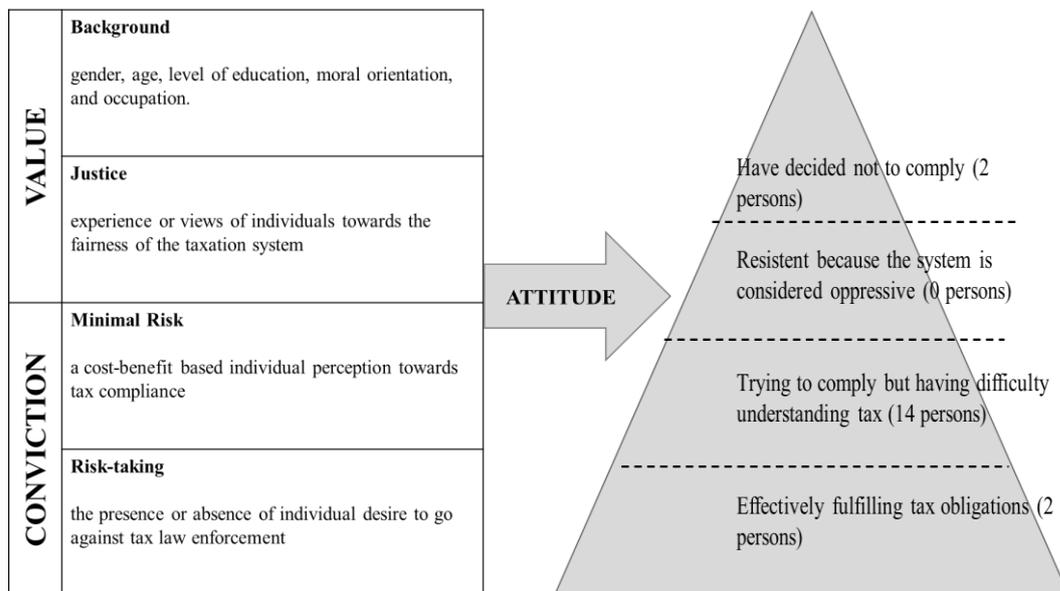
**Tax Compliance Subsequent to the Scheme of Zakat as a Deduction for Taxable Income**

The policy regarding zakat as a deduction for taxable income first appeared in Law No. 7 of 2000 or has been in effect for almost twenty-one years. When the scheme was delivered to the *muzaki*, there were 3 (three) *muzaki* who considered that the scheme was not an attractive offer. Disinterest is based on their view from the beginning that tax is conflicting with zakat and tends not to provide tangible benefits to the poor, and the tax revenue is corrupted. At the same time, the zakat scheme as a deduction for taxable income is unattractive because the final results of the calculation do not show a significant difference.

In addition to the three *muzaki* above, the remaining 15 *Muzaki* consider the zakat scheme as a deduction for taxable income as an attractive offer and will use it. The reason given by all *muzaki* led to one thing: the scheme is the state's favor for Muslims by reducing the expenditure burden.

The use of the Zakat scheme as a deduction from the taxable income is *mutatis mutandis* equivalent to changes in the level of compliance of *muzaki* who are interested in the scheme. The level of tax compliance of the *muzaki* subsequent to the scheme of Zakat as Deduction of Income is simply illustrated as follows:

**Figure 3.** Tax Compliance Subsequent to the Scheme of Zakat as a Deduction for Taxable Income



Based on the picture above, the zakat scheme as a deduction of taxable income greatly influences the manner of *muzaki* who are interested in the scheme towards the level of tax compliance, specifically the level of resistance to tax because the system is

considered oppressive. Prior to the scheme of zakat as a deduction for taxable income (figure 2), *muzaki*, who have a compliance level of resistance to tax on the ground of the system is considered oppressive, has changed to zero subsequent to the scheme of zakat as a deduction of taxable income (figure 3). All of them move up to the level that is trying to comply but having difficulty understanding tax. This significant change occurred because the zakat as a deduction of taxable income scheme can eliminate the characteristic of "tax is conflicting with zakat" in the level of resistance to tax because the system was considered oppressive.

### **Conclusion**

The intersection of tax law and zakat law finds its place in the zakat scheme as a deduction of taxable income. The normative basis is the provision of Article 9 paragraph (1) of Law No. 36 of 2008 which is in connection with Article 22 of Law No. 23 of 2011. Although it has been in effect for almost twenty-one years, all *muzaki* in this research are unaware of the existence of the zakat scheme as a deduction of taxable income.

The policy of zakat (which is paid by *muzaki* to licensed institutions) as a deduction of taxable income affects the behavior of *muzaki* to comply with tax obligations. The zakat scheme as a deduction of taxable income greatly influences *muzaki's* behavior within the level of tax compliance, specifically the level of resistance to tax because the system was considered oppressive, to move up to the level of trying to comply but having difficulty understanding tax. This significant change occurs because the zakat as a deduction of taxable income scheme able to eliminate the characteristic of "tax is conflicting with zakat" in the level of resistance because the system was considered oppressive.

There are several recommendations proposed: First, government should intensively announce that zakat can deduct taxable income as long as it meets requirements. Second, Amil Zakat Institution should provide information related to zakat is an able deduction of taxable income, either when interacting directly with *muzaki* or by changing the format of the Zakat payment receipt.

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Author contribution : Author 1: initiated the research ideas, instrument construction, data collection, analysis, and draft writing; Author 2: revised the research ideas, literature review, data collection, data presentation and analysis, and the final draft.



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