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TAX FRAUD AND NATIONAL DEVELOPMENT OF DEMOCRATIC SOCIETIES: EVIDENCE FROM NIGERIA

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Abstract
The main purpose of this study is to examine the impact of tax fraud on national development in Nigeria for the period of 1999 tos 2018. To achieve this objective, a review of the extant literature was made and it was hypothesized that tax fraud has on significant impact on national development in Nigeria. In generating the necessary data for this study, reports of various years of the Federal Inland Revenue Service and United Nations were used. The data were analysed using simple mean and standard deviation while the impact of tax fraud on national development was tested using the ordinary least square (OLS) regression technique. The findings of the study show that the average tax fraud in personal income tax is N7.58billion; customs and excise duty is N416.53 billion, and value added tax is N8.53 billion during the period under review. This implies that the level of tax fraud is higher with customs and excise duty followed by value added tax with personal income tax being the least. Although fraud occurs in petroleum profit tax in 1999, 2001, 2002, 2006, and 2007, and company income tax in 2005 and 2011, the overall actual tax collections for petroleum profit tax and company income tax during the period under review exceeds the targeted tax collections, thereby resulting to a positive tax gap during the period. The findings also revealed that personal income tax, customs and excise duty, and value added tax have a negative significant impact on national development. In view of the above, the following recommendations were made: the federal government of Nigeria should guide against all manner of tax fraud by bringing fraudsters particularly smugglers and others to book no matter how highly placed; there should be a periodic review of the Nigerian tax laws in a bid to block possible loopholes that could give rise to fraudulent activities in the Nigerian tax administration; tax amnesty should be granted to fraudsters to encourage them to stop further acts of tax fraud for increased tax revenue, which consequently will lead to national development; it is advisable to employ only qualified persons of high integrity to work in the revenue house, since some tax officials are fraudsters in the assessment and collection of taxes.

Keywords: Tax fraud, national development, democratic societies

Introduction

Democratic societies are nations where democracy is fully enshrined. In such societies, national development is the primary goal of the government, and it is essentially dependent on the level of economic, social, political, and technological activities in a country. National development can be defined as a state of sustainable growth in socio-economic conditions of a country. It brings about increase in the standard of living of the people. In other words, national development is the ability of a country to improve the social welfare of the people by providing social amenities such as quality education, potable water, good road network, medical care, etc. However, Lawal and Oluwatoyin (2011) describe national development as the ability of a nation to improve the lives of its citizens, which include increase in gross domestic product (GDP), or socio-economic activities. Since GDP is a measure of the rate of consumption in a country, a higher consumption means that people of the country eat better food, live in better homes and serene environment with clean air and adequate supply of social infrastructure. National development therefore can be described as the overall development or a collective socio-economic, political as well as religious advancement of a country or nation. This is best achieved through development planning, which can be described as the country's collection of strategies mapped out by the government.

In spite of series of development strategies, put in place by successive governments, and sometimes with good intentions, all attempts to generate meaningful development proved abortive. In the last fifty-nine (59) years, Nigeria as a country has been battling with the problems of development despite the huge human, material and natural resources at her disposal. In fact, the Global Peace Index (2012) ranks Nigeria very low in national development. To promote national development, citizens and businesses are expected to contribute part of their earnings as tax to generate revenue for governments. But it has been observed that during the past three decades, tax revenues in sub-sahara Africa have largely stagnated at levels around 15% of GDP. Researchers and scholars alike have partly attributed this low tax revenue to fraud in tax assessment and collections. Tax fraud is any form of sharp malpractices in the assessment, collection, and remittances of tax. They are committed by the tax officials, tax payers, or collusion between tax officials and tax payers. Olowolagba (2017) revealed that in third world countries, particularly Nigeria, there is massive diversion of proceeds of tax such that what people pay as tax, aside of genuine administrative cost, is not what eventually gets into government coffers. Tax officers and administrators divert a huge percentage of tax funds into their private pockets. Some eligible taxpayers negotiate with tax officers and pay less into their private coffers and they are let off the hook. Government, in the end, suffers loss of revenue as a result of this collusion. Most of the time tax officers use fake receipts to extort tax and divert same thereafter. Olowolagba (2017) reported that former minister of finance Mrs Kemi Adeosun has revealed that a good number of Nigerian companies do not pay tax. The analysis shows that more than 800,000 companies in Nigeria, including government contractors, have never paid their taxes. Only 14 million Nigerians, out of an economically active base of 70 million, paid their taxes, and out of the 14 million, more than 95% are salary earners in the formal sector, only 241 people paid personal income taxes amounting to about $65,500 (£50,000) in 2016. Yikano, (2011) posits that such act eventually mounts unnecessary pressure on government to rely more on external borrowing for national development. External borrowing is usually with some strict conditions out of which devaluation of currency is always one; when currency is devalued, inflation and recession are likely to set in. Tax fraud slows down government development efforts, frustrate and sabotage the achievement of hundred percent budget performance. Since yearly budget is built on expectation of fund, failure of such fund to flow in as a result of tax fraud will certainly affect the successful execution of such budget. Dalu, Maposa, Pabwaungana and Dalu (2012), state that fraud occurs when tax officials, individuals or businesses willfully and intentionally falsify information on a tax return in order to limit the amount of tax liability. Tax fraud exists in different forms such as: understating income; overstating expenditure; making false claims for allowances and relief; and omission from tax returns of chargeable income; omission to state income receipts from landed properties; omission to state income received in or brought into Nigeria from sources outside Nigeria; bribery and falsification of records by tax officials (Yikano, 2011).

It essentially entails cheating on a tax return in an attempt to avoid paying the entire tax obligation or for an unjust gain such as illegal payment of money to tax officials to reduce tax liability or for the tax payers to be granted tax exemption, undervaluation or under declaration of income and goods using fraudulent invoices, dishonest and illegal appropriation or diversion of funds for personal gain, and extortion of illicit payments from tax payers by tax officials (Spiro, 2005). With the usage of these various methods of tax offences tax becomes an intellectual game of chess, between tax authority and tax payers.

World Bank (2005), reports that illicit flows of cash from developing economies amount to between $500-$800 billion a year, but how much of this is in the form of tax fraud is not very clear. The Acting President explained that taxation has always been the basis of raising funds around the world, but lamented that majority of Nigerians do not pay tax, a situation he said "is at variance with our economy as we are estimating that almost seventy million Nigerians are economically active. This means that only few people in business are registered and are paying taxes." More so, prior studies have shown that obtainable knowledge on the association between tax fraud and national development is very scanty. The few available studies such as Cobham (2005), Yikano (2011), Dalu, Maposa, Pabwaungana and Dalu (2012), Muhrtala and Ogundeji (2013), Obafemi (2014), Mehrara and Farahani (2016), and Onyeka and Nwankwo (2016), focused only on tax evasion, which is fraud committed by tax payer thereby excluding fraud committed by tax officials. More so, these previous studies are different from the present study either in the methodologies, environment under which the studies were conducted, the

nature of data collected for the studies, the policy thrust among others. An attempt to close these existing gaps in prior studies necessitated this research work. Therefore, the purpose of this study is to examine the impact of tax fraud on national development in Nigeria, and also to determine the type of tax in Nigeria with the highest level of fraud between the periods of 1999 to 2018.
In view of the above, it is hypothesized that tax fraud has no significant impact on national development in Nigeria between the periods of 1999 to 2018.

Theoretical Framework
This study is based on the economics of crimes theory which is the basic theory used in nearly all research on tax related crimes and was first applied by Allingham and Sandmo (1972). The theory states that, a rational individual maximises the expected utility of the tax evasion gamble, balancing the benefits of successful cheating against the risky prospect of detection and punishment. This approach concludes that compliance depends purely on audit verifications and the severity of penalties handed out to culprits. The model gives a sensible result that, compliance depends on enforcement and it is straightforward to show with comparative analysis that declared income increases with an increase either in the probability of detection, penalty rate and frequency of audit and verification. However, it is clear to any observer that compliance cannot be explained entirely by such purely financial considerations especially those generated by the level of enforcement considerations. Increasing the penalty has a positive incentive on taxpayer to be honest in his tax report.

Conceptual Clarifications
Allingham and Sandmo (1992) posit that tax fraud involves the deliberate misrepresentation or omission of data on a tax return. In the United States and other countries of the world, taxpayers are bound by a legal duty to voluntarily file a tax return and to pay the correct amount of income, employment, sales, and excise taxes. Failure to do so by falsifying or withholding information is against the law and constitutes tax fraud. Examples of tax fraud include claiming false deductions, claiming personal expenses as business expenses, using a false social security number; failure to report income, forgeries of tax clearance certificate, failure to pay tax among others (Allingham & Sandmo, 1992).

A tax fraud is said to be evident if the taxpayer is found to have: purposely failed to file his income tax return; misrepresented the true state of his affairs so as to falsely claim tax deductions or tax credits; intentionally failed to pay his tax debt; prepared and filed a false return; deliberately failed to report all income received. Similarly, a business that engages in tax fraud may: knowingly fail to file payroll tax reports; wittingly fail to report some or all of the cash payments made to employees; hire an outside payroll service that doesn't turn over funds to the tax authority; fail to withhold taxes from employee paychecks; and fail to report and pay any withheld payroll taxes (Alstadsaeter, 2017).

Tax fraud cheats the government out of millions of dollars every year and is punishable by fines, penalties, interest, and/or prison time. For example, let us say John owns a painting business. As an employer, he dutifully withholds payroll taxes from his employees. However, John fails to remit those funds to the relevant tax authority and instead uses the money for a vacation and a new car. One of his employees finds out about the activity and reports him to the tax authority that investigates and determines that John has committed *tax fraud*, which is a felony. Other examples of tax fraud might include deliberately underreporting or omitting income, making false accounting entries or keeping two sets of books, taking deductions that the taxpayer is not entitled to, and hiding assets. Generally, an entity is not considered to be guilty of tax fraud unless the failure to pay is deemed intentional. Cebula, and Feige (n.d) posit that tax fraud does not include mistakes or accidental reporting which the tax authorities call negligent reporting.

Cobham (2005) posits that several reasons are responsible for tax revenue losses (fraud). These include: the domestic shadow economy, foreign asset held by domestic residents, income shifting by multinational firms over transfer pricing, tax competition among countries which drives up tax rates, and non-payment of taxes which are due but are not collected for reasons like shortcomings of the tax administration. Fakile and Adegbie, (2011) noted other important factors that cause tax fraud as are inflation rate, income level, unemployment, tax rate, poor tax system, the size of the government and weaknesses of tax policies, regulations and trade openness, ignorance of tax laws, lack of physical benefits accruing to the taxpayer and lack of confidence and trust in government for effective management of the tax. Others are, reluctant and unwillingness to pay tax by the taxpayer for personal interest, inability of tax authority to detect the defaulters, bribery and corruption in the tax system and administration and lastly ridiculous low penalty set by the law for the late and non-payment of due taxes.

Fraud in Company Income Tax

The structure of the limited liability companies can be used as a device to give a person or group of persons the control or enjoyment of income without its formal ownership. Thus those in middle class or upper income groups can mitigate their liability to higher rates of tax or even escape tax in its entirety. To prevent this, section 17(1) of the companies' income tax Act 1990 as amended has been passed to cover all companies that are in few hands (FGN, 1999). However, the provisions is subject to the conditions that only such profits that could have been distributed without detriment to the company business as it existed at the end of that period that would be deemed distributed as aforesaid (Yikano, 2011).

Chaskda (2015) posits that companies use different strategies to commit tax fraud. A limited liability company especially those under the control of shareholders who are directors, fixing a very high remuneration for the directors since this can rank as deductible expenses for tax purposes. Another device used by the companies, is to capitalize their profit by issue of new shares to the existing shareholders so that capital paid on the new shares will be made out of profits hereby depleting the taxable income of the company. In fact, there also exists other device, not foreseen at the time the Companies Income Tax Act 1990 (as amended) was enacted all for the purpose of minimizing or reducing tax liability.

The multinational enterprise as we know involve in so many transactions between group members, such as sale of goods, provision of services, granting of loans and so on to adapt transfer prices, which are not at arm length prices, in order to reduce tax. This can be done either by selling goods to a subsidiary in a tax haven at less than arms length prices or by the parent company over pricing its exports to foreign subsidiaries. Thus by exploiting the cost of import of final product or raw materials, as the case may be, the margins of profit is being increased which of course will be considered for tax purpose. The obvious result of this is critical lower profit which means lower tax collection in the taxing country shifting profit from one company to the other in the groups, the tax liability of the relevant company is consequently distorted.

Common offences under the Nigerian tax statutes may broadly be classified as follows: failure of employer to pay tax collected by him into government treasury is an offence under section 66 CITA 1990; demanding in excess the amount as tax from a person, withholding for his own use or otherwise a portion of the tax collected or rendering false return of the amount of tax collected or received by him, of where he defraud, embezzle any money or otherwise uses his position to deal wrongly with the relevant tax authority etc, such is an offence contrary to section 89 decree 103 of 1993; contravention of the provision of the tax law or the rule made under it for which no other personality is specially provided and where such offence is the failure to finish a return or keep record under section 60 or 54 of the CITA; failure by companies and corporations to pay outstanding tax and assessment made by the Federal Inland Revenue Service (FIRS) may be guilty of an offence under Income Tax Miscellaneous Provision 1969; and failure by a person to supply information on request to tax authorities contrary to section 70 CITA and other relevant Acts dealing with the offence under the various State laws (Chaskda, 2015).

Fraud in Personal Income Tax

Kiabel and Nwokah (2009) posit that although tax evasion is a problem that faces every tax system, the Nigerian situation seems unique when viewed against the scale of corrupt practices prevalent in Nigeria. Under the personal income tax in Nigeria, the major problem lies in the collection of the taxes especially from the self-employed such as the businessmen, contractors, professional, and practitioners like lawyers, doctors, accountants, architects and traders in shops among others. As observed by Olowolagba (2017) self-employed persons blatantly refuse to pay tax by reporting losses every year and many of them live a lifestyle inconsistent with reported income, which is usually unrealistically low for the nature of business they do.

Tax fraud is more common among high profile personalities, such as politicians, football heroes, and entertainers. For example, Ex-Manchester United boss José Mourinho was sentenced to jail with a fine option of €182,500 (£160,160). He was accused of owing €3.3m to Spanish tax authorities as Real Madrid manager in 2011-2012. Prosecutors claimed that José Mourinho had created offshore companies to manage his image and hide the earnings from tax authorities. Image rights cover the use of a person's likeness, voice, signature and mannerisms, and can be very lucrative for footballers and managers. The Spanish prosecutors argued that Mr. Mourinho set up multiple business entities in the British Virgin Islands and other locations to manage his image rights. The prosecutors argued that the image right was designed to obscure his financial gain and he left it undeclared in his tax statement after he moved to Span (Alstadsæter, 2017).

Alstadsæter (2017) further reported that in January, Cristiano Ronaldo, Barcelona's Lionel Messi and Neymar have also found themselves embroiled in legal battles with the Spanish tax authorities on various forms of tax fraud. Alstadsæter (2017) reported that in Nigeria, Super Eagle player, Austin Jay Jay Okocha received a bench warrant of arrest by a Lagos High Court for failure to pay his income taxes.

Tax authorities and officials are parties in tax fraud. Most times they are allotted a particular geographical area of operations. For a particular taxpayer, the tax officer is the tax department. This monopoly power gives tax officials the opportunity to create circumstances that entice tax payers into corrupt practices. A lack of clearly defined roles, functions, and duties of public officials creates an environment ripe for abusive behavior (Somorin, 2010). A high degree of discretionary power and the lack of adequate monitoring and reporting mechanisms are vital in providing opportunities for corruption. The greater the discretion, the greater the opportunity tax officials have to provide "favorable" interpretations of government rules and regulations to businesses in exchange for illegal payments.

Because of asymmetrical information, it is difficult to monitor officials and hold them accountable for their actions. The absence of supervision and accountability gives workers an opportunity to refrain from performing public duties. The absence of measures designed to maintain the integrity of staff—such as the promotion and enforcement of ethical standards, merit based recruitment and promotion procedures, and regular staff rotation schemes to prevent the creation of lucrative networks—increases the likelihood of staff indulging in corrupt practices (Uadiale, Fagbemi & Ogunleye, 2010).

In December, 2010, Mr. Abayomi Sofolayan, a chartered accountant was sent to 18 months jail term for conniving with three staff of Skye Bank Nigeria Plc, to defraud the Federal Inland Revenue Service, FIRS of N7.3 million. Justice Abimbola Obaseki, handed down the 18-month jail verdict,- without an option of fine-, at a Markurdi Federal High Court, when Sofolayan pleaded guilty to a 12 count charge of forgery, fraudulent diversion of cheques, conspiracy and nine other related charges. The accused persons, Jacob Dzurgba, Abayomi Sofolahan, James Uwalaha, Deji Sanni, Afolabi Suleiman (now at large) and Etuk Umo said Prosecuting Counsel James Binang, and

Assistant Director at the FIRS, fraudulently paid the sum of N5 Million Naira being Tax payment made by Guardian Newspapers Limited into a fictitious Federal Inland Revenue Service Account No. 3111750000240 with Skye Bank Plc in Otukpo, Benue State thereby committing an offence punishable under Section 516 of the Criminal Code Act Cap C28 Laws of the Federation of Nigeria 2004.

The Personal Income Tax (1993) indicated some common examples of personal income tax offences in Nigeria: failure to comply with requirement of notice served or without sufficient case failing to attend in answer to notice or summons served under the Personal Income Tax Act 104 of 1993; making incorrect returns or giving incorrect information relating to a matter or anything affecting the liability of any taxable person is an offence. Under section 87 of the Personal Income Tax Act 104, 1993; manipulating the marginal tax rate, by creating a trust settlement for the benefit of his children or other relations who if subject to tax at all is at a low marginal tax rate. Thus by a well calculated arrangement of his total income in his hand at a high marginal rate, rather he is now subject to tax at the lowest possible tax rate; incorporating the taxpayers' sole proprietorship or partnership into a limited liability company, thereby substituting the lower marginal income tax of the company for the higher marginal income tax of the sole proprietor or partnership; manipulating the marginal tax rate by transferring income from a high marginal rate taxpayer to someone who has little or no tax liability, for example, by appointing the taxpayer's wife, child, relation or close associate, as a director in the company with nominal duties; manipulation of charitable organization whose affairs are controlled and dominated by the founders, thus taking advantage of income tax exemption; converting what would ordinarily accrue to the taxpayer (employee) as income into capital gain (i.e. compensation for loss of office), to the tax advantage of the employer and the employees. The latter, because he already substitute the lower marginal tax rate applicable to capital gain for the higher marginal income tax rate that would otherwise apply to his taxable income, and the former, the compensation thus paid are allowable deduction for tax purposes; and easing property at a large premium with a much reduced monthly or annual rent, thereby substituting the lower marginal tax rate application to the lump sum premium payment (i.e. capital gain) for the higher marginal income tax rate that would otherwise apply to the income earning for the monthly or annual rent.

Recently, the Ondo State Government suspended five civil servants for allegedly involved in tax fraud of about N200m. The tax fraudsters were fond of issuing fake tax clearance certificate, certificate of road worthiness, and fake drivers' license. More so, the Federal Ministry of Finance suspended two tax officials in Delta and Benue States for their alleged involvement in tax frauds such as demands for personal gratification, promises to procure backdated tax clearance certificate, and conspiracy to reduce taxes payable (Ayodele, 2010).

Fraud in Custom and Excise Duties

The Nigerian Customs have been a major revenue earner for the federal government ever since the parastatal was created. This is why every government sets annual targets in hundreds of billions for the parastatal. It is arguably the highest earner for the government after oil and gas. The government's income forecast in the annual budget is often significantly predicated on the revenue performance of the Customs, hence its strategic importance to the survival of the Nigerian economy. It is instructive to establish that the performance of the Customs also serves as an indicator for business activities in the ports and the prevalent economic situation in the nation by extension. In other words the higher the revenue by customs the easier it is to assume booming economic situation in the country, and vice versa (Yikano, 2011).

Chowdhury (1992) asserts that customs duties are an important source of revenue in developing countries. Customs is required to carry out its mandate, which goes beyond revenue collection in an environment that emphasizes the revenue function over any other function. Customs duties in Nigeria are the oldest form of modern taxation. Their introduction dates back to 1860 known as import duties, which represents taxes on imports into Nigeria, charged either as a percentage of the value of imports or as a fixed amount of contingent on quantity. Import duties are the country's highest yielding indirect or expenditure tax. Prior to the introduction of Structural Adjustment Programme (SAP) in 1986, customs duties were as high as 300percent but currently range between two percent and seventy-five percent. The Customs and Excise management Act of 1958 and its amendments provided the statutory backing for the implementation of the tax.

The implication of this is that all is not well with the current state of the industry. Rather than celebrate $3.2 billion as the highest income generated we should been asking ourselves why the revenue of Customs has dropped by nearly 40% between 2014 and now. The answers to this abysmal performance are not far-fetched. The first is the exchange rate regime that made it difficult for many businessmen to access foreign currencies to execute their business plans. Closely related to this is the ban on importation of the 41 items by the CBN, which the customs public relations officers also alluded to in his press briefing. Perhaps the most significant factor is the ban on road importation and the increase on duty on imported vehicles. For car dealers the outrageous increase on import duty is a disincentive for their business, which has ultimately translated into hike in the price of imported vehicles (Somorin, 2010).

Somorin (2010) affirms that owing to the recession and the attendant negative economic situation in the country, many cannot afford the imported vehicles; car dealers now have vehicles with no one to buy. To change this tide demands immediate review of the current policies of government. It is delusional to assume that customs have performed creditably when the facts point to a cheerless situation. Let us face the reality and take the urgent steps required to change the face of business in the ports. As a matter of urgency the government must review the 70% increase on import duty because it has neither added value to ports business in any form nor has it aided local production. It is a primary reason for the abysmal performance in the customs revenue for the year. As we approach the New Year our nation requires policies that will support business growth and create employment. Every negative policy of the government has huge potential of advancing the dangerous unemployment situation in the country. The government must be deliberate and resolute in turning the economy around starting with the Customs. Ultimately, a bad situation cannot be corrected if it is not appreciated. The first step to changing the current abysmal performance is to stop the narrative that customs has generated the highest revenue in the history of the country (Ayodele, 2010).

Smuggling is importation or exportation of foreign products by illegal means. Smuggling is resorted to for total evasion of customs duties, as well as for the importation of contraband. A smuggler does not have to pay any customs duty since smuggled products are not routed through customs-tax compliant customs ports, and are therefore not subjected to declaration and, by extension, to the payment of duties and taxes (Chowdhury, 1992).

Yai-We (2016) importers purport to evade customs duty by (a) under-invoicing and (b) mis-declaration of quantity and product description. When there is ad valorem import duty, the tax base can be reduced through under-invoicing. Mis-declaration of quantity is more relevant for products with specific duty.

Excise duties, introduced in 1962 are an ad valorem tax on the output of manufactured goods as enforced by customs and excise Act of 1962 and 1965 and Customs and Excise Tariff Decree of 1995. Customs, Excise Tariff (Consolidation) Act 1995 part III section I stipulates that goods manufactured in Nigeria and specified in the fifth schedule to this Act shall be charged with duties of excise at the rates specified under the duty column in the said schedule. Excise duty was levied on a variety of locally produced goods until 1998 when the tax was abolished. It was however partially reintroduced, with effect from January 1999. The tax handling is unstable and is applied or reneged at will as in 1998-2000 when it was revoked. Since 2001, duties have been abolished on most manufactured goods with the exception of products considered harmful such as bleaching creams, alcohol, spirit and tobacco. Although excise duty as a tax has lost its revenue objective, it is used to discourage consumption of harmful goods (Omoshola, 2014).

There has been a determined effort by the government at diversifying the export base from the traditional oil exports towards giving impetus to the non-oil export sector and bolstering value- added. The current policy framework according to Briggs is part and parcel of the overall trade policy, whose objective is to encourage the production and distribution of goods and services in order to satisfy both domestic and international markets, essentially for the purpose of accelerating economic growth. The aspiration of the government is to integrate the Nigeria economy into the global market through the establishment of a liberal market; promote and diversify exports in both traditional and non-traditional markets; and stimulate the transfer, acquisition and adoption of appropriate and sustainable technologies to nurture competitive export oriented industries. Most goods produced in Nigeria may be freely exported. The Ondo State command of the Nigerian Customs Services, uncovered eight companies that have not paid their excise duties in Ondo and Ekiti States in 2008 and 2009 (Ayodele, 2010).The Area comptroller general said in Akure ,Ondo state capital that it was part of the command's action of N650billion revenue generation target set by the comptroller General of the Nigeria Customs. One of the companies owed N655million which was paid after the drive.

Fraud in Value Added Tax

During the second half of the 20th century, value-added tax (VAT) emerged as a modern form of consumption tax throughout the world, with the notable exception of the United States (Yai-We, 2016). Producers who collect VAT from consumers may evade tax by under-reporting the amount of sales. In addition, most jurisdictions that levy a VAT or sales tax also legally require their residents to report and pay the tax on items purchased in another jurisdiction (Omoshola, 2014). This means that consumers who purchase something in a lower-taxed or untaxed jurisdiction with the intention of avoiding VAT or sales tax in their home jurisdiction are technically breaking the law in most cases.

Omoshola (2014) states that VAT fraud can be recognized in any of these ways: credit claimed for invoices from unregistered suppliers; credit claimed for taxable supplies used in exempt activities; credit claimed for purchases that are not creditable; accounting errors; false export claims; imported goods and taxed but unreported sales; omission of self – deliveries; VAT collected but not remitted to the tax authorities; under-reported sales; unrecorded cash purchases; exaggerated refund claims; and traders who are liable to VAT but do not register.

The value added tax Act (1993) considers the following as VAT offences: failure to register within one month, non-remittance of tax, rendering false returns, obstructing VAT inspectors from performing their duty, failure to issue VAT invoice, issue of VAT invoice by an unauthorized persons, failure to keep proper books and accounts, failure to collect VAT at the specified rate, failure to submit returns, and aiding and abetting the commission of VAT offences.

National Development

The term national development is very broad and comprehensive. It includes all aspects of the development of a nation namely, political, social, economic etc. Ake (2001) described national development as the process of empowering people of a particular country to maximize their potentials, and developing the knowledge capacity to exploit nature and meet daily human needs. Gboyega (2003) describes it as "an idea that embodies all attempts to improve the conditions of human existence in all ramifications". It involves a sustainable standard of living such as good health, quality education, high rate of employment, high life expectancy, peace, etc not only for the rich but for all. From the foregoing, it is therefore believed that national development is usually taken to involve not only economic growth, but also some notion of equitable distribution, provision of health care, education, housing and other essential services all with a view to improving the individual and collective quality of life. National development removes poverty, improves national income as well as per-capita income, develops quality in education, health services, transportation and communication, preserves the natural environment, controls pollution and environmental hazards, develops an impartial and well-organized political system, promotes the concept of sustainable development, and brings about revolutionary change in the field of agriculture (Eweta, 2013).

Socio-economic development is a product of development and can be defined as the process of social and economic transformation in a society. Socio-economic development embraces changes taking place in the social sphere mostly of an economic nature. Thus, socio-economic development is made up of processes caused by exogenous and endogenous factors which determine the course and direction of the development. Socio-economic development is measured with indicators, such as GDP, life expectancy, literacy and levels of employment. Changes in less-tangible factors are also considered, such as personal dignity, freedom of association, personal safety and freedom from fear of physical harm, and the extent of participation in civil society. Causes of socio-economic impacts are, for example, new technologies, changes in laws, changes in the physical environment and ecological changes (Ewetan & Urhie, 2014).

However, Ewetan (2013), posits that the analysis of national development in Nigeria revealed endemic rural and urban poverty, high rate of unemployment, low life expectancy, debilitating youth unemployment, low industrial output, unstable and deteriorating exchange rate, high inflation rate, inadequate physical and social infrastructure, very large domestic debt, rising stock of external debt and low human capital index.

Empirical Review

Onyeka, and Nwankwo (2016) examined the effect of tax evasion and avoidance on Nigeria's economic Growth. They discovered that, tax evasion and avoidance had negative significant impact on growth of the Nigerian economy. Uadiale, Fagbemi, and Ogunleye (2010) investigated the ethics of tax evasion; perceptual evidence from Nigeria. They found that, tax evasion is ethical sometimes is not accepted, and the level of tax evasion when government is corrupt is significantly higher than when it relates to other views expressed on government discrimination, unjust treatment and tax affordability. Mehrara & Farahani (2016) wrote on the effect of tax evasion and government tax revenues on economic stability in organizations for economic cooperation and development (OECD) countries using data from 1990-2013.They found that, tax evasion lead to economic instability and more tax revenues will be beneficial to a better economic condition. Obafemi (2014) conducted study on the effects of tax avoidance and tax evasion on Nigeria economic development. He adopted survey research design and responses were obtained through a well structured questionnaire administered to 150 Nigerians, out of which are tax payer and tax evader. He found that, tax evasion and avoidance have adversely affected economic growth and development in Nigeria.

Cobham (2005) explored the effect of overall tax system in Latin American countries on employment generation. He posits that the richer countries of the world have grown their overall tax revenues since the 1970s. The EU countries are characterized by total central government revenues of around one-third of GDP. The direct tax take increased from the 1970s to 1980s, but overall growth was primarily due to increases in the revenue from sales taxes but in contrast, the US exhibit lowers overall revenues and shows continuing growth in direct taxation only. Cobham (2005) therefore summarized that Latin America and the Caribbean saw fairly stable direct tax revenues, falling trade tax with trade liberalisation taking hold and increasing reliance on sales tax. East Asia, at roughly similar levels of per capita income, exhibited a similar pattern, thus, with lower trade tax and hence overall revenues (around 2% and 14% of GDP respectively in East Asia, compared to around 4% and 17% in the former).

Wei (2003) as cited in Muhrtala and Ogundeji (2013) examined tax fraud in China by comparing the values of the country's imports from Hong-Kong, with what Hong-Kong reported as exports to china over a defined period. The result was that on average, a 1% increase in tax rate is accompanied by a 3% escalation in fraud. However, there was a non-linear correlation as fraud elasticity is larger at higher tax levels. In a related study, Levin and Widell (2007) estimated the amount of tax fraud in customs authorities in Kenya and Tanzania by calculating measurement errors with tax rates through evidence from missing imports. Findings concluded that coefficient on tax is higher in Tanzania as compared to Kenya, implying that tax fraud on imported goods is higher in Tanzania than Kenya and ultimately tax fraud is more severe in the Tanzanian customs authority. Ultimately, corruption amongst tax officials and lack of transparency in tax revenue accountability are responsible for tax fraud in these countries.

In a study by the Global Financial Integrity (2011) on ill-gotten money and the economy of Malawi and Namibia, revealed that for Malawi, tax fraud represents about 8-12% of gross domestic product (GDP), which indicates a significant drag on economic growth and development. Meanwhile, it was estimated that tax revenue actually collected by the Malawi revenue authority is only 22% of GDP. Thus, if the national tax authority had successfully collected all the taxes it was due, government revenue would have increased by 50%. This is approximately about how much Malawi receives in foreign aid (11.7% of GDP). As one Malawi revenue official stated in an interview during the study," if we collected all the taxes, we will then not have to depend on foreign aid".

In the case of Namibia, uncollected taxes are equivalent to about 9% of the GDP. This is larger than education's share of the economy and almost as large as the mining sector—which generates most of the country's export income. What makes things worse is that Namibia suffers from the highest income inequality in the world: The Gini co-efficient, which measures the gap between rich and poor, is estimated at 70.7% and the revenue lost through tax fraud represents a diversion (leakage) of financial resources from the national budget toward private spending, hence money that could be invested in productive resources needed to diversify the economy and address urgent socio-economic challenges are siphoned away.

Of all the taxes, personal income tax (direct assessment) has remained the most disappointing, nonperforming, unsatisfactory and problematic in Nigerian tax system (Kiabel & Nwokah, 2009; Nzotta, 2007; Odusola, 2006). The statistical data indicated that contributions of non oil income tax to total revenue of Government in Nigeria dropped from 19.8% in 1999 to 11.7% in 2008 and the tax ratio in 2009 was 11% the lowest in West Africa and below 15% recommended for low income countries (Cobham, 2005).

Methodology

The United Nations (2002) reports that measurement of the level of national development with the use of Gross Domestic Product (GDP), which only measures economic growth is no longer valid, and as such the human development index (HDI) was introduced by the United Nations Development Programme (UNDP) in 1990 as a measure of standard of living of the people. The human development index has three components: knowledge, longevity and access to resources. For the purpose of this study, tax fraud was measured as the negative tax gap between targeted collection and actual collection of petroleum profit tax, company income tax, personal income tax, customs and excise duty, and value added tax.

Due to the nature of the variables under study, the ex post facto research design was adopted in this study because the data collected are historical in nature, and more so, the design investigates possible cause and effect relationships between tax fraud and national development. Secondary data were extracted from various reports of the Federal Inland Revenue Service (FIRS) on tax fraud and the United Nations (UN) on human capital index (HCI) for the period of 1999-2018. The data were analysed with mean score and standard deviation while the impact of tax fraud on national development was tested using the ordinary least square (OLS) regression technique. These were computed with the aid of Economic View (E-View) version 10.

The model specification for this study is given in functional form as:

HDI = f (PPTF, CITF, PITF, CEDF, VATF) -- (i)

In econometric form, the model becomes:

$HDI = \propto_o + \beta_1 PPTFt + \beta_2 CITFt + \beta_3 PITFt + \beta_4 CEDFt + \beta_5 VATFt + - - \mu t$ --------------- (ii)

Where:

HDIt = Human development index in time (t)

PPTFt = Petroleum profit tax fraud in time (t)

CITFt = Company income tax fraud in time (t)

PITFt = Person income tax fraud in time (t)

CEDFt = Customs and excise duty fraud in time (t)

VATFt = Value added tax fraud in time (t)

$\propto_o$ = Regression constant

β = Regression co-efficient

μt = Stochastic term

Our prior expectation in this study is that petroleum profit tax fraud, company income tax fraud, personal income tax fraud, customs and excise duty fraud, and value added tax fraud will have a negative impact on national development. In summary, it is expected that β1- β5< 0.

Unit Root Test

There is high tendency that economic time series data are non-stationary at levels, but may become stationary only after first differencing or second (Iyoha, 2006). A unit root is a stochastic trend in a time series, sometimes called a "random walk with drift", if a time series has a unit root, it means it is non stationary and it shows a systematic pattern that is unpredictable. Before estimating the OLS regression, we examined the variables for possible unit root effect using the Augmented Dickey Fuller (ADF) and ensure that no variable is integrated of a higher order, i.e. I (1) and I (2). This is as presented in Table 1 below:

Table 1: Summary of Unit Root Test at 5% Level of Significance

Variables	ADF	Remarks
HDI	-3.8841	1(0)
PPTG	-2.8737	1(0)
CITG	-3.8257	1(0)
PITG	-5.0274	1(0)
CEDG	-4.7131	1(0)
VATG	-3.4599	1(0)

The result of the unit root test using Augmented Dickey – Fuller at 5% level of significance shows that all the time series variables are stationary at levels. This implies that the series are not dependent on time and shows a systematic pattern that is predictable. This conclusion is based on comparison of the Augmented Dickey Fuller statistics and the critical values provided by MacKinon (1996).

Empirical Analysis

Table 2: Descriptive Statistics

	HDI	PPTG	CITG	PITG	CEDG	VATG
Mean	0.4644	416.53	110.93	-7.58	-172.21	-8.53
Maximum	0.5320	1786.40	401.90	18.00	242.30	158.40
Minimum	0.3180	-1431.10	-61.10	-34.10	-566.60	-404.40
Std. Dev.	0.0713	687.45	136.80	12.75	165.31	116.63
Observations	20	20	20	20	20	20

From Table 2 we observed that national development in Nigeria proxied by human development index (HDI) for the study period has a mean value of 0.4644 with yearly rates fluctuating between a maximum of 0.532 and a minimum of 0.318. The standard deviation of 0.0713 suggests that the series is not widely dispersed from the mean. Similarly, PPTG has a mean of 416.53 and a standard deviation of 687.45 with 1786.40 and -1431.10 as maximum and minimum values respectively; CITG has a mean of 110.93 and a standard deviation of 136.80 with 401.90 and -61.10 as maximum and minimum values respectively; PITG has a mean of -7.58 and a standard deviation of 12.75 with 18.0 and -34.10 as maximum and minimum values respectively; CEDG has a mean of -172.21 and a standard deviation of 165.31 with 242.30 and -566.60 as maximum and minimum values respectively; VATG has a mean of -8.53 and a standard deviation of 116.63 with 158.40 and -404.40 as maximum and minimum values respectively.

As shown in the Table above, the average tax fraud in personal income tax is N7.58billion; customs and excise duty is N416.53 billion, and value added tax is N8.53 billion. This implies that the level of tax fraud is higher with customs and excise duty followed by value added tax with personal income tax being the least. The data presentation in the appendix shows that fraud occurs in petroleum profit tax in 1999, 2001, 2002, 2006, and 2007, while there was fraud in company income tax in 2005 and 2011. But the overall actual tax collections for petroleum profit tax and company income tax during the period under review exceeds the targeted tax collections, thereby resulting to a positive tax gap during the period.

Table 3: Impact of Tax Fraud on National Development in Nigeria

Variable	**Coefficient**	**Std. Error**	**t-Statistics**	**Prob.**
C	130.968	43.754	2.993	0.010
PPTV	0.463	0.035	13.23	0.000
CITV	0.590	0.175	3.371	0.043
PITV	-0.218	0.100	-2.180	0.014
CEDTV	-0.151	0.071	-2.116	0.016
VATV	-0.254	0.206	-2.083	0.017
R-Squared	0.572		Mean dependent variable	0.464
Adjusted R-Squared	0.420		S.D dependent variable	0.071
F-statistics	3.747		Durbin-Watson statistics	2.103
Prob (F-statistics)	0.023			

From Table 3 above, the R-Squared of 0.572 suggests that about 57.20% of variation in human development index is explained by tax fraud while 42.80% change in human development index is explained by other factors not captured in this model. The F- statistics of 0.023 which is less than the critical value of 0.05 suggests that tax fraud has a significant impact on national development in Nigeria. A percentage increase in personal income tax fraud will lead to 21.8% decrease in human development index. Similarly a percentage increase in customs and excise duty fraud will bring about 15.50% decrease in human development index, and finally a percentage increase in value added tax fraud will result in 25.40% decrease in human development index.

More so, the Durbin-Watson statistics of (2.103) falls within the acceptable region and therefore indicates that there is no serial correlation in the model.

Discussion of Findings

It was gathered from this study that fraud in personal income tax, customs and excise duty, and value added tax have a negative significant impact on national development. Some of the previous studies that lend credence to these findings include Onyeka, and Nwankwo (2016), Mehrara and Farahani (2016), and Onyeka and Nwankwo (2016), Obafemi (2014), Global Financial Integrity (2011), Kiabel & Nwokah (2009); and Levin and Widell (2007). Onyeka, and Nwankwo (2016) discovered that, tax evasion and avoidance had negative significant impact on growth of the Nigerian economy. Mehrara & Farahani (2016) found that, tax evasion lead to economic instability and more tax revenues will be beneficial to a better economic condition. Obafemi (2014) found that tax evasion and avoidance have adversely affected economic growth and development in Nigeria. Global Financial Integrity (2011) revealed that in Malawi, tax fraud represent about 8% to 12% of gross domestic product (GDP), which indicates a significant drag on economic growth and development. In the case of Namibia, uncollected taxes as a result of fraud accounts are for about 9% of GDP, and this has negatively affected the education and mining sectors of the economy.

Kiabel & Nwokah (2009) reported that personal income tax (direct assessment) has remained the most disappointing, nonperforming, unsatisfactory and problematic in Nigerian tax system; and Levin and Widell (2007) concluded that tax fraud on imported goods is higher in Tanzania than Kenya and ultimately tax fraud is more severe in the Tanzanian customs authority.

Conclusion and Recommendations

National development is the change in growth and development, which includes social, cultural and economic change. It is the ability of a country to improve the social welfare of the people. National development would be the expansion and growth of people in a defined territory or government. The factors for national development include:-equal living standard for all; equal share of all in profit; equal distribution of income and capital; expansion of facilities regarding education, health, shelter and social welfare; and preservation of the environment.

The behavior of fraudulent taxpayers has a negative impact on the resources available to finance essential public services of the country; it creates distortions of competition and inequality, harming honest taxpayers. It was gathered in this study that the level of tax fraud in Nigeria is higher with customs and excise duty as smuggling is resorted to for total evasion of customs duties, as well as for the importation of contraband by many importers. However, it was observed that although an element of fraud exists in petroleum profit tax and company income tax, actual tax collections during the period under review exceeds the targeted tax collections, thereby resulting to a positive tax gap during the period. More so, it was gathered from this study that fraud in personal income tax, customs and excise duty, and value added tax have a negative significant impact on national development.

In view of the above, the following recommendations were made:

(i) To promote national development, the federal government of Nigeria should guide against all manners of tax fraud by bringing fraudsters particularly smugglers and others to book no matter how highly placed.

(ii) There should be a periodic review of the Nigerian tax laws in a bid to block possible loopholes that could give rise to fraudulent activities in the Nigerian tax administration.

(iii) Tax amnesty should be granted to fraudsters to encourage them to stop further acts of tax fraud for increased tax revenue, which consequently will lead to national development.

(iv) It is advisable to employ only qualified persons of high integrity to work in the revenue house since some tax officials are fraudsters in the assessment and collection of taxes.

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APPENDIX

Years	**HDI**	**PPTF N billion**	**CITF N billion**	**PITF N billion**	**CEDF N billion**	**VATF N billion**
1999	0.318	-60.3	21.8	-6.4	-155.9	26.5
2000	0.336	68.1	3.8	-14.0	-164.3	15.6
2001	0.340	56.6	4.3	-17.8	-95.1	36.7
2002	0.345	-52.9	37.6	-14.1	-84.9	65.0
2003	0.443	37.0	40.3	-18.7	-166.7	73.4
2004	0.462	318.6	26.8	-27.0	-149.1	-71.5
2005	0.465	476.1	-3.8	-1.3	-243.3	-38.3
2006	0.475	-1431.1	87.9	4.9	-269.4	-54.9

2007	0.479	-15.5	33.4	4.6	-234.3	50.6
2008	0.485	524.5	56.6	18.0	-300.3	78.7
2009	0.490	300.6	13.6	-1.2	-136.7	0.4
2010	0.484	277.2	79.1	-20.7	-346.7	15.1
2011	0.494	1276.8	-61.1	-1.1	145.8	-110.8
2012	0.512	1407.5	99.1	-18.5	-21.1	92.3
2013	0.519	1024.9	294.9	5.0	-566.6	85.1
2014	0.522	663.9	174.8	-5.7	-166.0	-58.0
2015	0.527	1040.5	401.9	-6.0	-51.0	-158.4
2016	0.530	1786.4	290.5	1.8	-39.3	-43.8
2017	0.532	455.3	384.6	0.7	242.3	-86.7
2018	0.529	176.4	232.4	-34.1	-400.0	-404.4

Source: FIRS and United Nations Report of Various Years