

# Implementation of Tax in Indonesia from the Perspectives of Muhammadiyah and NU

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## Abstract

Taxes remain a widely-discussed topic. It is because taxes are not only limited to state finances but also play a crucial role in a country's development. This study examines the implementation of taxes (Tax Law, Education Tax, and Tax Amnesty) in a country from the perspectives of Muhammadiyah and Nahdlatul Ulama (NU). This study aims to provide scientific contributions and fill the gap regarding the role of Islamic organizations, specifically Muhammadiyah and NU, in Indonesia, in terms of tax implementation. This study employs the library method as its research approach. The method involves collecting information from laws and regulations, as well as books and articles related to state regulations and the statements or decisions of organizations. The results of the study indicate that Muhammadiyah and NU share the same view regarding tax law. They consider taxes mandatory. For the VAT on education, Muhammadiyah and NU disagree. It is because they also consider it to be contrary to the spirit of Pancasila and the welfare of the people. Furthermore, Muhammadiyah agrees with tax amnesty. However, Muhammadiyah continues to provide input and suggestions to the government. On the other hand, NU has not reached an agreement on the tax amnesty law. Upon examining previous decisions, it was found that NU did not permit Tax Amnesty. This study contributes to the formulation of more inclusive and equitable public policies by integrating the religious perspectives of Muhammadiyah and NU on the implementation of taxes in Indonesia. Thus, it will increase the legitimacy, compliance, and trust of the Muslims in the national taxation system.

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## Introduction

Taxes are the primary source of revenue in a country, although the state can also obtain revenue from other sources in terms of fiscal matters (Zuchroh, 2022). Tax discussion remains a widely discussed issue with various perspectives. It is because taxes are not limited to discussions of state finances but also play a crucial role in a country's development (Zuchroh, 2024). Indonesia is one of the countries with a high reliance on taxes to fulfill the country's needs. It was stated directly by Bambang Brodjonegoro, the President's Special Advisor for Economic and National Development, at The Economics Insight on February 19, 2025 (Kismayanti, 2025). In addition, the practice of taxation in Indonesia has a negative image, extending from collection to distribution, which is marred by intrigues that hint at corruption. Thus, it will lead to unfavorable perceptions among the public and decrease the willingness to pay taxes due to the high corruption rate among a few tax officers (Hakim, 2021).

Taxes are required for the welfare of the community, whether for taxpayers or non-taxpayers. Islam as a way of life regulates all lines of life, both to Allah SWT and to humans and fellow creatures of Allah SWT. Islam, in its natural form, serves as the basis for addressing problems in every aspect of life, including social improvement, both macro and micro, which can be addressed by the Government (Saidi, 2010).

Indonesia is one of the countries with a majority Muslim population (Mutakin, 2021). Indonesia not only has a majority Muslim population but also has many Islamic religious organizations. Two of the organizations are Muhammadiyah and NU. They are considered the largest Islamic organizations that have made significant contributions to the history of the Indonesian state's founding and the development of the Indonesian nation and state (Mutakin, 2021).

The primary source of funds for the government of an Islamic state is zakat, infaq, shadaqah, and *ghanimah* (treasures obtained from war booty). Islam views taxes as a source of income for a country to fulfill the needs of the state and society in general, which is only done if the primary source of funds (zakat, infaq, shadaqah, and *ghanimah*) is unable to fulfill these needs (Jahan, 2021; Rahayu, 2001).

One of the novelties in studying the tax perspective from religious organizations, such as Muhammadiyah and Nahdlatul Ulama (NU), is important considering that both are the leading representatives of Muslims in Indonesia. Furthermore, they also have a significant influence on shaping the religious views of the Islamic community. The religious views of these two mass organizations can serve as an authoritative reference in addressing public doubts about the legitimacy of taxes in Islam, particularly in the context of the relationship between taxes and zakat

obligations. Muhammadiyah and NU play a role in increasing awareness and implementation of religiosity-based taxes by positioning taxes as a citizen's obligation that aligns with Islamic principles (Meirison, 2022). In addition, as institutions with extensive networks in the fields of education and social affairs, these two organizations also have the potential to develop strategies that support inclusive tax literacy based on the values of social justice in Islam (Rahayu & Wijaya, 2021).

Research on taxes primarily focuses on the concept of taxation in general and its regulation. Meanwhile, in the Islamic context, taxes are examined from the perspectives of the Qur'an and hadith, as well as those of various scholars. There is a few literature that discuss the implementation of taxes in a country from the perspective of Islamic organizations. In addition, the low level of public trust in the state's tax management effectiveness is a factor that contributes to reduced tax compliance. Therefore, involving Islamic organizations in building tax morale is crucial in the context of value-based public policy (Ajlouni, 2017). Therefore, the issue of taxes in a country is something that deserves continuous and thorough study from various perspectives (Nnamani et al., 2023). This study contributes to the public economics literature by providing a comparative analysis of how the major Islamic organisations, Muhammadiyah and NU, interpret and respond to tax policies in Indonesia. It addresses a gap in the literature, as previous studies have primarily focused on Islamic tax law. In contrast, this paper emphasizes its practical influence on tax compliance, public trust, and policy legitimacy.

## **Literature Review**

This study begins with the understanding that taxation is a modern state instrument essential for development and the provision of public services. In the context of Indonesian Muslim society, the acceptance of tax as a moral and legal obligation is influenced by religious understanding formed by socio-religious authorities such as Muhammadiyah and NU. Therefore, tax is not only understood within a legal and formal framework, but also within a religious and ethical framework. The conceptual framework of this study positions religious authorities as key actors in shaping tax legitimacy within Muslim society. The approach combines contemporary *fiqh* analysis, religious authority theory, and religiosity-based tax compliance theory.

## **Definition of Tax**

According to Law No. 28 of 2007, Article 1, taxes are obligatory contributions to the state owed by individuals or entities based on the act with no direct compensation and are used for state purposes for the greatest prosperity of the people (Direktorat Jenderal Pajak, 2025f; Kopczuk et al., 2018). Taxes are public contributions to the state owed by those who are obliged to pay according to

regulations (law) without receiving direct compensation that can be allocated to finance public expenditures related to state duties (Winataputra, 2016). Meanwhile, Smeets argues that tax is a contribution to the government, according to general norms, which can be mandatory without any compensation that can be demonstrated in an individual case (Firdaus, 2019; Gangl & Torgler, 2020). In summary, it can be concluded that taxes are contributions to the government that can be enforced without any achievement obtained by the taxpayer as regulated by law to finance state expenditures related to state duties in the administration of Government (Waluyo, 2000; Jacobsen Kleven et al., 2011). Article 23A of the 1945 Constitution Amendment related to that tax regulation clearly states, 'All taxes and other levies shall be regulated by law' (Saidi, 2010).

### **Type of Taxes**

Two types of taxes are applied in Indonesia. The taxes are: (1) Taxes managed by the central government in the form of; Income Tax (PPh), Value Added Tax (VAT), Luxury Goods Sales Tax (PPnBM), Stamp Duty, and PBB Plantation, Agriculture and Mining; (2) Taxes managed by local governments in the form of; Restaurant tax, Entertainment, Motorized Vehicles, BPHTB, Rural and Urban PBB, and other local taxes. (Direktorat Jenderal Pajak, 2025e).

### **Functions of Taxes**

There are four purposes of tax: (1) Taxes as a budget (budgetary), which aims to finance state expenditure and needs, including development costs, (2) Taxes as regulating, which aims to allow the government to regulate, (3) Taxes as economic stability. When citizens pay taxes, the government can transfer the funds to those who are eligible. (4) Tax as retribution (Direktorat Jenderal Pajak, 2025d)

### **Tax collection system in Indonesia**

The tax collection system in Indonesia employs the self-assessment method. Indonesia has also transitioned its tax collection system from an official assessment system to a self-assessment system. Trust is given directly to taxpayers to provide reports independently, calculate, pay, and report the tax that must be paid, based on state tax laws and regulations. (Direktorat Jenderal Pajak, 2025g).

### **The Principles of Taxation in Indonesia**

The principles of tax imposition involve various factors related to the source of income or benefits (the tax object) and the receipt of income or benefits (the tax subject) by taxpayers. There are three principles of tax imposition, namely: (1) The principle of domicile, where the state imposes taxes on individuals or entities residing in the country. (2) The principle of source, the state imposes taxes on everyone who has income living in the country, including citizens from abroad. (3) The principle of nationality, citizenship. The state obliges every citizen, regardless of the source of

income, including citizens who earn income from abroad (Direktorat Jenderal Pajak, 2025c). This concept is discussed in the context of public international law by Bentil (2018), which emphasizes the importance of a clear separation between tax subjects and objects in international tax systems.

### Principles of Tax Collection

There are several principles in tax collection within a country that can be used as a reference. The following are some of the principles delivered by several figures related to a country's tax collection (Direktorat Jenderal Pajak, 2025b). According to Adam Smith, there are four principles: (1) The Principle of Equality. Tax collection is adjusted to the ability of the taxpayers without discrimination by the state. (2) Certainty principle. Tax collection from taxpayers is based entirely on the law, and there are sanctions in place for any violations. (3) Convenience of Payment principle. Tax collection is executed in conditions where taxpayers are considered capable of paying taxes. (4) Efficiency principle. The operational costs of tax collection should not exceed the tax revenue.

According to W.J. Lange, five principles must be considered. The five principles are: (1) The Carrying Capacity Principle. It involves balancing the tax charged based on the taxpayer's income size. (2) The Benefit Principle. It states that all tax proceeds must be utilized for the public benefit of a country. (3) Welfare Principle. It focuses on the use of tax for the welfare of the people (4) Equality Principle. It gives equal conditions and treatment to all taxpayers. (5) The Principle of the Smallest Burden. It explains that the tax taken from the taxpayer is as small as possible to avoid incriminating the taxpayer.

In contrast to W.J. Lange, although both have five principles, Adolf Wagner holds a different view related to the principles of tax collection, which are: (1) Political Financial Principles, which require that tax collection be sufficient to meet the state's needs. (2) Economic Principles, precisely in determining the amount of tax on taxpayers. (3) The principle of justice is that there is no discrimination in tax collection. (4) Administrative Principles, concerning tax certainty (when, where to pay taxes), billing flexibility (how to pay), and the amount of tax costs. (5) Juridical principle: all tax levies must be based on the law.

### Taxes from an Islamic Perspective

Below are the equivalent words in Arabic that refer to the interpretation of tax:

1. *Dharibah* in Arabic comes from the word *dha-ra-ba*. It means to oblige, stipulate, collect, beat, explain, impose, and others (Al-Munawir AW, 1997a). In terms of *dharibah*, it refers to the property acquired by the state from sources other than *kharaj* and *jizyah* (Surahman, 2017).
2. *Kharaj*, with its origin in the word *kha-ra-ja*. It means to take out (Al-Munawir AW, 1984). *Al-Kharaj* is a land tax levied by an owner who loses a battle; in other words, it is also a tax levied on

agricultural produce or the produce of land (Manan, 1993). Al-Kharaj means the rent charged to Muslims and non-Muslims alike because Muslims acquired the land during a war (Ra'na, 1990).

3. *Usyr* derived from the word '*a - sha - ra*', meaning to take or add to (Al-Munawir AW, 1997b). The term means the trade treasures taken from the Zimmah and Harbis that pass through the Islamic caliphate. (Qadim, Zallum, 2002)
4. *Jizyah* in language comes from the word "*ja-zaa*," which means to fulfill and punish. At the same time, in terms, it is a sum of money that is imposed on non-Muslims by the Muslims from a treaty that is done as proof of the submission of the disbelievers to the Muslims. If they have paid, the Muslims are obliged to protect them (Sabiq, 1999).

Examining the information on the word 'Dhaaribah', which means burden, reveals a closer connection to the meaning of taxes (Madjid et al., 2024). It can be understood because tax is a burden borne by Muslims after zakat, which is an obligation in Islam.

#### Taxes Based on the Qur'an and Hadith

The Qur'an and hadith do not explicitly discuss taxes, as taxes were not recognized as a form of revenue until after the time of the Qur'an's revelation. The word equivalent is closest to the concept of taxes. Thus, in the Qur'an, there is no word "tax". There are at least three verses and four hadith that are closest to the discussion of taxes.

Al-Baqarah verse 267

يَا أَيُّهَا الَّذِينَ آمَنُوا أَنْفِقُوا مِنْ طَيِّبَاتِ مَا كَسَبْتُمْ وَمِمَّا أَخْرَجْنَا لَكُمْ مِنَ الْأَرْضِ وَلَا تَيَمَّمُوا الْخَبِيثَ مِنْهُ تُنْفِقُونَ وَلَسْتُمْ بِآخِذِيهِ إِلَّا أَنْ تُغْمِضُوا فِيهِ ۚ وَاعْلَمُوا أَنَّ اللَّهَ غَنِيٌّ حَمِيدٌ

*"People of faith, spend (in the way of Allah) some of the good of your labour and some of what We bring forth from the earth for you. And choose not that which is bad, and spend of it, when you would not take it but by straining your eyes against it. And know that Allah is All-Rich, All-Praised."* (Tafsir web, 2025a).

Al-Hasyr verse 7

مَا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ ۚ كَىٰ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ ۚ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا ۚ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

*"Spoils of war (fai-i) Allah gives to His Apostle (of property) from the inhabitants of the cities is for Allah, for the Apostle, the relatives, the orphans, the poor, and those on a journey, lest it should circulate among*

*the rich alone among you. What the Messenger gives you, accept. And what he forbids you, forsake. And fear Allah. Verily, Allah is very severe in punishment.*" (Tafsir web, 2025b)

At-Taubah verse 29

قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَلَا يَدِينُونَ دِينَ الْحَقِّ  
مِنَ الَّذِينَ أُوتُوا الْكِتَابَ حَتَّى يُعْطُوا الْجِزْيَةَ عَنْ يَدٍ وَهُمْ صَاغِرُونَ

*"War on those who believe neither in Allah nor in the Last Day, and do not forbid what Allah and His Messenger have forbidden, nor believe in the true religion of Allah, (those) to whom the Book was given, until they pay the jizyah obediently, while they are in a state of submission"* (Tafsir web, 2025c)

Here are some traditions related to taxes:

إِنَّ صَاحِبَ الْمَكْسِ فِي النَّارِ

*"Verily, the collector of Al Maks (tax collector) will go to Hell."* [HR Ahmad 4/109]

لَا يَدْخُلُ الْجَنَّةَ صَاحِبُ مَكْسٍ

*"The tax collector will not enter Paradise",* (HR. Abu Daud II/147 No.2937)

لَيْسَ فِي الْمَالِ حَقٌّ سِوَى الزَّكَاةِ

*"There is no obligation on wealth except Zakat"* (HR Ibnu Majah I/570 No.1789)

إِنْ فِي الْمَالِ لِحَقًّا سِوَى الزَّكَاةِ

*"In wealth there are other rights apart from zakat."* (HR Tirmidhi from Fatima bint Qais RA., Book of Zakat, Chapter 27, Hadith No.659-660 and Ibn Majah, Book of Zakat, Chapter III, Hadith No.1789)

### **Tax in the Course of Islamic History**

During the period of Rasulullah Saw, the collection of wealth other than zakat began with the Hijrah to Yathrib, and the region was renamed Medina. The work at that time was still done voluntarily, and zakat was only used following what was stated in the Qur'an, not for any other purpose than the eight *asnaf*. To finance the needs of the Islamic Government, Usyr (customs) became the backbone of fulfilling the government's needs at that time (Lubis, 1994). The second source is the *jizyah* (Tax for non-Muslims), which amounts to 1 Dinar per person, except for women, priests, children beggars, the elderly, and the mentally ill. A source of income for the state treasury is *kharaj* from the land of non-Muslims in *Khaibar* (Karim, 2002).

During the Abu Bakr era, the utilization of funds other than zakat was no different from the time of the Prophet. At the time of Abu Bakr, people were reluctant to pay zakat and taxes. Consequently, significant resources were allocated to fighting those who were reluctant to pay taxes, zakat, and apostasy (Karim, 2002). During the period of Umar bin Khattab, there was a difference and

renewal of the problem of state revenue (Karim, 2002), which are: (1) The establishment of a Baitul mal in each province to administer zakat and kharja, (2) Kharaj charged to all land holdings, (3) Non-Muslims are reluctant to pay jizya but pay sadaqah (charity).

During the period of the two caliphs, Usman bin Affan and Ali bin Abi Thalib, there was no information on changes in policies related to taxes. Both of them utilize the system issued by Umar bin Khattab. Except that during the time of Usman bin Affan, because he was a wealthy and generous person, he did not receive a salary. Instead, he helped the government from his property (Karim, 2002).

### **Taxes According to Imam Madhab**

The four existing *madhab* generally allow the collection of other than taxes, although with different provisions. The *Shafi'i madhab* permits it on the condition that there are insufficient funds stored in the Baitul Maal (Imam, 1998). The *Hanafi madhab* thinks that it is permissible to levy taxes (*naibah*) for public purposes and war (Amin, 2003). *Maliki madhab* is permissible if it is necessary without conditions by referring to Surah al-Baqarah verse 177 (Qurthubi, 2003). *The Hanbali madhab, which refers to taxes as al-Kalf al-Sulthoniyah, permits the majority of their ulama to do the same. The ulama from other madhabs also permit taxes if necessary. They state that taxes levied on wealthy citizens are equivalent to the jihad of wealth (Hazm, n.d.).*

### **Main Theories**

Social legitimacy theory is used to explain how religious authorities (such as Muhammadiyah and NU) play a role in legitimizing taxes as a citizen's obligation. When a state policy, such as taxes, receives normative support from institutions trusted by the community, the compliance will increase (Suchman, 1995). Furthermore, religious authority is the theory that explains in a religious society, obedience is not only determined by legal norms, but also by authorities considered religiously legitimate. Muhammadiyah and NU hold positions as moral and epistemic authorities, whose views carry weight in determining what is halal or haram, obligatory or permissible, including the payment of taxes (Weber, 1968; Hallaq, 2009).

### **Method**

This study employs a library research method. This method collects information from primary sources, including laws, books, and articles related to state regulations and organizational statements or decisions, as well as secondary sources, such as books and previous research articles that support the discussion. All of this information is utilized to discuss how Muhammadiyah and NU assess the tax implications of the government. The research approach in this article employs the framework of

government regulations outlined in tax law, the principles of Islamic law related to taxation, and the perspective of understanding tax law from the view of Muhammadiyah and NU.

In this study, data sources were selected based on their relevance to understand the religious views and attitudes of Muhammadiyah and NU towards taxes. The criteria for selecting sources are divided into two main categories: normative sources and contextual sources. Normative sources are utilized to trace the theological and fiqh basis of tax obligations in Islam. This type of source includes classical and contemporary fiqh books, relevant verses of the Qur'an and hadith, official fatwas from religious institutions such as the Muhammadiyah Tarjih Council, the NU Bahtsul Masail Institute, and the Indonesian Ulema Council (MUI), as well as academic literature discussing the theory of muamalah fiqh and tax law from an Islamic perspective. The selection of these normative sources aims to establish a robust scientific foundation for examining the religious legitimacy of taxes.

The author does not employ bibliometric analysis in this study because the primary focus of the study is descriptive and qualitative. The analysis emphasizes the understanding of the normative substance and religious arguments from the perspective of Islamic law, as well as the attitudes of religious organizations such as Muhammadiyah and NU towards government tax policies. Bibliometric analysis is more appropriate for identifying publication patterns, research trends, and citation networks quantitatively, rather than for exploring the meaning, context, and interpretation of legal texts or religious fatwas, which are the primary focus of this study. Therefore, the document content analysis approach is considered more relevant and in-depth in answering the research problem.

## **Result and Discussion**

### **The Law of Paying Taxes According to Muhammadiyah and NU**

#### **1. Muhammadiyah's View on Tax Law**

Muhammadiyah's discussion on taxes began in 2011, as stated in the Fatwa of the *Tarjih and Tajdid* Assembly of the Muhammadiyah Central Leadership. The Tarjih stipulates that taxes and zakat are obligations that bind every citizen. Tax and zakat must be deposited with an official institution to ensure efficiency in their withdrawal and distribution. Zakat and tax share similar goals, namely to address economic issues and alleviate poverty in society (Sidang Majelis Tarjih dan Tajdid PP Muhammadiyah, 2011).

Muhammadiyah's view on zakat and tax, as stated in the 2011 Fatwa of the Tarjih and Tajdid Council of PP Muhammadiyah, emphasizes that both obligations are binding on every citizen and should be channeled through official institutions to ensure efficiency in collection and distribution.

This approach not only integrates religious and state obligations but also has implications for improving voluntary tax compliance, as the recognition of zakat as a tax deduction can reduce the double burden on Muslim taxpayers and encourage more consistent fulfillment of fiscal obligations (Priyono et al., 2024). In addition, the integration of religious values into fiscal policy has the potential to increase policy legitimacy and acceptance in Muslim societies, strengthen economic governance by broadening the state's revenue base, and improve the effectiveness of wealth distribution through zakat and tax mechanisms (Adinugraha et al., 2024). To maximize these benefits, it is necessary to increase socialization, establish a clear legal framework, develop an integrated administrative system, and actively collaborate with religious institutions, such as Muhammadiyah, to make fiscal policy more inclusive and aligned with community values (Setianingrum et al., 2019). Thus, the integration of zakat and tax initiated by Muhammadiyah can serve as an effective model in creating an Indonesian fiscal system that is more equitable, inclusive, and supports social welfare (Wijayanti et al., 2022).

Taxes are treated as a tool to redistribute income and finance public goods from the perspective of public economics. Meanwhile, in Islamic economics, zakat serves as an instrument of wealth redistribution, which is obligatory among Muslims to help those who need. The integration of zakat and tax can be viewed as an attempt to alleviate the double burden for Muslim taxpayers and enhance the efficiency of wealth distribution (Adinugraha et al., 2024). Muhammadiyah, through its *ijtihad* and *tajdid* approach, seeks to harmonize Sharia principles with the needs of a modern state. It aligns with Islamic economic theory, which emphasizes distributive justice and social welfare as the primary objectives of fiscal policy (Setyawan, 2017).

Muhammadiyah views that the difference between zakat and tax lies in the basic source of law and the essential purpose. Zakat is derived from the Qur'an and hadith, while tax is derived from state law. Zakat is intended to be given to the eight *asnaf*, while taxes are for the government's needs in running its programs with the aim of public welfare. Zakat distribution is clear and fixed, while taxes can change according to the existing conditions and rules in a country (Sidang Majelis Tarjih dan Tajdid PP Muhammadiyah, 2011).

The view of NU on taxes is presented at the 2012 National Conference of Alim Ulama and Komes NU in Cirebon. The view emphasized that the obligation to pay taxes for citizens is sharia-compliant, as long as it meets four conditions: the existence of real primary needs, fair and wise treatment by the government, the use of tax funds for public needs, and the involvement of discussion and consultation with experts. This view demonstrates that NU not only accepts the concept of taxation in a modern state but also provides an ethical and Sharia framework that the state must

fulfill to maintain the legitimacy of its fiscal policy in the eyes of Muslims. Practically, this view has the potential to strengthen the tax compliance of the Muslim community by making taxes part of obedience to ulil amri (legitimate leaders), as long as the government is transparent and just in its management. It is particularly relevant in the Indonesian context, where religious legitimacy plays a significant role in shaping public acceptance of state policies. When the government is perceived as upholding Sharia principles in tax management, public trust may increase, leading to more compliant tax behavior and strengthening the country's fiscal governance (Permatasari, 2025). Thus, NU's view is not only normative-theological, but also has strategic policy implications in supporting the integration of Islamic values into the national taxation system and expanding the tax base.

These two organizations provide the same mandatory legal decision. Although they provide different requirements, they are substantially similar. The opinions regarding tax law, as held by Muhammadiyah and NU, are consistent with the definition of tax as outlined in Law No. 28 of 2007, Article 1, which explains that tax is a mandatory contribution to the state owed by individuals or bodies that is obligatory.

### **Education Tax**

According to the law, the education tax is a tax imposed on transactions for services in the field of education. Based on Law No. 7 of 2021 concerning Tax Harmonization (HPP), the use of educational services is subject to Value-Added Tax (VAT) following the applicable regulations. According article 4 of PMK 223/2014, there are two criteria for education services that are not subject to VAT, they are: (a) School education services include general education, vocational, special, civil service, religious, academic, professional education and all formal schools starting from early childhood education to tertiary education; (b) Out-of-school education services for both non-formal and informal education. Non-formal education covers a range of services, including life skills education, early childhood development, youth empowerment, women's empowerment, literacy, skills training, job training, and equivalency education. Meanwhile, informal education services cover education provided by families and the environment through independent learning activities (Fitriya, 2024).

According to Muhammadiyah, as stated by its General Chairman, Prof. Haedar Nashir, Muhammadiyah rejects the related government regulations contained in the draft of the Revised Law Number 6 of 1983, which includes General Provisions and Tax Procedures. According to him, the government's application of VAT in the education sector is contrary to Article 31 of the 1945 Constitution, which concerns education. Article 31 outlines the government's obligation to provide facilities to all citizens in terms of education, as well as education based on the values of faith, piety,

and noble morals, rather than the other way around, thereby not creating inconvenience to citizens. Furthermore, according to Haedar Nashir, the VAT provisions in the education sector are not in line with the spirit of Pancasila and the character of Indonesia. Therefore, it is important to review it again (Adam, 2021)

On the other hand, similar to Muhammadiyah, the Executive Board of NU, represented by the Secretary General of PBNU, H.A. Helmy Faishal Zaini, believes that the government's decision regarding the VAT on Education is not right and does not support the welfare and interests of the people. The government's policy should support the spirit and noble ideals of the 1945 Constitution, as reflected in the nation's education.

Furthermore, PBNU provided five suggestions to the government: (a) in principle, as stated in the opening of the 1945 Constitution, (b) as one of the noble mandates, education should be organized with an inclusive character. Everyone has the right to access education. (c) The government must be more careful in formulating policies. The plan to implement Value Added Tax (VAT) is included in the category that has a direct impact in the broader community, (d) as a basis for decision making, the government must rely on the philosophy that every policy is based on the welfare of the people, (e) The government's initiative to increase taxes but through increasing VAT on education and primary needs is a less pricesaction. It would be better if this proposal could find another formula that is more possible and wise (Ahmad, 2021)

The five principles presented by W.J. Lange (Direktorat Jenderal Pajak, 2025b) related to taxes, especially the second and third principles, state: (1) The Principle of Bearing Power, which involves balancing the taxes imposed based on the size of the results received by taxpayers. (2) The Principle of Benefit, all tax results must be used for the public interest of a country. (3) The Principle of Welfare, the focus of tax use is on the welfare of the people. (4) The Principle of Equality, equal conditions and treatment for all taxpayers. (5) The Principle of the Smallest Burden, taxes taken from taxpayers are as small as possible so as not to burden taxpayers. Thus, the government needs to reconsider the VAT on Education as delivered by these two organizations.

Although Islam generally permits state-mandated taxes, their implementation requires careful review regarding the burden, benefits, and obligations of the government to its citizens. As conveyed by Ibn Khaldun in his Muqaddimah book, he explains that the fewer taxes imposed on the people, the greater the enthusiasm and joy they will have to work. Likewise, Value Added Tax (VAT) can decrease people's purchasing power. Thus, he suggested that it would be better to eliminate it (Ali, 2021; Avida & Ernandi, 2024).

The results of this study suggest a close relationship between Islamic education studies and

public policy, particularly in the context of taxation in the education sector. Muhammadiyah and NU as the two largest Islamic organizations in Indonesia view that education tax policies, such as the application of VAT on education services, must be in line with the basic principles of education in Islam which emphasize accessibility, justice, and the state's responsibility for people's education (Abd Rahman & Rahim, 2020). This view is based on the constitutional values outlined in the 1945 Constitution and the principle of *maqashid al-syari'ah*, which posits that education is a basic need that the state must guarantee. Therefore, through a normative-religious approach and public policy analysis, this study emphasizes the importance of formulating fiscal policies that promote social justice and do not burden the education sector in order to maintain the spirit of science and the sustainability of human resource development, which is balanced between spiritual and intellectual aspects.

### **Tax Amnesty**

Tax Amnesty, based on Law No. 11 of 2016, involves the elimination of taxes that should be owed, without being subject to tax administration sanctions and criminal sanctions in the taxation sector, by disclosing assets and paying a ransom as regulated in the Law on Tax Amnesty (Direktorat Jenderal Pajak, 2025a). Based on Law No. 11/2016 on Tax Amnesty, the tax amnesty program successfully revealed assets worth IDR 4,881 trillion, generating approximately IDR 114 trillion in revenue during its implementation period. Tax amnesty is a government instrument that serves as more than just a source of state revenue (budgetary). However, it has a greater function to transfer assets (regularly) from the rich to the poor, transfer assets from other countries to Indonesia (repatriation), and invest new capital (investment) that creates economic growth in Indonesia (Biro Komunikasi dan Layanan Informasi/BKLI, 2016; Galih & Witono, 2024).

Below are some impacts that will be obtained from the implications of tax amnesty (Siregar, 2017): (a) Improve the value of taxpayer assets, (b) Increase tax revenues, (c) Stimulate economic growth, (d) Increase capital and liquidity of financial service institutions. It generally indicates a positive tax amnesty. Although in terms of calculations, the obligations of citizens and the rights of the government are a loss for the government.

Muhammadiyah delivers some suggestions through Circular Letter number 448/EDR/I.0/I/2016 Regarding the Tax Amnesty Law Issue (Ribas, 2016). The suggestions are as follows:

- a) Maximize socialization among society in all elements by involving various stakeholders, including tax officers and the community.

- b) Enhance the performance, integrity, and credibility of tax officers to foster public trust in tax institutions and promote higher public compliance with tax payments.
- c) Maximizing efforts to return state funds from abroad, especially from conglomerates that are suspected of storing funds abroad and not complying with tax payment obligations.
- d) Ensure that Tax Amnesty does not have a negative impact on people's livelihoods, and does not tolerate criminal acts of corruption, money laundering, and tax fraud.
- e) Reforming tax institutions and optimizing tax collection efforts from taxpayers following the law in a more systematic, intensive, elegant, and polite manner to increase state revenue from taxes, as well as the tax ratio level.

According to NU, a decision on tax amnesty has not been reached because the Bahsul Masail Meeting, held from July 23 to 25, 2016, at the Khas Islamic Boarding School, Kempek, Cirebon, did not reach a decision, resulting in a deadlock (*mauquf*). It is due to differing opinions that reaching an agreement is difficult (Al-Hafiz, 2016).

Referring to the results of the National Conference of Nahdlatul Ulama held at the Hidayatul Mubtadiin Islamic Boarding School in Cirebon in 2012, it can be seen that NU believes that every citizen who meets the requirements to be a taxpayer is obligated to pay taxes. It was also emphasized that the law must be enforced without discrimination, including for officers and taxpayers (Antara, 2016). The complexity of determining the law related to tax amnesty stems from the fact that the issue of tax amnesty is not a simple matter, as paying taxes for Muhammadiyah and NU is mandatory. Therefore, if it is immediately allowed, it would be contrary to the law regarding the obligation to pay taxes.

Regarding the opinions of Muhammadiyah and NU related to tax amnesty, it can be seen that the Directorate General of Taxes planned for 2016 to be the year of tax law enforcement, as an extension of the 2015 program. Therefore, the tax amnesty program carried out by the central government, which the president signed into law starting in 2016, is in direct conflict with the determination. The tax amnesty program also fails to adhere to the principles of law enforcement (Gao et al., 2025). If we examine Adam Smith's principle of certainty, it suggests that those who break the law, in this case, by not paying taxes, should be punished, not pardoned (Ispriyarso, 2019).

The results of Tax Amnesty Volume I and Tax Amnesty Volume II did not meet the target significantly. According to Jevania, Tax Amnesty has a minimal influence on tax revenue. However, if the government takes decisive action against problematic taxpayers, tax revenue can be significantly increased without the need for tax amnesty (Endah, Purnama, 2024).

The results of this study suggest that tax amnesty, as a public policy, should be grounded in the framework of social justice ethics, a significant concern in Islamic studies. The views of Muhammadiyah and NU emphasize that tax amnesty must consider the aspects of distributive justice, transparency, and compliance with the law as part of the moral principles and responsibilities of citizens in paying taxes. In the context of Islam, the principle of *maqāṣid al-sharī'ah*, particularly in safeguarding assets (*ḥifẓ al-māl*) and ensuring collective welfare, serves as the basis for rejecting fiscal policies that provide preferential treatment to tax violators without a fair law enforcement process (Diomande, 2020).

Research by Alm et al. (2009) shows that the success of tax amnesty is highly dependent on the perception of justice and the legal certainty of the policy. If the public considers that amnesty provides incentives for non-compliance, then the legitimacy of the tax system will decline, even in global observations. Luitel (2013) stated that the repetition of amnesty programs (repeated amnesties) tends to reduce long-term fulfillment because it decreases the deterrent effect on tax fraud. It is in line with the Islamic principle that prioritizes *'adl* (justice) and *ḥisbah* (moral and social supervision) in public financial management.

Thus, the public policy approach to designing a tax amnesty program must consider universal moral values that align with Islamic teachings and the principles of good fiscal governance. Ethics-based fiscal policy reform will strengthen public trust, encourage compliance with voluntary attitudes, and ensure that taxes remain an effective instrument of social justice.

The policy implications of these findings suggest that strengthening tax legitimacy in a Muslim-majority country, such as Indonesia, cannot be separated from the ethical dimension and religious values. Religious organizations such as Muhammadiyah and Nahdlatul Ulama play a strategic role as moral intermediaries between the state and society. By integrating the principles of justice, deliberation, and the welfare of the people into tax policies, such as the tax amnesty program, the government can establish a narrative that taxes are not merely an administrative obligation, but also a moral and social responsibility. It will enhance the perception of fiscal justice and encourage voluntary compliance, particularly among religious communities.

Furthermore, the involvement of religious institutions in fiscal policy-making can strengthen public accountability and prevent social resistance to tax policies. In the context of fiscal reform, Islamic ethical principles such as transparency (*amanah*), distribution justice (*'adl*), and *maslahat* management should be utilized as references in the design of tax instruments and the allocation of the state budget. With this approach, tax policy is not only oriented toward optimizing state revenue

but also toward strengthening inclusive and equitable economic governance, in line with the Sustainable Development Goals.

## **Conclusion**

According to Muhammadiyah and NU, taxes are obligatory for citizens, which is considered fair and welfare-oriented, as they benefit the people's well-being and prosperity. Muhammadiyah considers that the provisions of VAT in the education sector are not in line with the spirit of Pancasila and the character of the Indonesian nation. Therefore, it is important to conduct a further review. Meanwhile, NU stated that the government's approach to VAT on education is not right and does not accord with the welfare of the people. The government's policy should adhere to the spirit and noble ideals of the 1945 constitution, which is to educate the nation's life. Muhammadiyah accepted the tax amnesty firmly. However, Muhammadiyah instead provided suggestions to emphasize the importance of socialization to the community, improving performance, maximizing efforts to return state funds, ensuring that the Tax Amnesty does not have a negative impact, and reforming tax institutions.

Meanwhile, NU has no decision because, in Bahsul Masail, it did not reach a decision (resulting in a deadlock). However, the previous decision stated that NU decided that every citizen who meets the requirements must pay taxes. Therefore, they must pay taxes, and those who violate this requirement without discrimination must be punished. It implies that NU prefers no tax amnesty for taxpayers. This article makes a significant intellectual contribution by providing a comparative overview of the views of the two largest Islamic organizations in Indonesia, Muhammadiyah and Nahdlatul Ulama, on the concept of taxation in a modern state. This study expands the discourse of *fiqh muamalah* by situating tax as a relevant public obligation within the context of a nation-state. This study also highlights the nuanced differences in approach between the two in understanding the relationship between zakat and tax.

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