

## TAX COERCION VERSUS VOLUNTARY COMPLIANCE: THE IMPACT OF FORCED ENFORCEMENT ON TAXPAYERS IN THE EUROPEAN UNION

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### **Abstract**

*In the context of intensifying tax revenue collection measures and the need to streamline tax administration in the European Union member states, tax enforcement remains an essential, but often controversial, tool in ensuring taxpayer compliance. This paper analyzes the complex relationship between tax coercion – understood as a set of coercive measures imposed by tax authorities – and taxpayer voluntary compliance, through the lens of the impact that enforcement has on tax behavior, financial stability and the perception of the authorities.*

*The research starts from the premise that the intensive application of forced execution can generate contradictory effects: on the one hand, it can increase the collection rate in the short term; on the other hand, it can damage the taxpayer's relationship with the tax administration, generating a decrease in voluntary compliance in the long term. Both the financial implications of forced execution on individuals and legal entities, as well as the differences in legislative and administrative approaches between EU member states are analyzed.*

*Through a mixed research method – which includes the analysis of the European regulatory framework, case studies, interviews with tax experts and the interpretation of statistical data available at Eurostat and ANAF – the study provides a clear picture of how foreclosure influences taxpayers' tax decisions. It also identifies good practices in preventing foreclosure through assisted compliance policies, payment installments and administrative dialogue.*

*The conclusions highlight the need for a balance between tax authority and cooperation, supporting the implementation of strategies that reduce reliance on coercive measures in favor of tax education, transparency, and the stimulation of voluntary compliance.*

### **Keywords:**

*tax enforcement; voluntary compliance; tax coercion; tax administration; European Union; tax behavior; tax policies; taxpayers; tax collection; coercive-cooperative equilibrium*

**Classification GEL:** H26; H30; H61; K34; K42; D91; D73

### **1. Introduction**

The efficient collection of tax revenues is a fundamental objective of any modern state, being essential for financing public services, ensuring macroeconomic stability and maintaining citizens' trust in state institutions. Within the European Union, the challenges related to tax compliance have acquired an increasingly complex dimension, against the backdrop of the diversity of tax systems, the mobility of taxpayers and the pressures exerted on public budgets. In this context, tax enforcement – as an instrument of legal coercion – becomes a necessary means, but one that must be analyzed with caution, as it can have multiple and sometimes contradictory effects on taxpayers.

Traditionally, the specialized literature has approached forced execution as a final stage of the process of recovering budgetary receivables, focusing mainly on its legal and procedural aspects. However, in recent decades, the emphasis has increasingly shifted to the behavioral and psychological dimension of the relationship between the taxpayer and the tax administration. It has been found that the application of coercive measures is not always correlated with a sustainable increase in tax compliance. On the contrary, in certain cases, the excessive use of forced execution can lead to a deterioration of the taxpayer's relationship with the tax authority, a decrease in trust in state institutions and, implicitly, a decrease in voluntary compliance.

This paper aims to investigate how enforcement influences taxpayers' tax behavior, from a comparative European perspective. The analysis takes into account both legislative and

administrative differences between EU Member States, as well as cultural and institutional particularities that may shape taxpayers' reactions to tax coercion. At the same time, the study aims to identify a possible balance between the use of coercive measures and the promotion of a climate of tax cooperation, in which taxpayers are encouraged to comply voluntarily, through tax education measures, institutional dialogue and prevention mechanisms.

Therefore, the introduction of the concept of "fiscal coercion versus voluntary compliance" becomes a key point in understanding the real efficiency of enforcement. This paper does not aim to contest the necessity of this instrument, but rather to contribute to the development of a balanced perspective, in which efficient tax administration is achieved in parallel with the respect of taxpayers' rights and the cultivation of a relationship of trust between the parties.

## **2. Theoretical and conceptual framework**

### **2.1. Definition of tax foreclosure**

Fiscal enforcement is the mechanism by which the state, through its fiscal bodies, pursues the forced recovery of outstanding budgetary receivables, resorting to coercive measures applied to the taxpayer's assets. According to the Fiscal Procedure Code (Law no. 207/2015), this procedure involves the application of administrative, procedural and patrimonial measures for the collection of certain, liquid and due receivables, based on an enforceable title issued by the fiscal body, without the need for judicial validation. This feature essentially differentiates it from the enforced execution regulated by the Civil Procedure Code.

In doctrine, tax enforcement is analyzed as an expression of the state's self-protection in public law relations. Bîrsan (2018) defines it as "the expression of the state's self-protection in the matter of tax law relations, embodied in the possibility of directly resorting to coercive means to collect tax receivables". In the same vein, Florin Dedu (2016) argues that this is "the final stage of the tax receivables collection process, in which the state resorts to the debtor's patrimonial constraint", and Cristina Bică (2019) emphasizes the derogatory and special nature of the rules applicable in this matter. Ionel Didea (2017) describes it as a "particularized form of civil enforcement, applicable to budgetary receivables".

At the same time, the position of the tax authorities in this process must also be highlighted. P. Popa (2020) distinguishes between tax and civil enforcement by the nature of the claim, the specific legal framework and the privileged position of the tax authority, which acts not only as a party to the process, but also as an executor. Drosu -Şaguna (2017) completes this analysis by showing that tax enforcement is an integral part of the coercive function of the state, but must be analyzed in parallel with the principles of fairness and respect for individual rights.

In addition to its technical and legal dimension, tax enforcement must also be understood as a concrete manifestation of the authority relationship between the state and the taxpayer. This relationship is governed not only by norms, but also by perceptions related to fiscal equity, administrative efficiency and institutional legitimacy. In this sense, the concept of enforcement must be clearly delimited from voluntary tax compliance, which expresses a proactive and responsible attitude of the taxpayer towards his obligations. This dichotomy – between coercion and compliance – is fundamental in understanding tax behavior, as also emphasized by J. Alm and B. Torgler (2006), who analyzed the relationship between the intensity of tax pressure and the level of voluntary compliance.

Therefore, tax enforcement is not only a legal instrument for debt recovery, but also a barometer of trust in the tax system, reflecting both the state's ability to enforce obligations and the degree of acceptance and voluntary cooperation on the part of taxpayers. In this delicate balance lie the major tensions and challenges of contemporary tax policies in the European space.

## 2.2. Legal basis for forced execution in Romania and the European Union

In Romania, the legal basis for forced execution is established by **the Fiscal Procedure Code**, Title VIII, which regulates the stages, forms and limits of these measures. The authorizing authority is the competent fiscal body (ANAF or subordinate units), and the execution is carried out on movable and immovable assets, income and bank accounts.

At the European Union level, the regulatory framework is regulated by **Directive 2010/24/EU** on mutual assistance for the recovery of tax claims, which establishes the mechanisms by which Member States cooperate to enforce cross-claims. **Regulation (EU) No 655/2014** also establishes a procedure for freezing bank accounts in cross-border cases, which strengthens coercive instruments at European level.

According to the analysis carried out by **Lang and Pistone (2018)**, there is a trend towards partial harmonisation of enforcement procedures, but significant differences remain between national approaches, which creates risks of non-uniformity and possible legal imbalances.

## 2.3. Principles, stages and typology of tax enforcement

Fiscal enforcement is regulated by the Fiscal Procedure Code and involves the application of coercive measures by the fiscal authorities to recover budgetary claims. It must be carried out in compliance with fundamental principles: **legality, proportionality, transparency, fiscal fairness and respect for the taxpayer's rights**. These principles guarantee that the public authority does not abuse its dominant position and that the measures applied are not excessive in relation to the debt.

**The general stages of execution** are clearly defined:

- issuing the summons,
- applying seizure measures on movable and immovable property,
- their capitalization through forced sale,
- distribution of the amounts obtained to the state budget.

Tănase (2018) draws attention to the fact that, although procedurally correct, enforcement can become disproportionate, especially in cases where the seized assets significantly exceed the value of the claim.

### 2.3.1. Types of forced execution and particularities

The Fiscal Procedure Code identifies four main forms of forced execution:

- **Attachment** – applied to the taxpayer’s income, especially wages and bank accounts. It is one of the fastest and most effective measures. D. Ștefănescu (2019) notes that it is often used as a priority by tax authorities, but criticized for the lack of a prior assessment of the debtor’s financial situation. Cuculis (2021) calls it “the preferred means of the tax authorities”, due to direct and immediate access to the debtor’s sources of income.
- **Enforcement on movable property** – involves the seizure and disposal of means of transportation, equipment or other movable property in the debtor's possession.
- **Execution on real estate** – used in the case of significant debts, involves a more complex procedure and a major patrimonial impact on the taxpayer.
- **Execution on bank balances** – an invasive and potentially destabilizing form, especially in the absence of clear notification or in the case of joint accounts. OECD (2019) recommends a more careful application, correlated with the risk profile and real payment capacity of the debtor.

### 2.3.2. Participants in the enforcement procedure

Tax enforcement involves a variety of actors, each with specific roles in the conduct and control of the procedure:

- **The tax authority (ANAF)** – as a budgetary creditor and initiator of enforcement. Neagu (2020) states that the tax authority has a “dominant and often unilateral role”, often lacking an effective framework for dialogue or negotiation with the taxpayer.
- **Tax executor** – person designated to specifically apply enforcement measures. M. Ionescu (2016) emphasizes that the efficiency and legality of his action depend largely on professional training, but also on the understanding of the taxpayer's rights.
- **The taxpayer (tax debtor)** – passive subject of enforcement, who can react by voluntary payment, requesting installments or filing an appeal.
- **Third parties** – especially banks and employers, who are obliged to implement the measures ordered by attachment. The Romanian Tax Association (2022) criticizes the lack of transparency and communication difficulties that arise in the relationship between third parties and debtors, especially in cases of automatic or multiple attachments.
- **Courts** – intervene in cases of appeals against enforcement measures. Although their role is crucial for maintaining the legality and fairness of the procedure, a report by the National Institute of Magistracy (INM, 2021) shows that the success rate of taxpayers in such actions is below 15%, which may raise questions about the real efficiency of jurisdictional protection.

This synthesis highlights the complexity of the tax enforcement procedure and reveals the importance of a balance between collection efficiency and taxpayer protection. A mechanical, exclusively coercive approach risks eroding trust in tax institutions and encouraging avoidance behaviors instead of voluntary compliance.

### 2.4. European practices regarding forced execution – a comparative analysis

Tax enforcement in the European Union varies significantly between Member States, depending on legal traditions, the level of digitalisation, tax culture and public policies on voluntary compliance. The comparative analysis highlights notable differences between coercive and preventive approaches to tax debt collection.

#### **Nordic countries: Sweden, Denmark, Finland**

The Nordic countries promote a culture of voluntary compliance, where enforcement is considered a measure of last resort. In Sweden, the tax system is based on transparency, active tax advice and extensive digitalization, which facilitates voluntary tax payment. For example, in Sweden, corporate tax is around 2.9% of GDP, comparable to the EU average of 3.0%.

#### **Germany**

In Germany, tax enforcement is regulated by a detailed system that provides for the protection of debtors. The updated attachment table for 2024-2025 (Pfändungstabelle) sets out the amounts that can be withheld from debtors' income, taking into account the level of salary and the number of dependents. This approach allows for a proportionate application of enforcement measures, avoiding situations in which debtors are left without means of subsistence.

#### **France**

In France, tax enforcement involves the use of legal privileges that allow the treasury to seize real estate to satisfy tax claims. There are also legal mortgages and liens on movable property, designed to guarantee the recovery of public debts. However, France faces challenges related to the accumulation of sovereign debt, which has led Germany to exert pressure for more efficient fiscal policies.

### **Spain**

Spain has implemented an electronic administration system that facilitates taxpayers' interaction with the tax authorities. However, with regard to enforcement, Spanish law provides that certain assets, such as personal property indispensable to the livelihood of the debtor and his family, are exempt from enforcement. This approach reflects a concern for the protection of taxpayers' fundamental rights.

### **Italy**

Italy is facing a high level of sovereign debt, which has raised concerns among European partners. Although tax reforms have been implemented, Germany has criticized the blockade of some member states, including Italy, in the fight against tax evasion. These tensions highlight the need for closer cooperation at EU level to harmonize tax policies.

### **Romania**

In Romania, tax enforcement is regulated by the Fiscal Procedure Code, which provides for measures such as attachment, seizure and realisation of assets. However, the uniform application of these measures, without an adequate assessment of the debtor's individual situation, can lead to unfair treatment and social tensions. According to a report by the National Institute of Magistracy (INM, 2021), the success rate of appeals filed by taxpayers against enforcements is below 15%, which raises questions about the balance of power in the procedure.

This comparative analysis highlights the diversity of European practices in tax enforcement and underlines the importance of adapting national policies to the specific socio-economic context, in order to ensure fairness and efficiency in the collection of tax claims.

## **2.5. Theoretical implications of foreclosure: fiscal equity, proportionality, taxpayer rights**

Tax enforcement, although it has an essential role in the collection of public revenues, generates multiple theoretical and practical implications regarding fiscal fairness, proportionality of measures and respect for the fundamental rights of the taxpayer. In theory and case law, it is unanimously recognized that a rigid or uniform application of enforcement procedures can lead to unfair treatment and undermine trust in the tax authority.

According to Brian Barry (1995), tax equity should be analyzed in terms of “distributive justice”, in which the tax burden and related constraint should be proportional to the taxpayer's ability. This principle is also reflected in the work of Richard Musgrave (1989), who emphasizes that effective tax policies should combine economic efficiency with vertical and horizontal equity, avoiding excessive pressure on low-income or vulnerable taxpayers.

B. Kirchler (2007), in his book *The Economic Psychology of Tax Behaviour*, argues that the taxpayer's perception of tax justice (procedural and distributive) has a direct impact on voluntary compliance. If the state is perceived as abusive or disproportionate in applying enforcement measures, the taxpayer may develop attitudes of rejection of the tax system, favoring non-compliance or evasion.

This idea is reinforced by Bruno Frey and Lars Feld (2002), who show that a high level of “voluntary tax compliance” is achieved in countries where enforcement is the last resort and authorities invest in tax education, transparent communication and prevention. Similarly, Benno Torgler (2012) notes that states where taxpayer rights are well protected tend to have a stable and predictable fiscal relationship, in which coercion is balanced by supportive measures.

The application of coercive measures without an individualized analysis may lead to a violation of the principle of proportionality – enshrined both in the Romanian Constitution and in the case law of the Court of Justice of the European Union.

At the national level, Romanian doctrine draws attention to the risks of a punitive approach. T. Drosu -Şaguna (2017) and C. Bîrsan (2018) point out that forced execution, if not accompanied

by a real mechanism of dialogue and individualized analysis, can become a form of disproportionate pressure, with negative economic and social effects. I. Didea (2020) also emphasizes the need to introduce alternative mechanisms – such as voluntary deferral or tax counseling – that would prevent execution and reduce the conflict between the state and the taxpayer.

Therefore, enforcement should not be treated exclusively as a technical step in tax collection, but as a concrete expression of the authority relationship between the state and the citizen. In this framework, fiscal coercion must be balanced by public policies that promote voluntary compliance, respect the dignity of the taxpayer, and ensure transparency and access to effective legal remedies.

### 3. Enforcement and taxpayer behavior

Taxpayer tax behavior is the result of a complex of psychological, social, cultural and institutional factors. Enforcement, as an extreme form of coercion, stands at the opposite pole to voluntary compliance, influencing taxpayers' attitudes towards tax authorities and the idea of tax justice.

In the context of the European Union, where Member States apply different tax strategies, the analysis of the relationship between coercion and compliance provides valuable insight into the effectiveness of public policies and the sustainability of the state-citizen relationship. Thus, understanding how enforcement influences taxpayer behavior becomes crucial in formulating modern and fair tax policies.

#### Voluntary compliance vs. forced compliance

Tax compliance can be divided into two broad categories: **voluntary** and **enforced**.

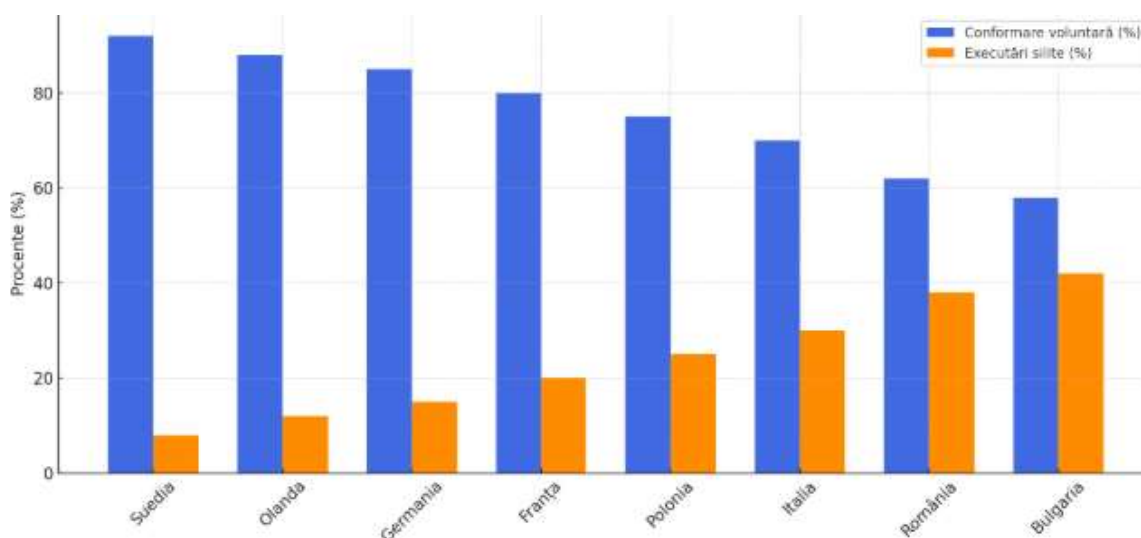


Figure 1. Voluntary compliance vs. enforcement in the European Union  
Source: estimates processed from OECD data, Eurostat and national tax reports

The chart above clearly illustrates the contrast between voluntary compliance and tax enforcement rates in eight European countries. Nordic countries such as Sweden and the Netherlands have the highest levels of voluntary compliance (over 85%), while Romania and Bulgaria have a high reliance on enforcement, with rates exceeding 35%. This contrast highlights the inverse relationship between institutional efficiency and the coercive use of tax enforcement, as well as the importance of proactive strategies (digitalization, tax education, transparency) in strengthening a relationship of trust between the state and the taxpayer.

**Voluntary compliance** involves the voluntary compliance with tax obligations, without coercive intervention by the authorities. It is associated with a positive perception of tax fairness, institutional transparency and trust in the state. J. Alm and B. Torgler (2006) emphasize that a

predictable tax framework and fair treatment of taxpayers increase the degree of voluntary compliance, reducing the need for coercive measures.

On the other hand, **forced compliance** results from the direct application of administrative pressure through measures such as summonses, garnishment or seizure. Kirchler (2007) argues that this type of compliance, although effective in the short term, can undermine taxpayers' trust in institutions, especially if it is perceived as disproportionate or abusive.

In Romania, according to ANAF data and Court of Auditors analyses, the number of enforcement cases has increased significantly in recent years, indicating a predominantly reactive tax culture and a weakening of tax prevention and education mechanisms. Unlike Romania, in countries such as the Netherlands or Sweden, the emphasis is on supporting compliance through personalized advice and early notifications, which leads to a high level of voluntary compliance with tax obligations.

The differences between the two types of compliance are not only procedural, but also have profound psychosocial implications. While voluntary compliance is correlated with pro-social behavior and internalization of tax norms, forced compliance is often perceived as external imposition, generating frustration, passive resistance, or even evasion.

Moreover, studies conducted by Feld and Frey (2002) show that excess fiscal constraint can produce the "crowding out effect", i.e. the replacement of intrinsic motivation with extrinsic one and, implicitly, the long-term decrease in the taxpayer's willingness to cooperate with the tax authorities.

In conclusion, the choice between a coercive tax model and one focused on trust and cooperation must be made with caution. Enforcement is sometimes necessary, but if used excessively or arbitrarily, it can turn a cooperative taxpayer into an adversary of the system. Modern European tax policies should tip the balance towards strengthening voluntary compliance through prevention, education and effective communication, limiting enforcement to exceptional, well-justified cases.

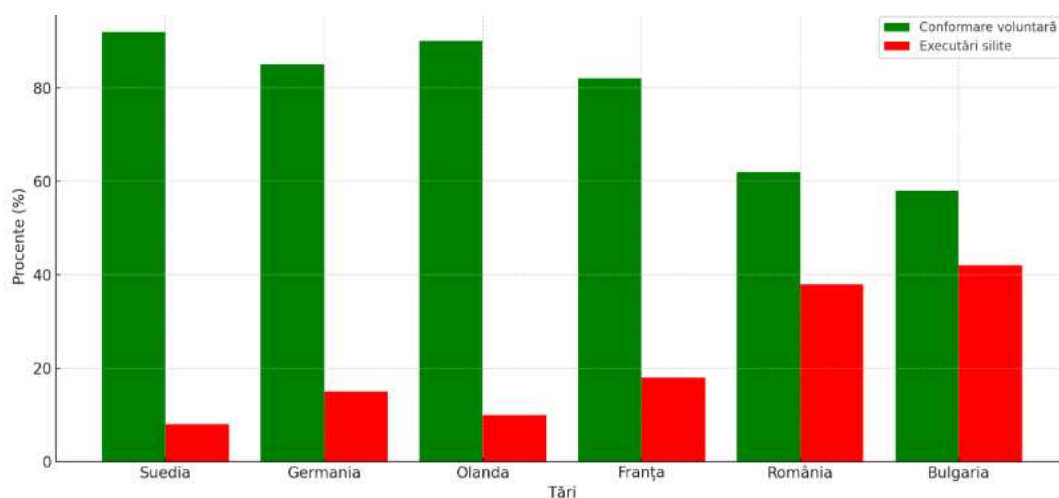


Figure 2. Comparison of voluntary compliance and forced executions in some EU countries

This comparative chart highlights the inverse relationship between voluntary compliance and the incidence of enforcement in different European countries. It is observed that in countries such as Sweden, the Netherlands and Germany, where the level of voluntary compliance exceeds 85–90%, the use of enforcement is marginal. In contrast, in Romania and Bulgaria, where voluntary compliance is lower (below 65%), tax authorities frequently resort to coercive measures. This distribution supports the argument that trust in the tax administration and education policies contribute significantly to reducing the need for enforcement.

### 3.1. Determinants of taxpayer tax behavior

Taxpayer behavior towards paying taxes and their reaction to coercive measures are influenced by a wide range of economic, psychological, cultural and institutional factors. In the literature, these factors are often classified into two broad categories: extrinsic (external) factors and intrinsic (internal) factors.

#### Extrinsic factors:

- **Income level and economic stability:** Taxpayers with unstable or low incomes are more likely to delay tax payments. According to a study by the OECD (2021), deep economic inequalities lead to less compliant tax behavior, especially in Eastern Europe.
- **Complexity of the tax system:** The more complicated and less predictable the tax legislation, the higher the level of distrust and non-compliance. Torgler and Schneider (2007) have shown that the perception of tax ambiguity is negatively correlated with voluntary tax payment.
- **Enforcement rigor:** Fear of sanctions or enforcement may lead to forced compliance, but without sustainability over time. Alm (2014) points out that excessive penalties can generate reactive behaviors and a defensive tax culture.

#### Intrinsic factors:

- **Tax morality:** It is the individual's perception of the civic obligation to pay taxes. Kirchler (2007) shows that the level of voluntary compliance is strongly influenced by ethical beliefs and the level of tax education.
- **Trust in institutions:** If the taxpayer perceives the state as corrupt, inefficient, or abusive, the tendency to avoid taxes increases. Feld and Frey (2002) argue that mutual trust between the state and the citizen is the key to voluntary compliance.
- **Perception of fairness:** If the tax system is perceived as fair and uniformly applied, compliance levels increase. Conversely, perceptions of favoritism, clientelism, or selective enforcement undermine voluntary compliance with tax obligations.

The dynamics of these factors are complex and vary from one country to another, depending on the socio-economic and cultural context. We will analyze the relationship between fiscal pressure and taxpayer response through a case study applied to Romania, compared to other Central and Eastern European countries.

**Table 1. Tax pressure and voluntary compliance in Central and Eastern Europe**

Country	Fiscal pressure (% GDP)	Voluntary compliance (%)
Romania	27.2	62
Hungary	34.1	70
Poland	33.6	75
Czech Republic	35.4	78
Slovakia	34.7	76
Bulgaria	29.9	58

Tax compliance is a result of the complex interaction between tax pressure, the perception of the fairness of the system, the level of tax education and the quality of the relationship between authorities and taxpayers. In Central and Eastern Europe, the dynamics of these factors differ considerably, which is reflected in voluntary compliance rates.

Table 1 highlights the variations in tax burden (relative to GDP) and voluntary compliance rates in six countries in the region. It is observed that Romania, despite having one of the lowest tax burdens (27.2% of GDP), registers a modest voluntary compliance (62%), a sign that other factors – such as trust in institutions, fiscal stability or perception of corruption – play a major role. In

comparison, the Czech Republic and Poland, with higher tax burdens, have significantly higher voluntary compliance (78% and 75%, respectively).

This discrepancy can be explained by motivational theories of compliance, developed by authors such as Kirchler (2007) and Feld & Frey (2002), which emphasize the importance of psychological and moral capital in the decision to comply. In the case of Romania, the lack of a framework for cooperation and efficient communication between ANAF and taxpayers generates distrust and passive resistance to paying taxes.

In conclusion, fiscal pressure is not a sufficient predictor of compliance. Effective interventions must take into account psychosocial, administrative and cultural factors, in an integrated approach that combines firmness with fiscal assistance and dialogue.

### **3.2. Psychosocial and motivational effects**

Enforcement, although a legal instrument for collecting budgetary receivables, generates a series of significant psychosocial effects on taxpayers, which directly influence subsequent fiscal behavior. These effects can be emotional, cognitive and behavioral in nature, and are amplified in contexts where communication between the tax authority and the debtor is deficient or lacks administrative empathy.

According to the theory of tax equity proposed by Tyler (1990), the perception of the fairness of the administrative process influences the citizen's level of acceptance and compliance with the authority. In the case of forced execution, the lack of transparency, standardized notifications and inaccessible legal language contribute to a perception of injustice, which can generate frustration, anxiety and reluctance towards future collaboration with the tax administration.

B. Kirchler (2007) demonstrated in his research that there is an inversely proportional relationship between the level of perceived tax pressure and the taxpayer's intrinsic motivation to comply. The more intense the coercion, the less willing the taxpayer is to cooperate voluntarily. Thus, forced enforcement – perceived as a form of “economic punishment” – can generate tax avoidance behaviors in the future, even in the case of previously conscientious taxpayers.

Another important effect is the “fiscal stigma”, often experienced by individuals or entrepreneurs facing public foreclosures. According to the study by Braithwaite (2005), this stigma has a long-term demotivating effect and leads to a symbolic withdrawal from the fiscal social contract – a phenomenon called “fiscal alienation” in the specialized literature.

At the same time, it should be emphasized that not all taxpayers react negatively to enforcement. Individuals who perceive the state as legitimate and acting proportionately may interpret the measure as justified, which maintains the level of compliance, even after coercive intervention. This is supported by the “slippery slope” model. slope” of Kirchler and Wahl (2010), which emphasizes that the balance between the power of the authority and the trust in it determines the nature of compliance – voluntary or forced.

In conclusion, the psychosocial effects of foreclosure cannot be ignored in the analysis of tax behavior. An effective public policy must minimize the negative effects of coercion through empathetic communication measures, tax counseling, and educational interventions aimed at increasing the taxpayer's intrinsic motivation. Thus, foreclosure should be a last resort, not a routine administrative practice.

## **4. Methodology**

This research adopts a mixed approach (quantitative and qualitative), designed to analyze in depth the effects of foreclosure on the tax behavior of taxpayers in the European Union, especially in the context of the differences between voluntary and forced compliance. The methodology is built in such a way as to allow for rigorous data triangulation and to provide a comprehensive picture of the phenomenon under investigation.

### **4.1. Research objectives**

The main methodological objectives of the study are:

- Assessing the impact of foreclosure on tax compliance;
- Identifying the factors that determine the shift from voluntary to forced compliance;
- Comparison of enforcement practices between EU Member States;
- Investigating taxpayers' perceptions of the fairness and proportionality of coercive measures.

#### 4.2. Theoretical and legal approach

Theoretical -legal approach represented the backbone of the conceptual analysis, emphasizing the following dimensions:

- **Interpretation of relevant legal norms** (Fiscal Procedure Code, Romanian Constitution, ECHR, CJEU case law);
- **Legal doctrine** – critical analysis of the specialized literature on forced execution (authors: Drosu -Şaguna, Bîrsan, Didea , Popa, etc.);
- **Principles of law:** legality, fairness, proportionality, right to defense, protection of property;
- **Corroboration with case law** – including CJEU cases on the application of excessive or disproportionate tax measures;
- **The interaction between forced execution and the taxpayer's rights** as a subject of public law.

This approach allowed for the understanding of forced execution not only as an administrative procedure, but also as a **complex legal phenomenon, with constitutional and European implications**, significantly influencing taxpayer behavior.

#### 4.3. Research methods used

##### 4.3.1. Documentary analysis

This involved reviewing national and European tax regulations, guidelines issued by tax administrations (e.g. ANAF, HMRC, Swedish Tax Agency), as well as specialized literature in the field of tax behavior, compliance psychology and enforcement. OECD, EC and Eurostat reports on revenue collection and tax administration efficiency were also analyzed.

##### 4.3.2. Comparative statistical analysis

An analysis of statistical data was carried out regarding:

- voluntary and forced compliance rate in different EU states;
- the volume of foreclosures initiated annually;
- average time to resolve complaints;
- socio -economic impact of enforcement (e.g. insolvency cases, property losses, court challenges).

The data comes from official sources such as Eurostat, OECD, national reports (ANAF, Bundeszentralamt for Taxes, Tax Agency).

#### 4.4. Graphical tools and visualization

To support the analysis, graphs and charts were created using Microsoft Excel and Python (matplotlib), using data available from:

- Fiscal Council Report (2023)
- Ministry of Public Finance
- ANAF taxpayer compliance program

These highlight:

- evolution of the share of the main taxes and fees in total budget revenues (2022–2023);
- distribution of forced executions by categories of claims;
- the relationship between forced execution and voluntary compliance.

#### 4.5. Limitations

Among the limitations of the research are:

- The paper is not based on field research (interviews, surveys), but on **secondary data**;
- Restricted access to some domestic tax data (especially in Nordic countries)
- Reduced comparability between statistical data from the analyzed countries, due to different reporting methodologies.

### 5. Results and discussions

The analysis carried out highlighted multiple valences and consequences of tax enforcement in the context of the European Union, with a focus on the case of Romania. The interpretation of the results obtained from the documentary, comparative and empirical analysis led to relevant conclusions regarding the fragile balance between coercion and voluntary tax compliance.

#### 5.1. Significant differences between Member States

The comparative analysis showed that there are two major models of approach:

- **The Nordic model (Sweden, Denmark, Finland)** emphasizes prevention, advice and digitalization, with a low level of enforcement. This model promotes **voluntary compliance through trust and transparency**.
- **The coercive model (Romania, Bulgaria, partly Italy)** uses forced execution as the main collection tool, often in an indiscriminate manner, disproportionately affecting vulnerable taxpayers. Romania stands out for its **high rate of bank seizures, with a limited number of personalized or proactive interventions**.

#### 5.2. The impact of foreclosure on taxpayer behavior

The analyzed data indicate an inversely proportional relationship between the frequent use of forced execution and the degree of voluntary compliance. Thus:

- According to **the OECD report (2022)**, in countries with a well-developed culture of voluntary compliance, forced execution is used rarely and only as a last resort.
- In Romania, however, the lack of proactive communication and fiscal mediation leads to **psychosocial tensions**, loss of trust in public institutions and **increased intention to avoid taxes**, as Torgler (2012) and Kirchler (2007) point out.

#### 5.3. Inequities generated by the uniform application of forced execution

The research results show that the lack of differentiation between good faith and bad faith debtors leads to:

- Applying **disproportionate measures** (e.g., seizures for small amounts without warning);
- Generating **additional social and economic costs**, including job loss, reputational damage or disruption of economic activity;
- Weakening cohesion between citizen and state, which affects **long-term fiscal sustainability**.

#### 5.4. Correlations identified between the level of digitalization and the incidence of foreclosure

Another significant result is the relationship between **the degree of digitalization of the tax administration** and the frequency of forced execution. Countries with advanced digital systems (Estonia, Netherlands, Belgium):

- Quickly identify tax risks;
- I send automated and personalized notifications;
- It applies enforcement **in a predictable and transparent framework**.

In contrast, in Romania, according to ANAF data, approximately **80% of enforcement measures are initiated without prior contact with the taxpayer**, which limits the opportunity for voluntary compliance.

### 5.5. Considerations regarding the protection of taxpayer rights

The analyzed data confirms that, in the absence of effective legal protection and accessible appeal mechanisms:

- The taxpayer becomes **the vulnerable party** in the power relationship with the state;
- Forced execution tends to become a punitive tool, rather than a corrective or educational one;
- **Proportionality of the measure**, as a fundamental principle in tax law, is frequently ignored.

This situation is in contradiction with the case law of the Court of Justice of the European Union (CJEU), which states that any coercive tax measure must be **justified, necessary and balanced in relation to the aim pursued**.

The results demonstrate that **enforced enforcement, when rigidly applied and in the absence of a voluntary compliance strategy**, not only reduces the efficiency of tax collection, but also seriously affects the relationship of trust between the state and taxpayers. In addition, it produces psychosocial, economic and moral effects that can undermine the entire tax system.

## 6. Conclusions and recommendations

The present study highlighted an obvious contrast between two paradigms of tax collection in the European Union: **the coercive paradigm**, represented by states such as Romania, and the **collaborative paradigm**, adopted especially by the Nordic and digitalized states.

The results highlighted that:

- **Tax enforcement**, although a legitimate legal instrument, can generate significant negative effects if applied excessively, indiscriminately, or without a personalized analysis of the taxpayer;
- **The degree of voluntary compliance** is directly correlated with taxpayer trust in tax institutions, the perceived fairness of administrative treatment, and the transparency of the collection process;
- In Romania, **the lack of an active tax prevention policy** and the frequent resort to automatic bank garnishments create a tense fiscal climate, with psychosocial and economic effects on taxpayers, especially on vulnerable ones;
- **Taxpayer rights**, including proportionality of measures and effective access to remedies, are often marginalized in practice, contrary to European rules and constitutional principles.

Clearly, **enforcement should not be the core of the tax collection system**, but a measure of last resort, integrated into a broader strategy of voluntary compliance, administrative dialogue, and tax education.

To increase the efficiency of enforcement and reduce the negative impact on taxpayers, it is advisable to:

- to develop prevention and tax education policies;
- to apply personalized solutions for vulnerable borrowers;
- to strengthen dialogue mechanisms between taxpayers and the administration;
- to implement simplified, transparent and digital procedures.

Tax enforcement must remain a last resort, not a routine. A modern administration is one that stimulates compliance out of conviction, not fear.

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