

A responsible fiscal system for Latin America is possible: dogmatic bases and basic premises constitutive

Un sistema fiscal responsable para América Latina es posible: bases dogmáticas y premisas básicas constitutivas

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Abstract

Effective government action to alleviate social inequalities and boost economic growth, from the strict tax orbit, is a task consciously rejected by the parliament and government. Indeed, they subordinate inclusive public policies, almost exclusively, from "non-commercial" forms, such as those offered by the financial sphere through the use of conditional cash transfers, social expenditures and subsidies, tax collection products, others Government revenues and indebtedness. Although in Latin American countries poverty can be temporarily reduce through these government instruments, economic inequality will be maintained or will continue to increase, as will the opportunity grabbing, until there is no structural changes, primarily in the tax field, along with many other integrated solutions beyond the object of our study.

Latin America, Social Inclusion, Taxes, Development, Taxation

Resumen

El accionar gubernamental efectivo para paliar las desigualdades sociales e impulsar el crecimiento económico, desde la estricta órbita fiscal, es una tarea conscientemente rechazada por los detentadores del poder legislativo y gubernamental, para subordinar las políticas públicas inclusivas, casi exclusivamente, a partir de formas "desmercantilizadas", como por ejemplo, las que ofrece el ámbito financiero con la instrumentalización de transferencias monetarias condicionadas, gastos sociales y subsidios, productos de la recaudación fiscal, otros ingresos públicos y endeudamiento. Aunque temporalmente pueda disminuir la pobreza por intervención del Estado a través de estos instrumentos en los países de América Latina, la desigualdad seguirá aumentando, al igual que el acaparamiento de oportunidades, hasta que no haya cambios estructurales, prioritariamente en el sistema impositivo, junto a otras muchas soluciones integradas que escapan al objeto de nuestro estudio.

América Latina, Inclusión social, Impuestos, Desarrollo, Sistema Fiscal

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Introduction

Problematic situation and methodological framework

Taking as a basis the fundamental approach of the "Theory of the contradictory fiscal dynamics of the Latin American States in an area determined by the coexistence of global capitalism and representative democracy" (Rezzoagli, 2013), which consists of placing the State as the main actor in the irreplaceable that, trying to act as an intermediary on the contradictions in the field of economic relations (capital - labor), ends up operating as an obstacle to the system of genuine accumulation by virtue of, among other issues, the formation of chronic fiscal problems that later transfer The crisis in the institutional political sphere (Offe, 1974, 1982 and 1990), is that we can begin to explain how in this state involvement in the fields of accumulation and social legitimization, one realizes the self-contradictory imperative that surrounds this fiscal action.

The effective governmental action to alleviate inequalities or to promote economic growth, from the strict fiscal orbit, guided by "commercialized" forms that are not alien to the scheme of economic relations of the market (vid. Rezzoagli, 2013), is, in Latin America, a task relegated and perhaps consciously rejected by the holders of legislative and governmental power, to subordinate inclusive public policy and social development, fundamentally and almost exclusively, from "de-commodified" forms, such as those offered by the financial with the instrumentalization of social expenditures and subsidies, products of tax collection, other public revenues and indebtedness, very important as conditional cash transfer programs that have broken paradigms of state intervention throughout Latin America, but that should be accessory and timely complementary to other types of reform "Mercantilized" structural structures established and implemented previously or concomitantly from the collection sphere and under joint parameters of efficiency, optimization of resources and solidarity.

The need that the countries of the continent have in the implementation of inclusive public policies, with respect to the fact that governments must meet the costs not assumed by private capital, in a human environment determined by the high rates of poverty and unemployment, marginality and insecurity citizen, gives rise, generally inefficiently and contradictorily, to the expansion of tax pressure as a desperate measure to try to alleviate the lack of sufficient resources (creation or increase of taxes, tax reforms generally with regressive effects masked and with the weight of charge in consumption or in the salaried or captive sector in general) that, more than generating commodified solutions cause greater problems and gaps, and that, in any case, the collected will not achieve the dimension acquired by the growing need for expenses, resulting in, then, a structural vacuum manifested as fiscal deficit and crisis (enough to visualize and analyze the current preoccupation of the subnational governments of the different countries of the region for seeking a fiscal reform that allows them to deal with these expenses in a better way).

In other words, we consider as a central hypothesis, from this qualitative, non-experimental, deductive and descriptive-analytical methodology, that the systemic gap of inequality in Latin America generated and constantly expanded by *the tax collection system, tries to solve or mitigate from the scope financial (many times solidary and other clientelist occasions), although the amount collected will never be enough to cover the magnitude and the damages that the gap causes in each fiscal period, and thus it is reproduced indefinitely.*

The public finances of the countries of the region have traditionally been characterized by the perpetuation of a tax system whose central axis is the collection of taxes on consumption and a tax policy with little or no distributive impact. Although poverty can be temporarily reduced by the implementation of social programs and subsidies (de-commodified solution to mercantile problems), economic inequality will be maintained or will continue to increase until there are structural changes in the tax system (seeking a main commercialized solution to mercantile problems) and the dependence of growing sectors of society on public programs puts at risk the very foundations of said financial programs implemented (usual provision of the State with the delivery of quality goods and services).

Or through the delivery of money in a direct and indirect to specific beneficiaries through a network of conditional cash transfer programs and subsidies) due to the marked dependence and the lack of articulation of other types of solutions, which marks the "chronicle of an announced death", not only for the increasingly widening financial deficit that is

The problem is provoking, as the widening gap generates greater expansion of beneficiaries, but fundamentally because of the increasingly less genuine possibility of labor insertion or development of this dependent (growing) sector in a market that, on the contrary, increases the gaps in hoarding, economic concentration and inequality.

The words of Alfonso and Pacheco de Castro (2016), referring to the Brazilian case, present us with an illustrative element of what we are sustaining, when it states that:

"The vicious circle between the increase in spending and the (necessary then) increase in the collection that Brazil experienced in the last 25 years seems to have reached its maximum point, which poses challenges for Brazilian governors not observable in the country's recent history. Nowadays, there is a clear need to review the rules of social benefits and to rediscuss the linkages of income to compulsory expenditures, under penalty of maintaining the expansionary trajectory of public debt and / or forcing increases (not sustainable and regressive) in the tax burden "(p.2).

The high distributive inequality is, in this panorama of commercialized action - de-commodified, one of the most characteristic features of the economic and social situation in Latin America, where a small percentage of the population concentrates and increases a large part of the wealth while a significant number of its inhabitants are below the levels of decent subsistence, which is reflected in a continuous loss of purchasing power, decline of the middle class, greater inability to self-care and overcoming the lower class.

In this scheme of political and economic pressure groups to which the governments of turn are visualized as particularly receptive, is that we can quote the words of Ibán Díaz Parra and Silvia Romano (2018) when they state:

The permanent concessions to the transnationalized elite not only did not guarantee the possibility of governing, but undermined the possibility of deepening reformism in a country where the upper classes abhor any inclination toward something called socialism. In short, for the elites in power, the minimal reforms can be perceived as inadmissible revolutionary changes.

To trade with these sectors in pursuit of governance is to amputate any possibility of change, however minimal it may be (p.166).

In Argentina, measurements of consumption trends show that in the last year and a half (2016 - 2017) the consumption of staple foods for subsistence collapsed, while the purchases of luxury goods grew considerably (Centro de Estudios para el Desarrollo Economic Benjamin Openhayn, 2017). It is desirable that all economic activities go well, but when it reflects a very significant increase in sumptuous consumption and also a significant setback, simultaneously, consumption of the basic basket essential for life (the most important falls are from milk, beef, chicken, fish, yogurt, butter, apples, pears, lemons), reveals an anguishing and worrisome reality: the separation of classes and the consolidation of economic gaps that are increasingly important and consolidated, and of course, the existence of a manifest inequality and of a hoarding of opportunities that is represented in a society of powerful rich and poor excluded.

The evolution of consumption has not been uniform, in the goods of the basic basket and of popular consumption the setback has been very considerable, the opposite has happened with the sumptuous goods, whose acquisition reflects great economic capacities, as can be seen, for example, in the sale of motorcycles and high-end cars that have grown considerably in the last calendar year; same temporary stage where the retraction of basic products mentioned above was consolidated.

In Mexico, according to UNICEF figures (2018), more than 60% of children are poor, and 13.6% suffer from chronic malnutrition; 1 out of 3 children in rural areas suffer from chronic malnutrition and in the indigenous population this prevalence is more than twice that in non-indigenous children. In correlation with these data, the ECLAC report (2016) points out that wealth in Mexico doubled between 2004 and 2014, but the distribution of that wealth is increasingly in fewer hands, there is a strong concentration in the ownership of assets

The physical resources of the production units registered in the economic censuses, 10% of the companies account for 93% of the physical assets, while the remaining 90% have very few capital assets. Therefore, the Gini coefficient of the concentration of physical assets amounts to 0.93, almost absolute inequality, the same occurs in relation to personal income, since in 2015, the average value was 0.469 for 17 countries in the region, but Mexico obtained in this measurement of personal wealth hoarding 0.79, (0 represents absence of inequality and 1 maximum inequality).

Will the tax law have something to contribute to this problem? We have no doubt that the answer is affirmative and that this detractive system is also an important part of the current and current problem. One of the main shortcomings that consolidate these perverse situations suffered by countless families is the lack of articulation of fiscal reforms that tend to the development and consolidation of a structural middle class through a tax system that we call and baptize in this writing: responsible.

Towards a fiscal vision that contemplates boosting economic growth and inclusive development

Regarding the strictly tax sphere, the effect that a collection policy has on the development of each of the countries of Latin America is a question not without controversy and discussion. Some experts point out that taxes hinder economic growth (first you have to grow in terms of gross domestic product - GDP - to then distribute and / or act, because you can not distribute financially what you do not have, nor can you leave to promote the legitimate accumulation of private capital with all the effects this entails for social benefit).

And advocate maintaining taxes (at least the generation and accumulation of wealth) at a minimum level that encourages investment and the spillover effect (since this investment generates employment and mobilizes the economy, this coupled with a flexible employment policy and a cheap labor force in terms of international competitiveness), an issue that countries like Mexico seem to have followed as exemplary students, although with innumerable social problems.

Other experts consider that a well-structured and aggressive (protectionist) tax policy can serve as a stabilization mechanism for economic cycles, avoiding sharp rises in prices and unemployment (although this may materially lead to a departure from the international agreement regarding the competitiveness and the attraction of capital), this is the case of South American countries that have followed the scheme of import substitution and show great dependence on their tax revenues. We also find eclectic situations or that manifest intermediate degrees between these aspects but that necessarily always modulate their tax action between these two opposing lines of intervention, in fact the same country can vary from one end to the other its action in virtue of the temporary need and the positional changes that have their governments in turn.

These positions, ideologically constructed, theoretically have their logic and argumentative coherence in terms of the economic model that is intended to achieve, however, it is particularly important, by virtue of understanding *whether tax law can tend to economic growth and social development of the countries in Latin America respecting equal opportunities and combating the systemic reproduction of poverty ?*, promote and delve into a new perspective that we could baptize as a RESPONSIBLE FISCAL SYSTEM: tax policy should not only serve as an engine of growth, it is not enough to collect and attract capital (investments), but must also contribute to other objectives of economic and social development, such as combating poverty, avoiding exclusion, generating greater equality of opportunity, and fostering the consolidation and maintenance of a structural middle class, without that hinders or counteracts the processes of legitimate accumulation of the market.

The collection system is not only important as an instrument to formalize resources to the State, but it constitutes a public policy in itself, it is not neutral and its effects have an impact on the social structure as well as coercing all the surrounding state scaffolding and public action and private. The inefficient tax structure, as well as tax evasion and avoidance, cost Latin America billions of dollars in lost tax revenue, which beyond the immediate direct effect that the system itself would produce (leveling the middle class, fight against inflation, progressivity in tax pressure, etc.), also represent immeasurable amounts of money that could and should be invested in structural issues and in fighting poverty and inequality through public spending.

The increase in tax revenues is key for public investment in reducing some of the historical gaps in the region, such as markedly segregated access to quality public goods in the field of education, health, transportation and infrastructure. , but the way of obtaining these resources is also equally important, due to the externalizable effects caused directly and indirectly by the transfer of private wealth to the public sphere, rather than the resource itself (result of the collection process).

The public finances of the countries of the region have traditionally been characterized by the perpetuation of a tax system whose central axis is the collection of taxes on consumption and a tax policy with little or no distributive impact. In many Latin American countries, the tax system relies mainly on taxes on consumption, which are more burdensome for low and middle income groups (Rezzoagli and Gamberg, 2015).

In addition, the tax systems of the region tend to be more oriented to labor income (whether in a dependent relationship or self-employed, but considered as captives) than to capital gains or to the accumulation of wealth, and often lack taxes on real estate and inheritance (or at least effective compliance), in such a way that the concentration of mainly idle or unproductive wealth increases, which is even greater than the concentration of income.

The collection of income tax or personal income is, on average, relatively low throughout the continent, particularly among groups with higher incomes, where a clear and unambiguous decrease in tax pressure is visible. ECLAC (2016) estimates that the effective average tax rate for the richest 10% of the population of Latin America only equals 5% of their disposable income. As a result, the tax systems of this continent are six times less effective than the European ones in reference parameters to the distribution of wealth and the reduction of inequality.

A certain degree of economic inequality is not only important but also desirable to stimulate progress and growth, and thus reward talented people who have struggled to develop their skills and who have the ambition to innovate and take risks. However, the extreme concentration of wealth we live in today threatens to prevent millions of people from materializing the fruits of their talent and effort.

In this line the report of Oxfam (2014) titled *Governing for the elites: Democratic kidnapping and economic inequality*, establishes that, if economic inequality is not controlled, its consequences may be irreversible, giving rise to a monopoly of opportunities on the part of the richer population sectors, who will demand the lowest tax rates, the best education and the best health care. The result, if this current process is perpetuated, can be the creation of a consolidated dynamic of privileges that would pass from generation to generation.

The strengthening of VAT revenues (value-added tax or added value according to the terminology of each country) in the region, during the last decades, reflects above all its expansion to cover intermediate and final services (initially the tax was taxed almost exclusive physical goods and some services to the final consumer), in addition to a progressive increase in the rate in almost all countries since the eighties. It is likely that the changes introduced over the years in the tax regimes have caused that, in most Latin American countries, these regimes are less progressive than before. Indeed, one of the most recent reports on Inequality of Oxfam, of January 18, 2016, states that:

"In the world, there were unavoidable advances in the reduction in the number of people living below the extreme poverty line between 1990 and 2010.

However, if during this period of time the inequality within the countries had not increased, other 200 million people would have left poverty, a figure that could have increased to reach 700 million, this if the poorest people would have benefited more from the distributive effect of economic growth than the more affluent sectors "(p.4).

It is of fundamental importance, therefore, to analyze in the development of this scientific research, the concept and implications of the inequality of opportunities, to recognize and visualize the implications of regressive tax systems in our continent and their comparison with progressive countries in this scope, and diagnose ENDOGENO factors that prevent a structural change of the system towards a sustainable and inclusive development, in order to delve into commercialized solutions to problems of state intervention in the market through the restructuring and development of a "responsible tax system", leaving and recognizing the importance of financial performance as a provider of goods, services and / or cash,

As a complementary policy, either direct and focused or, in other cases, accessory, but not the main state tool for the solution to the problems of poverty and inequality. The United Nations Organization in its Human Development Report for the region (2016) defines it as the equal exploitation of the social and material conditions of the inhabitants of a town and its gradual improvement, within the framework of respect for its cultural values. In this sense, the critical links between poverty, economic inequality, the deficit of decent or decent work and social exclusion have been recognized as the substantial obstacles to its fulfillment and thus embodied in the World Summit for Social Development in 1995.

Therefore, the Human Development Report for Latin America and the Caribbean, presented in 2016 by the United Nations Development Program (UNDP), is forceful in identifying Latin America, as in previous reports, as the continent unequal in the world, so there is a priority need to delve into the diagram, instrumentalization and consolidation of redistributive policies³¹. The distinction between elements or circumstances exogenous to the individual (non-dependent) - such as social origin, place of birth, gender, access to education, among others - of those that individuals acquire by dependent actions throughout their life cycle - as for example the effort in the work and in the studies -, it is fundamental to understand this principle of Equality in its matrix of horizontal development of opportunities, because, although this distinction is certainly debatable in practice, the dimensions to equalize Individuals should cover only those that are exogenous (for example, guaranteeing access to education through positive actions) and the difference that comes from the agency itself should be respected (Rezzoagli and Cammarata, 2016, Rezzoagli and Gamberg, 2015).

This recognition and identification of exogenous conditions is important not only to diagram differentiated public policies that provide an adequate framework for the development opportunities of each individual in any point of the continent, but also to value and control their implementation. The principle of Equality, understood from its material aspect of providing and guaranteeing the same opportunities, is the one that proclaims the elimination of exogenous obstacles that impede or restrict people to achieve a dignified life through their own means (endogenous sphere)³².

The Report on the Stabilization of Sustained Growth (IMF, 2014), clearly states that inequality (as an interaction of four components: poverty, economic gap, deficit of decent or decent work and social exclusion) is no longer an issue of justice but also as an obstacle to the economic growth of countries. This is a novelty that closes a historical gap in official economic thought and approaches (at least from the problematic coincidence) heterodox economic positions to structuralist ones.

In recent decades, the need to study economic inequality and its form of measurement has intensified (see Roemer, 1998, Nun, 2011, Cecchini, and Vargas, 2014, Jiménez and Martner, 2014, Arriagada, 2005, among others.), ECLAC's reports and publications have been very important since the late nineties to the present day, and it can be said that there is currently a relative consensus on the relevance of this topic for inclusive economic growth, as well as on the indicators to reflect, diagnose and combat this phenomenon of inequality and exclusion. However, this agreement is not technically free of criticism or questioning, covering aspects such as the indicators used, the variables and the data sources on which the estimates are made³³.

³¹ State action can affect the levels of income inequality prevailing in an economy in several ways:

- In the first place, the establishment of minimum wages, negotiation between workers and companies, and the regulation of degrees of concentration in the markets for goods and services, among other measures, have direct consequences on the inequality of primary income, as is often the case denominated the income that arises from the market. That is to say that the distribution that results from production and the market is not inexorable.

- Secondly, public interventions redefine the distribution generated by the market through instruments such as taxes and transfers, mechanisms that have a direct impact on the distribution of disposable household income. Finally, a very important part of the redistributive action of the State takes place through financial mechanisms, such as public spending on education and health, which do not affect the current disposable income of households, but have a very significant impact, deferred in time, to the extent that they promote human capabilities and facilitate future insertion in the labor market.

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The capacity for redistribution in the second of the stages described - through taxes and transfers - is of utmost importance to alter levels of inequality in access to household resources.

³² The argumentative constructions are not born from the intellectual vacuum, for this conceptualization the ideas with respect to the "basic capacities" of Sen (2000), of "smoothing the path" of Roemer (1998), of "opportunities for well-being" have been followed. of Anderson (1999) and of "access to the advantages" of Cohen (1991).

³³ There are two ways to approach the study of inequality. One is based on the relative concept, which depends on proportional differences in income, while the other refers to income gaps in absolute terms and is often referred to as "absolute inequality". The distinction between one and the other has been almost totally lost in the current empirical studies on the subject, which generally refer to the relative concept, or also indicators that reflect a position between both extremes: the so-called "intermediate indices" (Del Río and Alonso- Villar, 2008, Azpitarte and Alonso-Villar, 2012).

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It is necessary to be fully aware that in political economy it is meaningless to measure phenomena of this nature without using value judgments about the properties that, from the social point of view, the instruments of measurement must satisfy. Antonio Lozano (2014) states that the increase in inequality has political bases, specifically is based on the decision of governments to increase or decrease direct taxes on income and inheritance tax, as well as the effects of historical events such as wars or crisis, where capital is destroyed and there is a reduction in the income of the capitalists.

This proposal by Lozano (2014) reinforces the Kuznets³⁴ hypothesis but only in the importance of the political factor, since on the other hand it puts into question that sustained growth tends to equality in the long term per se, and that this political factor is a stable constant that occurs over time (page 6).

An important challenge to current distributive studies refers to the variables considered, which is directly linked to the main sources of data. Both income and consumption reflect resource flows and this entails various limitations, which suggests that wealth may be a better indicator of households' access to resources, since it includes the consideration of financial and non-financial assets that can trade in the market. It is a variable of existence that is at the same time generator of income flows. Through inheritances, for example, wealth is also a powerful means of intergenerational transmission.

The developed countries have made notable efforts to quantify the inequality in terms of wealth from information from tax registers or special surveys (Ostry and Berg, 2014) where the ownership of assets and debts is surveyed (financial surveys).

In this type of special surveys, information is collected on accumulated assets and household debts, as well as income and expenses. Examples of these instruments are the *Survey of Consumer Finances* (SCF), carried out in the United States, and the *Financial Survey of Families* (EFF), in the case of Spain.

In the countries of Latin America this type of studies is almost non-existent and of very recent recognition. Deepening the analysis with new studies from the improvement of existing information incorporating new analysis tools is of vital importance to diagnose the inefficiency of the tax system in each of the countries of our continent³⁵, such as the incorporation of adjustments by income statement or data of sworn tax returns, which brings with it a number of aspects to be taken into account such as the difficulty of accessing truthful information due to the magnitude of tax evasion and evasion, as well as the lack of operability and endogenous potential of the Tax Administrations of our countries (Jiménez and Martner, 2014).

The incorporation of high income (generally reluctant to Permanent Household Surveys³⁶) and the use of tax data, undoubtedly opens an interesting research agenda for inequality studies³⁷. It complements the census information and also allows evaluating possible tax reforms to strengthen the distributive scope of our tax systems and evaluate with greater coherence the impact of tax pressure and progressivity - regressiveness of the system and its effects.

This line of work involves two challenges for statistical systems (Jiménez and Martner, 2014):

1 * its scope and potential to some extent depend on the quality and integration of these statistical systems, and

³⁴ The Kuznets hypothesis has three premises that are questioned: the first is to think that growth leads to equitable distribution in the long term, secondly, this premise is not based on a purely economic mechanism (endogenous to the economic system could be said), it is based on a political condition (exogenous to the economic system): the government should act through redistribution so that inequality decreases in the growth process. In the third place, it can be deduced from the first premise, that in order for society to grow, it needs inequality and accumulation in order to carry out the investment. In short, the Kuznets curve proposed a reassuring message for developing societies: inequality is natural and necessary in the development process, and this process would naturally lead to equality over time (Lozano, 2014: 5).

³⁵ We are aware that the challenges are not few, from the endogenous technical difficulties of realization, to an accumulation of situations such as the lack of reliable information, to the disapproval of the most affluent population sectors that are reluctant to declare the veracity of their patrimonies.

³⁶ In the permanent household surveys the information may be biased, for multiple reasons, one may be that the person surveyed does not have sufficient knowledge to respond optimally, underestimate or overestimate their income, or simply because they respond deceptively from of certain interests. Another situation to take into account is that the richest do not answer these surveys, or at least not in a sincere way; and on the opposite side, people who have legal domicile are also omitted, that is, they do not have the citizenship register.

³⁷ The statistical use of fiscal data opens the possibility of building long historical series with true information (within the reliability of the agencies responsible for carrying them out). On the other hand, the registers allow us to study an interesting aspect within inequality: the accumulation of wealth.

2 * the analysis of the richest sections of the population is very useful insofar as it allows complementing the conventional measurements on inequality, making the tax information coming from the sworn statements compatible with the data obtained through the traditional household surveys.

Having information from tax registers can significantly expand the scope of studies on income distribution in the countries of the region, which allows analyzing in detail high incomes, even with the limitations regarding problems of evasion, avoidance, exemptions or tax incentives and changes in tax rates.

According to a study conducted by the Inter-American Development Bank (IDB, 2013), countries in Latin America collect taxes on average, without forgetting that there are structural differences between each country individually analyzed, 17.5% of gross domestic product (GDP) and the tax burden (aliquots) is low compared to that of other regions, since, according to this report, in the countries of Eastern Europe a total average of 24.1% of GDP is collected and in the total of 32 non-Latin American countries that are members of the Organization for Economic Co-operation and Development (OECD), the overall average collection is 25.4% of GDP (IDB, 2013: 36).

Added to this, in a recent study of ECLAC / IEF (2014) where economic inequality is measured in 17 countries in Latin America, and where a comparable approach is used with international methodologies, there are worrying results and they should call a deep reflection, since the Gini Coefficient³⁸ it barely drops only 3 percentage points after direct taxes and monetary public transfers, that is, the economic inequality among the inhabitants of Latin America without State intervention and with state intervention is only three percentage points less in the latter case.

This contrasts markedly with the countries of the Organization for Economic Co-operation and Development (OECD), where, on the other hand, this indicator decreases by 17 points after direct fiscal action, that is, after the intervention of the State through taxes and transfers. We must understand that this is not just a simple numerical differentiation, but that this percentage difference marks a material abyss that translates into well-being, equality, reduction of poverty, and ultimately, the effective development of human rights.

Three elements of tax policy should be the center of analysis to determine and diagnose the degree of compliance with economic growth and social development based on an effective tax system, based on the results shown by the worrying reports previously analyzed, these are: the level of collection, the tax structure (central and binding aspect between the first and the third) and the degree of compliance

³⁹The great majority of the countries of the region present significant weaknesses in the three key factors mentioned (which we believe are the real bottlenecks to be solved from a responsible and socially consensual vision), that is, the tax pressure decreases as it increases the wealth, the fiscal structure is ineffective to combat the gaps of hoarding of development opportunities and the levels of non-compliance in the payment of taxes are significant (Jiménez, Gómez Sabaini and Podestá, 2010), for this reason we will delve into these essential aspects problematic to tend to the theoretical formulation of a responsible fiscal system as an alternative structural solution.

In summary, the institutions in the region fail to limit and reduce (ex ante) the market dynamics generated by the concentration of income, and the ability to correct or remedy its effects (ex post) through taxes and monetary transfers. It is very limited, especially when compared to the experiences of other countries or regions. This lower capacity has to do with the low levels of tax revenues due to an inefficient material and formal fiscal structure, and its lower distributive impact.

³⁸ Coefficient that bears the name of its creator, the Italian statistician and sociologist Corrado Gini who published it in his article entitled "Variability and mutability" in 1912. It measures the inequality between the values of a frequency distribution (for example, income levels), is commonly used as a measure of income or wealth inequality.

It goes from 0 to 1. A Gini coefficient of zero expresses the perfect equality where all the values are the same (for example, where everyone has exactly the same income). A Gini coefficient of one (100%) expresses the maximum inequality between values (for example, when only one person has all the income).

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³⁹ We emphasize in this study the analysis of the second element, the tax structure and its implications with the degree of collection and its effects. The analysis of the degree of evasion and the degree of fulfillment of compliance in the Latin American countries will not be an aspect of analysis of this article, due to the magnitude and complexity that its treatment requires, and will be the object of a later work.

In this way, secondary redistribution through spending (mainly conditional cash transfer programs and subsidies) has been the equalizer in the region par excellence, not without numerous criticisms regarding its structuring, effectiveness and control.⁴⁰, but, nevertheless, there is no doubt that they constitute the element of preferred intervention, since taxes have not followed the same path and their redistributive function is put in frank questioning.

The countries with the highest inequality index tend to redistribute more, it is a fact that can be easily verified statistically, due to the need to alleviate these asymmetries or commodified problems in a de-commodified way, and this effect is greater in the case where pensions or pensions are considered as a transfer. In this sense, we highlight the analysis of Nora Lustig (2016) when it states: "Do the most unequal countries dedicate more resources to social spending? (...) the greater initial inequality, the proportion of resources devoted to social spending is greater. In historical terms, the most unequal countries tended to allocate a smaller proportion of fiscal resources for redistributive purposes, a phenomenon that Lindert (2004) called the Robin Hood paradox.

The slope is lower when pensions are considered as deferred income than when pensions are considered a transfer (...) Bolivia, Colombia, El Salvador, Guatemala, Honduras and Peru redistribute below what the trend predicts. Chile, Ecuador and Mexico are practically on the trend line and Argentina, Brazil, Costa Rica and Uruguay do it above the trend. It is interesting that -although the order of magnitude of the respective redistributive effects varies- this classification of countries is the same when pensions are treated as deferred income and when they are considered a transfer "(page 29).

In many cases, the increase in redistributive public spending (de-commodified solution) was and is financed from regressive taxes (anti-commodified solution, which generates increasingly serious chronic structural problems, period to fiscal period).

It is necessary to promote a change in this paradigm so that it is replaced by a more comprehensive vision of fiscal policy, where taxes act as a priority to alleviate the high inequality of opportunities that characterizes the region, contributing to inclusive economic growth.

Tax structure and tax pressure: Main problems

The tax structure in the countries of the region does not present progressive characteristics, but on the contrary, it is markedly regressive (Cepal / Oxfam, 2016: 7-9), and it is possible to highlight that there has been no attempt (real political intention).) to modify this structural situation historically. We do not ignore that the notion of progressivity and confiscatoriness present severe practical problems when setting their limits, even more so if in the last decades in the continent there has persisted a palpable abandonment in strengthening and perfecting direct taxes and a constant increase in the taxation on consumption.

A progressive effect in the collection sphere is especially beneficial for countries where wealth is concentrated and where there is palpable economic inequality as is the case of the countries of our continent (Jiménez, Gómez Sabaini and Podestá, 2010), considered the most unequal continent of the world (ECLAC / Oxfam, 2016); thus, the improvement of revenue collection and patrimony would be recommended, fundamentally those that are unproductive. In the opposite direction, in countries with a greater distribution of wealth, the most effective would be to proportionally tax income and consumption, although not limited exclusively to it.

The strengthening of taxes on goods and services, which are essentially regressive and are a constant of the last decades in the countries of the region, widens the gap and generates more inequality. Following the research presented by De Cesare (2012).

⁴⁰It is in this context of lack of evaluation and control, that these programs constitute one of the few means to, only (though not least) mitigate the effects of the inequality gap and market shrinkage and opportunities, and although after year, in budgetary and material terms, it is invested and spent more, the results will continue to be negative in the medium and long term, since the inequality gap widens more strongly year after year, the increase in these benefits will not be enough (it will maintain a population percentage that satisfies its needs thanks exclusively to said programs and subsidies) and year after year will be more and more the people that request it or require.
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At the Lincoln Institute, which analyzes, among other issues, the distribution of the tax burden between regions and groups of countries, it makes it possible to visualize differences that are particularly important among these regions or groups, mainly addressing the premise that in countries that have low to medium percentages of concentration of wealth (measured by geographic areas and inhabitants) can be justified a greater pressure on consumption or income, however, and in the opposite sense, in the countries or regions that present from medium to high percentage of inequality of opportunities and concentration of wealth (as is the case of Latin America) the main focus of taxation should be on direct taxes and fundamentally those that tax the obtaining and accumulation of wealth, fundamentally idle or unproductive, due to an excessive tax burden on income or onsumo would produce greater social gaps.

Established the previous as a basic premise in the conformation of tax structures, and following the results of the report presented by De Cesare (2012) at Lincoln Institute, we can observe comparative results that, sincerely, do not surprise, but they do call for a deep reflection and a awareness of the importance of adequate tax collection and the exercise of effective pressure to combat the systemic reproduction of poverty; thus, taxes on consumption "represent more than 50% of the tax burden in Latin America on average, while these taxes represent 31.7% in the OECD member countries" (p.7).

These data, translated into simple words, means that the final consumer in our region has a lot more fiscal pressure in their purchases, besides that evidently it significantly increases the value of the final products, with all the direct and indirect effects externalizable by said situation in the economic and social plans.

The tax system, in Latin American countries, as an instrument to promote the development of a structural middle class and an adequate recursive functioning of the State in terms of economic capacities, is generally null, but not only that, but also favors every time plus the separation of classes and impoverishment, and is a real engine of inequality.

Since the tax pressure exerted on the productive sectors and those with less economic capacity is more intense, when an effective and correct fiscal diagram should lead absolutely to the contrary. Making ours the words of Num (2011), because there is no other way to say it with greater forcefulness and simplicity: taxes generate inequality.

Analyzing the economies of Latin America, we see that, with its own characteristics, similar situations are repeated in response to our central hypothesis, this is how in Brazil, for example, one feature that draws the most attention in the tax burden is its concentration in few taxable bases. In fact, according to Alfonso and Pacheco de Castro (2016) "only three tax bases (goods and services, wages and labor at work and income, profits and profits) accounted for 88.7% of all types of taxes in 2014 "(P.7) The weight of the fiscal system is absolutely regressive and based mainly on consumption and income, although the country has a collection in line with the OECD countries, it also has significant and characteristic levels of inequality in Latin America.

In Colombia, an OECD report (2015: 4) is convincing when affirming that in order to reduce poverty and foster inclusive growth, the future challenge of that country is to meet social spending needs and growing subsidies that are absolutely insufficient for coverage. required, and where the extractive field should do more to promote efficiency and equity, fundamentally relieving formal sector companies that face a high and complex tax burden, and where only a small part of the population pays taxes on the income or equity; another clear example of the maintenance of the tax system based on the collection pressure on consumption and income⁴¹.

Following the estimates made by González and Corredor (2016), in Colombia the Gini Coefficient practically does not change before and after the intervention of the State in tax and financial matters, that is to say, distributive policies that improve the disposable income of the poor. In other more understandable terms, the subsidies and economic aid that the State grants to the poorest sectors of the population are removed again through indirect taxes.

⁴¹Colombia cries out for structural reform with more progressive taxes, which help lower our inequality indexes (Fernández and Hernández, 2015: 41).

Thus, in the words of these authors:

"For example, if a poor household receives subsidies through a program like Nuevas Familias en Acción, it is feasible that by paying taxes such as VAT it reverts to the State an amount equal to or greater than the amount of its subsidies. If the structural view corresponds to the balance between taxes and subsidies, disposable income would be the best expression of this relationship. The structural result is reflected in the disposable income. The usual assessments of fiscal policy do not look at the whole of the relationship. The studies on Familias en Acción analyze the evolution of subsidies but do not consider taxes "(González and Corredor, 2016: 141).

Chile, like the other Latin American countries, depends heavily on indirect taxes, although with respect to direct taxes, the tax reform in 2016 increased the First Category Tax (business income), establishing a rate of 25% for the income system attributed and of 27% for companies that pay taxes in the semi-integrated system. The personal income tax reaches the maximum scale of 35%.

The companies must decide which system to take advantage of, that is, they must opt for the attributed income or the integrated system, unless it is a public limited company in which case only the regime or income system attributed applies. Thus, for this business choice regarding how to contribute, the financial decisions that the members can take will be taken into consideration.

For example, if these retire a large part of the profit, it is convenient that the company taxes under the attributed income system since the rate will be 25% with respect to the corporate tax, and for its owners it will be a maximum final rate of 35%. In the opposite case, if the partners intend to keep this profit reinvested in the company in order to generate new investment projects, then it will be appropriate to tax under the scheme of the semi-integrated system, since even though the corporate tax is more expensive in comparison with the attributed income system, the owners will only pay for the withdrawals actually made (and not for the entire mass of rent) during the commercial year with respect to the personal income tax.

This is a measure that seeks to promote productive income although, as a negative aspect, it can be seen that it favors the tax avoidance of self-employed workers and entrepreneurs with creative accounting. Independent professionals, for example, regularly create "investment companies" to transform profits that would otherwise be subject to high rates of personal income tax, to divert them into corporate income at a much lower rate, or for example, register in the name of the firm and not the owner a vehicle, being employees in a relationship of dependence the only ones who can not "adapt" the system, because their deductions are automatic to be captured ab initio.

Returning to the fact that Chile is heavily dependent on indirect taxes, citing Tasha Fairfield (2016), the following can be considered:

The collection of the value added tax (VAT) was on average 8.1% of GDP in the period 1993-2005, 51% of the total collection; while the income tax represented an average of 4.0% of GDP. (...) Because the VAT base is already very broad since the rate is relatively high (18% from 1990 to 2003, and 19% thereafter), the increase in income tax paid by individuals with higher incomes and large companies have been an obvious option to raise tax revenue through successive reforms "(pp. 130 and 131). The proper use of various reform strategies allowed governments to make some progress in margins, especially by limiting or eliminating tax benefits that disproportionately benefited large companies and higher income taxpayers. These strategies have been used to raise the taxation of economic elites and have generally facilitated more significant reforms (p.153).

If we visualize the current taxes with a supposed progressivity in any country of the continent, we can observe that the aliquots increase in relation to the increase of the economic capacity of the subjects captured in the respective taxes, but the tax pressure does not increase in equal proportion, but rather it decreases, and it does significantly (Rezzoagli, 2017). It is not the same to get 10 units to the one that has 200, than to get 1,000 to the one that has 180,000, the latter will not notice it while the first one will suffer and a lot. Nor is it the same to tax basic consumer goods, wages and salaries or small merchants' income and productive capital, which tax unproductive wealth, sumptuous goods that accumulate in small population groups or speculative capital.

Now, in this sense, the property tax is very relevant in Latin America, given the high concentration of wealth, mainly the accumulation of land in few hands, which tends to be stronger than the concentration of income especially in the countries in development (Gómez Sabañi, JC and Morán, D., 2016: 19). The property tax is one of the most important sources of own resources for subnational governments, and there is a consensus of specialists regarding the advantages it has, in terms of collection potential, economic efficiency, tax compliance and, most especially, progressive impact on income distribution (Gómez sabañi, JC and Morán, D., 2016). However, it would seem that at present it is intentionally intended to discard or ignore this importance in search of contrary "solutions".

This is the case of the Tax on Personal Assets in the Argentine Republic, a tax of national orbit that taxes the possession and accumulation of cash, deposits, real estate, yachts, cars, ships and other registrable and non-registrable assets, shares, etc., to individuals and undivided estates until the declaration of heirs, which are not linked to commercial, service or industrial activities, that is to say, they are not productive goods or that do not affect the productive chain, so that greater accumulation of personal assets greater amount of unproductive and sumptuous wealth (capital and idle assets)⁴².

His tax until the year 2015, date of its modification to another scheme that we will analyze in detail to demonstrate that strategies are followed that are inversely proportional to the effective redistribution, started with an aliquot of 0.50% applied to the tax base when the total value of the taxed goods was greater than (pesos pesos) \$ 305,000 and up to \$ 750,000 (first scale), it continued with an aliquot of 0.75% when said value is over \$ 750,000 and up to \$ 2,000,000, later there was an aliquot of the 1% from a figure greater than \$ 2,000,000 to \$ 5,000,000, and culminated (last scale) with an aliquot of 1,25% when the total value of the encumbered assets was greater than \$ 5,000,000.

⁴²Obviously it is not the same to have a house where a family resides, to have 30 houses in the hands of that same family, the notion of progressivity must be technically precise in these aspects, starting with low scales that contribute to the protection and the push to the growth of families, who must find a reward for their efforts in obtaining their own house, car, and other goods or capital necessary for a dignified life and the promotion to the improvement of its members, fulfilling, in turn, the duty to contribute to the public expenses demanded by the State, said family nucleus, as well as society as a whole.

⁴³The non-taxable minimum was updated from \$ 305,000 to \$ 800,000 as a result of the inflation adjustments for 2016, to \$ 950,000 for 2017 and from 2018 will be \$ 1,050,000.

Thus we can see that, despite the supposed progressivity, the economic capacity taxed increased more than 1500% and, however, the tax rate increased its tax burden by less than 200%, and it is much worse if we consider that the law established that it be that aliquot of 1.25% for a total value of the goods subject to the tax greater than \$ 5,000,000, so if the value is \$ 15,000,000 or \$ 100,000,000 the aliquot remained the same, it did not matter as soon as increase the economic capacity of the subject in terms of accumulated assets, which, presented a clear example of regression to abruptly reduce the tax burden in terms of increased economic capacity, even when the rates increase, it does not follow the corresponding equivalence .

However, there was the expected modification in the Personal Property Tax, beginning in 2016, and the main characteristic to highlight is the lowering of the tax burden at all levels, with the introduction of a proportional or fixed rate (only) of taxation for any economic capacity that exceeds the non-taxable minimum updated⁴³ and only about the surplus. The imposition of a single aliquot:

As we can see in this tax, and unfortunately it is not an isolated case, since this situation is repeated in a large part of the fiscal orbit, whether graduates with supposedly progressive aliquots are presented, although with a marked decrease in the tax pressure as that increases wealth (until 2015), or that have fixed aliquots (from 2016 onwards) that place all taxpayers in a formal equality but that determine that despite a general decrease in the amount of tax payable for any capacity contributory, which in itself is already debatable by the characteristics of the tribute, the greatest benefit is given to the large accumulators of capital and idle and speculative assets, which concentrate wealth, generate more and more gaps and are also rewarded by paying less taxes and encouraging the State to collect through alternative channels increasing the tax burden on income and consumption taxes⁴⁴.

⁴⁴ Regarding Income Tax or Income Tax (companies and individuals), also in Argentina, it has a large percentage of tax evasion and its collection in terms of GDP is still very low compared to central countries, if you add the circumvention fiscal and the lack of real political intention in a progressive collection the conclusion is that a large part of the collection possibilities of this tax are not fulfilled. Undoubtedly, one of the most important dependent causes is the numerous tax exemptions and benefits that, under the guise of progress, do nothing but benefit the income of capital and pressure groups, such as those generated by the sale of shares, for dividends, for financial transactions, for the interests of public securities, among others (Rezzoagli, 2017). Regarding VAT, we agree with Num (2016) when it states that "the total of consumption taxes doubles what is collected for profits, and places Argentina above the Latin American average, evasion is high and difficult to combat .

REZZOAGLI, Luciano, A responsible fiscal system for Latin America is possible dogmatic bases and basic premises constitutive, ECORFAN Journal-Mexico 2018.

Extrapolating this situation to the entire tax system in that country, the link between the crisis within the State and the economic crisis can also be understood (Offe, 1990), because the increase in expenses that support accumulation and social expenditures that go to the maintenance and strengthening of the governmental *legitimization of the political power* ends up throwing, next to an inflationary behavior in Argentina, a regressive fiscal structure to finance the State its own deficit, which drowns the productive capital and the possibilities of consumption of vast sectors population causing a strong blockade on the private sphere for the formation of genuine capital, a question that is still insufficient and ends up endangering the legitimacy in maintaining the power of the competitive party or party coalition bloc, which is why it goes to debt internal and mainly external, which briefly alleviates the problem legitimization and spending, but presents new and stronger fiscal adjustments in the medium term future, since the deficit is compounded by the repayment of the loan and the interest on the debt⁴⁵.

Final Notes

- It should not be a chimera or an illusion to begin to (re) think of the tax system as a leveling and constitutive instrument of a structural middle class together with the promotion of productive and entrepreneurial capital, hence the baptism of the Fiscal Responsible System.
- The strengthening of consumption taxes in recent years is manifested in the importance they have regarding the volume they occupy in the total collection of the different countries of the region, in contrast with the decrease and lack of effectiveness of the tax pressure in the idle capital and unproductive wealth. At the same time, the drowning of the captive sectors as wage earners, small entrepreneurs and self-employed people in their income and income constitutes a wrong policy that impacts on the economic distribution and quality of life.
- The taxation of unproductive, financial and idle and speculative capital, which does not impact on the generation of value or on the productive chain, should be strengthened as the main tool of change, leaving greater possibility of articulation and development to business capital, energizing the consumption. This is the basis to begin diagramming a progressive and sustainable fiscal scheme, which is a task of reengineering, technical articulation and responsible policy, which tends to set a course diametrically opposed to that followed so far by the tax systems prevailing in the region.

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If the evasion falls to the levels that it reaches in Chile, for example, the general rate of 21% could be lowered between 6 and 8 percentage points "(p.1).

⁴⁵ When indebtedness is not used for structural works, but instead is used to level the fiscal deficit, control inflation and target social spending, its effects are only beneficial in the short term and the consequences in the medium and long term will be, possibly, more burdensome than those that gave rise to it.

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