

ADVANCED TOPICS IN
ESTATES, TRUSTS & TAX POLICY SEMINAR
FALL 2016

COURSE SYLLABUS

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CLASS SCHEDULE

Friday 11:30 a.m. – 12:55 p.m.

*Office Hours: M, W 12:30-1:30,
By Appointment as necessary*

Week One 8/12

A. Goals of a Tax System

Readings (See Assignments section in TWEN)

LAURIE MALMAN ET AL., THE INDIVIDUAL TAX BASE 8-15 (2d ed. 2002).
LIAM MURPHY & THOMAS NAGEL, THE MYTH OF OWNERSHIP 3-11 (2002).

Questions for Discussion

- (a) What is the primary goal or purpose of taxation? What are other goals?
- (b) What are some attributes of an ideal tax system?
- (c) How should the tax burden be allocated? Why?
- (d) Based our goals and discussion, should we be more concerned with efficiency or fairness? Can we have both? If so, how? If not, why not?
- (e) Why does tax policy show up as a topic in almost every election?
- (f) Should our lifetime resources be taxed at death? Why or why not?
- (g) What is economic justice? Is it achievable?

B. Theories of Distributive Justice

Readings

LIAM MURPHY & THOMAS NAGEL, THE MYTH OF OWNERSHIP 12-39 (2002).
JOHN RAWLS, A THEORY OF JUSTICE 60-80 (1971).

ROBERT NOZICK, ANARCHY, STATE, AND UTOPIA 149-153, 156-164, 170-172 (1974).

Questions for Discussion

- (a) What is tax equity? What is horizontal and vertical equity?
- (b) What are the benefits derived from having a taxing system? Is there a social value in designing a fair taxing system? How do you measure what is fair?
- (c) What does it mean to tax based on the ability to pay?
- (d) Imagine two people, Penny and Rich. Penny, who was born into a poor family, is unemployed. Rich, who was born into a well-off family, earns a substantial amount of money each year at his job. How would, respectively, a liberal (e.g., Rawls), and a libertarian (e.g., Nozick) address the income disparity between Penny and Rich?
- (e) What obligations, if any, does our government owe to those who have suffered because of past tax policies?

Week Two 8/19

Law of Inheritance and the Wealth Gap

Readings (See Assignments section in TWEN)

THOMAS M. SHAPIRO, THE COST OF BEING BLACK AND THE ADVANTAGE OF BEING WHITE 42-59 (2004).

THOMAS M. SHAPIRO, INHERITANCE—"THAT PARENT THING" 60-84 (2004).

Questions

- (a) Why do people die intestate?
- (b) What is the wealth gap? What factors impact or contribute to the wealth gap?
- (c) What is the difference between income and wealth inequality?
- (d) What impact does income have on wealth?
- (e) What is the parent wealth measure and how does it impact the wealth gap.
- (f) What is cultural capital?
- (g) How does inheritance impact wealth gap?
- (h) Should our lifetime resources be taxed? Why or why not?

Week Three 8/26

Incubator Sessions—be prepared to present proposed topics for your paper for approval.