Luck Egalitarianism and Inherited Wealth^{*}

NICHOLAS BARRY

La Trobe University

ABSTRACT

This article examines the innovative contribution to egalitarian theory made by Daniel Halliday in his recent book *The Inheritance of Wealth* and defends the relevance of the standard luck egalitarian approach to inheritance against Halliday's critique. The article argues that although Halliday's account of equality, which is focused on group economic segregation, initially seems an appealing hybrid of luck egalitarianism and social egalitarianism, it contains ambiguities. Closer analysis of the concept of economic segregation also suggests that Halliday's hybrid account will often produce similar results to standard forms of luck egalitarianism, and that in cases where they diverge, it is the latter that is intuitively more appealing. There are, therefore, good reasons for egalitarians to persist with the standard form of luck egalitarianism rather than adopting Halliday's hybrid alternative. The article then briefly examines the implications of the standard form of luck egalitarianism for inherited wealth, highlighting that it pushes in a more radical direction than the Rignano scheme Halliday endorses. The article goes on to defend the standard luck egalitarian approach to inheritance against two major criticisms that Halliday develops against it, arguing that it is sensitive to the size of bequests and largely avoids the problems that other asymmetric transfers confront. It thus represents an approach to inherited wealth that deserves further exploration.

Keywords: luck egalitarianism, justice, inequality, inheritance, Rignano scheme, Daniel Halliday.

^{*} An earlier version of this paper was presented at the 2018 Australasian Political Theory Association Conference at the University of Sydney, as part of a panel on *The Inheritance of Wealth*. The author would like to thank the audience and other panellists – Daniel Halliday, Stewart Braun and Luara Ferracioli – for their comments and discussion. The paper also benefitted greatly from the comments of two reviewers and the editor of the special edition, Jørgen Pedersen.

The taxation of inherited wealth is a topic that should be of central interest to egalitarian political philosophers, but despite a rich vein of work in contemporary egalitarian theory, it is yet to receive systematic treatment. For this reason, Daniel Halliday's book *The Inheritance of Wealth* is a welcome addition to the literature. However, it also makes a valuable contribution to egalitarian theory in its own right by developing an innovative account of egalitarian justice that aims to combine the appealing features of both luck egalitarianism and social egalitarianism, which are two of the most influential contemporary approaches. Halliday applies this hybrid account to the issue of inheritance, drawing on empirical data to establish a link between inherited wealth and economic segregation that has cumulative effects down the generations. Halliday uses this account to make the case for a Rignano scheme to tax inherited wealth. This scheme is named after Italian thinker, Eugenio Rignano, who held "that an inheritance tax should be sensitive to a fortune's age rather than its monetary value alone" which means, among other things, that there should be an increase in the rate of taxation that is paid as wealth is passed down the generations, becoming further removed from the generation who originally accumulated it (Halliday 2012: 61).

In this short piece, I focus primarily on evaluating Halliday's innovative hybrid theory of egalitarianism and his critique of the luck egalitarian approach to inheritance. I argue that his rejection of the luck egalitarian approach is too hasty and suggest that it has advantages over the group-oriented hybrid form of egalitarianism he supports. Beyond its relevance to debates in contemporary egalitarian theory, this conclusion is important because the standard form of luck egalitarianism would condemn inequalities in inherited wealth regardless of the age of the fortune that is inherited, thereby undermining the case for a Rignano taxation scheme.

The structure of the article is as follows. In the first section, I outline the key features of Halliday's hybrid theory of egalitarianism, focusing on the way it combines a modified version of luck egalitarianism with social egalitarianism, and explaining the implications of the theory for the taxation of inherited wealth. In the second section, I develop a critique of this theory, arguing that it contains ambiguities and may be less different from standard forms of luck egalitarianism than it first appears. Moreover, to the extent that there are differences, these differences make the theory less attractive than luck egalitarianism, which does not restrict its focus to group economic segregation. In light of this, I argue that there is a strong reason to adopt the standard form of luck egalitarianism over Halliday's hybrid theory. In the third section, I examine Halliday's critique of the luck egalitarian approach to inherited wealth, defending the theory against his

two central objections – the quantification objection and the asymmetry objection. Although hard cases remain, which require trade-offs between competing considerations, I argue that ultimately, the standard luck egalitarian approach to inheritance withstands Halliday’s critique and deserves further consideration in future work on the inheritance of wealth.

1. ECONOMIC SEGREGATION

One of the notable features of Halliday’s book is the innovative theory of egalitarian justice he develops to ground his case for a Rignano tax on inheritance. This theory is best described as a group-oriented hybrid of the two dominant theories in the existing literature -- luck egalitarianism and social egalitarianism. Luck egalitarianism is a theory of egalitarian justice that is sensitive to considerations of individual choice and responsibility, holding that inequalities are unjust to the extent that they reflect the influence of brute luck, but just to the extent that they reflect the different choices individuals have made and the risks they have taken.¹ In contrast, social egalitarianism holds that “egalitarianism is fundamentally concerned with equality of social relationships” which means that its “aim [is] to replace social hierarchies with relations of social equality on the ground that individuals are fundamentally moral equals” (Anderson 2012: 40).

Halliday’s theory is focused on the social egalitarian idea of social segregation, which is defined as the situation that arises “when social groups are cut off from each other” (101). Given the book’s principal concern is with inherited wealth, Halliday focuses most of his discussion on *economic* segregation, which is a sub-set of the broader concept, referring to the “*type* of social segregation that occurs when groups have their boundaries defined by economic difference rather than by (e.g.) racial or religious difference” (102).

What distinguishes Halliday’s approach from other theories of social egalitarianism is that he links the focus on social segregation to the luck egalitarian idea that brute luck inequalities are unjust. He argues that this may be one of the reasons that economic segregation (and social segregation more generally) is unjust:

“economic segregation becomes normative when it is understood in connection with luck egalitarian claims about choice and circumstance.

¹ For key works in the development of the luck egalitarian tradition, see Dworkin (2000), Arneson (1989), and Cohen (1989). There have been a wide range of further articles and books written on the theory since these early works. For a good discussion of some of the key issues and debates that have emerged in the literature by one of the leading contemporary luck egalitarians, see Lippert-Rasmussen (2016).

Economic segregation can occur when wealthier groups are able to retain wealth and privilege over time. Being born into one of these groups, as might happen by being born to parents who have inherited, and with some expectation of inheriting oneself, provides one with brute luck advantage. When construed in this way, economic segregation is an injustice in itself because it is a subset of the ways in which distribution is dependent on personal circumstance rather than personal choices" (103).

However, the version of luck egalitarianism that is at the core of the theory is a "restricted (i.e. logically weakened) form of luck egalitarianism" (111). Rather than applying the choice/circumstances distinction to individuals, as occurs in standard forms of luck egalitarianism, Halliday's theory applies the distinction to groups, reflecting the social egalitarian belief that "injustice is most plausibly construed in terms of group difference rather than in terms of differences that obtain between isolated individuals" (152). On this account, good brute luck is being born into a privileged, high status group in a segregated society, whereas bad brute luck is being born into a disadvantaged, low status group in a segregated society. Thus, Halliday "uses social egalitarian ideas to constrain the application of a luck egalitarian principle" (152).²

Having outlined this innovative hybrid, Halliday applies this theory to the issue of inequalities in inherited wealth. He argues that these inequalities are unjust when they lead to economic segregation. That is, inheritance is unjust when it "plays *some* causal role among the mechanisms enabling intergenerational replication of inequality to take place" (153). He presents an array of empirical data which suggest that it does play this role, although his focus is not simply on the immediate inequalities in financial capital it generates, but also on the inequalities in "nonfinancial capital" – both social and cultural -- that accumulate down the generations.

Halliday identifies two broad categories of nonfinancial "capital" that are linked to inequalities in inherited wealth. One category is the kind of prestige or status attached to families who have been wealthy for

² Although Halliday does not discuss the issue in any detail, the luck egalitarian and social egalitarian principles involved in the hybrid theory seem to be pitched as principles of justice rather than principles of regulation. This distinction was identified by one of the most important thinkers in contemporary egalitarian theory, G.A. Cohen (2008), who argued that ultimate principles of justice should not be constrained by empirical facts regarding technical feasibility, in contrast to principles of regulation, which modify these principles in light of these empirical constraints. Halliday then applies these principles of justice to a concrete issue – the taxation of inherited wealth. In doing so, he endorses a Rignano scheme, which is a technically feasible tax policy, but at this stage in the book he abstracts from other considerations that might compromise the scheme (e.g. economic constraints). I thank one of the journal's anonymous reviewers for highlighting the need to address this issue.

generations. As Halliday puts it, “in certain societies, status comes simply from old money... wealth confers additional status on its bearer just because it is old, i.e. has been passed down some sufficiently large number of times as inheritance” (149). This is “the sort of status associated with ‘good breeding’ or having come from old money” (128), and because it is based on a direct link between high status and the number of generations over which a family’s wealth has been accumulated, Halliday argues that this justifies taxing inheritance through a Rignano scheme that taxes “inheritance... at a greater rate when it rolls over – when it gets passed down more than once” (8).

The second category of nonfinancial “capital” is the “informal” kind of social and cultural advantage that parents can confer on their children. Examples here “include familiar practices, such as reading to one’s children, helping them with schoolwork, exposing them to forms of learning and culture, giving specific and sometimes expert advice, and enhancing their intellectual and social confidence through various forms of engagement, love, and affection” (128-9). Halliday draws on Annette Lareau’s (2011) sociological work on social mobility, which highlights the extent to which middle class parenting entails forms of “concerted cultivation” which helps to equip children with the sort of attributes that are ultimately associated with educational and professional success. Halliday suggests there are (at least) three mechanisms which explain the link between financial capital and the conferral of nonfinancial advantage. The first is that having wealth reduces the amount of time individuals need to spend in the labour market, freeing up more time for parents to engage in the kind of activities that give their children an advantage over others (142-3). The second mechanism relates to the positional purchasing power that comes with wealth. This means that parents can afford the – often expensive – activities (such as cello lessons, for example) that are likely to give their children a competitive advantage. Linked to this is the third mechanism, which he refers to as “proximity to a reference point” (143). This refers to the way spending on nonfinancial advantages by wealthy parents creates a reference point, or standard, against which less wealthy parents judge their own parenting. Although they will not be able to match the spending of wealthy parents on expensive after-school activities for their children, the idea is that they will feel the need to try to get as close as they can. This leads to an “arms race for positional goods” driving up costs as parents spend more, motivated by the fear that their children will be left behind (144).

A final key feature of Halliday’s account is his belief “that the parental conferral of advantage compounds over successive generations” (146). If

wealth is passed down from one generation (who accumulates the wealth) to a second generation, this may give the second generation more nonfinancial capital than the first generation, but the advantages that the third generation enjoys over the second generation are likely to be even greater. The same reasoning applies to the fourth generation, and then to subsequent generations as social and cultural capital compounds over time. For example, in terms of social capital, the second generation may have benefitted from their parents' professional networks, but they are likely to have further strengthened these networks, which can then be passed onto the third generation and used to help secure internships and other valued opportunities (146). Similarly, the first generation might not have enjoyed a high level of cultural capital as their parents were not able to afford cello lessons, for example. However, they can afford to pay for cello lessons for their children, who grow up with stronger cultural capital. This then leads to even greater advantages for the third generation, who can benefit from both cello lessons, and greater parental assistance because their parents can help them practice (147). In this way, "inheritance can have a delayed sociological impact ... a person's accumulation of nonfinancial capital can be a long-run consequence of the history of inheritance flow higher up the family tree" (140). Halliday does not claim "that the compounding effect of iterated inheritance is massive... But as long as there is *some* compounding, there will be a corresponding case for attaching *some* greater liability to older fortunes than to similarly sized fortunes that are being bequeathed for the first time" (148). This provides a further justification for adopting a Rignano scheme with a tax rate on inherited wealth that increases over time.

In sum, the egalitarian approach to inherited wealth that Halliday develops in his book is an innovative contribution to contemporary political theory that deserves further development and exploration. The egalitarian theory at the core of his account has a number of central features: 1) it attempts to combine and reconcile luck egalitarianism and social egalitarianism; 2) it focuses on inequalities that obtain between groups rather than individuals; and 3) it is concerned with a particular kind of inequality -- social, particularly economic, segregation. Applying this theory to the issue of inherited wealth, Halliday argues that 4) inequalities in inherited wealth contribute to economic segregation between groups; 5) the economic segregation generated by inheritance compounds over time; and 6) this justifies the introduction of a Rignano taxation scheme. In the next section, I focus on the theoretical core of Halliday's account (features 1-3 above), raising several objections to his hybrid theory of luck and social egalitarianism.

2. EVALUATING THE HYBRID THEORY

One initial complication with Halliday's theory is that it is unclear whether the luck egalitarian or social egalitarian principle is primary. He states that it is an open question "whether it is distribution's sensitivity to circumstance over choice that explains the injustice of economic segregation, or the other way round" (103). However, if the choice/circumstances distinction is primary, then it is unclear why the focus of the theory should be restricted to economic segregation between groups in the way Halliday suggests. A proper application of the choice/circumstances distinction would classify brute luck inequalities as unjust, regardless of whether they relate to groups or produce segregation. All that matters on the luck egalitarian account is whether there is an inequality (in welfare, resources or some other metric), and whether it is the result of choice (individual decisions for which they can reasonably be held responsible) or circumstances (brute luck). If the choice/circumstances principle is primary, then restricting the egalitarian focus to group economic segregation does not seem to be justified.

One way around this problem would be to argue that the social egalitarian component of the theory should be regarded as primary, rather than the choice/circumstances distinction. This would justify restricting the focus of egalitarian justice to social and economic segregation between groups because economic (and social) segregation is inherently unjust, not because it generates brute luck inequalities. However, if the social egalitarian component is primary, then it is unclear why the theory only classifies economic segregation as unjust when it results from brute luck rather than classifying all forms of economic segregation as unjust. For example, imagine a (hypothetical) society where brute luck inequalities have been eliminated but where there is a large gap between the salaries of high income-earners and low income-earners as a result of option luck. In this society, further suppose that these two groups live in largely separate worlds and rarely interact with each other as equals. In other words, economic segregation exists that results from option luck rather than brute luck. If the social egalitarian component of the theory is primary, then this economic segregation should be condemned as unjust despite the fact it results from option luck rather than brute luck. However, this also means that the hybrid theory loses its luck egalitarian character as the choice/circumstances distinction theory ceases to be doing any work. This casts doubt on Halliday's attempt to develop a single egalitarian theory with unified luck egalitarian and social egalitarian components. If the starting point is the social egalitarian view that social segregation is inherently unjust then it is unclear why it matters whether social segregation is the

result of brute luck, and the theory seems to collapse into pure social egalitarianism. On the other hand, if the luck egalitarian concern with chance and choice is fundamental, then it is unclear why the focus should be restricted to social segregation, and the theory collapses into pure luck egalitarianism.

Leaving this objection about the grounding of the theory to one side and taking the hybrid theory as presented (with its narrower focus on brute luck social and economic segregation between different groups), further complications arise. Halliday suggests that his theory can avoid some of the major objections to standard forms of luck egalitarianism precisely because of this restricted focus (111-2). However, closer analysis of group economic segregation casts doubt on how distinct this restricted account is from standard (i.e. unrestricted) forms of luck egalitarianism. The first problem is that it is difficult to come up with a sustainable distinction between disadvantages that are attached to groups, and disadvantages that are attached solely to individuals (and not by virtue of their membership of particular groups). A victim of any brute luck disadvantage we could identify (illness, appearance, lack of lucrative talents, or a freak accident) could be regarded as a member of the broader class of people who are disadvantaged by the form of brute luck in question (i.e. by their illness, appearance, lack of lucrative talents or the occurrence of a freak accident). Thus, it is not clear that an adequate distinction can be drawn between group-oriented and individually-oriented forms of luck egalitarianism.

A similar problem affects the theory's focus on social and economic segregation. The problem is that most forms of significant inequality (including forms of brute luck inequality) seem likely to generate some kind of social or economic segregation. For example, in cases where someone is disadvantaged by a lack of lucrative "natural" talents, this reflects the social or economic structure, which values some talents more highly than others. In such a society, those with lucrative talents are likely to have opportunities to earn a high income that is not available to those with less lucrative talents. This will lead to further differences in the suburb in which they live and the kind of lifestyle they enjoy. Segregation might even arise in cases involving the kinds of brute luck inequalities that often feature in counter-examples to luck egalitarianism. For example, one objection to luck egalitarianism is that it regards inequalities between the physically attractive and the physically unattractive as unjust (e.g. see the discussion of "the ugly and socially awkward" in Anderson 1999: 305). However, this inequality could potentially generate social and economic segregation if it leads to significant differences in the opportunities

– personal and professional -- open to the groups in question. Thus, a restricted theory of luck egalitarianism that is focused on groups rather than individuals, and on social and economic segregation rather than brute luck inequalities in general, will often produce similar conclusions to standard forms of luck egalitarianism.

In addition, in cases where the hybrid account seems to produce different results from standard forms of luck egalitarianism (i.e. in cases where brute luck inequality arises that does not result in group economic segregation) it is the standard form of luck egalitarianism that will often seem to produce more intuitively appealing results. For example, imagine if an individual were to develop (for reasons beyond her control) a very rare illness that no other person is currently known to have (in that society).³ Imagine further that the effects of the illness mean that the individual is in constant pain. The pain does not prevent them from being able to work or socialise with others, but it leaves them with a considerably lower-than-average level of well-being. Halliday's group-based theory would not classify this disadvantage as an injustice because it is experienced by an isolated individual rather than a group, and because it does not lead to their segregation. In contrast, a standard form of luck egalitarianism would recognise this disadvantage as an injustice and offer compensation because the individual is the victim of brute luck inequality. In this case, it is the standard form of luck egalitarianism that seems to produce a more intuitively compelling result than Halliday's hybrid account.

A critic might object here that the criticism in the preceding paragraph is wrong-headed. After all, Halliday deliberately restricts the focus of his theory to social and economic segregation between groups, so criticizing his theory's failure to provide compensation in the case above is "criticizing him for something he explicitly says he is not interested in doing".⁴ However, contemporary theories of egalitarian justice, including Halliday's hybrid theory, are intended to be intuitively appealing accounts of the ideal of equality. The point of the objection above is to show that restricting egalitarian justice to brute luck economic segregation between groups produces counter-intuitive implications that standard forms of luck egalitarianism avoid. Furthermore, part of what seems so counter-intuitive about failing to provide assistance in this case is that it seems unreasonable to place so much weight on whether a disadvantage attaches to a group and whether it leads to economic segregation. One of the great strengths of the luck egalitarian approach is that it rejects these distinctions, adopting a

³ Although the context is somewhat different, Anderson (1999: 303) uses the related example of a rare disability in her critique of one of the original luck egalitarians, Ronald Dworkin.

⁴ I thank an anonymous reviewer for highlighting the need to address this issue.

consistent approach to egalitarian justice based on the intuitively compelling idea that inequalities are unjust when they result from factors that are beyond the control of the individuals who are affected by them.

In sum, Halliday's attempt to develop a hybrid theory with unified luck egalitarian and social egalitarian components is original and worthy of further development and exploration. However, in this section, I have highlighted ambiguities relating to its foundation principle and I have argued that if the choice/circumstances principle is primary, then it is unclear why the focus should be restricted to group economic segregation. Conversely, if the social egalitarian principle is primary, it is unclear why the focus should be restricted to forms of economic segregation that result from brute luck. A further complication is that once we analyse the notion of group economic segregation in more detail, the differences between the hybrid theory and standard forms of luck egalitarianism seem to narrow, and in cases where the hybrid theory produces distinct conclusions from standard forms of luck egalitarianism (as in the rare illness case above), it is the standard form of luck egalitarianism, which does not restrict its focus to individuals or to social and economic segregation, that seems to produce more intuitively compelling results.

Although providing a full defence of luck egalitarianism is beyond the scope of this paper, my arguments here show that there are good reasons to persist with a luck egalitarian approach to distributive justice instead of adopting Halliday's alternative theory. In light of this, focusing in more detail on how a standard form of luck egalitarianism would deal with the problem of inequalities in inherited wealth is a worthwhile endeavour. I turn to this in the next section.

3. LUCK EGALITARIANISM AND INHERITED WEALTH

Endorsing the standard account of luck egalitarianism over Halliday's hybrid alternative has important consequences when it comes to the taxation of inherited wealth. As mentioned above, Halliday's focus on economic segregation between groups and the cumulative advantages that are generated by wealth that is passed down through the generations, leads him to endorse a Rignano taxation scheme that charges a higher rate of inheritance tax the further the bequest is from the original generational source of the wealth. However, this is not the approach to taxation that luck egalitarianism would recommend. Other things being equal, inequalities in inherited wealth are paradigmatic cases of brute luck inequality from a luck egalitarian point of view. After all, if someone ends up better off than someone else because they inherit wealth, this is the

result of chance rather than the choices they have made. Although the effects of this inequality might well accumulate over generations, as Halliday suggests, the initial transfer of resources is itself unjust and should be completely corrected, either by prohibiting bequests or taxing them at 100 per cent tax. This means that the rate of inheritance tax should be set at the same rate – 100 per cent – for every generation, conflicting with the underlying motivation for a Rignano scheme.⁵

However, Halliday argues that standard forms of luck egalitarianism have unappealing consequences when applied to the issue of inheritance. His first objection is that this kind of luck egalitarianism is insensitive to the size of bequests/transfers (call this the quantification objection). In other words, the theory “appears to condemn *all* inheritance no matter its size, so long as it reflects the workings of circumstances rather than choice” (77-8). The example he uses to illustrate this is beer tankards – the fact that someone inherits more beer tankards than someone else generates an inequality that results from circumstances not choice, but it hardly seems appropriate to describe this as unjust.

Halliday’s second objection is that luck egalitarianism seems to mandate “the abolition of all *asymmetric* transfers”. An *asymmetric* transfer such as inheriting wealth through a bequest “involves no real exchange -- someone is given something for nothing” (78). Because such a transfer is initiated by another person, it is beyond the control of the recipient, and for this reason, the result of brute luck. This means that “[a]symmetric transfers will always maintain a situation in which some person’s distributive position is influenced by their brute luck. The only way to prevent this is to somehow arrange things so that no person benefits from such transfers to a greater degree than anyone else, but there is no plausible way of doing this” (79). Halliday’s argument here draws on Hugh Lazenby’s (2010) work on luck egalitarianism and gift-giving, as gift-giving, like inheritance, is an example of an asymmetric transfer.

The conclusion that Halliday draws from this is that “[w]hen it comes to inherited wealth, *simple* luck egalitarianism may be too strong in its implications” (79). However, as the reference to *simple* luck egalitarianism indicates, he is open to the possibility that there are ways of refining luck egalitarianism to avoid requiring the prohibition of asymmetric transfers. In particular, one could draw on GA Cohen’s (2008) idea that luck egalitarians should support a personal prerogative – “a sort of individual

⁵ Of course, luck egalitarians generally recognize that there may be a need to take into account considerations other than luck egalitarianism when making public policy decisions, so in practice, there may be reasons to pull back from the demand for 100 per cent taxation. For examples, see n. 2 above and the discussion of gift-giving in section 3 below.

entitlement to exercise partiality, which may be weighed against demanding ‘impartial’ or ‘impersonal’ requirements, including any requirement to make a distribution to reflect choice but not circumstance” (Halliday 2018: 80-86, quotation at 80). In the context of inheritance, this means that the personal prerogative could be drawn on to defend the right to transfer property to others. However, Halliday argues that this move is unsuccessful. The right to transfer wealth comes at the end of a life that has usually involved many opportunities for acting partially towards those who are close to us, so it is unclear why it is enough to override the requirements of justice (81). This means that luck egalitarianism cannot draw on the personal prerogative to avoid the problem of asymmetric transfers.

However, these objections to a standard luck egalitarian approach to inheritance are less persuasive than they first appear. First, regarding the beer tankard example, it seems highly possible that inheriting a beer tankard would fail to increase a person’s quality of life, which would mean that the beneficiary would not enjoy any advantage over others, and that luck egalitarianism would not classify the inheritance of a beer tankard as an injustice. Moreover, even if this is incorrect and inheriting a beer tankard does have some positive effect on someone’s well-being, the positive effect is likely to be extremely small. The reason it seems so counter-intuitive to regard possession of a beer tankard as a matter of injustice is because of the triviality of the benefit involved in inheriting such an object. Halliday suggests that luck egalitarianism is insensitive to the size of a transfer, but there is no reason to think that this is the case. Luck egalitarians can recognise that possessing the beer tankard increases someone’s quality of life by such a minute amount that the (brute) luck inequality it generates is trivially small, and therefore trivially unjust. The theory is ultimately concerned with the extent to which inequalities in the quality of life individuals enjoy is the result of brute bad luck rather than choice, so there is nothing that precludes it from recognising that the injustice is greater when the inequalities between people are greater. For example, if the value of the tankard were high rather than trivially low – for example, because it was ornamental and encrusted with expensive jewels – then inheriting the tankard would generate a more sizable inequality. Luck egalitarians can recognise that this would be more unjust than the inequality generated by a standard (and almost worthless) beer tankard, so it is false to suggest that it is insensitive to the size of a transfer.

In order to address the asymmetry objection, it is necessary to dig a bit deeper to identify Halliday’s underlying concern with asymmetric transfers. He suggests that it is not “plausible” to prohibit asymmetric

transfers, but this idea could be understood in different ways. One possibility here is that on Halliday's view, prohibiting such transfers would not be *technically* feasible -- it would be impossible to prohibit individuals in the private sphere from engaging in such transfers, at least without an intolerable level of state monitoring of the private sphere. However, this does not seem to be such a problem when dealing with the kind of large wealth transfers that are of concern to luck egalitarians because these transfers will normally involve legal mechanisms (e.g. wills) and financial institutions (e.g. bank transfers), as Halliday himself notes, earlier in the book (18). Moreover, the luck egalitarian defence against the "implementation" objection is to adopt some version of the distinction that Cohen (2008) drew between ultimate principles of justice, which are insensitive to facts regarding technical feasibility, and principles of regulation, which put these principles into practice, taking into account these empirical constraints (see n.2 above). Luck egalitarianism is pitched at the level of ultimate principle, so the fact it is not technically feasible to implement in its pure form is not a decisive objection. For both these reasons, the technical infeasibility of prohibiting asymmetric transfers does not mean luck egalitarianism should be rejected, either in general or when applied to the issue of inheritance.

However, there is an alternative way of interpreting Halliday's claim about implausibility. It might be argued that prohibiting asymmetric transfers is implausible not because it is technically infeasible but because the idea of banning asymmetric transfers is so counter-intuitive. This is, in fact, Lazenby's (2010: 281) underlying concern in his original article on gift-giving and luck egalitarianism. As he puts it, if gift-giving must be prohibited, then

"we arrive at a stark and dystopian picture of social life. If we could not give presents, hugs and kisses, useful pieces of information or physical assistance to each other, except when they were the result of the others [*sic*] 'calculated choices or deliberate gambles', it seems difficult to imagine how any sort of human relationship could be maintained or instigated".

In the context of inheritance, it might be argued that being able to bequeath resources to other people, particularly family members and friends, is an essential part of human life, as it is closely linked to maintaining close relations with others. To classify such bequests as unjust is implausibly counter-intuitive, just as it is counter-intuitive to ban asymmetric transfers such as gifts.

However, the powerful intuition underlying Lazenby's general critique of the luck egalitarian approach to gift-giving does not extend as readily to

the case of bequests. After all, a bequest is received after someone has died, so it is not clear why prohibiting them (or taxing them at 100 per cent) would damage meaningful and intimate human relationships. A bequest usually comes after a life that has involved many opportunities for close interaction and “acts of partiality”, as Halliday himself points out (81), so there is no reason to think that banning bequests would create a dystopian world without intimate human relationships.

It might be objected here that there are certain cases where a bequest will be so closely connected to a human relationship that prohibiting it – as luck egalitarianism requires – would be counter-intuitive. An example here might be inheriting something that has great sentimental value – for example, a collection of old books or vinyl records that were loved by a close family member and the source of great memories to the beneficiary. Perhaps, for example, the beneficiary used to spend a lot of time sharing and discussing these books or listening to the records with the donor. In such cases, it might seem heartless to prohibit someone from inheriting the books. This is a stronger objection; however, it is not an insurmountable one. As Lazenby acknowledged in his original article, pluralist forms of luck egalitarianism can respond to the counter-intuitive implications of prohibiting asymmetric transfers by recognising the need to balance the demanding dictates of luck egalitarianism against other principles and values. In this case, it would mean we should strike a balance between preventing brute luck inequalities and allowing people to inherit items that have great sentimental value to them.

In making these judgements, the size of the inequality the bequest creates between the beneficiary and other citizens is, of course, a relevant consideration. For example, if instead of the books and record collection, the bequest involved a large mansion with river-front views, then the brute luck inequality it generates is likely to be sizable and therefore more concerning from the point of view of justice, and the case for prioritising luck egalitarianism would be stronger. However, even in this case, there might be a way of striking a middle ground. For example, the bequest might be allowed to proceed but the beneficiary would have to pay a sizable amount of inheritance tax on the property. Further work is needed to refine exactly how we would balance the relevant considerations here – it may be that luck egalitarians will never be able to work out a completely precise universal account of the relevant weightings that apply in every case. However, this is not a decisive problem. There are many areas of moral and political life where we need to balance competing values and considerations without being able to come up with precise weightings for the principles involved.

CONCLUSION

The Inheritance of Wealth is a welcome contribution to contemporary political philosophy, exploring the important but neglected topic of inheritance, while also making a substantial contribution to egalitarian theory by developing a hybrid account of luck egalitarianism and social egalitarianism. In this paper, I have begun the task of examining this innovative hybrid theory, highlighting some of its ambiguities and arguing that if the choice/circumstances principle is primary, then the theory's restricted focus on group economic segregation is not justified. This objection could be avoided by making social egalitarianism primary, but this leads to further problems because it would then be unclear why the hybrid theory only regards social and economic segregation as an injustice when it results from brute luck. I also argued that Halliday's theory, with its focus on group economic segregation, may be less different from standard forms of luck egalitarianism than it first appears, and that in cases where the implications of the two approaches differ, the standard (i.e. the non-restrictive) form of luck egalitarianism produces more intuitively compelling results. In light of this, I argued that there is a good reason for egalitarians to support luck egalitarianism over Halliday's alternative. This has important implications for how egalitarians should think about inequalities in inherited wealth because luck egalitarianism regards any inequality in inherited wealth as unjust, pointing towards a more radical form of inheritance tax than the Rignano scheme Halliday endorses. I concluded the article by defending luck egalitarianism against a number of objections that Halliday levels against it, arguing that luck egalitarianism is sensitive to the size of bequests, and that although bequests are asymmetric transfers, prohibiting them is much less counter-intuitive than prohibiting gift-giving. There will be hard cases that arise involving bequests that have great sentimental value, but these can be addressed by balancing the demands of luck egalitarianism against other values. More work is needed to develop a full luck egalitarian account of how to deal with inequalities in inherited wealth, but if the arguments of this article are correct, then it represents a promising future direction for egalitarian theorists who are keen to continue to pursue the important questions Daniel Halliday has put back onto the agenda of mainstream political philosophy.

BIBLIOGRAPHY

- Anderson, E.S., 1999: "What is the Point of Equality?" *Ethics* 109: 287-337.
- 2012: "Equality," in *The Oxford Handbook of Political Philosophy*, ed. D. Estlund, 40-57, Oxford: Oxford University Press.
- Arneson, R., 1989: "Equality and Equal Opportunity for Welfare," *Philosophical Studies* 56: 77–93.
- Cohen, G.A., 1989: "On the Currency of Egalitarian Justice," *Ethics* 99: 906–44.
- 2008: *Rescuing Justice and Equality*, Cambridge MA: Harvard University Press.
- Dworkin, R., 2000: *Sovereign Virtue: The Theory and Practice of Equality*, Cambridge MA: Harvard University Press.
- Halliday, D., 2018: *The Inheritance of Wealth*, Oxford: Oxford University Press.
- Lareau, A., 2011: *Unequal Childhoods: Class, Race, and Family Life*, 2nd edition, Berkeley: University of California Press.
- Lazenby, H., 2010: "One Kiss Too Many? Luck Egalitarianism and Other-Affecting Choice," *Journal of Political Philosophy* 18: 271-86.
- Lippert-Rasmussen, K., 2016: *Luck Egalitarianism*, London: Bloomsbury.