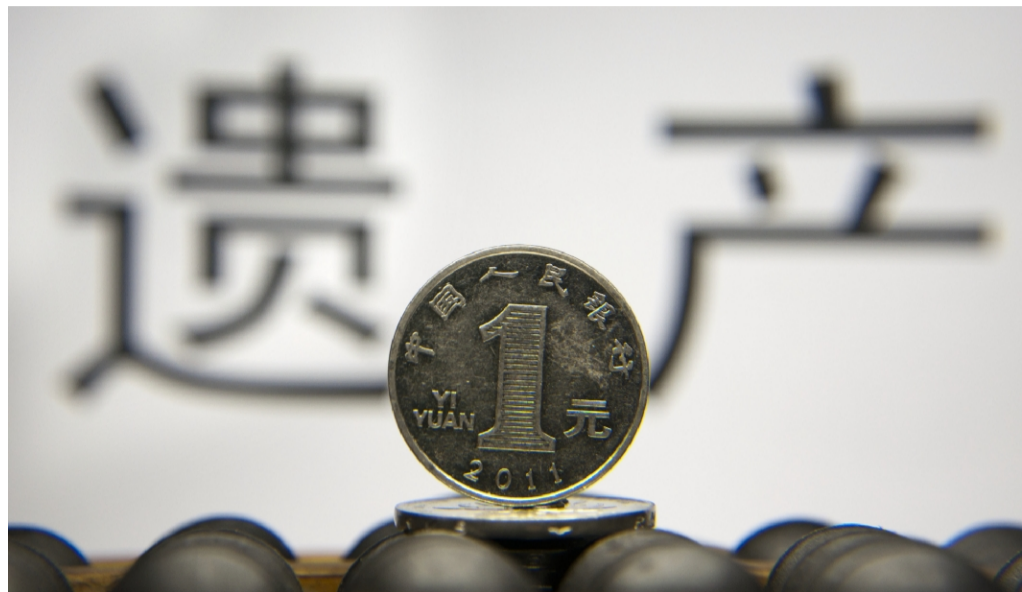


遗产税传闻的乖谬

许多专家在抱怨政府财政收入快速增长影响居民部门的收入,但却是同样的一部分人在呼吁开征遗产税——把居民部门的财富转向财政收入,这里面的逻辑实在让人担忧



IC 供图

■ 傅蔚冈

尽管国务院参事、中央财经大学税务学院副院长刘桓否认媒体有关他对遗产税的说法,但是媒体关于遗产税的讨论还是热火朝天。事实上,随着居民财富的增加,遗产税已经成为决策者正在考量的内容,一个可供佐证的材料是:今年2月,国务院已同意并转发国家发改委等部门《关于深化收入分配制度改革的若干意见》,称“研究在适当时期开征遗产税问题”。

中国城市

遗产税之所以会成为政府的可选项,有两个原因:一是经过三十多年的经济增长,中国民间社会已经聚集了非常多的财富。而且更为重要的是,很多富豪已经开始老去,假设这个时候开征遗产税,那么必定会为政府提供一个稳定的税源。

另一个原因则是源于中国居民的贫富收入差距。尽管很多人已经非常富裕,但是到目前为止中国贫困人口还有1.28亿元——这是按照人均年收入低于2300元计算的。而且基尼系数也在不断地增加,2012年12月,西南财大的统计报告估计中国大陆的基尼系数已突破0.6,达到了0.61。正是因为贫富收入差距太大,因此很多人产生了“劫富济贫”的想法——通过财富再分配实现社会公平。

从那些实现遗产税的国家和地区来看,遗产税确实为政府提供了稳定的税源。2008年,中国台湾台塑集团创始人王永庆去世,他在台湾留下的遗产高达600亿元。由于生前没做任何税务筹划,虽历经遗产计算、更正、捐赠扣抵等程序,最终仍确定遗产税总金额约119亿元新台币,创下台湾史上最高遗产税纪录,使得台北市政府轻松完成年度税收任务。

那么,在当下中国开征遗产税,是否能够实现增加政府财政收入

入,从而达成社会公平?那倒未必。

首先,政府收入增加未必导致收入分配公平。厦门大学的一个研究指出,自2000年以来,中国财政收入增速持续高于经济增长,财政收入基数大幅度提高,预算内财政收入从2000年的1.34万亿元增长到2012年的11.72万亿元,增长了7.75倍。长期的财政收入超经济增速增长,使得其占GDP的比重迅速上升。2000年,财政收入占GDP比重约为13.5%;到2012年,该比重上升到22.6%。这么多的财政收入是否导致更加公平的收入分配?从现实的效果来看,并不是如此。正如前面所述,中国的基尼系数在2012年达到0.61,而在2000年却低于0.5。那么,遗产税的推出是否能够改变这个局面?我看也很难。

其次,遗产税是否能够把那些富裕阶层的税给收上来?我们不妨以个人所得税为例进行分析。开始于1980年代的个人所得税,其目的也是为了调节个人收入差距。但是从实际情况来看,效果不尽如人意。以2012年为例,个人所得税收入总额为5820亿元,而工薪所得税是3577亿元,占比超过60%。换句话说,个人所得税的纳税主体是以工资收入为主的工薪阶层,而绝大多数的富裕阶层却没有真正成为纳税的主体。为什么富裕阶层不会成为纳税主体?一个原因是因为富裕阶层有着更多的避税工具,比如企业主可以通过减少收入和增加支出的方式来达到避税目的;二是因为在目前分类纳税的技术约束下,高收入阶层的收入很难被政府监测,在工资收入环节扣缴就成为成本最小的征税方式,于是工薪阶层的收入就自然而然地成为纳税主体。

实际上,开征遗产税很可能也

会面临上述这样一个难题。对于一般公众而言,由于资产不多,也不会去做什么税务筹划,因为成本收益并不划算。但是对于那些富豪而言,这实在是一种再正常不过的事。首先,他们可以设立多层投资公司来避税。其次,通过海外投资转移资金。“台湾有钱人都不死在台湾”就是对这一现象的生动写照。也正是如此,意大利、中国香港和新加坡已经开始取消遗产税,有些国家也在考虑取消遗产税。

既然政府增加财政收入不能够让社会更加公平,同时遗产税的承担者可能是广大的中产阶层,那么我们为什么还要呼吁开征遗产税呢?或许有人会说,这是为了让下一代的竞争更加公平,防止“啃老族”的出现。不过在我看来,这个想法未免过于简单了。现代社会的人均预期寿命这么长,绝大多数的富二代都会在父辈的关怀下生长,平民子弟和他们的竞争从来就不在一个平台上。平民子弟幻想着和他们在一个平台上竞争,那是异想天开。

而且,从过往的经验来看,真正能让平民子弟公平竞争的机会并不是奢望政府的二次分配,而是要让政府建立一个公平的竞争环境,让中低收入阶层能够通过自己的努力来改善自己的生活。在我看来,当下中国最为重要的问题就是前面所指出的财政收入快速增长问题。或许这是一个非常有趣的现象:许多专家都在抱怨政府财政收入快速增长影响居民部门的收入,但却是同样的一部分人在呼吁开征遗产税——把居民部门的财富转向财政收入,这里面的逻辑实在让人担忧。

(作者为上海金融与法律研究院执行院长)

美国的遗产税

左派本能地支持它,因为他们对富人带来的问题存在不满;右派则往往反对它,因为他们认为政府不应插手企业家的事,而要任由他们去创造财富

■ 普林斯(Ted Prince)

遗产税是令美国人非常激动的一件事,人们要么对它摇旗呐喊,要么对它恨之入骨,通常没有多少人持中性的看法。很有可能,这个话题若在中国提出,也会让中国人变得激动。

异域来风

我们先来看一下哪个国家有这个税,哪个没有。美国有遗产税,和多数发达国家一样。

新兴国家通常没有,这首先是因为这些国家往往缺乏有效的税收体系,即使对于收入税这样的税种而言。其次,新兴国家的富人往往会设法阻止遗产税的出台。

在美国,联邦政府针对500万美元以上的个人遗产征税。一些州也有遗产税。因此,有些富裕的美国人会在年长之后变迁住址,去遗产税低的地方。但用这个计算摆脱不了联邦遗产税,即使搬家到国外,只要是美国公民,都得交这个税。

支持这项税收的主要是民主党人。他们将它视为防止超级富人阶层出现的方法,以避免有群体可以藐视法律、对穷人制造不公。整体上,共和党人反对遗产税,他们认为这项税收是对个体企业和努力工作的惩罚,而且政府得到这笔税款,反正也会浪费。

坏的一面

在美国,反对遗产税的一个理由是它不会为政府创造多少收入,因为仅有一小部分人需要缴这个

税。统计显示,拥有资产超过500万美元的美国公民并不多。其次,富人总是会运用聪明的法律和会计伎俩逃税。因此,政府征这项税得花很大力气,从中得到的收入却很少。这还不是反对遗产税的主要原因。主要原因在于,它惩罚的是职业道德和创业活动。

美国反对遗产税的主要是小企业主,包括农场主,后者多以家庭为单位拥有农场,并像小企业那样运营。对小企业或农场征收遗产税往往意味着让它们的主人承担沉重的债务。他们认为自己已然承担了创立企业的风险,再因此纳税并不公平,这无异于努力工作的成果被拿走——用他们的话说,被“窃取”。

遗产税征取的对象是资产,不是收入。因此,对于一家经营困难、多年没有盈利或发不出工资的小企业或农场来说,这项税收可能意味着它们的拥有者欠政府一大笔钱,即使这些人多年没有从生意中获得经济回报。小企业的资产常常会在企业主去世后为其家庭用作退休收入目的。而小农场可能已经因为坏天气经历数年亏损,遗产税会让它们直接破产。

多数时候,小企业为美国创造了最多的就业。数百万家小企业,有的可能只带来几个工作岗位,但它们整体上是美国创造就业机会的主要来源。因此反对遗产税的人称,这项税收事实上会阻碍对就业有利的小企业的创立与发展。从这个角度看,遗产税不鼓励创立企业,具有反效果。它被视为对企业家企业的歧视,而在美国,正是企业家精神鼓励了苹果、谷歌等企业的诞生。

好的一面

遗产税的主要原因是降低社会不公。支持者认为,如果不持续制约最富有的1%的人群,就会出现一个永久的特权阶级,相应地,也会存在一个永久的下层阶级。

遗产税被认为会提高社会流动性。问题在于,即使做到了这一点,相比其它促进社会流动性的强大因素来说,遗产税的贡献微不足道。其它因素包括累进所得税制、提供给穷人的社会福利金、对免费医疗和食物的补贴。当然,这些在美国都已存在,因此,遗产税是否会带来很大的变化值得商榷。

遗产税有一项不可否认的巨大优势:它促使美国富人将钱赠出慈善,因为人们可以通过将钱捐给慈善事业或用于建立慈善基金来免除很大一部分遗产税,而它们要这么做,要么就得把钱给政府。

多数富人不愿把钱留给政府,因此美国的私人慈善家是社会福利项目的重要贡献者。不仅美国人受益于此,美国的慈善基金还在其他许多国家——尤其是贫穷国家行善。例如福特和洛克菲勒基金会、比尔及梅琳达·盖茨基金会,美国还有许多这样的慈善基金会,多数没有多少名气,但是致力于解决全球性社会问题的重要力量,包括抗击疟疾、HIV、艾滋病,推动女性教育、避孕,扶助小微企业,等等。政府在这些方面不太可能如此有效。

好还是坏?

那么,遗产税到底是好还是坏?关于遗产税的价值在美国和欧

洲已经争论了多年。左派人士通常本能地支持它,因为他们对富人带来的问题存在不满。右派人士则往往本能地反对它,因为他们认为政府不应插手企业家的事,而要任由他们去创造财富——在他们眼中,任何妨碍企业家的事都等于阻碍创造就业,从而有损经济增长,而经济发展反过来会惠及穷人。

在某种程度上,我们可以将此视为在社会公平与经济增长之间做出选择。一方认为社会公平是最重要的政策,即使追求公平会减缓经济增长。另一方则认为经济增长才是应该追求的最重要目标,即使它会带来一些社会不公。因此,问题源于双方的侧重点不同。

事实上,这个问题可以归结到一个国家的社会环境和目标。如果在一个增长迅速、社会差异较大的社会,例如中国,那么决策者可能想将重点放在社会公平上,即使这样做意味着降低增长速度。如果在一个增长缓慢的经济体,如美国和欧洲,那么决策者可能会更重视经济增长,即使这会降低平等。

但是在发达国家,要求社会改革的力量如此强大,放慢促进平等的努力不大可能,即使这样做可以加快经济增长。法国和西班牙就是明显的例子。

在中国,我认为答案也不是遗产税非好即坏,而是利弊共存。每个社会不尽相同,许多选择取决于各自的社会目标、社会环境和人们更看重的东西。这是一系列困难的选择,但每一个像中国这样发展如此之快的社会都觉得自己做出选择。(作者为佩斯领导力研究院创始人兼总裁)

本报记者 兰晓萌 编译

观点交锋

遗产税,该不该征?

支持

宋晓梧(中国经济体制改革研究会会长):

我们国家的亿万富翁数量都已经赶上美国了,有各种方式富起来的群体,这是遗产税开征一个最基本的条件。关键是要不要下决心开始征收,现在国家贫富差距问题已经凸显,有了一批提前富起来的人,因此,开征遗产税对调节收入分配有重大意义。

刘剑文(北京大学财经法研究中心主任):

起征点为80万元的说法,是来源于十多年前有关部门拟推出的《中华人民共和国遗产税暂行条例(草案)》等文件,其内容早已过时,不具有可操作性了。如果在近期内推出遗产税,因为现在受通货膨胀等因素影响,确实应当考虑较大幅度地提高起征点,可否考虑对500万元以上部分征税。

刘浩(北师大中国收入分配研究院副院长):

目前我国一方面富有人群子女在财富、教育、科技等具有市场领先优势,另一方面是农民工后代在经济能力和素质教育方面处于弱势。收入分配改革应从具体制度改革入手,解决竞争不公与分配不公问题,遗产税就是其中一个重要的切入点,可以起到定向调节和校正作用。

邓海建(江苏媒体人):

中国开征遗产税,确实到了箭在弦上的时刻。一者,统计部门的数据显示,我国基尼系数超过了贫富差距的警戒线;二者,眼下结构性减税正热,高端税负当增;三者,即便从国际上的实践而言,统计称,对遗产征税国家多是当今最具竞争力、科技领先的国家,其GDP总量占到全球总量的70%以上。遗产税无疑是拉平“起跑线”的重要一环。

反对

胡释之(宏观经济学者):

遗产税是对私人产权的粗暴侵犯,不存在什么时机成熟不成熟的问题,永远都不应该开征。私人的东西,不管多少,当然有权留给子女,不然还叫什么私人财产?

刘远举(上海金融与法律研究院研究员):

回顾历史,应该说,从禁止土地租赁、买卖,到允许土地使用权的出让、买卖,无疑是市场经济发展过程中的一个里程碑式的进步。这个出让制度实际上绕过了1982年宪法规定的土地国有制度。但由于当时的一些政治因素,未能完善的一些遗留之处却造成了现今的困惑。在这个因素之下,遗产税本就是水中取月——房产都不一定能够延续,何来遗留财富?

刘尚希(财政部财政科学研究所副所长):

到没到征遗产税的时机,首先要搞清楚征遗产税的目的,然后再考虑在现有条件下能否达到这个目的。现在我国房产税征收都面临很多困难,更何况遗产税,动产、不动产、字画等各种东西都包含在遗产里头,这些东西价值怎么衡量,弄不清楚的话怎么征收?

张枫逸(河南公务员):

目前个人所得税已然面临“工薪阶层纳税、富人群体逃税”的质疑,开征遗产税很可能制造新的不公,不能对真正的富人精确打击,反倒误伤中产阶层。临渊羡鱼,不如退而结网。与其憧憬和觊觎遗产税,倒不如老老实实补上财富透明这节课再说。(上述观点摘自公开媒体)

"Are Death Taxes Good or Bad?"

Dr. E. Ted Prince
Founder and CEO
Perth Leadership Institute
www.perthleadership.org

China Times (Beijing)
October 2013

Inheritance and estate tax is one that people in the US get pretty steamed up about. Either they are steamed up for it, or steamed up against it. Usually there isn't much middle ground. Chances are that if this topic is being raised in China, Chinese people will get pretty steamed up about it too.

First of all, let's talk about who has it and who doesn't. The US has it and so do most developed countries. Usually in emerging countries they don't have it; first because they usually don't have effective tax systems even for things like income tax. Secondly usually richer people manage to prevent the introduction of an estate tax in these emerging countries. It's usually only once countries become richer and more democratic that voters force their governments to introduce estate taxes.

In the US there is a Federal estate tax on amounts greater than \$5 million. Several States in the US also have estate taxes. Some Americans move their home address as they get older and richer so that they can move to States with low estate taxes. But you can't use that ruse to escape the Federal estate tax, even if you move overseas, since you still have to pay it as a US citizen.

In the US, it's mainly the Democrats who favor the estate tax. They see it as being a way to prevent the emergence of a super-rich class of people who can flout the law and who take away money from the poor. In general the Republicans oppose estate taxes. They see it as punishing individual enterprise and hard work and they believe that once government gets this money, they always waste it anyway.

Why It's (Supposed to be) Bad

One of the main arguments in the US against the estate tax is that actually it doesn't raise much revenue because only a tiny percentage of people pay it. Statistically there are very few people who have assets of more than \$5 million.

Secondly, since it is rich people involved, they can use smart legal and accounting tricks to avoid the tax anyway. The argument is that most very rich people don't pay much estate tax when they die since they have made plans to avoid it for many years beforehand. So, the argument goes, the government raises very little money from the estate tax but it takes a lot of effort to do it. In this view, it just isn't worth the cost to raise such a small amount of tax.

But this is not the main argument against the estate tax. The main one is that it punishes the work ethic and entrepreneurial activity.

In the US the main segment of the population opposed to the estate tax are owners of small businesses. These include farmers, whose farms are usually family-owned and who also operate as small businesses.

Paying the estate tax on a small business or a farm often means taking on debt which the owner or farmer cannot afford. They believe that it is unfair to them since they took the risk to build the business and are having the results of their hard work taken away from them – in their view the government is actually stealing from them.

The tax is levied on assets, not income. So it's quite possible for a farm or small business that is struggling and hasn't made money for years, or paid its owner any salary for years, to owe a huge amount of the government. That can occur even though the owner hasn't reaped any monetary rewards from the business.

If it's a small business often the assets are going to be used for retirement income purposes for the owner's family once the owner has died. If it's a farm, often then can experience several years where they lose money due to bad weather and the estate tax can force them out of business.

In most years in the US, it's small businesses that create most jobs. There are millions of small business that might individually only create a few jobs, but it's these companies that are the main engine of job creation. So the argument is that the estate tax is actually a disincentive to creating and growing small businesses that actually create more jobs than bog companies.

In this perspective, it's counter-productive to tax estates since this is a disincentive for people to start new business. The estate tax is seen as being discriminating against entrepreneurs in a nation where entrepreneurialism has spawned companies such as Apple and Google.

Small business people in the US do get pretty angry about this. On the other hand, most make plans to find ways to avoid it or reduce it a lot.

There's Gotta be Something Good Right?

The main reason for an estate tax is to reduce social inequality. The argument is that if you don't continually pare down the richest top 1%, then you get a permanent privileged class and, by extension, a permanent under-class.

The estate tax is supposed to increase social mobility. The problem is that, even if it does do that, its effect is tiny compared to all of the other factors that contribute much more powerfully to social mobility. These include a progressive income tax, social welfare payments to poorer people, and subsidized or free health care and food. Of course the US has all of these so it's debatable whether having an estate tax makes any significant difference.

The estate tax has one huge undeniable advantage. Since you can avoid a lot of the tax by giving the money to charity or by setting up a philanthropic foundation, it results in rich people giving much of their money to good causes. That's because these rich people either have the choice of giving the money to the government or giving it to good causes.

Most rich people don't want to give it to the government so that's a big reason that private philanthropy is such a big contributor to social welfare programs in the US. And not only in the US; US philanthropic foundations give vast amounts of money to social causes overseas mainly in poor countries.

Think of the Ford or Rockefeller foundations or the Bill and Melissa Gates Foundation. There are numerous other foundations like this in the US, most of which most people have never heard of. They are important contributors to addressing global social problems such as malaria, HIV and AIDS, women's education, contraception, micro-enterprises and so on. It's unlikely that governments could ever be as effective as these foundations in addressing these problems.

And there's another aspect to foundations that most people, even Americans, don't realize. There are hundreds of thousands of small foundations in the US doing similar things. Most of them are just a few million dollars.

These foundations are usually set up by families that are not rich in the usual sense, but have amassed enough money to face the prospect of paying the estate tax. So these have been set up to avoid the tax too in most cases.

The US estate tax has been a major driver of a grass-roots movement in the US to donate money to charity in the US and across the world, which is citizen-, not government-led. This movement spreads the principles of charity to our fellow-men to many more people than if it were just government employees conducting government programs.

So Good or Bad: What is the Judgment?

Debate about the value of the estate tax is perennial in the US and Europe. It's never really been resolved. Those on the Left reflexively support it often because they are offended by the existence of rich people. Those on the Right reflexively oppose it, because they believe that government should get out of the way of entrepreneurs and leave them alone to create wealth. They consider that that anything that gets in the way of entrepreneurs prevents job creation and thus hinders economic growth. More economic growth, in their view, means more wealth that can go to poorer people.

In some ways we can view the choice as being one between social equality and economic growth. One side believes that social equality is the most important policy, even if pursuing it means that economic growth will be lower than otherwise. The other side believes that economic growth is the most important aim and it should be pursued, even if it means less social equality. So it's really a question of emphasis and focus.

It really comes down to the country's social circumstances and aims. If you are a fast-growing society with a high level of inequality, like China, then policy-makers might want to focus on social equality even if it means less growth. If you are a slow-growing economy such as in the US or Europe, maybe you should be pursuing economic growth even if it means less equality.

However the strength of the social reform movement in the developed countries is such that it would be impossible to dial back movements for great equality, even if it means higher growth. That is clearly seen in countries like France and Spain.

In China, I think the answer is not to say that the estate tax is good or bad, but that it has advantages and disadvantages. Whether a tax is implemented depends on which target is being pursued, social equality or economic growth or the balance China wishes to reach between these two objectives. And it's also possible that you China might have to choose between a heavy estate tax and a light estate tax, the former if it's more focused on social equity and the latter if it's less so.

Every society is different and there are many options depending on your social objectives, social circumstances and what the people feel is most important to them. That's a difficult set of choices, but every society that is developing as fast as China has to make its own choice.

Dr. E. Ted Prince, the Founder and CEO of the Perth Leadership Institute, located in Florida in the US have also been CEO of several other companies, both public and private. He is the author of 'The Three Financial Styles of Very Successful Leaders (McGraw-Hill, 2005) and numerous other publications in this area. He is a frequent speaker at industry conferences. He works with large corporations globally on leadership development programs and coaches senior executives and teams in the area of financial leadership. He has held the position of Visiting Professor at the University of Florida in the US in its Graduate Business School and also at the Shanghai University of Finance and Economics in China.