The family inheritance process: motivations and patterns of interaction

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Abstract Material inheritance constitutes a challenge for families in later life. Yet inheritance decisions, the underlying reasons and motivations and patterns of family interaction have barely been studied. Research suggests that motivations fluctuate on a *continuum* between unconditional donation (altruism, normative obligation) and conditional donation (strategic exchange, reciprocity). However, the literature emphasises the need for further research into the motivations that constitute this continuum and on the patterns of family interaction attached to them. This exploratory study therefore sets out to examine the motivations and patterns of family interaction in the process of transmitting material inheritances. Using the critical incidents technique (CIT) 55 usable incidents were collected from 43 participants (7 donors, 16 heirs and 20 professionals). Results of this study suggest four motivations: (i) altruism driven by family solidarity; (ii) equity centred on the equal division of possessions in order to maintain family unity; (iii) strategy focused on reciprocity (*I give you if you give me*); (iv) egoism based on self-interest. Findings contribute to a better knowledge of the

factors that promote and prevent family problems over inheritance.

Keywords Families in later life · Inheritances · Donors · Heirs · Old age

Introduction

Material inheritance is an important theme for older persons and for families in later life and it becomes increasingly significant as the family faces the (real or symbolic) loss of the older generation. It is a process which involves the passing on of material property from one generation to another, usually within the family, generally from older parents (donors) to their adult children (heirs), which is completed after the death of the older generation. This transmission is regulated by law, although the family takes it on as a task in the final phase of life, making use of (informal) transmission strategies. It is a normative experience which all families face, regardless of their social and cultural background and the economic value of their assets.

Material inheritance in families has mainly been approached from a legal and economic perspective (e.g. Cox 1987; McGarry 1999). However, psychological (emotional and relational) factors are gradually being taken into consideration, since it is recognised that they reveal aspects of the relationship between donors and heirs (e.g. Sussman et al. 1970; Kemp and Hunt 2001). Therefore, the discussion of this interdisciplinary topic is focused on concepts at the intersection of three disciplines: psychology, economics and sociology.

The literature suggests two broad motivations to explain the reasons for leaving an inheritance: altruism (Becker 1974) versus exchange (Bernheim et al. 1985). The

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altruism model suggests that donors pass on their property without expecting any form of compensation; the exchange model indicates that donors use their property as a means of persuading their heirs to provide care for them in old age. However, the literature also suggests that the motivations for leaving a material inheritance are more complex and fluctuate on a *continuum* between conditional donation (strategic exchange, reciprocity) and unconditional donation (altruism), depending on various factors, such as availability of assets or the quality of family relationships.

This exploratory study thus aims to examine the motivations involved in the process of transmitting material inheritances and the patterns of family interaction attached to these motivations. Our results are relevant to a better understanding of the factors that facilitate family problems surrounding inheritance and the factors that promote the successful resolution of this task.

Legacy and material inheritance in later life

Legacy represents the process of leaving something behind, and is intimately tied up with our life story and with shaping the manner in which we are to be remembered. Creating and transmitting a legacy is one way in which a person concludes their life story and projects key elements of identity as expressed in this life story forward to future generations. Hunter and Rowles (2005) describe three types of legacy: (i) biological (passing on genes, transmission of health conditions and the use of one's body as a legacy); (ii) values (passing on personal values such as a belief in education, an ethos of helping people and the importance of kindness); (iii) material (transmission of possessions—inheritances).

Material inheritance is a task faced by older persons and families in later life and it appears to be associated with the desire to prolong life and give it meaning, and to maintain a symbolic presence (after death) (Kane 1996; Schaie and Willis 2002). The disposal of possessions may also function as an element in the reconstruction of self, particularly when the distribution or donation of personal property serves as a ritual of transition within the life cycle (Marcoux 2001).

Material inheritance is regulated by law. This regulation ensures that social and family duties are fulfilled through inheritance, thus ensuring the continuity and survival of social and family systems (for example, the protection of minors). However, despite the more or less rigid legal determinants, families across countries tend to develop informal strategies for passing on inheritances (Finch et al. 1996; Stum 2000).

Material inheritance represents a transfer from one generation to another and a focal point in family history, in

which vertical (e.g. family myths, emotional patterns passed down through the generations) and horizontal (e.g. predictable developmental pressures and unpredictable life events) tensions intersect (Carter and McGoldrick 2005). Various decisions have to be made: *how, what, when and who to transfer the property to and how it will (or will not) be received*. In addition to the legal framework and the family's social background and history, these decisions also touch on family memory and the history and the nature of relationships between donors and heirs. Conflicts (past and present), triangles and alliances between family members frequently emerge in association with the material inheritance, arousing feelings and emotions of love, gratitude, anxiety, anger, satisfaction, blame, humiliation, pride or recognition (Kane 1996; Rappoport and Lowenstein 2007). All these situations activate themes that are central to families in later life, such as the management of power, authority and (visible and invisible) loyalties and the balance between debit and credit (giving and receiving) (Prieur 1999).

Material inheritance and family interaction

The literature on the transmission of material possessions reveals that the family functions as an economic redistribution agency for family members (Kohli and Künemund 2003): material assets tend to circulate from the older generations to the younger and from those with more economic resources to those with less. These transmissions are regulated by complex processes of decision and management that take into consideration the income and economic risk of parents and children, through the life cycle (McGarry 1999). Blood relations tend to take priority (Coleman and Ganong 1998; Neyer and Lang 2003), which has been explained in terms of the survival of the system and the assurance of continuity (Webster 2003), emphasising the intrinsic desire to leave a material legacy, i.e. the bequest motive of the donors (usually the parents). Two hypotheses emerge to explain the motivations for leaving an inheritance: altruism (Becker 1974) versus exchange (Bernheim et al. 1985). Based on the altruism approach donors pass on their property to facilitate and improve the living standards of their heirs (mainly their descendants), without expecting any form of compensation (unconditional donation) (Kohli and Künemund 2003). Based on the exchanges approach donors use their property to influence the behaviour of their heirs, i.e. as a means of persuading them to provide or pay for care for them in old age. This model suggests that transfers create and maintain family interdependence, creating social obligations and expectations of repayment (Cox 1987).

However, it seems that the motivations for leaving a material inheritance are compound; for example, the previous models do not explain why inheritances are often divided in equal part (McGarry 1999). In addition, research on inheritance distribution patterns has shown that the division in equal parts is just one of the strategies (used more often when donors have little information on their heirs' economic situation and/or when donors want to preserve the family relations harmony). Other strategies include reciprocity or the altruist response to the specific economic needs of each heir (Drake and Lawrence 2000). Research into social networks and family support also has shown that the transfer of material possessions within the family is associated with the exchange of other instrumental and affective resources (such as time, help and companionship), which emphasises the combination of both tendencies (altruist and strategic) rather than the predominance of one of them (e.g. Wolff 2001). Motives for leaving an inheritance seem, therefore, to fluctuate on a *continuum* between conditional donation (such as, strategic exchange, reciprocity) and unconditional donation (altruism, normative obligation). So, the process of material inheritance transmission seems to be influenced by a myriad of factors, including the socioeconomic and cultural background of parents and children, family traditions, values and beliefs and the quality of relationships throughout life (e.g. Kohli and Künemund 2003). Different ways of transmitting create specific psychological and affective relations which may constitute sources of conflicts or of satisfaction between parents and children and/or among siblings (Segalen 1999).

Objectives

This exploratory study aims to get a better understanding of the motivations that drive the family inheritance process, in particular because the literature emphasises the need for further research into the motivations that constitute the continuum between altruism and exchange. In addition, it aims to define the patterns of family interaction attached to different motivations. The results will contribute to a better knowledge of the factors that promote and prevent family problems over inheritance.

This study was carried out in Portugal, where there is no testamentary freedom. The law stipulates that property should be transmitted to descendants in equal amounts, and the donor may bequeath one-third of their assets to anyone they wish. The system of values of Portuguese families has been described as based on (Araújo-Lane 2005; Wall, 2005): respect for parental authority, which is crucial for the social recognition of family honour (a relevant cultural norm); generosity and support, particularly in families in

later life when it is expected that adult children care for and support their old parents.

However, the results of this study may be applied to other legal systems, since studies of transmission patterns for material inheritance in various countries (and legal systems) has shown that motivations underlying transmission tend to be similar and people tend to adopt informal forms of transmission, regardless of the legal system (Finch et al. 1996). For example, even under the system of testamentary freedom, people tend to respect the principles of genealogical equality (giving equal amounts to direct descendants). Additionally, transmission following divorce and in remarried families shows a focus on the immediate family context, indicating that blood relations tend to take priority (Coleman and Ganong 1998). This preference has been explained in terms of the survival of the system and the guarantee of continuity (Webster 2003).

Methods

This study adopts the critical incident technique (CIT), which is a set of procedures for gathering and analysing reports of incidents that involve 'certain important facts concerning behaviour in defined situations' (Flanagan 1954, p. 335). Incidents typically include a description of the key player in the incident, and its outcomes or results. A critical incident may be a commonplace, everyday event or interaction, but it is 'critical' in that it stands for the one who lives it (Tripp 1993). Critical incident data are anecdotal, i.e. a story of how someone acted, responded to, felt or thought about an event.

Instrument

Data was collected by two trained interviewers (the two-first authors). The interviews (lasting between 14 and 40 min), all of which were taped and transcribed, were introduced with the following invitation:

We'd like you to think about one or more episodes you have experienced involving family inheritance, which remain strongly recorded in your memory. Try to find a recent episode (that occurred during the last 6 months) one that is clear in your mind. Then, please describe the episode and specify whether you felt that the episode was positive or negative!

Then participants were asked to frame the episodes in small stories (i.e. to relate the previous and subsequent events) in order to capture the patterns of interaction. The interview script involved some questions to facilitate the development of the initial invitation, for instance: *what*

type of inheritance was involved; where did the event occur; what was the impact of the episode on the family.

Sample

The organisation of the sample (non-random and intentional) was based on the researchers' judgment about the persons/groups and the perspectives they represent on the process of family inheritance: (i) the protagonists, represented by donors (older persons) and heirs, representatives of two contiguous family generations, occupying complementary relational positions in the inheritance process (giving/receiving); (ii) the secondary actors, represented by professionals who support families in later life and/or the inheritance management process, in the quality of participants that may triangulate the relationship between donors and heirs. Three professional fields were selected: legal (lawyers, notaries and bankers); health (doctors and nurses); social (psychologists and social workers).

Participants were contacted through institutions (working in rural and urban areas): day care and community centres (donors, heirs and social professionals); health centres (health professionals); family courts (legal professionals). The procedure was as follows: (i) the institution was notified about the project and authorisation was requested; (ii) after the authorisation was obtained, a connecting professional was designated by the institution, who was informed about the characteristics of participants; (iii) this professional made a first contact with potential participants requesting authorisation to put the researchers in contact with that person; (iv) when the authorisation was granted, the researcher set up a meeting with the participant to explain the objectives of the study, the reasons why that person had been chosen and issued the guarantees of confidentiality and anonymity; (v) all the participants who agreed to collaborate then signed the informed consent form and the administration of the instrument was agreed.

The instrument was administered to 46 participants. However, after the analysis of the incidents, the episodes

related by 3 participants (all professionals) were eliminated since they did not report incidents related to the main research question. So the sample comprises 43 participants: 7 donors, 16 heirs and 20 professionals (legal field—4; health—6; social—10) (Table 1).

The respondents' mean age is 53.4 years: the donors are the oldest (78.9) followed by the heirs (59.6) and the professionals (36.5) (Table 1). 69.8% are female; men and women donors and heirs show similar frequencies; but the percentage of professional women (94.4%) is higher than men, which results in a higher percentage of women in the sample. Concerning professional status: (i) professionals are all employed; (ii) heirs are mainly employed (62.5%), but also include housewives and retired persons; (iii) donors are retired (57.1%), housewives (28.6%) and one is employed.

Data analysis

Interviews were taped, transcribed and submitted to content analysis by the authors. In this process, some theoretical principles were considered (e.g. Kohli and Künemund 2003; Kemp and Hunt 2001; Stum 2000), but the main focus was on the participants' narratives. Data analysis consisted in a process of successive refining involving four independent judges (the authors), centred on the identification of inheritance motivations and the associated patterns of interaction. The process was as follows: (i) the authors started by reading all the incidents in order to eliminate non-related material (three incidents were eliminated); (ii) afterwards, each judge independently created a system of motivations and associated patterns of family interaction; (iii) then the judges met and discussed these systems; (iv) this process was repeated until agreement was reached; (v) next, each judge classified five randomly selected incidents into that system to confirm its adjustment to the data; (vi) subsequently, the judges got together to corroborate the system's adequacy; and, finally, (vii) the list of motivations and patterns of family interaction was organised, including definitions (Table 2).

Table 1 Sample

Participants	Total		Age*		Gender				Professional status					
					Male		Female		Employed		Housewife		Retired	
	N	%	M	DP	n	%	n	%	n	%	n	%	n	%
Donors	7	16.3	78.9	10.12	3	42.9	4	57.1	1	14.3	2	28.6	4	57.1
Heirs	16	37.2	59.6	14.56	8	50	8	50	10	62.5	4	25	2	12.5
Professionals	20	46.5	36.5	7.49	2	10	18	90	20	100	0	—	0	—
Total	43	100	53.4	18.88	13	30.2	30	69.8	31	72.1	6	13.9	6	13.9

* Donors are significantly older than heirs ($t = 3.504$; $p < 0.00$) and than professionals ($t = 9.706$; $p < 0.00$); heirs are significantly older than professionals ($t = 5.464$; $p < 0.00$)

Table 2 Inheritance: motivations and patterns of family interaction

Motivation	Pattern of family interaction
Altruism	1. Using inheritances to help those in need 2. Valuing the inheritance of moral principles 3. Preserving inheritances in the family
Equality	4. Distributing inheritances equally, giving some more to those in need 5. Distributing inheritances equally 6. Distributing inheritances equally, rewarding the caregiver
Exchange	7. Exchanging inheritances for care-giving 8. Resolving inheritance conflicts with the law
Egoism	9. Donors take on inheritance management 10. Some heirs try to benefit from the inheritance 11. Multiple perspectives by heirs and donors

Based on this system, two judges then independently classified each incident. They subsequently met and registered their agreements and disagreements. The inter-judgment agreement score (this score was reached by dividing the number of agreements by the total number of agreements plus disagreements) was 80%; this reliability may be considered high (Miles and Huberman 1984). Finally, the two coders discussed the episodes on which they disagreed, and this discussion led to total agreement.

Results

Participants (43) reported 55 incidents (Table 3). In most cases, participants related one incident; however, six subjects (two donors and four professionals) reported two incidents. The 13 men reported 14 incidents (25.5%) and the 31 women related 41 episodes (74.5%).

The incidents were classified by the participants: 28 (50.9%) as negative and 27 (49.1%) as positive (Table 3). Positive and negative episodes by gender and narrator role show similar distribution. Average age of participants reporting positive incidents (60.6 years) is significantly superior to the mean age of those reporting negative incidents (46.4 years) ($t = 2.737$; $p < 0.00$).

Inheritance motivations and patterns of family interaction

Pattern 1 altruism—using inheritances to help those in need

Donors and heirs share the altruistic motivation of ensuring support for the family, which translates into using inheritances to help those in need, whenever they need it. All family members therefore know (*for sure*) that they will be helped if they are in need:

As long as I live and can help them, because by helping our children, they can help us. We all help each other. [Donor, male, 73-years-old]

The family proceeds as follows: the donor (whilst alive) or the heirs (after the donor's death) carry out donations based on need (usually economic need); it is irrelevant whether one heir receives more than another (in some episodes it is an heir who renounces their inheritance to benefit another heir whose need is greater). This pattern occurs in 10.9% of the incidents (all positive), reported mostly by male donors and heirs (Table 3).

Pattern 2 altruism—valuing the inheritance of moral principles

This pattern tends to occur in poor families where donors have few material assets to transmit. So, donors and heirs emphasise the transmission of moral principles and the opportunity of school education (*the inheritance was the education that was passed on*). The altruistic motivation seems to be grounded in the creation of a legacy and in maintaining a sense of family continuity, which guarantees a family identity that passes through generations. This pattern characterises 5.5% of the incidents (all positive), reported by female heirs and professionals (Table 3).

Pattern 3 altruism—preserving inheritances within the family

Donors and heirs share an altruistic motivation centred on the maintenance of a family identity through the preservation of assets (symbols of the family). The preservation of material assets may assume two forms: (i) conserving the inherited estate, for example, the heirs pay the mortgage to ensure that the assets stay in the family; (ii) recuperating the estate because of its symbolic value (*they regain the family home with dignity; the donor lived there*

Table 3 Distribution of inheritance motivations and patterns of family interaction

Motivations/patterns	Total						Gender						Narrator role						Age	
	Positive (n = 27)			Negative (n = 28)			Male (n = 14)			Female (n = 41)			Donor (n = 12)			Heir (n = 17)			Professional (n = 23)	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	M	SD
Altruism	11	20	11	40.7	0	–	3	21.4	8	19.5	3	25	5	29.4	3	13	62.2	30.4		
1. Using inheritances to help those in need	6	10.9	6	22.2	0	–	3	21.4	3	7.3	3	25	2	11.8	1	4.3	60.5	22.2		
2. Valuing the inheritance of moral principles	3	5.5	3	11.1	0	–	0	–	3	7.3	0	–	2	11.8	1	4.3	67.3	21.4		
3. Preserving inheritances in the family	2	3.6	2	7.4	0	–	0	–	2	4.9	0	–	1	5.9	1	4.3	59.5	36.1		
Equality	13	23.6	12	44.4	1	3.6	2	14.3	11	26.8	3	25	3	17.6	7	30.4	52.7	13.3		
4. Distributing equally, giving some more to those in need	2	3.6	2	7.4	0	–	0	–	2	4.9	1	8.3	1	5.9	0	–	66.5	13.4		
5. Distributing equally	3	5.5	2	7.4	1	3.6	0	–	3	7.3			1	5.9	2	8.7	37.0	10.6		
6. Distributing equally, rewarding the caregiver	8	14.5	8	29.6	0	–	2	14.3	6	14.6	2	16.7	1	5.9	5	21.7	55.1	20.9		
Exchange	9	16.4	1	3.7	8	28.6	4	28.6	5	12.2	1	8.3	5	29.4	3	13	52	10.8		
7. Exchanging inheritances for care-giving	6	10.9	0	–	6	21.4	1	7.1	5	12.2	1	8.3	2	11.8	3	13	51.5	19.6		
8. Resolving inheritance conflicts with the law	3	5.5	1	3.7	2	7.1	3	21.4	0	–	0	–	3	17.6	0	–	53.0	2.7		
Egoism	22	40	3	11.1	19	67.9	5	35.7	17	41.5	5	41.7	4	23.5	13	47.8	56.5	23.2		
9. Donors take on inheritance management	6	10.9	2	7.4	4	14.3	1	7.1	5	12.2	3	25	0	–	3	13	60.8	25.9		
10. Some heirs try to benefit from the inheritance	11	20	1	3.7	10	35.7	2	14.3	9	21.9	2	16.7	1	5.9	8	34.8	43.6	18.9		
11. Multiple perspectives by heirs and donors	5	9.1	0	–	5	17.9	2	14.3	3	7.3	0	–	3	17.6	2	8.7	50.4	19.7		

^a These results should be examined considering the reduced size of the sample

happily until the age of 95; and the heir stills lives there). This pattern describes 3.6% of the incidents (all positive), and reported by female heirs and professionals (Table 3).

Pattern 4 equality—distributing inheritances equally, giving some more to those in need

Donors and heirs share the value of equal division between heirs, but they are also motivated by the recognition of needs. So donors (in their lifetime and with the heirs' agreement) or the heirs (after the donor's death) divide the inheritance into equal parts, giving more to an heir in need.

The inheritance was divided equally amongst the heirs. But the parents' house went to the oldest sister because she didn't have enough money to build a house. [Heir, female, 57-year-old]

This pattern describes 3.6% of the episodes (all positive), reported by female donors and heirs (Table 3). The heirs expressed their intention to pass this pattern onto the next generation.

Pattern 5 equality—distributing inheritances equally

Heirs and donors share a motivation to avoid conflicts, and in particular to maintain family connections and unity. This demands the division of inheritances in equal parts and guaranteeing that the assets are accurately valued (for example, making use of external evaluators). The transmission of inheritances tends to occur just after the second parent's death (after the first parent's death the division does not occur in order to *protect the surviving donor*). Strategies to ensure equality are diverse: (i) material assets are sold and the monetary value obtained is divided; (ii) the division of material assets is arranged in a meeting of the heirs, involving only blood family members because the in-laws are considered sources of conflict; (iii) an external evaluator is hired to appraise the assets and organise equal parts that will be distributed by lot:

An outsider was called who evaluated the assets and divided them into 5 equal parts. The lots were chosen and each one got their part! [Heir, female, 49-year-old]

This pattern involves 5.5% of the incidents and is reported by women professionals or heirs (Table 3). One incident was classified as negative (the heir respected the decision, but she disagreed with it and felt hurt) and two were classified as positive:

There was no problem and the siblings continued to get on very well and became even closer due to the death of their parents. [Heir, female, 49-year-old]

Pattern 6 equality—distributing inheritances equally, rewarding the caregiver

Donors and heirs share the motivation to maintain family unity, which is achieved by respecting the equality of inheritances distributed between heirs. However, they also consider it important to reward the heir(s) who took on the donor's care. This pattern proceeds as follows: donor(s), with the heirs' agreement, reserve some assets (usually the family house) to compensate the caregiver, but maintain ownership whilst they are alive. Some donors, before formalising the rewards, try to understand whether the motivation of the potential heir (friend, professional, institution, children or other family member) lies only in the reward or whether it involves affection and devotion:

A lady who was in the institution [old people's home] told me: I lied when I said I only had this pension, but I've already learnt my lesson and I didn't know how you would treat me. I wanted to find out. But if up until now, when I don't have money, I've been well treated ... [Professional, female, 52-year-old]

This pattern involves childless donors and/or donors with a low level of family affective proximity (some donors have nephews and cousins), who are looking for trustworthy heirs (*who care with affection*) within the informal network (larger family and friends) or the formal network (institutions and professionals). Usually, the distant family members do not get involved and renounce the inheritance. This is the second most frequent pattern in this sample (14.5%), reported by men and women, donors or professionals (Table 3); it is always classified as positive, because the heirs tend to care with affection. Participants emphasise that this pattern tends to reinforce the relational proximity between donor and heir/caregiver (whether they are from the family or not).

Pattern 7 exchange—exchanging inheritances for care-giving

Donors and heirs agree in the explicit motivation to exchange inheritances for care and affection. This process tends to be started when donors are still independent and autonomous, anticipating the need for care-giving and trying to guarantee it; so, the commitment and the exchange tend to precede the care-giving. The process takes place as follows: donors (usually older parents) donate to the heir(s) (keeping usufruct or not) their material possessions (inheritances) in exchange for care-giving and affection; the heir(s) (usually middle-aged children) accept these donations (inheritances) on the assumption that they will guarantee the donor's care. The process may present some variations: (i) the donor makes the exchange

proposition to all heirs, assuming that the division will be equal among who that accept the commitment of care-giving; (ii) the donor donates the inheritance to one (or more) heir (s) (with or without the others' knowledge), usually to the closest (geographically and/or emotionally) woman (the one the donor evaluates as the best caregiver); (iii) this process may be started after the donor becomes dependent; in this case, the heirs get together and see who is available to take on the care-giving in exchange for receiving beneficial treatment in the division of the inheritance:

I thought it was a good idea to donate the house to my sister on the following condition: that she takes care of our mother till the hour of her death! [Heir, male, 49-year-old]

This pattern characterises 10.9% of the incidents (Table 3), more related by female heirs or professionals. All incidents are negative because: (i) after receiving the inheritance (before the donor's death) the caregiver abandons the donor; or (ii) when there is more than one heir involved in the exchange, one of them does not fulfil their commitment and the other(s) have to take on the care-giving.

Pattern 8 exchange—resolving inheritance conflicts with the law

Donors and heirs are motivated to solve problems related to the inheritance, feeling that the law is the safer and more just resource; they do this in two circumstances: (i) legal imposition (there are minor or impaired heirs); (ii) following conflicts (for example, when heirs cannot reach an understanding):

It was necessary to go to court to reclaim the inheritance. This was the only way to get my sister to make the payment; that sister of mine acted in bad faith! [Heir, male, 55-year-old]

This pattern describes 5.5% of the incidents, narrated by male heirs; one incident was classified as positive (because it promoted family unity in cases of minor or impaired heirs) and two as negative (the process of inheritance distribution was solved by law, but conflict or distance within the family was not attenuated) (Table 3).

Pattern 9 egoism—donors take on inheritance management

Donors, motivated by the right to administer and enjoy their own possessions, independently of the heirs' opinion, assume the management of the inheritance. This pattern

includes different types of management: (i) the donor benefits some heir(s), for example, a granddaughter in need or a care-giving daughter; (ii) the donor gives away some possessions whilst he/she is alive (gift giving) to whom he/she feels like and based on different reasons; (iii) the donor defines the conditions for the inheritance transmission after his/her death (usually in a will); (iv) the donor assumes the inheritance management after an heir took or tried to take over some of the material assets to protect his/her goods and guarantee the future. This pattern represents 10.9% of the incidents, reported by donors and professionals, mostly women (Table 3). Two incidents were classified as positive (family cohesion is maintained because all agree on the donor's right to manage the possessions) and four are considered negative: the heirs would like to control the inheritance or feel that the decisions made by the donor about the inheritance are unjust.

Pattern 10 egoism—some heirs try to benefit from the inheritance

One or more heirs motivated by economic or personal needs (for example, drug addiction) or feeling they have the right to, try to usurp the inheritance from the donor in order to benefit from it. The process is as follows: (i) the heir(s) take advantage of the donor's fragility (e.g. disease, incapacity, cognitive impairment, naivety or even the donor's trust in the heir) and use diverse schemes (e.g. lying, stealing, blackmailing) to obtain some (or all) of the donor's possessions; (ii) some times the donor is unwittingly deceived and continues to trust in the heir; however, the other heirs find out what has happened and family tensions arise; as a consequence, the donor becomes aware and gets angry with the usurping heir(s), and at the same time feels guilty for allowing themselves to be taken in; (iii) donor and heirs look for a way to invert the circumstances or find systems to protect the material assets.

One day, one of the daughters came here (to the hospital) with a notary... and put everything in her name; the others were left with nothing... the lady cries because she feels deceived by her daughter! [Professional, female, 30-year-old]

This pattern involves 20% of the incidents, mostly reported by women professionals (Table 3). The episodes are negative, except for one that was classified as positive: the older donor was deceived by one of the heirs, but she did not understand and still has a good relationship with that heir (daughter); so the incident narrator (a professional) feels that the episode is positive because the donor continues to be happy.

Pattern 11 egoism—multiple perspectives by heirs and donors

Heirs and donors show different (individual) motivations about inheritances. These vary and the range of opinions involves some of the above motivations and patterns of interaction. A specificity arose from the data: (i) some older brothers seem to have more right to the inheritance and/or to control family decisions, usually clinging to a traditional posture that is no longer recognised in Portuguese law and culture (until the end of the 19th century, the older brother was the heir and the one responsible for the family); ii) some male heirs assume the traditional male role and monitor the care-giving of their sister(s) (women, heirs) to the donors in order to judge whether the sisters deserve their inheritance. This pattern comprises 9.1% of the incidents, reported by men and women, mainly heirs and professionals (Table 3). All incidents were classified as negative, because: they perpetuate conflicts between heirs and/or donors, are associated with the expectation of future conflicts between heirs and promote family splits (for example, the alliance of some heirs and/or donors against others).

Discussion

Inheritance: a family matter

These results reinforce the idea that inheritance is a family matter (more than a legal issue) (Sussman et al. 1970; Kemp and Hunt 2001), which starts whilst donors are alive but when their loss is anticipated because of disease or dependency (in Portuguese law, inheritance occurs after the donor's death). The law is used when there are legal impositions (for instance, minor or impaired heirs) or it is a resource to solve problems arising from informal family strategies. Nevertheless, the legal determinations about the distribution of material assets may have a strong influence on donors and heirs. For example, in Portugal the donor can only dispose of up to 1/3 of his/her material possessions (inheritances), and the remainder must be distributed among ascendants, descendants and surviving spouse;

these legal indications create in the heirs the expectation of receiving the inheritance after the death of the formal owner, which may generate feelings of ownership and power over the inheritance even whilst the donor is still alive: (i) *if the law says that it will be mine, so I have the right to it*; (ii) *if I will receive these assets after the donor's death, I have to guarantee that my inheritance is protected during the donor's life*. Among donors, it may create feelings of lack of power and ownership, since they have to leave their possessions to whom the law requires and not to whom they would like.

Motivations: a continuum ranging from altruism to egoism

The motivations for giving and receiving an inheritance seem to go beyond altruism and exchange (Kohli and Künemund 2003) and to be translated into a continuum between altruism and egoism (Fig. 1). This continuum seems to be organised around two topics: (a) justice, (b) power (who has the right to decide about the division of inheritance) and ownership (who owns the assets).

Justice: from confidence to control

The transfer of personal possessions is influenced, among other things, by different perceptions of 'fairness' (Stum 2000). In fact, evaluations of justice and self-interest (a variable that is alluded to in equity theory when postulating a human desire to maximise one's outcomes) seem to mediate the quality of the relationship between siblings and parents (Montada 2002; Boll et al. 2005).

With every motivation, those involved act on the basis of justice: everyone wants and tries to be just; and/or tries to make others just or to impede others from being unjust. A continuum of perceptions of justice seems to emerge, ranging from confidence (everyone trusts everyone else to be just) to control (each knows that he/she is/will be just, but must be attentive because not everyone is/will be just). In other words, at one extreme is trust in family values (altruistic motivation), and at the other extreme is control over family members' values and decisions (egoistic motivation).

Fig. 1 Inheritance, motivations and family organisation

When motivation is altruistic, justice means supporting the family and it is not important whether one person is treated better than the others (family members trust each other and self-interest is mixed up with the family's interest). When the motivation is equality driven, justice is in the equity of the distribution, taking needs and rewards into consideration, i.e. confidence in the family depends on the egalitarian principle (some control emerges to ensure self-interest). With exchange-oriented motivation, justice lies in the reciprocity that ensures self-interest and control (*I give my inheritance to receive care; and I give care because I receive the inheritance*); however, confidence between family members is scarce. When motivation is egoistic, justice seems to be in 'not getting a bad deal', 'restoring justice' or guaranteeing self-interest; i.e. confidence has vanished and control assumes the leading role. For example, heirs who took advantage of donors (and other heirs) feel they are being just (or restoring justice) because they need more, or have been treated badly on other occasions, or because someone else wants the inheritance without needing or deserving it. These heirs make use of less fair strategies to ensure justice. The main point is the meaning of justice for each person (Drake and Lawrence 2000), which is in turn connected to principles that underlie roles and relationships in families.

Power and ownership: from family to individual

Motivations also reveal a continuum in the definitions of power and ownership: from being centred on the family (altruistic) to being focused on the individual (egoistic).

Altruistic motivation rests on family values (shared by heirs and donors), which aim to maintain family identity, therefore the inheritance of moral principles is valued in the absence of material inheritance; the inheritance is preserved in the family as a symbol of what they were, are and will be; or the inheritance is used to help whoever is in need, because that is the main strength of the family. The inheritance belongs to the family (ownership), which also has power over the transmission of the inheritance.

Equality oriented motivation lies in the maintenance of family ties (avoidance of conflicts), and recognises individual needs and the importance of rewarding some family members. Power and ownership of the inheritance seem to be in the family, but equity in division must be respected; otherwise family cohesion is seriously threatened.

The exchange motivation conciliates the individual (being cared for and receiving the inheritance) and the family (resolving conflicts) in order to maintain family ties. Ownership of the inheritance seems to be with: the family (everyone decides who will be granted privilege in the exchange of care-giving); the donor (when he/she decides); and/or the heirs (when they decide). Power lies with those

who receive the inheritance, since they can fulfil their obligations or not (in fact, most of the problems which arise in relation to this motivation are concerned with the non fulfilment of the care-giving commitment).

The egoistic motivation focuses on the individual, since each person involved may show any of the motivations described. Power is disputed since each individual has their own motivations and rules (and each feels that they are being just and cannot let others cause them harm); ownership is also individual, since each person feels they have the right to the inheritance (in some cases, that assumption is legitimate, for example, when a donor assumes the management of their material assets, they have a legal entitlement to do so).

The role of donors, heirs and professionals

Donors and heirs (protagonists) and professionals (secondary actors) are the players in this process, and their roles are clarified by the motivations and associated patterns. In this study, donors report more positive episodes, centred on 'using inheritances to help' (altruism). Moreover, in the pattern 'donors take on inheritance management', they report (egoistic) positive episodes (because the donor feels he/she has that right) and negative episodes (this decision is taken after problems have occurred and/or to avoid future conflicts). Donors also report negative episodes in the pattern 'some heirs try to benefit from the inheritance', because they feel hurt, betrayed, guilty and/or without assets to face the future with economic safety. Donors seem to assume the role of guardian of the family unity, acting as conciliators, peace-makers and/or protectors.

Heirs report a similar number of positive and negative events. They narrate positive episodes in the diverse patterns associated to the altruism motivation and negative incidents in the patterns attached to the exchange motivation. Heirs seem to play the role of upholders of the family legacy, focused on receiving the legacy of family unity and identity and trying to promote harmony among the heirs.

Professionals narrate more negative events: (i) in the exchange motivation, caregivers are reported to break their commitments in 'exchanging inheritances for care-giving', which leads to the abandonment of the older donor; (ii) in the egoism motivation, situations are related in which 'heirs try to benefit from the inheritance'. They also refer to some positive episodes: 'distributing equally and rewarding the caregiver' (equality), for example, usually when the reward is given to institutions; and 'resolving conflicts with the law' since some professionals are external evaluators of assets. Professionals seem to assume the roles of observer, mediator and heir. Professionals are observers because they witness what happens to donors, in particular when they go

to institutions after being abandoned by heirs. They act as mediators: (i) before conflicts, to prevent problems, as guarantors of an egalitarian distribution; (ii) during or after problems, conflicts or distance has arisen between heirs and donors, when they take care of the old person in an institutional context and try to protect and help them. And professionals (or the institutions where they work) may become heirs, in the case of donors who do not have close family members or prefer to leave the inheritance to those who care for them with affection.

Therefore, a continuum can be identified in inheritance transmission from within the family (altruism) to out of the family (egoism).

Research limitations and future avenues

The main limitation of this study is the reduced size of the sample, so future research should analyse the emerging motivations and patterns in larger samples. This may reveal additional motivations and/or patterns, as well as other types of family functioning. Research also needs to develop further knowledge about different family structures (when there has been remarriage, for example, when there are no children or when families have a single parent), and families with diverse socio-cultural backgrounds (families with low and high resources, Roma families and bi-cultural families, for instance).

In addition, it is desirable that other methodological approaches be used in order to complement and confront these findings, since like other methods, the critical incidents technique tends to suffer bias from reconstructive memory effects. Other sampling procedures, such as the snowball technique, could also be used to identify potential participants, since, in our study, participants were recruited through community institutions and professionals, which may affect the willingness of people to reveal the details of events.

Conclusion

Material inheritance is a family matter and a normative challenge in the cycle of family life, a crucial point where relationships and modes of family functioning are brought up to date. Motivations for giving and receiving an inheritance range from altruism to egoism translating the family organisation: from trust to control; from the family to the individual; from within the family to out of the family (involving professionals). These findings are relevant to a better understanding of the factors that facilitate family problems surrounding inheritance and the factors that promote the successful resolution of this task.

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