Toxic Inheritance

We tend to attribute inheritance disputes to greedy children. We visualize them feeding off the fallen decedent like a pack of hyenas on a wildebeest. With most of the focus on children, the role of parents in inheritance disputes is often overlooked.

The discussion that follows relates to troubled parents who fuel family dysfunction and leave their families in a swirl of unfinished business and inheritance angst. No inference should be drawn that all families are dysfunctional or that all families fight. The hope is that the following discussion will shed some light on the causes of inheritance disputes and offer ways to prevent them from being passed from generation to generation.

Naturally, not all families fight. Of those that do, however, parents invariably play a role. Inheritance disputes don't come out of the blue; they tend to be the product of lifelong family dysfunction that culminates with the death of a parent.

Unhealthy parents set family dysfunction in motion. They create and administer an unhealthy code that is maintained until their death. Like an unstable molecule, the dysfunctional family explodes once the binding agent—in this case the parent—is removed.

The causes that underlie inheritance disputes are complex. Certainly, old fashion greed is a factor. But when family is involved, greed is rarely the principal emotion or motive. An inheritance represents more than just money; it serves as validation of each beneficiary's worthiness. An inheritance is the post mortem voice of the decedent giving his final assessment of each beneficiarys relative worth.

The chronic shortage of love and validation in dysfunctional families inevitably carries over to the realm of inheritance. Children worry that they will be left out, forgotten. Their very sense of being is at stake; to be forgotten or to receive less than other beneficiaries is a threat to their very concept of self. To be forgotten by your parents is to become a non-being.

Healthy parents spend a lifetime avoiding favoritism. They intuitively know—largely by observing their own parents—that any show of partiality or favoritism will result in hurt feelings that will damage the parent-child relationship and fuel sibling rivalry. Their effort to maintain impartiality carries over to their estate planning. Unless there are special circumstances, they are careful to leave to their children equally and to allocate fiduciary responsibility in such a way as to avoid hurt feelings.

In their later years, to assuage anxieties and secure peace, healthy parents include their children in their financial decisions and discussions of their final wishes. Sensitive to their children's growing anxieties, they assure them that they will be treated equally. They emphasize the importance of family and express their wish that their children remain close.

When we speak of toxic inheritance we are not referring to largely functional families who suffer from the normal tensions of intimate living. Toxic inheritance is the emotional baggage carried from generation to generation by unhealthy families.

The mental health and parenting skills of parents vary widely. Some parents have less than ideal health and skills, while others have deep rooted insecurities, and yet others suffer from mental illness.

Parents who have suffered their own childhood abuse—whether physical or emotional—are more likely to become abusive parents. For the most part, the emotional wounds of their early life have never healed. Instead, they develop maladaptive behaviors, defense mechanisms, and even psychiatric disorders to cope with their troubled childhood. Children of troubled parents suffer in proportion to the level of their parents' troubles. They may develop their own mental health issues which impact their ability to interact with their parents, siblings, the outside world, and, ultimately, their own children. Thus, a pattern of behavior develops that is passed from generation to generation: a toxic inheritance.

Parents with narcissistic tendencies can be particularly damaging to family cohesion. Having received inadequate nurturing and love, narcissistic parents spend a lifetime seeking validation from anyone who will give it to them including their spouse, co-workers, friends, and children. They see their children not as tender psyches in need of care and nurturing, but as an audience for their exaggerated claims of athletic, academic, or occupational accomplishment. Perhaps never having been in a position of authority, they become drunk with parental power insisting that they are always right and will always be bigger than their children. Although they rail against the treatment they received from their parents, they unwittingly treat their children in much the same way.

As needy parents grow old and more dependent, they fear that they will be abandoned by their children. Plagued by the lifelong belief that they are inadequate and not lovable, they believe that their children only want their money. They believe that given the opportunity their children would take their money and discard them.

No longer able to physically or emotionally dominate their children, they use their looming inheritance to extort their children's allegiance. Using inheritance as a carrot, the parent calls the tune to which their children dance. Threatened by the prospect that their children will gang up on them, they play one off the other. To keep their children off balance, they flip-flop in their wishes, each time altering who is favored and who is disfavored. Others refuse to clearly set forth their wishes or order their affairs, leaving their children to fight over their estate after their death. By



Mark Accettura

not planning, they are assured of being the center of attention for years after they are gone.

Divorce, addiction, jealousy, paranoia, narcissism, and mental illness all impact a parent's ability to parent. The rivalries, conflicts, hurts, and dysfunction that troubled parents breed tend to go unresolved. The children of these families are pitted against one another in a fight for a preciously scarce commodity: love. Rather than banding together to fight against real injustices, dysfunctional families are at odds, each believing that the other—siblings and second spouses—received the love they didn't get. In reality, in such families nobody got what they needed.

Death breathes new life into old conflicts. Children of dysfunctional families desperately fight to right the wrongs suffered during the life of the decedent. What appears to be hyenas fighting over money, lamps, dishes, and dad's old BMW, are really hurting children looking for love. Unfortunately, they cannot succeed; even the winners will not be satisfied, because an extra dollop of inheritance cannot resolve the hurts of the past.

The point is not to blame parents for being bad parents, as some surely are, but rather to understand the factors that lead families to perpetuate the sins of the past. Only understanding and forgiveness can defeat hurt and resentment. Assets, money, and heirlooms come and go. Anger, pain, hurt, and resentment can linger, consciously or unconsciously, for generations.

Fundamentally changing an aging parent is extremely difficult if not impossible. A more realistic option is for siblings to band together to end an unhealthy family code. Children can agree that they will no longer be manipulated by their parent, and will divide responsibilities and inheritance equally despite their parent's wishes. Where the sibling relationship is too damaged to forge an alliance, all we can do is commit to changing ourselves, and to not let our past affect our future. Understanding and rejecting a toxic inheritance prevents us from leaving it to our children.

Contact attorney Mark Accettura at (248) 848-9409 or visit his Web site at www.elderlawmi.com.

16 ♦ Gazette April 2008