

# **Leaving an Inheritance: The Dilemmas of Bequest Giving**

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# Abstract

This research is about the dilemmas that people encounter when thinking about what to do with their money after they pass away. Deciding how to distribute an inheritance requires the testator to confront, and prioritise, multiple potentially competing moral, social and political beliefs as they try to decide which members of future generations need and deserve their money most. My research is focused around three of the largest considerations that testators grapple with when making their decisions – the family, charities and inheritance tax – and the different moral and social dilemmas that each of these considerations present. In order to explore these dilemmas, in-depth semi-structured interviews were carried out with twenty-two people living in south Wales. Individual and joint-couple interviews were used to explore the decision-making process that people undertook when making their decisions.

My research shows that decisions about how to distribute an inheritance are complex and multifaceted, involving the consideration of multiple different factors. In making these decisions participants asked themselves questions such as, *who do they have responsibilities and obligations towards? How much should each beneficiary receive? Are these beneficiaries deserving? Is this the fair thing to do?* My research shows that whilst family are an important consideration, there are reasons people believe they also have responsibilities to those outside of the family. Reasons included concerns about leaving ‘too much’ to family, the deservingness of family members and worries about how family members might spend their money. Leaving bequests to charitable organisations or to the State through inheritance tax were not straightforward decisions either and raised their own dilemmas about equality, fairness and social justice. These dilemmas were complex and often paradoxical forcing testators to confront their potentially competing moral, social and political beliefs. My research shows that decisions about how inheritances should be divided are highly context-dependent but are also based on the testator’s

ideas of need, merit, fairness, legacy, social justice and intergenerational justice.

My research is an exploratory project which offers an insight into both the 'public' and 'private' dimensions of the bequest decision-making process. Understanding the dilemmas involved in this process is vital for understanding who receives what money and reflects more general attitudes towards civil society, the family and the State. My research offers insights to charitable organisations who are becoming increasingly dependent on charitable bequests, and also provides a sociological enquiry into attitudes towards inheritance taxation and its associated debates on equality and fairness.

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# Chapter One

## Inheritance Dilemmas

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This thesis is about the dilemmas people encounter when thinking about leaving an inheritance. Many of us spend our lives in processes of wealth accumulation, sometimes collecting more money than we can spend or tying our money up in property and shares. Writing a will allows us to determine how any unspent money and property will be redistributed after we die. Deciding how to distribute an inheritance requires the testators to confront and prioritise multiple, and potentially competing, moral, social and political beliefs as they try to decide which members of future generations need and deserve their money most. In making these decisions people have to ask themselves questions such as, *who do we have responsibilities and obligations towards? How much should each beneficiary receive? Are these beneficiaries deserving? Is this the fair thing to do?* These questions are central to this thesis and the catalyst for many of the dilemmas and complexities that testators encounter when they attempt to balance and prioritise the competing 'claims'. This thesis draws on interviews carried out with people living in south Wales to explore three of the largest claims that people grapple with when making their inheritance decisions – the family, charities and inheritance tax – and the different moral and social dilemmas that each of these claims present.

Over these past three years I have sat and listened to many inheritance stories, not just to the stories told to me in interviews - but also those told to me by family, friends, colleagues and hairdressers. I was told several stories of disinherited family members and lost heirlooms; the story of my great-grandfather who inherited from his parents a single deck chair and nothing else. The story of a meticulous lady who left her inheritance, in differing amounts, to fifty-two charities. The story of a family contesting their claim to a property that had belonged to the family for generations, only to be 'lost' to a second wife and her children. Experiences of inheritance can live far beyond the gift as the stories are remembered and retold, either with amusement,



sadness or sometimes anger and resentment. These stories are representative of the hopes and anxieties present in the decision-making process and the ability of inheritance decisions to disrupt or foster social relationships and to make statements from beyond the grave.

Inheritance, however, is not just a *private* decision, its significance for wealth distribution means that how people distribute their assets is also an important *public* concern. Carrying out research into bequest giving, probate administrators Kings Court Trust (2017) found that the total value of inheritance transfers in the UK in 2016 was £61 billion. Over the next thirty-years, the Kings Court Trust expect the baby-boomer generation, the wealthiest ever generation, to pass on around £5.5 trillion to future generations. This vast sum of bequeathed wealth has been referred to as the 'inheritance boom' (Resolution Foundation 2017). How this 'inheritance boom' is distributed will have fundamental consequences for wealth distribution and inequalities within the UK. If people leave all of their money to their families, it will also be highly detrimental for the long-term sustainability of certain charities that rely on bequests for their income. Understanding how and why people make particular choices is therefore very important if charities want to capitalise on this 'inheritance boom'.

Despite both the private and public dimensions of inheritance, it is a largely unexplored phenomenon in sociology and the research which exists mostly focuses on what inheritance decisions can reveal about kinship (a summary of existing research on inheritance is provided in Chapter Two). This research is therefore an exploratory study into inheritance decision-making, which intends to act as a starting point for further research into this area.

This thesis is hosted by the Civil Society Research Centre in the Wales Institute of Social and Economic Research and Data (WISERD) as part of a wider research theme focusing on civil society titled, 'Generation, Lifecourse and Social Participation'. This research theme aims to explore the variations in social participation and perceptions across the life course. My research aims to contribute to this research theme by exploring a topic which requires people

to directly choose between their interests to their family, charity and the state. The decisions and dilemmas of inheritance decisions, explored throughout this thesis, aim to offer insight into people's relationships with civil society beyond the life course. My initial interest in the research subject sparked because of my background in law and socio-legal studies. From the beginning of my higher education journey, I have been fascinated by the ways in which the law is reproduced by, but also reproduces the social. As well as its connection to the research work being undertaken at WISERD, the topic of inheritance allowed me to follow my interests in socio-legal studies as it enabled me to explore the ways in which the current inheritance laws influence (and are influenced by) the decisions and dilemmas that people encounter when deciding what they want to happen to their assets after they have passed away.

### **1.1 'Freedom' of disposition: The legal context**

The difficulty, of course, is to discover a system sufficiently elastic to enable a testator to disinherit his undeserving family, while yet preventing an unjust father or unlawful husband from leaving his dependant penniless. (Keaton and Gower, 1935. p.329)

Bequests are legal matters, and therefore it seems necessary to provide some discussion of the legal context in which participants' decisions are embedded. Unlike most other countries, Welsh and English law has adopted a position of testamentary freedom. This means that people have the right to distribute their assets to whoever they choose, and it assumes they are best placed to decide who needs and deserves their money most.

This system of succession is unique to only a few countries (e.g. commonwealth countries, USA etc.), and most other countries have much stricter restrictions on how people pass on their wealth. These more restrictive systems privilege the family as beneficiaries, to the detriment of non-kin. For example, in France, they require testators to leave a specified share of their estate to their children. The amount which they must leave to their children

increases by the number of children a person has. So, whilst a person with one child must leave 50% of their estate to their children, they require a person with three children to leave 75%. Testators in France have some control over the residual amounts and can leave this money to charity or a person outside of their family. It should be noted that spouses do not receive the same protections as children under French law. Saudi Arabia follows Islamic laws of succession which adopts a system of forced heirship. This means that 100% of a person's estate must be bequeathed to their family in predetermined shares. Certain family members (e.g. sons) are entitled to receive a larger share than others (e.g. daughters). Money cannot be left to non-blood connections, which means adopted children cannot inherit. Japan also has a system of forced heirship which is based on a ranking system, a person cannot inherit if a person of a higher rank is alive. Spouses are the highest rank, followed by children and then lineal ascendants. Disinheritance is possible in Japan, in instances of cruelty or gross misconduct, but requests to disinherit must be reviewed by the Family Courts. These examples show the scope in severity of different inheritance legal systems across the world – with testamentary freedom being one of the least restrictive approaches and forced heirship being the most restrictive.

Despite the existence of testamentary freedom, however, the extent to which testators in Wales and England are free to distribute their assets in any way they choose is still debated, as legal restrictions on a testators' freedom of disposition do exist. Intestacy laws, for example, place the claim of the family in a dominant position when there is not a valid will in place. Intestacy laws stipulate the order of succession if a person dies without a will, and this list comprises of a range family relations. If no family relations survive the testator, then eventually the estate defaults to the Crown. Douglas wrote:

Disposition of assets on death has moral and social as well as an economic purpose, and probate law can be used to promote norms which reflect and endorse those relationships (particularly family relationships) which are deemed worthy and dismiss or reject those regarded as less deserving or desirable. (Douglas, 2014. p.227)

Testators' obligations towards their family are also strengthened by family members being able to contest wills. Wills and intestate estates can be contested under two circumstances; they can contest under The Inheritance (Provision for Family and Dependants) 1975 Act, or they can contest the validity of the will. The 1975 Act makes it possible for the court to re-distribute some of a persons' estate to dependants in the case of disinheritance, where 'reasonable financial provision' should have been made. The main purpose of this Act is to prevent dependants from being made destitute when a testator passes away. S1(1) of the Act states that a person may be eligible under the Act if they are:

- The spouse or civil partner of the deceased;
- A former spouse or civil partner of the deceased, but not one who has formed a subsequent marriage or civil partnership;
- A child of the deceased;
- Any person (not being a child of the deceased) who in relation to any marriage or civil partnership to which the deceased was at any time a party, or otherwise in relation to any family in which the deceased at any time stood in the role of a parent, was treated by the deceased as a child of the family;
- Any person who immediately before the death of the deceased was being maintained, either wholly or partly by the deceased.

Summarising how judges determine who counts as family for the purposes of the Act, Douglas writes that:

The only way one can 'articulate' how that judgement is made, is by understanding that what the judges are doing is using their own experience of family practises and norms to assess the family tie between deceased and applicant, taking due account of how that family itself 'operated' and what norms it shared. In so doing, the law can be used dynamically to determine which kinds of relationship, and what

qualities of emotional or supportive bonds should be recognised as giving rise to a 'sense of obligation' as Janet Finch would put it, to provide some financial provision for the applicant. (Douglas, 2014. p.241)

How the Act is applied to each case varies significantly. Here, however, I will focus on one particular case concerning the I(PFD) 1975 Act which is the 2017 case of *Ilott v Blue Cross* in which the Act was considered by the Supreme Court. Although this is not the only case in which the Act was considered, it is an interesting case for understanding how the law perceives the rights of charities and families to a person's inheritance. This case was also receiving media coverage at the time of undertaking the interviews for this research and several participants reflected on the case during their interviews.

The facts giving rise to the case were that on her death, Melita Jackson, had left an estate worth £486,000 to three charities (The Blue Cross, Royal Society for the Protection of Birds, and Royal Society for the Prevention of Cruelty to Animals). To her estranged daughter, Heather Ilott, she left nothing. Her daughter contested the will and at first instance she was granted £50,000 of her mother's estate, having found to qualify under the 1975 Act as being 'in need'. The controversy came when the case was heard by the Court of Appeal, who significantly increased the daughter's share of the inheritance to £143,000 at the expense of the charities. This was a worrying verdict for charities and led to claims that testamentary freedom was being eroded. The involved charities made the decision to pursue the case to be heard by the Supreme Court, who reduced the share the daughter would receive to the original £50,000. This money Lady Hale stated could be used by the daughter to 'buy much needed household goods and have a family holiday'. During the judgment the principle of testamentary freedom was reasserted, and the court expressed a sympathetic view of the claim of charities, stating that they 'depend heavily on testamentary bequests for their work, which is by definition of public benefit and in many cases will be for demonstratable humanitarian purposes.' Although this judgment was treated as a 'win' for charitable organisations, believing their claim to be reasserted, the daughter still received money that her mother had not intended for her to have. While this was the

most high-profile of cases exploring the tensions between testamentary freedoms and family responsibilities, it is unlikely to be the last. As Lady Hale commented during her judgment:

This case raises some profound questions about the nature of family obligations, the relationship between family obligations and the State<sup>1</sup>, and the relationship between the freedom of property owners to dispose of their property as they see fit and their duty to fulfil their family obligations.

The second way that family members can contest is through raising questions about the validity of the will. Usually this means arguing the testator was lacking capacity when they wrote the will or that fraud or undue influence had occurred. The judgment in the case of *Banks v Goodfellow* [1870] sets out the criteria to assess whether a person has testamentary capacity. One of the requirements of this test is that the testator needs to have an *awareness* of 'any moral claims he ought to consider' even if he chooses not to leave them a bequest. These 'moral claims' are frequently interpreted to mean family members. Although this does not remove the testator's ability to freedom of distribution, it does strengthen the family's claim by allowing them to contest wills when they feel they have been treated unfairly. For family to believe they have been treated unfairly assumes some degree of moral right for family to inherit.

A review of the current legal position on succession in Wales and England shows that testamentary freedom is clearly still a dominant principle, however, there are obvious tensions between freedoms of disposition and the principle of family responsibility. The legal position is likely reproduced by, but also reproduces, ideas about who we have responsibilities towards when considering what to do with our money when we die.

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<sup>1</sup> NB: One of the questions of the case was whether a judge should take into account the fact that the claimant was being supported by the state through the welfare benefits system.

## **1.2 Research questions and research scope**

Testamentary freedom provides testators with a wide range of options for who to leave their assets to after they pass away and how much to leave each beneficiary. Making these decisions requires people to think about all of the potential beneficiaries and to prioritise them against one another to decide who should get what. The decision, therefore, is not just about an economic transfer but it is a highly dynamic, moral and symbolic decision which requires testators to determine who they have responsibilities for – family, community or the State. With this in mind, this thesis seeks to answer the following research questions:

### **How do people, thinking of writing a will, balance their perceived responsibilities to family, charities and wider society?**

- **Do family interests override other claims?**
- **How do people evaluate the claims of charities?**
- **What do people think about inheritance tax?**

This research is about the decisions and dilemmas of people considering making a will. It is about their expectations, hopes, wishes and fears of what should happen to their assets after they have passed away. It is not about the experiences or expectations of people receiving an inheritance. Although sometimes participants do reflect on their own experiences of receiving an inheritance to help inform their own decisions. This research is also mostly focused on money and large assets, such as housing, which are mostly discussed in terms of their monetary value. The passing of small items (furniture, jewellery, art and other items of significance) will not be explored in-depth here but may be discussed when the participants' discussions about 'stuff' were relevant to the themes of the research.

### 1.3 Chapter outline

A review of relevant research literature is provided in **Chapter Two**. As this thesis does not apply a single theoretical framework and instead draws upon a wide range of literature and theory, this chapter will begin by introducing the process of will-writing in Wales and England by considering some existing research on current inheritance trends. Then it will go on to introduce each of the three claims that are the focus of this research - the family, charities and the State – and review the existing literature on inheritance which explores these claims. The purpose of this section is to review the existing knowledge on inheritance but to also demonstrate to the reader the little research that has so far been undertaken on the sociology of inheritance, with the intention of showing why this research is a necessary field of enquiry. Following this review, this chapter will discuss some of the ‘big themes’ that we can tease out from this existing research, make suggestions as to how these ‘big themes’ can be connected to relevant sociological theory, and offer some speculation on how these ‘big themes’ might present themselves in this research project. This chapter will conclude with some thoughts on what the existing literature can tell us about the sociology of legacy and the gaps that my research is attempting to fill.

**Chapter Three** is a reflective account of the research design and methodology used to conduct this research project. This chapter will outline and justify the chosen research design from sampling and recruitment, to conducting interviews, the research location and interview sites and process of analysing the data. It will also reflect on the ethical considerations of conducting joint-interviews and talking to participants about money and death. The purpose of this chapter is to show the reader that the findings of the research are soundly based but also to make them aware of the limitations of the research.

**Chapters Four to Seven** explore my empirical data. **Chapter Four** can be viewed as a ‘scene-setting’ chapter as it presents an introduction to the empirical data by exploring the process of the participants’ decision-making.



The purpose of this chapter is to introduce the reader to the complexities and paradoxes of the decision-making process, which is a prevalent theme throughout the thesis. As well as this, this section will introduce the temporally-fluid nature of the inheritance decision-making process to show the reader the extent to which inheritance decisions are present in testators' everyday lives and the extent to which decisions are guided by the lived, everyday experiences and relationships of the testator. Following this, this chapter will explore the emotional nature of the research and include some discussion of the ambivalent nature of money. Then it will introduce the different actors that were present in the decision-making process – such as partners and family members – and the extent to which the opinions of others played a role in the testator's inheritance decisions.

The following three empirical chapters will explore the claim of the family (**Chapter Five**), the claim of charities (**Chapter Six**), and the claim of the State (**Chapter Seven**). Each of these chapters will provide an in-depth examination of the different dilemmas that participants encounter when considering each of these claims and provide some discussion about how the decision-making leads to particular outcomes. The chapters are written to mirror the decision-making of participants as it unravelled, and so these chapters intend to build on one another, each adding a new layer of complexity to the decision-making process.

**Chapter Five** introduces the first claim – the family. As all of the participants began their interviews by choosing to discuss their families first, it makes the most sense to begin our discussion here. This chapter will consider why the testators chose to prioritise their obligations to their families and explore the ways that leaving an inheritance to family is perceived to be a 'social norm', with inheritance often being used by testators to show their love and affection to their family. This chapter will, however, argue that despite families being seen as an important claim, many of the participants had reasons to hesitate about leaving all of their assets to their family. Concerns about whether leaving an inheritance to their family really was the fair thing to do, whether their families deserved the inheritance, how the family might spend the inheritance

and whether they had responsibilities to those outside of their family, made the testator's uncertain about whether they should leave their whole estate to their family. This chapter will argue that these hesitations are what made testators choose to leave some of their money to those outside of the family.

Following on from this, **Chapter Six** introduces the second claim of charitable organisations. This chapter explores the concept of 'deservingness' to understand the extent to which testators believe they have a responsibility to leave some of their inheritance to charities. The importance of context and biographical influences will be discussed here to explain how the lived experiences of testators contribute to their decision-making. This chapter will also explore the often paradoxical attitude that participants had towards charitable organisations and reflect on how general attitudes towards efficiency and trustworthiness of charities influence whether a person plans to leave a charitable bequest.

The final claim explored in this research is introduced in **Chapter Seven**, the claim of inheritance tax. Unlike the other two claims, inheritance tax is a non-optional claim to a testator's estate but understanding how participants considered their obligations to the State allows us to gain insight into the extent to which they believe they have obligations to use their legacy in the interests of wider society. The non-optional nature of this claim is shown to change the way that participants perceive inheritance tax and most of this chapter focuses on the concept of 'fairness' and whether participants believe inheritance tax to be fair or not. This chapter argues that although the media often frames people as being strongly oppositional to inheritance taxation, that testators may be less certain about the fairness of the tax, with many participants offering reasons to both support and oppose the taxation. This chapter will also discuss another prominent concern of many of the participants which is whether or not they should be responsible for funding their long-term care or whether the state should cover the costs. The discussions mirror those on inheritance taxation and also offer further insight into the paradoxical relationship between the testator and the State.

**Chapter Eight**, the final chapter of this thesis, directly addresses the research questions by reflecting on the key findings and themes of this research and highlighting the similarities and differences in how participants considered the merits of family, charity and the State. Teasing out key themes in the research, this section will explore the different interpretations and purposes of inheritance and reflect on the dilemmas which arise because of these different interpretations. This chapter will consider the extent to which participants considered the role of 'fairness' and 'social justice' when making their decisions and how these considerations impacted their decisions. It will then discuss whether inheritance decisions are motivated by altruism or exchange (a common debate in the inheritance literature, first introduced in Chapter Two). The next theme explored in this chapter is intergenerational justice and the extent to which testators' decisions are motivated by their obligations to future generations. The final theme explores the temporally-fluid nature of participants decisions and the role that personal experiences play in their inheritance decision-making. This chapter will conclude with a section which reflects upon the research process and makes clear its limitations before offering suggestions on how this research can provide a starting point for a sociology of legacy.

# Chapter Two

## Literature Review

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To introduce and contextualise this research project it is necessary to first review existing literature on inheritance decisions and introduce the key literature that will be used throughout this thesis. This research does not depend on a single theoretical framework but will instead draw upon a range of literature to assist analysis and offer insight into some of the social theories and research that can be used to better understand inheritance dilemmas. Literature directly addressing the claims to participants' inheritance is sparse and the research which does exist is often unconnected. Likewise, little of the existing literature is sociological in nature and often presents data without attempting to explore its deeper meanings. Regardless, the intention of this chapter is to provide the reader with an introduction to the claims by drawing on 'what is already known' about each of the claims. A final section will also introduce some sociological theory which can help us to make sense of the emerging themes.

This chapter will begin by offering an overview of will writing in Wales and England (2.1). Following this, this chapter will explore existing literature on inheritance and bequests. This section is separated into the three key themes of the research; the family (2.2), charities (2.3) and inheritance taxation (2.4). This is partly to reflect the structure of this thesis but also because existing research projects have addressed these themes separately from one another, rather than as a cohesive whole. This chapter will conclude with a discussion of some of the key themes to emerge from the existing research on inheritance and introduce some of the literature that relates to these themes that will be used throughout this research. The themes addressed in this section are; taboos around wealth and death (2.5.1), altruism and exchange (2.5.2), the social meanings of money (2.5.3) and the importance of choice (2.5.4). All of

these themes will re-emerge throughout this thesis and offer a valuable contribution to the sociological study of bequest giving.

## **2.1 Writing a will**

Inheritance today is an issue that concerns the majority of the population. Almost half have received some kind of inheritance at some point in their lives and rather more than half expect to leave something when they die. But, of course, some people are more likely to inherit, and bequeath, than others. (Rowlingson and McKay, 2005. p.77)

In 2005, Rowlingson and McKay (on behalf of the Joseph Rowntree Foundation) conducted a national survey of 2,008 people, living in Britain, to explore their attitudes to inheritance. This research offers a number of insights into the giving and receiving of bequests and the changing nature of bequest patterns in Britain. As the baby-boomer generation represents the first time there is mass property ownership and as the prices of these properties are now higher than ever before, Rowlingson and McKay sought to understand whether people would use this extra money to improve their own living standards or whether they would save it to leave as a bequest to improve the living standards of the next generation. The findings of their research show that nine in ten people believe they will have the potential to leave a bequest in the future, and 64% said they have property or savings they could leave now.

Despite this high number of people believing they could leave a bequest, many people in the UK do not have wills in place that would see these assets distributed in the way they choose. As mentioned in Chapter One (1.2) a person who dies without a will is subject to the laws of intestacy, which sees their assets distributed in accordance with a hierarchical order set out by law. Only through creating a will can people leave their money to their friends, charities or other organisations to which they have affinities. For people to take full advantage of testamentary freedom, it is necessary for them to have a will in place when they pass away. Rowlingson and McKay (2005) found that

under half of the respondents had written a will (45%). Reasons for why they had not yet written a will have been reproduced in Table 2.1 below:

**Table 2.1:** *Reasons why people have not yet written a will (Rowlingson and McKay, 2005)*

	(%)
Haven't got around to it yet	58
Too young to think about it	20
I have nothing to leave	17
No need to make a will – my assets will go to the right person	9
I don't like thinking about such things	7
I don't know how to do it	2
I don't know who to leave my assets to	1
It's too expensive	1
Other	2
None of these	1
Don't know	2
Unweighted base	2,008

The responses show that the primary reason many have for not writing a will is more to do with apathy than uncertainty. Whilst 58% of respondents had not written a will because they 'haven't got around to it yet' and 20% haven't written a will because they are 'too young to think of it', only 1% of respondents say they have not yet written a will because they 'don't know who to leave their assets to'. The responses also suggest that certain demographic factors may help or hinder will writing. The two most common answers provided by the participants 'Haven't got around to it yet' and 'too young to think of it' show that age is a likely factor influencing will writing. Research by Humphrey et al (2010), a mixed-methods study into 'Attitudes to will-making and intestacy', supports this by showing that, rather unsurprisingly, older people are more likely to have a will in place than younger people. Their data show that 6% of those aged 16-24 have a will in place, compared with 82% of those aged 75 and over. Wealth also appears to be a determinative factor with 17% of people having not written a will because they 'have nothing to leave' (Table 2.1). Humphrey et al (2010) also recognised wealth as a determining factor showing

that of their respondents only 9% with assets of up to £10,000 had made a will, whilst 80% of those with assets of more than £500,000 had. Writing on the relationship between wealth and writing a will, Routley et al. comment that:

The link between socio-economic status and will-making makes intuitive sense. In order to go to the expense and trouble of creating an estate plan, one has to feel that one has wealth to pass on. (Routley et al, 2018. p.8.)

This means that those in lower social classes, those with less disposable income and those who do not own their own homes could be 'locked out' of the ability to leave an inheritance. Table 2.1 shows that in Rowlingson and McKay's (2005) study 17% of respondents stated that they 'have nothing to leave'. Economics research shows that inheritance is considered a contributor to wealth inequalities (Karagiannaki, 2015. De Nardi, 2004) as De Nardi (2004) writes 'The rich leave more wealth to their offspring, who, in turn, tend to do the same.' (p.744). Karagiannaki (2015) using HMRC data undertook research on recent trends of inherited wealth in the UK. She found a 'substantial increase in the flow of inheritance' (p.181) between the years 1985-2010 (attributed to the increase in home ownership and the increase in property values) but also that 'the distribution of inheritance amongst recipients became more unequal over this period'. (p.181). Karagiannaki finds 'that inheritance is positively associated with socio-economic status' (p.209) as people in higher social classes are significantly more likely to receive an inheritance than those in the lower social classes, meaning that those who already have more are also most likely to inherit more. She writes;

[T]he probability of inheriting rises from 32 per cent for people with no educational qualifications to about 58 per cent for people with degrees, and from about 31 per cent for people in the lowest financial wealth class to about 66 per cent for people in the highest financial wealth class. (p.203)

People who have received an inheritance are also more likely to have more wealth to pass on to their beneficiaries. There is a power dynamic to the ability to leave an inheritance, with people with more wealth to leave able to have a greater say over how they want the world to look after they have passed away. A person who leaves a greater amount of money to a charitable organisation is going to have more power over how that money is spent and used by the charitable organisation than a person who has little wealth to leave. Those who have nothing to leave, and their families, are shut out of this process entirely. Not only does this have an impact on a material level, perpetuating wealth and social inequalities, but it also impacts them on a personal level as they are unable to make use of the symbolic value of an inheritance. They are unable to form their legacy, repay those that have helped them throughout their lives and are less likely to have the comfort of knowing that their families have been materially 'taken care of' after they have passed away (These are all important factors given by the participants in this research for wanting to leave a legacy. See chapters four – seven for a full discussion).

When people do write wills, research shows there are consistencies to their chosen beneficiaries. In their research on inheritance and kinship, Finch and Mason (2000) found that 92% of testators name at least one family member, 17% named non-relative (such as a friend) and 9% named an organisation (such as a charity or a religious organisation). These findings are consistent with other research which has shown that family are by far the largest beneficiaries of inheritances in the UK, with non-blood ties and charitable organisations receiving significantly fewer bequests (Rowlingson and McKay, 2005). Although Rowlingson and McKay (2005) and Humphrey et al's (2010) findings are a useful starting point for this research project, they do not go far enough in exploring the social work of inheritance. The following sections of this chapter will explore this existing research on the competing claims in more depth.



## 2.2 Family

As stated in the previous section, the existing research on inheritance decisions shows that despite having testamentary freedom a large majority of wills include a gift to family and family are by far the largest recipient group of inheritances (Finch and Mason, 2000. Rowlingson and McKay, 2005.) and the gifting of bequests to family is seen as a social norm. The dominance of the family as key recipients of bequests means that most of the research on inheritance focuses on the family and what inheritance decisions can reveal about kin relationships. Goody wrote:

The manner of splitting property is a manner of splitting people; it creates (or in some cases reflects) a particular constellation of ties and cleavages between husband and wife, parents and children, siblings and siblings, as well as wider kin. (1976, p.3)

Inheritance bequests to family are often presented as a means of constructing and 'making visible' family ties (Finch and Mason, 2000) and as a means of solidifying family ties across time and through generations. The gifting of money is a means for families to develop 'a web of reciprocal assistance that binds generations together within families.' (Drake, 2007. p.90) As focus is given to the way inheritance can reinforce family stability, research has also explored the ability for inheritances to disrupt family ties (Titus et al. 1979). Goodnow and Lawrence (2008) explored participant attitudes towards different actions involving inheritable things. Their research shows that expectations do exist and are capable of altering testators giving behaviours. They write:

Inherited situations have often prompted the general observation that people bring to these situations expectations about how both givers and receivers should act. In addition, they often differ in what they expect, both across and within generations. The expectations matter, it was proposed, because they influence actions and feelings, and because

they provide a window onto the concepts of family obligations. The differences matter because they help account for family tensions. (Goodnow and Lawrence, 2008. p.98).

Similarly, Izuhara and Koeppel (2019), in their sociological study of English court cases, found that unmet inheritance expectations can cause 'disputes, tensions or dissatisfactions among family members.' (p.53) and can 'accentuate tensions that have already existed in families' (p.54).

The work of Finch and Mason (2000) has been particularly influential for understanding what inheritance practises can tell us about the contemporary family. This is one of the few pieces of sociological exploration which exists on the topic of inheritance which therefore necessitates its consideration. The study analysed 800 probated wills, drawn from the years 1959, 1969, 1979 and 1989. It also used 98 in-depth interviews with people about their experiences of inheritance within their family and 30 semi-structured interviews with solicitors specialising in wills and probate. The findings of this research demonstrate the process of determining 'who counts' for the purposes of inheritance are not only about the act of wealth transmission but is a creative and fluid social practise, capable of constituting and reconstituting social ties. Summarising the key research findings, Finch and Mason explain that inheritance is significant for two reasons:

First, it allows individuals to use the act of bequeathing property to define the contours of their own kin relationships, to confirm who 'counts' and what value is placed on each relationship. Second, in the process of doing this and thinking in advance about doing it, the nature of an individual's kin network is made visible and accessible to the observer, in one of its guises at least, inheritance is, therefore, an important way both of studying kinship and potentially of constituting kinship. (Finch and Mason, 2000. p.11-12)

Exploring inheritance decisions, therefore, enabled Finch and Mason to reflect on who people count as being part of their families. They argue that the

concept of 'my family' is not fixed but a fluid and active negotiation, and multiple versions of 'my family' can exist simultaneously. Generally, the wills showed people adopted a narrow definition of family with estates being most commonly left to spouses (54%) and then to children (36%). Grandchildren (12%), nieces and nephews (17%) were also found to inherit regularly, however this was less frequent. A strong sense of fairness and justice emerge from the research on inheritance and kinship (Finch and Mason 2000, Sussman et al 1970, Titus et al 1979.) and the research shows that often fairness and justice is conflated with dividing assets into equal shares, particularly amongst children. In their research project on inheritance attitudes, Humphrey et al. (2005) summarised that;

Participants took the view that the fair allocation was to treat all one's children equally, regardless of their individual circumstances, reflecting the equal love that a person feels for their children. (p.81)

A key finding of Finch and Mason's (2000) research was that inheritance not only reflects kinship but also it constitutes it. What is constituted as 'my family' is not fixed, it is a fluid and active negotiation. Finch and Mason suggest multiple versions of 'my family' can simultaneously exist. Their research suggests that inheritance is largely a family matter as blood ties are privileged over other social ties. A concern which came up repeatedly in interviews for Finch et al. was that people didn't want to see money 'passing out of the family' (2000 p.30). This was particularly seen as problematic for people who belong to what Finch and Mason referred to as 'complex families' (2000 p.25). These were families where there had been divorce, remarriage, children with multiple partners or step-relationships, or potentially a combination of these. Testators were, therefore, trying to make assurances to prevent their money from passing to family members they did not intend for it to be passed to.

Despite participants having a strong sense that money should be kept in the family, they did not believe their children should *expect* to receive an inheritance. Finch and Mason suggest this is because parents highly valued their right to testamentary freedom and had a strong belief that they have an

inalienable right to their money, it is the sum of their lifetimes' efforts and consequently they should have the right to choose how this money is spent.

It is also important to include here some discussion of the literature on *inter vivos* (a gift between living people) transfers to family. Property can also be transferred during a persons' lifetime, and although these *inter vivos* transfers are not the main focus of this research (there is a large body of sociological research exploring different aspects of *inter vivos* giving see. Brannen 2006. Kohli 2004. Albertini and Radl 2012.) some reference to lifetime giving is necessary in order to highlight the importance they have for decision making as *inter vivos* gifts can and do often affect inheritance decisions.

Kim et al. (2021) found in their study of inheritance expectations that children who received *inter vivos* gifts from their parents were more likely to expect an inheritance. This finding is unsurprising as parents who are able and willing to gift to their children during their lifetimes are also more likely to be able and willing to gift their children a portion of their inheritance (See 2.1). Although it is also possible that some parents may choose to leave *inter vivos* gifts to their children during their lifetimes, rather than as an inheritance. This reason for *inter vivos* giving is found by Finch and Mason (2000) in their research of inheritance and kin relationships. They found that sometimes participants decided to give certain beneficiaries their 'inheritance' early (i.e., before the testator has passed away) in order to control 'the journey and status' (2000 p.155) of the gift, or because the testator wanted to see their beneficiaries enjoying the gift. This, they observed, was most common with keepsakes and heirlooms but could also apply to monetary gifts. This finding is consistent with another theme which has emerged during this review of the literature (and is discussed in section 2.6) which is that people believe choice and control are important aspects of the decision-making process. They wanted to ensure the 'right' family members receive the 'right' gift and that money or material objects do not 'pass out of the family' (Finch and Mason 2000. p.30) and/or end up in the hands of the wrong people. Leaving an inheritance early could be one way of resolving this problem. It might also help participants to avoid the moral and social obligation of having to give 'equally'. Kim et al (2021) found that *inter*

*vivos* gifts were more likely to be distributed based on *need* than inheritance gifts. This finding has also been reaffirmed by Kohli and Kunemund (2003) who argue there are some big differences between *inter vivos* and inheritance gifts with *inter vivos* transfers being 'made unequally and seem to go in higher proportion to the more needy children' (Kohli and Kunemund 2003 p.124). This is an interesting point of discussion and it will be useful to explore whether children who have received substantial *inter vivos* gifts from their parents might then receive a smaller portion of the inheritance money to 'counteract' the *inter vivos* gift and ensure equal distribution, or whether *inter vivos* giving is used as a way of avoiding this obligation.

Although *inter vivos* gifts are not a central aspect of the research, they can and do influence some of the participants' decisions (see Chapter Five). *Inter vivos* gifts are however likely to be smaller than bequests but can sometimes be of greater emotional value (Finch and Mason (2000)).

### **2.3 Charities**

Historically, charitable bequest giving has been perceived as an act performed only by the wealthiest in society. In recent years, however, charitable organisations have been more aware of the fundraising potential of legacy gifts from 'ordinary' people (Remember a Charity, 2019). This has led to an increase in the promotion of the possibility of leaving a gift and the benefit that these gifts, no matter how small, could have for the charitable organisation. With many organisations facing funding cuts, the income raised through bequests can be vital for the survival of some charities.

Despite the fundraising potential of legacy donations, however, not all charities are benefitting equally, and the majority of legacy income is received by the largest charities. NCVO (2017) data shows that in 2016/17 only 5% of public money raised by small charities was in the form of legacy gifts, whereas 25% of public money raised by super-major charities was. What this shows is that although the very large charities are beginning to harness the potential fundraising opportunities of legacy gifts, smaller and medium-sized charities

have a lot of catching up to do. If we only focus on the 25 top-earning charities we can see the massive disparities which exist in income received. Table 2.2 (Smee & Ford, 2019) shows the twenty-five charities who benefitted the most from legacy gifts in the year 2018 and how much they have received in legacy income over the past five-year period.

We will return to this Table (2.2) in Chapter Six when considering the types of charities that the participants in this research chose to leave their money to but for now, the intention is to demonstrate the inconsistent nature of legacy giving and how there are large differences between the amounts that different organisations receive. Many of the charities in this table are the top-earning charities in the UK more generally.

Despite increasing promotional campaigning, however, the number of charitable bequests gifted per year is still low. According to Wise, charitable bequests are 'one of the few (maybe the only) forms of fundraising where the potential is far greater than that reached by current activities' (Wise, 2005, p.59). The emphasis on giving to family means charities are often a secondary consideration for many. So, despite 96% of wills containing a gift to a family member, only around 7% contain a gift to a charity (Finch and Mason, 2000). As James explains the idea that 'family comes first' actualises into 'family comes first and only' (2015, p.75). The low proportion of charitable legacies has meant that charities have often been overlooked in sociological studies of inheritance, however, this 7% amounts to around £2.6bn of annual charitable income and is vital for the survival of some charities. Understanding the dilemmas which surround charitable bequest giving is important for understanding how charities can survive in the long-term. It is important to note here that people do not pass on wealth to one source and can leave a gift to multiple charities. The Institute of Fundraising (Undated) has stated that on average people who make a gift to charity in their wills, leave gifts to three charities.

**Table 2.2: 25 top-earning legacy charities in 2018**  
(taken from Smee & Ford, 2019)

Charity	Legacy Income (latest year £m)	Total Legacy Income (5 years £m)
The Capricorn Foundation <sup>*2</sup>	435.319	435.319
Cancer Research UK	181.500	875.800
Royal National Lifeboat Institution	135.100	616.800
Macmillan Cancer Support	84.538	346.314
British Heart Foundation	83.400	340.000
RSPCA	77.065	347.989
Salvation Army Trust	63.639	257.831
The National Trust	51.938	261.639
PDSA	45.755	213.845
Guide Dogs for the Blind Association	43.700	203.900
Royal National Institute of Blind People	41.919	195.819
Dogs Trust	34.919	137.116
Basil Larsen 1999 Charitable Trust*	34.764	34.764
Marie Curie Cancer Care	34.459	149.571
Charities Aid Foundation	33.557	92.895
Cats Protection	31.551	142.412
The British Red Cross Society	31.300	138.800
Honour Frost Charitable Trust*	30.461	30.461
RSPB	34.699	160.180
Age UK	29.487	129.495
Great Ormond Street Hospital	26.251	91.709
The Donkey Sanctuary	23.304	111.376
The Royal British Legion	21.650	88.618
NSPCC	21.512	112.222
Leonard Cheshire Disability	21.359	47.698

<sup>2</sup> \* These charities have received a one-off, large donation which is not reflective of their usual annual legacy income.

Research undertaken by Routley and Sargeant (2015) offers some interesting insights into bequest giving and provides some theorising about why people choose to leave a charitable bequest. Drawing on Terror Management Theory (Solomon et al. 1991) and Generativity Theory (McAdams and De St Aubin, 1992), Routley argues that people choose to leave charitable bequests because the bequest functions as an 'extension of self' (Routley and Sargeant, 2015. p.881) and people can create a sense of symbolic immortality through their charitable bequests by 'extending one's autobiography, and thus a sense of self, forward in time beyond one's physical death' (Routley and Sargeant. 2015. p.876). Routley, Sargeant and Day (2018), summarising their earlier research (Routley and and Sargeant, 2015) write:

Strategic distribution of that estate can, therefore, achieve generativity: extending the self forward in time after bodily death and providing the legator with a form of symbolic immortality. Through a bequest gift to charity, they (Routley and Sargeant, 2015) argue, the donor can extend his or herself forward in time, making a statement about the experiences and people that shaped him or her, or the values that he or she hold, whilst also enabling communion with others through the act of giving. (Routley, Sargeant and Day, 2018 p.18)

## **2.4 Inheritance tax**

Inheritance tax differs from the other two claims because people are unable to choose whether or not they want to pay inheritance tax. In Wales and England, inheritance tax is levied on the estate of the testator upon their death. The tax is levied on estates worth in excess of £325,000 for individuals and can be as much as £1,000,000 for couples (GOV.UK 2021). Due to this, very few estates pay inheritance tax. Office for Budget Responsibility (2018) reported that in the years 2017-2018, only 3.8% of estates paid inheritance tax (section 7.1.1 provides a more comprehensive summary of the inheritance tax system in Wales and England).



Existing research on attitudes towards inheritance tax generally focuses on the unpopularity of the tax (Rowlingson and McKay 2005, Humphrey et al 2010, Dowding 2008). During their focus groups, Rowlingson and McKay write that many participants believed that inheritance tax should be avoided as far as possible by either spending the money or giving it away during their lifetimes. Similarly, Humphrey et al. (2010) write that participants designed their wills to avoid inheritance tax. Echoing the findings of Rowlingson and McKay (2005), Humphrey et al (2010) also found that participants supported the idea that they should 'enjoy wealth and use it as a way to help others while alive' (p.22) as this had the additional benefit of being a means to avoid inheritance tax.

Rowlingson and McKay (2005) found that despite participants being opposed to inheritance taxation, knowledge of inheritance tax is poor. When they asked their participants how many people pay inheritance tax, Rowlingson and McKay state that most respondents guessed between 25% and 49% of estates paid. The true number is 6%. Similarly, Rowlingson and McKay found that most participants were unsure about how inheritance tax is calculated, and many assumed that it was higher than it is. Research by Forster et al (2016) echoes this finding as they write that:

Perhaps part of the explanation for the dislike of inheritance tax is the common misconception that inheritance tax is paid by many more people than it actually is. (Foster et al. 2016. p.178)

Rowlingson and McKay suggest that knowledge is likely poor because of how few estates pay inheritance tax and they found that knowledge of inheritance tax increased with wealth. They summarise that;

Previous studies have found strong opposition to inheritance tax but our research suggests that this opposition is set within a context of ignorance, as very few people seem to understand how inheritance tax works and how many estates currently pay it. Even those with assets above the threshold to pay inheritance tax were generally unable to

calculate roughly how much might be paid on an estate worth £300,000. All of this suggests a role for government in informing people better about the laws around inheritance (including the tax laws). (2005, p.76)

Beckert (2008(a)) offers an interesting analysis of inheritance tax systems by exploring some of the underlying principles of the tax. These principles, he argues, are used to 'legitimize and contest the intergenerational transfer of wealth and the imposition of an inheritance tax' (p.1). Explaining the controversial nature of inheritance tax, he writes:

Some of the most vocal conflicts over taxation centre on inheritance taxes, despite the fact that inheritance taxes have rarely ever contributed more than two per cent to the budget of any modern state. The profoundly contentious character of this tax cannot be attributed solely to the material position of the descendant testator and his or her heirs. Instead, these conflicts have deeper roots in the way this tax relates to the normative fabric of societies. (Beckert, 2008(a). p.1)

The four principles that Beckert argues are central to the decision are: 'the family principle', 'the equality of opportunity principle', 'the social justice principle' and the 'the community principle'. The Family Principle focuses on the rights of the family to inherit. This principle implies that wealth is owned by the family, rather than the individual, and consequently the family have the right to receive the full inheritance without taxation. The Equality of Opportunity Principle is the opposite of the family principle. This principle calls for people to have 'equal starting positions' (p.1) and therefore incurs a high level of taxation. Beckert writes that 'this, in turn, is the precondition for realising the meritocratic principle as the central normative foundation for justifying social inequality within society' (p.1). The Social Justice Principle seeks to correct market success by taxing those who are able to pay and redistributing the money to others. The Community Principle offers an alternative approach. Rather than taxation, testators are required to support 'the common good' through charitable donations.

This is an interesting analysis of the underlying principles of inheritance taxation which addresses the social, political and moral dilemmas of inheritance taxation, but also the act of leaving a bequest more generally. The inheritance taxation system in Wales and England relies on the family principle and the social justice principle. I would also suggest that it relies on a fourth principle of 'self-determination', that allows the individual to decide who is best placed to receive their assets after they pass away, whether it is their family, friends or charities.

## **2.5 Discussion**

The reviewed literature confirms that inheritance decisions require the testator to undertake a great deal of 'social work' to decide who should inherit their assets after they have passed away. The section will draw out and elaborate upon some of the key themes and debates which emerge from the reviewed literature and discuss how these themes and debates will impact this research project. These themes run throughout the research and I will return to each of them during my analysis of the data.

### **2.5.1 Taboos around wealth and death**

An important theme to emerge from the literature, which has both methodological and substantive consequences, is the taboo nature of wealth and death. This research addresses both of these topics and it is therefore important to explore how these 'taboo topics' have been handled in other research as a means to understand how people's relationships and attitudes with these topics might influence my own research. This section will consider research on death and mortality first, then research on money and wealth, finally it will offer some discussions of how these themes might present themselves in my own research.

### ***Death and mortality***

Much of the sociology and psychology literature on death, recognises death as a taboo subject. The recognition of death as a taboo is often traced back to the work of Gorer (1965) who argues that modern society attempts to make death 'invisible'. Becker (1973) in 'the denial of death' argues that denying death by developing defence mechanisms and strategies of denial are essential if people are to defend themselves against thoughts of their mortality and the psychological harms of death anxiety. Kearsley (1989) has also written extensively on the topic of death arguing that 'death poses the fundamental threat to the order and meaning that social systems erect to shield their members from the anomic terrors of chaos' (Kearsley, 1989. p.25). Kearsley argues that our denial of death is so strong it has permeated our language and how we talk about death, he writes:

We live in a culture in which *dead* is a four-letter word, and four-letter words are often obscene. People don't die. Instead, they get lost ("I lost my wife", "We lost our dog"), they leave ("He has departed this life," "Their grandfather has left them," "She's gone on the final voyage"), or they fall asleep ("She has earned her rest"). Our dislike of saying that someone is dead reveals the profoundness of our death denials. (Kearsley 1989, p.31)

Despite this strong presence in the literature of death being a topic of taboo, there are instances of this portrayal being questioned. For example, Walter (1991) argues that the taboo of death is 'disintegrating' (p.293) as more people are willing to talk candidly about death and mortality. Drawing on his own research experience he writes:

While researching a book on funerals, I found many of my middle aged, middle class friends, family and neighbours volunteering a direct and personal interest. Entire dinner parties would spend an hour or more recounting the good and the bad funerals they attended; neighbours

would stop me in the street to make sure I let them know when the book is out. Several would volunteer details of how they would like their own funeral to be, while others recounted the funerals of those closest to them. So, conversational norms against speaking of death in public are by no means universal in English, British or modern society. All conversation is rule governed, there is always a right place and time for any conversational topic, so the onus is on the tabooists to show that norms against talking of death in certain situations are specially and uniquely worthy of the label 'taboo'. This they have not done. (Walter 1991 p.296)

Similarly, Kearsley (1989) noted that the elderly are more likely to think and talk about death and are also the 'least likely to be frightened by it' (p.467) This, he argues, is why wills are usually written by people in the later stages of life. Whilst Gibson (2008) found that women more likely to show willingness to discuss death. Writing of her experience researching what happens to people's material belongings after they have passed away writes of her experience interviewing participants, that:

As I progressed with interviewing and gained further contacts, it became apparent that women were more interested in and comfortable talking about this subject. Women often volunteered friends and contacted people for me. Some of the men I interviewed were reticent, avoiding this type of engagement and subject matter, which could provoke emotions or breach some deeper sense of privacy... (Gibson, 2008. p.6)

This existing research offers some important insights into how the context of 'death' could have both methodological and substantive consequences for this research. Although this research is not directly about death, the discussions require the interviewees to contemplate a future in which they are not present. The literature shows the discomfort of confronting this 'taboo topic' and the ways that participants might attempt to 'shield themselves' during discussions. Such as, by modifying language or discussing their wills in a more distant

abstract sense. However, the reviewed literature also shows there is a paradoxical element to discussions of death. Which is that whilst people might try to avoid discussions about death, these discussions can also be cathartic and revelatory once they are 'allowed'. As Gibson observed:

I discovered that most people *really knew about* this subject and yet hadn't given it much thought, hadn't articulated their own experiences or stories. Indeed, people found themselves speaking about objects and recognising, perhaps for the first time, that they are worth speaking about (Gibson 2008 p.19)

### ***Money and wealth***

Money, like death, is considered a topic of conversation that people generally tend to shy away from (Sherman 2017). As a consequence of its difficulty to define and investigate there is a lack of existing literature on wealth in the UK and worldwide, and wealth has received much less sociological attention than poverty, despite the interconnectedness between the two concepts (Rowlingson and McKay 2011). Wealth is difficult as a topic to pin-down, as there are many different types of wealth (e.g. property, physical, financial, private pension etc.) and Rowlingson and McKay (2011) note that the participants in studies exploring wealth often experience difficulty in answering many of the research questions.

Sherman (2017) in her book titled 'Uneasy Street: The Anxieties of Affluence' examined the lifestyle choices and privilege of wealthy New Yorkers. Her work will be returned to again throughout this thesis, particularly when reflecting on the methodological choices of this research. Sherman's research offers some useful insights into the reticence and ambivalence of wealth. Whilst reflecting on her experiences of recruiting participants, Sherman writes that, unsurprisingly to her, many people were unwilling to talk to her about their wealth and lifestyles. This reticence around wealth extended to the interviews as her interviewees subverted some questions and provided vague or incorrect answers to others. She writes that:

In the interviews, most people described themselves as reluctant to talk about money in any detail with anyone except their partners and sometimes other close family members. They described money as deeply private... When we talked outside, they kept their voices down so the neighbours wouldn't hear; inside, some closed the door when the nanny was in the next room. Although most were fairly open with me, a few refused to answer certain kinds of questions, especially about specific amounts. (Sherman 2017 p.18)

As well as refusing to answer certain questions, Sherman, commented that there was a tendency for her participants to underreport their income and assets. For example, house sales confirmed that several of the participants had provided lower house values in their interviews than their houses were really worth. She noted that none of her participants seemed to exaggerate their assets and none of them inflated the value of their homes. This ambivalence and reticence towards money, Sherman argues, is a consequence of the uncertainties and 'ambivalence about being wealthy' (Sherman 2017 p.20) as whilst they recognised the privilege their wealth brought them, they 'acknowledged that talking about their privilege made them feel vulnerable to negative judgements from others.' (Sherman 2017. p.21) Despite feeling like they could not discuss their wealth, Sherman found that her participants thought about 'money and lifestyle issues constantly and discussed them often with their spouses.' (Sherman 2017, p.19).

### ***The taboos around wealth and death: Discussion***

The reviewed literature on researching wealth and death demonstrates the difficulties that might arise when undertaking research in these areas. They are both uncomfortable and emotive topics which are often kept 'private'. Although the research also suggests that some of this uncomfortableness is due to worries about how talking about this subject-matter might be perceived by others. Conversations about death and dying are not usually considered

'polite' or 'appropriate' topics and people worry about the possibility of causing upset to others by raising them. Conversations about wealth and money were also avoided for risk of incurring the judgement of others, this was particularly the case with wealth as people worried about being perceived as 'bragging' or 'showing off' about their wealth (Sherman 2017). The research does suggest that, given the 'right' opportunity, people do show a willingness to talk about these 'taboo' topics and that the process can often be cathartic. Reflections from my own experiences of having these 'uncomfortable conversations' will be provided in Chapter Three (3.2.4)

### **2.5.2 Altruism and exchange**

Whether inheritance choices are motivated by altruism or exchange are common themes in the inheritance literature exploring inheritance and the family (Schaeffer, 2014.). Anthropological theories of gift-giving are useful for offering insight into this debate and are a helpful lens through which to explore the literature presented in this chapter.

Cultural anthropologists have shown that gifts are moral and symbolic as well as economic. Marcel Mauss in his book 'the gift' (1925) draws upon secondary data to explore the custom of gift-giving. A key argument of Mauss was that gifts are never free. He identified three obligations associated with the gift; giving, receiving and reciprocating. According to Mauss, although gifts are often perceived as being voluntary, they are obligatory. There is always an expectation of a gift or an expectation of reciprocity. Gifts, according to Mauss, are tightly tied up with the giver and it is impossible for the giver to ever completely disentangle themselves from the gift. By receiving a gift, the receiver also then becomes bound to the giver. The bond created between giver and receiver by the gift obligates the receiver to reciprocate. Mauss explains this is because the giver has given the receiver a part of themselves and therefore the receiver must do the same in return. Failure to do so will result in a loss of honour for the receiver.



Gifts are therefore not only products of a relationship but also a means of creating and defining a relationship. It is Mauss' argument therefore that social solidarity is built through the act of gift-giving, receiving and reciprocating. For Mauss, however, gift-giving is not just a process which occurs between individuals but one which occurs between groups. When the obligations of gift-giving occur between groups, ties are capable of being reinforced and solidified across time and generations.

In the case of my research, inheritance is a gift which occurs between generations and across time. This is a particularly important point if we are to apply this to this research project as at the time the gift of an inheritance is made, the giver will have passed away. It is therefore impossible for the receiver to ever reciprocate the gift to the giver. If we recognise gifts as being reciprocal between groups however, it applies to the topic of inheritance. Reciprocity between groups, according to Mauss, is a means of maintaining family solidarity across time. This also raises the interesting question as to whether people feel an obligation to leave a gift in their will to family members, particularly if they themselves have received an inheritance. This could go some way to explain why family is so dominant in receiving inheritance gifts.

Richard Titmuss (1970), following Mauss's (1950) ideas of gift-giving, argues blood donation is the closest to what Mauss referred to as a free gift. Like Mauss, Titmuss agrees that reciprocity occurs across time as he accepts that in the case of blood donation a person who has donated blood themselves, will expect to receive a donation in the future if they themselves require it. Differently from Mauss however, Titmuss argues altruism does exist in certain types of welfare giving, such as blood donation. For Titmuss, at the time blood is donated there is no expectation of reciprocity. The givers are altruistically giving to what Titmuss calls the 'universal stranger'. The universal stranger is the unknown recipient of blood donation, whom the giver will never know. According to Titmuss people feel compelled to leave a gift towards others, this is because a gift is the only way they have of communicating with people they do not know whom they feel compassion towards. Social cohesion, according to Titmuss is built around the concept of the universal stranger and people's

need to gift to them. Titmuss's work on blood donation is particularly relevant for this research project, especially when exploring legacy gifts to charity. Drawing on Titmuss's work it can be suggested that leaving a gift to a charity in a will is not necessarily all about reciprocity as is implied by Mauss, but it also may be inspired by a need to connect to and help others in wider society.

### **2.5.3 The social meanings of money**

In the same way that gifts are social, money (and monetary gifts) are also highly social. As Carruthers writes, 'Money, in short, is similar to language, money 'talks': it possesses meaning' (2010, p.52). Zelizer (2017) has written extensively on the social work of money, arguing that people 'label' and 'earmark' different kinds of money to imbue it with meaning. How money has been acquired alters how it is used and received. For example, Zelizer argues how lottery winnings are regarded differently to a paycheck, and that money acquired as compensation for an accident is regarded differently from money acquired from book royalties. She explains:

There is no single, uniform, generalized money, but multiple monies: people earmark different currencies for many or perhaps all types of social interactions, much as they create distinctive languages for different social contexts. And people will in fact respond with anger, shock or ridicule to the 'misuse' of monies for the wrong circumstances or social relations, such as offering a thousand-dollar bill to pay for a newspaper or tipping a restaurant's owner. Money used for rational instrumental exchanges is not 'free' from social constraints but is another type of socially created currency, subject to particular networks of social relations and its own set of values and norms. (2017. p.19)

Zelizer argues that money can cause conflict when it enters into particular kinds of social relationships because it does not display the intimate knowledge of the recipient and often rationalises the relationship. She argues that:

...gift money was a peculiar, puzzling, sometimes troubling currency. How could the same legal tender used to pay salaries, bribe officials, tip porters, help the poor, or provide a wife's housekeeping allowance also serve as a sentimental gift that expressed personal care, affection or joy? (p.76)

But gift money is commonly seen as an appropriate gift for the closest of kin and friends as it 'reinforces the intimacy of particular social ties.' (p.91). She warns, however that the quantity of money gifted is relevant to how the gift is received and that 'gifts must be appropriate in character and value to the relation between the parties revealing the degree of intimacy and equality between giver and recipient.' (p.78). A large monetary gift to an acquaintance would be considered inappropriate whilst a large monetary gift to a close family member, would not.

#### **2.5.4 The importance of choice**

A key issue which arose repeatedly in the literature was the importance of choice. Testators consistently emphasised their right to choose what happens to their estate following their deaths. The Attitudes to Inheritance in Britain survey (Rowlingson and McKay, 2005) found that 67.4% of people agreed with the statement 'I will enjoy my life and not worry too much about leaving an inheritance', compared to 27% who agreed with the statement 'I will be careful with my money so that I can leave an inheritance'. Despite only 18% of people agreeing with the statement 'older people should be careful with their money so that they can leave an inheritance', 84% of people agreed that they '...would like to be able to leave property or money as an inheritance'. This emphasises the importance that is placed on the testator's right to choose. Generally, the participants felt it was a person's right to decide if they wanted to pass on their assets as an inheritance, or if they wanted to spend all their money before they passed away.

This was also reflected in the attitudes of people who might potentially receive an inheritance in the future. They were reluctant to use the word 'expect' (Finch

and Mason; 2000). Finch and Mason (2000) discussed the idea of choice and expectation in their research. Their qualitative interviews found that generally people did not feel they had a right to *expect* to receive an inheritance from their parents. Although it was assumed that if money was left over when their parents passed away then it would be distributed amongst their children. People did not feel they had the right to expect that any money would be left over.

It is possible that a reason people emphasise their right to self-determination in end of life decision-making is because they are trying to gain some control over an occurrence (death) which they have no control over. Another reason is that if a gift is expected this may diminish the gratification owed to the giver. If leaving an inheritance is perceived as being voluntary, rather than obligatory, then the leaving of the inheritance has more symbolic meaning. The lack of choice which is provided to testators when they are required to pay inheritance tax could be a reason as to why generally people feel a great deal of hostility towards having to pay it. In an attempt to avoid taxation many people choose to leave lifetime gifts to family members. If a gift is made seven years before the giver's death, then no tax will have to be paid on the gift. It is possible that people would feel more positively about having to pay inheritance tax if they were able to have some say in what this tax would be used for. This emphasis on people's right to autonomous decision-making is another example of how inheritance is about more than just the distribution of assets. Existing research implies it is about power, control and choices at the end of life.

## **2.6 Concluding points**

The review of existing literature shows that there is significant gaps in existing knowledge and understanding of inheritance decisions and dilemmas – particularly from a sociological background. The most significant sociological study into inheritance is the research of Finch and Mason (2000), however, the focus of this research is on what inheritance decisions can reveal about kin relationships, rather than understanding the inheritance decision-making process. Due to the research focus being on the family, rather than

inheritance, bequests to charities and attitudes towards inheritance taxation are not considered. Other research into inheritance decisions is also sparse and tends to be more descriptive of inheritance trends, rather than offering a deeper analysis of these trends.

With this in mind, this research aims to act as an exploratory enquiry into the field of inheritance decisions, which aims to provide some insight and understanding of the dilemmas that people encounter when they attempt to balance their perceived obligations to those they believe they might have a responsibility towards. Unlike existing research, which has explored bequests to family, charities and the state as a distinct topic, this research plans to bring these different claims together to explore the dilemmas of each of these claims and to understand how thinking about one claim can alter thinking about another. The review of the literature shows that the nature of inheritance decision-making requires participants to consider a wide range of potentially competing moral and social issues. The accounts presented in the empirical chapters (See. Chapters Four to Seven) of this thesis show this nuanced and convoluted nature of decisions. The complexity of decisions and the moral and social dilemmas they give rise to means the accounts presented are filled with paradoxes and contradictions as participants attempt to balance their different perceived obligations and responsibilities. As will be shown throughout this thesis, different claims are thought about differently and different criteria is used to assess the different claims.

The review of the literature shows the potential of inheritance decisions as a sociological field of enquiry and raises many interesting questions for further avenues of research. The importance of inheritance decisions for intergenerational relationships, social and economic justice and the survival of certain charities is clear, and it is anticipated that further research into this field would be welcomed by policymakers and those working in third-sector fundraising.

# Chapter Three

## Introducing the Data

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The aim of this chapter is to outline and reflect on the methodological choices made during this research project. This chapter aims to demonstrate that my research decisions have been guided by my research questions and consequently the knowledge produced through this research is soundly based (Walliman, 2010. p.37). In writing this chapter I intend to adopt a reflexive, self-critical approach towards my methodology. According to Guillemin and Gillam (2004) 'adopting a reflexive research process means a continuous process of critical scrutiny and interpretation' (Guillemin, 2004, p.275). Reflecting on my chosen methodology is important for demonstrating what my research can and cannot tell us about the ways in which people balance their perceived obligations towards the family, the State and civil society. As a reminder to the reader, my research questions are as follows:

How do people, thinking of writing a will, balance their perceived responsibilities to family, charities and wider society?

- Do family interests override other claims?
- How do people evaluate the claims of charities?
- What do people think about inheritance tax?

This chapter will begin by introducing my research design and methods and provide justification for the qualitative approach adopted for this research (3.1.1), it will then discuss the decision to use semi-structured interviews (3.1.2) and consider the implications of carrying out joint-couple interviews on the research (3.1.3). Following this, this section will also introduce the research participants and discuss sampling and participant recruitment (3.1.4) and discuss some of the supplementary interviews that were undertaken with private client solicitors and legacy fundraisers working in the third sector (3.1.5). This chapter will then explore some of the practical and ethical

considerations in the research (3.2) – including a discussion of the research location (3.2.1), and the interview sites (3.2.2), the process for consent and anonymity (3.2.3), the ethical considerations about talking to participants about wealth and death, and how these ‘uncomfortable conversations’ were managed (3.2.4). This chapter will conclude with a discussion about how data was recorded (3.3.1) and an explanation of how the research data was coded and analysed (3.3).

### **3.1 Research design**

#### **3.1.1 A qualitative approach**

In an effort to capture how people ‘understand and give meaning to their own experiences’ (Marvasti, 2004. p.5) of leaving an inheritance, this research project will be interpretative in its approach. An interpretivist epistemology is based on a constructivist ontology in that it adopts the position that reality is multiple and socially constructed. An interpretivist epistemology emphasizes meanings and motivations to gain an in-depth understanding of how members of society understand and make-sense of various social phenomena; and how these meanings, motivations and experiences shape their actions. As Chowdhury (2014) explains ‘interpretivists look for meanings and motives behind people’s actions like: behaviour and interactions with others in the society and culture’ (Chowdhury, 2014 p.433).

Interpretivism recognises that meanings are created based on culture, location and time, consequently these meanings are subjective and multiple. Interpretivism then seeks to explore and understand these meanings and to use them ‘as building blocks in theorising’ (Goldkuhl, 2012). Adopting this epistemology is to recognise that it is impossible for the researcher to disengage themselves from the research. The researcher brings with them their own preconceptions and consequently these preconceptions become part of the research. The goal of interpretive research is therefore to understand the distinctive perspectives of participants in order to gain in-depth, context-specific data. It is important to note, however, that while social

constructionism informs the approach to the research, the materiality of asset inheritance is an important ontological basis for the work.

### **3.1.2 Semi-structured interviews**

Interviews are a suitable tool for undertaking interpretivist research as they allow for understanding of ‘the lived experience of other people and the meaning they make of that experience’ (Seidman, 2006. p.9). Interviews allow access to people’s individual stories. To tell these stories, individuals must engage in meaning-making by selecting the details they see as relevant to their experience, giving them order and reflecting upon them (Seidman, 2006). The words they choose to use ‘provide us access to social worlds... and how individuals make sense of themselves, their experiences and their place within these social worlds.’ (Silverman, 2013. p.52). In the context of this research, interviews allowed me to explore dilemmas of leaving an inheritance in-depth and to explore the interconnections in participants’ accounts between the key themes in a manner which would not have been possible with other research methods.

There are different kinds of interviews, all of which are likely to generate different kinds of data. The three main types of interviews available to researchers are; structured interviews, semi-structured interviews and unstructured interviews. Structured interviews are the most restrictive type of interview in which the researcher will ask the same predetermined questions to all participants. On the opposite end of the spectrum, unstructured interviews (or ‘informal’ interviews) are the least restrictive type of interview as the researcher does not follow an interview script and instead will ask questions which are relevant to the particular participant. Semi-structured interviews are a meeting point between the two extremes. Semi-structured interviews allow the researcher use of an ‘interview schedule’ (See Appendix Five) to guide the interview but this guide is not considered fixed and researchers are able to adapt questions to suit the individual and ask follow-up questions/probing questions when further information is required (Ryan and Bernard, 2000). Edwards and Holland explain that semi-structured interviews



'...allow much more space for interviewees to answer on their own terms than structured interviews but do provide some structure for comparison across interviewees in a study by covering the same topics, even in some instances using the same questions' (Edwards and Holland, 2013. p.29). The semi-structured approach was most appropriate for this research because it kept the conversation on track and ensured particular topics were addressed, but it also allowed participants more space to elaborate on their answers and to introduce new ideas. It provided me with the opportunity to ask necessary follow-up questions which were not included in the interview schedule but were important for helping me to answer my 'research puzzle' and for adding 'depth, detail, vividness, richness and nuance' (Rubin and Rubin, 2005. p.129) to the research. Recognising the uniqueness of each participant and treating them as 'conversational partners' (Rubin and Rubin, 2005. p.14) allowed a more natural flow to the discussions and meant that topics/themes were raised which otherwise might not have been identified.

I began the interviews by talking to participants about the nature of the research and answering any questions they had (see Appendix Five for full interview schedule). During this conversation participants usually provided an overview of what they planned to do with their inheritance and this information provided me with an idea of how to structure the remainder of the interview. My interview schedule was organised by theme – family (Which family members do you want to leave money to? Why? Why not others? Have you had any difficulties making these decisions?); charities (Why do you want to leave a gift to charity? Or Why not? Why did you choose these charities? Do your family know you are leaving this gift?); inheritance tax (What are your views on inheritance tax? Did considerations about inheritance tax influence your decision making?). I concluded the interviews by asking participants what their views were on testamentary freedom and whether they believed people should be able to decide what happened to their money and the extent to which they agreed or disagreed with this principle. As a more 'conversational' approach was used for the interviews, not all questions were asked of every participant and participants were often asked questions which were unique to their circumstances. It was difficult to anticipate in advance what participants

would talk about during the interviews and so new questions were generated and questions were altered throughout the data collection stage.

### **3.1.3 Joint couple interviews**

Joint couple interviewing is a method through which couples are interviewed together with the purpose of allowing the researcher to observe the ways in which decisions are jointly negotiated. From a social constructivist perspective, joint interviews are beneficial as they allow for the researcher to observe the ways in which interviewees co-construct their shared realities and the ways in which these realities are activated in the presence of the researcher. These interviews should be distinguished from individual interviews where there is a non-participating partner present in the room throughout the interview. These interviews raise different methodological and ethical issues which will be discussed separately.

Some interviews (see Appendix one for details) carried out for this research project were conducted as joint couple interviews. As in other research projects, joint interviews were not an original methodological decision of this research project but a spontaneous development. In most cases, the participants themselves made the decision to be interviewed with their partner without prior consultation with the researcher. This seemed natural and logical for married participants who shared wills and had made the decisions about how assets should be distributed together. Existing literature on joint couple interviewing evidences that it offers several advantages and limitations distinctive from individual interviewing, which necessitates its separate discussion. The benefits and limitations of using joint couple interviews both stem from the interaction between the participants.

A primary advantage of conducting joint interviews is that they encourage conversation and discussion between the couples leading to the production of accounts which may not have occurred if the participants had been interviewed individually. As Taylor and De Vocht wrote:

Joint interviews can result in particular insights that are not achievable in individual interviews because they provide a window into the couple's world of shared experiences and meanings (Taylor, 2011. p.1584).

Many of the participants interviewed in this research project expressed a desire to update their wills in the near future. Conducting the interviews with the couple therefore provided them with the opportunity to discuss how they would like their assets to be distributed with one another. On occasion the interview brought up a topic the couple may not have previously considered and this encouraged participants to openly discuss the new subject area. As well as being a beneficial experience for the interviewees this also helped to produce rich, in-depth data as the way in which participants went about the negotiation process with one another could be witnessed. This would not have been possible if data had only been collected through individual interviews. Joint interviews also allow interviewees to prompt one another and fill gaps in each other's memories (Seymour, Dix and Eardley 1995), contributing to more complete data.

A criticism of this data collection method is that one dominant partner will restrict the voice of the other and dominate the discussion. As a consequence of this, only partial data will be collected. This was however not the experience in this research. This is not to say that instances where one partner would speak on behalf of the other did not occur but that there are multiple examples in my data of disagreements and discussions between couples. Witnessing the process couples underwent to attempt to negotiate their positions provided rich data about how decisions are reached within the couple. It also re-affirmed the difficulties that can arise when people attempt to balance their perceived obligations towards family, charities and the State. Inheritance planning is for many not a straightforward decision and the disagreements and discussion between participants demonstrate this.

For many of the participants, the decision about how to distribute their assets had already been made prior to the interview taking place. As partners often attempted to demonstrate that decisions had been made jointly they often

would not disclose if one partner had been a driving force in making certain decisions, observing which partner spoke most extensively about a topic provided insight into who might have made that particular decision. As Seymour, Dix and Eardley (1995. p.16) explain 'lack of awareness by one or other partner of particular issues may itself be a valuable observation'.

Another limitation of couple interviews is that participants are likely to be more aware of the public nature of their storytelling. This could lead to participants omitting certain information or only disclosing half-truths. There could be several reasons for this. Participants may want to present themselves as a 'normal, united couple' (Radcliffe et al, 2013) to the researcher. Interviewees are aware that the researcher has carried out similar interviews with other couples and are potentially conscious of presenting themselves, as a couple. in a manner which is considered 'normal' - this desire to be perceived as 'normal' can lead to participants avoiding topics which could cause confrontation. This was particularly evident in this research project as wills are not a commonly discussed topic, participants regularly asked me whether what they were telling me was normal and what other people did.

This follows on to another reason for participants omitting certain information or only disclosing half-truths in joint-interviews - they may not want to cause conflict between each other by disagreeing with the other or they might withhold information they feel might cause distress or upset to their partner. Eisikovits and Koren (2010) in their study of couple hood in old age observed that some things are not voiced in a joint interview which would usually be addressed in an individual interview. Topics which had the potential to cause upset or concern for their partner were left unsaid in joint interviews.

The primary focus of this research project is to explore the ways in which people discuss and negotiate the potential dilemmas of leaving an inheritance. The ways in which interviewees negotiate and renegotiate joint decisions and the way in which they produce shared narratives offers an extra layer of depth to the research which would not have been possible if only individual interviews had been carried out. My intention here is not to argue that joint

couple interviews are better or worse than individual interviews but to acknowledge that the data collected from these interviews is qualitatively different and raise their own set of methodological and analytical questions.

Joint-couple interviews present an ethical concern that they could cause couples to argue. It was therefore important to ensure that existing relationships were not jeopardized (Voltelen, Konradren and Ostergaard, 2017). There were instances in the data of participants disagreeing with each other and arguments occurring. I needed to be aware of how these arguments had the potential to continue beyond the interview. Participants were given information in advance about what the interviews would involve, they were also able to decide whether or not they would like the interview to be carried out together or apart. It should be noted that as many of the participants wrote their wills jointly that disagreements are natural, my concern was to avoid situations where arguments could have long-term effects on the participants relationships.

### **3.1.4 Sampling and participant recruitment**

Twenty-two people willing to discuss their experience of leaving an inheritance were interviewed. A purposive sampling technique was used to recruit these participants. At the beginning of the participant recruitment process, I had a loose idea of the types of people that I wanted to interview. I planned to interview people over the age of 50, who owned their own homes and were engaged with civil society in some way. My reasons for these selections are because I was keen to interview people who may have already started considering their inheritance. The literature review has shown that people over the age of 50 are far more likely to have thought about what they would like to happen to their money after they have passed away, than those under the age of 50 (Rowlingson and McKay 2005) and it therefore made sense to limit my discussions to those over age 50. People who owned their own homes were chosen because I was interested in speaking with those who have something of value to leave as the dilemmas were more likely to be present in their accounts and they are more likely to have considered what they would like to

happen to their assets. People who were engaged with civil society in some way were chosen because the literature has shown that most people choose to leave all of their money to their family and I was interested in talking with people who might also be considering leaving money to people outside of their families. Although I kept these characteristics in mind, they were not shared with participants and no potential participants were rejected from the research because they did not 'fit' with the criteria. The purpose of the criteria was simply to help me to decide which groups and organisations should be contacted to recruit participants through, rather than to restrict research participants.

To access interviewees, I contacted a wide range of community organisations across south Wales, which were aimed towards people in later life, to enquire whether I would be able to attend their meetings to recruit research participants. The role of 'gatekeepers' in accessing research participants has been explored extensively in social science research. Andoh-Arthur writes that '...a researcher can improve the odds in his or her favour if he or she first understands that gatekeepers, before allowing access, need to be convinced of the credibility of the researcher and the value of the research' (2019, p.4). Considering the nature of the research I made sure that I explained to the gatekeepers the purpose of the research, what data would be collected and how this data would be used. Despite this, gaining access to groups was difficult – many did not respond, and others responded to tell me that it would not be possible for me to attend. I can speculate that organisers may have been concerned about the nature of the research and my intentions, however, reasons were never provided.

The groups I gained access to were University of the Third Age (U3A) groups, community groups, lunch clubs and a family history society. These were all large groups with between 50-70 members, predominantly aged 50+. At most of the group events, I was given the opportunity to introduce myself and my research. Following this short presentation, I distributed an information sheet (see Appendix Three) to all members of the group. This information sheet included details about the research project, what happens if they agreed to

take part, the advantages of taking part and how to get in touch with me if they were willing to participate. Distributing the information sheets was also an opportunity for me to chat with some of the people who had an interest in participating, to answer questions, and to address any concerns they may have.

Recruiting participants was difficult. Although the groups I was attending had large memberships, only one or two people at each group expressed interest in participating. Far more people showed a willingness to talk to me in these meetings than were willing to participate in the interviews. However, the conversations I had with people during the meetings were useful for understanding the issues that were most important to people when they considered the topic of inheritance, such as personal items, disinheritance and care in old age. These discussions also helped me to understand the reasons why many people were hesitant to participate in the research. Several people told me they did not want to talk to me, others told me they had nothing to leave and some told me that they were leaving it all to their children and had nothing more to say. People mentioned the research was invasive and ‘none of your business’, others were suspicious of my motives. This was unsurprising considering the literature shows that discussions about wealth and death are often considered ‘taboo’ (See 2.5.1 and 3.2.4). Those that expressed interest were often people with backgrounds in higher education or those that had previously participated in research projects. They had more of an understanding about what the intentions of the project were, however, this does mean there are a disproportionate number of people working in the education sector in my sample. Several of the interviewees helped to connect me with their friends that they believed would be happy to participate in the research project. This snowballing method was useful for overcoming one of the biggest recruitment difficulties, which was that participants did not trust me to share their private information.

**Table 3.1: Table of participants**

Name	Age	Occupation before retirement	Public/Private/Third Sector	Marital Status	Number of Children	Leaving a gift to charity	Inheritance Tax
Mr Davies	72	Sales and marketing director & landlord	Private	Married	0	Maybe	Yes
Mrs Davies	54	Ran clubs teaching French and Spanish to children. Full-time carer for husband	Private	Married	0	No	Yes
Ms Driscoll	80	School teacher	Public	Single, never-married	0	Yes	Yes
Mrs Evans	76	Specialist typist	Private	Married	3	No	No
Mr Griffiths	80s	Headteacher	Public	Married	3	No	Unsure
Mrs Griffiths	77	Teacher	Public	Married	3	No	Unsure
Mr Harris	67	Civil Engineer	Private	Married, second-marriage	2 (+2)	Maybe	No
Mrs Harris	67	Teaching English to foreign adults	Private	Married, second-marriage.	2 (+2)	No	No
Mr Johnson	68	Project manager in the construction industry	Private	Widowed. Lives with current partner.	0	Yes	Yes
Mr Lewis	72	University lecturer	Public	Married	3	Yes	No
Mrs Lewis	77	NHS administrator	Public	Married	3	Yes	No
Mr Lloyd	58	Freelance consultant to third sector organisations (not retired)	Third Sector	Married	0	Yes	No
Mr Phillips	75	Chemist	Third Sector	Married	3	No	No
Mrs Phillips	71	Supply Teacher	Public	Married	3	No	No
Mr Roberts	74	University Demographer	Public	Married	3	No	Unsure
Mrs Roberts	72	Social Worker	Public	Married	3	Maybe	Unsure
Mr Thomas	72	Headmaster at roman catholic boarding school	Private	Married	2	Maybe	No
Mrs Thomas	75	Matron at roman catholic boarding school	Private	Married	2	Maybe	No
Mr Wood	71	Government	Public	Married	3	Yes	Unsure
Mrs Wood	68	Adult Learning - University	Public	Married	3	Yes	Unsure
Ms Walker	80s	Consultant chemist at the Tenovus Institute	Third Sector	Widowed	0	Yes	Yes
Ms Wright	78	Civil servant – job centre.	Public	Divorced	3	No	No



The difficulties I experienced in acquiring participants meant that my sample is limited. Participants are all white in ethnicity and those who were in relationships at the time of interviewing were all in heterosexual relationships. The lack of diversity in my sample means it is impossible to make comparisons between groups. There is also little to no existing literature exploring the impact of age, race, sexuality, religion and gender on inheritance attitudes. This is a huge gap in the knowledge and something that should be explored in future research (see 8.3 for further discussion).

A summary of my participants is provided in table 3.1 and further information on the participants is also provided in Appendix One (participant biographies and inheritance maps) and Appendix Two (a table of participants inheritance decisions).

The research sample includes both men and women. The sample also includes a wide range of ages with the youngest participant being 54, whilst the oldest are in their 80s. The sample includes both married and unmarried participants – some are divorced, others are widowed, and one has never married. Most of the participants have children, with three children being the most common amount, but there are also six participants who do not have children. Although many of the participants have previously worked in education, the participants have a wide range of occupational backgrounds and table 3.1 contains information about their occupational backgrounds as well as an additional column which notes whether they were worked in the private, public or third sector. This is interesting information to consider when reflecting upon the inheritance decisions and dilemmas of each of the participants. The table also includes columns which include whether a participant plans to leave a charitable bequest and whether or not they believe they will have to pay inheritance tax. Each of the participants were directly asked during their interviews whether they believed they would be required to pay inheritance tax – as well as being relevant to the research, this was also a way of gaining an understanding of the amounts of money the participants have to leave. Although all the participants owned their own homes, the amounts they had to leave differed and some participants had much more to

leave than others. Although I chose not to ask for specific amounts, some of the participants chose to disclose this information. It was also possible to make guesses based on the size and location of the participants home and from other information they provided during their interviews regarding general wealth.

Table 3.1 also draws a distinction between the fourteen participants who were interviewed as couples and the eight that were interviewed on their own. Where both husbands and wives have been interviewed (indicated in table 3.1 with matching surnames), all were interviewed as joint interviews, apart from Mr and Mrs Lewis who asked to be interviewed separately.

### **3.1.5 Supplementary interviews: Solicitors and charitable organisations**

As well as the interviews carried out with people willing to discuss their experiences of leaving an inheritance, three interviews were undertaken with private client solicitors who had practised wills, trust and probate law, as well as ten interviews with a variety of different charitable organisations. Although the data from these interviews will not be included in the findings of this research (as it falls outside the scope of this thesis which focuses on the dilemmas of testators) it is important to include some discussion of how these interviews helped to provide grounding for the interviews with the testators. The interviews with solicitors were particularly beneficial for gaining an understanding of the types of dilemmas that people encounter when writing their will and the involvement of the solicitor in assisting them to overcome these dilemmas. These interviews helped me to gain some insight into, and therefore better prepare for, the interviews with testators. The charity fundraisers spoke about the importance of legacy gifts, how they prompted charitable bequests and the concerns they had about the sensitivities of this type of charitable gift. Most of the charities I met with had created specific roles for 'legacy fundraisers' as they recognised the different, and far more sensitive, approach that needed to be adopted when fundraising legacy bequests compared to their usual lifetime fundraising. These interviews

provided useful insights into the people and organisations that can contribute to the decision-making process and helped me to develop many of the interview questions that were asked of the testators (see Appendix Five).

## **3.2 Conducting interviews: practical and ethical considerations**

### **3.2.1 The research location**

The fieldwork for this research was carried out in south Wales, predominantly in two areas – the city of Cardiff and a coastal town. The location of the fieldwork is important for contextualising the decisions and dilemmas of participants and some discussion of the current economic climate of south Wales is therefore necessary. In order to do this, I will draw upon data which presents average house prices and inheritance tax charges. It is important to note that the material circumstances of most of my participants will be above the Wales average, however, this information is still relevant for understanding the contexts in which the participants' decisions are made.

Data released by the HMRC, which reports the regional differences in inheritance tax charges across the UK, shows that Wales (£133,500 average), as well as the North East of England (£146,800 average) and Northern Ireland (£152,200 average), are the areas have the lowest inheritance tax charges. London and the South East of England have the highest inheritance tax charges (£245,000 average) and these regions account for 45% of the 'total inheritance tax charged across the UK' (HMRC(a) 2018 p.5). A regional breakdown of the total UK inheritance tax charges is provided in Table 3.2. This table, taken from HMRC data, shows the number of estates subject to an inheritance tax charge in 2018, as well as the total amount of these inheritance tax charges.

**Table 3.2: Inheritance tax by region (HMRC 2018(b))**

<b>Government Office or Region</b>	<b>Number (Actual)</b>	<b>Amount (£m)</b>
North East England	361	53
North West England	1,490	244
Yorkshire and Humber (England)	1,050	176
East Midlands (England)	1,050	190
West Midlands (England)	1,350	222
East of England	2,660	488
London (England)	4,360	1,070
South East England	5,230	1,100
South West England	2,570	473
Wales	674	90
Scotland	1,280	231
Northern Ireland	230	35

Table 3.2 shows that in 2018, 674 estates in Wales (amounting to £90m) were subject to inheritance tax, compared to 4,360 in London (amounting to £1.7b) and 5,230 in South East of England (amounting to 1.1b). Of course, population numbers will also impact these statistics, with some areas having far greater population numbers than others. Additional data from the HMRC shows a variation in the number of people who pay inheritance tax across Wales. In 2018, 108 people paid inheritance tax in Cardiff and Vale of Glamorgan and 48 people paid inheritance tax in Bridgend and Neath Port Talbot (the areas in which the interviews were undertaken). Table 3.3 shows the distribution of these cases across regions. In some regions, mostly those characterised by the highest levels of deprivation, no inheritance tax was paid.

The report suggests that these disparities in inheritance tax charges could be attributed to the differing house prices in these areas. As shown in my literature review the increase in the amounts people have to leave as an inheritance have been attributed to the increase in home ownership and property values (see. 2.1). A review of house prices across the UK reinforces this. The UK House Price Index (Gov. UK 2018) shows that in April 2018 (the time the fieldwork was undertaken) the average property in the UK was valued at £226,906. The figure in London was significantly higher, with the average property being valued at £484,584. During this same period, the average price of a property in Wales was £156,495 – an amount which is much lower than

the UK average and significantly lower than the London average. However, the average value of a house in the city of Cardiff is higher than the national average. Data from the Principality Building Society (2018) records the average price of a property in Cardiff being listed as £228,854.

**Table 3.3: Inheritance tax by region (HMRC 2018(c))**

	<b>Number (Actual)</b>	<b>Amount (£m)</b>
Bridgend and Neath Port Talbot	48	4
Cardiff and Vale of Glamorgan	108	15
Central Valleys	.. <sup>3</sup>	..
Conwy and Denbighshire	54	6
Flintshire and Wrexham	32	5
Gwent Valleys	..	..
Gwynedd	46	5
Isle of Anglesey	..	..
Monmouthshire and Newport	60	7
Powys	51	8
South West Wales	105	15
Swansea	67	12
TOTAL	674	90

Whether or not a testator's estate is subject to an inheritance tax charge does not demonstrate their ability to leave an inheritance. As has been discussed briefly in Chapter Two and will be explored in more detail in Chapter Seven, the amount of money a person must own before they pay inheritance tax is £325,000 for single people and up to £1,000,000 for couples (GOV.UK 2021). As the average house price in Wales is £156,495 (2018 figures) the amount that a person would need to have in savings or other assets would need to be significantly more in order to levy the inheritance tax charge, than a person in London where the average price of a property is £484,584 – an amount that is already greater than the inheritance tax threshold for a single person.

<sup>3</sup> .. Figures not available due to small sample size.

### 3.2.2 The interview sites

As suggested by Elmir et al (2011), the decision of where to conduct the interview was left to the participant. This is because I wanted to ensure they were comfortable with the location and that it was a convenient for them. I recognised that as an interviewer I was the 'taker' whilst the participant was the 'giver' and consequently I had to be 'willing to adapt to the preferences of the participants' (Herzog, 2005. p.27). All of the participants willing to discuss their experiences of leaving an inheritance chose to be interviewed in their own homes, apart from two interviews (Ms Wright, and Mr and Mrs Griffiths) who chose a café as the interview site. The impacts of these interview sites on the research will be considered below.

Conducting interviews in 'public' spaces, such as offices and cafes meant that risks to me as a lone researcher were minimised. Although cafes were 'safe sites' to undertake an interview, the noise level often became problematic and sometimes it was difficult to hear what the participants were saying. The audio recording equipment also failed to be of much assistance here as there was often a large amount of 'background noise'. I met with Ms Wright in the café of a community center. It was a very busy open plan building with communal tables. This meant that we often had other people sitting next to us during the interview. This caused problems not only for the audio-recorder but also for my own concentration during the interview as other conversations were occurring so nearby.

Interviewing participants in their own homes helps them to feel more relaxed and less vulnerable (Dickinson-Swift et al, 2008). In writing about the advantages and disadvantages of various interview sites, Herzog wrote that, 'interviews dealing with highly emotional, sensitive or private issues, are best conducted in the home of the participant since such a setting offers a sense of intimacy and friendliness' (2005, p.27). By conducting interviews in the homes of the participants they were also able to use personal items to help illustrate their stories. During the interviews, participants showed me their wills, pictures of family members and some showed me particular items that they had been

talking about. This would not have been possible if the interviews had taken place elsewhere. Allowing the interview to take place in a space familiar to them provided the participants with a sense of control over the interview.

A shortcoming of conducting the interviews in people's homes was that sometimes people were present who were not part of the interviews and this had an impact on the information that participants were willing to share and how they shared it. The interview with Mrs Evans took place in her conservatory. Her husband answered the door, introduced himself and led me to their conservatory where Mrs Evans was waiting. Her husband made it clear that he did not want to participate in the interview, however, he stayed in the room for the duration of the interview. Occasionally he joined in with the conversation and answered questions before Mrs Evans had the opportunity to. At one point the husband said, 'well we haven't told you everything anyway. There's some things we don't want to tell you' which gave me the impression that his decision to stay in the room was because he wanted to monitor what Mrs Evans was telling me. In two other interviews (the interview with Mr Johnson and the interview with Mr and Mrs Thomas) there were family members present in the home but not in the same room. In both of these instances the participants spoke in whispers when disclosing information relevant to those family members. Mr and Mrs Thomas were worried about leaving their son money because he suffered from mental health problems and they were concerned about his ability to manage it. They explained that they did not want to talk about this in any depth as there was a risk that he might hear them.

Pets were also present during many of the interviews. In most cases, they provided comfort to their owners during the interviews. They also acted as a good icebreaker when first meeting many of the participants. Showing my mutual affection for animals helped some of the participants to 'soften' towards me more quickly. Only in one interview did the presence of pets become problematic. In the interview with Mr and Mrs Wood they originally took me into their dining room to carry out the interview, however, their two young dogs continued to bark loudly throughout the interview which eventually led to Mr

Wood suggesting that we use a different room to carry out the interview. Being in a different room from the dogs was an obvious concern for Mrs Wood and she repeatedly asked her husband whether they were ok and what they were doing. She went to check on them several times and towards the end of the interview she left the room for a long period of time to feed the dogs.

Carrying out interviews as a lone researcher in participants' homes presented particular risks and challenges that I needed to be aware of. To minimise risks during these interviews, the University lone-researcher policies were followed. This involved notifying colleagues of my whereabouts and informing them once I had safely left the interview site. Once I entered a participant's home, the conditions of the interview (such as where the interview would take place, seating arrangements, lighting etc) were out of my control. For example, the interview with Mr and Mrs Davies took place in their living room. When I entered the room all the curtains were closed, and the lights were turned off. As the interview took place during the day, enough light was showing through the curtains that we were able to see one another but the conditions were still not ideal. Although handing control of the interview environment over to the participants can help to equalise the power imbalances of the interview setting, it also led to a feeling of vulnerability on my part.

### **3.2.3 Consent and anonymity**

It was imperative participants were made aware of what the research was going to require them to discuss prior to them agreeing to participate. This ensured participants would be willing to discuss their experiences of the subject matter. Informed consent was sought from all participants prior to their participation in the research. Participants were provided with information about what would happen during the interviews and how their data would be used and were also notified of their right to withdraw from the research at any time (See Appendix Three and Appendix Four.). The names of participants have been changed to protect their identities. The pseudonyms were selected based on common surnames.



### 3.2.4 Uncomfortable conversations

Knowing that the interviews were going to touch on sensitive topics such as death, family conflict and finances, before beginning the research I was aware that it would require the participants to open up about subjects they may not usually feel comfortable talking about with their closest relationships, let alone a complete stranger. There is no definitive definition as to what constitutes sensitive research however a generally accepted definition is that provided by Raymond Lee, who defines sensitive research as research which addresses topics which are 'laden with emotion or which inspire feelings of awe or dread' (1993, p.6). Lee (1993) suggests any research which intrudes into the private sphere has the potential to be considered sensitive research. This, he argues, is because research which does this has the potential to cause stress to the participant as it is often emotionally charged. Dempsey et al (2016) have expanded on this definition provided by Lee adding that sensitive research carries the risk of causing harm to the participants 'and evoking emotional responses such as sadness, anger, anxiety and fear' (p.480). Research will also be considered sensitive if there is a possibility of it causing distress or harm to the researcher. But existing research also shows that just because research is not considered to be sensitive by one participant does not mean all participants will experience the research in the same way (Dickinson-Swift et al, 2008). This necessitates flexibility on the part of the interviewer to ensure all interviews are appropriately managed. In order to prevent any distress to participants I needed to remain attentive to the participants' emotions throughout the interviews and adjust my questions based on each individual.

Some participants did demonstrate some degree of distress during the interviews when discussing particular topics (and I have shown in the findings chapters when this occurred). For example, Ms Walker and Mrs Thomas both became visibly upset during their interviews when talking about the death of close family members. To avoid causing unnecessary distress to the participants I did not question them further on these topics but allowed them to disclose only the information that they chose to. I also moved the

conversation forward to lighter topics (such as to discuss charities) when this seemed appropriate.

Many of the participants, however, dealt with the uncomfortableness of some of the conversations in a different way – by using humour. Humour was often present in participants' narratives when they spoke about death and dying. This is likely because death is a taboo subject (Gorer 1965) which most people aren't used to talking about. Humour is a tried and tested method for making difficult topics easier to discuss and of relieving tension. Crawley wrote that humour 'neutralises and thus makes bearable, feelings of danger and the fear of death' (2004 p.17). Through laughter and joking 'emotional experiences which are hard to express verbally are made collective, and communicative, cognitive and emotional dissonances are lifted and reality is restored' (Zijderveld, 1983. p.121).

Like death, people are often also hesitant to discuss their wealth (see Chapter Two 2.5.2). Conversations about money are a social taboo with people often worried that talking about their wealth will be perceived as 'bragging' or 'showing off' (Sherman 2017). As mentioned previously the decision was made to not ask for exact numbers and instead, I asked for percentages or proportions rather than specific sums. This left the decision to the participant as to whether or not they wanted to share this information. Although some of the participants did provide exact figures during their interviews, most of the participants did not. Instead of disclosing exact amounts, several of the wealthier participants made vague statements about their wealth, without actually disclosing it. For example, participants made comments such as 'we have more than enough', 'we have been very lucky with money' and 'our children have had many benefits from being our children'. In these instances, it seemed the participants were trying to convey that they were 'well-off' without stating this outright. Interestingly, more participants seemed happy to disclose the rough estimates of the value of their homes than their overall savings. It is possible this is because the interviews were undertaken in the participants' homes then they were aware that I was able to see the

size/location of their homes. The value of their homes would also be publicly available.

During the interviews I was struck by how many of the participants were keen to present themselves as being 'financially normal', rather than 'well-off'. This may, of course, be because they do see themselves as 'financially normal' or because they are comparing themselves to people who are wealthier. For some of my participants there seemed to be an uncomfortableness around their wealth conflicting with their political values. Participants who were more concerned about wealth inequalities, for example, were more likely to talk down their own wealth than participants who were less concerned. Participants working in private sectors or those who considered themselves as being 'self-made' were more likely to disclose their wealth than those working in the public or third sectors.

Wealth provides the owner with a particular degree of power (Simmel 2004) and it was this power and responsibility that seemed to make some of my wealthier participants uncomfortable. Although they were aware of the benefits of their wealth, many of the accounts show they had concerns about the effects that their inheritance decisions may have on their family, society and on their own identities. Several of the wealthier participants in my sample made comments about the complicated and burdensome nature of the inheritance decision-making process.

The 'uncomfortable conversations' of discussing taboo subjects (see. 2.5.1) also seemed to be softened by my role as 'outsider' or 'stranger' (Simmel 1950) which seemed to make it easier for my participants to discuss these sensitive topics with me. It appeared during the interviews that, as a researcher, I was viewed by the interviewees as being a non-emotional, non-judgemental third-party with whom they could discuss a sensitive topic in an objective manner. Simmel writes about the social role of 'the stranger' is a person who is characterised by both 'nearness and remoteness' (Simmel 1950 p.403). The stranger 'comes today and stays tomorrow' (Simmel 1950 p.403). Simmel writes that:

Another expression of this constellation lies in the objectivity of the stranger. He is not radically committed to the unique ingredients and peculiar tendencies of the group, and therefore approaches them with the specific attitude of 'objectivity'. But objectivity does not simply involve passivity and detachment; it is a particular structure composed of distance and nearness, indifference and involvement... This is the fact that he often receives the most surprising openness – confidences which sometimes have the character of a confessional and which would be carefully withheld from a more closely related person. (Simmel 1950 p.404)

The length of many of the interviews, in most of which the interviewees spoke very freely with little intervention/questioning required on my part, shows that this is a topic that many of my interviewees wanted to discuss with someone. They had thought about the topic, sometimes in great detail, but rarely had the opportunity to share these ideas with others. Many of the participants mentioned during their interviews that they had not spoken to family members about their decisions because they were worried about upsetting them. The interviews gave them permission to share their thoughts on this topic to an objective third-party. The benefits of adopting the social role of 'stranger' Maccoby and Maccoby write are that:

It is common knowledge among research workers using the interview that under proper conditions people will talk to an interviewer who is a complete stranger more freely than they would to a personal friend or fellow-worker. The interviewer's detachment from the respondent's real-life situation is an important asset, and in most studies this role must be played in such a way as to maintain detachment. (Maccoby and Maccoby. 1954, p.463)

As well as being an 'outsider', there were other factors which I believe helped to build the trust of the research participants and encouraged them to have these 'uncomfortable conversations' with me. The first is that I benefitted from

my role as 'student', as previously discussed (see. 3.1.4) many of my interviewees worked in education and explained that they wanted to help me to gain the qualification. The second is that many of the participants responded positively when they learnt of my legal background. This helped them to 'make sense' of the research and my role as researcher. The consequence of this, however, was that some participants asked me a number of legal questions (for example, I was asked questions about Grant of Probate, Power of Attorney and executors) during their interviews as if I were a solicitor. It was therefore important for me to reiterate to the interviewees that I was not able to provide them with legal advice.

Despite the uncomfortableness of the conversations many of the participants said that they enjoyed the interview because it allowed them to 'think out loud' about a subject that they were often reluctant to talk about. The interviews had allowed them to start the conversation with not only their partners but with others around them.

### **3.3 Managing the data**

#### **3.3.1 Recording the data**

Conducting interviews meant I had to make decisions about how to 'record' the data (Tessier, 2012). The most common way of recording interview data is by using an electronic recording device because the conversation can be captured in full and transcribed verbatim (Back, 2010. Tessier, 2012.). The precise wording of participants can be analysed and meaning is less likely to be lost. Using audio-recording devices also means that the researcher can be more present during the interview as they are not worrying about trying to write down everything that is said. The 'unlimited replayability' (Tessier, 2012. p.449) of audio recordings means the researcher does not have to rely on their memory and can revisit the data as many times as needed which allows for a deeper analysis. Les Back (2010) warns against the over-reliance on the tape-recorder, arguing that it has 'limited our attentiveness to the world' (p.14). He writes:

The tacit belief that the researcher needed merely to attend to what was said has limited the forms of empirical documentation. As a result, the technological capacity to record voices accurately mean that researchers became less observant, less involved and this minimized their attentiveness to the social world. (p.23-24)

Important data can often be lost in audio-recordings. To attempt to fill in the gaps of the audio data I also kept fieldnotes during (and immediately after) the interviews. Keeping fieldnotes meant I was able to record emotions and also my thoughts during the interviews. The fieldnotes data were also valuable for recording the conversations that occurred before and after the conversation was being recorded. There were many instances where participants disclosed valuable information as I was leaving their homes. Several participants offered me tours of their homes, where they showed me particular belongings that they had inherited or would like certain family members to inherit. I recorded all of this information in my fieldnotes.

### **3.3.2 Data coding and analysis**

Data analysis begins during the interviews (Tarabonorrelli, 1993 in Seymour, Dix and Eardley, 1995) as significant themes, patterns of thinking, consistencies and inconsistencies between interviews were recorded in my fieldnotes (Marshall and Rossman, 1995). These early observations were used to help inform and shape the more formal data analysis that occurred later in the process. Following the interviews, I undertook what O'Connor and Gibson (2003, p.64) calls 'getting to know your data' by listening to the audio-recordings, transcribing the data and reading the transcriptions. Listening to the audio-recordings whilst simultaneously checking the transcriptions helped to deepen my understanding of the data and to ensure that appropriate emotions or verbal cues showing how a person was feeling (strong emotions such as distress, upset, or laughter and joking were of particular importance to show the meaning of what the interviewee was saying) were recorded in the written transcript.

To assist with my data analysis and to 'see' the data in a different way, I used the interview data to develop 'family bequest maps' (see Appendix One). I developed these maps during the early data analysis stages when re-listening to the audio recordings of the data. The purpose of these maps was to create a visual representation of the data on family bequests. Although I would have also liked to include charitable bequests in the data, I was unable to do so in a satisfactory manner and therefore the maps only represent family bequests. These maps were used to create a visual guide of participants' families and to record which family members they did, and didn't, want to leave a bequest to. It is important to note these maps only represent the family members that participants mentioned during their interviews and may not accurately represent their 'true' family trees.

Once I had familiarised myself with the data, I then began to code the data thematically. I began with the themes I had identified early on in the research, but more themes were added, and certain themes were split into sub-categories as I worked through the data. Due to the flexibility that manual coding offers, much of the coding was done this way. However, QDAS software NVivo was also used to support my analysis and to undertake additional analysis that would be too time-consuming to perform manually. Once the data had been appropriately coded, I then reorganised the data into codes so the accounts of different participants could be compared and contrasted. This also allowed me to see which beliefs and lines of thinking were most (or least) common amongst the participants.

The joint-couple interviews required more consideration when undertaking my analysis and whether the accounts should be considered as individual or joint accounts. Research by Seymour, Dix and Eardley (1995) on joint-couple interviews provided some guidance on this, they write that:

We have to disaggregate the experiences of the individuals as a couple, identifying two potential sets of roles and two points of view. From there we may wish to examine how these views are combined to produce the 'totality' which represents the relationship. This process will involve considering two sets of perspectives, but it is also important to think about the way they interact with one another. (Seymour, Dix and Eardley 1995, p.5)

Therefore, the participants' decisions are considered on an individual basis (as participants often presented conflicting views from their partners) but the discussions between participants and how they negotiate and explore topics with one another will also be recorded and analysed.

### **3.4 Concluding points**

This chapter has introduced the reader to the methodological decisions that were made when undertaking the research to show the choices have been guided by the research questions. The lack of existing sociological research on inheritance decisions and dilemmas (see Chapter Two for a review of existing literature) means that my research questions aim to explore the subject area in order to allow the narratives of the participants to decide the significant themes and avenues of enquiry. In-depth interviews were the best methodological choice for this because they allow for unrestricted conversations between the interviewer and participants, which enable the full exploration of the unique experience of each participant. Using a loose interview guide (see Appendix Five), however, enabled me to steer the discussion to ensure that participants still addressed the same broad topics. This was essential for full understanding of the different dilemmas associated with each claim and to allow for the comparisons to be made between different accounts.

The methodological choices made in order to conduct this research project, particularly concerning participants sampling and recruitment, have meant there are limitations to the research. These limitations are explored more extensively in the conclusions (see 8.3), however, it is important to make these



limitations clear from the outset of the research. The difficulties in recruiting participants (outlined in 3.1.4) means that my sample is lacking in diversity and because of this, this research is unable to reflect upon whether inheritance decisions may vary depending on ethnicity, religion, class and sexuality. The purpose of this research project is to be an exploratory enquiry into the subject of inheritance decisions and dilemmas and future research should be conducted to understand how the decisions and dilemmas may vary depending on the above characteristics.

# Chapter Four

## Thinking About Legacy

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Although the precise details of participants' considerations will not be explored here, as these details will be explored over the next three chapters, this chapter unravels the *process* that participants went through when thinking about their inheritance. This is the 'social work' that participants undertook in their own homes, with one another, before entering the solicitor's office. Understanding how decisions are made is important for understanding why decisions are made. The purpose of this chapter is to 'set the scene' of the decision-making process and to offer some insight into why the inheritance decisions, explored over the next three chapters, are so often convoluted and paradoxical. The process of deciding what to do with their money was never a neat, rational and straightforward one but was often clouded by emotion, doubt and uncertainty. Decisions were negotiated and re-negotiated, even if their wills were not being updated to reflect this.

This chapter will begin with a discussion of how participants approach the act of will-writing and the decisions and dilemmas that arise when they begin the process (4.1). This section aims to introduce the temporally-fluid nature of inheritance decisions to show the ways in which decisions are often pieced together over a period of time. Inheritance decisions are rarely fixed but are instead ongoing negotiations which are reflective of the individual life experiences and circumstances of the testator. This chapter will then explore the emotive aspect of inheritance by discussing participants' worries about what would happen to their material possessions after they have passed away and how these discussions related to the ambivalent meanings attached to money transfers (4.2). This chapter will then discuss the different actors involved in the decision-making process, partners and family members, and how these actors influence decisions (4.3). These discussions are important

throughout this research as the data repeatedly show the influences of others on decisions.

#### **4.1 Decisions and dilemmas**

On March 27 1977, two planes collided on the runway of Tenerife North Airport resulting in the deaths of 583 people. Mr and Mrs Lewis (now aged 72 and 77) were waiting to board their plane when the crash happened. The experience made them reflect upon their deaths and legacies - so they wrote their first wills. Although this is an extreme example in the data, significant life-course events (births, deaths, illness, marriage, divorce and re-marriage) often prompted the writing and re-writing of wills.

Apart from during these tumultuous periods of the life course, wills are mostly forgotten about or ignored. Buried deep in cupboard drawers or lost on computer hard drives, they have not been updated for decades and their owners often cannot recollect their contents. Mr Thomas, who could not remember when his will had been written but knew it was a very long time ago, told me during his interview that he and his wife 'had already spent more time thinking about the subject in the last twenty minutes than we have in the last twenty years.' Mr Thomas is one of the many participants who has given little thought to his will after it was first written. A reoccurring sentiment during most of the interviews was that they needed to 'get around to' changing their will. Most of the participants with children explained they wrote their wills when their children were young and so their wills now include information that is no longer relevant. This does not mean their ideas about who they want to include in their wills remain the same. Many have different ideas about which family members and charities they want to include and have changed their minds about the amounts of money beneficiaries should receive. Although their circumstances have changed, these new circumstances are not reflected in their wills.

Not all participants are as complacent about their wills. Ms Driscoll is 80 years old, she lives alone in a large house by the sea and has very few close

biological ties - she is an only child, has never been married and has no children. Despite this, she has developed strong relationships with some of her second cousins and considers them her family. Having spent most of her life working as a schoolteacher, Ms Driscoll had a naturally authoritarian manner which carried over into the interview ('Get on with it then', 'ask your questions', 'next question') and her social relationships. She repeated throughout her interview how important it was for her to control precisely what would happen to her assets and belongings once she passed away. This can be seen in the data excerpt below:

Interviewer: Do you have a broad idea of how you would like to pass on your money?

Ms Driscoll: Oh yes. Not broad, very specific.

Interviewer: Specific, brilliant. Would you mind telling me a little bit about that?

Ms Driscoll: Well I want to control it as much as I possibly can, which is not completely possible but, yes. [pause]

Interviewer: So, would you mind telling me a little bit about who you would like to include in your will?

Ms Driscoll: I'm not going to be specific with you...

(Ms Driscoll, 80, single, no children, interviewed alone)

This need to maintain precise control over her will means that Ms Driscoll, as she later explained, alters her will to reflect her changing opinions of particular family members. Although she refused to provide any details, she explained that she had removed particular family members after having arguments and had re-included them once they had resolved the arguments. She laughed as she told me:

[My will] changes as people in the family change. I'm going to be one of those elderly people who is always changing their will because somebody in the family has upset them [laughter]. I've always been aware of this and I think now I'm getting to that position myself.

Circumstances change in families... but I will dish it out like smarties as I choose.

(Ms Driscoll, 80, single, no children, interviewed alone)

As explored further in Chapter 5, how money is spent is important to Ms Driscoll, wastefulness goes against the values she holds about how money should be spent and saved. Ensuring her money will be distributed carefully and deliberately is a continuation of how Ms Driscoll approaches money in her everyday life. That money would not be spent as carefully and deliberately by her testators is Ms Driscoll's biggest concern when thinking about her legacy.

When participants talked about the changes to their wills or the changes they planned to make, often these changes were incremental – changing or building on old decisions rather than starting from new. Mr Johnson is sixty-eight and a retired project manager. He does not have any children. He is widowed and currently lives with his new partner in a seaside town. He wrote his original will with his wife, although he has since updated his will to reflect his change of circumstances and to consider his new partner. When changing his will however he was careful to maintain the choices he had made with his wife and instead he changed the amounts the different beneficiaries would receive to make allowance for his partner. During his interview, he explained:

Well, my wife and I both selected them actually. Sort of a joint decision. We felt that all the charities... there are so many charities that are trying to get your money for good work and everything else... those originally were decided, oh hell, ten or twelve years ago it was decided originally. It was a decision then, but obviously we probably weren't giving as many monthly donations then either. I think this was done and it crept in if you can put it that way, like oh well wouldn't it be a good idea give something to the Dogs Trust or oh wouldn't it be a good idea to donate to... but we didn't go looking for charities, it's charities needless to say, that came looking for us.

(Mr Johnson, 68, widowed, lives with new partner, no children,  
interviewed alone)

Like Mr Johnson, when talking about changes they would like to make to their wills, none of the participants mentioned wanting to make drastic changes. Usually, they wanted to add in new family members or charities, none mentioned wanting to remove a beneficiary currently in their will. Lindblom's work on public policy decision-making 'The science of muddling through' (1959, 1979) can help to explain why participants opt for modifications to their existing decisions rather than starting new. In this work, Lindblom used the concept of 'incrementalism' to explain how decisions are often made. This, he explains, means that decisions are made by 'continually building out from the current situation step-by-step and by small degrees' (Lindblom, 1959. p.80). He argues that people have to muddle through because deciding from the ground up is unfeasible because 'it assumes intellectual capacities and sources of information that men simply do not possess' (Lindblom, 1959. p.80) Lindblom argues his theory could apply to all kinds of decision making, he writes:

The same model is inevitably resorted to in person problem solving, where means and ends are impossible to separate, where aspirations or objectives undergo constant development, and where drastic simplification of the complexity of the real world is urgent if problems are to be solved in the time that can be given to them. (Lindblom, 1959. p.88)

This can help to explain why many of the participants are content to leave their wills as they only want to make minor changes because decisions are made within a series of successive decisions, rather than from the ground up. Breeze, recognising the application of Lindblom's theory to how donors choose charities, summarises that 'this model of decision making acknowledges that people do not attempt to make the *best* decisions; rather, they have the distinctly less ambitious goal of making better decisions.' (2013, p.15).

## 4.2 Inheritance and emotion: Leaving 'stuff'

For several of the participants making decisions about what should happen to their 'stuff' when they passed away was much harder and more complex than making decisions about money. This was also found to be the case by Finch and Mason in their study of inheritance, they comment that 'the symbolic value of personal gifts and possessions is very high and is central to people's understanding of inheritance.' (Finch and Mason 2000 p.139).

Despite participants not being directly asked about what they wanted to happen to their 'stuff' after they passed away, this was a topic that was raised organically by many of the participants during their interviews. One of the questions participants were asked was about the difficulties they might have encountered when making their decisions and several used this an opportunity to tell me about their dilemmas of distributing their assets. There was far more emotion present in the conversations about material belongings that there was when discussing finances. Participants worried about what would happen to not only their heirlooms but also to their mundane, everyday items too. They wondered what would happen to their furniture, clothes, tools, books and an assortment of other household objects after they passed away. They worried about possible arguments between children who might all want to keep the same items. They worried about what would happen to the items that they saw as important or significant, but their family members did not. They worried about the 'stuff' that they had spent their lives trying to keep private, that would be made public once they passed away.

The interview with Mr and Mrs Roberts included several discussions about 'stuff' and it was clear that this was something they were both worried about. Mr and Mrs Roberts are in their 70s, they have a large house with a great deal of material possessions that they had accumulated over the years. Whilst Mr Roberts was most concerned about what would happen to his private diaries and memoirs, Mrs Roberts was concerned about what would happen to their furniture and ornaments. She mostly expressed having difficulties with getting her children to let her know which of their possessions they might want to take

and she worried about the work that would be involved in her children sorting through all of her possessions. An excerpt is provided below of Mrs Roberts discussing her concerns about leaving ‘stuff’ during her joint interview with her husband, Mr Roberts:

I have tried this thing with the children when they’re here, so if there’s any particular thingy they like then I ask them to put a little coloured sticker on the bottom of it. A different colour for each of them. They just say things like... well I don’t think they even like to think about it. [Son] always says he’d like the table... but they all want the table, don’t they? So, there’s the odd item where they all say, ‘oh I want that’. This happens to be a big house, but none of them are in that big of a place so there’s stuff they might like very much but there’s nowhere for them to put them. So, there’s all those complications as well. So, we would want to leave it to family, because we don’t think we should leave it to anyone else. But a lot of stuff would go to charities anyway... there’s an awful lot of stuff in this house.

(Mrs Roberts, 72, married, 3 children, joint interview,)

This excerpt captures the emotional nature of the decision process of deciding what to do with their personal items after they have passed away which are often a consequence of the ‘disposal’ of these items. For Mr Roberts the difficulty was that whilst he wanted to ‘pass on’ his diaries, because they have ‘emotional and intellectual value’, he had not yet found the ‘right’ person to pass them on to as he did not want his children to read them. Mrs Roberts, however, was having the opposite problem which is that she wanted to leave the material possessions that were most important to her to her children, but her children did not want them. Whilst ‘money’ is easily accepted, because money uses no space and requires no tangible storage, material possessions were often rejected by potential beneficiaries for being cumbersome.

Miller (2010), writing on the sociology of stuff, writes that ‘stuff’ *matters* and that ‘things make people just as much as people make things; (p.135). Miller argues that material belongings are central to social relationships and how people



make sense of the world around them, he writes 'possessions often remain profound and usually the closer our relationships are with objects, the closer our relationships are with people' (Miller 2008, p.1). Stuff can become imbued with all types of meanings and emotions which can turn them from one thing into something else. Finch and Mason write that the passing on of objects is considered meaningful because:

Central to the concept of a keepsake is the implication that an object carries the memory of the person who owned it but has now died. This gives the object both its meaning and its value. Its monetary value is unimportant... The emphasis is not so much on the object itself but rather on the origin of the objects and its association with the person who owned it. (Finch and Mason 2000, p.142)

This is reflected in my own research as many of the item's participants spoke about held far more value to the participant than their originally intended use. Mr Griffiths (80s, married, 3 children), for example, shared a story during his interview of a clock he now owned that used to belong to his grandparents. He had memories of being a child and hearing the clock chime in his grandparent's hallway, now every time he heard the chiming of the clock he was returned to his childhood memories of being in his grandparents' home. He realised, however, that his own children would not have the same experience with the clock but hoped they would look after it regardless. This was not the case for all participants, however, Mr Johnson (68, widowed, 0 children) for example had very little attachment to 'things' and explained during this interview that he had no concerns about everything being thrown out or passed on to charity.

Although I do not intend to provide an exhaustive analysis of the participants' discussions with 'stuff' here, for it is outside of the scope of this research project and I intend to explore it as a field of enquiry elsewhere (see. discussion of future research), my intention here is to discuss the contrast in the emotion that participants displayed when discussing the leaving of objects compared with leaving money. In the *Philosophy of Money*, Simmel writes of

the paradoxical, ambivalent nature of money. Despite the opportunities that it provides, money, Simmel writes, is 'heartless' and 'colourlessness'. He writes:

Money is not, by its nature, a valuable object whose parts happen to have the same proportion to each other or to the whole that other values have to each other. The significance of money is only to express the value relations between other objects. (Simmel 2004. p.147).

The valueless of money, according to Simmel means that money can render things 'hollow'. He explains:

To the extent that money, with its colourlessness and its indifferent quality can become a common denominator of all values, it becomes the frightful leveller – it hollows out the core of things, their specific values and their uniqueness and incompatibility in a way which is beyond repair. They all float with the same specific gravity in a constantly moving stream of money. (Simmel 1950 p.414)

This can go some way to help us understand why monetary bequests were perceived as different from bequests of personal items.

As well as material objects being more emotive than money, discussions about leaving 'stuff' were more gendered than discussions about leaving money. In my sample, the female interviewees were far more likely to raise the topic of 'stuff' than the male interviewees. Who they planned to leave 'stuff' to was also more gendered than money, with participants seeing women as more appropriate recipients for material possessions than men. There was also a sense that women were perceived to be more appreciative to be gifted personal belongings than men. This was in contrast to the ideas about money which, as it will be shown throughout this thesis, was frequently distributed equally to family members of the same 'rank' irrespective of gender.

### 4.3 Negotiations with others

#### 4.3.1 Couple negotiations

It became clear during the interviews that inheritance decisions are rarely made by an individual. As property is owned jointly by married couples, all the couples interviewed have planned their wills together and many of them have identical wills. These negotiations and discussions are an important part of the will-writing process. Making decisions jointly isn't an easy process and the way couples discuss, negotiate and re-negotiate their inheritance decisions was observed during the joint interviews. How participants attempted to find consensus on their conflicting views had direct implications for the beneficiaries of their wills.

#### *The compromise*

We've got a will and, in fact, you coming here made us dig it out which is probably the same for a lot of people and we discovered we need to update it... The new will would be divided up between our children – three of them and charities that we might want to give to. We also have a fourth son who lodged with us for two years, who's Iranian, he would get something as well. So, we divide our money up, whatever came from this house, between... five ways. It would be a fifth to each so it would be to my sons and then the final fifth would be half to my charities and half to [Mr Lewis'] charities.

(Mrs Lewis, 77, married, 3 children and an 'honorary son', interviewed alone).

One way for participants to overcome disagreements is by splitting the pool of money into two halves and each doing what they would like with their half. Mr and Mrs Lewis were one example in the data of this. Mr and Mrs Lewis are in their 70s, they were the only couple to be interviewed separately and therefore it was not possible to record the interaction between them. However, throughout both interviews their answers were unanimous and it was clear

they had reached agreement about their intentions prior to my arrival. Mr and Mrs Lewis have three sons and an 'honorary son'. Their fourth, 'honorary son' will be explored in more detail in Chapter Five. For now, it is enough to explain that he lodged for several years in Mr and Mrs Lewis' home, in which time they built a connection with him they wanted to be reflected in their will. As well as to their two children and 'honorary son', Mr and Mrs Lewis were both keen to leave money to charities, but they had different ideas about which charities they should choose. By splitting the money they have allocated to charities in half, they are both able to ensure their wishes would be recognised in their will. Mr Lewis has chosen OASIS (a charity that work with vulnerable members of society with the aim of lifting them out of poverty), UNESCO (a charity that aims to build peace through international cooperation in education, science and culture) and OXFAM (a charity that aims to tackle world poverty and reduce inequality). Mrs Lewis has chosen Freedom from Torture (FFT provide specialist therapies to support asylum seekers and refugees that have been the victims of torture), Queen Mary College (a university in England) and Dogs Trust (a dog welfare charity which focuses on the rehabilitation and rehoming of dogs which have been abandoned by their owners).

This approach to will-writing, also taken by Mr Lloyd and his wife, meant the wishes of both partners were given equal weighting. Mr Lloyd is 58 and was interviewed alone. He explained that he and his wife had also decided to split the money in half and then decide on their own beneficiaries. Mr Lloyd and his wife do not have any children. Mr Lloyd works in the third sector as a freelance consultant to third sector organisations and he plans to leave his half of the money to his brothers, his sister-in-law and six of his great nieces and nephews. They had also chosen to leave their money to; Primary Club (a cricketers' charity that fundraises to provide visually impaired people with sports and recreational facilities), Deaf Rugby (Supporting the involvement of deaf and hard of hearing people in mainstream sport, particularly rugby union), Barnardo's (supports vulnerable children and young people), Motor-Neurone Disease Association (support people who have been diagnosed with motor-neurone disease and their families), Children's Liver Foundation (supports children affected by liver disease and their families. They also fundraise to

support research into childhood liver diseases) and Cardiff University (a university in Wales.). In both of these examples, the money was split equally and was not influenced by how much money each partner had earned.

### ***The shut-down***

Mr and Mrs Roberts are both in their 70s, they were interviewed together in their home in Cardiff. Mr and Mrs Roberts have identical wills which specify that their money will be left, in equal shares, to their three children. Mr Roberts repeated throughout the interview that he wants to keep their wills as straightforward as possible to avoid any complications for their children after they have passed away. He has been an executor for a neighbour's will and the experience was very stressful and protracted. By keeping his will as straightforward as possible he hopes to avoid putting anyone else through the same experience. Mrs Roberts, however, is less favourable of keeping their wills as straightforward as possible and she mentioned several times during the interview that she would like to include wider family members and some charities in their will. This idea of increasing the number of beneficiaries included in the will is, however, completely at odds with Mr Roberts' idea of 'keeping things simple' and he was unwilling to relax his position to accommodate Mrs Roberts' wishes. An example of this exchange is:

Mrs Roberts: I don't know how much money there'd be. It depends how long you live and whether you've used it up... on looking after yourself. I mean it's difficult to know with money. I think they've all got more money than we have, haven't they?

Mr Roberts: Who are you talking about now? Nieces and nephews?

Mrs Roberts: Yeah.

Mr Roberts: I don't think so actually. I don't think they've got more money than...

Mrs Roberts: I mean, it would be nice to leave a bit of money to –

Mr Roberts: Really?! [laughs]

Mrs Roberts: -to the nieces and nephews.

Mr Roberts: Oh God! They're really coming out of the woodwork here.

(Mr Roberts is 74. Mrs Roberts is 72. They have 3 children)

A clear difference of opinion over who should and shouldn't count as family can be seen in this exchange. Including the great-nieces and nephews seems natural for Mrs Roberts who feels that it would be a 'nice thing to do'. Mr Roberts, however, sees leaving the money to the nieces and nephews as an obscure decision. He frequently attempted to minimise Mrs Roberts' suggestions to include wider family members through the use of humour. An inability to agree in this situation means that Mrs Roberts does not intend to alter her will to include their nieces and nephews. When Mrs Roberts left the room to take a telephone call Mr Roberts explained their situation as:

To me it's straightforward but to [Mrs Roberts] it's not actually. I mean it's interesting she's said things this morning that even I didn't know, and you know if she wasn't to leave money to the grandchildren then she should change her bloody will. You know it's her will not mine, but she probably won't.

(Mr Roberts, 74, married, 3 children, joint interview)

Here, Mr Roberts is suggesting that the only way to resolve this conflict would be for Mrs Roberts to change her will to differ from his. He follows this up by saying that 'she probably won't change her will', thus ensuring that his ideas of who counts as family for inheritance purposes are the ones that are reflected in the will. The result of one partner 'shutting-down' another (also seen in the interviews of Mrs & Mrs Davies discussed later) is that they do not give the views of both partners equal weighting and one member of the couple may not have their views represented in the final will.

***Power relations: Money origins and gender***

For most of the participants, the decision about what to do with their assets after they pass away was portrayed as being made 'jointly'. They had discussed what they wanted to do in advance of the interview and during the interview presented their views as unanimous. Decisions made 'jointly', however, are not necessarily decisions made 'equally' as one spouse has the potential to assert influence over the other. As Vogler, writes:

...since intimate relationships are not almost universally regarded as partnerships between equals, based on love, sharing and equality, in which all resources are shared equally, regardless of who contributes what to the household. At the same time, however, we also enter the labour market as individuals who are in some sense deemed to 'own' the money we have earned, it is ours and we are seen as having a legitimate right to both and more say over how money is used and money for our own use. (Vogler, 2005. p.3)

If we apply Vogler's argument about money management within families to the context of inheritance, it suggests that the spouse who is responsible for earning most of the family income will have a greater ownership claim to this money and therefore a greater say over what happens to the money. This is an important consideration for our interviews as just because participants presented their decision as having been made together doesn't necessarily mean this is the case. Blumstein and Schwartz also suggest that there is a power imbalance in decisions about money and that the deliberations between partners can bring 'to the surface the differences in underlying values or attitudes which are usually kept hidden.' (Blumstein and Schwartz, 1983. p.118). If power is tied to the origin of the money, then there is also a potential gender element to the decision-making, as men are often greater earners this would then shift the power balance in their favour (Vogler, 2005). This imbalance in power in marriages because of resources has been a prominent theme in family research since Blood and Wolfe's research in the 1960s (Blood and Wolfe, 1960). This is particularly true for the participants in my sample,

owing to the age of the participants, many of the women interviewed did not have careers or jobs in the same way as the men who were interviewed did. Several of the women in the sample explained that they had given up their jobs once their children had been born to instead assume the responsibility of 'raising the children' and 'managing the home'. The potential consequence of this is that finances become the responsibility of men, whilst the home becomes the responsibility of the women. Rather paradoxically, however, statistics show that on average, women tend to live longer than men and are therefore more likely to make the final decision about what should happen to the couple's money after they have passed away. It would be interesting to explore whether these dynamics shift with younger generations as more women enter the labour force.

### ***Handing over control***

When negotiations between partners failed, participants often found themselves in a situation where their wills do not accurately represent their wishes. In some instances, couples have attempted to resolve their differences by writing separate wills, in these cases, the order in which they passed away becomes vitally important to whose wishes will be carried out. Several participants, particularly those with terminal illnesses who are likely to pass away first, showed awareness of how their partner would not have to follow their wishes once they have passed away.

Mr Davies is 72 and a self-declared 'self-made man' following his long career as a sales and marketing director in London, he lives with his wife, Mrs Davies, who is 54 years old. Mr Davies has a terminal illness, which has left him housebound, Mrs Davies is his full-time carer, prior to this she studied languages at university and ran clubs teaching French and Spanish to children. The couple met later in life and do not have any children. They were interviewed together in their home. Mr and Mrs Davies were the only participants who did not have a will at the time of interview. Mr Davies' terminal illness means he is aware that he is likely to pass away before his wife. When asked about what he would like to do with his money, Mr Davies repeated that



it will all go to his wife and what happens to the money will be her decision in the future. This does not, however, mean that he does not have his ideas about what he would like to happen to the money after both he and Mrs Davies have passed away, just that he is aware that he does not have the power to enact them. Mr Davies and Mrs Davies have no children of their own and Mrs Davies is younger than Mr Davies by almost 20 years. During the interview when Mrs Davies expressed what she would like to happen to the money, Mr Davies repeatedly disagreed with her decision and would instead state his own wishes, even though he is aware that Mrs Davies does not have to follow them. When expressing these suggestions Mr Davies used phrases such as, 'what I've suggested to [Mrs Davies], although it's entirely up to her, is...'. This attitude could be attributed to Mr Davies' perceived role as 'bread-winner', managing his financing and accumulating wealth had been important to Mr Davies throughout his life and he demonstrated during his interview that he still wanted to retain some control over what might happen to assets after he passed away. It is somewhat perplexing then why Mr and Mrs Davies had not written a will.

This idea that their wishes might not be respected by the surviving spouse is also a concern for Mr Harris who also has a terminal diagnosis, although he is in the earliest stage of his illness, he and his wife spoke as if he will be the first to pass away. Mr and Mrs Harris are both in their sixties This is a second marriage for both of them and they each have two daughters from their previous relationships. Mr Harris is particularly concerned that if he is to die first that his daughters might miss out on their inheritance as Mrs Harris could decide not to give them anything. During the interview, he asked questions about what could happen if Mrs Harris changed her mind or if she gave all the money away before she passed away.

The presence of a terminal illness means these participants feel they are lacking agency when it came to their inheritance decisions. Legally, they have some control over how their money is distributed even if they are married but, as will be discussed further in Chapter Five, all of the participants who were married assumed that all of their money and assets would be passed to the

surviving spouse. Only upon the death of both spouses would the money be transferred outside of the couple. Money passing to a spouse was never presented by participants as being a decision but instead it was presented as a natural occurrence (Finch and Mason, 2000). This is likely because of marital ideas about joint-ownership and in some cases joint bank accounts, which make it difficult to identify the ownership of the money. Participants with terminal illness, who were therefore likely to pass away first, demonstrated in their interviews that they felt they didn't have as much control over how their partner would spend the money – they could make suggestions about what they want to happen but whether or not their wishes would be respected was up to their partner. This becomes even more problematic in complex or blended families, particularly where there were remarriages and step-children as in these cases where money will go is less certain and has a higher chance of being 'passed out of the family' (Finch and Mason, 2000). This is, of course, no less true for couples without illness but the not knowing meant that they were not as concerned about this issue and it was not a noted concern in any of the interviews without illness.

When discussing the merits of testamentary freedom, Ms Wright shared her views on whether one partner in a couple should be able to change the will after the other partner has passed away. Ms Wright is 78, she has three children and seven grandchildren. She is very close with her family and spoke about the at length during her interview. She is divorced and explained during her interview that she felt responsible for her children being deprived of a father because she was that one who decided to have a divorce. Her ex-husband has since re-married and has a child with his new wife. Ms Wright explained that he was far more involved in the life of his new family than he was with her daughters. This is important for understanding a lot of how Ms Wright felt about her family relationships and how she framed her inheritance decisions. Ms Wright was very involved in her children and grandchildren's lives; they were all very important to her and she enjoyed looking after them and giving them money to buy the things they wanted. It was clear that Ms Wright's experience of her divorce had affected the relationship she had with her family and how she thought about and used her money. During her

interview she explained how she could not understand how a person could turn their backs on their family and that she was very careful to prevent anyone else from taking control of her assets and potentially depriving her children of their inheritance. She said:

I've got strong views, I can't understand how people can disinherit their children. My girls always know where they stand with me. We might have a ding-dong, slam the door but my daughter will always ring me up when she gets home and say 'sorry mum'. We always get back together, talking. These family feuds where they don't speak and then the parent leaves the money to some charity and the children are left with nothing... I feel very strongly about that. It's not fair. Say you've got one parent left out of the couple, the wishes of the deceased parent aren't taken into account, are they? Unless that parent has enough foresight to leave their half of the house to the child in their lifetime. I've met a few people... but I thought no I don't want you getting your hands on anything that is meant for my children. That was a factor in my decisions. I wanted to make sure my children got a fair deal. I do feel that the surviving relatives should not be able to do what they like with it because the other partner might have contributed the most.

(Ms Wright, 78, divorced, 3 children, interviewed alone)

#### **4.3.2 Family negotiations**

Negotiations not only occur between married couples, but there are also several examples in the data of the couples feeling they need to discuss their decisions with wider family members. Few participants chose to discuss their inheritance decisions with their family with most feeling it is not an appropriate conversation to have with them. This is likely because as Schaeffer (2014) explains, people feel uncomfortable discussing their inheritance because a person must die before others can benefit. The few participants who have decided to share their wishes with their family have done so because they have made or are making a decision they feel is 'out of the ordinary' such as

leaving money in unequal shares to correct an inequality or leaving money to a charitable organisation. By sharing their motivations with their families, the participants saw this as a way of ensuring their family will accept their decision and this will help to prevent conflict further down the line (Mills, 1940). Although none of the participants feel their inheritance decisions will be influenced by their families, the fact that they feel that they need to tell their children if they do something 'out of the ordinary' suggests otherwise.

Many of the participants believe their decisions are not final and there could be ongoing re-negotiations by family members after their deaths. Legally, this is called a 'Deed of Variation'. Providing all beneficiaries agree, a 'Deed of Variation' allows the beneficiaries of a will to change how the assets are distributed. For example, the beneficiaries could decide to give a portion of their inheritance to another beneficiary or to a person who did not inherit in the will. A 'Deed of Variation' can also be used if a person dies without a will and those who are listed as beneficiaries under intestacy laws decide on a different outcome. The deed of variation must occur within two years of the testator's death. For a few of the participants, the possibility that their beneficiaries might decide on different outcomes plays a part in their decision making. Knowing their decisions don't need to be final and trusting their families to 'fix' any complications that might arise makes the decision easier and more straightforward for some participants. Close involvement of family in the decision-making means they are in a privileged position to make a case as to why they should inherit over extra familial ties.

Mrs Harris (67, divorced and re-married, joint interview), who has two daughters and two stepdaughters, explained that she and her husband have decided not to give money to their grandchildren because 'we trust the parents to pass things on'. This passes the burden of deciding what is an appropriate amount of money on to the parents. The parents will also be able to choose the appropriate time to give the money as this may not necessarily be the time at which the testator dies. Mrs Harris trusts her family to re-distribute the money if circumstances change at the point she passes away, she explained: 'if somebody gets more money than they need then they should share it out'.

Other examples of participants recognising that their family members may choose to re-allocate the money include:

I've never really thought about it that deeply. We want to do some things that can help the family and money can sometimes do that. In choosing to do it this way my brother can make a decision to move it on or pass it down if he wants to. There could be things I don't know about.

(Mr Lloyd, 58, married, no children, interviewed alone)

Ours would be straightforward, they can get on with it. It would be a reasonable sum and they can work out what they want to do with it.

(Mrs Wood, 68, married, 3 children, joint interview)

Mrs Phillips is in her 70s, she was interviewed in her home with her husband Mr Phillips, who is also in his 70s. They planned to leave all of their money to their three children in equal shares. Like Mr Lloyd and Mrs Wood, Mrs Phillips also spent time talking about how beneficiaries are able to 'alter decisions' after the testator's inheritance decisions are made public. Mrs Phillips shared a story from her own family explaining that she and her siblings decided to 'change' the way their mother had decided to distribute her assets to a way in which they considered fair. Mrs Phillips' mother had decided to disinherit a family member, Mrs Phillips and her siblings however had seen this decision as being unfair and consequently decided to alter the amount each sibling would receive so to ensure the family members each received an equal share. She explained:

My mother didn't get on with my second brother who died because as she put it 'he never took his hand out of his pocket' whenever there was anything to be bought. When she was still on her pension, she wrote him out of the will. She mentioned the rest of the four of us but didn't mention him. He had a wife who was still living. I thought it was quite hurtful for her, so I spoke to everyone else and we all agreed and that instead of dividing my mum's estate four ways, we divided it into five... what little

trinkets she had we brought here and then we went around in turns to pick what we wanted.

(Mrs Phillips, 71, married, 3 children, joint interview)

Redistributing the money to ensure the sister-in-law received a portion was a way of demonstrating that she was considered a full member of the family and therefore should be treated the same as the other siblings. The repair work intended to strengthen family cohesion and prevent long-term damage to the family unit as a possible consequence of the 'unfair' inheritance decisions. The repair work was performed with the sister-in-law being aware of her disinheritance to prevent any possible disruption to the equilibrium of the family unit. Of course, in these examples the testator's decisions have not been altered but that the beneficiaries are making their own decisions about what they would like to do with the money they have received. For example, Mrs Phillips and her sisters decided they would like to use their inheritances to also give their sister-in-law money, the decision of their mother was not being altered. Despite this when participants spoke about the potential for beneficiaries to do something with their money that the testator had not intended, they regularly framed it as if their beneficiaries were 'changing' or 'varying' their decisions.

Not all participants saw this possible re-negotiation as a positive occurrence, Ms Driscoll is concerned about what might happen to her money after she had passed away. Her inability to control what her family might do with it makes her unhappy. She explained:

I'd like to acknowledge some of the family, but the problem is the ones I'd like to acknowledge I don't want the money to go to their children and it will, it will won't it? It's inevitable. Once it's theirs and I'm gone, I'm not able to control it. Who knows what the future may bring, and it's impossible, you can do some planning for it but because you don't know what's going to happen it's not possible to plan in any detail because you can't be sure what's going to happen.

(Ms Driscoll, 80, single, 0 children, interviewed alone)

As we mentioned earlier in the chapter, controlling her money is very important to Ms Driscoll, she is therefore worried about how her family ('their children' refers to the children of her cousins) might use it in a way that is contradictory to her wishes. As will be explored in more depth in later chapters, Ms Driscoll is worried about how the younger generations of her family will spend her money as she sees their spending behaviours as 'wasteful' and 'frivolous'. She is, however, aware there is very little she can do to prevent this from happening. She explained that she has thought about how the money might get redistributed by different family members and factored this into her decision-making on which family member she would like to leave her inheritance to.

Families were seen to be more likely to alter the wishes of the testator following their deaths, rather than whilst they were still alive. For some testators, this was framed as a positive influence as it might help them reduce some of the potential for getting things wrong or causing conflict within the family, for others, however, the re-negotiations between family members are a concern as they could result in their wishes being ignored.

#### **4.4 Reflecting on process**

The purpose of this chapter has been to introduce the reader to the process that participants go through when deciding what should happen to their assets after they have passed away. This chapter attempts to make clear the messiness of the decision-making process and to introduce the reader to the multiple actors present in the decision-making and how these actors influence outcomes. The themes presented in this chapter – the uncertainty of decisions and the influence of others - will reappear repeatedly throughout the following chapters. Although the nature of the interview as a research method means that participants' narratives will often appear to be neat and logical, this is mostly the benefit of reflecting upon a decision which has already been made. The decisions themselves were messy, confused and highly emotive. The

uncertainty of the decision means the accounts presented in this research may not be the final decisions as participants will continue to make and remake their decisions as their circumstances and relationships change.



# Chapter Five

## The Moral Economy of the Family

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Every interview started with the same question – ‘what would you like to happen to your money after you have passed away?’ – and every person interviewed started their answer in the same way, by talking about the family. Although ideas about who they considered family varied, family always came first. The family were the most important consideration, and in most cases, they were also the beneficiaries that would receive the largest amount. All other claims, to charitable organisations and the State, were balanced against the claim of the family – and so it seems logical to begin the discussion here.

The concept of ‘family’ is central to this chapter and therefore what is meant by this requires some unpacking. There is no consensus about what is meant by ‘family’ and the unique circumstances of each participant means that when they talk about ‘family’ they each have different conceptions about what it means, and who it includes. There was often, not even a consensus in the interviews between spouses. The ambiguity of the concept of family is explored by Finch and Mason (2000) (a more comprehensive review of Finch and Mason’s research into kinship and inheritance is provided in Chapter Two), who argue ‘family’ is not fixed but a fluid and active negotiation, so ‘... no two individuals have precisely the same kin network; each individual constructs his or her own.’ (Finch and Mason, 2000. p.19). They argue each individual can have many constructions of family for different purposes and these different constructions can co-exist. This was certainly seen in this research project, as most of the participants offered different definitions for their ‘everyday families’ and their ‘inheritance families’ (the people they counted as family for the purposes of discussing their inheritance) and participants repeatedly drew boundaries around these different kinds of family (this boundary work is made visible by the ‘inheritance maps’ included in Appendix One).

Despite this, there were some family relations that appeared more frequently in decisions than others. When relevant, spouses and children were always included and often provided with privileged positions. Spouses were always passed *everything* first. The surviving spouse can then decide whether to respect the wishes of the deceased spouse, or to change the will in a way they choose. If a participant had children, then children were also always included, although they would only benefit once both parents had passed away. This does not mean, however, that we can consider 'family' as meaning children and spouses, as definitions often extended beyond these immediate family members (see appendix for full accounts of whom each participant considered being part of their family). As shown throughout this chapter, a range of blood-ties were included, some non-blood ties and sometimes pets. Who receives a portion (or all) of the inheritance depends on the testator's beliefs about family, morality, fairness and the purpose of inheritance. A key finding of Finch and Mason's (2000) work is that in deciding which family members to leave their money to, people are not only making their definition of family visible, but they are also actively *constituting* their family.

The central argument of this chapter is that although at first it seems natural for the family to inherit (because of love and familial responsibilities), the family's claim is not entirely straightforward and is, in fact, more complex and conditional. The conditionality of the claim allows the space for other claims to assert themselves over the participants' inheritance. This chapter does not intend to provide an exhaustive account of what inheritance can reveal about family relationships, as this has already been explored in depth elsewhere (Sussman et al. 1970. Finch and Mason, 2000. Schaeffer, 2014). This chapter will begin by arguing that family is a 'natural' claim because of the social work that inheritance performs (5.1). Beyond this, it will explore the conditionality of the family's claim by exploring participants' attitudes towards whether the family are deserving of the money (5.2), their expectations of reciprocity (5.3) and their ideas about social responsibility and how these ideas can conflict with the claim of the family (5.4).

### **5.1 Love and family: the social work of inheritance**

When participants gave their reasons for wanting to leave money to their families, *need* was not seen as important. None of the participants mentioned need as being a reason for giving money to their families, and several of the participants stated outright that their chosen family members did not have any need for the money. It, therefore, became apparent that if there was no perceived need for families to inherit, then the primary function of leaving an inheritance to family members is moral and symbolic. Participants' accounts show that they saw inheritance as being far more important than an economic transaction, it was a demonstration of their love and affection and a way of marking the existence of an intimate relationship.

Goffman (1971), argues that people use 'tie-signs' to mark the existence of a relationship. 'Tie-signs' he explains are verbal or non-verbal cues which are used to present interconnectedness and to communicate how we feel about these relationships. They demonstrate a range of emotions from love and gratitude to sympathy and anger. The meanings of these 'tie-signs' are reinforced by mutual experiences within a shared culture. Gifts are one example of 'tie-sign' and different gifts can represent different relationships. For example, the gift that is given to a manager would differ from the gift that is given to a romantic partner and would convey a different message. The moral and symbolic meanings attached to the gift is a common theme in sociology and anthropology. Cheal (2014), writes that 'a gift is a ritual offering that is a sign of involvement in and connectedness to another' and that 'the act of transferring goods and services is an emotionally significant performance.' (Cheal, 2014. p.96-97). Tie-signs can help to explain why inheritance is seen as being so much more than an economic transaction. Leaving an inheritance is symbolic of a relationship of love, affection, care and solidarity between the giver and receiver.

Unlike other gifts, inheritance only transfers after the death of the giver, allowing the giver to influence and define their relationships even after they have passed away.

We must not, however, only view inheritances as *reflecting* family relationships. The most important finding of Finch and Mason's research is that inheritance does not just *reflect* family relationships, but that it *constitutes* it. Summarising the key findings of their research into kinship and inheritance, they write:

First, it allows individuals to use the act of bequeathing property to define the contours of their own kin relationships to confirm who 'counts' and what value is placed on each relationship. Second, in the processes of doing this and thinking in advance about doing it, the nature of an individual's kin network is made visible and accessible to the observer in one of its guises at least. Inheritance is therefore an important way of both studying kinship and potentially, of constituting kinship. (Finch and Mason, 2000. p.11-12)

The association of inheritance with love and affection was made particularly visible in the narratives of the participants who had been 'disinherited' by their parents. Mr Davies (72, married, no children, a self-proclaimed 'self-made man', joint interview) and Mr Phillips (75, married, 3 children, retired chemist, joint interview) had both been disinherited by their mothers, after their fathers had passed away. Mr Davies' mother had removed him from her will and left her money to her solicitor, her accountant and a charity. He did not even know his mother had passed away until a chemist in the town mentioned it to his wife. Mr Phillips' mother left all of her money to his sister. Wanting to tell me about these stories of disinheritances was the reason that both participants agreed to be interviewed and the stories of their disinheritance took up most of the time during their interviews. These were both emotionally charged interviews with Mr Phillips and Mr Davies showing upset, anger and confusion whilst telling their stories. The main concern of both men was that they did not understand why their mothers disinherited them. They both speculated the reasons for their disinheritance: Mr Davies tried to explain his disinheritance by saying that his mother did not like his wife and/or that she had been influenced by 'conmen' (the solicitor and accountant) to change her will. Mr Phillips wondered whether his mother had left all her money to his sister

because his sister had provided the care that his mother had needed. As nothing was left to explain the decisions, however, they both could not help but wonder whether the disinheritances had reflected how their mothers considered them. Below is a part of the conversation, from the interview with Mr and Mrs Phillips, about Mr Phillips being disinherited:

Mrs Phillips: There wasn't a mention of anyone else in the will at all, nobody other than his sister-

Mr Phillips: -I mean I could see some sort of clause or letter tucked in with it saying basically most of it is gone, here's a hundred quid, take your wife out to dinner or something. I wasn't exactly expecting to trade the car in for a Rolls Royce or anything but to not get as much as a mention... it's not like we'd had a family rift and hadn't spoken for years. I mean we saw her just before she died. It's all very odd... The solicitors said that if she chose to give it all to the Battersea Dog's home because she hates you then that's well within her rights.

Mrs Phillips: Before your dad died, he did say that he planned to leave you his watches and bits of jewellery - not that it was a lot, but he did say he hadn't given you anything in his will because he expected your mother to do it. So [Mr Phillips] had a reasonable expectation that he would get something... I think the worst thing is that he never got mentioned in the will at all.

Mr Phillips: The money's not really the point. I just wasn't expecting to not even get mentioned.

(Mr Phillips is 75 and Mrs Phillips is 71. Married, 3 children)

By disinheriting her son, Mr Phillips' mother has posthumously changed the character of the relationship. Whether or not his mother had anticipated this consequence, Mr Phillips now held different ideas about his relationship with his mother than when she was alive. As a consequence of being disinherited, Mr Phillips wanted to leave all of his and his wife's money to his children to prevent them from feeling the same as him.

In the excerpt above, Mr and Mrs Phillips also suggest that the value of the gift did not matter at all and that simply 'being mentioned' would have made him feel better. Of course, we don't know whether Mr Phillips would be content if his sister had received all the money and he had received 'one-hundred-pound to take his wife out for dinner'. This idea that it is not the value of the gift but the 'mentioning' of the person and the acknowledgement that the relationship was important came up in other interviews, particularly when participants talked about wanting to leave something to their grandchildren. The consequence of this was that some beneficiaries would receive small sums of money or, more commonly, items of significance (e.g. family jewellery). As Mrs Harris explained in her interview:

I want to mention them [grandchildren]. I wouldn't want to not mention them... I think grandparents should mention grandchildren in the will. I just feel from a sentimental point of view that they should be mentioned – be recognised. I would definitely mention them, but I don't know in what context.

(Mrs Harris, 67, second marriage, 2(+2) daughters and  
3(+2) grandchildren, joint interview.)

Other interviews, however, suggest that the value is important, especially when money is being transferred to children. Because of the underlying assumptions attached to inheritances, most of the participants were mindful about treating their beneficiaries equally – that is, giving beneficiaries of the same type the same amount of money regardless of need. For example, all children should receive equal amounts, and all grandchildren should receive equal amounts, but grandchildren were not expected to receive an equal amount to children. Mr and Mrs Thomas wanted to leave the largest part of the estate to their two children. Although they had concerns about how their son, who has severe mental health problems, might use the money, they wanted to do everything they could to ensure the money would be divided equally. They explained:

Mrs Thomas: Well, we haven't changed our will because we are not sure how we word it. Until now it was fairly easy...

Mr Thomas: I don't think we're going to have any difficulty... what is the difficulty? How do we explain the difficulty? [whispers] The difficulty is upstairs and...

Mrs Thomas: He's not very good with money and that doesn't get through too quickly, so we have to see how we...

Mr Thomas: We held back from the possibility of putting it into a trust which would stop him from blowing it and... we've made, over the years, occasional effort to investigate but we haven't come up with a proper solution. It would be a lot easier if we had strings of siblings ourselves... strings of British siblings since the whole thing is going to be in Britain who could... my brother is, apart from everything else, my brother is unlikely to outlive me. So, it's quite difficult... So, the only difficulty is not about the half and half, it's about the how to control one half and it's not easy to discuss in case we get interrupted. [louder] So that's the only difficulty and that's the only reason we haven't got it properly drawn up... He's a potential hazard... an unlikely one I suppose. Our intention if we made it clear would be... we have some savings, and we have this, that's the bulk of what we've got.

(Mr Thomas is 72, Mrs Thomas is 75. Married, 2 children,  
0 grandchildren)

Despite this, Mrs Thomas stated: 'it will be split down the middle eventually... It will be equally divided, whatever we decided to do for one, we will do for the other'. The dilemma of equal distribution stemmed from participants' worries that giving unequal amounts of money, regardless of need, would suggest favouritism towards particular beneficiaries. They also worried that giving unequally would lead to arguments amongst family members and they did not want their legacy to be a source of family conflict. As Sherry wrote, 'giving too much, too little or too late can strain a relationship to the point of dissolution' (1983, p.158).

Some participants expressed concern that leaving money to grandchildren would upset the equal distribution of assets between children. They worried that giving money to grandchildren would mean privileging children who had children of their own and punishing those who had not. Mr Roberts, for example, planned to leave all of his money in equal shares to his three children. He did not believe it was fair to give money to his grandchildren because he does not want to disadvantage his son who does not have children. He argued that money should be passed:

Generation by generation, that's more straightforward, easier. I find it uncomfortable. I mean all these grandparents that sort of buy savings accounts for their grandchildren, all that sort of stuff, I find it very uncomfortable. It makes me uncomfortable... I think because of the age differences because they're between 18 to 9 and you would have to treat them all the same. If you gave a thousand pounds to the 18-year-old, and a thousand pounds to the 9-year-old, a thousand pounds to a 9-year-old is a different act than giving a thousand pounds to a 18-year-old. It makes things complicated. It's like if you bought premium bonds for all five grandchildren and then one of them won £10,000, that would make me very uncomfortable. So, I'd rather not create a situation in which there is a possibility of inequality. Leave it to the parents... that really is my source of uncomfortableness, that you're starting to introduce a lack of equity between the children. So, you'd be giving proportionally more to a child that had more children and that doesn't seem right to me. So, do nothing, leave it to the parents.

(Mr Roberts, 74, married, 3 children, 5 grandchildren, joint interview)

This view was repeated during several of the interviews. Mr and Mrs Phillips for example worried that leaving a gift to other categories of family relations would mean leaving a gift to 'too many' people, which would mean that each person would receive significantly less money than if he just left his money to his three children. Their discussions show that their categorising of family members into 'types' and their belief that all members of the same 'type' should receive an equal share of the inheritance. They said:



Mrs Phillips: I think that leaving the others anything would complicate matters. We get on well with the three children that we have got.

Mr Phillips: Not only that but once you go beyond that, there might be twenty people of roughly the same status. I did think about it but there's too many.

(Mr Phillips is 75 and Mrs Phillips is 71. Married, 3 children, 0 grandchildren but they have a large extended family)

As well as showing the unease experienced by participants when thinking about treating children differently, it also highlights the privileged position of children in inheritance-decisions. There are several reasons that could support giving money to grandchildren – they are younger and are more likely to need money than their older and already established parents. Perhaps, if a person has more children, they need more resources to take care of these children.

The only time participants mentioned they would consider giving unequally would be if they were trying to correct an inequality (as with Mr and Mrs Wood), or if they were no longer in contact with a family member (Mr Johnson) or because there was an exceptional need, such as a disability. Having lower income or more children were (as in the example of Mr Roberts above) not considered exceptional needs. Mr and Mrs Phillips, who planned to leave all of their money to their children, discussed during their interview what they might consider an exceptional need which required one of their children to receive more than the others:

Mr Phillips: If one had polio and was in hospital or something then I guess you'd have to consider those special circumstances and decide whether to give one more money or less money but as it is, all three of them are single and all doing moderately well.

Mrs Phillips: ...we all get on well, I can't see any reason to do anything other than what we have done.

Mr Phillips: If something happened to one of them then we would think about it and change it but as things are, no one's annoyed us

particularly... As it stands all three of them are of equal financial standing. They are roughly the same ages, there doesn't seem a particularly good reason to discriminate between them and it may cause more bother than it's worth if we do.

(Mr Phillips is 75 and Mrs Phillips is 71. Married, 3 children)

Interestingly, where it could be argued that participants had an exceptional need for the money they still did not discriminate between their children. For example, Mr and Mrs Thomas have a son with severe mental illness who is currently financially dependent on them and Ms Wright has a daughter with a disability which means she depends on specialist equipment. What this suggests is that although participants saw discrimination to be fair when considering a hypothetical situation, this does not mean this is the approach they would adopt if this hypothetical were to become a reality.

The deep moral and symbolic meanings connected to an inheritance can help to explain why children are privileged as beneficiaries. The accounts given by participants suggested they felt a moral obligation to give their money to their children, which was underpinned by ideas of affectional solidarity across generations. The passing of money between parent and child is a regular, everyday occurrence for many of the participants (Brannen, 2006). It was seen as a normal part of family and was presented as a way to continue parental caregiving, even when the children were adults themselves (Schaeffer, 2014). Mr and Mrs Griffiths planned to leave all of their money to their three children, as Mrs Griffiths explained:

I just accept that if you've got money, if the government leave you any, as John Major once said 'the wealth cascades down the generation and whatever money is here...' you've always used your money to support your family and if there's enough to support your family further, then I think it should be left to the family first. I don't see anything wrong with leaving your money to your children.

(Mrs Griffiths, 77, married, 3 children, 8 grandchildren, joint interview)

Ideas about how a parent should look after and take responsibility for their children meant that many participants saw leaving money to children – and other dependants – as being ‘the right thing to do’. When asked why they had left some money to family, rather than leave it all to his chosen charities, Mr Johnson replied:

Family should get something. I mean, if you’re in contact with people, you are linked. If you do meet up with them, you talk to them, they drop in and have coffee with you... we thought ‘yes give them some because there should be some.’ Some of it is inherited wealth, some of it came from [wife’s] parents because she was an only child, so it’s through the family side and we didn’t want to chuck it all away. We didn’t think that was right.

(Mr Johnson, 68, widowed, lives with new partner, no children but is close with some members of his late wife’s family, interviewed alone)

Answering the same question, Ms Wright explained that she felt she had a responsibility to give her children everything she could because they had been adversely affected by her divorce when growing up. She said:

Because I was divorced, I felt that by making an unwise choice, I’ve deprived my children from having a father, from having two parents. He breezed off, had a boy, went to Disneyland and all these places, never took my girls anywhere. We never had much, but we always shared what we had. It was tough, but I always saved. It’s my compulsion. The more I can leave them, if I can give them a good start in life, then I’ve done my job and it salvages my conscience. I’m not doing it to be a martyr, I’m doing it to feel good about myself. I went to a conference, and we were asked what our primary role was, the others said their careers, but I said that my primary role was being a mother and that’s how I define myself. I’ve always wanted children. I dreamed about it since I was a little girl. I owed it to my children because why should they pay for my mistake in choosing the wrong marriage partner? That’s still how I feel now,

anything I can give them, anything that can be used for their long-term wellbeing I will give.

(Ms Wright, 78, divorced, 3 children, 7 grandchildren,  
interviewed alone)

As the account above shows, being a mother and caring for her children was very important to Ms Wright. She presents leaving her money to children as being the right thing to do and an expectation of the role of 'mother'. Ms Wright talks about her children, however, as if they are much younger than they in fact are, e.g. by saying that she wants to give them a good start in life.

Because money is a social marker, it often carries multiple complex and sometimes contradictory messages (Zelizer, 2017). As leaving an inheritance to a person is so tightly bound with ideas of love and care, it can also assume the existence of a dependent relationship. This assumption of dependency means that there are appropriate and inappropriate family members to gift money. Schaeffer (2014) argues that inheritance, specifically assumes a parent/child relationship. This could be a potential reason for why the participants often restricted their inheritance practices to household members, giving large amounts of money to more distant family members was seen as inappropriate because it assumed a close dependent relationship which did not exist. This can also help to explain why most inheritance gifts were vertically downwards, rather than horizontal. Gifting large amounts of money to vertically downwards ties was seen to be a more socially appropriate decision as older generations often see a moral obligation to look after the young (Brannen, 2006).

### **5.1.1 Mr and Mrs Lewis: The 'honorary son'**

Mostly, participants wanted to leave money to blood ties, but Mr and Mrs Lewis provide an example of wanting to include a non-blood tie as being a person 'who counts'. Mr and Mrs Lewis plan to leave money to their three sons and their 'fourth, honorary son.' The 'honorary son' whom they met when he lodged

in their home fourteen years ago will receive the same amount of money as each of their three biological sons. Mr Lewis explained:

Why did we bring the honorary son into it? Because that's what he is. Having come into the picture, he's self-sufficient as it is, so what we're doing now is if there is any money left then it will be a bit of icing on the cake, really. We're not talking about vast sums of money, it could be very small amounts. We wouldn't call him our honorary son if we weren't particularly partial to him... We've known him fourteen years. He was a lodger for two years maybe three and we just clicked. At that stage in time probably all the children had left home by that time. We just got on very, very well. We got very fond of him and he got very fond of us. We've been in touch ever since and went to his wedding, went to his graduation, went to his master's graduation, etc. I mean he'll be very shocked if any money comes through. He won't be anticipating anything.

(Mr Lewis, 72, married, 3 children and an 'honorary son', 2 grandchildren, interviewed alone)

As this account shows, by including the 'honorary son' they were trying to clarify that they are not giving him the money because he needs it, but because they are using their will to mark their relationship and to show that it is just as important to them as the one that exists between them and their biological sons. Mr and Mrs Lewis seem to have developed a parental relationship with the 'honorary son' over the years which helped them to make this decision. To leave him out of the will because he was not legally considered a relative would have been 'unfair'. Mr Lewis does caveat their decision by saying they aren't expecting there to be much money left, this was something that Mr and Mrs Lewis said repeatedly throughout their interviews as they were both convinced that their assets would be used up on paying for care (see Chapter Seven for a fuller discussion of this). Because they did not think there would be a great deal of money left by the time they passed away, they explained in their interview that they saw the purpose of inheritance as being 'a treat', such as a holiday, rather than a large financial transaction. Their ideas about the purpose of the inheritance seems to have impacted their decision-making. In her

interview, Mrs Lewis explained that they had not always treated the four sons equally, and they had used their saving to buy their biological sons a house each, which they did not do for their 'honorary son'. Mrs Lewis said:

We didn't include him when we gave our children money, we didn't give it to him as well. I think we thought that would be going a bit too far. It's a bit complicated. We're going to have to think about this one because he has a sister who is twelve years younger than he is and she's just spent six months with us doing an English course. We might have to think about whether we should give her something as well. I think it's because we regard them, both of them, as sort of an extra son and extra daughter but not so much in the sense that we would give them a slice of the money we gave both of our children for a deposit... We might reduce his amount and split it between the two of them. I don't know we'd have to talk about it a bit more.

(Mrs Lewis, 77, married, 3 children and an 'honorary son',  
joint interview.)

Despite them referring to him as their 'honorary son', Mrs Lewis' quote above slightly contradicts that the relationship should be afforded the same weighting as the one with their biological sons. Certain boundaries have been drawn around the relationship with the 'honorary son', to respect the blood-connection with their own children. Despite claiming their 'four sons' are equal; this decision suggests otherwise.

## 5.2 Merit: Spending legacies

So far, it seems that family has a natural right to inherit which makes it difficult for those outside of the 'family' to benefit. However, what this section and the following sections will show is that there was a conditionality to the family's 'right to inherit'. One way that participants questioned the family's claim to their inheritance was by considering whether they were '*deserving*' of the money.

A common reason for many of the participants being hesitant about leaving money to certain family members is because they have seen that family member 'mispend' an inheritance in the past and they worried the money they passed on would also be wasted. Participants did not feel they could control how the money would be used after they passed away, but they could control the person who received it. They therefore tried to make sure they chose beneficiaries that would spend their money in a manner they agreed with. Participants often framed poor spending habits as an intergenerational issue, that is, younger generations are seen to have poor spending habits and these spending habits were seen to improve as people got older. Ms Driscoll does not have children and plans to leave a portion of her money to her cousins because she wants to 'acknowledge their relationship'. However, she worried they would pass her money on to their own children who she thinks will waste her money. When prompted to explain why she did not want her money to pass to them, Ms Driscoll explained:

Well, what I call waste, which is what I think the next generation would do. Buying two televisions for eight hundred pounds within a space of... when you know they'll say oh, you know I haven't got anything and they look at me like money's short and I'm like well yes, but it's a case of value, you know?

(Ms Driscoll, 80, single, no children, interviewed alone)

Similarly, Mr and Mrs Davies do not have children, Mrs Davies wants to leave money to her nieces and nephews to 'help them out' but Mr Davies only wants the money to be passed to older members of the family who can be trusted to spend the money well. They discussed:

Mrs Davies: ...because they were young you don't want to be too harsh and judge them too much because they might have learnt their lesson in another ten years.

Mr Davies: Young people tend to be stupid. They mature once they get to around fifty but up until then, there are degrees of maturity.

Mrs Davies: I would give very little to the one who has got mental health problems because it wouldn't be worth it. In my case, everything was left equally to me and my siblings. I wouldn't do that but then I haven't got actual children so it's a bit different... Maybe if they wanted to qualify in something?

Mr Davies: Certainly that. My parents spent their money on their house and on food. All money was spent on building work, on making the house look very nice. So that's the way they spent their money. Never abroad. They were not interested. It's a long-term thing to make yourself comfortable.

Mrs Davies: To help them get on in life or be secure in their housing.

Interviewer: Would you consider putting conditions on the gift?

Mrs Davies: Yes, probably. If grandad had done that then they wouldn't have all blown it.

(Mr Davies is 72 and Mrs Davies is 54, married, no children,  
joint interview)

The concern here wasn't that the beneficiaries might spend the money in a way that is harmful to themselves but that they are spending the money in a manner the testator doesn't agree with or perceives as wasteful. The concept of wastefulness is not fixed and many of the participants seem to have contradictory ideas about what spending behaviours they consider wasteful. Of course, just because a behaviour seems wasteful to a testator, it may not be seen the same by a beneficiary.

As can be seen from the data presented in this section, questions of merit and how legacies might be spent were more common amongst participants who do not have children and were considering the merits of their wider family members. Despite this being a more common dilemma for participants without children, this does not mean that it was not considered by some of the participants with children, although this was a less common dilemma when considering the 'claim' of children. Mr Harris and Mrs Harris have both been married previously, and they have two daughters each from these previous marriages. When Mr and Mrs Harris got married their daughters were in their



late-teens or early adulthood. Mr Harris is uncertain about leaving money to Mrs Harris's two biological daughters because one of her daughters has misspent the inheritance money that she received from her father. Mr Harris has a separate bank account from Mrs Harris, and he made it clear in his will that the money in this bank account is to go to his biological daughters only. This could be because he is trying to make it clear to his biological daughters that he distinguishes between them and his stepdaughters. When asked whether they would mind how their beneficiaries spent the money, Mr and Mrs Harris replied:

Mrs Harris: Not now their older, no.

Mr Harris: [pause] I've got no worries about my two daughters. The one, obviously she was given money and she spent it unwisely...

Mrs Harris: Yes, but she's 32 now and a mother. She's a very responsible mother.

(Mr Harris and Mrs Harris are in their late 60s. Married, second marriage. 2(+2) children)

During their conversations Mrs Harris was quick to defend her daughters when Mr Harris questioned their abilities to properly manage money, consequently most of his comments on this topic were cut short by Mrs Harris. His uncertainty, however, over whether or not to leave money to his stepdaughters was clear. During this interview Mr and Mrs Harris frequently referred to their stepdaughters as 'your daughters' and occasionally as 'my daughters'. This uncertainty about how to position their stepchildren could be because of their daughters' ages when Mr and Mrs Harris married. This uncertainty of how to define his stepchildren could also be a reason for Mr Harris' hesitations.

There was a consensus amongst participants of not wanting to pass their money on to anyone who might waste it because this would not be showing appreciation towards the gift. If the money was wasted, then so was their legacy. As previously mentioned, Mr Davies was particularly worried that, after he passed away, his wife would leave their money to her family. The extended

excerpt below shows the discussion that took place between Mr and Mrs Davies about her wishes to leave some money to her family:

Mr Davies: Well, let's put it this way. When you give people money, they never appreciate it because they don't have to work for it. You have to find a really good person, who is mature, to be able to handle it. So, one person that [Mrs Davies] is talking about is a jailbird. He's just come out of prison and he spent the inheritance money from his grandfather, that his grandfather probably spent ten years saving, on drugs and prostitutes, and he blew it all within a week or two. I never received any money from anyone, I didn't want to, and I think other people ought to think the same. If someone is in need of a helping hand, and they are decent people, then help them, but don't leave it to some sort of pothead.

Mrs Davies: It's a tricky one really.

Mr Davies: It isn't tricky, just don't give them any.

Mrs Davies: [To interviewer] There's also my siblings, most of whom, Mr Davies wouldn't want to give anything to either...

Mr Davies: It isn't just me love, let's be fair – you wouldn't give anything to them either, would you?

Mrs Davies: Well, I probably would... but not all of it. Give them a chance, I think.

Mr Davies: If they're deserving of a chance then yes... but then I won't be around, so you dish it out as you wish...

(Mr Davies is 72 and Mrs Davies is 54, married, no children,  
joint interview)

Mr Davies' main worry was that his money would not be appreciated by the beneficiary because they did not have to do anything to earn that money. He believes that because they do not know the value of the money, then they will be more likely to spend it on 'frivolous' things, or, as he explains in the excerpt above, on potentially criminal activities. Interestingly, when asked what he thought were good ways to spend the money, he said that he would like them to use it to make their homes 'nice places' by buying high-quality items because that was something that would last.

Other participants also mentioned that they would like to see their money spent by beneficiaries on specific events or 'special items'. This was common for many of the participants. They all expressed a desire for the gifted money to be earmarked in some way and used for a specific purpose, such as a house, a holiday or a new car. None of the participants mentioned that the money might be spent on more mundane everyday objects such as food shopping, bills or general savings, as in this excerpt below from the interview with Mr Lloyd. Mr Lloyd does not have any children, and plans to leave money to his wife's sister, one of his brothers and several of his nieces and nephews. Despite being unsure about how they might spend the money, he explained he would not like to put a legal condition on the gift stipulating that the money should be spent a particular way. He said:

There's something quite nice, as a surprise... it comes without any strings at all. It's a gift in the will, you can use it to pay back another member of the family, you can save it, you can have a big party, you can do with it what you want. For the younger ones to have a little something, that might only be a cappuccino in thirty-year's time, or it might be a holiday or a first car, to do a bit of study or whatever, it's theirs to do with it whatever they choose.

(Mr Lloyd, 58, married, no children, interviewed alone)

Participants are concerned about whether their money would be valued and spent wisely by their beneficiaries because they are worried about their *legacy*. Referencing Hinck (2007, p.9), Williams et al. write that, 'in the face of mortality, individuals begin to think about 'preserving and extending their personal past into the future' by transferring or transmitting something of value to a loved one.' (Williams et al. 2010. p.880-881). Gifts 'become containers for the being of the donor, who gives a portion of that being to the recipient. This metaphoric conception of gift exchange alludes to the symbolic encoding of the gift with connotative meanings.' (Sherry, 1983. p.159). Therefore, if the beneficiary uses the money to purchase something that is lasting, either physically or in memory, the memory of the testator can be preserved through

this purchase. If a beneficiary chooses to 'waste' an inheritance, then the memory of the testator can be lost or associated with something they do not wish to be associated with.

### **5.3 Reciprocity: Benefitting from the beneficiary**

This section will discuss how gifts to family can be conditional on the expectation of a transactional relationship. The central premise of the seminal work of cultural anthropologist Marcel Mauss (1954), is that a crucial element of gift-giving is reciprocity. In his book 'The Gift' (1954), Mauss draws upon secondary data to explore the custom of gift-giving, arguing there is no such thing as a '*free gift*'. Gifts he argues are deeply embedded in the social and carry three obligations; the obligation to give, the obligation to receive and the obligation to reciprocate. According to Mauss, although gifts are often presented as being voluntary, they are in fact obligatory. He argues that gifts are tightly bound to the giver, and it is impossible for the giver to ever completely disentangle themselves from the gift. By receiving a gift, the receiver also then becomes bound to the giver. The bond created between giver and receiver obligates the receiver to reciprocate. Mauss explains this is because the giver has provided the receiver with a part of themselves and therefore the receiver must do the same in return, or risk losing honour.

Both direct and indirect forms of reciprocity are present in participants' narratives when they talked about leaving their money to their families after they passed away. There are examples of participants wanting the beneficiaries to provide them with some kind of personal benefit, but there were also examples of participants wanting to repay beneficiaries who had supported other family members.

In this research, the reciprocal expectations that testators had for their beneficiaries were most visible when participants spoke about more extended family members – such as siblings, cousins, nieces and nephews. Consequently, these narratives were most present in the interviews of the childless participants who wanted to include more extended family members

in their wills. This doesn't mean that children were not held to these same standards, just that participants relied on love, affection and responsibility as their justifications for leaving money to their children. Whereas when participants spoke about their wider networks, they felt that they needed to provide stronger justifications for their decisions.

Several of the participants spoke about wanting to leave money to family members who had 'been good to them' and 'taken care of them'. Previous studies have suggested that inheritance can be a strategic transaction in return for care and companionship in old age (e.g. Bernsheim, Sheifer and Summers, 1985). Specific examples were regularly used by participants to illustrate how their chosen beneficiaries had done this. The most reoccurring examples given by participants were:

- Regularly calling on the telephone for a 'catch up'.
- Sending cards on special occasions.
- Sending gifts on special occasions.
- Visiting occasionally to 'keep in touch' and 'make sure they were doing ok'.

Mr Johnson has no children of his own and has left a portion of his money to his late-wife's cousins. He has blood-ties of his own that he could leave his money to but decided against this because they had not kept in touch with him over the years. He criticises his own 'family' because they are 'a fairly disparate group' and he never speaks with them. He explains:

There's only one who we actually exchange Christmas cards with, right? I've got three others that I refer to as distant cousins now. They are direct cousins, they're not second cousins twice removed, they are first cousins. But it's just one of those things, you don't see them. Two of them don't even live around this area anymore, we don't exchange Christmas cards, they wouldn't even know I'd moved here five months ago. So, it's on [late wife's] side but because they have kept in contact, I've been to

the wedding of one of the daughters and we are in contact. We do send cards and so on.

(Mr Johnson, 68, widowed, lives with new partner, no children,  
interviewed alone)

Mr Johnson had decided to significantly reduce the amount of money that one of his wife's cousins would receive who had also failed to keep in regular contact with him. He explains:

The one I've dropped lives nearby but there's no contact. It was regular visits when [late wife] was alive but then after that it was one or two visits then... and now it just ends up as Christmas cards. The last time I dropped in a few years ago to see them near Christmas well I needn't have bothered. I was probably being bloody-minded but well that's the way it is. The others are, the other four are purely equal.

(Mr Johnson, 68, widowed, lives with new partner, no children,  
interviewed alone)

To help make sense of this, we can draw on Morgan's (2011) work on 'family practises. He explores family not as an inflexible, singular unit but instead, as a series of relational activities, thoughts and expectations. For Morgan, a key feature of these practices is 'an emphasis on the active and doing and a concern with the everyday... what matters are the day-to-day practices rather than any formal prescriptions or descriptions' (Morgan, 2011. p.3). He writes that '...in carrying out these everyday practicalities, social actors are reproducing the sets of relationships (structures, collectivises) within which these activities are carried out and from which they derive meaning.' (Morgan 2011. p.3). What Morgan is arguing is that families need to display certain behaviours which mark and make visible the family connections. So, in the same way that inheritance marks and makes visible the family connections, participants expected their beneficiaries to do the same in return.

As we have seen in this chapter, Mr Davies did not want his money going to his wife's family because he disagreed with their lifestyle choices. However,

there was one family member belonging to Mrs Davies that Mr Davies, was happy for his money to be passed to because he also considered her to be part of his family. He spoke highly of his wife's cousin throughout his interview, telling me she was a very kind woman because she always sent him a gift on his birthday. He said:

I know that one of her [Mrs Davies] relatives is always very kind on my birthday and she's quite poor, but she always, *a/ways* sends me a box of chocolates, she has nice ways.

(Mr Davies, 72, Married, no children, joint interview)

Mr Davies explained that this cousins' spending habits were no different to the other family members, in fact he spent some time during his interview telling me about the times she had been conned out of her money by several 'men on motorbikes', but he was willing to overlook this because, unlike Mrs Davies' other family members, she stayed in touch with them and sent gifts. Mr Davies made his expectations of a reciprocal relationship clear in the interviews when he said:

It would be a dereliction of duty to give equal amounts of money to individuals. One is snorting cocaine, in and out of prison. You don't want to give him a share. On the other hand, you've got someone who is working hard, doing their bit to look after the family, then the family will look after them.

(Mr Davies, 72, Married, no children, joint interview)

Ms Walker also wanted to use her inheritance to reward the good deeds of a family member. Ms Walker, a widow with no children, wanted to leave money to her sister-in-law who had been very kind to Ms Walker's parents in their old age. During her interview Ms Walker justified her reasons for wanting to leave money to her sister-in-law as:

My [sister-in-law] would do any washing and ironing that needed to be done. So, it was a combined effort between my brother, his wife and me.

I would like to recompense her for the kindness and generosity that she showed my parents. She was very, very good to them and they liked her very much.

(Ms Walker, 80s, widowed, no children, interviewed alone)

The accounts above of Ms Walker and Mr Davies both present examples of indirect reciprocity and hold the idea that good deeds should be rewarded. In this sense, they are using their inheritances as a way of saying thank you to their beneficiaries for treating the family well and at the same time they are attempting to use their money as a way of making a statement that families should 'look out' for one another, and care for one another. Of course, their beneficiaries are unlikely to know this is the reason they are the beneficiary of the inheritance.

#### **5.4 Social responsibilities and disinheritance**

A small number of participants, during their interviews, questioned whether giving money to their families really was the 'fair' thing to do and suggested they would be happy for all of their money to go to people that were in need. For these participants, leaving all of their money to their children was at odds with their values and ideas of societal fairness. What they felt they *ought* to do was completely opposed with their ideas about what they wanted to do. One participant who questioned whether leaving most of their money to their adult children who did not 'need' the money was really the fair and moral thing to do, was Mr Thomas. An example of Mr and Mrs Thomas discussing this is provided below:

Mr Thomas: You could give it all to the dogs... I mean it is actually a very questionable assumption of our sort of people but it's not one that we're going to question. It's very questionable, our kids have already had a fair number of benefits from being our kids and we intend to perpetuate that... it's totally immoral.



Mrs Thomas: It's not that we are not willing to gift something to one or two charities or something like this, I'm sure we will, but the main thing will go to our children.

Mr Thomas: It's a bit... I mean it's at a level which is ridiculous. I mean [daughter] and [son-in-law] don't need it, but they'll get it.

(Mr Thomas is 72, Mrs Thomas is 75. 3 children. They are considering leaving 'some' money to charity).

Mr Lewis, also held a similar view, he said:

I personally would not be averse to cutting them out of the will completely. You know the idea that they're set up, they're adults, they've gone. To me would make me feel no guilt at all in saying that's it, you've had it, there are other needy people in this world and I'd rather the money went to them. I don't think [Mrs Lewis's] attitude is quite like that...

(Mr Lewis, 72, married, 3 children, is strongly opposed to his money going to charity, joint interview)

Both accounts show the conflicts that can arise when couples attempt to negotiate their conflicting morals and values. Despite questioning the norm of leaving a gift to family, neither of these participants have altered their conduct and were both still planning to leave the largest portion of their inheritance to their children. In the case of Mr and Mrs Thomas, Mrs Thomas states the main bulk of their money 'will go to our children'. Similarly, Mr Lewis states that Mrs Lewis has a different attitude to him when it comes to disinheriting the children. It is possible the action of disinheriting their children is being prevented by the wives, however, it is also possible (and more likely) that the husbands are providing a counter-narrative, but they have no actual intentions to carry them through. This is more likely to be the case because later in their interviews, when they were asked about charities and inheritance tax, the attitudes they presented were far more ambivalent. Regardless, what is important here is to highlight the norm of giving to family was not going unquestioned, however, the strength of the norm meant it was still dominant despite this contention.

One way that participants attempted to overcome this difficulty and consolidate their views of family responsibility and societal fairness was to not give ‘too much’ money to their family. This was particularly a concern when participants thought about what they would like to leave their children as they were the most likely to receive the largest portion of the inheritance. Throughout the interviews, participants attempted to downplay the amount of money they were leaving their children by explaining that they would be unlikely to leave them ‘too much’ money by the time they passed away. Giving children ‘too much money’ was seen as being irresponsible, despite the children being adults themselves. Participants felt they needed to strike a balance between giving their children enough money to make them comfortable but not so much that it became irresponsible. As Mr Johnson said:

If you are worth several million and you are forced to leave it to your children will that actually benefit your children? In some cases, it may, in some cases they may go completely off the ruddy rails. I mean, what incentive is there to do anything, to work or to contribute. Whether you do it on a community basis or to work for charity or for payment you should do something... so what’s the incentive? Or are you just going to buy a yacht and sail around the Med for the rest of your life?

(Mr Johnson, 68, widowed, lives with new partner, no children, plans to leave 50% of his money to charity, interviewed alone.)

## **5.5 Family comes first, but not always**

The purpose of this chapter has been to introduce the reader to one of the most important claims to a person’s inheritance – the family. This chapter has argued that because of the moral and symbolic meanings attached to inheritance, family is often perceived as being the natural beneficiary. Participants grappled with ideas about fairness, equality and what purpose inheritance should serve, to determine the amounts that family should receive. Some participants wanted to pass on their inheritance to ensure their families would be looked after, others wanted to make their family connections clear and to show their beneficiaries they were important to them, some believed

they were leaving their families 'a treat' to be used for a holiday, a car, or a house renovation. Most of the participants believed the purpose of their inheritance was a combination of these reasons. Whatever the reason, the strength of the family's claim is palpable. But this is not the end of the story.

This chapter has shown that there are reasons a person might hesitate to leave their entire inheritance to their family. When participants stopped, sometimes only momentarily, and asked themselves: What will the money be used for? Do they deserve the money? Will they appreciate it? Do they *really need it? Is it fair?* It is these hesitations that create the space for other claims to be included in their wills.

# Chapter Six

## The Deservingness of Charities

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The previous chapter showed that family was the most important consideration for people when planning how to pass on their assets, charities were often a second consideration. A quick review of how charities market bequest giving shows that they recognise the privileged position of the family and recognise that they are likely to receive a lesser amount. It is common for charities bequest literature to begin with the sentence ‘after you have taken care of your loved ones...’. Despite the perception that families ‘should’ receive the largest amount of the estate, the amount of people leaving charitable bequests remains low. In 2019 6.3% of the population left a legacy gift to charity (Smee & Ford, 2019). Legacy bequests, however, are an important source of income for many charities and for some charities, bequests are vital for their survival (Sargeant and Hilton, 2005), they are ‘lifelines without which many charities would be unable to operate.’ (Pidgeon, 2005. p.1).

As the previous chapter argued, although participants believe they have a moral responsibility to leave their inheritance to their family, some questioned whether giving all of their money to their families really was the moral thing to do. Most of the participants felt they might also have a responsibility to people outside of their families. Fourteen of the participants have either already included a charity in their will or intend to include a charity when they re-write their wills (Appendix One and Appendix Two provide further details of participants chosen charities). The amounts these participants planned to leave to a charity varied, some participants planned to leave half of their estate to several charities, some were leaving a small set amount of money to a charity – but most, however, were somewhere in the middle.

Drawing on the concept of *deservingness*, this chapter will explore how participants evaluated the claims of charities when planning their legacies.

This chapter will begin by exploring the extent to which participants believed they have a responsibility to leave money to 'others' (6.1), and then move on to discuss which 'others' the participants felt they had a responsibility to and why these 'others' were seen to be most deserving (6.2). Following on from this, the chapter will consider how decisions are made based on and autobiographical factors (6.3). The final section will explore how participants' decisions were also influenced by the practical running of charities rather than on the neediness of the cause. It will explore perceptions of how charities spend money (6.4.1) and experiences of charities' communications and fundraising (6.4.2).

Although participants had considered these factors when choosing the charities, they believed were deserving of their legacies, it is impossible to know whether their justifications were considered at the time of deciding or whether they were constructed during the interview as a way to justify, and make their decision seem more logic based, to the interviewer and to themselves. For example, when participants were asked why they had chosen particular charities to pass their money on to, most of the participants began their answers by talking about the efficiency of the charities and how they would spend their money well, although this seemed to be a consideration for the participants, it is unlikely to be the main reason that charity was chosen, but just a way to 'make sense' of their decision during the interview.

## **6.1 Responsibilities to others**

Mr Johnson's will was the most complex of the participants interviewed. During his interview, as he could not remember the details, he retrieved his will from his desk drawer and began reading it out to me. The will included multiple beneficiaries, within and outside of the family. His family members, and The Dogs Trust (Dogs Trust is a dog welfare charity which focuses on the rehabilitation and rehoming of dogs which have been abandoned by their owners) would all receive a set amount of money each.

Four other charities Tŷ Hafan (provides palliative care to children with life limiting conditions in Wales), Noah's Ark Appeal (raises money for the Noah's Ark Children's hospital in Wales), Macmillan Cancer Support (provides physical, emotional and financial support to people with cancer) and The Sandville Self Help Centre (offers social and psychological care for people suffering difficulties) would each receive a portion of the residual estate. The complication arose, however, because Mr Johnson is not married to his partner and she therefore has no legal rights to his estate - although she lives with him. Mr Johnson wanted to make certain when drafting his will that his partner would be secure if he were to pass away first. He decided that his partner will, therefore, be allowed to remain in his house until she passes away. Upon her death the house will be sold, and the money raised will be divided amongst Mr Johnson's chosen charities. When asked why he had decided to divide his estate in this way, Mr Johnson explained:

Well, you've got to do something with it, haven't you? Do you leave it all to charities? Well no that's not right. Who should get some benefit from it? Family? Well, do you give it all to them? No, that's not right either... So, we split it in effect, not quite 50/50 but something along that sort of line. So, 50% of it can go to family links, however tenuous and the other 50% can go to a charity...Probably if you can't decide one way or another, go down the middle.

(Mr Johnson, 68, widowed, lives with new partner, donates monthly and plans to leave 50% of his money to charity, interviewed alone)

In this account, Mr Johnson is vocalising the sentiment that giving all of your money to family, isn't necessarily the *fair* thing to do and that he also believed he had a responsibility to pass money on to people outside of the family through gifts to charities.

When asked why they wanted to leave some of their money to a charitable organisation rather than leaving it all to their families, several participants explained that giving money to a charity was a way of 'doing something good' with their money. This idea that they were 'doing something good' with their

money only came up when participants spoke about charities, and not when they spoke about passing their money on to their family. Participants believing they have a moral obligation to use their money to 'do good' by giving it to people they will never have a direct social relationship with is at odds with cultural anthropological theories of gift giving which portray gifts as being based on reciprocal relationships and self-interest (Malinowski, 1922. Mauss, 1954). To help understand why participants might want to leave a legacy gift to a charitable organisation when the beneficiary of the gift is unknown and there is no possibility of reciprocity, we can draw on Richard Titmuss' (1970) cross-national work *The Gift Relationship: From Human Blood to Social Policy*. Titmuss explored the different blood donation systems in the US and UK, and their influence on the desire to give. The UK system was voluntary and anonymous, that is the donation is 'a free gift of blood to unnamed strangers' (Titmuss, 1970. p.239), whilst the US system was commercialised and allowed donors to sell their blood for money. Titmuss argues the UK system, based on the altruistic desire to help strangers, was more morally just and that people were more likely to donate blood when the donor remained anonymous and there is no opportunity for reciprocity. Applying this to the context of inheritance suggests that people leave charitable bequests because of altruistic feelings of compassion and empathy.

Mrs Davies does not have any children, and she was uncertain about what she would like to happen to her money after she passed away, but she repeated several times during her interview that she wanted to do something positive with it. She planned to pass her money on to some family members and some local charities (discussed further in 6.3.1). During her interview, she mentioned having heard a story about a person who, having passed away with no children, left their money to all the people living in their village. Although, she said she was unlikely to do this herself; she liked the thought of doing something like this. She also mentioned that she might like to leave the money to carers who were supporting her husband. When she was explaining her thoughts, she said:

I think you just want to try to do as much good with it as you possibly can, so you help people on their way, really.

(Mrs Davies, 54, married, donates monthly to charity, considers leaving their money to charity, joint interview)

Her husband, Mr Davies, agreed with her saying that it would be, 'a dereliction of duty not to put it to a place where it could go to good use.' As shown in the previous chapter, Mr Davies did not believe family were deserving of inheritances because they had not earned the money and therefore his desire to leave money to a charity was consistent with this. Mr Davies had a strong sense of ownership of his money and it was important to him that it did not end up in the hands of the 'wrong' people.

Ideas about wanting to 'do good' with their money by giving it to charitable organisations that deserved it were shown in the narratives of several of the participants who intended to pass on some of their money to a charity. Mrs Roberts expressed a desire to leave a small sum of money to some charitable organisations, although she had not yet done so. She mentioned that she would be happy to leave a legacy gift to Médecins Sans Frontières (a charity that provide international medical assistance to people affected by conflict or disasters) and/or the Marine Conservation Society (a charity that aims to ensure the UK seas are healthy, pollution free and protected). She said:

I might leave them a small amount... [laughter]. I probably wouldn't though, I'll probably just stick with MSF. The thing is there are so many good charities and they do so much good stuff. The Marine Conservation Society I feel very strongly about because it affects the whole world.

(Mrs Roberts, 72, married, 3 children. Although Mrs Roberts wanted to leave money to charity, Mr Roberts was very averse to the idea, joint interview)

Not all participants, however, believed they had a responsibility to those outside of their families. Eight of the interviewed participants only wanted to leave money to their family. Considering only 6.3% of the population left a



charitable gift in 2019 (Smee & Ford, 2019), these participants are not alone in this decision. Ms Wright, when explaining her decision to leave all of her money to her family said:

There are certain charities I feel strongly about but I have to say that in my case, especially with my disabled daughter with no financial help whatsoever for her, I'm completely on my own. I feel that in my case, rather than give to an outside charity, my charity begins at home. If I had money which was superfluous to their needs, or my perception of their needs then I would be more inclined to leave money to charity, but I don't feel like I would want to leave a legacy to charity...Every penny that I'm able to leave, in my mind, belongs to my grandchildren, my descendants. I feel if they were all terribly well-off then I wouldn't mind but they're not. My daughters' husband is a gardener, but he can't get his job upgraded and he's not going to have a high pension to live on. My daughter is disabled, if anything happens to him then she's going to have to pay for care. So, I feel that whatever I do in my lifetime to help any other people who need money... but it is more appropriate that I look after my children and their children. I'm perfectly honest about that.

(Ms Wright, 78, divorced, 3 children, 7 grandchildren,  
interviewed alone)

Similarly, Mr and Mrs Griffiths were also planning to leave all of their money to family. They are Roman Catholic and explained they had done a lot of volunteering for charities and had given a lot of money to charities during their lifetime, but they did not want to leave a legacy bequest to a charitable organisation. When answering why they did not want to leave a gift in their will to a charity, they said:

Mr Griffiths: I think the real thing is that in life we are giving in different ways at different times, at different stages to charity but if you asked us what the priority is, we would say the priority is our own family and that would be the overriding reason.

Mrs Griffiths: Yes, and it's not on the basis that charity begins at home. I still give to charity when I go to a charity shop and I could be buying stuff, or I could be giving stuff and very often I'll buy something from a shop and think I don't really need that and give it straight back to them. I don't want the money back.

Mr Griffiths: I think those values we've passed down are most important.

(Mr Griffiths is in his 80s, Mrs Griffiths is 77, Married, 3 children, charity volunteers, no plans to leave money to charity.)

This is an interesting account which shows that Mr and Mrs Griffiths believe that charity is something that should be done during their lifetimes, rather than in their will when they have passed away. Like Ms Wright they also discuss the phrase 'charity begins at home' but they reject it arguing that they have done enough for charities during their lifetimes. What is particularly interesting about this account is that Mr Griffiths suggests that it's the 'passing on' of charitable values to future generations that is most important. It is possible that their response to the question was a defensive one because they were directly asked why they didn't want to leave a charitable bequest. This was a reaction that occurred several times during a small number of interviews with participants who did not want to leave a gift to charity, there was a sense that I was accusing them of something, and they therefore wanted to justify their charitable behaviours throughout their lifetimes.

Another interesting example in the data is from Mr Wood, who had made provisions in his will to leave money to one charity and was considering adding more, said:

The thing is, if you left £10,000 to a charity then each individual child would have effectively lost £3,000 from whatever their inheritance could be.

(Mr Wood, 71, married, 3 children, charity volunteers and donor, plans to leave money to charity, joint interview)

His use of the word 'lost' implies he believes the money is belonging to his family and his decision to leave more money to a charity means he is taking this money away from his children. Finch and Mason (2000) in their research into what inheritance decisions in England could reveal about kinship coined the concept of money 'passing out of the family'. The participants in their research, particularly those in more complex families, were concerned about the potential for money to 'pass out of the family' by going to non-blood ties. Participants would attempt to minimise the amount of money passed out of the family as much as possible. It is possible this concept could also be extended to other potential beneficiaries – such as charitable organisations. Legally the money is not being 'taken away' from Mr Wood's children because they do not yet have ownership of the money.

## **6.2 Deservingness and 'muddling through'**

Although many participants believed they had a responsibility to help 'others' through their legacy giving, exactly which 'others' they believed they should help was more complex and based on their individual tastes and ideas about *deservingness*. As Bekkers and Wiepking write:

Through giving, donors may wish to make the distribution of wealth and health more equal; they may wish to reduce poverty, empower women, safeguard human rights, to protect animals, wildlife, the ozone layers. Donors may also have objectives that are partisan or even terrorist. Supporting a cause that changes the world in a desired directive is a key motive for giving. (Bekkers and Wiepking, 2011. p.941)

Legacy giving is distinctive from lifetime giving for several reasons – legacy bequests are usually of greater value, the donor will not be around to monitor how a charity spends the bequest, the legacy bequest is one of the final gifts a donor will make and a way for the individual to 'continue their identity through time' (Routley and Sargeant, 2015. p.88). Generally, participants were stricter with their legacy choices and planned to leave money to only a few charities in their will, whereas when talking about which charities they left money to in

their lifetimes, the list was usually much longer. A review of the charities to whom participants planned to leave bequests (full details included in Appendix Two) shows that health support and research charities, and animal charities were the most common charities. However, there were also gifts to education charities, humanitarian charities, arts and museums etc. How and why participants chose and prioritised these charitable causes is important for understanding the decisions and dilemmas which arise when planning their legacies.

To help us to understand how participants decided which charities were deserving, we first need to understand what is meant by 'deservingness'. Van Oorschot (2000) argues there are five dimensions of 'deservingness'. The first dimension is *control*, the less control a person has over their situation the more deserving of support they will be perceived to be. The second dimension is *need*, the more 'in need' a person is perceived to be, the more deserving. The third dimension is *identity*, the closer that people are to 'us', the more deserving. This dimension can refer to kinship, class, nationality, ethnicity etc. The fourth dimension is *attitude*, the more appreciative or willing a person is of the support, the more deserving. The fifth, and final, dimension is *reciprocity*, if a person has earned the support then they are more deserving of it. According to Van Oorschot, not all dimensions need to be satisfied and different people attach different weighting to each dimension, depending on their individual values and beliefs. For example, a person who gives more weighting to the dimension of *need* might decide to leave money to a charity for the homeless, whereas a person who gives more weighting to the dimension of *control* might leave money to a health charity. Of course, it is not as simple and straightforward as this, as most charities will likely tick the boxes for many of these dimensions simultaneously. A person's own values and beliefs will also influence how these dimensions apply to different persons in need, e.g. the perceived degree of control a homeless person has over their situation is likely to vary.

The vast number of charities available for participants to choose from meant it was impossible for them to use this very logical approach to how they chose

their charities. The impossibility of the task was addressed by Mr Lewis, who said 'I did sit down and google lists of British charities blah blah, you do that for ten minutes and you're inundated by 500,000.' In fact, it became apparent very early on in the fieldwork that participants did not always have concrete, well thought-through reasons for having chosen their charities and often it seemed like the choice had been quite random. This is in agreement with Lindblom's (1959) research into decision-making (discussed in Chapter Four). Lindblom argues that because of a lack of resources and time it is impossible for a person to make fully informed decisions and consequently there is often an element of 'muddling through' to decision-making. This 'muddling through' was most apparent in participants' decisions about charities.

Decisions about which charities to include, therefore, are not only based on ideas about deservingness but on emotions, tastes, personal context and their histories in relation to charities. Drawing on a qualitative study of committed lifetime donors in the UK, Breeze discusses what she calls 'taste-based' giving, she explains:

Tastes are acquired as a result of an individual's socialisation and lifelong experiences, which includes their upbringing and family, their participation in educational work institutions, and their interactions with friends, peers and colleagues. (Breeze, 2013. p.12).

The emotional, taste-based aspect of the decision-making was apparent when participants used phrases such as, 'we are interested in...', 'this cause is very important to me' and 'I really care about...' when discussing their decisions. Ms Driscoll planned to leave money to the Alzheimer's Society (care and research for people with dementia), Cancer Research UK (care and research for people with cancer) and Macmillan Cancer Support (provides physical, emotional and financial support to people with cancer). During her interview she explained that she gave monthly to the National Trust (environmental and heritage conservation in Wales, England and Northern Ireland), despite not using their services, and some other charities that she couldn't recall during

the interview. When asked why she didn't want to leave a legacy gift to these other charities, she explained:

Well, I just emotionally don't feel like doing it. I mean, I don't think I have a specific reason, it's just a feeling which I suppose is based on some things. I'm not saying they don't do some valuable work, but no, I wouldn't contemplate leaving money to them.

(Ms Driscoll, 80, single, charity volunteer and donor, plans to leave money to charity, interviewed alone)

Similarly, when Mr Phillips was asked why he didn't want to leave all of his money to his family, rather than to a charitable organisation, he replied:

There's just nothing else I feel strongly enough about to leave it to. I might leave a few bob here and a few bob there along the way but certainly from Save the Panda to Save the Children in Syria to wherever. I mean you could leave £5 to 200 charities but since I don't have any particularly strong attachment to any of them...

(Mr Phillips, 75, married, 3 children, chemist in the third sector, does not want to leave money to charity, joint interview)

Tailoring the charitable causes to their own tastes meant participants could write certain causes off completely. Drawing distinctions between charities and positioning these charities in opposition to one another helped the participants decide who they would and would not support. Mr Lloyd, for example works in the third sector helping charities to run fundraising campaigns. In their mirrored wills, he and his wife plan to leave money to six charities. Mr Lloyd was keen to work with charitable causes he believed needed more help and support, and this attitude was reflected in his philanthropic legacy choices. During his interview he talked about the charities he is willing to engage with:

I do mainly health and welfare. I don't do universities, I don't do private schools, I don't do religion, but I have done special needs, education. I have done community centres that are a part of churches, but I won't do organs, I won't do spires, I won't do language labs for cathedrals and that's a personal choice.

(Mr Lloyd, 58, married, freelance consultant in the third sector, plans to leave money to charity, interviewed alone)

Developing these sometimes very specific categories, although they seem sometimes contradictory and arbitrary, helped Mr Lloyd decide which charities he would carry out work for. Other participants were much more vocal about the charities they would not support, rather than those they would. Similarly, Ms Walker explained that she was not interested in giving to 'social/people' charities because she had done work throughout her life to benefit people, in her will she therefore wanted to leave money to charities which better reflected her interests. She planned to leave money to a quilting group and St Fagan's Museum (an outdoor museum in Wales), when explaining her charitable choices, she said:

I think I have worked for the benefit of the community for most of my life, so I see no reason to support any charity that has a social aspect, you know, like Tenovus or the hospital or what have you.

(Ms Walker, 80s, widowed, chemist in the third sector, plans to leave money to charity, interviewed alone)

The most common cause, however, that many of the participants were quick to discount in their narratives were animal welfare charities. As previously mentioned, however, animal welfare charities were also one of the most popular causes chosen by the participants in this research. Views about animal charities were therefore very split between the participants. The controversial nature of animal welfare charities will be explored throughout this chapter. For now, I intend to focus on the participants who rejected animal welfare as a deserving cause.

Many of the participants who did not want to leave any money to a charity used animal welfare charities to justify their decisions. Cats and donkeys were the charitable causes most frequently joked about by the participants. Mrs Evans, for example, planned to leave all her money to her family. When explaining why she had no interest in passing her money on to a charitable organisation, she explained ‘well I’m not going to leave it all to the cats’ home’. In Mr Roberts’ interview he laughed about a neighbour’s decision to leave money to the Donkey Sanctuary. When asked whether they planned to leave money to a charity, Mrs Phillips replied ‘what, like a cats’ home?’. Leaving money to animal welfare charities (particularly cats and donkeys) was perceived as being something a person would do out of spite or loneliness. This is a common media trope, the old lady that leaves all of her money to a cats’ home, and it is possible that participants were attempting to distance themselves from this narrative. When explaining that she wanted to do something positive with her money by leaving it to charity, Mrs Evans quickly said:

I mean, I’m not one of those crazy people who leave all their money to animals and animal charities.

(Mrs Evans, 76, married, 3 children, does not want to leave money to charity, interviewed alone)

The binary distinctions between ‘people charities’ and ‘animal charities’ was one of the most common distinctions made by participants and there was a general sense that if a person wanted to leave money to an ‘animal charity’, then they should receive a lesser amount than ‘people charities’. Mr Phillips, who did not plan to leave a charitable bequest, said:

You might give £500 to Battersea Dogs Home because you like dogs but if you give £5000 well that’s an awful lot of money.

(Mr Phillips, 75, married, 3 children, chemist in the third sector, joint interview)

Mrs Lewis planned to leave bequests in her will to three charities – Freedom from Torture (FFT provide specialist therapies to support asylum seekers and



refugees that have been the victims of torture), Dogs Trust (a dog welfare charity which focuses on the rehabilitation and rehoming of dogs which have been abandoned by their owners) and Queen Mary College (a university in England). Although she did not plan to give these charities gifts in equal shares because she believed that one charity (Freedom from Torture) deserved to receive more than the others. She explained:

50% to Freedom from Torture, 25% to Dogs Trust, 25% to Queen Mary College... I felt people recovering from torture have a higher priority than students needing welfare support and dogs. People more than dogs, basically. The whole idea of torture horrifies me.

(Mrs Lewis, 72, married, 3 children and an 'honorary son', public sector, charity volunteer and donor, interviewed alone)

Donors choosing charities for emotional, rather than logical, reasons is not a new or surprising finding. Emotion is often used by charities in advertising campaigns to encourage donations. In this context, however, it helps us to understand the paradoxes and contradictions in participants' accounts. Although they want to leave money to charities out of a moral responsibility and their ideas of fairness, the charities they chose were not always those that were most in need.

### **6.3 Biographical factors**

Many of the participants chose charities they had previous connections to – charities that were already embedded in their lives through their personal histories and experiences. These charities were usually ones that participants had supported throughout their lifetimes by donating either money and/or time, but also charities that may have provided support to either them or their loved ones. Mr Lloyd, summarised:

You could pick the top ten obvious ones like bones<sup>4</sup>, RSPCA etc. but it's the ones that we've either been involved with or the ones that have helped the family, made a difference.

(Mr Lloyd, 58, married, freelance consultant in the third sector, plans to leave money to charity, interviewed alone)

Mr and Mrs Thomas had personal connections to all of the charities they considered leaving a bequest to. Mrs Thomas, for example, explained she was the only paid employee at PAWS animal charity (An animal welfare charity focusing on the rehabilitation of orphaned or injured animals). Similarly, Mr Thomas was involved with all of the charities that he considered – Lions (who focus on fundraising and volunteering for local charitable organisations) and the YMCA (Supporting young people in the local community). Mr Thomas and Mrs Thomas had also both worked at a number of schools throughout their careers – two of which were boarding schools. They both wanted to leave money to the boarding schools as a way of demonstrating the important role these schools played in their lives. When asked to explain their choice, Mr Thomas said:

They [the schools] gave us years of happiness. We sweated blood for them at one time... I was the headmaster at one of them.

(Mr Thomas, 72, married, 2 children, private sector, charity volunteer and donor, plans to leave money to charity, joint interview)

When asked why they only wanted to leave money to these schools and not the others they had worked at, Mr Thomas replied that although he had been happy at the other schools, he just didn't feel like leaving them anything. The boarding schools had obviously had a bigger emotional impact on Mr and Mrs Thomas, making them more desirable recipients of the gift.

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<sup>4</sup> Mr Lloyd was unclear about the exact charity he was referring to here.

Mrs Lewis also had personal connections with all of her chosen charities – Freedom from Torture, the Dogs Trust and Queen Mary College. When asked why she had chosen these charities, she explained:

Well dogs is obvious, I've always been... well he's my ninth dog. I've always been keen, always wanted dogs. Since we've been married, I think we've had about six, something like that, so that's obvious really and we've had, a lot of rescue dogs... I think he's [their current dog] our fourth. Yes, he's our fourth so that seems obvious. Queen Mary college because, I'm not sure actually... I suppose I was very happy there, you know, if you go from mid-Wales to London it was a huge experience, so I feel if there are students who need the money – my kids did alright because we bought this property in Cardiff and that was to help them when they were in university and the rent went straight to them. So, I feel it would be nice if somebody else could benefit.

(Mrs Lewis, 72, married, 3 children and an 'honorary son', public sector, charity volunteer and donor, interviewed alone)

Mrs Lewis planned to leave a student support fund to Queen Mary College, which she hoped will allow students to study abroad, something that she had done whilst at university and found to be a highly rewarding experience. She also planned to leave money to Freedom from Torture, another charity she had volunteered with and had strong empathy for the cause:

I worked long term with the victims of torture so you can sort of see where your money is going basically, and some people have horrific background stories.

(Mrs Lewis, 72, married, 3 children and an 'honorary son', public sector, charity volunteer and donor, interviewed alone)

Working for, or volunteering with charities, meant the participants were able to develop a connection with the beneficiaries of their donations, which made them more sympathetic to the cause. Working in these environments would also give the participants a better idea about the financial needs of the charities

and possibly generate feelings of moral responsibility towards these charities and their beneficiaries.

Family connections to the charity also made participants more likely to want to leave them a bequest. This is interesting because although most of the existing research into charities positions the family as being in opposition to charitable bequest giving, this research offers an alternative perspective - that family histories can motivate charitable bequests. Many of the participants in this research, who planned to leave bequests to health support and research charities, did so because they or a member of their family had suffered from the illnesses the charities supported. Ms Driscoll planned to leave money to Alzheimer's Society (care and support for people with dementia) because her mother had suffered from the disease. She planned to leave money to Cancer Research UK (care and support for people with cancer) and Macmillan Cancer Support (provides physical, emotional and financial support to people with cancer) because she had suffered from cancer. Mr Harris wanted to leave money to either Parkinson's UK (Research and support for people with Parkinson's) or Motor-Neurone disease association (MNDA support people who have been diagnosed with motor-neurone disease and their families) because his brother had passed away from Motor-neurone disease, and he suffers from Parkinson's disease. Mr Johnson planned to leave money to health charities because his wife had passed away from cancer. Mr and Mrs Wood planned to leave money to Lupus UK (supporting people with Lupus) because Mrs Wood suffers from lupus.

Mr Phillips did not plan to leave a charitable bequest, but he acknowledged the importance biographical factors can have for people's decisions. He said:

I think you tend to consider a charity more, particularly if you've had something like cancer and a cancer hospice has looked after you, that's undoubtedly where you would be very, very grateful for what you've had out of treatment and extra years maybe... if you feel beholden then you do something about it. If some organisation has done well by you, then you want to repay them.

(Mr Phillips, 75, married, 3 children, chemist in the third sector,  
joint interview)

The desire to honour a loved one with their bequest can also stem from a moral responsibility to repay the charities that have supported them or a family member. Because they or a loved one have benefitted from the services of the charitable organisation, then a bequest is a way of returning the favour.

Not all the connections that participants made between their families and the cause were health related. Ms Walker plans to leave money to two charities - a quilting society and a national museum in Wales, St Fagan's (an outdoor museum). She had memories of visiting the museum as a child and spent some time during the interview telling stories about this. An excerpt from this conversation shows the important role the memories of her family had in her decision:

The family has always been interested in St Fagan's, so I can't think of a more convincing reason except that I feel St Fagan's does help to support the cultural life of our country and provides a lot of entertainment for people walking around, they have concerts sometimes... My father used to bring us up in the car from Swansea, I should say at least once a year. We used to love coming, we used to buy loaves and mother used to cut those loaves... they also sold butter and a very delicious Caerphilly blue cheese, and we used to adore this stuff. Dad and mum used to have a beer, and we'd have a cold drink of some sort or another and we used to love that.

(Ms Walker, 80s, widowed, chemist in the third sector, plans to leave  
money to charity, interviewed alone)

As mentioned in the previous chapter, participants' definitions of family also extended to their pets. Unable to leave legacy gifts directly to their dogs, they instead left the money to charities that support the welfare of dogs. All the participants who decided to leave a gift to an animal charity had chosen dog-specific causes, and all of these participants had either previously owned or currently owned dogs. Mr and Mrs Wood, for example, had two young dogs and they worried about what might happen to their dogs if they were to pass away. By leaving a gift to the Dog's Trust they believed they were ensuring that their dogs would be taken care of.

As personal histories and experiences are an important factor in making bequest decisions, it can be argued the choices might not always be the fairest or support the most deserving causes. In leaving money to a charitable organisation, participants demonstrate a compassion and attentiveness to the needs of not only 'strangers' of their own generation but also those of future generations. This does, however, require the participants to make assumptions about what others will 'need' and who will 'need' it. In answering these questions by giving money to particular charities and causes, participants were casting their values and beliefs forward in time and have a 'lasting impact on the world' (Solomon et al. 1991. p.8). As many of the people leaving bequests tend to be wealthier - they are the people with something of value to leave - the interests of the upper and middle classes are more likely to be given importance. Many of the participants, for example, were more concerned about quality of life of the individuals rather than society. Although some participants planned to leave gifts to humanitarian causes (Mr Davies, Mr and Mrs Lewis), these charities were not as popular as health research and support charities. The danger here is that charities working to improve the quality of life of society (e.g. poverty relief and homeless charities) are overlooked.

## **6.4 Organisational factors and deservingness**

### **6.4.1 Efficiency and legacy: making a difference**

Leaving their money to a charity where their money would have the most impact on the cause was important to many of the participants. Efficiency is a commonly recognised factor influencing decisions to donate (Breeze 2013) and it can be argued that efficiency becomes an even more important consideration for legacy gifts. In the case of lifetime donations, if a person decided the charity is not spending their money in a way they are happy with, they can stop the donations. This is not, however possible with legacy gifts. For participants to know their money would make a difference, this places the onus on the charities themselves to show participants how their money would be used. Many charities will inform donors of how their money has been used after the donation has been made. However, this would not be possible with legacy gifts. Instead, charities would need to show donors how their money will be used, and how the legacy gifts from others have been spent.

Some participants believed their money would have the biggest impact if they left it to smaller, more local, charities. Smaller, local charities were seen to be more trustworthy/efficient, and their money would have a greater impact going to a charity with less income. Mr Johnson has included five charities in his will. Two of these charities were local, Tŷ Hafan (provides palliative care to children with life limiting conditions in Wales) and Sandville Self Help Centre (offers social and psychological care for people suffering difficulties) and he had placed a condition in his will that his bequest to the Dog's Trust should be spent locally. When prompted to explain his thinking, he said:

The only worry I've got with some of these big charities is that it's like throwing a stone into a pond, there are some ripples but after around ten seconds, it's disappeared and some of these big charities just mop up money like there's no tomorrow...

(Mr Johnson, 68, widowed, lives with new partner, donates monthly and plans to leave 50% of his money to charity, interviewed alone)

This idea that small, local charities would be better at managing their money was shared by several other participants. Mrs Davies, although she wasn't sure which charities, was certain that she would leave some money to local charities, she explained:

I think that we would both rather leave it to local charities, small and maybe local, where you know where the money is being spent and you know you haven't got loads of officials and staff members, big offices and so basically all of the big national charities would be out.

(Mrs Davies, 54, married, donates monthly to charity, considering leaving some money to charity, joint interview)

Money to local charities can be traced more easily and support for local charities could also stem from the 'identity' dimension of Van Oorschots (2000) *deservingness* criteria. Giving the money to local charities will benefit the communities the donors are rooted within. They are more likely to know the beneficiaries and more likely to empathise with the causes. It could be argued, however, that if participants wanted their money to make a difference, then leaving a gift to charities who operate in low-income countries, would be a more effective way of doing this. The money they gift could be stretched much further in low-income nations and could therefore be of greater benefit to the recipients. In higher-income countries the money gifted would need to be of a much higher amount to make a meaningful difference.

Despite some participants preferring smaller, local charities most of the participants interviewed planned to leave bequests to larger, national charities. This does not mean they were not critical of large charities. Many of the



participants believed that larger charities mishandled money. All the participants who did not want to leave any money to a charity drew on examples of when they had heard about or seen charities mishandle money as a reason to not leave a charitable bequest. As Mrs Evans expressed during her interview 'I think the big charities have lost their way.' Although most of the participants acknowledged that charities needed to spend money on 'overheads' and administrative work, the amount of money that some charities spent on this type of work was perceived as problematic. Examples of this view in the data are:

If someone could come to me and prove that there was another very good functional charity that didn't waste their money that was as good and as frugal then I would go with that. But the reason Salvation Army gets my vote is because it's always been considered a decent charity, frugal with the money and so on. I'll give you an example, I was an executor of a will to somebody who died and left money to the RSPCA, I had an occasion to phone up the director of operations and they said 'he's a bit busy at the moment, he's having his office refurbished and he's decided he wants velvet curtains'. I thought this money that's being wasted on this sort of thing, that's what deters me, my cash is going to this sort of thing.

(Mr Davies, 72, married, donates monthly to charity, considering leaving some money to charity, joint interview)

I give money every year to Alzheimer's and cancer and they are the two I will give to if I'm asked for money, but I wouldn't leave them a bequest. I'm never sure whether it goes to the right place to be honest. I did used to work with OXFAM and I saw so much going on I was disgusted. The amount of stuff that went missing instead of going into the shop.

(Mrs Evans, 76, married, 3 children, does not want to leave money to charity, interviewed alone)

It makes you think a bit about charities and how they spend their money... what they're doing with it and how they're spending it, who's running it and other things. Charities make me quite cynical, you get these people collecting at the door and you find out that six pence in the pound maybe going to them, whereas the salaries of the directors and whatnot seems to exceed anything sensible that they're doing. I don't care if its only 0.00001% of the turnover, I still don't see why someone running OXFAM or Save The Children need a salary of £250,000 a year. Particularly when they're a retired manager of Lloyds Bank or something and have a pension of about £300,000 in the first place.

(Mr Phillips, 75, married, 3 children, chemist in the third sector, does not want to leave any money to charity, joint interview)

Participants often positioned themselves as 'informed consumers' when deciding which charities to leave a bequest to, as they attempted to work out which charities their money could have the biggest impact upon. Whether the information their decisions were based on is truthful was sometimes questionable, but it is important for understanding the concerns they held about how charities are run and how these views affected their decisions. In the same way that people consider value for money when purchasing a consumable, they also considered value for money in their charitable donations.

The contradictions and paradoxes were highly apparent in participants' ideas about which charities their money could make the biggest impact towards. As discussed above animal welfare charities were often portrayed as not worthy of a legacy bequest. However, if participants wanted their money to make a difference to the cause then gifts to animal charities would make sense because they receive no government funding and are instead reliant on voluntary support. Few of the participants considered whether their chosen causes received government funding or relied on public support.

Wanting their money to impact the cause could be explained by participants thinking about their legacy and how they will be remembered through their

charitable gift. As participants worried about how their families would spend their legacy (see. 5.2), they also worried about how charities would spend their legacies. By choosing a charity where they believed their money would have a greater impact, they are ensuring their legacies would also have impact. Writing about how donors intend to be remembered through their bequest gifts, Routely et al. (2015) use 'symbolic immortality' to explain why people want their charitable bequests to have a visible impact. Drawing on generativity theory (Erikson and Erikson, 1997) and terror management theory (Solomon et al, 1991), Routely et al. argue that leaving a bequest to a charity allows individuals to achieve 'symbolic immortality' by ensuring their 'influence continues to be felt on the world long after his or her physical death.' (Routley and Sargeant, 2015, p.13). Routely et al. argue that if a bequest gift does not have an impact, then this prevents the individual from achieving 'symbolic immortality'. They summarise:

The perception that money will be wasted could be seen as squandering a donor's life work, and, combined with the perception that what we have is what we are (Feldman, 1952), squandering their very essence, and, ultimately, denying them one form of symbolic immortality. (Routely, Sargeant and Day. 2018. p.24)

#### **6.4.2 Fundraising and communications**

The final factor influencing participants' decisions to leave bequests concerned the fundraising and communication techniques of the individual charities. In the same way that positive experiences in the past could encourage participants to leave a bequest, negative experiences could discourage them from leaving a bequest. Negative experiences could stem from seeing the charity mismanage their money (6.3.2), or through their communications with the charity. None of the participants, who planned to leave a bequest to a charity had informed the charity of the gift or discussed the gift with their chosen charity. If they were leaving a gift to a charity, they had no previous affiliation with then they would not receive any communications from the organisation. If they were leaving a gift to a charity,

they had previous affiliations with (previous donations, volunteering, memberships) they usually received communications from the charity. These communications (telephone calls and leafleting) became sources for the participants to decide whether a charity was deserving of their bequest. Charity fundraising techniques have received particular scrutiny in recent years, particularly since the death of 92-year-old Olive Cooke who, in 2016, took her own life because she had been distressed and overwhelmed by charities constantly asking her for money – it is speculated that she received almost 3,000 mailings from charities in a single year. Since Olive's death, donor confidentiality practises have been tightened to prevent charities from exchanging or selling the personal details of donors to one another or to third parties (see code of fundraising practise). Similarly, public trust depleted in charities has depleted since the 2018 scandals surrounding Age UK, Kids Company and the OXFAM abuse scandal (Populus, 2018.)

Mr Roberts had been the executor for a neighbour's will. The neighbour wanted to divide her entire estate between five charities and, as the executor, Mr Roberts was required to sell the neighbour's home on behalf of her beneficiaries. Mr Roberts explained the process had been further complicated by the charities wanting him to sell the house at its greatest value. He mentioned that at one stage a charity suggested that if he were to turn the house into flats, then the property could be sold at a higher value. He explained the conflict between himself, his lawyer and the beneficiaries and their lawyers lasted over two years and caused him a great deal of stress. In agreeing to be the executor of the neighbour's will he thought he was doing a good deed by helping but did not anticipate the 'predatory nature' of the charities. Mr Roberts was keen to share his experience with me and explained it was one reason he had agreed to be interviewed. Talking about his experience, he said:

I was just looking at it before you came; I thought I better look at it. I tried to forget my experience... there were over five-hundred emails between me and the solicitors. I was the executor of the neighbour's will. Over five hundred emails over two and half years. That's how long it went on. There were five charities involved. The main ones were the RSPCA and

four others. Their behaviour, the charities, was predatory. It was obscene to be honest. Particularly the RSPCA, I was at the point... it coincided with Mrs Roberts' lymphoma diagnosis, so things were not easy. The predatory behaviour of them was outrageous, that's what I was going to say, I was at the point of complaining to the Charities Commission about their behaviour. If it had gone on a few months longer, I certainly would have done... it was just unbelievable. Two of the charities incidentally were cancer charities...

(Mr Roberts, 74, married, 3 children, joint interview)

Mr Roberts' experience, he explained, meant he would never give money to a charitable organisation, either during his lifetime or as legacy gift. He made it obvious that he did not want to reward any charities for their behaviour and would not leave a bequest gift to a charity because he did not want his executors experiencing the same as he had.

Many of the participants spoke about how they had been harassed and bombarded by requests from charities. For example, Mr Johnson, gives money to several charities on a monthly basis and explains that he is used to receiving calls asking for more:

A lot of cold calls and a lot of them now want me to increase my direct debits and I've got to stop them, my standard phrase is 'sorry, I'm all charitied out'. But they have to be told, I think, three times on a call before I actually get rid of them, so it was 'no, no, no we'd like to tell you what we're currently doing', 'interesting' I said, 'but if you're going to ask for money, then we can stop now,' I said. That's the way I have to play it because they do pass your name around. I've got existing agreements with some of them and I've actually said if you keep this up then I'll stop the direct debit.

(Mr Johnson, 68, widowed, lives with new partner, donates monthly and plans to leave 50% of his money to charity, interviewed alone)

Similarly, Mr and Mrs Thomas shared their views on being contacted by charities and how the contact often discouraged them from giving:

Mrs Thomas: We've had random requests all along.

Mr Thomas: We're tolerably good at stopping such unsolicited activity. Anybody doing that is likely to do themselves more harm than good.

Mrs Thomas: I'm not being bullied into doing things.

(Mr Thomas is 72, Mrs Thomas is 75, married, 2 children, private sector, charity volunteer and donors, plans to leave money to charity, joint interview)

Although many of the participants felt they could handle the communications from charities, several raised questions about what could happen to more vulnerable people receiving the same treatment. They questioned leaving money to organisations that practised fundraising techniques they perceived as being immoral or unethical because they worried that they would encourage these types of communications. Mrs Roberts, unlike her husband, was more open to giving money to charity and gave money on a monthly basis to a few charities. She expressed concern that charitable literature often assumes the person they are contacting is not affected by the cause themselves and Mrs Roberts worried about the impact this could have on some people. When discussing her communications with charities Mrs Roberts said:

I have had phone calls but when I get them, I just say that I don't take cold calls. This is why I'm particularly fond of... we've never had a problem with Marine Conservation, they don't do anything like that, and MSF don't, Greenpeace don't... it was just OXFAM. Some of the cancer charities... we get stuff through the door... I don't like the way they word their stuff often because it's always assuming you don't have it yourself. It's trying to make you feel bad and you should be helping these other people and you're thinking there's always this assumption that the person they're sending this out to doesn't have it... but they might be dying.

(Mrs Roberts, 72, married, 3 children. Would like to leave some money to charity but Mr Roberts is very averse to the idea, joint interview)

This is interesting given that many of the participants gave to causes that had affected their families or themselves, but the fundraising techniques of the charities did not reflect this.

### **6.5 Responsibilities to others**

This chapter has explored the claim of charities on participants' inheritances and how participants decide which charities are deserving of their legacy gifts. This chapter has argued that decisions about bequests are not only based on ideas of deservingness but also on emotion, tastes and context. Whilst some participants believed they had a responsibility to use their legacies to benefit those outside of their families, the number of charitable bequests made each year remains low. The decision-making process that participants go through also means that the charities receiving bequests may not be the charities most in need of the bequest. This raises the question, that will be explored further over the next chapter, of who is best positioned to determine which 'others' should benefit from the money left behind by the dead, the individual or the State.

# Chapter Seven

## The (Un)fairness of Inheritance Tax

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In a capitalist economy, taxes are not just a method of payment for government and public services: they are also the most important instrument by which the political system puts into practice a conception of economic and distributive justice. That is why they arouse such strong passions, fuelled not only by conflict of economic self-interest but also by conflicting ideas of justice and fairness. (Murphy and Nagel 2002. p.1)

Unlike the claims to inheritance discussed in the previous chapters, inheritance tax is a non-optional claim to a person's estate. If a person has assets above the threshold (see 7.1) then upon their death, the estate is legally obligated to pay inheritance tax. Inheritance tax is often presented as an emotive topic because it is bound up in debates about social justice, individual liberties, and family obligations. As Stark and Kirchler explain, inheritance taxation requires people to confront two very oppositional normative perspectives, 'on the one hand, preserving private wealth accumulated for future generations, on the other hand, providing distributional justice of chances and resources in society.' (2017, p.455). The dilemma here is whether a person should have an obligation to use their inheritance for the benefit of society, rather than their family or community? And whether it is *fair* that only people with a certain level of wealth are required to shoulder this responsibility.

This chapter will explore the concept of fairness to help understand participants' attitudes towards inheritance taxation. The concept of fairness is difficult to define as no single definition exists. We can posit that it is tied up with ideas of justice, equality and rights (and often fairness is treated synonymously with these concepts (Carr, 2017)) but as Carr (2017) argues



fairness should be treated as distinctive because it has greater moral significance:

Fairness, I think it is fair to say, raises significant moral concerns, and claims about being treated unfairly carry considerable moral weight – at least as much, if not more, than claims about being treated unjustly or unequally. Similarly, the need to play fairly, to bargain fairly, or simply be fair *matters*. (Carr 2017, p.1)

The colloquial usage of the concept is often used to express whether something is seen as being morally right or wrong. The Cambridge English Dictionary broadly defines fairness as being ‘The quality of treating people equally, or in a way that is right or reasonable.’ This paradoxical definition emphasises the different forms that fairness can adopt in different circumstances – treating a person equally might not always be seen as the ‘right’ or ‘reasonable’ thing to do. From this definition we can draw three different, conflicting interpretations of fairness:

- (1) Everyone should be treated **equally**, regardless of context.
- (2) You get what you **deserve**. A person is not entitled to that which they have not earned.
- (3) You get what you **need**. Those that have more should give to those who need more.

Fundamentally, then, claims of ‘fairness’ and ‘unfairness’ depend on the context in which they are considered, and the interpretations (point of view) of the individuals involved. To illustrate this point, we can draw on an example from the data. Mr and Mrs Wood have three daughters. Their original plan when writing their will was to treat their three daughters equally, regardless of their varying economic situations. When one of their daughters became pregnant, they gave her money to purchase a house in London, explaining their decision by saying there was a ‘exceptional need’ (see 5.1 for further discussion of ‘exceptional needs’ and the equality principle) for this daughter

to be given the property because she is a single mother, on low-income, living in a rented property. As the other daughters had higher-paying jobs and owned their own homes, this gift was considered to be a 'fair'. Unbeknownst to Mr and Mrs Wood at the time of the purchasing the property, however, the value of this house increased significantly after the purchase. This meant that one daughter suddenly had benefitted far more from her parents than her two sisters. The two sisters asserted that they had been unfairly treated and so, to correct this injustice Mr and Mrs Wood reduced the amount the daughter with the 'exceptional need' would receive from their will, so as not to be seen as unfairly disadvantaging the other two daughters. The different types of fairness, depending on context and point of view, are all present in this account. The account shows that interpretations are not fixed, and people may hold multiple interpretations of fairness at the same time or may move back and forth between different interpretations.

This chapter will begin by exploring how participants approached the dilemma of inheritance taxation (7.1.1), then it will explore the reasons participants considered inheritance tax to be 'fair' (7.1.2) and 'unfair' (7.1.3). Then it will move on to discuss participants' ideas about what is best for the 'common good' and argue that this can be framed as a debate about whether private charities or public welfare should fund different causes (7.2) Finally, it will look at the fairness of funding long-term elderly care and whether it is fair that a person should have to sell their home (and use their legacy money) to fund this care (7.3).

## **7.1 The (un)fairness of inheritance tax**

### **7.1.1 Framing the dilemma**

Following a YouGov survey in 2015, inheritance tax has been branded as the UK's most unfair tax (YouGov, 2015) (See 2.4 for further discussion about the way that inheritance tax attitudes are portrayed). Despite its contentious nature, however, very few people in the UK are affected by the tax. In 2017-18, the tax affected around 22,800 estates which amounts to 3.8% of the

people who passed away during this time frame (Office for Budget Responsibility, 2018). The standard inheritance tax rate in the UK is 40%. It is only paid on the value of an estate which exceeds the threshold of £325,000. Couples who are married or in a civil partnership can transfer their allowance to their surviving spouse. The current (January 2020) threshold for couples can be as much as £1,000,000 and the tax will only be levied on the death of the surviving spouse. Inheritance tax does not need to be paid on gifts made to a spouse or civil partner, a charity or a political party. If you leave at least 10% of your estate to charity, then you can benefit from a reduced inheritance tax rate of 36%. This reduction provides an incentive for larger estates to leave charitable bequests. Reductions are also given when a business or agricultural land is being transferred (GOV.UK. 2021).

Of the participants in this research project, five participants believed they would have to pay inheritance tax, five participants were unsure whether they would have to pay inheritance tax and twelve participants did not think they would be affected by inheritance tax (See Appendix One and Appendix Two for a summary of participants' views of inheritance taxation). It is important to restate here that because participants were purposefully recruited to be over the age of fifty and to have something of value to leave, they are more likely to be affected by inheritance tax than the wider public. They also belong to a generation who have enjoyed a large increase in housing prices and therefore their views may not reflect those of younger generations.

Typically, the general population are portrayed as being strongly opposed to inheritance tax (Rowlingson and McKay, 2005. YouGov, 2015). The accounts produced by the people in this study, however, show a much more conflicted story as participants repeatedly grappled with conflicting moral and political beliefs. Most participants gave reasons they both agreed and disagreed with inheritance taxation. Many made comments about how they were 'in two minds' or 'sitting on the fence'. We can see this conflict throughout this chapter when discussing respondents' attitudes to inheritance taxation. Two examples of conflict, presented in the narratives of Mr Thomas and Mr Wood, are:

I'm a total champagne handbag, aren't I? Neither of my children deserve what they are getting... no I didn't say that. Let me rephrase, I'm in favour of inheritance tax but at the same time I heave a sigh of relief and understand their feelings when they say 'oh it's not quite as bad as we thought' which is what we all say.

(Mr Thomas, 72, married, 2 children, private sector, does not think they will have to pay IHT, joint interview)

I mean, when I was younger and more radical, I thought that inheritance tax should be pretty close to 100% - why should the children of the rich benefit? Everybody should learn to stand on their own two feet. But as you get older and a bit more wealthy you tend to think differently. Especially if you have inherited some money or something. Inheritance tax is generally a good thing.

(Mr Wood, 71, married, 3 children, public sector, are unsure whether they will have to pay IHT, joint interview)

Although Mr Thomas' use of the term 'champagne handbag' is not clear, he may be referring to the political term 'champagne socialist' – a term mostly used by those on the political right to imply that a person is a hypocrite because they champion socialist ideals whilst living a more luxurious/wealthy lifestyle. Mr Thomas is likely suggesting that his views on inheritance taxation are hypocritical because he believes in the principle of inheritance tax but doesn't necessarily want to pay it himself. Mr Wood has similar views, and his account shows there is a generational element to his thinking. His views may have softened over time as he has come closer to the group that he originally perceived as being 'the rich' and this has resulted in a shift in his political views. He concludes that inheritance tax is 'generally a good thing', but like Mr Thomas and many of the other participants, he seems uncertain in his stance, this is particularly interesting considering Mr Wood worked in government.

Whether there was the potential for inheritance tax to affect a participant's estate was a way of determining whether that participant would see inheritance taxation as fair. The participants who mentioned they might be

affected by inheritance tax were either ambivalent or disagreed with inheritance taxation. Similarly, there was discussion during several of the interviews about where the inheritance tax line should be drawn. The participants who did not think inheritance tax would affect them were all happy with the current level. As Mrs Harris commented, 'it's a generous level and for us, it's just about right'. Respondents who thought inheritance tax might affect them all wanted the inheritance tax threshold to be raised to a level where it would no longer affect them. This attitude could be explained by whom the person focuses the debate on – the donors or the recipients. We can see examples of this in the narratives of Mr Thomas and Mr Wood recorded above.

As mentioned in the introduction to this chapter, the lens through which participants viewed inheritance tax, influenced whether they were in agreement with inheritance and saw it as 'fair', or whether they were in disagreement and saw it as 'unfair'. Participants were not locked into one point of view and this caused their ambivalence (as shown above). When adopting the point of view of the donor the focus was on individual success, hard-work and freedom of choice – i.e. inheritance tax is unfair because it requires a person to pay tax-on-tax and be forced to give the government a portion of their money which they have worked hard for. When adopting the point of view of the recipient the focus was on equality of opportunity and community interests – i.e. inheritance tax is fair because those that have more should pay more to help those who are in need. This can help to explain why persons affected by inheritance taxation are more likely to be ambivalent towards it or in disagreement – because they are more likely to frame the debate around the donor who was having to give up their money. These ideas will be explored throughout this section (7.1) and the rest of this chapter.

### **7.1.2 Inheritance tax as a fair corrective**

This section introduces the argument made by several of the participants that inheritance tax is just because it acts as a 'fair corrective'. That is, it is a means of ensuring social justice by redistributing wealth to prevent it being accumulated by particular people and families. The idea of wealth being

passed on without any limitations or restrictions was seen to be a concern for many of the participants. They argued that families could hoard large amounts of wealth by passing money through the generations with no contestation. Eventually, this could produce massive inequalities, with most of the wealth being held in the hands of a few families (See 2.1 for further discussion of the role of inheritance in wealth inequalities). Participants believing inheritance taxation is 'fair' because it acts as a form of social corrective was a significant theme to emerge from the data. They did, however, differentiate between earned and unearned (or 'lucky') money – wealthy people were seen as having been 'lucky' in how they gained their wealth, and this 'lucky money' was portrayed as being undeserved. The function of the State, in this context, was to promote equality by mitigating advantages achieved because of 'luck'. As Mr Lloyd commented:

The world is unequal, and the world is cruel and... some people have a lot of things for which they haven't had to do very much for, so something which redistributes some of that is a good thing. For those that have got it well they haven't always worked for it, it's been passed to them. For those that have built their own empires usually, unless its intellectual property, usually it's built on the backs of other people's efforts. A lot of them won't have been nasty like slave owners but they will have taken a big chunk of other people's efforts and something that does redistribute it and make it more equal is a good thing.

(Mr Lloyd, 58, married, third sector, does not think he will have to pay IHT, interviewed alone)

As participants distinguished between earned and unearned money, the details of how the money was acquired was important for understanding how it should be used. As Kornhauser explained, people 'imbue earned income with an aura of morality and virtuousness that unearned income does not have.' (1994, p.119). Sherman (2017), in her book 'Uneasy Street: The anxieties of affluence', explored the unease and conflict which can arise from being a wealthy person. Sherman argues that individuals who can show their wealth was earned (through entrepreneurship and hard work) were far less

conflicted than individuals who have gained their wealth through other means (such as, inheritance or marriage). Money seen to be earned through 'hard-work', 'intuition' and 'perseverance' is given much greater moral weight than money earned through family/social connections and 'luck'.

The major increase in property prices, experienced by the baby-boomer generation (see Chapter Four), was considered one way that many people had 'gotten lucky' with money. Participants saw it as unfair for people to profit so greatly from something they had very little to do with. Mr Phillips expressed this view strongly in his interview when asked what he thought about inheritance tax, he explained:

I see nothing wrong with inheritance tax, this idea of a tax on death... well, I say why not? You're taxed on everything else, so why not? Apart from rabbiting on about how they worked hard for it... well no, they damn well didn't. They're an airline pilot – a gallant member of the RAF during the second world war. They've bought a house in Twickenham for £8,000 in 1946 and sold it for £800,000 where they retired to Bolton or wherever and it's now worth £1.2million, and how much did they actually work for? The £8,000 for God's sake. This idea that they shouldn't pay for their healthcare because they want to give it to their son to fester on no good anyway, or even if he's a hardworking vicar, I don't care you know. I've got nothing against inheritance tax at a sensible level.

(Mr Phillips, 75, married, 3 children, third sector, does not think they will have to pay IHT, joint interview)

Similarly, Mr Johnson felt the increase in property prices justifies inheritance tax because:

I think there should be something, where the limits cut is another issue because property prices are going up and up but it's a bit disproportionate because property prices in the South East of England have gone absolutely doolally and that's a slight problem because I know when I sold my house around the corner, a four-bedroom house, in

London I would have ended up buying a bloody flat for that sort of price. So, it's a tricky one but yeah there should be inheritance tax on it when it's linked to property going up. There should be something... because you're working for something, you're trying to buy. You've aspired, and you've bought a property but after that, the market has just taken over. So, there should be a tax.

(Mr Johnson, widowed, lives with new partner, private sector, knows he will have to pay IHT, interviewed alone)

Mrs Lewis also mentioned that she felt her generation specifically had benefitted from property-price inflation and therefore this money should be paid back into the local economy via inheritance tax. She said:

Tax helps the State to provide things that people need. Especially by-and-large our generation, it's the houses that have just piled on the money without anybody doing anything whatsoever, so I don't see why you shouldn't pay inheritance tax.

(Mrs Lewis, 77, married, 3 children, public sector, does not think they will have to pay IHT, interviewed alone)

Here the participants are making a moral judgment about the degree to which economic success or failure can be attributed to the individual or to the market. Conversely, the individuals who have benefitted from the increase could argue they had earned the money by buying the right property at the right time. Perhaps if the increase in house prices hadn't been as significant, the participants would be more likely to see this as 'fair'. This is therefore likely to be a generation-specific issue as younger generations are unlikely to experience the same changes in house prices.

Zelizer (2017) in her writings on 'special monies' shows that different monies are attributed different meanings and these meanings impact how money is regarded and used. For example, money earned through work is often treated differently from money gained through a gift. 'Spending money' is treated differently from 'saving money'. How the different meanings attributed to



different monies altered how the participants felt the money should be spent was clear here - money considered 'unearned' and 'undeserved' was seen to have weaker ownership ties to the individual, consequently participants were more likely to feel that this undeserved wealth should be passed back to the State rather than kept by the individual and their family.

### **7.1.3 Ownership rights and double taxation**

A key reason many participants believed the inheritance tax is 'unfair', is that the Government's claim to a portion of people's estates when they pass away restricts the freedom of that individual to dispose of the assets in a way they would choose. They argued that if a person has 'worked hard' all their life to save this money, then it is their money and they should have the right to decide how it is distributed when they pass away. Mr Griffiths commented: 'I do take the idea that it's our money and you shouldn't interfere.'

Mr Davies was one of the few participants who spoke only about the negatives of inheritance tax. Mr Davies was very strongly against inheritance tax despite not having children of his own or any other family members he wanted to leave money to. During his interview he spent a lot of time telling me how he had worked all his life in the private sector and was very proud of having worked his way up the ladder and 'making something from nothing'. He had paid 50% tax for most of his working life and thought it was very unfair that he would be taxed on his savings (which he saw as a result of his good decision-making and knowledge of money). He had very negative views about 'big government' and felt the less they intervened in people's lives, the better. He was an advocate of a free-market economy with little to no government interference. Mr Davies commented:

There is one simple reason, and that is that I started to work at 16. I went to London and unfortunately, I was under Dennis Healey, I paid almost 90% tax on the top slice for a period of time, his argument was 'to squeeze the rich until the pips squeak' or something and I wasn't rich, I was sleeping on the floor but because I wasn't on strike and I was

working, I was charged 90%. So, therefore, having paid that amount of tax, all the way through my life I've paid 50% tax, having paid all of this for all that long, to pay tax on top of tax on the money that I may have saved through being careful is stupid.

(Mr Davies, 72, married, private sector, knows they will have to pay IHT, joint interview)

Mr Davies's main complaint was that he felt he was having to pay tax on tax when he felt that he had already paid his 'fair share' to society. Several interviewees mentioned this idea of a double tax. It was often portrayed as a punishment for their success. Mr Roberts provided a similar account:

Everything that one earns is taxed, everything that one buys is taxed, your savings are taxed, your estate is taxed, everywhere is taxed... so tax in itself I don't see as a bad thing particularly but this business of accumulating wealth and that's taxed as well, I'm not sure about.

(Mr Roberts, 74, married, 3 children, public sector, does not think they will have to pay IHT, joint interview)

There are some counterarguments to the participants' ideas that they were being double taxed. Firstly, and perhaps the most significant argument, is that the tax is not necessarily on the testator but the receiver of the inheritance. At the time the tax is levied the testator will have passed away and is therefore no longer the owner of the assets. Secondly, Broadway et al. (2010) make the point that double taxation is not always correct as there are items upon which a person may not yet have paid any tax. For example, if an asset (such as a property) has increased in value then the tax would have been paid on the original price of the asset but not on the increase and therefore a double tax is not being paid.

Inheritance tax is based on a presumption of vertical equity or inter-generational distributional justice. Some participants, however, believed this presumption is the reason that inheritance tax was so 'unfair'. Adopting a system of horizontal equity or intra-generational justice, they believed would

make the system fairer. Examples of this view in the data can be seen in the accounts of Mrs Davies and Ms Walker, they said:

People have paid taxes all their lives and you pay it on your savings, and you've paid it on the money you've earned and it's your little bit that you've got left really.... It penalises people who save.

(Mrs Davies, 54, married, private sectors, knows they will have to pay IHT, joint interview)

I hate paying tax on anything. It really, really does annoy me. I mean you save and take care of things all your life and your still taxed on your savings and that I think is dreadful.

(Ms Walker, 80s, widowed, third sector, knows she will have to pay IHT, interviewed alone)

Mrs Davies and Ms Walker share the view that inheritance tax taxes people who save. A person who chooses not to save and to spend all of their money could avoid inheritance tax, whilst those who save would be taxed. They argued that a system of horizontal rather than vertical equity would treat people with the same amount of income, but different consumption patterns, equally. So those who have saved, rather than spent their money, would not receive unfair treatment.

The ability for wealthier estates to avoid paying inheritance tax was given as a reason for it being 'unfair'. These were the estates that participants felt should pay it. Seven participants mentioned that they thought it was unfair that they had to pay inheritance tax whilst the big estates could evade/avoid the tax through lifetime gifts and being able to afford the best financial advice. As Ms Driscoll commented: 'I do think, yes...I do think it's wrong the very rich can avoid it.' This finding is consistent with other research. For example, Braithwaite, writes that 'people who see themselves as poorer are less willing to pay tax voluntarily when people they perceived to be richer are believed to cheat.' (Braithwaite, 2005. p.25) and Mumford wrote:

The fact that trusts and other devices that permit avoidance of inheritance tax come at a price undermines belief in this tax, in that the 'not really wealthy' taxpayer will suffer more keenly the costs of purchasing an avoidance scheme. (2007, p.588)

It is possible that the strong views by participants in disagreement with inheritance taxation could be attributed to a lack of understanding of how inheritance tax works. As stated in Chapter Two, research has shown that far more people believe inheritance tax will affect them than actually will be affected and that people also think it will require them to pay a higher amount of inheritance tax than they will have to (Rowlingson and McKay, 2005). As participants were not asked about their understandings of inheritance taxation, it is not possible to know whether they properly understand how they will be affected. There were also times during the interviews where it seemed participants were offering their views on taxation more broadly rather than specifically on inheritance tax. A belief that they would pay more inheritance tax than they would have to pay could help to explain why some people believed they were lacking control over their assets after they passed away.

## **7.2 The common good: Private charity versus public welfare**

One function of the State is to ensure the basic needs of every member of society are met and consequently, the State redistributes wealth, through taxation, to certain institutions which it believes can advance the common good. But what happens when individuals disagree with the government's ideas of what is best for the common good? What role and activities the government should perform is inherently political, as Curtice (2017) writes:

At the one end of the spectrum are those who think government should play a minimal role, providing law and order and national security, but otherwise leaving decisions and activities predominantly in the hands of the market and individuals. At the other end are those who think that government should not only provide public services and a system of

welfare benefits, but also run key industries itself. An inclination towards the former perspective is often regarded as being a 'right-wing' view, while expressing views more akin to the latter outlook is typically regarded as being on the 'left'. (Curtice, 2017. p.3)

For this discussion, we can define the common good as something which benefits all of society. The common good recognises that we are all part of a community and consequently have a relational obligation to one another which requires us to give the needs of others a particular status. The common good is a subjective concept, firmly rooted in individual values and experiences. There is no single definition of what constitutes the common good and as Perkiss and Moerman remark, 'there are as many common goods as there are human projects.' (2018, p.3). Finite resources also mean it is impossible for all ideas of what is best for the common good to be enacted and this, therefore, requires certain ideas about what is best for the common good to be prioritised. How people prioritise what they think is best for the common good can tell us a great deal about what people value and what they want the world to look like.

As we have seen in previous chapters when money is passed out of the family people like to know how this money will be spent and they like it when it is spent in a way which complies with their values and dispositions. In this sense, money is seen as being an extension of the owner. Putting your money towards something is seen as a demonstration of your agreement. Participants not knowing how this money would be spent by the government decreased their trust and compliance. As Ms Driscoll said: 'I don't particularly want it to go to the government because it's such general pot, so I want to protect that.' Throughout her interview, Ms Driscoll repeatedly mentioned the importance of being able to control her money as much as possible, so her view that she did not support inheritance tax because she could not control how her money would be spent by the government was not a surprising one.

Ms Driscoll was not alone in holding this view and many of the participants shared it. Many of participants that were ambivalent about or disagreed with

inheritance tax mentioned they didn't trust the government to spend their money wisely - i.e. in a way that they felt was best for the common good. Mr Roberts, for example, said:

I have zero trust as it were in the government because the government act in the interests of the neoliberal hegemony. The relationship between the people with money, transnational corporations and the government is so close, and the manipulation of markets is so gross that a government acting on behalf of its people seems a very distant ideology now. Don't get me started [laughs].

(Ms Driscoll, 80, single, public sector, knows she will have to pay IHT, interviewed alone)

Mr Roberts' use of language in the above quotation suggests he has thought-through and perhaps spoken about this topic previously (potentially in an academic context). Although other participants may not have voiced their concerns in the same way as Mr Roberts, there were similarities between what Mr Roberts explained and the views of others. Mr Davies, for example, commented:

Whenever you give money to the government, it's misspent. The principle I'm saying is that you give money to the government then they'll start all this bloody nonsense, and that's exactly what's happening...

(Mr Davies, 72, married, private sector, knows they will have to pay IHT, joint interview)

To support their reasoning, that money is mishandled by the government, Ms Driscoll and Mr Davies used examples of how they believed the government had misspent money in the past. Ms Driscoll spoke about her experience of working in education where schools had felt forced to spend their allocated funding even if they didn't need it: '...because if they don't spend it their allocation might be cut for the following year.' Mr Davies complained about what he read in newspapers about the NHS mishandling money, he said:

Whenever you give money to the government its misspent. I mean the NHS for instance they should be... you should pay into a private circulation so if you don't want to wait ages you can get private healthcare. In other countries where they have private Medicare, they get far better treatment than we do. We expect everything on the NHS – breast augmentation, dentistry - we have to start drawing limits. It's a never-ending pit, it will never, ever stop.

(Mr Davies, 72, married, private sector, knows they will have to pay IHT, joint interview)

Interestingly, when expressing their distrust of the government, participants did not distinguish between political parties when talking about 'the government' and instead saw it as a single unchanging institution. The government was perceived to make poor decisions and waste money by failing to address what participants felt were the real needs of society. Often participants spoke about the revenue being collected through inheritance taxation as being money for the government rather than money which would benefit society. Although there are examples in the data of participants who were worked in the public sector being opposed to or uncertain about inheritance tax, the participants who were most opposing to inheritance taxation were those who worked in the private sector. A potential reason for this may be that those who wanted to have careers in the public sector are generally more trusting of government and are more supportive of how tax money is spent (e.g. teachers are more likely to know about the funding needs of teachers).

Some participants shared their ideas on what areas of welfare they would like their inheritance tax to be spent. Mrs Harris, for example, said:

...the government should be paying for finding cures for medical diseases. The government should be building hospices for people. Schools as well, they raise money, so schools can buy books for their library. It really annoys me because the government should be doing that. They have to get parents to bake cakes...

(Mrs Harris, 67, divorced and re-married, 2(+2) children, private sector, does not think they will have to pay IHT, joint interview)

Likewise, and echoing participants' preferences for local charities (as discussed in Chapter Six), Mrs Evans expressed her desire for the revenue raised through inheritance taxes to be spent more locally:

If they said, it's going to go to building a sports stadium for Cardiff then I'd probably be more inclined to if it benefitted Cardiff or even Wales as a whole but why should it go to London? Or maybe it doesn't, I really don't know. Does it go to the Welsh Assembly? Do they spend it here?... Wars and lending it to Greece. They lend a lot of money to disadvantaged countries. I think if we knew what they did with it then we might be more inclined to be happy about it. I would anyway. We don't know where it goes.

(Mrs Evans, 76, married, 3 children, private sector, does not think she will have to pay IHT, joint interview)

It is important to include that Mrs Evans was confused about how inheritance money was currently spent. She mentioned that she would not meet the criteria to become liable to pay inheritance tax, therefore her views are more likely to reflect her views on taxation more broadly.

Regardless of this, the two accounts presented above show that certain kinds of public welfare are seen as being preferable to others. In the same way that participants saw certain charities as more deserving than others (Chapter Six), certain recipients of government funding were also seen as being worthier than others. Participants mentioned the NHS, schools, social care and education as being worthy recipients. Certain causes which were not



considered at all by participants are also worth noting: government funding to charities, pensions, elderly care, environment and unemployment benefits. Although the age of the participants could explain the lack of interest in the environment and unemployment benefits, reasons for the other omissions are less clear. Not mentioning pensions and elderly care is surprising considering the ages of the participants, many of whom are of an age where considerations about how to fund any necessary care would be a relevant matter. In discussing why people prefer government spending on particular causes over others, Curtice (2017) writes:

People may be more inclined to want government to be active when there is believed to be a problem and less inclined to want it to take action when they feel that the status quo is satisfactory. (Curtice, 2017. p. 3)

This could help to explain why participants were keen for their inheritance tax money to be spent on health, education and social care because these are areas which are commonly discussed in the media as being under-funded. The areas that participants explicitly stated did not require further funding and the areas they did not mention, maybe areas which they do not see as having a need. This does not mean that these areas may not require further funding at a later date. Curtice goes on to write:

If government starts spending more money on something, and as a result the quality and/or quantity of a service improves, voters gradually come to the view that no further action needs to be taken. If on the other hand, government cuts back on spending and as a result the service comes to be seen as less satisfactory, then there are calls for the government to spend more. (Curtice, 2017. p. 3)

Because of the inheritance tax reduction when money is gifted to charity a few participants saw this as a way to take control of deciding what is best for the 'common good'. By leaving the money to charity, rather than the government, they could have their say in deciding which causes were deserving of funding. Giving to private charities was 'fairer' as they could give to charities that best

match their goals, whereas government funding is mandated and gives the testator no choice or say in how their money will be spent. As Mr Johnson commented:

What I was going to do is... it wasn't going to be a huge tax bill but we decided we didn't really want to do it. So, the money would be better going to a local charity of our choice rather than going into the general coffers of the exchequer.

(Mr Johnson, widowed, lives with new partner, private sector, knows he will have to pay IHT, interviewed alone)

Mr Johnson and Ms Walker were both keen to minimise their inheritance tax bills as much as possible. For Mr Johnson, he disliked the thought of his money getting lost in a big pot and wanted to make sure he controlled his money as far as he could. To avoid paying inheritance tax he had decided to leave a portion of his money to several charities. However, he had also undertaken major house renovations. He did not believe the renovations would add anything to the value of the house but felt it was better for him to spend the money on something he would directly benefit from than for the money to go to the government in inheritance tax. Interestingly, this implies that Mr Johnson does not see himself as directly benefitting from inheritance tax in anyway, although we know that State revenue is used to fund hospitals, roads, public schools etc. all of which Mr Johnson is likely to have benefitted from at some point during his life. Similarly, to Mr Johnson, Ms Walker intended to do everything possible to minimise her inheritance tax bill. She admitted to having lengthy discussions with her financial advisor about how she would do this. Ms Walker had left much of her money to two charities. She admitted that if it were not for inheritance tax, she would have liked to have left more money to family.

Interestingly, neither of these two participants have children or any 'close' family members that they were really keen to leave their money to. Mr Johnson wanted to leave half of his money to his late wife's cousins because he believed that was 'the fair thing to do' (Chapter Five) and Ms Walker wanted to leave her money to her sister-in-law to repay her for her kindness (Chapter

Five). They both wanted to leave some money to charitable organisations. Mr Johnson had selected a wide range of charities which he had decided with his late wife (An animal charity and four health support and research charities) and Ms Walker wanted her money to go to organisations that she felt connected to (an arts charity and a museum). For Mr Johnson and Ms Walker avoiding and minimising their inheritance tax bill was more about the act of resisting government and showing their views on how money in the public sector is obtained and spent. They saw inheritance tax avoidance as an exciting challenge - outwitting the government was a way of showing their intellect and knowledge of money. Mr Johnson mentioned how he liked to 'play with the figures' and Ms Walker commented, 'I like making money work for me'. When they talked about inheritance tax avoidance, they used words such as 'clever' and 'smart' to describe people who had avoided taxation.

Both Mr Johnson and Ms Walker viewed leaving money to charity rather than to the government as an expression of their views. They commented:

It should be paid but I'm going to make damn sure I pay as little as possible. That's why I have left most of my money to charity because you do not pay... the sum is free of tax because it goes to charity. That governed my thinking quite a bit.

(Ms Walker, 80s, widowed, third sector, knows she will have to pay IHT, interviewed alone)

There's a fair number of donations to charities because of course that comes out of our inheritance tax limit - which is quite pleasant.

(Mr Johnson, widowed, lives with new partner, private sector, knows he will have to pay IHT, interviewed alone)

Despite being open to tax avoidance both participants mentioned they did not agree with tax evasion. Other participants also made the distinction between tax evasion and tax avoidance. Examples of this are:

Evasion is not good, you end up in jail. Avoidance is... I'm not into some of the creative accountancy that some people come up with... offshore and whatnot, that's getting a bit tricky. Those sorts of things, you want to play games, even I'd support the taxman on that and say come back with a vengeance.

(Mr Johnson, widowed, lives with new partner, private sector, knows he will have to pay IHT, interviewed alone)

I suppose as long as people have paid taxes honestly throughout their lives and whatnot, tax avoidance... well there are ways you can reduce your tax bill, tax evasion I'm very much opposed to. I get very stroppy about people who avoid paying UK taxes... If you can pay less tax by doing certain things, then that's okay but to move your money out of the country to not have to pay tax... that's not right.

(Mrs Griffiths, 77, married, 3 children, public sector, is unsure whether they will have to pay IHT, joint interview)

The legality of each can likely explain people viewing tax avoidance and tax evasion as different. Participants saw avoidance measures as an invitation to 'play with the figures' but did not want to resist the government to such an extent that it would mean breaking the law.

Several existing research studies have argued that earmarking tax revenue to specific public services would help to improve tax compliance (Stark and Kirchler, 2017. Kallbekken and Aasen, 2010). The rationale for this is that people would be more compliant if their money went towards more favourable public institutions, such as the NHS and education. When earmarking was discussed with participants in this research, however, most of the participants did not feel this would change their opinion. Several of the participants questioned how earmarking would be practically possible. As Mr Lloyd commented:

I mean you could say that about any of your income tax, capital gains or whatever. You know, should they be hypothecated in any way and I don't think you can do that.

(Mr Lloyd, 58, married, third sector, does not think he will have to pay IHT, interviewed alone)

Others outright stated that it wouldn't make a difference in how they felt because they still couldn't trust the government to spend the money correctly.

Mrs Davies commented:

I wouldn't trust them, anyway. It's like national insurance, there isn't really a little pot that's going to pay your pension for you. So, no it wouldn't make me feel any happier.

(Mrs Davies, 54, married, private sectors, knows they will have to pay IHT, joint interview)

There are two paradoxical ideas present in the accounts of the participants. That when money enters the 'general pot' of the State it loses traces of the original owner which impacts the legacy the owner can leave. However, at the same time participants' dissatisfaction with how money is spent by the State suggests that the owner still sees a connection between themselves and the money.

### **7.3 The dilemmas of paying for long-term care**

Despite inheritance tax often being portrayed as a threat to beneficiaries, in reality having to pay for long-term care is a bigger threat. As Mumford wrote, 'the parent's own potential longevity, and not the taxman, may pose the greatest risk to inheritance.' (2007. p.590). As mentioned earlier in the chapter, the prospect of having to fund their long-term care was a much bigger worry for the participants than paying inheritance tax. Not knowing whether or not they would need care made it particularly difficult for participants to plan. As Mrs Roberts said, 'it's difficult to plan for something when you don't even know what it is you're planning for.' As there was no way for most of the participants

to know whether they would require care they either ignored it completely, or they assumed they would have to pay for care and that the amount of money they would have to leave would be severely depleted. Mr Roberts, who fell into the former category, explained, 'we tend to sort of ignore this issue because you can't really do anything about it.'

Mrs Lewis, when discussing what she would like to do with her money, mentioned that 'this may be a fantasy land because we may live to be one hundred and may need a lot of care...'. Throughout the interview, she returned to this idea that she would have to pay for her or her husband's care and the effects this could have on her ability to leave an inheritance. In his interview her husband, Mr Lewis, mentioned they were putting money aside now in anticipation of them needing to pay for care in the future. He said, 'that's not putting it to one side with the view of giving it to the children, it's putting it to one side because we don't know what the future is going to be in terms of health and social care'. Mr Lewis explained that he and his wife were not actively spending their money because they were worried that they might need this money to pay for their social care. In this section participants' views about the fairness of paying for long-term care will be considered.

### **7.3.1 Care should be fully funded by the State**

The main argument for supporting long-term elderly care being fully funded by the State, was not that participants should be able to keep this money to leave as an inheritance, but because this care can be very expensive for an individual to fund. The average care home costs around £30,000 a year (Mason, 2013) and one in ten pensioners are said to have care costs above of £100,000 (Mason, 2013). The financial pressures of funding elderly care can put a large amount of pressure on individuals and their families in trying to work out where to get this money from. Mr Roberts spoke about the stress he and his family experienced when his mother required long-term care. He discussed both the emotional and financial stress he experienced during this period, he explained:

It was about two and a half thousand a month, a lot of money. You know, I used to draw up an excel spreadsheet of how long the money would last... But I mean she kicked the bucket about two years in advance I think it was before it ran out; it was terrible really. I was sitting there drawing graphs of likely survival curves against the amount of money.

(Mr Roberts, 74, married, 3 children, public sector, does not think they will have to pay IHT, joint interview)

Mr Roberts explains the uncomfortable position that having to pay for care of elderly parents can place on family members, he was having to equate his mother's life and illness with money. The uncertainty surrounding illness also contributed to participants feeling that care should be funded by the State. Who requires care or not was seen to be a matter of 'luck'. Several participants argued that it was unfair that people who were lucky and didn't become ill would get to keep their inheritances, whereas those who were unlucky and became ill would have to use their inheritance to pay for their care. Mrs Harris said, 'I know people in their 90s with no carers coming in – it's just luck of the draw isn't it.'

Ms Driscoll also mentioned the role of luck in whether a person might have to pay for care, she explained: 'You can say some people aren't ill and aren't they lucky that they don't have to pay for care, I mean it's not easy.' Ms Driscoll created an advanced directive to allow her to travel to Switzerland for euthanasia if her health was to deteriorate rapidly. She also kept a 'do not resuscitate' notice by her telephone. It was very important for Ms Driscoll to maintain control of both her money and her own body. Creating this advanced directive meant that she was attempting to minimise the potential risk of having to receive long-term nursing care.

It is important to note that several of those who felt the State should fund elderly care also believed this would be unrealistic. The State fully funding elderly care was viewed as something that could only happen in an 'ideal world'. As Mrs Lewis said, 'I mean, I think in an ideal world society should care

for its elderly, but this isn't an ideal world...' This concept of idealism was also used by Mr Griffiths who commented:

Ideally, I think the NHS, the State, should pick up the bill. Which it does to a degree but... we would also if we had to, sell the house to fund care that way. We don't have an inheritance for the children in mind. They get what we have in the end.

(Mr Griffiths, 80s, Married, 3 children, public sector, unsure whether they will have to pay IHT, joint interview)

This uncertainty about which function the State should provide shows the ambivalence that was felt towards the State. Participants were very aware of the limited resources of the State and although they would like to see money spent in this way, they didn't know where the additional money would come from. For several participants, although they would like to see elderly care funded by the State, they were not willing to increase the inheritance tax contribution to the State to make this happen.

### **7.3.2 Care should be fully funded by the individual**

A viewpoint expressed by several participants on why individuals should have to use their inheritances to fund their care was because they thought it was unfair that they should pay for the care of others. Each individual should be responsible for financially meeting their own care needs. As Ms Driscoll said: 'I don't see why the taxpayer should have to pay for my care and I don't see why I as a taxpayer should pay for other people's care when they have assets.' Mr Phillips supported this viewpoint when he explained: 'They are asking the government and people who are paying taxes to pay for them, that doesn't seem right to me.'

Ms Driscoll was adamant in her view that people should have to sell their homes if they needed to, to pay for their care. She did not believe that children had any automatic rights to their parents' assets and they should be lucky to receive whatever wealth is remaining when the person passes away. She said:



I think you should have to use your house for your care, and I don't think you should have to leave it to your children or divide it up seven years you know early on so you don't have to. What are your savings and your property for, if not to pay for your care? So yes, I feel quite strongly about it, but very few people agree with me because they have children and they have grandchildren and they want to leave it to them.

(Ms Driscoll, 80s, single, public sector, knows she will have to pay IHT, interviewed alone)

Similarly to discussions about inheritance tax, participants used house price increases as a justification for why they felt individuals should fund their care. As they had not done anything to benefit from the increase, they felt this increase should fund care. As Mrs Lewis explained:

I would prefer the State to look after its elderly but it can't and you have some funds and most of us, of our generation, have made our funds from the property, we didn't have to do anything you know. So, in a sense, it doesn't seem too bad to pay for yourself.

(Mrs Lewis, 77, married, 3 children, public sector, does not think they will have to pay IHT, interviewed alone)

Ms Driscoll also mentioned the rise in house prices as a way to justify her view that the individual should fund their care costs. She said:

What I paid for this and what it's worth now... that's just to do with the general society, politics, economics of the country. It's nothing to do with you, you haven't achieved that increased value of the house, so I think it should certainly be that all your assets should be used. Why should your children gain on that?

(Ms Driscoll, 80, single, public sector, knows she will have to pay IHT, interviewed alone)

Several of the participants mentioned they did not think people should be allowed to keep their homes because they wanted to leave them to their children. They did not think children were entitled to the money of their parents and they should be happy with what was left for them once their parents had passed away. As Mrs Thomas said, 'Well, in the end, inheritance is what you have left when you do so it depends if it is needed or used up then tough luck.' Mr Phillips also held this view, he joked: 'Well I'd like to give my kids a million, but I haven't got it, you know?'

To fund elderly care, recipients may be required to sell their homes. Participants were very aware of this when expressing their views. Most of the participants saw it as inevitable that if you received care in old age, you would have to sell your home to cover the costs. Existing literature on the home often explores its sentimental aspects, particularly how it is a site of both personal and family identity (Finch and Hayes, 1994). In this line of thinking, people are resistant to selling their homes to pay for healthcare because they have an emotional attachment to the property. None of the participants in this research, however, mentioned wanting to keep their homes for sentimental reasons. Instead, keeping one's home was often conflated with keeping one's autonomy and individuality. The difference in focus could be attributed to the mobility of my participants. As previously mentioned, many of the participants in this research project were middle class with jobs in job sectors such as academia, education and business, which required them to move a lot throughout their lives. Five of the participants spoke about recent moves they had made or how they had decided to downsize to a smaller property. This mobility could affect their attachment to their home. People who have been in one point of residence for a longer time may be more likely to feel a sentimental attachment to their home.

Six participants had experienced divorce or the death of a spouse. A small number of these discussed how these alterations to their family affect the attachment they felt to their home. The home was seen as a place which belonged to both partners and the sudden absence of one partner meant that ties to that home were significantly weakened. Mrs Harris, for example, had

divorced her first husband but continued to live in their shared house for a time. She explained, 'the house no longer felt like my home' and 'it's not my home it was my marital home.'

A strong desire to continue living in their homes to preserve their autonomy meant that some participants felt that their children had a responsibility to care for them in their old age. Being cared for by family members was seen by many participants as being preferable to being cared for by an outside organisation. As Mr Roberts explained:

We are both of the minds that we would care for each other for as long as we possibly could in our own home and wouldn't dream of putting the other one into care if we could manage it ourselves.

(Mr Roberts, 74, married, 3 children, public sector, does not think they will have to pay IHT, joint interview)

Similarly, Mrs Harris referred to going into a care home as being the 'last resort', she said that 'Most people I know try to stay in their own homes until the end. If they can't, well it's the last resort isn't it?' For these participants having to leave one's home to pay for care was seen to be the giving up of their autonomy and should be avoided as far as possible.

For participants to stay in their homes, they felt that the caring responsibility should, therefore, fall on to family members rather than the State. As Mr Griffiths had very gendered views on how this should work, he explained:

They will take that responsibility and fulfil it just in the way that my wife fulfilled it to her mother and my sister fulfilled it with my mother.... It does fall on the family. They should take on the responsibility and values they saw you fulfilling to your parents and that's repeating itself.

(Mr Griffiths, 80s, Married, 3 children, public sector, unsure whether they will have to pay IHT, joint interview)

Similarly, Mrs Roberts felt that it was important for her to live near her children as they could care for her, rather than her having to be cared for by the State. Mrs Roberts lived some hours away from her children and repeatedly mentioned that she would like to move closer to them. She said:

The trouble is, if you're near, if you're down the road from at least one of them, at least you know, they're around. Rather than expecting them to look after you, at least they don't have to do all the long-distance worrying and all the long-distance travelling, and it means if one of the others want to come up they can stay with them... do you know what I mean?

(Mr Roberts, 74, married, 3 children, public sector, does not think they will have to pay IHT, joint interview)

Mr Griffiths, however, did not agree with Mrs Roberts that their children should have to care for them. He explained that he had been responsible for caring for his mother, who had lived a long distance away and this experience had caused him a great deal of stress. Because of his own experience, he did not want his children to have to experience the same. Mr Roberts took an extreme view of the situation, he said:

Well, I guess it's this issue that should your children see you as their responsibility when you get old? I'd hate to impose that burden on our children, for us. I mean under those circumstances I would rather be dead.

(Mr Roberts, 74, married, 3 children, public sector, does not think they will have to pay IHT, joint interview)

Mrs Roberts, however, didn't seem to mind putting this responsibility on her children because she had cared for her children when they were young, she felt it was now their responsibility to reciprocate. She said: 'You do hear about old people being a burden etc., but I'm thinking but those old people have spent all their lives supporting people, come on.'

The concern here is that to avoid paying expensive care home fees many people would rather stay in their own homes without appropriate care and place the responsibility of care on their children, rather than pay for care that might be essential for their health needs. People without children or children who have moved away from home might find it more difficult to receive informal support in old age. According to research carried out by Wenger (2009) into childlessness at the end of life, following the spouse, children are the most likely source of informal support in old age. To compensate for this, childless people will often create closer relationships with wider kin. However, according to Wenger, these wider relationships rarely fill the roles of informal carers and childless people are 'most likely to find themselves without adequate support' (2009, p.1243). This is supported by Grundy (1996) who found that single and childless people are very over-represented among those in care.

#### **7.4 Ambivalence towards the State**

The data presented in this chapter show that participants were mostly conflicted on whether having a tax levied on their inheritance could be considered fair. Many of the participants were on the fence in their views and gave reasons for and against. Social justice and responsibility to others were seen as reasons inheritance tax was fair. Individual freedoms, double taxation and a mistrust of the government were given as reasons inheritance tax was unfair. Despite previous research suggesting that people see inheritance tax as being unfair because the money is owned collectively by the family (Beckert, 2008(b)), none of the participants gave this as a reason and participants showed a willingness to use their legacies to fund long-term care. It is possible this is because; (1) the money was being spent on them rather than an 'unknown' other, and (2) because they could see what their money was being used for. Several of the participants were unsure about what functions the State should perform which seemed to contribute to their indecision. A small number of participants, for example, had contradictory views about inheritance tax and elderly care, despite being ambivalent in their views about whether inheritance tax should be paid they believed the State should fund long-term care.

Participants did not mention the implications of their views on future generations and were instead more focused on the present. Discussing inheritance taxation and long-term care funding requires us to consider the wider questions of generational justice. If older generations could preserve all of their assets to leave as an inheritance, it would require younger generations to foot the bill. Given the current intergenerational tensions that are being experienced in the UK, requiring younger generations to financially support older generations, to their detriment would do nothing to relax these tensions. Although perhaps, younger generations would be the beneficiaries of these larger inheritances (Grundy, 1999) this wealth will not be distributed equally throughout younger generations and will remain in the hands of the wealthy, increasing class divides.

As with all discussions of generational justice, however, it is important to consider that the young will one day be the old. As Gillian Parker wrote: 'We do grow old and tend to inherit the systems we have designed at an earlier age. It would be as well for policy-makers and commentators to bear in mind that what we deem acceptable for older people now is what we shall truly inherit.' (1997, p.134)

# Chapter Eight

## Sociological Understandings of Bequest Giving

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The previous four chapters have shown that inheritance decisions are complex, paradoxical and highly emotional. The decisions are reflective of testators' ideas about their family relationships and responsibilities, their obligations to charitable organisations and wider society and what functions they believe the state should perform. The discussions about inheritance have revealed the multiple ways that inheritance can be interpreted and how these different interpretations impact decisions. The discussions and debates testators have as they attempt to balance their competing priorities and perceived responsibilities were revealing of several themes which are of significance to a sociological understanding of legacies, from the perspective of the givers. Having explored the decisions and dilemmas related to each of the claims individually this final chapter will consolidate and discuss the major themes of the research and offer some concluding observations. To recap the research questions, they are:

How do people, thinking of writing a will, balance their perceived responsibilities to family, charities and wider society?

- Do family interests override other claims?
- How do people evaluate the claims of charities?
- What do people think about inheritance tax?

In line with the messiness of participants' decisions, this chapter aims to reflect on and discuss the paradoxical, temporally-fluid nature of participants decisions to help make sense of the moral and social dilemmas of writing a will, and to consider the sociological significance of these dilemmas. This chapter will begin (8.1) by summarising the dilemmas of the three claims and

exploring the consensus and contestation in the data. Particular attention will be given to the convoluted and emotion-filled nature of the inheritance decisions and the balancing act that participants often had to perform in order to reach their decisions. This first section will form the basis for the following four sections that will discuss the key findings and themes which have emerged from the data explored throughout this thesis and offer a starting point for a sociology of legacy.

The first of these four sections will explore the theme of social justice (8.2.1) and the extent to which testators considered themselves as having responsibilities and obligations to distribute their assets in a fair and just manner when planning their legacy. This theme is primarily focused on testators perceived obligations to those outside of their family. Following on from this, the next section will return to a debate which was first considered in the literature review in Chapter Two, which is whether inheritance decisions are motivated by altruism or exchange (8.2.2). This section will review what the literature has to say on this debate before offering some thoughts and insights on what my own research can contribute to this debate. Whether gifts are motivated by altruism or exchange can have important consequences for whom the testator decides to leave their inheritance to and how much each beneficiary receives. The third theme explored in this chapter is intergenerational justice (8.2.3). This theme is somewhat at odds with the first theme of social justice as it implies obligations exist between current and future generations of the same family. This section will explore the extent to which participants felt obligated to look after future generations of their own families. Finally, this chapter will reflect on the importance of context for participants when they reflected on their legacy and how participants planned to use their inheritance to help them craft their life stories (8.2.4). This section will discuss the context-specific nature of inheritance decisions and how participants used their wills to recognise the people and organisations that have been important to them throughout their lifetimes. It will also reflect on how participants use their legacies as a way of shaping the future world in a manner that aligns with their ideas and values.



This chapter will conclude my thesis by 'looking backwards and forwards' (8.3) to reflect upon how the research was conducted, the limitations of the research and where the research will go next and finally offer some concluding comments (8.4).

### **8.1 Consensus and contestation**

This thesis has provided an overview of the ways that different 'claims' to inheritance are evaluated by participants, as they consider their moral responsibilities to each of these claims and attempt to prioritise and balance the competing claims against one another. This research has shown this decision is complex and fluid, involving negotiations with multiple people. A strong sense of morality and fairness emerges from the data as participants deliberated who should be the rightful heirs of their inheritance.

How claims were evaluated was a rather haphazard process with different claims being evaluated based on different criteria, or the criteria were given different weighting depending on the claim. What emerged was a decision-making process based more on the act of 'muddling through' (Lindblom, 1959) than a rational, well-considered decision. The emotional and symbolic meanings attached to inheritance were particularly important for deciding who the beneficiaries should be and how much each should receive. Although inheritance dilemmas were present and visible in the everyday lives of participants, they were often pushed to the back of their minds, a decision to be made another day at another point in time. This research required the interviewees to face these dilemmas head on and to reflect on issues they may not have previously considered.

The complexity and individual nature of the decisions means there was consensus and contestation around to whom people believe they have obligations. There was a consensus amongst participants that family (particularly children) should inherit. Most of the participants believed they were responsible for their children and leaving them their inheritance was a way of continuing their parental role beyond their death and ensuring that their

children were 'taken care of'. Inheritance was also tightly associated with symbolic meanings of love and affection (see 8.2.2 for further discussion) which meant there was agreement amongst participants that children should inherit the most to reaffirm and demonstrate the closeness of that relationship. Although many participants believed they should leave all of their inheritance to their family, there was a lot of contestation in the data about whether this really was the case. Many of the participants talked about why it might not be the 'fair' thing to do to leave all their money to their families and instead felt they also had responsibilities to others. Some participants questioned whether their families really needed the money and whether they would spend it appropriately. These uncertainties meant that many of the testators interviewed decided to leave a portion of their money to those outside of their families, such as to their communities and wider society.

Charities were a more contentious topic, which often resulted in participants having polarising views on whether they had a responsibility to support others through leaving more to charity. Unsurprisingly, the data show that people who have supported charities during their lifetimes are more likely to leave a charitable bequest. Similarly, people who have been beneficiaries of a charity or have relatives who have been beneficiaries were more likely to leave a charitable bequest. Which charities were more deserving was largely an individual choice, however, there seems to be a consensus that charities that undertake health support and research, and animal welfare charities were the most popular charities to receive a legacy bequest. Similarly, and more prominently than discussions about family, discussions about charitable bequests also focused on deservingness and how money would be spent. In most cases when participants did not want to leave money to a charity this was because of concerns regarding the efficiency of the charity, rather than because they were unsupportive of the cause.

The individual's obligation to the State was the most contentious point in many of the interviews. Participants not only disagreed with one another but also with themselves, repeatedly offering counterarguments to their own points and being in two minds about their obligations. Most of the participants believed

the State had a role to play in ensuring inheritance money was not disproportionately hoarded in the hands of a few and that the State should minimise the benefits of money earned through luck. However, some participants worried about 'double taxation' and being 'penalised' for 'working-hard' and 'saving'. These participants did not believe they had an obligation to provide some contribution to wider society through their inheritance tax because they had already fulfilled their obligations through their lifetime taxations and were concerned about how the State would spend their legacy.

## **8.2 Bequest dilemmas**

Adopting Zelizer's (2017) concept of 'special money' can help us make sense of the different dilemma's testators encounter when thinking about what to do with their money after they have passed away. Writing a will requires testators to reconsider the meanings they have attached to their different monies (e.g spending money, saving money, earned money, gifted money) and to give it a new meaning of 'inheritance money'. Thinking about their money as 'inheritance money' means they are required to use the money in a manner they may not have done throughout their lifetime. This research has shown that the meanings attached to the 'inheritance money' can also vary considerably depending on the beneficiary of the gift. For example, the meanings attributed to a bequest made to family are different from the meanings attributed to a gift made to charity; and were very different to the meanings attributed to the money given to the State through inheritance taxation. Working out these different meanings is a complex process giving rise to a number of dilemmas.

Building on the previous section, this section will explicitly identify and unpack the main dilemmas participants deliberated when making their inheritance decisions. Often how they believed inheritance should be distributed was connected to their moral, social and political beliefs. Rather than review each chapter separately, this section will draw out the main overlapping themes of the research developing them into a coherent commentary of bequest dilemmas. The conflicting and paradoxical nature of the decision-making

process means the themes often overlap and it is therefore impossible to completely untangle them from one another.

### **8.2.1 Social justice**

Although passing money to family can be a way of strengthening family relationships and supporting younger generations (as will be shown in 8.2.3), not all families have the ability to participate in the giving and receiving of inheritance or the amounts that families give and receive can vary greatly between families. The data presented throughout this thesis has reinforced the statement at the beginning that inheritance is not only a private matter, affecting family and social ties, but it is also a public concern with implications for wealth inequality and the survival of some charities. Large inheritance gifts passed down through generations perpetuate the unequal distribution of wealth in Wales and reinforce class divides. Halliday (2008) drawing on the Rawl's (2009) theory of justice, argues that injustice 'can occur slowly and become deeply entrenched without being especially obvious' (2008. p.4) and that inheritance is an example of this, he writes:

Rawls regarded the cumulative effects of inheritance and bequests as among the more sufficient factors that, without careful regulations, might account for the watering down of background justice. (Halliday. 2008. p.3)

This research suggests, however, that people do recognise the unfairness of passing all of their money on to their families and they do consider they might also have obligations to distribute their wealth to wider networks. Despite this recognition, very few of the participants made decisions with social justice in mind. Only when talking about inheritance taxation, did participants spend a lot of time discussing the unequal distribution of inheritance and its consequences for wealth distribution and inequality. Many of the participants believed this was the strongest justification for inheritance tax and recognised that the 'luck' of their generation could be mitigated by the inheritance tax. Minimising inequalities caused by inheritance was largely seen as a function

of the State through inheritance taxation, rather than a decision for the testator to make.

Many of the participants gave the reason of not wanting to give 'too much' money to their families, as a reason for leaving a bequest to a charitable organisation, however, very few of the charities chosen by participants had a social justice element. Most of the chosen charities were either health research and/or health support charities, or animal welfare charities. Charities which seek to minimise economic inequalities or to create equal opportunities for minorities or disadvantaged peoples were rarely mentioned. Even when participants discussed their reasons for wanting to leave a bequest to charity their statements of 'wanting to do good' or 'not wanting to leave too much to family' didn't extend far beyond this. As mentioned in Chapter Five, few participants did argue that all inheritance money should be claimed by the State to prevent economic inequalities, however, the participants who mentioned this all still planned to leave the largest portion of their inheritance to their families because 'that's what everyone else does' and because the State does not levy a 100% inheritance tax. This again reinforces the idea that social justice should be a matter for the State and not the individual. Although these participants held a belief that inheritance was immoral and unfair, they did not feel they had the ability to modify their behaviour to minimise this inequality themselves through giving their money to a charitable organisation with a social justice focus.

A potential reason for participants perceived lack of responsibility in making socially just decisions is because the participants involved in this research, although wealthy, did not have vast sums of money to give away and many of the participants had several children to distribute their money amongst. Similarly, many of the participants had not received an inheritance themselves or had only received a small inheritance. Attitudes may be different for those who have considerable sums of money to leave or for those who are distributing money which has been held within their families for many generations. In his work on 'Inheritance of Wealth: Justice, Equality and the Right to Bequeath', Halliday (2008) draws a distinction between first-

generation inheritance and multiple-generation inheritances. He argues that multiple-generation inheritance, that is money which has been passed down through several generations of the same family, is less just (and should, therefore, be subject to a higher inheritance taxation level) than money which has been accumulated by one generation and passed on to the next. He writes:

Parents who purchased homes in the late twentieth century who are now entering old age may be in a position to bequeath substantial wealth for the first time in a family's history. These cases may be distinguished from the inheritance of much larger family fortunes that may have endured for somewhat longer. (Halliday, 2008. p.14).

### **8.2.2 Altruism versus exchange**

Chapter Two introduced a debate in the existing literature on inheritance decisions, which is whether bequests are motivated by altruism or exchange. Two theorists have been used throughout this thesis to highlight these conflicting positions. The work of cultural anthropologist Mauss (1925) argues that gifts are never 'free' and always carry an expectation of reciprocity. This is oppositional to the work of Titmuss (1959) who argues that there are circumstances in which a gift can be motivated by altruistic desires, as in the case of blood donations. These theories have been explored in more depth in previous sections and will not be repeated here. In this section, I will explore how my research findings have contributed to this debate by arguing that my data show that bequests can be motivated by both altruism and exchange. I will first explore the theme of altruism in the data (that gifts are motivated by love and affection for the beneficiary), then I will explore the ways that exchange and reciprocation were also important motivating factors.

This thesis began with the claim of the family and demonstrated the importance of this claim in participants' decision-making. This theme recognises the symbolic values associated with inheritance – specifically that to leave a bequest to a beneficiary signified the testators' love and affection

for them. There was consensus amongst participants that their inheritances should be interpreted in this way. The symbolic meanings associated with inheritance, it was argued, mean that bequests are seen as a way of demonstrating love, affection and care, and this was a primary reason for the claim of the family to be privileged. Participants worried that disinheriting their children disregarded their relationship and they worried their children might think they don't care about them. This was a reason that parents were often hesitant to give money unequally to children and believed this to be unfair. The data shows that the idea that inheritance carries deeper meanings does not only apply to the family but also to 'others' outside of the family. Participants chose charitable causes they have emotional connections to and wanted to show they cared about the cause and about its beneficiaries.

Care and affection as a meaning for inheritance were predominantly applied to family bequests. However, it was also apparent when participants spoke about charities. Through their gift's participants believed they were demonstrating their love for the cause. Inheritance tax was the only claim where care and affection were not associated, this could be due to the testators' lack of agency over the gift, wanting to leave their inheritance to beneficiaries because they love and care for them implies the presence of altruism. That people give to family and charities not because they feel obligated or because they are trying to reciprocate something but because they care about the person/cause and want to use their gift to improve their wellbeing.

Although some participants believed their decisions were wholly based on their care and affection of beneficiaries, others did see a reciprocal nature to their gift and chose to evaluate their beneficiaries based on merit. The exchange theory stems from the work of cultural anthropologist Mauss, who argues there is no such 'thing a free gift' (Mauss, 1954). Here I will explore the theme of reciprocity in my research and how participants considered their inheritance to be a form of reciprocation not only to their family but also to charities and the State.

Two forms of reciprocation emerged in the data' (a) direct reciprocation, which aims to repay a particular person or organisation who has provided them with something during their lifetime (often this was emotional or physical support) and for (b) indirect reciprocation, in which the testator is unable to directly repay a person/organisation and instead decides to 'pay it forward'.

Indirect reciprocity was most common when participants discussed wanting to leave money to future generations because they had been beneficiaries of a family inheritance. For Mauss, indirect reciprocity of a gift enables people to solidify social ties across time and space. It is possible therefore that what emerges is a type of inheritance contract where family members who have received an inheritance feel obligated to pass something forward. Similarly, bequests to a charitable organisation and to the State could also be seen as a way of 'paying it forward' as money will go towards the support of future generations.

Examples of direct reciprocity were clear in the data when participants spoke about giving money to a family member who had supported them (or another family member) in some way. Interestingly, none of the participants mentioned using their inheritance to repay a monetary loan or a debt and the focus was often on emotional and/or physical support rather than economic. Often participants opted to leave money to charitable organisations who had provided support to them or their family as a way of repaying the charity. The idea that inheritance is used as a way of reciprocating services procured throughout their lifetimes is, however, a somewhat sceptical view of the function of inheritance. It is instead possible that participants are using their gift as a way of saying 'thank you' to the people and organisations that have supported them during their lifetimes.

### **8.2.3 Intergenerational justice**

Intergenerational justice is a concept used to describe the rights and obligations that different generations have to one another, and that one



generation should not act in a manner that might unfairly disadvantage future generations. Writing on intergenerational justice, Thompson explains that:

Citizens are born into a pre-existing society that, in most cases, will continue to exist, perhaps for many generations, after they are dead. They obey laws and act in the framework of institutions that were brought into being by past generations and their government makes laws and commitments that will affect the lives and relationships of future generations. They are the heirs of a legacy that is the work of many generations and they will in turn provide an inheritance for their successors... 'We the people' is a historical continuum that reaches into the indefinite future. It implies the existence and persistence of intergenerational relationship that include past, as well as present and future members. How these relationships should be understood, what entitlements and obligations they generate, is the subject matter for a theory of intergenerational justice. (Thomson, 2009. p.1)

As seen throughout this research, deciding what to do with their money after they have passed away requires the testator to consider what obligations they perceive themselves as having to current and future generations. How these perceived obligations play out into inheritance decisions will be the focus of this section.

The data show a narrow sense of intergenerational justice with testators mostly interested in the wellbeing of future generations of their own families. All of the participants planned to leave money to family members, and many considered how several generations of their family could benefit from the money. In this sense, inheritance becomes a norm that families should strive to accumulate wealth so as to pass it on to future generations. Through the giving and receiving of family inheritance, people create a web of reciprocity which helps to solidify the family unit across time and generations (Mauss, 1925). Willets, in his book entitled 'The Pinch: How the baby boomers took their children's future and why they should give it back' (2010), describes this intergenerational exchange as '...less like a conventional exchange than like

someone passing the baton in a relay race.’ (Willets, 2010. p.105). Failure to partake in this intergenerational exchange can result in intergenerational tensions (see Chapter Five) and have determinantal effects on family relationships. Tremmel recognises this danger, writing that:

Each generation should strive to leave the next generation better off than the last. That way an informal moral norm of saving (on a certain minimum level) became established, which can be summed up as follows: Each generation shall leave as many good (especially capital, but also technological, resources, education, knowledge and wisdom and so on) to the following generation so that this as well as subsequent generations can improve their welfare in comparison to each preceding generation. Who wastes the potential inheritance of his children in his last stage of life might not act legally wrongly but still is looked at askance (which shows that informal norms do ban such behaviour) and, additionally, acts immorally according to the principle of limited commitment, because this informal norm is morally good. (Tremmel, 2006. p.46)

Most of the participants believed they had a responsibility to their families to ensure they would continue to be looked after, after the death of the testator. Many of the testators recognised the benefits they had received from being born into the ‘baby-boomer’ generation (a generation characterised by great wealth and opportunities), and they wanted to use this money to ensure future generations of their own families would receive the same opportunities as they had. There was an acknowledgement by many of the participants that their younger family members had been greater affected by economic adversity and the resulting fallout and they felt some responsibility to try to mitigate this where possible.

Although participants often considered the benefits of their inheritance as if it would be received by a younger generation, in most instances the recipients were adults who were already established with houses, jobs and families of their own. Halliday (2008, p.12) also found this was the case, writing that whilst

people see inheritance as 'getting a head start; (Halliday, 2008. p.12) this is not an accurate reflection of the situation:

Since older households suffered less in the global financial crisis, inheritance has been a mechanism through which the older generations have 'rescued' some members of the younger generation. We should be open to thinking about inheritance not as a 'head start' but as a safety net. (Halliday, 2018. p.13)

It is impossible to discuss the concept of intergenerational justice and inheritance without considering whether future generations will have the same opportunities to leave an inheritance as the one before them. This research has focused predominantly on 'baby-boomers' and future research should explore the attitudes of successive generations to inheritance. This section has highlighted the importance of 'passing the baton' (Willems, 2010. p.105) by engaging in intergenerational exchange. However, it is possible that successive generations may not have the same means to leave an inheritance as those before them. Intra-generational inequalities (see. 8.3.2) also mean that certain families are more likely to be givers and receivers of inheritance than others.

#### **8.2.4 Inheritance as story**

This section will explore the idea of inheritance as 'story' and how participants used their wills to capture the people and the organisations that were most important to them during their lifetimes and how they use their gifts to 'extend themselves forwards in time' (Routely and Sargeant, 2014) and create their legacies. In this sense, wills can be seen as social documents which reflect the unique story of the individual and the social ties they value the most. Defining what is meant by 'legacy' Sousa et al write:

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... 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 symbolic presence. (2010, p.6.)

The context of the testator and their personal biographies and circumstances were an important theme which emerged when participants talked about all of the claims. Participants always wanted to make sure the people and organisations that had been important to them in their lifetimes were mentioned in their wills. Participants frequently mentioned wanting to leave bequests to family members they were closest to, family members that had helped them, charities they had supported or had supported them.

Testators' decisions were fluid and flexible, changing across the life course to reflect the different relationships testators have with their family, friends and charitable organisations. Increasing and decreasing wealth also influenced participants' decisions with participants leaving gifts to more beneficiaries at times of greater wealth. The temporally fluid nature of beneficiaries' decisions means that the charities that participants were actively involved with at the time of writing their will were more likely to be included as a beneficiary. Similarly, family members were more likely to be included if they had a close relationship with the testator at the time of the testator writing the will. Participants' ideas about the fairness of inheritance tax depended on the context of the individual and whether or not they would be required to pay inheritance tax. This finding is obviously significant for charitable organisations who may be seeking to increase the number of legacy gifts they receive as they want to encourage people to leave a gift to their organisation at a time when they are most involved in that organisation.

As well as using wills to reflect on their pasts, participants also used their wills to consider their legacies (Routley and Sargeant 2014). This research has drawn upon research undertaken by Routley which looked at the ways people seek to use their charitable bequest to leave a mark on the world. This

research has shown how important it was for participants that their inheritance should make a difference and not get lost in a 'big pot'. This idea was mentioned when talking about charities, family and inheritance tax. In fact, their legacy being lost in a 'big pot' was one of the main reasons that participants disagreed with inheritance taxation. Not knowing how their money would be spent or who would receive the benefit from it made participants believe their attachment to the money was being eroded. Participants perceived their gifts as an 'extension of self', for the gift to be lost in a big pot meant the self was also lost.

### **8.3 Looking back and ahead: Limitations and further research**

This final section will reflect on the research process, to discuss my experiences of carrying out the research and to explore some of the limitations of this research project. With these limitations in mind, this section will outline some suggestions for further research and offer some thoughts on the possible directions for a sociology of legacy.

From the outset, it became apparent that there was very little existing research on inheritance, particularly from a sociological perspective, and therefore this project would need to be exploratory in its approach. With little existing knowledge to help support and guide my research, I needed to get a sense of the subject area and to understand what the dilemmas of writing a will were. From conducting the first few interviews the complexity of the subject-matter was obvious. The lack of existing literature made the parameters of the research difficult to define and therefore there was a tendency for the research to 'spill out' into other areas of enquiry. For every question that was answered, several more were raised. There were also difficulties managing the discussions during the interviews as participants often had a strong sense of 'ownership' of the topic – that is they did not always want to talk about the research topics and instead wanted to talk about other things – and it was often difficult to keep the conversations on track. In the interview with Ms Wright, for example, I only asked three of my questions as she was very keen to talk to me about her family. It was necessary, therefore, to develop clear

parameters for the research project. The decision was made to focus on the three greatest claims that participants confronted when making their inheritance decisions – the family, charities and inheritance tax. This meant having to exclude certain data from this thesis, for example, participants regularly discussed the dilemmas of what would happen to their ‘stuff’ when they passed away. Ten interviews were also undertaken with charitable organisations about how they encourage people to leave a bequest, and three interviews were carried out with solicitors to discuss the legal process. Whilst these interviews were beneficial to gain an in-depth understanding of the subject area and providing insight into the roles that different organisations play in the inheritance decision-making process, the content of the interviews mostly fell outside of the scope of the research and the decision was made to exclude this data from the analysis and research findings.

As reflected on in Chapter Three, recruiting participants for this research project was difficult. I had countless conversations with people throughout the research process who were confident to tell me their inheritance stories in informal settings – academic conferences, social gatherings, the hairdressers and stories from friends who had spoken to their relatives about the research. They shared stories of inheritances they had received and inheritances they planned to leave. Stories of family fallouts, treasured family heirlooms and their fears of their money ending up in the hands of the ‘wrong people’. When I attended events to recruit participants (See Chapter Three) many people approached me to tell me their stories in these events. However, this confidence was often lost when I suggested the possibility of undertaking a formal interview. Suddenly, these same people would become guarded and tell me they ‘didn’t really have anything important to say’ despite my attempts to convince them otherwise. Some people were worried about the financial element of the research and were concerned they would have to disclose their finances to me. Many other people told me they had no interest in participating because they had ‘nothing of value to leave’ or because they planned to leave everything to their families and there was ‘nothing else to say’. This suggests that it was not the interview topic itself that discouraged people from wanting to participate in the research but the unfamiliar nature of the interview. This

might also help to explain why many of my participants had academic backgrounds or were people who had previously participated in research projects (one of my participants explained that they regularly participated in research projects and considered it 'somewhat of a hobby') because these people were more comfortable with the research process.

The difficulties I encountered in participant recruitment led to my sample lacking in diversity and therefore it was impossible to analyse whether dilemmas varied depending on the testator's characteristics. As noted in Chapter Three all of the research participants were white, aged 55 and over and those who were in known relationships at the time of interviewing were all in heterosexual relationships. Only a small number of participants considered themselves to be religious. As shown in Chapter Two there is very little understanding of how different characteristics impact inheritance decisions within other research projects and this is a huge gap in the knowledge which must be addressed in future research. As well as potential differences depending on ethnicity, sexuality and religion, future research also needs to take account of gender differences. During the analysis of this research, gender differences in participants' responses were explored. However, little variation in attitudes was found beyond women being keen to leave their money to their family, rather than for it all to be taken by the State (see Chapter Five). There were no apparent gender differences in the choices of charities or the dilemmas of leaving a bequest to charity, although it is possible this was a result of many of the decision having been 'worked through' prior to the interviews and presented as a united front between the couple (see Chapter Three).

The participants in this research were also mostly middle class and more research could explore whether there are any variations in attitudes and dilemmas depending on the participants' class. It might also be interesting to explore the inheritance decisions of the very wealthy as they have much more to leave, their deliberations may be more considered and the decisions they make will have greater consequences for the distribution of wealth. The very wealthy will also pay high amounts of inheritance tax and as a result, they may

have stronger views on the matter than those who are set to pay little to no inheritance tax (see. Chapter Seven). Leaving large gifts to charitable organisations would also allow the testators to have greater power and say over how their money is spent.

As this is an almost untouched area of sociology, there are a number of directions this research could be taken in the future. The exploratory nature of the research means that its intentions were to begin to explore the decisions and dilemmas of participants with the intention of leading to more focused, in-depth projects in the future.

How inheritance decisions are affected by the coronavirus pandemic, which occurred during the final stages of this research, will also be a worthwhile area of exploration. The situated nature of inheritance decisions, shown in this research, means that inheritance decisions will be affected by the pandemic, which is forcing many people to consider their health, family and mortality. Research has shown that the pandemic has led to an increase in the number of people writing a will (Bennett 2020). The impact of the pandemic could be that it makes people feel closer to their family/friends who are acting as essential support networks and/or it could lead to greater relationships with charitable organisations which might have provided them with support.

This research has explored one way that people can leave legacies. However, there are many other ways that people can leave legacies which may, or may not, be more important than monetary bequests. Three other types of legacies, both tangible legacies and non-tangible legacies, were mentioned by participants during the interviews which could also provide some suggestions for further research. The first was through material objects. Frequently, participants made reference to the 'stuff' they wanted to leave as bequests to both family members and charitable organisations. What to do with certain items of significance was an important consideration and dilemma for many of the participants – particularly when they were unsure who would want the items. Unlike money, objects are much more visible and permanent in



beneficiaries' lives and participants worried that the objects they wanted to be kept may not be the objects their beneficiaries would like to own.

The second type of legacy that was discussed in a few interviews was the passing on of memories and family histories. This second type of legacy was connected to the first, in that the objects that participants wanted to pass on were often significant because of their ability to convey particular stories about family history but could also be passed on in less-tangible forms, through shared stories and conversations. Family memories and reminiscence are an underexplored topic in sociology which has increasing significance as people live longer and have more ways of 'keeping' and 'sharing' memories.

The third type of legacy was in the passing on of particular values and beliefs to the next generation. This idea of legacy is explored in generativity theory and the sociology of intergenerational transmissions (Muddiman et al. 2020). In this research, a few participants mentioned the importance of making sure their families learnt the value of family responsibility and/or the value of being charitable.

#### **8.4 Towards a sociology of legacy**

This has been an exploratory research project which has sought to provide an understanding of the dilemmas that testators encounter when they think about what they would like to do with their inheritance after they have passed away. Particular focus has been given to what inheritance decisions can reveal about the relationship between the family, civil society and the State. Inheritance requires testators to directly choose between their competing moral and social obligations to decide who needs and deserves their money most. Money gifted to one beneficiary is money taken away from another. This is a sticky, complex and emotional process that requires participants to 'look back' over the lifetimes and make judgements about the people and organisations that were most important to them. The research has shown that whilst the family are often the most important consideration for many testator's they are not the only

consideration and most of the participants saw themselves as having a responsibility to use their money for the benefit of those outside of their own families. 'Hesitations' and 'ambiguity' about family, particularly extended family, made the space for participants to consider their obligations to charities and wider society in their decision making. The interconnectedness of the 'claims' meant it was impossible to consider obligations and responsibilities to one without also considering their responsibilities and obligations to others.

The research has shown the multifaceted, complex and fluid nature of inheritance decisions and dilemmas and the impact of these decisions on the public and the private. At a private level, the findings reveal the ability of the inheritance gift to forge, reaffirm and destroy social ties. The research shows the importance that the inheritance gift has for many of the participants to solidify their social relationships across time, to repay the people and organisations that have been important to them in their lifetime and to make a statement about the people that are most important to them. In deciding where to leave their money they are extending themselves forwards in time (Routely and Sargeant 2015) and using their money to assert how they want the future to look.

The decisions made by testators also have a public dimension. The current grandparent generation is one of the wealthiest generations, they are a generation characterised by increasing home ownership and many have benefitted hugely from the massive increase in value of their properties. The inheritance they will leave behind has been described as an 'inheritance boom' (Resolution Foundation 2017) and how they decide to distribute their assets will have massive consequences for wealth distribution, social and economic justice and the survival of some charities. My research shows that participants were very aware of the 'big' consequences of their decisions, and considerations about social and intergenerational justice were present in their accounts, however, they did not necessarily act on their concerns, or their concerns resulted in minor alterations to their overall decisions. The responsibility of 'mitigating luck' of the market and distributing their assets in a

fair manner was perceived as being the responsibility of the state and not the individual.

Inheritance can mean different things to different people and often one person may have many different ideas about what inheritance means and how it should be distributed. These interpretations have consequences for how inheritances are distributed – who are the beneficiaries and how much each beneficiary receives. The research shows clear tensions and contradictions between generalised norms and the individual meanings that testator's attached to bequests, for example, the appeal to the generalised norms of fairness, deservingness and need are made differently by different people, and in different ways in the contexts of the state, family and charity. The consequence of this is that the rationale for many of the decisions made were often contradictory and inconsistent across different people and different claims.

The topic of inheritance, particularly inheritance taxation and charitable bequests, has been an under-explored area of sociology. This research has aimed to demonstrate the variety and richness of inheritance and legacy as a sociological field of enquiry and to provide the foundations for future research in this area.

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





# Appendix One

## Participants' Biographies

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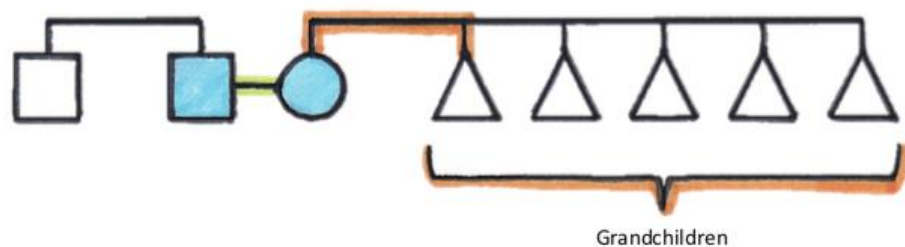
This Appendix provides an overview of the individual stories of the participants interviewed for this research project and their inheritance decisions. This section includes the 'inheritance maps' which were created by me during the data analysis stage of the research as a way of 'seeing' the data. The maps work in much the same way as 'family trees' and should be read likewise. Unlike family trees, these maps are not necessarily accurate reflections of participants' biological families, but they instead reflect the people that participants mentioned during their interviews as being 'family'. For the maps to be fully understood some of the symbols used require further explanation and these explanations are included below:

 Male	 Female	 Unknown gender
 Male interviewee	 Female interviewee	 Divorced
 Male deceased	 Female deceased	 Unmarried partner
 1 <sup>st</sup> choice beneficiary	 2 <sup>nd</sup> choice beneficiary	 3 <sup>rd</sup> choice beneficiary

### Mr Davies and Mrs Davies

Mr Davies is 72 years old and is a retired sales and marketing director. He lives with his wife, Mrs Davies, who is 54 years old. Mr Davies has a terminal illness, which has left him housebound, and Mrs Davies is his full-time-carer. They were interviewed together in their home, in a seaside town.

They do not have a will and are still deciding what they would like to happen to their money. Mr Davies was certain that he would pass away first and so he was happy for Mrs Davies to decide how the money should be distributed. However, during the interview, he expressed some strong views on Mrs Davies' suggestions and said that he would like some of the money to go to the Salvation Army - a charity he has supported throughout his life. Mrs Davies would like to leave the money to her siblings and nieces/nephews, as well as some local charities (although she hasn't yet decided which charities). Mr and Mrs Davies believed they would have to pay inheritance tax and were strongly opposed to paying it.

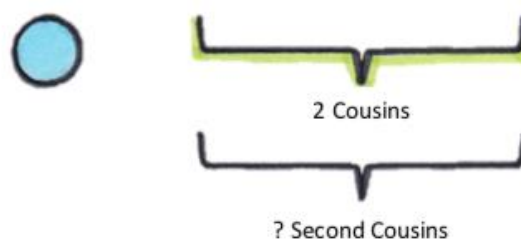


**Figure 1:** Inheritance map, Mr and Mrs Davies.

## Ms Driscoll

Ms Driscoll is in her eighties and is a retired teacher. She was interviewed in her large house near the sea, where she lives alone. She is unmarried and does not have children. It is very important for her to maintain control over all aspects of her life, particularly her finances. During the interview, she informed me that she has a do not resuscitate order as well as euthanasia arrangements in case she becomes ill.

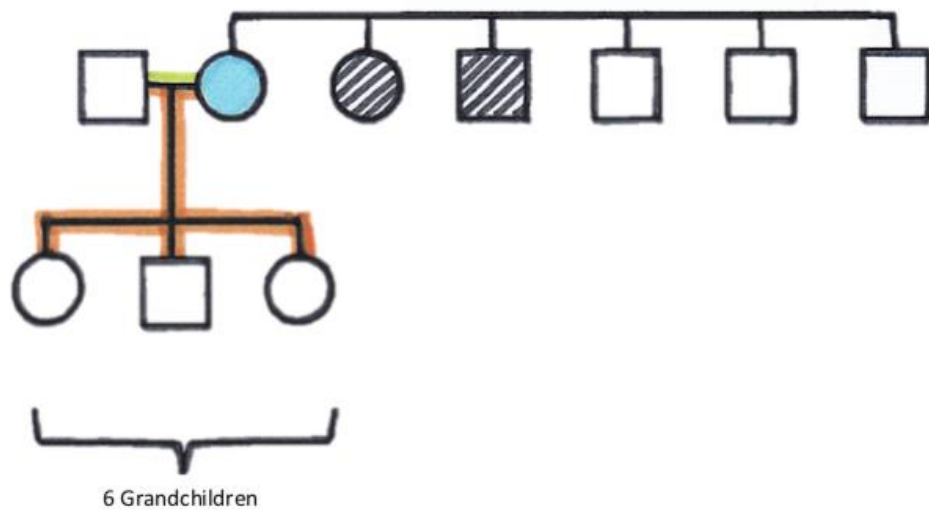
Ms Driscoll is an only child and considers some of her cousins to be her close family. She wants to leave money to these cousins in her will. However, because she was protective of sharing certain information, particularly information about her family, she refused to disclose how many cousins she has included in her will. She also plans to leave money to three charities – Alzheimer's Society (care and research for people with dementia), Cancer Research UK (care and research for people with cancer) and Macmillan Cancer Support (provides physical, emotional and financial support to people with cancer). She has included these charities because she has an emotional connection with them but also because giving to charity means that she will pay less inheritance tax.



**Figure 2:** Inheritance map, Ms Driscoll.

## Mrs Evans

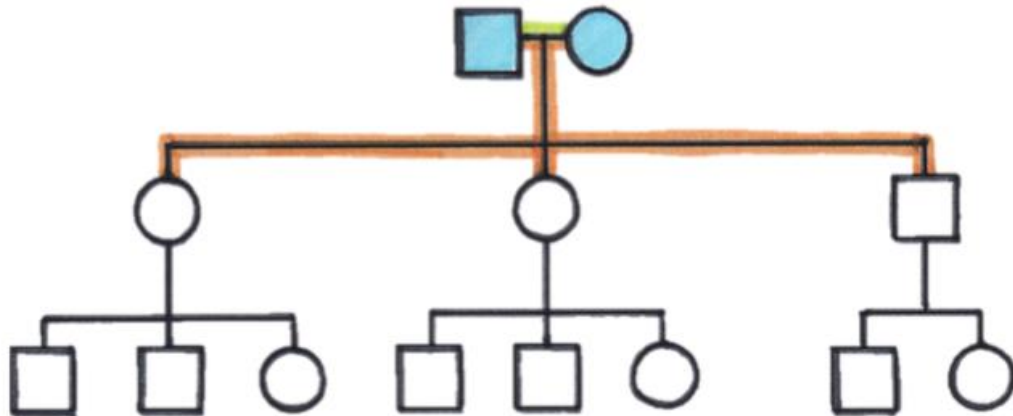
Mrs Evans is 76 years old and lives with her husband in a Cardiff suburb. They have three children and six grandchildren. The interview took place in the conservatory of their home. Her husband refused to participate in the interview because there was information he did not want to be disclosed, however, he sat in on the interview and occasionally answered questions. As he did not consent to participate his answers have been discounted from the research. Mrs Evans plans to leave all of their money, in equal shares, to their three children. She does not want to leave money to any charitable organisations because she did not trust them to spend her money well. Mrs Evans did not think they would be affected by inheritance tax.



**Figure 3:** Inheritance map, Mrs Evans.

### Mr Griffiths and Mrs Griffiths

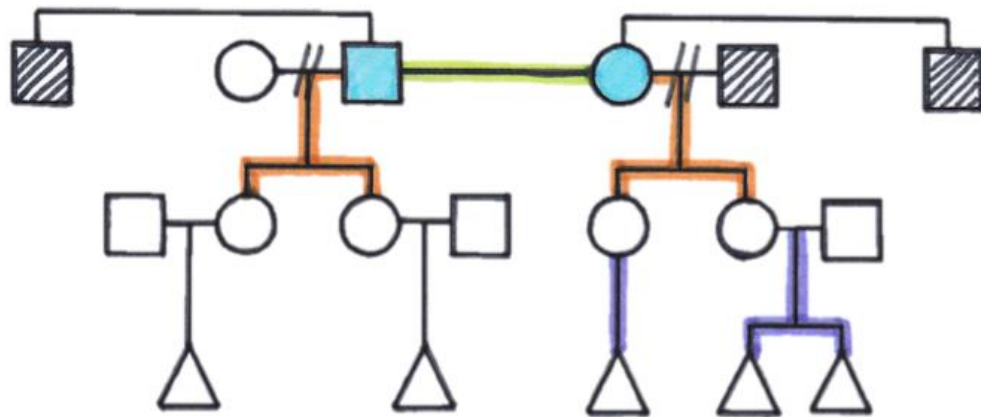
Mr and Mrs Griffiths are retired teachers. They have three children and eight grandchildren. They have recently downsized their home and asked for their interview to take place in a café. Mr Griffiths, who is in his eighties, spoke a lot during the interview about the importance of passing on his values and family history to his children and he sees this as being much more important than passing on his assets. Despite this, he and Mrs Griffiths, who is 77 years old, plan to leave all of their money in equal shares to their children. They were Roman Catholics and have been involved with many different charities during their lifetimes, however, they believed that charitable giving is something that should happen during their lifetime and family should take priority when you die. They weren't sure whether inheritance tax will affect them and were ambivalent towards it.



**Figure 4:** Inheritance map, Mr and Mrs Griffiths.

### Mr Harris and Mrs Harris

Mr and Mrs Harris are both in their sixties. This is a second marriage for both of them and they both have two daughters each from their previous marriages. Their interview took place at the dining table of their detached home in Cardiff. They had decided the value of their home would be divided equally between their four daughters. However, Mr Harris, a retired civil engineer, also had savings which he wanted to be gifted to his two daughters and either Parkinson's UK (Research and support for people with Parkinson's) or Motor-Neurone disease association (MNDA support people who have been diagnosed with motor-neurone disease and their families). His brother had passed away from motor-neurone disease, whilst he currently had Parkinson's disease. Mrs Harris did not have savings of her own to gift to her daughters or any charities. They were supportive of inheritance tax and did not believe they would be affected by it.

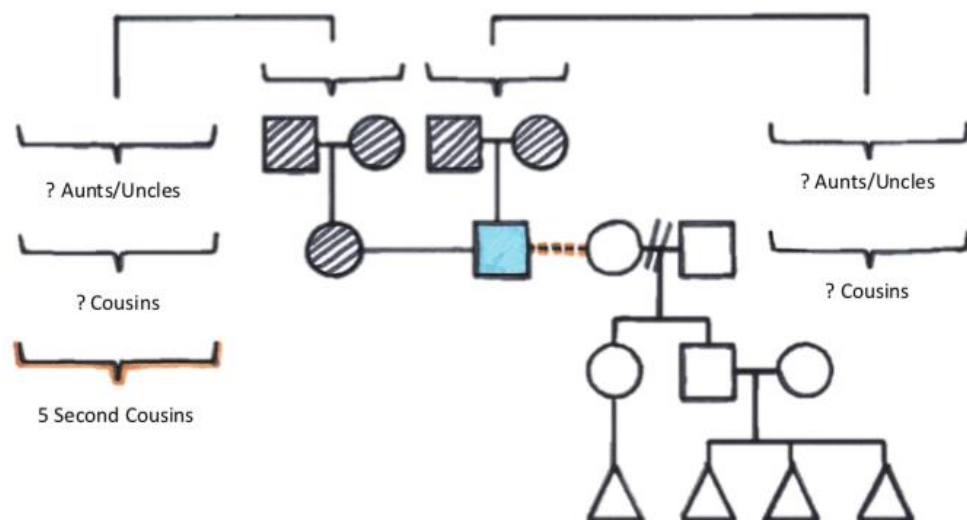


**Figure 5:** Inheritance map, Mr and Mrs Harris.

## Mr Johnson

Mr Johnson is sixty-eight and a retired project manager. He does not have any children. He is widowed and currently lives with his new partner in a seaside town. Their house is very modern as he recently spent a large amount of money on renovations. He explained during his interview that the decision to renovate was in part because it would mean his estate would pay less inheritance tax.

He wrote his original will with his wife, although he has since updated the contents to reflect his new circumstances, he has tried to keep as much of the original will intact as possible. He plans to leave money to his new partner, his deceased wife's second cousins, a cleaner, his god-son and to five charities. His chosen charities are Dogs Trust (Dogs Trust is a dog welfare charity which focuses on the rehabilitation and rehoming of dogs which have been abandoned by their owners), Tŷ Hafan (provides palliative care to children with life limiting conditions in Wales), Noah's Ark Appeal (raises money for the Noah's Ark Children's hospital in Wales), Macmillan Cancer Support (provides physical, emotional and financial support to people with cancer) and the Sandville Self Help Centre (offers social and psychological care for people suffering difficulties).

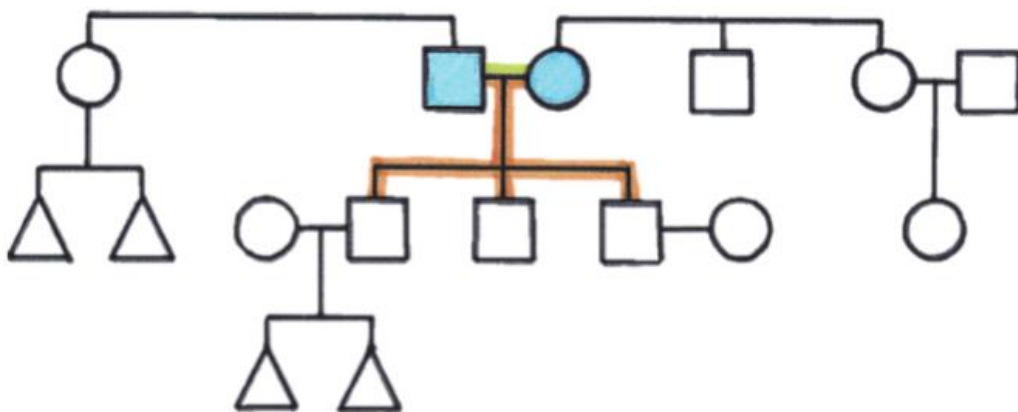


**Figure 6:** Inheritance map, Mr Johnson.

### Mr Lewis and Mrs Lewis

Mr and Mrs Lewis are both in their 70s. They were interviewed separately, in their home in Cardiff, because Mr Lewis is partially deaf. Mr Lewis is a retired university lecturer and Mrs Lewis is a retired administrator for the NHS. They live in Cardiff with their dog and a lodger. They have three sons and an 'honorary son'. The 'honorary son' lodged with them many years ago and since meeting him, they have considered him part of their family.

They plan to leave their money in equal shares to their sons and to their honorary son. The remaining money they have divided between their chosen charities. Mr Lewis has chosen OASIS (OASIS work with vulnerable members of society with the aim of lifting them out of poverty), UNESCO (UNESCO aims to build peace through international cooperation in education, science and culture) and OXFAM (OXFAM aims to tackle world poverty and reduce inequality). Mrs Lewis has chosen Freedom from Torture (FFT provide specialist therapies to support asylum seekers and refugees that have been the victims of torture), Queen Mary College (a university in England) and Dogs Trust (Dogs Trust is a dog welfare charity which focuses on the rehabilitation and rehoming of dogs which have been abandoned by their owners). They did not believe they would be affected by inheritance tax.

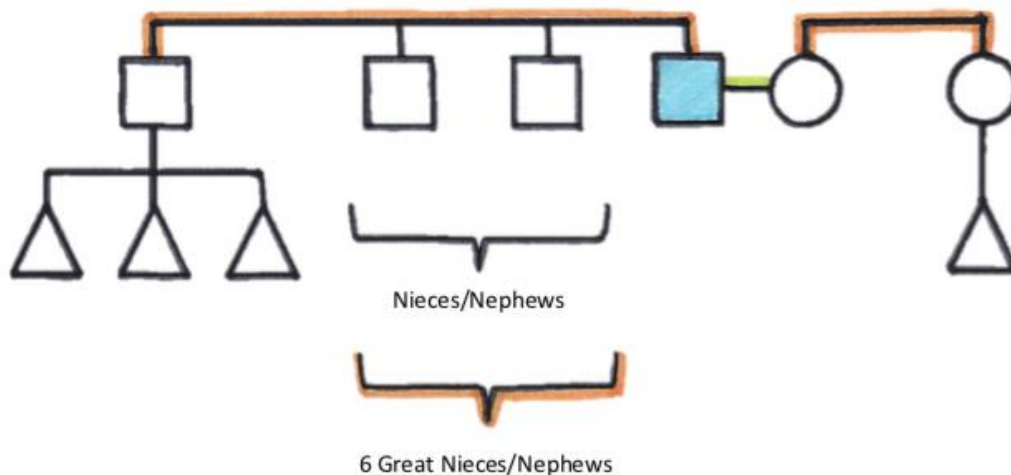


**Figure 7:** Inheritance map, Mr and Mrs Lewis.



## Mr Lloyd

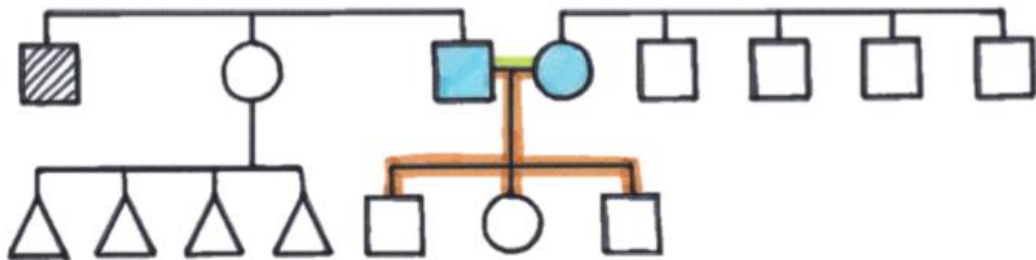
Mr Lloyd is 58 and a freelance consultant to third sector organisations. He is married and does not have any children. He plans to leave money to one of his brothers, his sister-in-law and six of his great/nieces and nephews. He and his wife both chose charities they would like to leave money to. The charities they have chosen are; Primary Club (The Primary Club is a cricketers' charity that fundraises to provide visually impaired people with sports and recreational facilities), Deaf Rugby (Supporting the involvement of deaf and hard of hearing people in mainstream sport, particularly rugby union), Barnardo's (Barnardo's supports vulnerable children and young people), Motor-Neurone Disease Association (MNDA support people who have been diagnosed with motor-neurone disease and their families), Children's Liver Foundation (a charity which supports children affected by liver disease and their families. They also fundraise to support research into childhood liver diseases) and Cardiff University (a university in Wales.) Mr Lloyd does not expect to pay inheritance tax but is supportive of it.



**Figure 8:** Inheritance map, Mr Lloyd.

### Mr Phillips and Mrs Phillips

Mr and Mrs Phillips are both in their 70s. They were interviewed at their home in a Cardiff suburb. Mr Phillips is a retired chemist and Mrs Phillips is a retired supply teacher. They have three children, who they plan to leave their money to in equal shares. Mr Phillips was disinherited from his mother's will and this influenced his decision to want to leave all of his money to his children. They do not plan to leave any money to charity because they do not have an attachment to any. They did not believe they would be affected by inheritance tax.

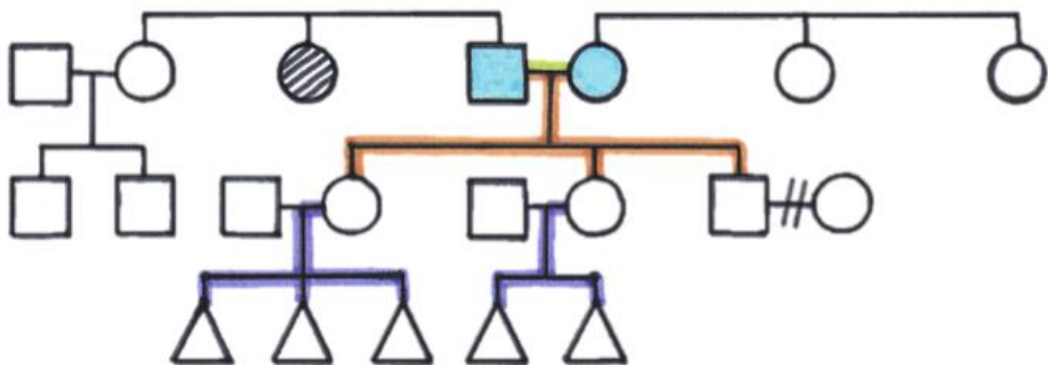


**Figure 9:** Inheritance map, Mr and Mrs Phillips.

### Mr Roberts and Mrs Roberts

Mr and Mrs Roberts are both in their 70s, they live together in Cardiff. Mr Roberts is a retired demographer and Mrs Roberts is a retired social worker. They were interviewed in the home and took the time to show me around. They had a large number of belongings which had sentimental value, and they worried about what would happen to them when they pass away.

Mr and Mrs Roberts have three children and five grandchildren. They plan to leave all their money in equal shares to their children. Mr Roberts had a negative experience as the executor of a neighbour's will. The neighbour had left their home to several charities and Mr Roberts had been responsible for selling the home. The process had been very drawn-out, and the charities placed a great deal of pressure on Mr Roberts to sell the house for the greatest possible amount. The stress caused by the experience meant that Mr Roberts wanted to keep his will as simple as possible. Mrs Roberts, however, did not have the same concerns and would like to leave some money to the charity MSF (provide international medical assistance to people affected by conflict or disasters). They did not think they would be affected by inheritance tax.

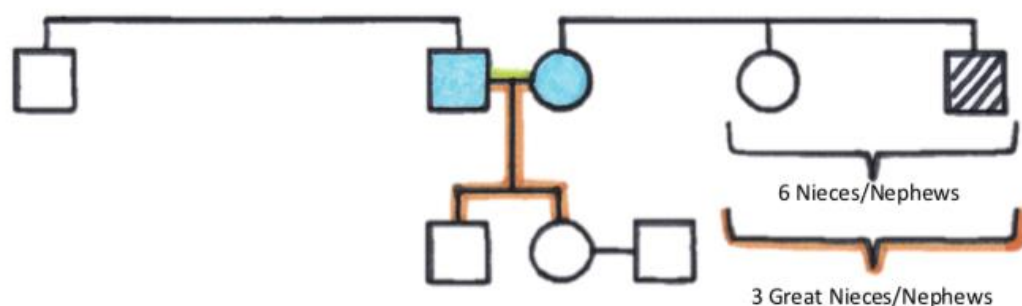


**Figure 10:** Inheritance map, Mr and Mrs Roberts.

### Mr Thomas and Mrs Thomas

Mr and Mrs Thomas are retired teachers in their 70s. They live in a seaside town with three dogs and their son. Their son has severe mental health problems which mean he is unable to work. They were interviewed in their home, whilst their son was in a nearby room, they worried he might overhear their conversation and spoke in whispers for much of the interview.

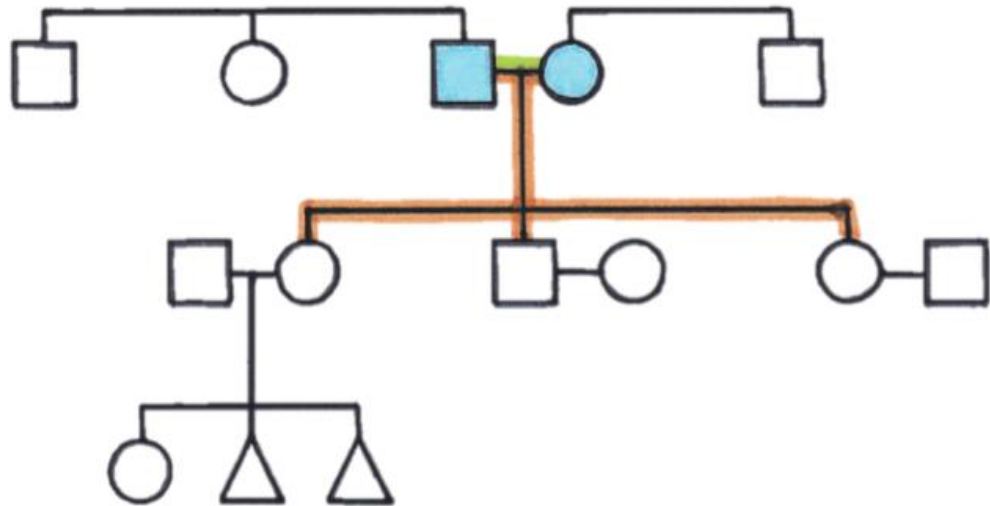
They would like to leave their money in equal shares to their two children, but they are concerned about how the money would be spent by their son. They are currently considering leaving the money to their son in a trust but have not yet reached a decision about how this trust would function as they have no suitable family members to administer the trust (they worried that asking their daughter could lead to conflict in the family). They also wanted to update their will to include some charitable organisations – PAWS (An animal welfare charity focusing on the rehabilitation of orphaned or injured animals), Lions (who focus on fundraising and volunteering for local charitable organisations) and the YMCA (Supporting young people in the local community), British Heart Foundation (funds research into heart and circulatory diseases) and some schools they had previously worked at.



**Figure 11:** Inheritance map, Mr and Mrs Thomas.

### Mr Wood and Mrs Wood

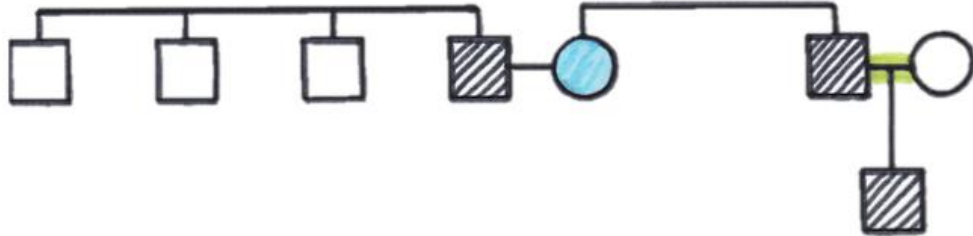
Mr Wood and Mrs Wood are in their 70s. Mr Wood is a retired civil servant and Mrs Wood is a retired teacher. They live in Cardiff with their two dogs. They have three children and three grandchildren (all belonging to the same daughter). They plan to leave their money to their three children. However, as they bought one of their daughters a house, they have lowered the amount this daughter will receive as an inheritance to ensure equality between their children as their other daughters felt they had been 'hard-done-by'. They also plan to leave money to the Dogs Trust (A dog welfare charity which focuses on the rehabilitation and rehoming of dogs which have been abandoned by their owners), Pedal Power (Cardiff charity that aims to remove barriers to cycling and to promote cycling amongst all ages and abilities) and Lupus UK (supporting people with Lupus). They were unsure whether they would be affected by inheritance tax.



**Figure 12:** Inheritance map, Mr and Mrs Wood.

**Ms Walker**

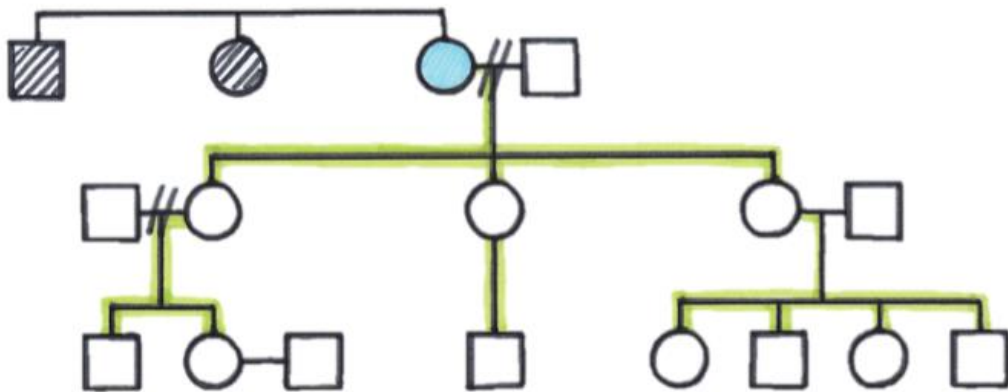
Ms Walker is in her 80s and a retired chemist. She is widowed and lives alone in Cardiff. She enjoys quilting and spent time showing me the quilted artwork she had hanging on the walls of her home. She does not have any children. She plans to leave her money to her sister-in-law and two charities – a quilting group and St Fagan's Museum (an outdoor museum in Wales). She is concerned that she will be affected by inheritance tax and works closely with her accountant to minimise the amount of tax that she will pay.



**Figure 13:** Inheritance map, Ms Walker.

## Ms Wright

Ms Wright is 78 and a retired civil servant. She was interviewed in a café near her home in Cardiff. Ms Wright is divorced and currently lives alone - although she was clear that her family were always in-and-out of her house and that one of her grandchildren had previously lived with her for some time. She plans to leave all of her money to her three children and her seven grandchildren. She did not want to leave any money to a charity and explained that she believed charity should begin at home. She does not believe she will be affected by inheritance tax.



**Figure 14:** Inheritance map, Ms Wright.

## Appendix Two

### Table of Decisions

Name	Family	Charity		State
	Children	Charities already included	Charities being considered	Inheritance Tax
Mr Davies	0	-	Salvation Army (humanitarian).	Yes
Mrs Davies	0	-	Local charities but unsure which ones.	Yes
Ms Driscoll	0	Alzheimer's Society (health support and research), Cancer Research UK (health support and research) Macmillan (health support and research).	-	Yes
Mrs Evans	3	-	-	No
Mr Griffiths	3	-	-	Unsure
Mrs Griffiths	3	-	-	Unsure
Mr Harris	2 (+2)	-	Parkinson's UK (health support and research), Or Motor-neurone disease association (health support and research).	No
Mrs Harris	2 (+2)	-	-	No



Appendix Two | Table of Decisions

Mr Johnson	0	Dogs Trust (animal), Tŷ Hafan (health support), Noah's Arc Appeal (health support), Macmillan (health support and research), Sandville Centre (health support).	-	Yes
Mr Lewis	3	OASIS (humanitarian), UNESCO (humanitarian), OXFAM (humanitarian).	-	No
Mrs Lewis	3	Freedom of Torture (humanitarian), Queen Mary College (education), Dogs Trust (animal).	-	No
Mr Lloyd	0	-	Primary club (health support), Deaf rugby (health support), Bernado's (children), Motor-neurone disease association (health support and research), Children's liver association (health support and research/children), Cardiff university (education).	No
Mr Phillips	3	-	-	No
Mrs Phillips	3	-	-	No
Mr Roberts	3	-	-	No
Mrs Roberts	3	-	MSF (health support)	No

Appendix Two | Table of Decisions

Mr Thomas	2	-	PAWS (animal), Lions (general), YMCA (religion, general), Schools worked at (religion, education).	No
Mrs Thomas	2	-	PAWS (animal), Schools worked at (religion, education), Heart Foundation (Health).	No
Mr Wood	3	Lupus (health support and research).	Dogs Trust (animal).	Unsure
Mrs Wood	3	Lupus (health support and research).	Dogs Trust (animal), Pedal Power (health support), Marriage care (religion).	Unsure
Ms Walker	0	Quilting group (arts), St Fagan's Museum (museum).	-	Yes
Ms Wright	3	-	-	No

# Appendix Three

## Participant Information Sheet

### Information Sheet

I would like to invite you to participate in this PhD research project which aims to explore the dilemmas people face when thinking about leaving an inheritance. I would like to talk you about your experiences of deciding who you would like to pass on your assets to. Discussions will be focused around family, charities and inheritance tax.

#### What will you have to do if you agree to take part?

- 1) We will arrange a time and place to meet, which is convenient for you.
- 2) There will be an interview to discuss your experiences of thinking about leaving an inheritance. Interviews will be completely confidential and anonymity will be ensured in all research outputs. You will not be asked to disclose ANY financial information during the interview.

#### What are the advantages of taking part?

If you agree to take part in the research your experiences and insights will help to make a contribution to what is currently an underexplored area. The primary objective of this research project is to demonstrate that inheritance is not a purely economic matter, it is also loaded with emotional and symbolic meanings.

#### What happens now?

If you are happy to participate in this research project please could you contact me on the email address below.

E·S·R·C  
ECONOMIC  
& SOCIAL  
RESEARCH  
COUNCIL

CARDIFF  
UNIVERSITY  
W/SERD

Thank you for taking the time to read this information sheet. If you have any further questions please contact **Rhian Powell** on [PowellRE3@cardiff.ac.uk](mailto:PowellRE3@cardiff.ac.uk).

Contact Information:

**Rhian Powell**

Email: [PowellRE3@Cardiff.ac.uk](mailto:PowellRE3@Cardiff.ac.uk)

Wales Institute of Social & Economic Research, Data & Methods.  
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CF10 3BB

This project is supervised by:

**Professor Sally Power**

Email: [PowerS3@Cardiff.ac.uk](mailto:PowerS3@Cardiff.ac.uk)

**Professor Chris Taylor**

Email: [TaylorCM@Cardiff.ac.uk](mailto:TaylorCM@Cardiff.ac.uk)



# Appendix Four

## Participant Consent Form

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### Consent Form

Project Title: Leaving an inheritance. A sociological exploration of bequest giving.

Researcher Name: Rhian Powell

	Please Initial
1. I confirm that I have read and understood the information sheet for this PhD research project. I have had the opportunity to consider the information, ask questions and had these answered to my satisfaction.	
2. I understand that my participation is voluntary and that I am free to withdraw at any time, without giving a reason.	
3. I agree to take part in the research project.	

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

# Appendix Five

## Interview Schedule

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### Introductions

- Who I am. What I am doing. What the interview will involve.
- **Demographic Questions** – Could you tell me a bit about yourself? Age, gender, marital status, children, occupation, who you live with etc.
- **What attracted you to take part in this research project?**
  
- Have you written a will? Or thought about writing a will? If not, why?
- Do you have a broad idea of how you would like to pass on your assets?

### Family

- **Firstly, I would like to ask some questions about your family...**
- Could you tell me a little bit about your family? Ages, your relationship to them etc.
- What are your reasons for wanting to pass on wealth to family members?
- Which family members would you like to pass on your assets to? Why have you chosen these? Why have you chosen not to include others? What proportion would each of these receive? Why? Did you encounter any difficulties when making this decision?
- Do you feel there is pressure on you to leave money to family? Children? Grandchildren? Why?

### Charity

- **Secondly, I would like to ask you some questions about charities...**
- Would you consider leaving a gift to charity in your will? Why? Why not? What proportion of your estate would you like to leave to charity and why?

- What charity/ies would you like to leave a gift to? Why would you choose that charity/ies? Do you have a direct relationship with this charity?
- Would you put conditions on your gift to the charity? Why? What conditions?
- How do you think your family would feel about you leaving a gift to charity? Have you encountered any difficulties when making this decision?
- Have you been encouraged by charities to leave a legacy gift?

### **Inheritance Tax**

- **Finally, I would like to ask you some questions about inheritance tax...**
- What are your views on inheritance tax? Do you think inheritance tax is fair?
- Did considerations about inheritance tax influence your decision making?

### **Other**

- Questions on paying for care in old age... How do you feel about the possibility of having to use your inheritance money to pay for care in old age? Should people have to do this? Does this have an impact on how you might choose to leave your inheritance?
- Do you perceive your inheritance as being a gift or an obligation? Do you feel obligated to pass on your wealth in a particular way?
- Did you/Do you find making the decisions about how your wealth will be distributed difficult? Why or why not?
- In Wales and England we have a system of testamentary freedom, this means that (in theory) people have complete control over what happens to their assets when they pass away. To what extent do you agree with this and why?