Inheritance and Family Conflict

The gory details of inheritance disputes are endlessly reported in the media without any suggestion as to why inheritance combatants behave so badly. Feuding heirs are alternately derided as greedy, or mocked as petty and foolish. People muse, “money makes people do funny things,” or snicker, “what fools.” Few realize that inheritance contestants are engaged in a desperate battle that they feel to be a matter of psychic life and death.

Inheritance greed and pettiness are merely symptoms of the struggle of survivors to feel loved and important, and to assuage the subconscious terror that the death of a loved one activates. The fight for money and things is not about the money itself, but what it symbolizes: importance, love, security, self-esteem, connectedness, and a sense of immortality.

The reason that families fight after the death of a loved one are complex but can be broken into four broad categories. First, we are evolutionarily predisposed to conflict; second, our psychological sense of self is intertwined with the approval that an inheritance represents, especially when the decedent is a parent; third, in some cases, one or more members of a family has a partial or full-blown personality disorder, particularly the Cluster B disorders of narcissism, borderline, histrionic, and antisocial, that causes them to distort and escalate natural family rivalries into personal and legal battles; and finally, families fight because the death of a loved one activates the inner terror that lives in the subconscious of those left behind. The sources of family conflict are not mutually exclusive; in many cases, all four elements present themselves in a combustible cocktail of family rivalry and conflict.

Born with an instinct to survive and procreate, yet aware of our biological finitude, we are left with an existential dilemma: what is the meaning of life if we’re just going to die? We resolve this seemingly irresolvable problem by repressing conscious thoughts of death. Alternately described as the fear of non-being, terror management, or existential terror, the fourth contributing factor to family conflict has been shown by social scientists to reside within in all of us. The child-like behaviors exhibited by survivors are in reality a desperate attempt to hold on to the decedent through symbolic representations of them and other items like money and wealth that survivors hope will bring them security against a repressed inner terror that they cannot fully explain or accept.

P. Mark Accettura is a practicing elder law attorney. The concepts in this article are elaborated upon in Mark’s upcoming book Inheritance and Family Conflict.
Tidbits from the Media...

The Smell of Fear
A small study recently suggested that the sweat of an anxious person might evoke sympathy in the other person. Even if they are not conscious of smelling it! Brain scans suggested the “empathy” part of the brain was activated by the smell.

Broken Heart Syndrome
Emotional stress can trigger a heart attack even if there are no clogged arteries. It seems that a surge of adrenaline caused by a suddenly stressful situation, such as loss of a loved one or job loss, can cause this “Broken Heart Syndrome” when part of the heart changes shape due to the adrenaline. People usually recover fully within 3 days, but sometimes they actually die! Emotional stress really CAN kill a person.

I am on a Roll!
Researchers tell us that people routinely believe that something completely random is predictable. Many gamblers truly believe that the slot machine they’re putting money into is “due” to pay off since it hasn’t for a long time. In fact, whether or not it will soon “pay” is completely random, no matter how many times it hasn’t. Just like the chances of a coin landing heads is always 50-50, even if tails came up 300 times in a row.

Why do we human beings believe such things?

It turns out that our brains are wired to seek out patterns. Even if there really is not pattern there! That tendency came to be for survival reasons. But, obviously, sometimes it backfires!

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From left: Pamela Torraco, MSW; Natan HarPaz, PhD; Paul P. Shultz, MSW; Leora Bar-Levav, MD; Ronald J. Hook, MSW; David A. Baker, MSW; Marcia B. Stein, MSW.
Reflections-

More than twenty years after its publication, the words of our founder are considered from today’s perspective:

The fear of non-being is not the same as the fear of death. Death is a clearly understandable state, even if our legal definition of it is changing as our sophistication about it increases. Death is irreversible, incurable, finite, and associated with specific and predictable physiologic changes. It is followed by rituals such as funerals and mourning. Our understanding of death is a source of comfort to us, since we fear the unknown infinitely more. The horrors of non-being are not anchored in any known reality, and they are therefore wild and limitless.

(p. 50)

Reuven Bar-Levav, M.D.

Our lead article for this edition, “Inheritance and Family Conflict” by Mark Accetura, Esq, focuses on how unconscious fears affect our thinking. As Dr. Bar-Levav writes above, the “fear of the non-being” is present in the psyche of each of us, whether we realize it or not. And it can seriously affect how we think. Just like any feelings can affect how we think. Dr. Bar-Levav’s book is called Thinking in the Shadow of Feelings for a very good reason! As he wrote,

Feeling routinely push even sensible people into making wrong choices. We often marry people who are not really right for us because we are blinded by love...Some people become obese, others worship at the altar of physical fitness because of feelings. Many of the hard-to-name aches and pains and the symptoms that remain forever vague result from feelings. The list is practically endless. We make money and friends and then lose them; we try hard in life or refuse to; we succeed and we fail; we are cautious or reckless—all because of feelings. (p.115)

As Mr. Acceturra writes, feelings also affect how well people are able to think about inheritance issues, and he should know. He’s dealt with inheritance conflicts for over 30 years! It may be terribly frustrating for him sometimes. Especially because we human beings often think we’re being thoughtful and reasonable, when others can clearly see we aren’t thinking straight. Dr. Bar-Levav put it this way:

In general, people are led by their feelings and then they unknowingly invent rationalizations to explain their actions or decisions to themselves and to justify them to others. No one wants to be seen as irrational, in the grip of forces bigger than oneself;

This is why people commonly delude themselves that they are thoughtful, when in fact they are merely preoccupied with thinking. Such ruminating is to real thinking what busywork is to real labor. Lacking direction, ruminating is unproductive and wasteful. Its main purpose is to bind anxiety to its busyness... (p.115)

We all know what it’s like trying to reason with someone who has “decided” on course of action that is clearly unwise. Try convincing someone who is planning to buy stock that is a “sure thing” that nothing is a “sure” thing. Or telling someone they are overlooking character flaws in the “perfect mate” they plan to marry.

—Paul P. Shultz, ACSW
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