

Enduring Love? Attitudes to Family and Inheritance Law in England and Wales

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This paper reports on the findings from a large-scale study of public attitudes to inheritance law, particularly the rules on intestacy. It argues that far from the assumption that the 'family' is in terminal decline, people in England and Wales still view their most important relationships, at least for the purposes of inheritance law, as centred on a narrow, nuclear family model. However, there is also widespread acceptance of re-partnering and cohabitation, producing generally high levels of support for including cohabitants in the intestacy rules and for ensuring that children from former relationships are protected. We argue that these views are underpinned by a continuing sense of responsibility to the members of one's nuclear family, arising from notions of sharing and commitment, dependency and support, and a sense of lineage.

INTRODUCTION

Should more attention be paid to all the lifestyles and types of relationship that are developing outside what has traditionally counted as a normal family? And where these forms assertively demand recognition and equal consideration – for example, in the law of inheritance ... – should their claims be granted?¹

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1 E. Beck-Gernsheim, *Reinventing the Family: In Search of New Lifestyles* (2002) 7.

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