

Do I Have to Leave All My Stepchildren Equal Shares of the Inheritance?

We spent time with my oldest and youngest stepchildren's families, but rarely saw the middle son.



By [Kwame Anthony Appiah](#)

Kwame Anthony Appiah has been The New York Times Magazine's Ethicist columnist since 2015 and teaches philosophy at N.Y.U.

Published Sept. 9, 2026 Updated Sept. 10, 2026

I married my husband more than 50 years ago, when his three children were young. His first wife had left with them and was living with a man she later married. The children stayed with her until the youngest moved in with us at 12. Years later, the eldest, then a graduate student, lived with us for two years. We saw the middle child mostly at family gatherings. He remained closer to his mother and her husband.

My husband was devoted to family and eager to share his grandchildren's lives. He spent much time with his oldest child's children who lived nearby, and he visited his youngest child's children, who lived in a neighboring town. But we rarely saw his middle son's family. They pulled back after an incident in which hot coffee was spilled on their firstborn. Being shut out deeply hurt my husband. Consequently, I hardly know their children, who are now young men.

When my husband died five years ago, I inherited the house and bank account. I also own a small condominium, bought years ago with my

savings. His other substantial financial assets were divided equally among his three children.

My will leaves the house to his youngest child, who hopes to live there, and the condo to his eldest and his spouse, who maintain it. The middle child believes both properties should be sold after my death and the proceeds divided equally among the three children.

I told him he expected an inheritance without fulfilling a son's obligations. It became clear from our conversation that he considered his father emotionally distant and, as he later told his siblings, psychologically threatening to his children. That, he said, explained their distance. He also said he had tried years ago to discuss these issues with his father, who was unresponsive. Knowing my husband, I believe that is probably true, though neither the son nor his spouse approached me about it.

My ethical concern is whether my will is fair. The house was left to me, but it was marital property, mostly paid for by my husband, whose salary was many times mine. His income also enabled me to save enough for the condo. Should I change my will and divide the property equally among my three stepchildren? — Name Withheld

From the Ethicist:

He left the house to you. It's yours. How your real estate was paid for makes no difference. If you came to think that your husband treated your middle stepchild badly, this judgment might affect how you choose to divide your own estate. To the extent that you had planned to leave him less simply because you thought he had failed in his filial duties, you could certainly recalibrate as you see fit. But you're not obliged to set things right between the living and the dead. Your closest relationships appear to be with his siblings and their families, not with him and his. It's entirely reasonable for your will to reflect that reality.

Should a Parent of Two Children Split Inheritance Equally?

This is the situation: An elderly parent has a fair amount of money and two children. One is wealthy with luxury properties, a spouse and no children. This child lives far away and visits only sporadically. The other lives near the parent, earns a modest salary, has children and several grandchildren and regularly visits and helps the elderly parent. This parent thinks it's only fair to leave her children an equal share of her assets. Is this, in fact, ethical? Name Withheld

As Aristotle points out in the “Nicomachean Ethics,” when people who are equal are granted unequal shares — or people who aren’t equal are granted equal shares — “quarrels and complaints arise.” The challenge is to decide what, in some relevant sense, makes two people equal. The prospective heirs are equally children of the same parent. Some people think that’s the only relevant kind of equality; they leave their estates in equal shares to their children and may further stipulate, on the same principle, that if a child predeceases them, his or her children should get an equal share of what would have gone to their parent.

What you make clear, however, is that these two children are unlike in two obviously relevant ways: first, in the contribution they have made to their elderly parent’s well-being; and second, in their financial situation. Let’s take these up in turn.

Many of us balk at the thought that money is an appropriate medium for expressing gratitude within the family. “To my beloved child, Jordan, I leave the bulk of my estate, as a reward for the great care shown to me in my declining years.” Isn’t there something unattractive about this? We don’t want to encourage practices that lead people to display care in expectation of a financial benefit. Indeed, one reason money is a troublesome idiom for expressing gratitude here is that it awkwardly suggests a mercenary motive for those years of filial piety.

Such problems don't arise when people leave more to a child because they think he or she needs it. "To Jordan, I leave the bulk of my estate, in the knowledge that my other children are in no need of further financial assets." Although this might be embarrassing to Jordan, it's hard to see a basis of complaint from the other children. They may be disappointed, but it would be question-begging to complain that they expected equal treatment and therefore deserved it; only if there were some argument for equal treatment would they be entitled to that expectation.

Still, an economist might note that there's an argument for worrying about needs-based inheritance, too. A child who knows that indigence will be compensated for at a parent's death has less incentive to avoid that state. An economist might also point out that the same share of a parental estate is going to be worth more to the poorer child, in the sense of making a more significant difference to his or her life. Neither of these considerations imposes strict ethical obligations, however.

The major considerations that move people to favor equal shares, I suspect, is, first, that equal shares can express the idea that parents have equal care and concern for each of their children; and second, that the practice requires no comparative assessment of their children's lives, virtues or needs. Notice, though, that this posthumous approach doesn't match what we think is appropriate in parenting. When we're parents, loving each child equally entails paying attention to each of them, taking note of their different appetites and aptitudes and responding specifically to them. Our equal love would be evidenced by our giving our tennis-playing son a new racket and our golf-playing daughter a new golf club — not by giving them each a tennis racket.

Bearing all these concerns in mind, I would say that leaving more to the child with the greater need (you, perchance?) would be permissible. But unless that child is likely to need a larger share to avoid financial distress, the standard practice of equal shares would be ethically OK, too. My main counsel is this: If the estate were to be divided in a way that favored one child over the other, the parent

should make it clear why doing so was consistent with each having an equal claim to the parent's love.