



Ethical Wills

A 3 Part series presented by

NOAM ZION

with Jamie Traeger-Muney and Philippe J. Weil

Handouts

 **Purposeful Planning Institute**

ETHICAL WILLS

Noam Zion

Handouts to the 3 Lectures given at the
Purposeful Planning Institute 2020

Design and Editing: P.J.Weil
Host: Jamie Traeger-Muney

Throughout the handout, gender-specific terms may be
Used to ease the text flow, but should be understood as
Referring to both genders, unless explicitly stated.

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Bio's

Noam Zion is a Research Fellow of the Kogod Research Center at the Shalom Hartman Institute since 1978. He studied philosophy and holds degrees from Columbia University and the Hebrew University in Jerusalem. He studied bible and rabbinics at the Jewish Theological Seminary of America and the Hartman Beit Midrash.

In the past, he led the Tichon program for North American Jewish educators and he teaches in Hartman Institute rabbinic programs: the Be'eri program for Israeli high school teachers and Hillel courses for the Hartman Institute's iEngage program.

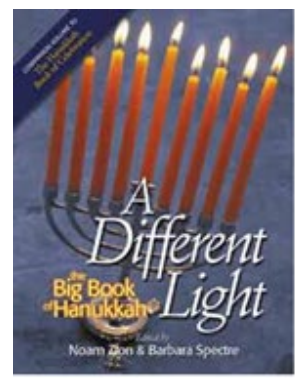
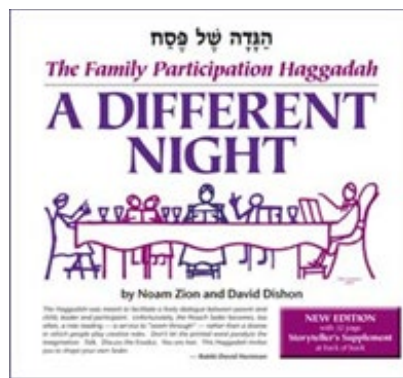
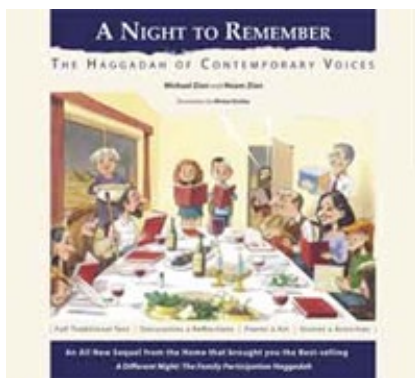
In addition, he also works with the Muslim Leadership Institute, the Hevruta gap year program for Israeli and American Jews, and the Angelica Ecumenical Studies program in collaboration with the Vatican University Angelicum in Rome.

He has developed study guides on bible, holidays and rabbinic ethics. In the past, he participated on the research team for the iEngage project. He published an extensive study guide on ethics in war that was completed during the campaign in Gaza.

His most recent academic research, published in 2013, was a trilogy on the intellectual history of philanthropy entitled Jewish Giving in Comparative Perspectives.

www.hartman.org.il/person/noam-zion/

e-mail: noam.zion@gmail.com



Bio's

Dr. Jamie Traeger-Muney, Founder, Wealth Legacy Group specializes in the emotional impact of wealth on inheritors, women, and couples. She works with multi-generational families, helping them to concretize their values, develop a vision for their future, and create sound governance structures. Jamie's personal experience as a second generation owner of a family business and board member of her family foundation, combined with her theoretical and practical expertise in wealth psychology, has given her a unique sensitivity to issues surrounding the inter-generational family dynamics of affluence.

Based on research done with 4th generation family enterprises, Jamie co-authored, *Social Impact in 100-Year Family Businesses: How Family Values Drive Sustainability through Philanthropy, Impact Investing, and CSR* as well as part of *Borrowed From Your Grandchildren*. Jamie has the distinction of being the first psychologist to be hired as an employee of a bank, to work with their clients (2007). She worked as a Family Wealth Consultant for Wells Fargo's Family Wealth Group (now Abbot Downing), a multi-family office platform serving families with \$50 million and above in investable assets. Jamie has been married for over 25 years and has two children.

www.wealthlegacygroup.org

E-mail: jamie@wealthlegacygroup.org

Philippe J. Weil TEP, is a consultant to families of wealth. He works with families in succession, financial education, estate planning, communication, and other aspects of family dynamics.

Philippe J. Weil is the author of "Woes of the Rich: Seeing beyond the money". The book tries to decipher what happens in the intergenerational transfer, and suggests a series of solutions for preserving family wealth through facilitated procedures that are both financial and family oriented.

He has been featured in print, online, and television media along with multiple journal publications and speaking engagements in wealth management and family dynamics.

Prior to founding his own consultancy in 2001 Philippe built a successful career in Private Banking. He started in Switzerland in 1985 and moved to Israel in 1996. He worked for a distinguished group of international private banks and financial institutions like Julius Baer; E. Gutzwiller; J.P.Morgan; Republic National Bank of NY and Union Bank of Israel.

Philippe shares his time between his office in Tel Aviv, his office in Zurich and wherever his clients need him.

Philippe and his wife Orly are living in Tel Aviv together with their 3 children.

www.pjweil.com

E-mail: pjw@pjweil.com



Introduction

Bequeathing Intangible and Tangible Family Legacies

Enriching the tools and perspectives of professionals in financial health (advisors, consultants, and family office specialists in wealth and wellness)

The role of ethical wills in estate planning and family transfer of capital and the relationship of the founding generation to the rising generation of heirs

Resource: The Jewish tradition of writing Ethical Wills and its potential universal applications

Session #1: Introduction to the Gift of Heritage: Why, How, What, When

- The challenge of transferring human capital from generation to generation within a family and the idea of the legacy heritage statement and the Jewish ethical will
- Exercises: The Heirloom, Sayings of Family Wisdom

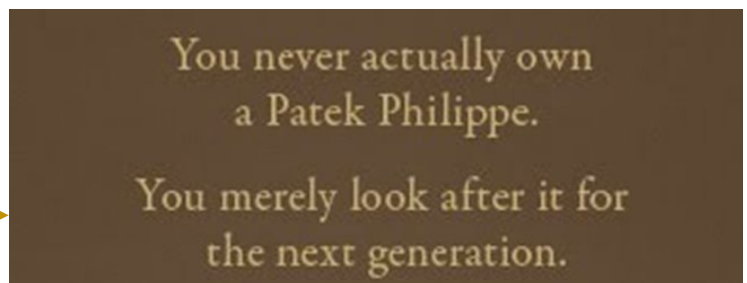
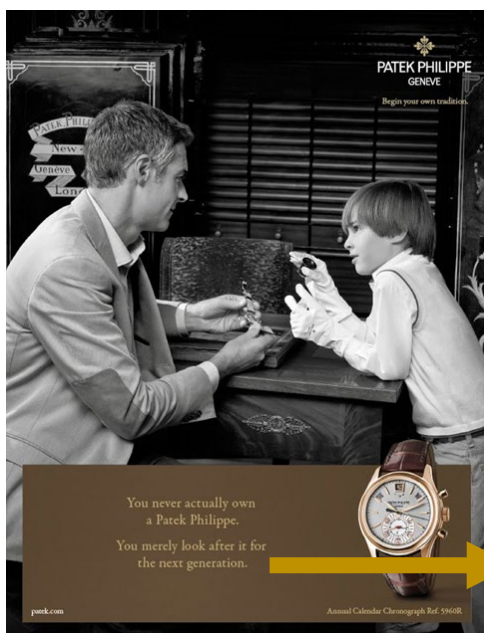
Session #2: How to Write your own Ethical Will

- Getting started: the national Jewish project to write your own ethical will
- Ten techniques for defining your heritage

Examples

Session #3: Paradoxes and Dilemmas that arise from Writing an Ethical Will and Establishing a Family Trust

- **Pitfalls:** How such a lovely idea can cause such pain and become counterproductive. Considering a **new paradigm**



Introduction

George Washington's Gift of Heritage



"To each of my nephews, I give one of the swords... accompanied with an injunction not to unsheathe them for the purpose of shedding blood, except it be for self-defense, or in defense of their Country and its rights."

from John A Warnick, Purposeful Trusts

Exercise : Name an heirloom that represents your family's values that you would like to inherit or have received as a gift or would like to bestow.

Then do this exercise with your family and/or photograph the heirloom and share with relatives about what that heirloom means to the family.

Heirlooms – Tangible Legacy of Intangible Values



Marcelle Zion's Heirloom: Dutch Embroidery for the Doorway: - Righteous Gentiles reminisce with the British pilot and the Jewish woman they hid from the Nazis under their roof (see model of house). Their heirlooms include an embroidery of a biblical verse "**Blessed are you as you come out and as you go in**" (*Deuteronomy*) used to camouflage the secret entry to the attic.

Session 1

The Gift of Heritage: Who, Why, What, How, When



The challenge of transferring human capital from generation to generation within a family and the idea of the legacy heritage statement and the Jewish ethical will

The Gift of Heritage Why, How, What, When

1. Why? The Challenge of Successful Generational Transfer of Family Capital

Indices of Successful Generational Transfer:

“Families whose wealth has survived over generations are families who have dealt wisely with the transfer from one generation to the next. They understood that their financial capital depended on their family capital (emotional, social, spiritual and human), on their heritage and on each family member's desire to be "a part of it, feel equal and contribute to its unity.”

The problem arises when thoughts of money need to be translated into **communication**. Most of us do not speak freely and naturally about money; few people do. It's usually a confidential, secret, whispered affair, as if it were taboo, like sex or sin. This attitude is found among both those who have money and those who do not. Why is that?

Money is the elephant in the room... that arouses emotions. Being in conflict with the family is not easy. Families have fears of talking about themselves and their money... but postponing the discussion - exacts too high a price - both financially and emotionally.

[In successful family transfers]: They spoke openly about money, and strove to communicate amongst themselves and create healthy transparency.

Philippe Weil, *Woes of the Rich*, 20, 81



**“I suppose I’ll be the one
to mention the elephant in the room.”**

The Gift of Heritage

Why, How, What, When

2. HOW? Exercise for Purposeful Trust Legacy Statement by John A Warnick

The purpose of this exercise is to help you find ways to organize and preserve the treasure of your family's heritage as a gift for the benefit of your posterity.

- If you could help one of your loved ones avoid a hazard in their future life path, how valuable would that be?
- When they run into adversity, how grateful would you be if the guiding lights you shared with them inspire them to persist and overcome those trials?
- If you could help a child or grandchildren understand who were the angels and heroes within your family who have positively influenced you, how valuable could that be?
- If you've been inspired to choose a more excellent path in life, to develop your unique talents and gifts, because of words of encouragement. Is it possible this Gift of Heritage might do the same for your children or grandchildren.

You are the link to the generations that lie and stand on either side of you. You are their only link to the examples, wisdom and love of your parents and the other ancestors you've known or heard about. And the link to the hopes, dreams and future accomplishments of your posterity. This Gift of Heritage will enrich the life journey of your children and grandchildren by sharing with them the lessons, both silent and vocal, you learned by connecting with your ancestors and heritage.

See John A. Warnick's Purposeful Planning Institute, Sample Trust Statements.

Exercise : List three family legacy values you wish to transmit. Arrange in order from 1 to 3, highest to lowest priority.

Then do this exercise with your family

The Gift of Heritage

Why, How, What, When

3. What? Jewish Ethical Wills: Modern and Ancient

The Jewish Ethical Will of Emil Greenberg (age 59, 1965):

The ancient Hebrew tradition of an ethical will, "**a legacy of intangibles**" as characterized by Stephen Vincent Benet [American poet], has regrettably fallen into disuse. I presume that it is a matter of values. The monies and properties, the tangible assets we bequeath, have solid, corporeal, material value and in these hurtling times what are the real values of Pirkei Avot, the ethics of our fathers?

Nevertheless an anachronistic but stubbornly persisting insight and foresight impel me to give, devise, and bequeath unto my progeny and perhaps to their progeny the conscious presence of **a sense of ethics, a continuity and tradition of a way of life.**

So here we take **inventory of precept instead of property**, of concern instead of cash, of love in lieu of legacy.

Hunger to Learn

I am humbly grateful that this inventory includes such great contributions from your family forebears. It is no smugness that evaluates the unassuming goodness of my mother and the twinkling kindness of my father. But the inheritance they left was more than pervading goodness; they handed down **a great hunger, a hunger for knowing, for inquiring, for helping, a many-faceted hunger.**

Concern for All

I earnestly believe they handed down to their sons their encompassing concern for everyone in every station of life, augmented by the opportunities afforded by that education in the professions for which they strove so indomitably. **Complete financial disaster was just an obstacle, never a deterrent.**



The Gift of Heritage

Why, How, What, When

3. What? Jewish Ethical Wills: Modern and Ancient

Loss of a Moral Compass

In our present fabulous era of wondrous change and achievement each little ego becomes literally overwhelmed. Without fundamental guidelines and basic roots in a family heritage, each of us, in the words of **Clarence Darrow** [American defense lawyer], "**is not the captain of his soul and the master of his fate, he is just a hapless deckhand on a rudderless raft aimlessly adrift in a limitless sea.**"

Blessings and Prayers

If I can bequeath something of my concept of mores and aspirations, distilled of its inevitable portion of baseness and frailty, so that my children and their issue may partake in some measure of high hope and heritage, to that degree a wisp, a whisper of immortality becomes mine, and yours.



The Gift of Heritage Why, How, What, When

King David's Charge to his youthful son Solomon, son of Bathsheba (I Kings 2)

"I am about to go the way of all the earth," he said.

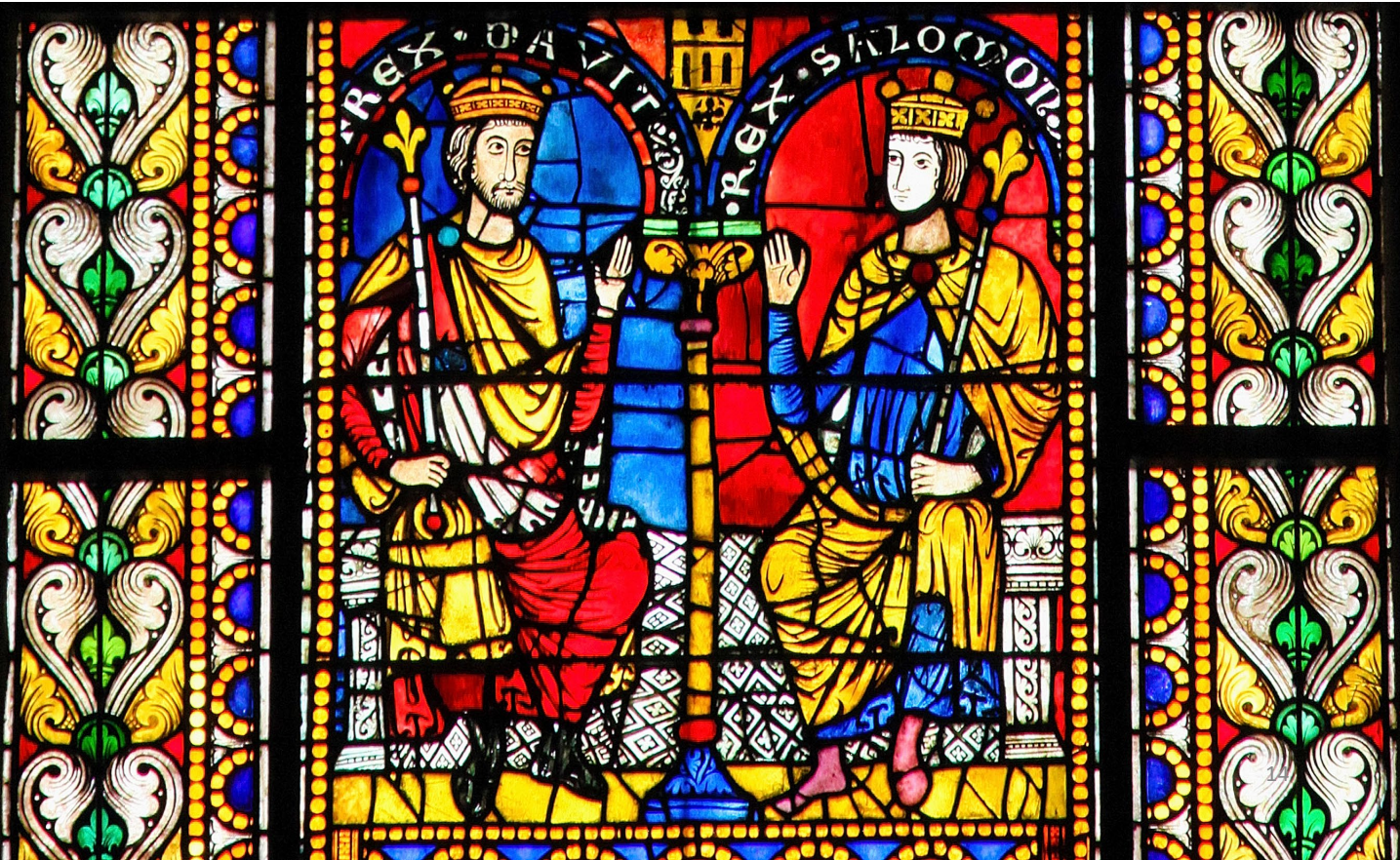
"So be strong, act like a man, and observe what the LORD your God requires:

Walk in obedience to him, and keep his decrees and commands, his laws and regulations, as written in the Law of Moses.

Do this so that you may prosper in all you do and wherever you go and that the LORD may keep his promise to me:

'If your descendants watch how they live, and if they walk faithfully before me with all their heart and soul, you will never fail to have a successor on the throne of Israel.'

Stained glass depicting King Solomon and King David in the cathedral of Strasbourg, France



ETHICS of FORBEARERS: Pithy Wisdom as a Gift of Heritage

1. Hillel from the Jewish *Ethics of the Fathers*: (Pirkei Avot, 2nd CE, Israel):

- “In a place where there are no men (i.e., no responsible person to take action), one must strive to be a man (In Yiddish, to be a Mensch).”
- “Don’t judge another until you have stood in his place.”
- “Who is wise? One who learns from every person.”
- "If I am not for myself, who will be for me? And if I am only for myself, what am I? And if not now, when?"

Exercise on Folk Wisdom: Quote a family saying that is important to you. or pick your favorite from those listed below. Then do this exercise with your family

2. Mordkhe Schaechter’s Ethical Will, 1979: Principles to Live by:

- To have no fear of being in the minority; avoid doing as others do for conformist reasons.
- To stand up for the weak, the oppressed and the beaten.
- To be plain, honest, trustworthy and punctual.
- To live for not self only; to remember we are part of a large family—the Jewish people—and of a larger family still—the human race.
- Not to wait for someone else to do what is right, but begin yourself, as though the whole world is on your shoulders, as it were; as if the task were waiting for you to perform it.
- Not to discriminate between poor and rich, between white and non-white, between educated and uneducated, between Jew and non-Jew (but, for God's sake, do not marry a non-Jew by birth and religious belief, unless converted according to our prescribed ritual.)
- In summary, be a true human being and a good Jew!

3. Ben Franklin, Poor Richard’s Almanac (18th Century):

- “Love your Enemies, for they tell you your Faults.” / “He that falls in love with himself will have no rivals.” / “There never was a good war or a bad peace.”
- “Haste makes Waste.” / “Wish not so much to live long as to live well.”



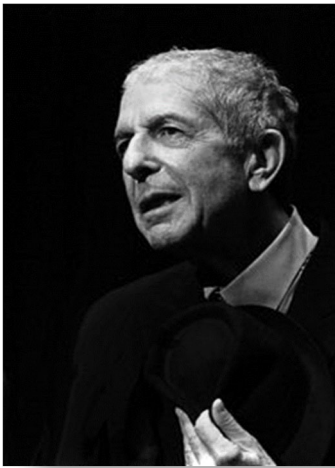
Triggering the Legacy Process: Confronting Death

A Delicate Intervention and a Rite of Passage

- a. **Aging. NATURAL PROCESS of WEAKENING BODY. Approaching MORTALITY.**
- b. **Corona** is forcing all of us to confront mortality and uncertainty in health and business. **CRISIS.**
- c. Some **estate planners** take the initiative to trigger legacy mode thinking and planning. Clients must face up to time running out and need to put affairs in order and the opportunity to reevaluate priorities for legacy thinking and preparation. **PLANNING. FORESEEING.**
- d. **On Judgment Day: Yom Kippur: an ARTIFICIAL CRISIS to trigger SELF-REFLECTION**

In Judaism the New Year, especially the Yom Kippur fast (as Rabbi Yitz Greenberg interprets it) is designed to create an “artificial panic” that we may die this year. It is guided imagery exercise. so as to imagine that my time is running out and one must give an account of one’s life as if this is last day of one’s life. It is dramatic therapeutic exercise to imagine God’s Day of Judgment for all human creatures.





Leonard Cohen

(September 21, 1934 – November 7, 2016)
was a Canadian singer-songwriter,
poet, and novelist.

Leonard Cohen – Who By Fire?

<https://www.youtube.com/watch?v=jtMi8PpyTvc>

And who by fire, who by water, Who in the sunshine, who in the night time,
Who by high ordeal, who by common trial, Who in your merry month of May,
Who by very slow decay, And who shall I say is calling?
And who in her lonely slip, who by barbiturate,
Who in these realms of love, who by something blunt,
And who by avalanche, who by powder, Who for his greed, who for his hunger,
And who shall I say is calling?
And who by brave assent, who by accident, Who in solitude, who in this mirror,
Who by his lady's command, who by his own hand, Who in mortal chains, who in
power,
And who shall I say is calling?

A lava flow emerges from a rock column and pours into a black volcanic landscape - Location: Hawaii, Big Island, volcano "Kilauea"

Conclusion: General Shmuel HaNagid's Poetic Message to his Son

The First Medieval Ethical Will (Granada, Spain, 1042)

Joseph:

All that I have been through / And all the peril I
have taken on myself / Have been for you—
And were it not for you, I long ago would have
become a wanderer in this world / As have
become so many in your time.

**I write you the plain truth (Who is there to
write it but a father?)**

And as I write, death gapes at us / Its long
mouth wide agape, and I know not Whether in
the morn, when the foe rises the battle will go
for us or against us

But if it happens to be fated, son, that never /
Will I see you or you see me again, Then
“when you sit and when you rise”
(Deuteronomy 6:7) / Mark my words. / May
they be first to rouse you from your slumber/
And on the day there is no one to teach you,
Let them be your teachers and your guides.

In all your ways—**“with all your soul, with all
your might” (Deuteronomy 6:5)** — Fear your
Maker and Creator. Study to be wise and
sensible/ For wisdom is the only praise you
need / And sensibleness the sole pedestal.

Obey your mother/ Speak gently to your uncle
and your kin/ Respect your friends;
Be loving to all creatures. See, before all goods,
to your good name, Joseph.

Give to each man what he asks of you/ And if
you, have it not, have a soft answer. Share in
what there is with those who need it, although
in sharing, think of your need, too.

Make something of yourself! Do not make do
with what I've done, for doing's all. Excel,
exceed your elders—and yet be not
unaccepting of those younger than you.

Ah, how much more I still could say regarding
virtue
That you may have to find out for yourself.
If God brings me home, I'll tell you of it—O
may God save you from all harm!



Session 2

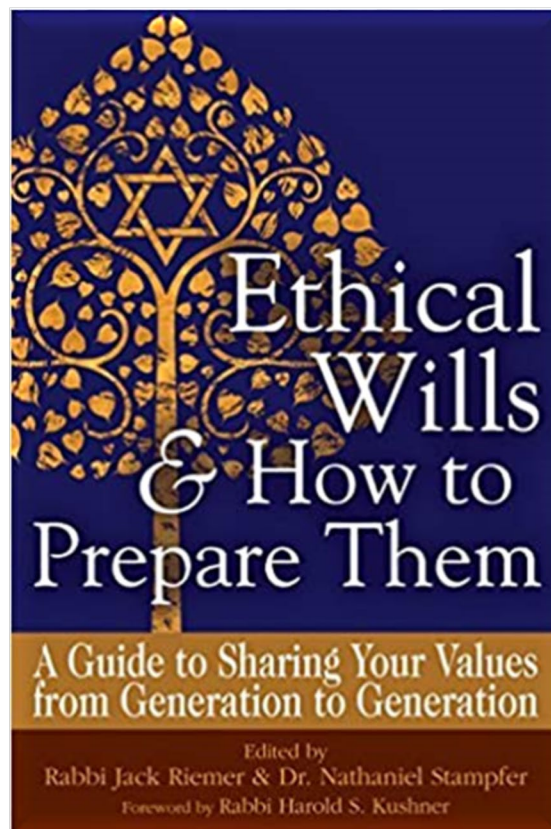
How to Write your Own Ethical Will:



- Getting started: the national Jewish project to write your own ethical will
- Ten techniques for defining your heritage

Introducing Rabbi Jack Riemer's National Jewish Ethical Will Project

- a. **Defining an Ethical Will: Biblical Origins**
- b. **Providence, RI (1970s):** Test Site for Jack Riemer's National Jewish Ethical Will Project with local Rabbi Joel Zaiman
- c. Ideas and Models for Writing Ethical Wills



A. Defining an Ethical Will: Biblical Origins

1. Definition of a Jewish Ethical Will

Definition: A traditional ethical will is a Jewish tradition for parents (almost always the father in a patriarchal society) to share advice and wisdom accumulated with experience and to command fidelity to one's parent's legacy ("will").

Motivation #1: Deathbed Blessings Jacob blessing his 12 children;

- **A rite of passage:** a response to the great challenge of acknowledging **one's relatively imminent mortality**, and so of confronting the inevitable approach of external constraints on one's personal, political and business power and self-determination.
- **A change in time orientations:** Switching from mode of now and tomorrow to next generation, from a horizon of ascending, building strength to declining strength, from autonomous control to dependence on heirs to carry out one's will and preserve one's heritage.



Jacob blessing his grandchildren and handing down the inheritance (Rembrandt)

A. Defining an Ethical Will: Biblical Origins

Motivation #2: Parental Responsibility – Moses at age 120 blessing the 12 Tribes

The Duty of Day to Day Parenting:

Moses' Commandment in his Ethical Will

“These [ten] commandments that I give you today are to be on your hearts. Impress them on your children. Talk about them when you sit at home and when you walk along the road, when you lie down and when you get up. Tie them as symbols on your hands and bind them on your foreheads. Write them [mezuzah] on the doorframes of your houses and on your gates.”

Deuteronomy 6:6-9

Moses at age 120 blessing 12 tribes but also composing Deuteronomy = second giving of the law, as his personal summary of Torah and his biography with many warnings for wayward children of Israel.

Motivation #3: Carrying on a Great Tradition as Multi-generational Project of Tikkun Olam (Repairing the world)

The idea originates with the first Jew, Abraham, who was chosen by God not only for his faith or his ethical courage to challenge God when necessary , but for his skill as a parental educator.

Abraham's Chosenness, his Destiny and Vocation

“I have known him [i.e., singled him out or chosen him] in order that he may command his sons and his household after him that they shall keep the way of God to do what is right and just (zedakah umishpat) [..]”

Genesis 18:19

B. Providence, RI (1970s):

Test Site for Jack Riemer's National Jewish Ethical Will

Project with local rabbi Joel Zaiman

Define "Providence":

- pro-vision, see future, fore-sight
- provide resources and advice for future
- Divine Providence is supervision from on high and judicious intervention to effect the fulfillment of a destiny, a long-term, multigenerational plan and overcome obstacles and temptations

Exercise: What do these terms "a last will and testament" and "providence" mean to you?



Moses on Mount Nebo at age 120 looking over the Promised Land to which he has brought the children of Israel without him

View from Mount Nebo to the Holy Land



National Jewish Ethical Will Project

Joel Zaiman, A Collection of Ethical Wills by Parents Education Class of Temple Emanu-El , Providence, RI (1970s)

a) The Assignment

A surprising focus group

While the children attended religious school weekly, the Rabbi Joel Zaiman conducted a weekly class for parents on how to be good parents or simply how to teach your child **to be a Mensch**, a decent human being and a good Jew. But how do you teach ethics?



a. THE ASSIGNMENT, to this group of young adults, not one of whom was terribly concerned with the thought of dying, was: **“Make believe that you are dying.”** Write an ethical will for your family. All of us have executed our regular wills, disposing of what we have. Should we not also write an ethical will, **sharing with those we love most, what we really are.**

b) Resistance

I expected what came next. **‘Resistance!’**

- The first, how can we pretend such a thing, was the first reaction. [People don’t like thinking of or talking of their mortality].
- The second: My children know what I stand for. What difference does it make whether I put it down on paper or not? Anyway, if they do not know what I stand for, then, it will be much too late! [But honestly, it requires having thought through clear convictions of what you believe is right].
- The third reaction was: Such a will is much too personal to share with other people.
- Fourth, we parents are neither scholars, writers nor old.
- Fifth, I am not planning to die soon.

Exercise: What other objections can you imagine to writing your ethical will for your children?

National Jewish Ethical Will Project

Joel Zaiman, A Collection of Ethical Wills by Parents Education Class of Temple Emanu-El , Providence, RI (1970s)

c) Personal Example (Rabbi Zaiman's lucky break)

“A member of the group came to my rescue. He had a **letter from his father** who died. It was a sort-of ethical will. It had been written by his father when ill, and his father died shortly thereafter. He described in most moving terms **how important that letter was to him; how from time to time he would open it up and read it, and think of his father — who and what his father was, and how much his father meant to him ... still.**”

two short videos about reading one's father's ethical will: How my larger than life father, Rabbi Joel Zaiman, confessed his weaknesses and made himself more accessible to me in his ethical will

<http://blog.jtsa.edu/edblogs/ethicalwills/rabbi-elana-zaiman/>

<http://blog.jtsa.edu/edblogs/ethicalwills/rabbi-simkha-weintraub/>

d) The Difficulties

Joel reports: “Everyone began to write. **It was very difficult! Why?** When you want to leave not what you have, but what you are, you have to know precisely who you are. The notion that our children know who we are is, of course, true, but only to a certain extent. What is the extent? Our children can only know us, or as much about us, as we ourselves do. And (this is the most difficult part) we only know about ourselves that which we are able to put into words ... to say ... and to say aloud.”

I have learned that when you write such a will you learn a great deal about yourself in the process. I met one man who said to me: "**I tried to write a letter to my family and found that I couldn't because we aren't really a family.** We have so little to do with each other. So I had to write three separate letters, one to my wife and one to each of my children. That is a pretty sad thing to realize about yourself and your family," he said, "but I guess it is better to learn it now while you can still do something about it than it is to learn later when it is too late."

Jack Riemer and Nathaniel Stampfer (*So that your values live on: Ethical Wills and how to prepare them*, 1991)

To know thyself is the beginning of wisdom. - Socrates

National Jewish Ethical Will Project

Joel Zaiman, A Collection of Ethical Wills by Parents Education Class of Temple Emanu-El , Providence, RI (1970s)

e) Sharing Results

It was only an assignment. But after each of us had completed writing our own wills, we went around the circle reading them aloud. It was a moving experience for everyone. Some of us had difficulty holding back our tears. Others did not even try. And because this experience was so important to all of us, we decided to share our ethical wills with you.

I have learned that ethical wills have the power to make people - confront the ultimate choices that they must make in their lives. They can make people who are usually too preoccupied with earning a living, stop and consider what they are living for. I have learned that you do not have to be a professional writer. As the Rabbis taught: **“Words that come from the heart, enter the heart!”**

One family told me that the parents decided that instead of leaving a letter behind to be opened up afterwards, they read the letter to their children while they were still alive. The children who heard the letter told their parents that they were surprised to find out that some of the things in it were of such great importance to their parents, and the parents replied that they were surprised to find that the children did not know how strongly they felt about these things. The experience brought them closer together and led to a much discussion.

Jack Riemer and Nathaniel Stampfer (*So that your values live on: Ethical Wills and how to prepare them*, 1991)



C: Ideas and Models for Writing Ethical Wills

What might be inspirational in a legacy statement by benefactors to their heirs?

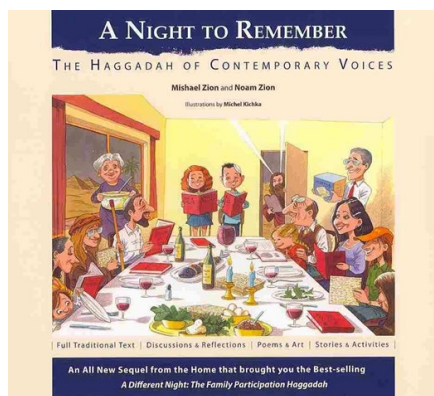
1. **ethical advice** for my descendants: sayings, bulletin point warnings
2. my **top three values** in order of preference / or my **top three negative** commandments
3. the **distribution of our heirlooms** and their significance [see examples in session #1]
4. **what I learned** from my teachers, mentors and heroes
5. how I and our family lived our lives, faced our challenges, and made our decisions: **autobiography as values embodied, story telling**
6. **blessings and warnings** for my descendants
7. my moral inventory: self-criticism, asking for and granting **forgiveness**
8. **finding a successor**: who will take care of those I leave behind?
9. Instructions for the funeral and my epitaph
10. my **gratitude** and my list of personal miracles

#5 – An autobiography that embodies values

How I and our family lived our lives, faced our challenges, and made our big decisions:

Share one's families' big decisions and dilemmas, but also one's mistakes and what I learned from my failures.

The Passover Seder guide called the Haggadah guides the intergenerational family gathering of the Passover Seder. Its goal is to retell the slavery and liberation from Persecution and poverty in Egypt and derive moral lessons of that experience.



#5 – Passover Seder

- a. **Telling in first person** - “You shall tell your child what God did for *me* when *I* went out” Jews “remember that you were a slave/stranger/alien in a land that was not your own” and retell annually their experiences of persecution, marginalization exploitation, shame Then their share experience of their liberation, rags to riches, migration, or flight to promised land. Finally they derive lessons about empathy with those who are now as we were once - persecuted.
- b. **Using souvenirs, memorabilia**, concrete symbols of those events to trigger telling like props. (Passover plate, family heirlooms, photos, passports). Preparing family tree and map of migration.
- c. **Reliving the dramatic, tense transition** from Tenth Plague to Exodus of slaves from Egypt (Like January 1st African American all-night vigil recalls anxious expectation before Lincoln issued the Emancipation Proclamation, January 1, 1863) .
- d. **Expressing gratitude to God** and singing hallelujah
- e. **Then open up for questions from each child** - according to his/her style, age, interest, temperament. Here the ethical will emerges from an autobiographical narrative in response to questions by children and grandchildren (What do you want to know about your mother/grandmother?), so that one spurs an interest in dialogue rather than a monologists will.
- f. **The obligation and mechanism to bring each new generation to identify in some way with the family tradition and commit to keep the memory alive, such as reading the ethical will annually or having an annual family reunion weekend. As the Haggadah says: “Each person is obligated to see themselves as if they went out of Egypt.” Perhaps create a family Haggadah for retelling.**



The biggest Passover seder plate in the world

Question: How will you tell the story of 2020 Pandemic to your children?



Corona/Covid 19 Seder Plate 2020

Fictional Example: Purposeful Trust Legacy Statement:

The Family Heritage of Grandpa Heaps and Immigrant Values

Family Biography:

Grandpa Heaps was born into poverty in England. His father was a coal miner. For many years the entire family dreamed of emigrating to the U.S. as a family. But their poverty made that impossible..... In 1864 they crossed the Atlantic and journeyed to Pennsylvania where at age 11 Henry went to work in a coal mine.

Immigrant Solidarity

From the age of 11 to 16, Henry would work hard to assist his Uncle and Aunt in saving money to send to England to help bring his parents and younger siblings to America.

Charity and Sayings

Grandpa Heaps was big on traditions, ceremonies and quotes. He had a favorite saying which we all had to commit to memory as children. It was: "Because I have been given much, I Too Must Give." It doesn't matter how or where you serve. Whether it is serving meals at a food kitchen, mopping floors at a homeless shelter, painting an orphanage, coaching youth teams or scouts, there are simple ways we can bless the lives of others. My mother was known for giving the grocery store cashier \$40 and telling her to use it to pay for the groceries of the unsuspecting young mother who stood behind her in line. And my father on our family trips would give the toll booth attendant money to pay for the car behind him. Each of these examples is part of our family's tradition of helping and giving generously.

Lifelong Learning

One more dimension [of our legacy] is our family's commitment to be lifelong learners and to seek knowledge and wisdom from the best books we make our companions. Our example of hard work and perseverance in our educational pursuits, as well as the stories of the sacrifices our ancestors made to learn and grow, is a vital part of educating our children.

Continued.....



LEARNING NEVER ENDS

The Family Heritage of Grandpa Heaps and Immigrant Values continues:

Hard-work and Self-Confidence

Hard work and applying yourself in your studies, both formal and informal, is important and provides avenues to self-respect and self-worth. Teach your children and grandchildren they can do ANYTHING they set their minds to. They should NOT try to avoid or get out of the hard things in life. It would be wise for them to use the hard things in life as an opportunity to develop new skills or talents. The hard things in this life are stepping-stones to a better life... a better understanding of life and themselves. The process of triumph over hard things is a refining process and will serve them well throughout their lives. And it should begin with their education and extend to every facet of their lives. I want you to be sure you let your children and grandchildren know that they CAN DO HARD THINGS. They will be more resilient and talented than they realize. But talent and native intelligence without hard work is wasting one of our most precious natural resources.

Gratitude and Blessings

We are the beneficiaries of a precious heritage and financial legacy. As this Trust blesses your life, I hope you too will give and teach your posterity the joy of serving and sharing.



#6 – Individualized Parental Blessings and Warnings for my Descendants.

Dear Willie,

By the time you read this letter I think I will be dead... Perhaps I'm wrong, you may never make a naval officer at all, and we may lose the war. But I don't believe that. I think we are going to win, and I think you are going to come back with more honor than you believed possible.

I know you're disappointed at having been sent to a ship like this one. Now, having seen it, you're probably disgusted. Well, remember this: **you've had things your own way too long, and all of your immaturity is due to that. You need some stone walls to batter yourself against.** I strongly suspect that you'll find plenty of them there on board that ship. I don't envy you the experience itself, but I do envy you the strengthening you're going to derive from it. Had I had such experiences in my younger years, I might not be dying a failure. **These are strong words, but I won't cross them out...**

[..]

Think of me, and of what I. might have been, Willie, at the times in your life when you come to a crossroads. **For my sake, for the sake of the father who took the wrong turn, take the right one. And carry my blessing and my justification with you.**

I stretch out my hand to you. We haven't kissed in many years. I used to like to kiss you when you were a baby" You were such a sweet good-natured child, with wonderful large eyes. God! Long ago!

Good-bye, my son. Be a man. Dad

Tough Love Last Letter from dying father to son in the navy during World War II (fictional)
by Herman Wouk in The Caine Mutiny (1951)

One contemporary father wrote: "In closing, dear children, I want you to know that I cherished every moment we share together. **I loved you all equally, but I respected each of you for your individuality.**"

Benjamin Rush, 1954: **Beware Your Good Looks!**

With your fine appearance and cheerful temperament you will be exposed to many temptations and opportunities in regard to women. And I do not want to say much on this point, leaving it rather to wisdom and unspoiled instincts.

Question: Would you discourage client from writing down criticism of the heirs and/or of the benefactor in the trust statement? Would you favor holding a confidential discussion with the client or heirs in private about these sensitive issues?

#7 – Parental Self-criticism: Confession, Asking for and Granting Forgiveness

Naftali Swiatitsky, Israel, 1949: The Son I Disowned

Now, as I stand at the sunset of my life, I cannot forgive myself for the injustice with which I treated my son Gershon who is in America; and inasmuch as I myself own nothing today, neither movable nor real property, and can therefore bequeath him nothing whatever of my own, I have made a careful computation of the assets which I distributed earlier among my other children and divided it into four parts. The results indicate that I gave of Gershon's (called George) share to my other children in the following amounts.

It remains only for me to address my above-named two sons and daughter and to convey this as a final request. [I do this] in order that I may depart this world of vanities with the feeling that I have done my duty toward all four of my children and **that I may not be ashamed, when I stand before the heavenly tribunal, over the unwarranted discrimination which I directed against my above-named son, George** (whom I have not seen-for forty years and whom I doubt I shall ever see again during my lifetime), in dividing what little I had in my power to give my heirs. I therefore instruct my three above-named children, David, Arieh, and Shifra, as a deed of final reverence for a parent, to consider themselves duty-bound to pay their brother Gershon Swiatitsky, known as George Sweet, whenever their brother comes to Eretz Yisrael, the amounts I have set, in cash, immediately upon his arrival in Eretz Yisrael. **Let this be done immediately upon his arrival without hesitation, vacillation, or bargaining whatever.** This is my last request of my children who received my property years ago.

#8 – Finding a Successor: who will take care of those I leave behind?

Harold: Visit Mother

I make a simple request—call Mom if possible every day—visit her once a week—dine with her once a week—call her and tell her what you want for dinner—make her laugh, have the children call, and visit her once in a while. When she is away, write to her frequently. Do it, not as an obligation, but because I know you really love her and want to make her happy.

Rabbi Kalonymus, medieval Germany: Honor Your Mother - the Guilt Trip

My son, I give you one command, which I declare you must fulfil with great and powerful zeal. Honor your honored mother with the greatest honor, submit to her with the greatest submission and revere her greatly. Do not reject her commands or do something of which she disapproves, in either important or unimportant matters. For truly no one loves you more faithfully than she does. All the more should you behave this way, since the Torah commands you in the honor of your mother and her reverence.

#9 – Instructions for the Funeral and My Epitaph: Taking the Burden of Planning the Appropriate Farwell off the Backs of the Children

Rabbi David De Sola Pool: Give the Kids Ice Cream

I would not have my death darken the life of anyone. Life to me has always been joy with humor and laughter and happiness. I would have it so, and I have tried to make it so for all others with whom my lot has been cast. I have tried to comfort others in their sorrow and to show them the sunshine of life's path. So if any would remember me, let my name be mentioned with a smile, with brightness, with humor, with happy memory, with wholesome gladness. I would have the children of the religious school of my congregation and some other children's lives made sweeter on that day nearest my death's anniversary.

Question: List one negative and one positive request from your family about your own funeral.

List one phrase on your father or mother's gravestone epitaph



#10 – My Gratitude: Miracles in My Life and Unpaid Debts

Moshe Zelig HaKohen , d. 1855: Some Miracles

These are some of the miracles and wonders I am aware of that the Almighty performed in my behalf in His great mercy and compassion: In the year 1809 I was gravely ill, critically, and the Almighty in His compassionate mercy restored me to health after six weeks. In 1840 one of my sons suffered deliriums and the Almighty sent him healing through Physician Barr of Talesin. On January 3, 1849, at 3:00 o'clock after midnight, the heavy wall closet fell and crushed the table and bed next to me, and it missed me by a hair's-breadth and, blessed be God and blessed be His name, I was not injured.

The Statement of Faith in a Purposeful Trust: A Christian Model (by John A. Warnick)

John A. Warnick, in the spirit of his Christian tradition, employs for his gift of heritage a faith statement based on St. Paul's sermon in the New Testament:

“Now these three remain: faith, hope, and love; but the greatest of these is love” (I Corinthians 13:13).

His notion of faith is not about theological beliefs in God, like Paul, but ideal human character traits. He reinterprets the word “faith,” not only as faith in God's goodness, but as “trust” by the benefactor in goodness and capabilities of his heirs. His approach varies in form and somewhat in content from the **Jewish model of the ethical will** which derives from the injunctions (mitzvah, commandments) of a parent, who is obligated to instruct and admonish his offspring as necessary, and the duty of children to render honor and obedience to their parents as in the Ten Commandments.

An Act of Love, Faith and Hope

The creation of this Purposeful Trust has been guided by my love for you, my hope that my trust will be both a meaningful legacy and source of opportunity, and **my faith in your goodness and potential**. The trusts primary purpose, after both Henry and I are deceased, is to sustain my children and grandchildren in your respective pursuits of happiness and significance.

Love: I'm absolutely certain I won the "Child Lottery" and the "Grandchildren Sweepstakes". I wanted to leave a special tribute to each of you as a way of expressing my appreciation for all the joy you brought into my life.

Faith: If I tried to extrapolate all of the negative changes I've seen in the world during my lifetime into the next generations of our family I could easily be filled with despair. I'm certain you will face challenges and burdens far greater than I can imagine. But I'm full of confidence that your futures will be bright and positive because I know each of you has been blessed with special gifts and capacities and God doesn't place greater burdens on our shoulders than we are capable of carrying. I've always found strength and inspiration in these words from Anne Frank: "Everyone has inside of him a piece of good news. The good news is that you don't know how great you can be! How much you can love! What you can accomplish! And what your potential is!"

Hope: I hope you will watch out for the two greatest threats I perceive to family harmony and individual well-being: **Pride and Ingratitude**. Beware of pride—it manifests its ugliness in so many ways. Both the rich and the poor can suffer from the cancer of pride. **Gratitude and appreciation** are the best formula for joyful living. Never stop counting your blessings and acknowledge the Source of goodness and grace in all that you do. If along your path to that happiness and fulfillment you can make the world a better place that would bring me so much joy.

Stewardship and Meaning of a Trust

I don't want my children or their descendants to view themselves as the "owners" of this Trust. Instead I want to cultivate attitudes of stewardship and gratitude. Cultivate the mindset of a wise steward. Remember that stewards not only wisely use what they have and receive but they actively seek to grow that which has been entrusted to them.

Avoid even the appearance of entitlement. View all blessings, including temporal abundance, as a gift from God. We are all renters here on earth. It is God who owns the air we breathe and the resources we consume. Cultivate an attitude of gratitude. Receive every opportunity this Trust affords in a spirit of appreciation.

See John A. Warnick's Purposeful Planning Institute, Sample Trust Statements.





"I was hoping I could have something to remember you by. You know, like money."

Session 3

Paradoxes & Dilemmas of an Ethical Will and Family Wealth



How such a lovely idea can cause such pain and become counterproductive. Considering a new paradigm

- I. **Paradoxes and Pitfalls to the Ethical and Financial Wills**, their tendency to Backfire, and their Antidotes
- II. **Paradigm Shift:** Transcending the Limitations of the Ethical Will's Quest for Family Continuity: Both Roots and Wings

Rabbi Jack Riemer: "I have learned that an ethical will can do harm if they come from **a desire to control instead of to teach, if it becomes a grudge from the grave**, then it can cripple the recipient and destroy his capacity to live a good life." (Ethical Wills, xix)



Paradox #1: “Gifts” that Demand Gratitude: Parental Guilt-tripping

Example 1

Judah Ibn Tibbon (died 1190) famous physician, scholar, and translator from Arabic to Hebrew in Provence, southern France. His ethical will to his son **Samuel ibn Tibbon**, also a famous physician and translator:

Rabbi Jack Riemer: Judah Ibn Tibbon’s will is well known for its praise of books: **"Let books be your companions; let bookcases and shelves be your pleasure grounds and gardens. Bask in their paradise, gather their fruit, pluck their roses, enjoy their spices and their myrrh."**

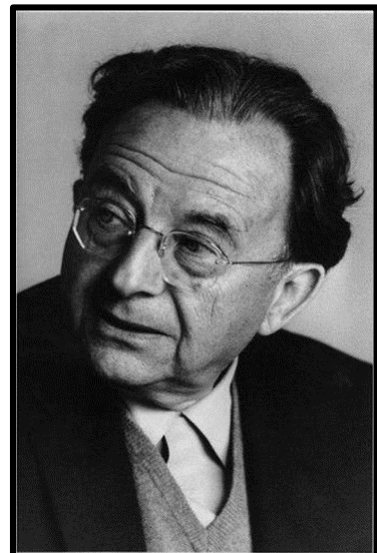
The will itself runs to over fifty pages! And most of it is full of rebukes and chastisements and laments and self-pity. The father tells his son at great length just how much he has done for him, how hard he has worked for him, how nobly he has sacrificed for him, and how much aggravation the son has given him in return. He goes on for page after page after page after page, rebuking his son for neglecting his studies, for having bad penmanship, etc. **And he ends by asking his son to read this will twice a day for the rest of his life!**

(Jack Riemer, Ethical Wills, xix)

Example 2: Erich Fromm, psychologist: Guilt and Inadequacy in the Next Generation

“The guilt feelings of the child who has not pleased his father or mother are very complex and hidden.... Sometimes the child feels that he has disappointed his parents' expectations. This is particularly true of the authoritarian family where demands are a central parental role. **Modern "patriarchs" still have the persistent sense that children were brought into this world to give parents satisfaction and to compensate for their own disappointments in life. “**

(Fromm, Man for Himself)



Paradox #2: Reaching beyond the Grave to Micromanage vs. Heirs Coming into their Own, and expecting to be their own Boss

Example 1: **Moshe Zelig HaKohen (1849):**

66 Micromanaging Instructions for his Son all in the Name of God

I perceive it as an obligation for every individual to instruct his children, to caution them, to remind them of God's will in His Torah and of the character traits of the righteous:

- Cleanse the body thoroughly. Throughout the weekdays keep to a minimum eating, drinking, and using elegant utensils.
- Control oneself. Be long-suffering—among the insulted, never the insulters, but never respond-in kind, even when it is by one's wife or household member.
- Avoid any sharp business transactions and whatever is contrary to the law and honesty.
- Do not pay before receiving the item of purchase.
- Do not walk too straight and tall [haughtily]. Perform your good deeds in private when possible, in order to observe the verse "... and walk humbly with your God" [Mic. 6:8].
- Write down all items and subjects that require improvement either in matters of personal traits or good deeds, each according to the requirement, in order to remember it constantly and correct it with all possible speed.

This is a time schedule for each twenty-four-hour day:

For midnight prayers—1/2 hour
 For study of Mishnah—1 hour
 For study of Bible —1 hour
 For study of Cantillation—1 hour
 For study of Midrash—3/4 hour
 For study of Grammar—1/2 hour
 For study of Kabbala—1 hour
 Morning prayers —1 hour
 Rabbinic Responsa—1 hour
 For study Talmud—3 hours
 For study Ethics—1 hour
 Research study—1/2 hour
 Homily—1/2 hour
 Preparation—1/2 hour
 Writing and arithmetic—1/2 hour
 Bodily care—1/2 hour
 Afternoon prayers—1/2 hour
 Labor or business—3 hours

All meals—1 hour
 Evening prayers—1/2 hour
 Rest—1/2 hour
 Sleep—5 hours.



Paradox #2: Reaching beyond the Grave to Micromanage vs. Heirs Coming into their Own, and expecting to be their own Boss

Example 2:

Micromanaging the Will - Philippe Weil

Many times I have met with people who tried to pack their wills with rules that would in fact control their heirs' lives. One client left an inheritance under the provision that his children lead an Orthodox Jewish life, observing the Torah and the commandments. Another heir was forced into a fictitious marriage, because being married was a prerequisite for receiving her inheritance.

One of my clients used to rewrite his will depending on his children's behavior. He ruled the family by capriciously extorting love. This resulted in family conflicts, legal battles, jealousy, lies, lack of faith and other ills. I worked very hard to finally convince him to stop changing his will every six months and instead to limit himself to once every five years.

(Woes of the Rich, 121, 114)

Example 3 & 4:

Antidotes and Remedies: Parental Disclaimers in Ethical Will

that repudiate the attempt to extend their authority beyond the grave



“It would be foolish for us to command you in these matters. You must and you will, of course, live you own lives. We only hope and pray that, as your parents and teachers, we have succeeded in filling your heart with.....” (Rabbi Haim and Esther Kieval’s Ethical Will)

“We have often disagreed. As you grew older, we differed concerning substantive matters, but I was **proud of how you all stood your ground**, even when I attempted to intimidate. You all thought clearly and argued well. Nor were any of you lacking in a sense of humor.

There were times when each of you thought **I was unfair** — that I was picking on you. Sometimes you were right. Think about it, however, and you will realize that **I picked on you when you most behaved like me ... at least like those aspects of myself that I liked least . . . my own weaknesses**, if you will. I am glad you survived my unfairness with your integrity intact and the deep realization of how much I loved you all.

(Joel Zaiman, A Collection of Ethical Wills by Parents Education Class of Temple Emanu-El , Providence, RI , 1970s)

Paradox #3: Ethical Wills and the Emperor's New Clothes

The tendency to preach and idealize the family heritage often invites accusations of false pride and hypocrisy especially from heirs

My father, Rabbi Abraham Joshua Heschel, used to say, "I have a daughter. I love her dearly. And I would like her to obey the commandments of the Torah. I would like her to revere me as her father. And I ask myself the question again and again, **What is there about me that would be worthy of her reverence?** Unless I live a life that would deserve her reverence, I would make it impossible for her to live a life of Judaism." (Heschel, Religious Nobility, Hadassah Magazine, June-July 2002, 17)



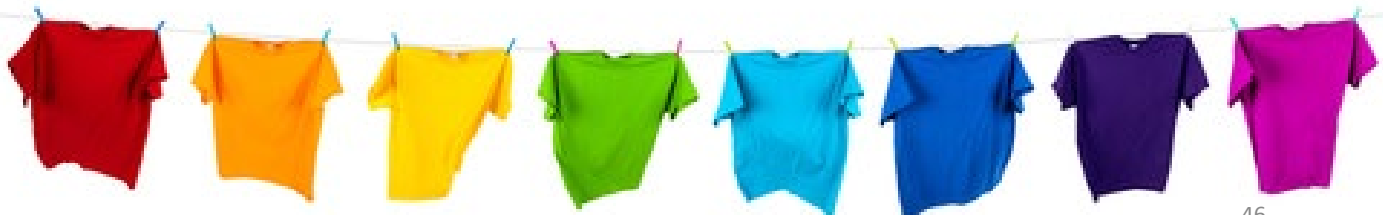
Susannah Heschel recalls her father was Rabbi Abraham Joshua Heschel, a refugee from Hitler, a religious thinker, and a prophetic voice for social justice as a partner with Martin Luther King, jr.

Rabbi Solomon Kluger (Poland, 1869):

I Ask for Forgiveness: I gave instructions before my death to ask forgiveness from all against whom I may have erred, in word or deed, whether in the course of rendering judgments or in business affairs; and if I aggravated anyone in any way, I ask them to forgive and pardon me. Then let each one say quietly that he forgives me everything. And I do the same regarding them.

Confessing One's Own Faults to One's Children: "I picked on you when you most behaved like me ... at least like those aspects of myself that I liked least . . . my own weaknesses, if you will. I am glad you survived my unfairness with your integrity intact and the deep realization of how much I loved you all."

(Anonymous American parent)



Paradox #3: Ethical Wills and the Emperor's New Clothes

Naftali Swiatitsky, Israel, 1949: The Son I Disowned

Now, as I stand at the sunset of my life, I cannot forgive myself for the injustice with which I treated my son Gershon who is in America; and inasmuch as I myself own nothing today, neither movable nor real property, and can therefore bequeath him nothing whatever of my own, I have made a careful computation of the assets which I distributed earlier among my other children and divided it into four parts. The results indicate that I gave of Gershon's (called George) share to my other children in the following amounts.

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Same as page 34

Paradox #4: "Gifts" of Ambivalence: Giving without giving and forgiving

Mordechai Michelson, d. 1872, You Ungrateful Rebels! The Begrudging Bequest

And now, my children, obey the instruction of your father. **Know that you have been rebellious** for as long as I have known you. You have not been obedient and have not appreciated the benefits I have given you. Your personal conduct and your business practices have caused me vexation and pain. I was abhorrent in your eyes; my ways were not followed.

But why should I cry out against you for wrongdoing? All men are lacking in wisdom. We all are God's children, one God created us; have we not one father? Yet though we see all the benefits that God grants us and His kindnesses to us at all times and at every hour, still we transgress. Nevertheless God, our faithful Father, in His mercies continues to spare us, forgive us, and God does not withhold His kindnesses from us. I am no more than human. I therefore forgive and pardon you; and so may God forgive you. (Jack Riemer, *Ethical Wills*, 26f)

Paradox #4: “Gifts” of Ambivalence: Giving without giving and forgiving

Philippe Weil: The Generation Gap: Founders and Heirs and Ambivalence Gifts

The [mythological] first generation has discipline. They get up to go to work, labor all the time and are unaware of their wealth. They are usually buyers and sellers, living off a small portion of their money and reinvesting all the profits in their business. They are always in action, continually doing and investing. They live for their work, in their view, and not the other way around. But heirs have a different relationship with the family money. They did not work hard to earn it, but sometimes paid a heavy price (since successful businesspeople are often less successful at parenting, putting work before family), and naturally they feel less responsibility towards it.

[Therefore] the first generation founders can be tough on their children. How many times has the head of such a family said to me, "I had nothing, and that was what drove me. Why should they have anything?" The members of this generation are afraid to damage their children and make them soft by giving them too much. (*Woes of the Rich*, 121, 114)

Question: How can a bequest avoid its pitfalls? How can a trust set rules without being resented as being manipulative?

Paradox #5: Family Legacy Gifts as Dangerous

When the concern for family continuity destroys family solidarity.

1. Gifts as Extortion and Manipulation

Philippe Weil: **Money is not just money: It is an instrument of control, a means for extorting love, gratitude and submission.** In my work I often come across this unhealthy component. For some people, money is transformed in their imagination into a powerful god, and they express their love through it, as if it were the only way they know how to say 'I love you.' Some heirs cannot bear the fact that they are rich just because of their parents, and an exhausting conflict develops among them.



Paradox #5: Family Legacy Gifts as Dangerous

When the concern for family continuity destroys family solidarity.

2. Dangers for the Family: The will may generate jealous conflicts that tear a family part precisely when the parent wishes to preserve family unity and continuity with his gifts.

Money as Quantifiable Love

There is no family member who does not measure his inheritance in terms of Love - how much he was loved, as well as how much he was loved compared to his siblings. Family feelings are very powerful, and feelings of hatred, envy and neglect are just as strongly entrenched as love.

(Woes of the Rich, 111-112)



Paradox #5: Family Legacy Gifts as Dangerous

3. Dangers for the Heirs: Money Corrupts, Power Corrupts

Philippe Weil: The expression 'the woes of the rich' is often tinged with a little envy, as if these are not real troubles. Well, there is no need to be envious. At times, money is a burden - excess baggage. It can often corrupt, blind and spoil. **It is impossible to count the multitude of negative effects caused by this stuff so yearned for by people but toward which only the rare few can adopt a matter-of fact approach.** We all know that sudden large sums of money are more liable to ruin people than to benefit them.

I am not ignoring the fact that coming into one's inheritance is a great moment. **People live in anticipation** for this moment; they have dreams they plan to make come true with this money, and that's just fine - except they must be careful.... They suddenly find themselves with power they have never possessed before and freedom of action without their parents' guidance or limits. The situation requires restraint, which not everyone possesses in the moment of truth.

Another danger is an inflated ego, a sense of entitlement, which is liable to lead such an heir to dangerous speculative investments out of the arrogance of wealth. Woes of the rich! Heirs can spend all the money, for it is now theirs and they own it. I have seen too many cases in which money destroyed heirs, and its wasteful management led them to poverty: The inheritance, among everything else, is testimony that there is no longer a **safety net** in the form of a parent who will get them out of any financial trouble they might fall into. The situation must be treated with great care. The inheritance is the last backup.

Woes of the Rich



Paradigm Shift: From a Monarchial Owner's Will to a Family Legacy

Discussion and a Sustainable Mutual Trust Mission Statement

Jay Hughes: The Paradox of Trying to Hand over a Dream

Ivan Lansburg's book, *Succeeding Generation*, describes the deepest paradox of the will. **The founder seeks to hand over his dream, which has become a reality in his business, to the next generation which has not dreamed that dream. He asks them to fulfill a dream that was never theirs.**

A Legacy with Roots and Wings

Johann Wolfgang Goethe, the famous German author and playwright, once said:

"There are only two lasting bequests we can...give our children – one is roots; the other is wings." That encompasses both the problem (attempting to keep one's heirs close to one's own roots) and the remedy (making room for wings) for the quest for familial continuity.

(John A. Warnick, *Gift of Heritage*)



Philippe Weil: Letting Go

The first generation's role in planning for heirs quite often has difficulty in letting go, vacating their place, resigning from their role as ruler and developing the role of mentor, counselor, the possessor of knowledge who enables his children to grow alongside him thanks to constructive criticism and a sense of security.

(*Woes of the Rich*)

Jay Hughes: Sharing their Dreams "These families [that succeed in handing over their capital to the next generation for the sake of continuity of the family legacy] know that the more common family practice of the older generation asking the younger to dream the older generation's dreams will ultimately defeat their family's wealth preservation efforts. They know, as I believe, that no one can dream another's dream. In my opinion the secret to successful long-term family wealth preservation lies in the older generation asking the younger:

"What are you passionate about and how can I invest in it?"; In discovering what the individual members of the younger generation are passionate about both the older and younger family members begin to recognize the work which will best fulfill the journeys of life to which the younger generation are called. Once such work is defined, the family can then invest in the process by which each individual learns to do the work to which he or she is called. Through this process, which I call "discovering the avocation to know the vocation", comes clarity on the significance of work within the family."

James E. Hughes, *A REFLECTION ON THE MEANING AND PRACTICE OF WORK WITHIN A FAMILY GOVERNANCE SYSTEM*, 1. <http://www.jamesehughes.com/articles/Work.pdf>

Paradigm Shift: From a Monarchial Owner's Will to a Family Legacy

Discussion and a Sustainable Mutual Trust Mission Statement

"The Abraham Schneider 'Why Weren't You Zusha?' Trust" (John A Warnick's Purposeful Trust)

Rabbi Abraham Cohn, one of the people whom you were named after, was well known for his wonderful stories about Rabbi Meshulam Zusha (1718-1800). Reb Zusha was the great-great-grandfather of Rabbi Cohn's wife. So you are an 8th generation descendant of Reb Zusha.

The particular story that inspired the name and intention of this trust concerns Reb Zusha at the end of his life: As he laid on his deathbed surrounded by his disciples, Reb Zusha was crying and no one could comfort him. One student asked his Rebbe, "Why do you cry? You were almost as wise as Moses and as kind as Abraham." Reb Zusha answered, "When I pass from this world and appear before the Heavenly Tribunal, they won't ask me, 'Zusha, why weren't you as wise as Moses or as kind as Abraham,' rather, they will ask me, 'Zusha, why weren't you Zusha?'

Why didn't I fulfill my potential, why didn't I follow the path that could have been mine?"

When you see the name of your trust, Abraham, please remember that it was the hope of both of your parents that you follow the path that is truly yours without need to imitate the path of others.

It is the purpose of this trust to give you the financial backing to be "Reb Abraham": to create and raise a Jewish family, to self-actualize, to bring your talents and intelligences to fruition, and to be able to do work and community service that will bring about tikkun olam (fixing of the world) as only YOU can do it.

The problem: Often the founders want to preserve the family identity they created unchanged with their ethical vision. So they demand that heirs see themselves as loyal members of "our" family. Yet the heirs want to be morally autonomous. They want authenticity: To be Me, true to Myself! How can the founders communicate an ethical heritage without trampling their heirs' authenticity?

Remedy: Teaching ethics not by command, but by example; not by giving explicit orders but by persuasion and love and by making room for change.

Paradigm Shift: From a Monarchial Owner's Will to a Family Legacy

Discussion and a Sustainable Mutual Trust Mission Statement

My father was a god and did not know it.
He gave me

The ten commandments neither in thunder
nor in fury; neither in fire nor in cloud

But rather in gentleness and love. And he
added caresses and kind words. And he
added "I beg you," and "please." And he
sang "*Shamor/keep*" and
"*Zachor/remember*" [the Shabbat] in a
single melody and he pleaded and cried
quietly between one utterance and the
next:

Do not take the name of God in vain, do not
take it, not in vain,

I beg you, do not bear false witness against
your neighbor.

And he hugged me tightly and whispered in
my ear: Do not steal. Do not commit
adultery. Do not murder.

And he put the palms of his open hands on
my head with the Yom Kippur blessing.
Honor, love, [your parents] in order that

your days might be long on the earth. And
my father's voice was white like the hair on
his head.

Later on he turned his face to me one last
time like on the day when he died in my
arms and said, "I want to add two to the ten
commandments:

**The eleventh commandment—"Thou shalt
not change."**

**And the twelfth commandment—"Thou
must surely change."**

So said my father and then he turned from
me and walked off disappearing into his
strange distances.

(Amichai, *Patuah, Sagur, Patuah*, 1998)

"Thou shalt not change."

"Thou must surely change."

Appendix: Techniques for Intergenerational Co-Authoring of Family Ethical Will/Trust

Shared Roots

- The younger generation can ask the questions to which the older generations gives responses, this making the communication more dialogic and interesting to the active listeners.
- The younger generation can identify aspects of the family legacy that they have absorbed before being told what parents tried to convey. But heirs must be gentle in pointing out hypocrisy, while encouraging respectfully for parents to describe their own errors and disappointments.
- The younger generation can add to the ethical will their own expression of gratitude for what they felt they have received – roots – which may be different from what first generations thinks they imparted.
- “One rabbi taught the confirmation class (age 16) about ethical wills simultaneously teaching their parents. Then the students were asked to write down what their parents had been trying to teach them and compare with what they actually wrote about their family ideals. “ (Jack Riemer, *Ethical Wills*)
- Founder often speak of the sacrifices they made for the family. But one may ask the next generation to speak of the sacrifices they made to keep the family and business going. Ask them how they managed to negotiate with the founder? Ask why they stayed?

Collaborative Wings

- The younger generation can be enlisted in defining philanthropic goals or given their own undetermined funds to choose their own charities, as my father Moshe Sachs gave half his philanthropic funds to his grandchildren to decide collaboratively on beneficiaries of their own choice.
- The younger generation can propose their own new goals, new dimensions of the family legacy yet to be crystalized, as experimental ventures that may later become part of legacy. For example, the children of Revson foundation (Revlon cosmetics) added to their parents’ three philanthropic priorities also a fourth which had not been on their parents’ agenda - environmental issues of sustainability. In fact mission statements of Trust funds ought to be subject to revision each ten years.

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Intergenerational Family Solidarity

- Growing out of the solidarity exemplified in their family heritage, the founder generation can create a dream-fulfillment fund for an heir interested in education or a business venture. That trust fund may be perpetuated as a backup resource.
- The great financial and psychological benefit of family is backing each other both in times of trouble (personal and business related) and times of opportunity for new projects needing funding or guarantees for loans. Jay Hughes suggests that in the transition from single founder to multiple heirs in the second generation, then a **sibling partnership**, formal or informal, should be explored.



Any feedback or questions?
We love to hear your comments
and engage in a conversation.

Write us an e-mail:

Noam Zion

noam.zion@gmail.com

Jamie Traeger-Muney

Jamie@wealthlegacygroup.org

Philippe J. Weil

pjw@pjweil.com

