

## **An Ethical Will**

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My maternal grandfather died—prematurely, suddenly, and unexpectedly—when I was only eight years old. Although I do remember him, I know much more from what I have heard or read since he died. Not many third graders can go to Temple without having strangers come up to tell them what a great man their grandfather was.

He left a Last Will and Testament when he died, of course, none of which I have ever seen except the last page. Headed with a Roman Numeral VII, it is what our tradition calls an ethical will. It begins with an acknowledgement: “I have journeyed through this life as a privileged pilgrim.” My Papa understood that, even in childhood not blessed by wealth, he had benefitted from privilege that most do not have. Living with that opportunity, he wrote, “is an experience that engenders belief in God, brotherhood of man [sic], and confidence in prayer.” You will have to forgive the antiquated language; my grandfather died in 1971.

Whereas the parts of his Will that I’ve never seen doubtless allocated his material possessions, this last page bequeaths his values to his family and community. He wrote, “Let no one mourn for me, except by deeds of kindness, acts of charity, or by personal efforts to increase the love and devotion among his fellow men [sic].”

More personally, my Papa counseled all who would read his words to place a priority on their own families, writing, “To be the partner in the creation and the fashioning and forging of a happy family is an opportunity for service to God and to our country that is within the reach of everyone. Magnificent in its process of bringing abundant joy and happiness into the immediate family circle, its contagious chain reaction will ultimately create an impact of brotherhood and devotion among mankind [sic] throughout the world that eventually will set a standard of moral values that will bring everlasting peace to the entire world.”

If nothing else, my grandfather was an optimist! He also idealized his family in this document, as he did in life. At home, he tended to avoid confrontation, overlooking sources of potential strife. He found refuge in his career and his community endeavors, away from home. At the same time, he placed an extremely

high value on family. He nurtured relationships with so many cousins that we are not sure how we are related to some of them.

He concluded this document, addressing my uncle and mother by name: “I direct and beseech you, Sidney, and you, Gay, to render to the fullest measure of your ability and capacity unselfish service to God, to your family and to your fellow men [sic].”

I do not know where my grandfather got the idea of writing that ethical will. My father, who wrote wills for many of my grandfather’s contemporaries and friends, does not recall any with a section like this one. However, Judaism has a storied legacy of ethical wills.

Our tradition identifies the first as Jacob’s, in Genesis 49. That one is hardly a model, though, as our patriarch insults most of his children and prophesies calamity for the bulk of their descendants.

This week, Moses—standing on the banks of the Jordan River, where he will die—tries his hand at an ethical will. Like Jacob, Moses has unkind words, though not for his own children, who are not mentioned. Instead, he excoriates Israelites who have been unfaithful, and reminds them of his theme: The people will only succeed in their Promised Land with the favor of the God who bestows it upon them. Consistent with the theology of Deuteronomy and the six biblical books that follow, Moses insists that idolators will be punished with exile from the Land. At the same time, though, he asserts that God’s love is boundless. God will reward the faithful and ultimately forgive even those who are disloyal.

Moses uses his Ethical Will to praise God: “For the name of the Eternal I proclaim; Give glory to our God! The Rock!—whose deeds are perfect; Yea, all God’s ways are just; A faithful God, never false, True and upright indeed.”<sup>i</sup> Moses asks the people to consult their elders, who will tell them of the boundless blessings that God has heaped upon this people.<sup>ii</sup>

Jewish ethical wills do not end with the Torah.

As Jamie Rubin explains, “Traditionally, Jewish ethical wills contained...requests that family members carry on specific religious traditions, and blessings over the family. But modern ethical wills are...more about imparting wisdom or wishes or simply reviewing one’s life. They are often written in the form of a letter to one’s children, but they can take many forms. There is no [Jewish legal] template or script they must follow.”<sup>iii</sup>

In the Middle Ages, Rubin tells us, one well-known ethical will “was written by Spanish Jewish physician and scholar Judah ibn Tibbon.” It includes an oft-quoted recommendation: “Let books be your companions; let bookcases and shelves be your pleasure grounds and gardens.” Like Jacob and Moses, though, Judah includes “a harsh rebuke of his son” in that ethical will.<sup>iv</sup>

Rubin goes on to explain the role of ethical wills during the Holocaust: “[M]any...call for vengeance. Others thank the writer’s parents, ask for proper Jewish burial and express an unending love for God.” She continues, “After the Holocaust, ethical wills became a tool to help future generations understand how Jews who survived held onto their faith despite the suffering they endured and to impart the message of why they felt supporting Israel...was so important. Today, some secular Jews use this medium to convey to their children why they believe it’s important to stay connected to a Jewish community...”<sup>v</sup>

Despite this rich tradition, in my more than thirty years as a rabbi, I have met with hundreds of families to prepare a loved one’s funeral, and I do not recall any having produced an ethical will from which I could glean the recently deceased person’s values.

Nevertheless, family members rarely have a hard time telling me about their loved ones. Spouses and children, siblings and grandchildren will provide facts of the person’s life—but so much more important, anecdotes that communicate what was important to the person and how they would want to be remembered. When I write a eulogy, I hope to encapsulate what would otherwise be included in an ethical will. I share it with the family, not so much because the immediate survivors need that record. Instead, if the eulogy is faithful, it may serve in place of an ethical will, communicating the loved one’s values and priorities to future generations too young to remember or yet to be born.

None of us is Moses, told in advance of our date of death and given the opportunity to issue a farewell address. Some among us are writers, empowered to leave meaningful words for the next generations. Every single one of us, though, has the ability to leave behind what matters most: Our most cherished values and our love, communicated in the way we live our lives.

Amen.

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<sup>i</sup> Deuteronomy 32:3-4.

<sup>ii</sup> Deuteronomy 32:7-14.

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<sup>iii</sup> Jamie Rubin, “Jewish Ethical Wills (*Tzva ’ot*),” *MyJewishLearning.com*, [Jewish Ethical Wills \(Tzava'ot\) | My Jewish Learning](#).

<sup>iv</sup> Rubin.

<sup>v</sup> Rubin.