

Estate Planning: Ethical Wills¹

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What is an Ethical Will?

Unlike traditional wills that transfer worldly possessions, an ethical will bequeaths values, ideas, and personal reflections to family members and other loved ones. Ethical wills can be a reflection of the writer's life and include descriptions of significant events.

Ethical wills are an ancient Jewish tradition whose roots stem from early Biblical times. The earliest ethical wills were most likely passed on orally, while those of later generations were recorded on paper.

Ethical wills have gained broad popularity in recent years. Today ethical wills may be more commonplace than most of us realize. Recipients of ethical wills tend to read and reread them. An ethical will express the writer's unique personality.

How Might I Prepare and Ethical Will?

An ethical will need not be lengthy or time-consuming to write. A few paragraphs can be very meaningful, and you don't have to be an experienced writer to compose one. If the message you leave is from the heart, spelling and grammatical mistakes will be inconsequential to the loved ones reading your words.

There is no magical formula that dictates the format or content of an ethical will. What is important is that it expresses the essence of your heart and personality.

If you enjoy writing poetry or songs, consider using an original composition in your ethical will. If you are not good with written words or you are no longer able to manage a writing instrument, try dictating your ethical will onto a cassette tape or use a video recorder. If your penmanship is poor, think about using a typewriter or word processor. Your creativity is your only limitation.

You can address your ethical will to your spouse, children, a special friend, or "To my family." Of course you may wish to compose more than one ethical will. Listen to your inner guidance; you will know how to proceed.

To be certain that your ethical will remains intact for many years to come, use acid-free paper that will not disintegrate, mold or fade. Think about the size and type of paper as well. You may prefer a bound book to loose-leaf sheets, and use only high quality, fade-resistant ink.

What you have to say is important. If you are thinking to yourself, "Well, I don't really have anything all that important to write about," think again. You are unique! You have lived and learned in your own special way, and have important thoughts, feelings,

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and experiences to pass on to those around you. To write an ethical will you don't need to be a sage or a saint; you just need to be yourself. Open your heart and write what comes; it will be a gift and a legacy, a "window in to your soul" that loved ones will cherish.

What to Include in your Ethical Will

What you choose to include in your document will help determine the length. To describe life events, goals, values, and beliefs could require a lengthy will. Some people prefer to keep the will short and simple, or to address specific topics such as:

- True Success as I See It
- Mistakes, I Have Learned From
- My Happiest Hours
- Why I Love You
- What Spirituality Means To Me
- Stories with Deep Personal Meaning
- My Ancestral Background
- People or Events that Helped Shape My Life
- Familial Obligations
- Favorite Scripture Passages
- Actions for Which I Would Like to Ask Forgiveness

After you have brain-stormed, you may find it helpful to write each theme you plan to use in your ethical will at the top of a separate piece of paper, using the space below for an outline of details, anecdotes, and favorite things that support your theme. This will help you organize your ideas and make it easier to write a clear, cohesive, and meaningful document.

An ethical will is not an easy thing to write, it takes courage. When composing an ethical will you may come face to face with your life and your mortality. You will be reminded that we all live in the shadow of death, and that each day of life is a precious opportunity.

When writing an ethical will, do not be afraid to confront yourself. Look inward to see the essential truths you have learned in a lifetime, face up to your failures, and consider what are the things that really count. You may learn a great deal about yourself when writing an ethical will.

Like writing a traditional will it's never too soon to begin. Writing an ethical will is not something we should put off. Death can be sudden, even for teenagers and younger children. Also, it's often best to write important material like this when we are fresh and unpressured by time. Also remember that late in life mental and physical capacities diminish, making it difficult or even impossible to prepare an ethical will.

An ethical will is a gift to both the giver and the receiver. It helps us clarify our values and put life in perspective. Writing an ethical will is a healthy, healing exercise.

Weigh Your Words Carefully

Carefully weigh your words before you decide to actually use them. Be aware of the potential damage ethical wills could produce if wielded as a weapon from the grave to control and chastise the recipient. Such abuse of a rich tradition could be damaging. Remember, once you die, you cannot take back anything you say.

Elaine Tiller, Executive Director of Community Ministries, Baptist Senior Adult Ministries, Washington, DC says that: "Ethical wills are windows into the souls of those who write them. It is this that makes them so cherished by family members from generation to generation."

Of course, it will be up to you to decide the best time to share your ethical will. If you choose to present it before your death, you may want to consider leaving a second will to be read upon your death. Likewise, you should update the will whenever you feel the need.

Example:

Here is an example of an ethical will from *Ethical Wills: A Modern Jewish Treasury*. Edited by Jack Riemer and Nathaniel Stampfer.

"To My Grandchildren, and Children Everywhere:

I leave you my unpaid debts. They are my greatest assets. Everything I own-I owe:

To America I owe a debt for the opportunity it gave me to be free and to be me.

To my parents I owe America. They gave it to me and I leave it to you. Take good care of it.

To the biblical tradition I owe the belief that man does not live by bread alone, nor does he live alone at all. This is also the democratic tradition. Preserve it.

To the six million of my people and to the thirty million other humans who died because of man's inhumanity to man, I owe a vow that it must never happen again.

I leave you not everything I never had, but everything I had in my lifetime: a good family, respect for learning, compassion for my fellow man, and some four-letter words for all occasions, words like: *help, give, care, feel, and love*. Grandpa Sam Levenson"

(Mr. Levenson was a high school mathematics teacher and a popular humorist, raised in New York.)