

# The Stories We Leave Behind: Jewish Ethical Wills

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Fans of *Harry Potter* (by which I mean all of us), recognize five words well: “I open at the close.” These words, uttered at a very particular juncture of the HP saga, come at a point in which our protagonist accepts his mortality. I’ll leave it there to avoid spoilers (*although if you haven’t gotten there by 2022 I really don’t know what you are waiting for*), but this line hints to a deep and ancient truth that many religious traditions work through: the opening that can occur at the closing. Life can be deepened and thickened by its encounter and acceptance of the inevitability of death. When we avoid the inevitable, so often we risk forgetting the timeless truths and values that we hold most dear, as we expend all of our efforts escaping death that we forget the life we could be living in the meanwhile.

How then can we go from age-ing to sage-ing, as one creative author and spiritual guide put it? One method, which we find even in the Torah, is the leaving of an ethical will. Leaving last words of instruction, advice, and blessing for one’s family is one way to borrow from the impending ignition of death’s candle to shed light on the living. Yaakov’s deathbed blessings of his sons, Yosef’s dying questions of his people, Moshe’s final address, Dovid’s advice to Shlomo, and so and so forth, can all be thought of as early instances of this impulse.

Ethical wills differ in tone, character, and content, as they can range from a set of blessings, adjunctions, advice, or words of love and affection, or a pithy line or set of words that characterize one’s life or death. Nathan Hale’s famous last words, said upon his hanging as a spy during the American Revolution, ring still: “I only regret that I have but one life to lose for my country.” Early Israeli folk hero Joseph Trumpledore’s last words echo similarly: טוב למוות בעד ארצינו, “It is good to die on behalf of one’s land.”

An ethical will is known as a *Tzava’ah* in the traditional rabbinic Hebrew. When the prophet Yeshayah prophesies the passing of his fellow prophet Chizkiyah, Yeshayah urges צו לבייתך, to “set your affairs in order,” which might be an early instance of this term appearing in this context. In the Talmud, such last statements became commonplace, as the sages would visit sages on their deathbed and ask them for words of wisdom. In one notable instance, Akavya ben Mehalel summoned his own son to his deathbed and tasked him with following the majority, instead of his own views, for Akavya had been censured for refusing to follow the majority opinion in his own life.

Ethical wills are interesting in their specificity – they are personal, more personal than most of the Jewish rabbinic literature that we have, and they are usually aimed at one’s closest family or students. As often happens, some of these personal documents ended up becoming popular religious tracts, such as the *Tzava’ah* attributed to R. Yehuda HaChassid, R. Yehuda ibn Tibbon, as well as that of the Vilna Gaon. Even outside the closed context of a family, ethical wills are intimate views into what matters most, and they can be windows into the

more vulnerable touches of a life. One of the most remarkable instances of ethical wills in Jewish history is the memoir of Glückel of Hameln, the German-Jewish diarist and businesswoman. While she is now famous as a memoirist, her writings were first written as an ethical will, and slowly expanded into one of the most intriguing autobiographies that we have from her time. Glückel's writings were later published by her relative, Bertha Pappenheim, the German-Jewish pioneering social worker and activist, and ultimately translated into many languages.



Later on, during the Holocaust, last wills took on an added emotional valence, as their writers were often unable to say goodbye any other way. You can read the deeply moving ethical will of Elkhanan Elkes, the chairman of the Kovno ghetto Jewish Council, in which he writes:

“I am writing to you my beloved children...in the Valley of Tears, the Kovno Viljampole Ghetto...I am writing this in an hour when many shattered souls, widows, and orphans, threadbare and hungry, are camping on our doorstep imploring us for help. My strength is ebbing. There is a desert inside me. My soul is scorched. I am naked and empty, and there are no words in my mouth...The Germans killed, slaughtered, and murdered us in complete equanimity. I saw them; I was standing in their presence as they were sending many thousands of men and women and children and infants to be butchered...”

This last month, we explored the stories that bind, in an exploration of intergenerational divergence. As we come to a close of this topic, for now, we are thinking about the stories we leave behind – the lore, legends, and lessons that we impart on our world. In an ethical will, or in the imprint of our goodwill and positive acts, the stories we leave behind bind us to the good we have done, tie us to our highest hopes and truths.

In this reader, we include an introduction to the history of the ethical will from the Jewish Virtual Library, as well as one ethical will sent to us from one member of our listening community. This will, from William (Avigdor) Schulder to his children, is an example of the living legacy of the ethical will in today's world. We include a typed version, and an original, to give you the full feeling of these words. As we think about the *tzava'ah*, we are considering the deepest questions of our life. What would you tell your descendants, if you had only a few words left? What words would you wish to remain imprinted on this world?

To read more about ethical wills, check out the *Hebrew Ethical Wills: Selected and Edited by Israel Abrahams*, or *Ethical Wills: A Modern Treasury*, both classic compendiums of some of the major and historical ethical wills from Jewish literature. For a somewhat shorter read “Jewish Ethical Wills,” by Israel Abrahams.

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The Ethical Will of William (Avigdor) Schulder

March 28/1932

With the help of G-d, Monday the week of Parashat Shemini 5692

To my dear children,

You know how hard I worked and tried my utmost to give you the best I could afford in food, shelter, and education, to lead an honest, clean and respectable life.

Therefore, I plead with you to uphold my wishes as follows:

1. Be strict Sabbath observers. Your homes to be strictly kosher and otherwise uphold the Jewish religion and traditions.
2. Honor, respect and take care of your mother as long as she lives as she is your best friend in the world.
3. Be honorable in your dealings, commercially and socially.
4. Be respectful to all—never consider yourself greater than the next man.
5. Try your best not to insult anyone.
6. Talk and treat everyone as kindly as possible.
7. Keep together; be friendly with one another.
8. Pass all this along to your children and see that they are brought up as orthodox, honorable, and respectable Jews.

This being real fatherly advice, I hope you will follow these rules and G-d will help you.

Your dear father William (Avigdor) Schulder

P.S. I hope you will keep this letter and read it once in a while but at least on the day of my Yahrzeit.

Give a copy to each child.

March 28/1932 to my dear children בני אבי אהבה וחסד

You know how hard I worked and tried my utmost to give you the best I could afford in food, shelter and education. to lead an honest, clean & respectable life

Therefore I plead with you to uphold my wishes as follows.

1 - Be strict Sabbath observers.

Your homes to be strictly kosher and otherwise uphold the Jewish religion and traditions.

2 - Honor, respect and take care of your mother as long as she lives as she is your best friend in the world

3 - Be honorable in your dealings commercially and socially

4 - Be respectful to all - never consider yourself greater than the next man

5 - Try your best not to insult anyone

6 - Talk and treat everyone as kindly as possible

7 - Keep together; be friendly with one another

8 - Pass all this along to your children and see that they are brought up as orthodox honorable and respectable Jews.

This being real fatherly advice I hope you will follow these rules and God will help you.

Your dear father William Schuller  
נחלק נאמר

P.S. I hope you will keep this letter and read it once in a while but at least on the day of my end etc.

give a copy to each child

# Ethical Wills

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 [jewishvirtuallibrary.org/ethical-wills](http://jewishvirtuallibrary.org/ethical-wills)

The Bible contains examples of wills given by the great sages, especially that of Jacob (Gen. 49), but they possess no special religious or ethical theme. This holds true for the Testament of the Twelve Patriarchs, one of the major works in the \*Apocrypha and Pseudepigrapha written during the Second Temple period and shortly after its destruction. The prototype of the medieval ethical will may be found in the Book of Proverbs, where much of the practical ethical advice is given in the manner of instructions from a father to his son.

Talmudic literature contains many aggadic passages quoting or purporting to quote deathbed instructions by great sages to their pupils. These passages, collected by I. Abrahams in the first chapter of his anthology *Hebrew Ethical Wills* (2 vols., 1926), do not concentrate on ethical themes, though some contain ideas similar to those that appear later in the medieval literature. However, Hebrew ethical wills of the Middle Ages are not a direct development of these sayings.

In the Hebrew poetry of the classical Andalusian period there are some examples of ethical wills, for instance, a poem of Samuel ha-Nagid dedicated to his son Yehosef (*Yehosef Kol Asher*) before one of his battles with Granada's army. Seeing death very close, Samuel collected in the poem the best advice for his son.

Medieval ethical wills are an integral part of medieval Hebrew \*Ethical Literature , which, although it undoubtedly has deep roots in the traditional talmudic and midrashic literature, is mainly a product of medieval ideologies – i.e., Jewish philosophy, Ashkenazi Ḥasidism (see \*Ḥasidei Ashkenaz ), and Kabbalah. The aim of ethical literature was to apply theological, psychological, and anthropological conclusions of the ideologies to the everyday life, social and religious, of the average Jew. Various types of literary works were developed for this purpose: ethical treatises dealing with several moral problems, according to subjects or alphabetical order; monographs and homiletical works that deduced ethical norms from the ancient texts; and the ethical will that began to develop in European Jewish communities during the Middle Ages.

Ethical wills differ from other kinds of ethical literature in several ways. Whereas ethical literature usually gives a lengthy theoretical basis for behavioral requirements, ethical wills ordinarily only point out the right way, disregarding the ideological foundations. Thus they are a more practical, behavioral type of literature, close in some respects to the literature of the *hanhagot* (see \*Ethical Literature ) whose sole aim is to instruct the reader in right behavior in the manner of halakhic literature (but dealing with some subjects not covered by *halakhah*). The literary form of the will – as teachings given by a dying father to his sons gathered around his bedside – does not leave much space for elaborations on or explanations of the traditional basis for the commandments. Ethical wills, therefore, comprise short ethical treatises, very practical in character.

In many ethical wills, every paragraph opens with the words "my son." Sometimes legends arose describing in detail the circumstances under which the will was given. Some wills are described as letters sent by a father, who was far away (in Palestine, for instance), to his sons,

instructing them in the basic moral and ethical teachings. In later generations this became an accepted literary form for any short work dealing with the basic ethical norms. The titles of such works, especially in Eastern Europe in the 18<sup>th</sup> century, suggest a will, e.g., *Naḥalat Avot* ("Inheritance of the Fathers"). It is doubtful whether any extant work of this sort was actually a will, the term "will" having been used only to imply that here in a short form is the essence of the ethical teachings of a certain writer.

Their literary form made ethical wills popular and respected, with readers looking upon them as the last will and testament of a great scholar that should be accepted and followed. Naturally, some writers created pseudepigraphic works, attributing them to great sages of their time who did not happen to write such a treatise themselves. Medieval and early modern times offer examples of such pseudepigraphical works, from the "will" attributed to Maimonides to that attributed to \*Israel b. Eliezer Ba'al Shem Tov. The *Zavva'at ha-Rivash* (1793) was attributed to the Ba'al Shem Tov, although the work was mainly a compilation of sayings primarily from the writings of Dov Baer of Mezhirech.

The literary form of the will also influenced writers of major ethical works. Jehiel b. Jekuthiel of Rome, author of the *Ma'alot ha-Middot*, a major ethical book of the 13<sup>th</sup> century, used the form of the will, with the words "my son" beginning many parts of the work. Even Isaiah b. Jacob ha-Levi \*Horowitz, whose family produced several ethical wills (see below), used this form in his monumental ethical work *Shenei Luḥot ha-Berit*.

Probably the earliest extant ethical will in Hebrew, a translation from the Arabic, comprises a short chapter in the *\*Mivḥar ha-Peninnim*, a collection of ethical epigrams attributed to Solomon ibn \*Gabirol and translated into Hebrew by Judah ibn \*Tibbon. The chapter entitled "The Gate of the Commandment of the Scholar to his Son" includes various epigrams on almost all aspects of human behavior and is part of the philosophical ethical literature, although the philosophical presuppositions are almost nonexistent within the chapter itself.

Another early example is the treatise *\*Orḥot Ḥayyim* ("Ways of Life"), first attributed to the talmudic sage \*Eliezer b. Hyrcanus, and later to the 11<sup>th</sup>-century Ashkenazi scholar \*Eliezer (ha-Gadol) b. Isaac of Worms. Modern scholars disagree about the date of this work – Zunz considers that it was written early in the Middle Ages, about the eighth century, whereas G. Scholem holds that it forms part of the literature which emanated from the same circle that produced the Zohar in the 13<sup>th</sup> century. *Orḥot Ḥayyim*, a popular work, is a fine example of the literary genre – it includes, in short paragraphs addressed to the writer's sons, advice and instruction about practical, behavioral problems in ethical, moral, religious, and social life, without any specific ideological basis (which is one of the reasons why it is so difficult to determine its time and place of composition). Judah ibn \*Tibbon's ethical will, written about 1190 and addressed to his son Samuel, who translated Maimonides' *Guide of the Perplexed* from Arabic to Hebrew, is one of the classics in this genre. Although the will contains the usual detailed and practical instructions from a father to his son on moral behavior, it also is characterized by features rarely found in ethical wills. For example, the will is introduced and concluded by a poem, and within the body of the will there are a number of poetical passages,

some of which were taken from \*Samuel ha-Nagid's *Ben Mishlei*. A second unusual feature is Judah's reference to many details of family life, his designation of bridegrooms for his daughters and a bride for his son. Apparently the testament is an actual private ethical will from one person to another, and not just a literary work. Thirdly, in this work, also known as "A Father's Admonition" (*Musar Av*), the author clearly reproves his son for his laziness, his lack of interest in books in general and in Arabic in particular, and many other faults of character which seem incongruous in the man who translated the *Guide of the Perplexed*. Perhaps parts of the will were written when Samuel was quite young, and other parts were added later. In addition, the author dwells at length upon the right way to maintain and preserve a library, for Judah possessed one of the most important libraries of his time.

From the 13<sup>th</sup> century, ethical wills became not only a popular Hebrew literary genre, but also customary practice within certain families. Apparently the custom was maintained in the family of \*Asher b. Jehiel (father of the author of the *Turim*), which moved from Germany to Spain. Extant are the "Rules" which R. Asher gave to his family, and a will addressed to the sons of R. Jacob, the son of R. Asher. It is probable that R. Judah, Jacob's brother, also wrote such a will which had come down as an anonymous work.

This custom seems to have been prevalent in one of the most important families in Eastern Europe during the 16<sup>th</sup> and 17<sup>th</sup> centuries, the Horowitz family, whose place of residence was usually Prague. In the 16<sup>th</sup> century Abraham \*Horowitz wrote the important ethical will which became widely known as an independent ethical work, *Yesh Nohalin*. His son, Jacob, wrote a will in the form of emendations of and additions to his father's ethical book, and the two works were often printed together. The grandson, Shabbetai Sheftel \*Horowitz, the author of *Shefa Tal*, carried on the family tradition. Although many of this family were kabbalists who helped to spread Lurianic Kabbalah in Eastern Europe, kabbalistic ideas do not occupy a major place in their ethical wills.

Ethical wills sometimes reflect major controversies and trends within Judaism. The 13<sup>th</sup>-century will of Joseph ibn Kaspi of Provence, known also as *Sefer ha-Musar* ("The Book of Ethics") or *Yoreh De'ah* ("Teacher of Knowledge"), reflects the fierce controversy between the practitioners of Jewish philosophy, especially the followers of Maimonides, of which Ibn Kaspi was one, and their opponents. Ibn Kaspi tries to reconcile the idea of philosophical knowledge as the supreme religious value with the traditional expressions of devotion. Another glimpse into major problems in the history of Jewish thought is provided by the will of \*Elijah b. Solomon Zalman of \*Vilna (the Vilna Gaon), who addressed a will to his sons when he set out for Palestine (which he never reached). The will expresses the extreme pietism and devotion of the opponents of Ḥasidism in the 18<sup>th</sup> century. Elijah advised his sons that in order to avoid interrupting their study of Torah they should never set foot outside their houses unless it was absolutely necessary. He even advocated praying at home because the many people congregated in the synagogue might prove distracting or inspire evil thoughts. From these strictures it is not

surprising that he was the leader in the opposition to Ḥasidism. In general, ethical wills reflect in a concise and clear way the main concerns of the writer and the social or ideological group within Judaism to which he belongs.

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[Joseph Dan]

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