

Yaakov' s Blessings: The First Ethical Will

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I.

“Rooted in biblical tradition, an ethical will is a nonbinding document that an individual writes to his or her loved ones. Not in fact a will at all, ethical wills are a letter that is written by the individual, who may or may not be assisted in the writing of the letter by estate planners or other individuals. Put simply, “[l]egal wills bequeath valuables, while ethical wills bequeath values.” The benefits of an ethical will include “empowering the client, making the estate planning process one in which the client could participate, and recognizing the human legacy which each client could share with future generations.” Although each ethical will is unique, typically the author includes expressions of love, highlights personal values, family stories, lessons learned, and blessings. While not all estate planners have embraced ethical wills, ethical wills provide an opportunity for the individual to pass on his or her values, in addition to his or her valuables. Part of the conflict could be the somewhat confusing term “ethical will,” which should not be interpreted to mean that it has a legal effect or that attorney drafted wills are not ethical within the meaning of the Codes of Professional Conduct. To that end, some individuals refer to these documents as “a personal legacy statement,” [or] “a legacy letter.” Because these documents are private letters, they do not become public records like a will.

Excerpts from St. John’s Law Review April 2014, “Speaking for the Dead: Voice in Last Wills and Testaments,” Karen J. Sneddon (pages 729-732, please consult actual text for complete article as well as footnotes).

II. Timeline of Jewish History:

a. Biblical Period- 2nd Millennium BCE- mid 1st Millennium BCE- Written Law/Old Testament:

5 Books of Moses (Torah);

8 Books of Prophets (Nevi'im); and

11 Books of Writings (Ketuvim).

b. Classical Period- Greco/Roman Period (circa 332BCE-500CE) Written works of Oral Law produced:

6 Sidrei (orders) of the Misha for a total of 63 Tractates;

Jerusalem Talmud; and the

Babylonian Talmud.

c. Medieval Historical Time periods:

Early Medieval- (Geonim) ~700-1000CE

Medieval- (Rishonim) ~1000CE-1500CE

d. Modern Period- (Achronim) ~1500CE- ~1900CE- end date not yet determined.

e. Contemporary Times- 1948-present

III. BIBLICAL TIMES:

A. Jacob to his sons. Genesis 49: Mid-2nd Millennium BCE

1. And Jacob called his sons and said, “Come together that I may tell you what is to befall you in days to come.

2. Assemble and hearken, O sons of Jacob; Hearken to Israel your father:

3. Reuben, you are my first-born, My might and first fruit of my vigor, Exceeding in rank And exceeding in honor.

4. Unstable as water, you shall excel no longer; For when you mounted your father’s bed, You brought disgrace—my couch he mounted!

5. Simeon and Levi are a pair; Their weapons are tools of lawlessness.

6. Let not my person be included in their council, Let not my being be counted in their assembly. For when angry they slay men, And when pleased they maim oxen.

7. Cursed be their anger so fierce, And their wrath so relentless. I will divide them in Jacob, Scatter them in Israel.

8. You, O Judah, your brothers shall praise; Your hand shall be on the nape of your foes; Your father’s sons shall bow low to you.

9. Judah is a lion's whelp; On prey, my son, have you grown. He crouches, lies down like a lion, Like the king of beasts—who dare rouse him?

10. The scepter shall not depart from Judah, Nor the ruler's staff from between his feet; So that tribute shall come to him And the homage of peoples be his.

11. He tethers his donkey to a vine, His ass's foal to a choice vine; He washes his garment in wine, His robe in blood of grapes.

12. His eyes are darker than wine; His teeth are whiter than milk.

13. Zebulun shall dwell by the seashore; He shall be a haven for ships, And his flank shall rest on Sidon.

14. Issachar is a strong-boned donkey, Crouching among the sheepfolds.

15. When he saw how good was security, And how pleasant was the country, He bent his shoulder to the burden, And became a toiling serf.

16. Dan shall govern his people, As one of the tribes of Israel.

17. Dan shall be a serpent by the road, A viper by the path, That bites the horse's heels So that his rider is thrown backward.

18. I wait for Your deliverance, O LORD!

19. Gad shall be raided by raiders, But he shall raid at their heels.

20. Asher's bread shall be rich, And he shall yield royal dainties.

21. Naphtali is a hind let loose, Which yields lovely fawns.

22. Joseph is a wild donkey, A wild donkey by a spring —Wild colts on a hillside.

23. Archers bitterly assailed him; They shot at him and harried him.

24. Yet his bow stayed taut, And his arms were made firm By the hands of the Mighty One of Jacob— There, the Shepherd, the Rock of Israel—

25. The God of your father who helps you, And Sha-kkai who blesses you With blessings of heaven above, Blessings of the deep that couches below, Blessings of the breast and womb. The blessings of your father Surpass the blessings of my ancestors, To the utmost bounds of the eternal hills. May they rest on the head of Joseph, On the brow of the elect of his brothers.

Benjamin is a ravenous wolf; In the morning he consumes the foe, And in the evening he divides the spoil.”

All these were the tribes of Israel, twelve in number, and this is what their father said to them as he bade them farewell, addressing to each a parting word appropriate to him.

B. Moses to the Israelites. Deuteronomy 7-8: Mid-2nd Millennium BCE

And if you do obey these rules and observe them carefully, the LORD your God will maintain faithfully for you the covenant that He made on oath with your fathers: He will favor you and bless you and multiply you; He will bless the issue of your womb and the produce of your soil, your new grain and wine and oil, the calving of your herd and the lambing of your flock, in the land that He swore to your fathers to assign to you.....

....You shall faithfully observe all the Instruction that I enjoin upon you today, that you may thrive and increase and be able to possess the land that the LORD promised on oath to your fathers. Remember the long way that the LORD your God has made you travel in the wilderness these past forty years, that He might test you by hardships to learn what was in your hearts: whether you would keep His commandments or not. He subjected you to the hardship of hunger and then gave you manna to eat, which neither you nor your fathers had ever known, in order to teach you that man does not live on bread alone, but that man may live on anything that the LORD decrees. The clothes upon you did not wear out, nor did your feet swell these forty years. Bear in mind that the LORD your God disciplines you just as a man disciplines his son. Therefore keep the commandments of the LORD your God: walk in His ways and revere Him. For the LORD your God is bringing you into a good land, a land with streams and springs and fountains issuing from plain and hill; a land of wheat and barley, of vines, figs, and pomegranates, a land of olive trees and honey; a land where you may eat food without stint, where you will lack nothing; a land whose rocks are iron and from whose hills you can mine copper. When you have eaten your fill, give thanks to the LORD your God for the good land which He has given you. Take care lest you forget the LORD your God and fail to keep His commandments, His rules, and His laws, which I enjoin upon you today. When you have eaten your fill, and have built fine houses to live in, and your herds and flocks have multiplied, and your silver and gold have increased, and everything you own has prospered,

beware lest your heart grow haughty and you forget the LORD your God—who freed you from the land of Egypt, the house of bondage; who led you through the great and terrible wilderness with its seraph serpents and scorpions, a parched land with no water in it, who brought forth water for you from the flinty rock; who fed you in the wilderness with manna, which your fathers had never known, in order to test you by hardships only to benefit you in the end— and you say to yourselves, “My own power and the might of my own hand have won this wealth for me.” Remember that it is the LORD your God who gives you the power to get wealth, in fulfillment of the covenant that He made on oath with your fathers, as is still the case. If you do forget the LORD your God and follow other gods to serve them or bow down to them, I warn you this day that you shall certainly perish; like the nations that the LORD will cause to perish before you, so shall you perish—because you did not heed the LORD your God. Hear, O Israel! You are about to cross the Jordan to go in and dispossess nations greater and more populous than you: great cities with walls sky-high; a people great and tall, the Anakites, of whom you have knowledge; for you have heard it said, “Who can stand up to the children of Anak?” Know then this day that none other than the LORD your God is crossing at your head, a devouring fire; it is He who will wipe them out.

C. Moses to the Israelites. Deuteronomy 10: Mid-2nd Millennium BCE

12 And now, Israel, what doth the LORD thy God require of thee, but to fear the LORD thy God, to walk in all His ways, and to love Him, and to serve the LORD thy God with all thy heart and with all thy soul

13 to keep for thy good the commandments of the LORD, and His statutes, which I command thee this day?

14 Behold, unto the LORD thy God belongeth the heaven, and the heaven of heavens, the earth, with all that therein is.

D. David to his son, Solomon, Kings 1, ch. 2. circa 10th Century BCE

1. When David's life was drawing to a close, he instructed his son Solomon as follows:

2. "I am going the way of all the earth; be strong and show yourself a man.

3. Keep the charge of the LORD your God, walking in His ways and following His laws, His commandments, His rules, and His admonitions as recorded in the Teaching of Moses, in order that you may succeed in whatever you undertake and wherever you turn.

4. Then the LORD will fulfill the promise that He made concerning me: 'If your descendants are scrupulous in their conduct, and walk before Me faithfully, with all their heart and soul, your line on the throne of Israel shall never end!'

5. "Further, you know what Joab son of Zeruiah did to me, what he did to the two commanders of Israel's forces, Abner son of Ner and Amasa son of Jether: he killed them, shedding blood of war in peacetime, staining the girdle of his loins and the sandals on his feet with blood of war.

6. So act in accordance with your wisdom, and see that his white hair does not go down to Sheol in peace.

7. "But deal graciously with the sons of Barzillai the Gileadite, for they befriended me when I fled from your brother Absalom; let them be among those that eat at your table.

8. "You must also deal with Shimei son of Gera, the Benjaminite from Bahurim. He insulted me outrageously when I was on my way to Mahanaim; but he came down to meet me at the Jordan, and I swore to him by the LORD: 'I will not put you to the sword.'

9. So do not let him go unpunished; for you are a wise man and you will know how to deal with him and send his gray hair down to Sheol in blood."

10. So David slept with his fathers, and he was buried in the City of David.

IV. MISHNAIC TIMES: Second Temple Period and Post Destructions

(First Temple Destroyed 586BCE) and Second Temple Destroyed 70CE

These statements were made around the 1st Century BCE and include statements from 1st-2nd century CE as well

A. Ethics of the Fathers

1. Moshe received the Torah from Sinai and transmitted it to Yehoshua, and Yehoshua to the Elders, and the Elders to the Prophets, and the Prophets transmitted it to the Men of the Great Assembly. They said three things: Be deliberate in judgment, raise up many disciples and make a fence for the Torah.
2. Shimon the Righteous was from the remnants of the Great Assembly. He would say, "On three things the world stands: on the Torah, on the service and on acts of lovingkindness."
3. Antigonos, man of Sokho, received from Shimon the Righteous. He would say, "Do not be as servants who are serving the master in order to receive a reward, rather be as servants who are serving the master not in order to receive a reward; and may the fear of Heaven be upon you."
4. Yose ben Yoezer, man of Tsreida, and Yose ben Yochanan, man of Jerusalem, received from him. Yose ben Yoezer says, "May your house be a meeting house for Sages, become dirty in the dust of their feet and drink their words thirstily."
5. Hillel and Shammai received from them. Hillel says, "Be of the disciples of Aharon, loving peace and pursuing peace, loving the creatures and bringing them closer to Torah."

V. MEDIEVAL TIMES: Circa 1000-1500 CE

Ethical Wills

"Many Jews were in the habit of writing wills, in Hebrew, in which they imparted instruction of an ethical and religious nature to their children and to their descendants. Such ethical testaments were not uncommon among Moslems and Christians at this time."

Many of these Jewish ethical wills, such as A Father's Admonition, which follows, are valuable for the insight they give us into the cultural and social life of the individual Jew of some particular land at some specific period. Others, such as the Testament of Eleazar of Mayence [Mainz], are valuable in that they reflect the moral and ethical views of a pious Jew. The texts here are excerpts.

The Admonition of Judah ibn Tibbon (1120about 1190) is thus particularly important because it throws light on the intellectual interests of a cultured Spanish Jew. Judah ibn Tibbon was born in Granada; he migrated to Lunel, in enlightened southern France, probably because of the

religious bigotry of the fanatical Moslem Almohades He was the "father of translators" from Arabic into Hebrew His son, Samuel ibn Tibbon (about 1150about 1230), for whom this lofty yough rather querulous Admonition was written, succeeded in becoming an even greater translator than his father. Samuel's most valuable piece of work is the translation from Arabic into Hebrew of Maimonides' Guide for the Perplexed.

The Testament of Eleazar of Mayence, parts of which follow as the second selection, is the work of the simple and frank German Jew, Eleazar ben Samuel HaLevi of Mayence [Mainz], who died in his native city on the first day of the Jewish New Year of 1357."

SOURCE: Jacob Marcus, *The Jew in the Medieval World: A Sourcebook*, 315-1791, (New York: JPS, 1938), 309-316. English modernized here. Can be Found on the web Fordham University Medieval Text Library <http://www.fordham.edu/halsall/source/jewish-wills.html>

A. A FATHER'S ADMONITION *The Ethical Will of Judah ibn Tibbon, France, about 1160-1180 CE*

My son, list to my precepts, neglect none of my injunctions. Set my admonition before your eyes; thus shall you prosper and prolong your days in pleasantness!

You know, my son, how I swaddled your and brought your up, how I led your in the paths of wisdom and virtue. I fed and clothed your; I spent myself in educating and protecting your. I sacrificed my sleep to make your wise beyond your fellows and to raise your to the highest degree of science and morals. These twelve years I have denied myself the usual pleasures and relaxations of men for your sake, and I still toil for your inheritance. [After the death of his wife the father devoted his time to Samuel, his son.]

I have honored you by providing an extensive library for your use, and have thus relieved your of the necessity to borrow books. Most students must bustle about to seek books, often without finding them. But you, thanks be to God, lend and borrow not many books, indeed, you own two or three copies. I have besides made for your books on all sciences, hoping that your hand might find them all as a nest. [The father probably compiled reference books for the use of the son.]

Seeing that your Creator had graced your with a wise and understanding heart, I journeyed to the ends of the earth and fetched for your a teacher in secular sciences. I minded neither the expense nor the danger of the ways. Untold evil might have befallen me and your on those travels, had not the Lord been with us!

But you, my son! did deceive my hopes. You did not choose to employ your abilities, hiding yourself from all your books, not caring to know them or even their titles. Had you seen your own books in the hand of others, you would not have recognized them; had you needed one of them, you would not have known whether it was with your or not, without asking me; you did not even consult the catalogue of your library....

Therefore, my son! Stay not your hand when I have left your, but devote yourself to the study of the Torah and to the science of medicine. But chiefly occupy yourself with the Torah, for you have a wise and understanding heart, and all that is needful on your part is ambition and

application. I know that you wilt repent of the past, as many have repented before your of their youthful indolence. . .

Let your countenance shine upon the sons of men; tend their sick and may your advice cure them. Though you take fees from the rich, heal the poor gratuitously; the Lord will requite you. Thereby shall you find favor and good understanding in the sight of God and man. Thus wilt you win the respect of high and low among Jews and non Jews, and your good name will go forth far and wide You wilt rejoice your friends and make your foes envious. For remember what is written in the *Choice of Pearls* [53:617, of Ibn Gabirol]: "How shall one take vengeance on an enemy? By increasing one's own good qualities."....

My son! Examine regularly, once a week, your drugs and medicinal herbs, and do not employ an ingredient whose properties are unknown to your. I have often impressed this on your in vain....

My son! I command your to honor your wife to your utmost capacity. She is intelligent and modest, a daughter of a distinguished and educated family. She is a good housewife and mother, and no spendthrift. Her tastes are simple, whether in food or dress. Remember her assiduous tendance of your in your illness, though she had been brought up in elegance and luxury. Remember how she afterwards reared your son without man or woman to help her. Were she a hired nurse, she would have earned your esteem and forbearance; how much the more, since she is the wife of your bosom, the daughter of the great, art you bound to treat her with consideration and respect. To act otherwise is the way of the contemptible. The Arab philosopher [probably AlGhazali, 10581112] says of women: "None but the honorable honors them, none but the despicable despises them."....

If you would acquire my love, honor her with all your might; do not exercise too severe an authority over her; our Sages [Gittin 6b] have expressly warned men against this. If you give orders or reprove, let your words be gentle. Enough is it if your displeasure is visible in your look; let it not be vented in actual rage. Let your expenditure be well ordered. It is remarked in the *Choice of Pearls* [1: 3] "Expenditure properly managed makes half an income." And there is an olden proverb: "Go to bed without supper and rise without debt." Defile not the honor of your countenance by borrowing; may the Creator save your from that habit!

Examine your Hebrew books at every New Moon, the Arabic volumes once in two months, and the bound codices once every quarter. [Arabic and Latin were the languages of science in Spain, the Provence, and southern Italy.] Arrange your library in fair orders so as to avoid wearying yourself in searching for the book you need. Always know the case and the chest where the book should be. A good plan would be to set in each compartment a written list of the books therein contained. If, then, you art looking for a book, you can see from the list the exact shelf it occupies without disarranging all the books in the search for one. Examine the those leaves in the volumes and bundles, and preserve them. These fragments contain very important matters which I collected and copied out. Do not destroy any writing or letter of all that I have left. And cast your eve frequently over the catalogue so as to remember what books are in your library.

Never intermit your regular readings with your teacher; study in the college of your master on certain evenings before sitting down to: read with the young. Whatever you have learned from me or from your teachers, impart it again regularly to worthy pupils, so that you may retain it, for by teaching it to others you wilt know it by heart, and their questions will compel your to precision, and remove any doubts from your own mind.

Never refuse to lend books to anyone who has not the means to purchase books for himself, but only act thus to those who can be trusted to return the volumes. [Before the invention of printing each book was written by hand and was therefore expensive.] You know what our sages said in the Talmud, on the text: "Wealth and riches are in his house; and his merit endures for ever." [Ketubot 50a applies this verse, Psalm 112: 3, to one who lends his copies of the Bible.] But, [Proverbs 3:27] "Withhold not good from him to whom it is due," [you owe it to your books to protect them] and take particular care of your books. Cover the bookcases with rugs of fine quality, and preserve them from damp and mice, and from all manner of injury, for your books are your good treasure. If you lend a volume, make a memorandum before it leaves your house, and when it is returned, draw your pen over the entry. Every Passover and Tabernacles [that is, every six months] call in all books out on loan.

I enjoin on you, my son, to read this, my testament, once daily, at morn or at eve. Apply your heart to the fulfillment of its behests, and to the performance of all therein written. Then wilt you make your ways prosperous, then shall you have good success.

B. Letter of Ramban: Nachmanides circa 1260's

Nachmanides fled Spain after the Barcelona disputation in which he defeated Pablo Christiani in front of the Enlightened Christian Ruler, King James of Aragon. The following is a letter to his son.

Hear, my son, the instruction of your father and don't forsake the teaching of your mother (Mishlei 1:8).

Get into the habit of always speaking calmly to everyone. This will prevent you from anger, a serious character flaw which causes people to sin. As our Rabbis said (Nedarim 22a): Whoever flares up in anger is subject to the discipline of Gehinnom as it is says in (Koheles 12:10), "Cast out anger from your heart, and [by doing this] remove evil from your flesh." "Evil" here means Gehinnom, as we read (Mishlei 16:4): "...and the wicked are destined for the day of evil."

Once you have distanced yourself from anger, the quality of humility will enter your heart. This radiant quality is the finest of all admirable traits (see Avodah Zarah 20b), because (Mishlei 22:4), "Following humility comes the fear of Hashem."

Through humility you will also come to fear Hashem. It will cause you to always think about (see Avos 3:1) where you came from and where you are going, and that while alive you are only like a maggot and a worm, and the same after death. It will also remind you before Whom you will be judged, the King of Glory, as it is stated (I Melachim 8:27; Mishlei 15:11), "Even the heaven and the heavens of heaven can't contain You" -- "How much less the hearts of people!" It is also written (Yirmeyahu 23:24), "Do I not fill heaven and earth? says Hashem."

When you think about all these things, you will come to fear Hashem who created you, and you will protect yourself from sinning and therefore be happy with whatever happens to you. Also, when you act humbly and modestly before everyone, and are afraid of Hashem and of sin, the radiance of His glory and the spirit of the Shechina will rest upon you, and you will live the life of the World-to-Come! And now, my son, understand and observe that whoever feels that he is greater than others is rebelling against the Kingship of Hashem, because he is adorning himself with His garments, as it is

written (Tehillim 93:1), "Hashem reigns, He wears clothes of pride." Why should one feel proud? Is it because of wealth? Hashem makes one poor or rich (I Shmuel 2:7). Is it because of honor? It belongs to Hashem, as we read (I Divrei Hayamim 29:12), "Wealth and honor come from You." So how could one adorn himself with Hashem's honor? And one who is proud of his wisdom surely knows that Hashem "takes away the speech of assured men and reasoning from the sages" (Iyov 12:20)!? So we see that everyone is the same before Hashem, since with His anger He lowers the proud and when He wishes He raises the low. So lower yourself and Hashem will lift you up!

Therefore, I will now explain to you how to always behave humbly.

Speak gently at all times, with your head bowed, your eyes looking down to the ground and your heart focusing on Hashem. Don't look at the face of the person to whom you are speaking. Consider everyone as greater than yourself. If he is wise or rich, you should give him respect. If he is poor and you are richer -- or wiser -- than he, consider yourself to be more guilty than he, and that he is more worthy than you, since when he sins it is through error, while yours is deliberate and you should know better!

In all your actions, words and thoughts, always regard yourself as standing before Hashem, with His Shechinah above you, for His glory fills the whole world. Speak with fear and awe, as a slave standing before his master. Act with restraint in front of everyone. When someone calls you, don't answer loudly, but gently and softly, as one who stands before his master.

Torah should always be learned diligently, so you will be able to fulfill it's commands. When you arise from your learning reflect carefully on what you have studied, in order to see what in it that you can be put into practice. Examine your actions every morning and evening, and in this way every one of your days will be spent in teshuvah (repentance).

Concentrate on your prayers by removing all worldly concerns from your heart. Prepare your heart before Hashem, purify your thoughts and think about what you are going to say. If you follow this in all your daily actions, you will not come to sin. This way everything you do will be proper, and your prayer will be pure, clear, clean, devout and acceptable to Hashem, as it is written (Tehillim 10:17), "When their heart is directed to You, listen to them."

Read this letter at least once a week and neglect none of it. Fulfill it, and in so doing, walk with it forever in the ways of Hashem, may he be blessed, so that you will succeed in all your ways. Thus you will succeed and merit the World to Come which lies hidden away for the righteous. Every day that you shall read this letter, heaven shall answer your heart's desires. Amen, Sela!

C. THE TESTAMENT OF ELEAZAR OF MAYENCE. *Germany, about 1357*

These are the things which my sons and daughters shall do at my request. They shall go to the house of prayer morning and evening, and shall pay special regard to the *tefillah* / the "Eighteen Benedictions" and the *shema* [Deuteronomy 6:4]. So soon as the service is over, they shall occupy themselves a little with the Torah [the Pentateuch], the Psalms, or with works of charity. Their business must be conducted honestly, in their dealings both with Jew and Gentile. They must be gentle in their manners and prompt to accede to every honorable request. They must not talk more than is necessary; by this will they be saved from slander, falsehood, and frivolity. They shall give an exact tithe of all their possessions: they shall never turn away a poor man

empty-handed, but must give him what they can, be it much or little. If he beg a lodging over night, and they know him not, let them provide him with the wherewithal to pay an innkeeper. Thus shall they satisfy the needs of the poor in every possible way....

If they can by any means contrive it, my sons and daughters should live in communities, and not isolated from other Jews, so that their sons and daughters may learn the ways of Judaism. Even if compelled to solicit from others the money to pay a teacher, they must not let the young of both sexes go without instruction in the Torah. Marry your children, O my sons and daughters, as soon as their age is ripe, to members of respectable families. [Boys of thirteen and girls of twelve were considered ready for marriage.] Let no child of mine hunt after money by making a low match for that object; but if the family is undistinguished only on the mother's side, it does not matter, for all Israel counts descent from the father's side. ...

I earnestly beg my children to be tolerant and humble to all, as I was throughout my life. Should cause for dissension present itself, be slow to accept the quarrel; seek peace and pursue it with all the vigor at your command. Even if you suffer loss thereby, forbear and forgive, for God has many ways of feeding and sustaining His creatures. To the slanderer do not retaliate with counterattack; and though it be proper to rebut false accusations, yet is it most desirable to set an example of reticence. You yourselves must avoid uttering any slander, for so will you win affection. In trade be true, never grasping at what belongs to another. For by avoiding these wrongs-scandal, falsehood, moneygrubbing-men will surely find tranquillity and affection. And against all evils, silence is the best safeguard

Be very particular to keep your houses clean and tidy. [These ideas are interesting coming from a man who lived through the Black Death of 1349.] I was always scrupulous on this point, for every injurious condition and sickness and poverty are to be found in foul dwellings. Be careful over the benedictions; accept no divine gift without paying back the Giver's part; and His part is man's grateful acknowledgment. [Pay God for His blessings by blessing Him.]..

On holidays and festivals and Sabbaths seek to make happy the poor, the unfortunate, widows and orphans, who should always be guests at your tables; their joyous entertainment is a religious duty. I let me repeat my warning against gossip and scandal. And as you Speak no scandal, so listen to none; for if there were no receivers there would be no bearers of slanderous tales; therefore the reception and credit of slander is as serious an offense as the originating of it. The less you say, the less cause you give for animosity, while . [Proverbs 10:19] "in the multitude of words there wants transgression ."

I beg of you, my sons and daughters, my wife, and all the congregation, that no funeral oration be spoken in my honor. Do carry my body on a bier, but in a coach. Wash me clean, comb my hair, trim my nails, as I was wont to do in my lifetime, so that may go clean to my eternal rest, as I went clean to synagogue every Sabbath day. If the ordinary officials dislike the duty, let adequate payment be made to some poor man who shall render this service carefully and not perfunctorily. [The dead were washed by *Hebra Kaddisha*, "*Holy Brotherhood*"]

At a distance of thirty cubits from the grave, they shall set my coffin on the ground, and drag me to the grave by a rope attached to the coffin. [This is a symbolic punishment to atone for sins committed during lifetime, and, probably to anticipate the punishment of hell, *hibbut ha-keber*] Every four cubits they shall stand and wait awhile, doing this in all seven times, so that I may find atonement for my sins. Put me in the ground at the right hand of my father, and if the space be a little narrow I am sure that he loves me well enough to make room for me by his side. If this

be altogether impossible put me on his left, or near my grandmother, Yura. Should this also be impractical, let me be buried by the side of my daughter.

VI. EARLY MODERN PERIOD. 17th Century

A. Gluckel of Hamelin.

Born in Hamburg in either 1646 or 1647, Glückel was married at age fourteen to Chayim Hameln, at which time she went to reside with her husband in his parents' home in Hameln (Germany). She would soon thereafter become the active partner and a decision maker in her husband's business, as evinced by the following words, uttered by Chayim Hameln on his deathbed upon being asked if he had any last wishes: "None. My wife knows everything. She shall do as she has always done." Glückel further bolsters this statement when she asserts that "... I too did my share. Not that I mean to boast, but my husband took advice from no one else, and did nothing without our talking it over." Chayim Hameln and his wife, Glückel's livelihood was based primarily on trading in jewelry and precious stones, as well as money lending and other business enterprises.

"I am writing down these many details, dear children mine, so you may know from what sort of people you have sprung, lest today or tomorrow your beloved children or grandchildren come and know naught of their family."

Text from I. Abraham as well as cited from YIVO Institute Abrahams, I, Hebrew Ethical Wills, 2 vols. A fine collection of Jewish ethical wills.

VII. MODERN PERIOD- First half of the 20th Century

A. Holocaust Ethical Wills: Texts are from the Museum of Jewish History on-line library:

1. *Dr. Elchanan Elkes was chairman of the Jewish Council in the Kovno Ghetto in Lithuania. A man of unique moral stature and courage, he was a Zionist, and encouraged resistance activities in defiance of Nazi orders. Prior to the liquidation of the ghetto, he was sent to Kaufering concentration camp, where he died of typhus. Though Dr. Elkes perished, his ethical will, written in Hebrew on October 19, 1943 reproduced here was smuggled out of the ghetto and ultimately reached his son, Joel, in England.*

Jewish Defiance in the Holocaust 41 Kovno Ghetto, October 19, 1943:

My beloved son and daughter! I am writing these lines to you, my beloved children, after we have been here, in the Valley of Tears [Psalms, 84:7], the Kovno Ghetto, for more than two years. We have learned that in the very near future our fate will be decided: the Ghetto in which we find ourselves will be crushed and torn asunder. We fear that only those capable of slave labor will live; the rest are probably sentenced to death. With my own ears I have heard the awful symphony of weeping, wailing and screaming of tens of thousands of men, women and children, which have rent the heavens. No one throughout the ages has heard such a sound. Along with many of these martyrs I have quarreled with my Creator, and with them I cried out from a broken heart, 'Who is as silent as you, O Lord!' In the most excruciating moments of our life you, my beloved, have always been food for our thoughts and nourishment for our hearts. During the long black nights, your beloved mother would sit beside me and we would both dream of your life and future. Our most fervent desire is to see you again, to embrace you and tell you over and over how closely we are tied to you and how our hearts throb whenever we remember you. I doubt very much, my most beloved children, that I shall ever see you again, or clasp you again to my heart, and before I depart this world and from you, my most precious, I'd like to tell you for the nth time how much we cherish you and how much our souls yearn for you. My beloved Yoel! Be a loyal son to your people. Try with all your might to settle in the Land of Israel. Tie your destiny and future up with the land of our future. As to you, my beloved daughter Sarah, I trust, my precious, your clear common sense and sound judgment. Take the road of life together, hand in hand. Let no distance part separate you, let no event of life tear you asunder. Remember, both of you, what Amalek has done to us. Remember that and don't forget it for the rest of your lives and pass this memory as a sacred testimony to future generations. For a fleeting moment I close my eyes and behold you two standing before me. I embrace and kiss you and say to you that I am your loving father to my very last breath.

2. Ben-Zion Rapoport wrote this letter to his son, daughter-in-law and granddaughters, in Nowy Sacz, Poland. The letter was written in Hebrew on June 9, 1942.

I have been longing to speak with you, at least in writing, and to pour out my heart to you. We see now that all our worries of before the war were foolish, and all our upsets for nothing. When we lacked nothing, had a large, spacious apartment, and were secure; what did we have to worry about and why did we get upset? The only way to choose is the one of faith and confidence. Man must do all he can, and for the rest, he must trust in God, who can do everything. "Cast your burden on the Lord, and He will sustain you." [Psalms 55:23] Another important thing that I want to emphasize is to guard your tongue from speaking falsehood, from slander, gossip, and judging people harshly. These are, in my opinion, the most important principles of a pure life: truth, faith and trust in God, and guarding your speech, and the rest is interpretation.