

## Notes for an Ethical Will

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All the talk has been about the coming intergenerational transfer of wealth. Over the next couple of decades this wildly rich generation is going to transfer trillions of dollars to its children and grandchildren. The process has already begun: Sam Walton's billions are now divided among his heirs. Warren Buffett has apparently established a foundation into which the great bulk of his fortune will go. Walton seems to have given his heirs great discretion in what to do with the money he left them; Buffett seems to have spelled out his intentions more clearly.

The ancient Jewish tradition of the "ethical will" teaches that one should write two wills: the first will is the familiar form that specifies what is to be done with wealth and property; the other, called an "ethical will," summarizes the values that one most wants to pass on. For many people, including many of the very wealthy, the transmission of social and moral values is at least as important as the gifts of wealth and property. What use is it to transfer wealth and property to people who lack moral values to guide them in the use of it?

The coming intergenerational transfer of wealth - said to be the greatest such transfer in the history of the world - provides a teachable moment: a time to think hard about the values that will survive the end of one millennium into the beginning of the next. Three questions come to mind.

The first question is whether we can learn anything about past intergenerational transfer of values. One example: The negative tone of the word "Victorian" suggests that

Victorian social and moral values didn't survive the transition into the new century, from a century in which England was the great power to a century in which the United States became the great power. Familiar generalizations from survey courses in Western Civilization remind us that traditions have failed to survive before, and presumably will again, especially if their transmission is taken for granted.

The second question assumes that the coming generations may want to accept our money but not our values. Given that possibility, the present generation may want to control what happens by attaching strings to the use of its money before passing it on.

One string is already attached, although hidden: it is the education and inculcation in values that has already taken place. Our children are to some extent "our" children: to some extent they reflect our efforts to help them become moral and responsible. If there is a moral crisis, as historians like Gertrude Himmelfarb contend, it is a crisis of our own making. Some critics tend to blame the crisis on poisonous ideas that weaken individual responsibility; others blame the crisis on selfishness and meanspiritedness. Others (mostly liberals) blame a mindless technology, an invisible hand that is an iron fist, crushing those who would stand in its way. Still others (mostly conservatives) blame a spineless education, teaching neither morals nor math. What do we really know about what we have already taught?

The third question is what should be done about the transmission of values. What can the present generation do about the values of its children and grandchildren?

Perhaps not much more than we can do about our own values in the kind of society we have inherited and developed. We need look only at our own experience. "Future shock" was a destabilizing phenomenon forty years ago; technological change was happening faster than

human psychology could absorb and adapt to; the pace of change has only speeded up, and at an increasing rate, since then. The different time frames of advancing technology and ethical understanding become wildly out of synch. If the shift from the small town community values to the big city urban values characterized the 19<sup>th</sup> and 20<sup>th</sup> centuries, what can coming generations look forward to in the virtual reality of life in cyberspace in the 21st?

Baffling new ethical and social problems appear every day. Two examples: The most recent ethical crisis appears with the announcement that scientists can grow primordial human cells in the laboratory, enabling humans in the foreseeable future to modify human life in far more fundamental ways than ever before possible. "The foreseeable future?" To me, that means "during the lifetime of the next generation." The continuing revolution in biological science that began after World War II presents each new generation with quandaries that confound the public morals.

The second example: The very technology that promises to create a biochemical utopia may come crashing down around our ears because of "the Y2K problem" that appears to most laymen to be a ludicrous but possibly catastrophic prank. "Not with a bang, but a whimper?" Not with a whimper but a colossal power failure.

Things are happening too fast, changing too drastically. A theologian named Gordon Dunstan thirty years ago said that the quandaries of medical ethics created by new technology called for an "artifice of ethics," the making of a new ethics appropriate to new problems. Fifteen years ago, the philosophers Stephen Toulmin and Albert Jonsen argued that we would find the best way to deal with contemporary ethical stalemates not in an ethical theories yet to be proposed but by rediscovering the moral science of casuistry, itself an artifice of ethics, widely employed two centuries ago.

The ethical problems my generation has faced will take forms that call for new exercise of the moral imagination in my children and grandchildren. Will the ethics that underlies the ethical wills of this generation be the same ethics that guides the next generation? Are underlying values of past centuries withering away or is there a "moral core" that provides a lifeline across the millennia?

IF there is a next century and a next millennium, and IF the great fortunes survive to pass on their wealth, and IF our children and grandchildren have more than a pile of unusable junk to work with - what will we tell them about what is most important that might pass from our lives into theirs?

It is not at all clear where we are headed. We don't even seem to know where we will be when the first day of the next millennium arrives.

My students and I have been reading John Stuart Mill's little book, *On Liberty*, published in 1859, the same year as Darwin's *The Origin of Species*. Will "liberty" be a word in our ethical will? Will "evolution"? Will Mill be read in 2059? Will Darwin?

The historian Isaiah Berlin commented that Mill was flummoxed by the future; he didn't have a very good sense of where history was headed. I don't, either. All I have is the deep intuitive sense that some of the ideas and values that I have inherited from the recent and distant past are precious and worth transmitting to my children and grandchildren, for them to think about and accept or reject as they will. The best gift of all is to help them have minds of their own.

These are notes for my own ethical will, a text I've been thinking about for a long time. Perhaps you've made notes for an ethical will of your own, or have already put it on paper. It's important - perhaps more important than your money.