

A REFLECTION ON THE ROLE OF ELDERS IN A SYSTEM OF FAMILY GOVERNANCE

By James E. Hughes, Jr., Esq.

Some years ago when I was developing the ideas for my book on family governance, *Family Wealth, Keeping it in the Family* I tried to establish rules that would parallel the three branches of most democratic governments, legislative, executive and judicial.

I found it easy to imagine how a family using the idea of all of its adult members serving as an assembly, could develop a legislative branch. I imagined that this branch would:

- (a) Develop the rules for the family's governance and at annual family meetings debate these rules to assure excellent governance.
- (b) Vote on the formation of, and candidates for, the family's executive branch, and for the establishment of such other committees and their memberships as would be necessary to achieve the Family Assembly's goals.
- (c) Debate and develop the family's mission statement and discuss such changes to it as would assure that the family's values and goals were clearly defined and were being practiced by all the family's internal and external advisers.
- (d) Annually review the action of all its representatives to assure their excellence.

The second branch of family governance, the executive, was also relatively easy to envision. I imagined that in this branch, normally called the Family Council, representatives of the family, as selected by the Family Assembly, would:

- (a) Execute the decisions made by the Family Assembly in the year following the actions of the Family Assembly.
- (b) Select and supervise outside advisers as needed to implement Family Assembly decisions.
- (c) Make proposals to the Family Assembly for such new policies, procedures and actions as it believed necessary to meet challenges to the family and to its governance system.

- (d) Be responsible for the nomination of new Family Council members and for new members of other family committees.
- (e) Assist with the preparation of the agendas for annual family meetings, and for such other meetings of the family or its committees as should be required.
- (f) Be charged with the responsibility for the preparation of annual Family Balance Sheets and Income Statements, and with the underlying annual reviews of every family member necessary to compile the information for these family assessment reports.
- (g) In the event the Family Assembly adopts a policy of Peer Reviews, the Family Council would arrange for such periodic reviews.
- (h) If the Family Assembly determines that a “Family Bank” an “Investor Allocation” program should be developed for the family, the family executive would arrange for the establishment and operation of these programs.

When I moved to the establishment of a judicial branch, I ran into a roadblock. I could not intuit what kind of body I could introduce into a family governance system which could:

- (a) Effectively deal with internal family disputes.
- (b) Enforce its judgments on such disputes
- (c) Render the advisory opinions to the family needed to assure that the family’s legislative and executive bodies were reflecting the family’s values and goals in the process of governance.
- (d) Tell the family’s stories

As with the solution to so many of the deepest problems, the answer lay right under my nose. I simply wasn’t willing to look at how my own family works. In our family governance system, we have a Family Assembly consisting of my parents, my siblings and their spouses and significant others, and the eleven (11) grandchildren and their spouses. We meet annually as an assembly to do the work of the legislative branch. During the year, between meetings, we have a Family Council acting as the executive branch that administers the family foundation, a family limited partnership, and such

other work as the Assembly assigns to it. On those infrequent (and we as a family are working very hard that they should remain infrequent) occasions when a dispute arises among family members, these matters naturally flow up for decision to my parents and such other members of the sibling generation as my parents choose to invite to participate with them in resolving the matter. This informal system has served us very well during the transition in leadership of family governance from my parents to my generation and has provided us with a judicial branch of family governance although we certainly didn't recognize it as such. We have now formally acknowledged that we have a judicial branch of family governance and we call it "The Council of Elders". In addition to dispute resolution, we are using the judicial branch of family governance to deepen our sense of our family's "differentness", its uniqueness. We ask the Elders to remind us at our family meetings of our core values as they pass down to us from prior family generations and through their telling of the family's stories. We ask them to remind us of the 7th Generation wisdom of the Iroquois that "It should be our hope that the care and thoughtfulness we bring to our decision making today will be remembered and honored by our descendants 7 generations from today". We ask them to remind us that we are a long-term enterprise endeavoring to dynamically preserve our family and its "differentness" and thus to "hasten slowly". We are also asking the Elders to provide us their wisdom in developing a mission statement for our family's charitable foundation and for all the other business activities of the family. Finally, as we evolve our system of representative family governance, we are asking the Council of Elders to remind us when we don't follow our own rules properly, and to assist us, using our core values, to evolve new procedures to meet new situations. In each of these roles, the Council of Elders is performing the role in family governance of the judicial branch.

Relevant to my study of cultural anthropology and as I have observed the evolution of the Council of Elders in my own family, I have been reminded that families as they extend into the third, fourth, fifth and later generations, become tribes. These tribes then recreate, as if new, the same basic governance structures that anthropologists have observed are common to all tribes from our earliest moments as the species homo sapiens sapiens. In this process families recognize that as their numbers grow by birth and by marriage, they have a need for greater structure to successfully manage the

family's business whether it lies in the human, intellectual, financial or social capital dimensions of the family's activities.

Anthropology tells us that as families evolve into more complex organizations, they proceed through the stage of clans to their ultimate evolution as a tribes. In this reflection, I'm going to skip the clan period and move directly to the family's becoming a tribe. I would suggest, however, that each reader reflect on your individual family's stage of evolution to know where in this continuum your family's governance evolution may currently reside.

Anthropology teaches us that tribal governance consists of the three branches that we have already discussed: the Assembly, normally consisting of the adult members of the tribe, the Executive or Family Council, embodied in the chiefs and the medicine men and women, and the Council of Elders frequently embodied in the oldest female and sometimes male members of the tribe. Anthropology often refers to these elder female as "crones". There is quite serious literature on this role, perhaps the best of which is a book called *The Crone: Women of Age, Wisdom and Power* by Barbara Walker^[1]. Throughout our 130,000 years plus or minus, as homo sapiens we have learned that those who possess the tribe's history and the wisdom that often comes with age, are, those to whom the tribe should naturally look to resolve disputes among the tribes members. They also hold the tribe to the rules of its governance that have arisen out of its history. It is not surprising that this role has fallen to the eldest women in the tribe. These women are normally the longest lived members of the tribe and therefore have the greatest experience of the tribe's history and process of governance. In addition, as C. G. Jung taught us, women, as they age and pass through their change of life, often move into a period of power and leadership within society from a period of life focused on relationship. This is the process Jung describes as women seeking to integrate their female principle of anima with the male principle of animus. As an example, how often, in our modern society do we see women taking on powerful new roles in society after they have passed through this biological change?^[2] In my opinion much of what our society defines as new feminism is not new; if we are prepared to review our whole history as a species and as tribes, it is simply that we are seeing the rebirth of the fundamental role in tribal society and its governance of the traditional role of the crone.

As I have thought more deeply about the development of the judicial branch in family governance, I have realized that the evolution of this branch can answer two deeply held questions posed by many families as they evolve their systems of family governance, these are:

- 1) What is the appropriate role in family governance for the senior generation of the family? as asked by younger generation family members moving into leadership positions in the family and:
- 2) What role can I have in family governance that keeps me active and participating in a way that is appropriate to my seniority but does not cripple the growth and leadership of my children as asked by the senior generation of the family?

These two questions and the answers to them are, in my experience critical to whether or not a family will make the decisions and take the necessary actions to implement a system of family governance. In my early work with families I couldn't understand why the family would meet, have excellent discussions, make decisions and then nothing would happen; the process would never take off. After asking more and more searching questions of these families, I discovered that the above two questions were present in the minds of the two generations called to form the system of family governance. However, the questions were thought, by the family members, to be too risky to the family dynamic to be voiced. In the parent generation, the parents often feared that if they gave up part of their prior monopoly on family decision making to the Family Assembly they would gradually be pushed aside and lose their place and influence. In the children's generation there was a fear that they would take responsibility as requested by their parents, and then at the first opportunity to actually exercise this authority, their parents would pull the proverbial rug out from under them, by vetoing their decisions. When you have both parties to any joint decision making process entering that process with fear about its outcome, rather than positive commitment to its outcome, it is highly unlikely the process will work. In my opinion for the successful evolution of a judicial branch of family governance both generations of a family must enter the process of joint decision making with positive enthusiasm. For positive enthusiasm to exist, answers to these two questions and to the fears that underlie

them must be found. I believe the answers lie in defining a role for the parent generation that is appropriate and natural and that relies on the traditional roles of elders which tribal organizations have evolved for their successful governance. If the parent generation feels that it can relinquish day-to-day decision making while retaining a role in the family's longest term decisions, where its wisdom and knowledge of family tribal history will have their greatest impact, successful generational transitions in family governance can and do occur. The families I work with are proof positive of this as is my own. Giving the parent generation a continuing role in the spiritual evolution of the family and in the settlement of internal family disputes are two critical areas of family governance where elders can be of immense help. These are roles which the parent generation will immediately see as appropriate to its stage of life and which will usefully employ its wisdom and experience. Appealing to the higher instincts of human beings will always, in my experience, bring out the best in each of us. In this area of family governance, the same proposition will work to a family's benefit when it assists the parent generation in using what it considers best about itself as a gift to the future generations of its family.

A family evolving toward joint decision making over a long period of time can help this process significantly if it finds a way as each generation moves from third to second to first to capture the wisdom and experience of its forebears. This will enable it to overcome the universal cultural proverb "shirt sleeves to shirt sleeves" in three generations. Creating a place, I suggest a Council of Elders, to repose the family wisdom and history and from which the resolution of family disputes can flow, offers a place and role in family governance to which all family members can aspire. It offers a recognition to the true elders in our family tribes of their usefulness and their critical importance to our families successful journeys to excellent family governance and to the retarding of the dismal prognosis of the proverb. As I move to close this reflection, I realize that readers whose families consider themselves as the actual first and second generation of a family or who have no earlier living generations, may be wondering if an inter-generational dispute occurs how will it serve family governance and the family's joint decision making process if only one generation decides the dispute. Clearly this doesn't seem fair. In general, my remarks in this reflection assume sufficient adult members of the elder generation to provide objective individuals who are perceived to be able to

resolve the dispute. In the event that a particular dispute leaves no elder family member in such an objective position, I strongly recommend that the parties then choose an “elder” from within the learned professions or from another family, with which they are closely related, or aligned, to act in this capacity. The settling of such a dispute should be viewed by the family as exceptional and in no way limiting to the future role of the family’s Council of Elders in all of its other important functions, including specifically the settling of other disputes.

My wish and hope are that your family will use all of its human and intellectual assets to their greatest potential. In this process it is my hope that you will especially honor the gifts of wisdom and knowledge of tribal history that flow from your elders and that you will find a proper place within the judicial branch of your system of family governance to repose these invaluable treasures.

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^[1]Walker, Barbara. *The Crone: Women of Age, Wisdom and Power*, San Francisco. Harper, 1988.

^[2]For readers interested in this phenomena Gail Sheehy's two books on male and female developmental changes, *New Passages: Mapping Your Life Across Time* and *Passages: Predictable Crises of Adult Life*, are insightful.