

Protecting the assets in your family tree

COVID-19 - "In the midst of death we are in life" (Leopold Bloom in James Joyce's *Ulysses*)

This virus has changed most of us already. We felt, however slightly, not just thought or intellectually understood, we would die and that vulnerable people near us would die and that this could happen soon. For many people, mainly the older, it will happen this year.

Yet, apart from buying more than we needed in the supermarket, we did not act as if it might really happen. I have not heard any stories of people quitting their jobs or relationships and before restrictions on travel, flying to family or old lovers around the world. The things we said we would do if it was the end of the world remain on lists. Instead, we worried about losing our jobs and spent time making sure our kids were sticking to the home-schooling timetable so that they could get decent jobs in years to come. We sent the message that it was business as usual, probably to remain calm and, as a civic gesture, to encourage others to stay calm too. We have stayed at home like good citizens.

But have we missed a trick here? Are we slaves to this civic-mindedness or, worse, the economy? If we thought this was the end of the world (for a lot of us), *Oasis' Champagne Supernova*, where were we when they were getting high? Washing our hands or wringing them?

Our self-absorption in Australia is fairly high. Living forever because of the weather and natural beauty of the place could be tempting. Long-haul flights to the rest of the world mean our holidays need to be longer anyway. Because we have so much, the thought of losing it hurts. Man is naturally neurotic, mainly because, alone among creatures, we are aware that we are going to die. But if we do not respect this fundamental truth, we make ourselves sick.

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Becker wrote in *The Denial of Death*, "there is just no way for the living creature to avoid life and death, and it is probably poetic justice that if he tries too hard to do so he destroys himself".

Here at *Legacy Law*, we plan for the worst but hope for the best on a daily basis. Our happiest clients are those who dodged a bullet by either divorcing someone they did not want to be with or surviving a near-death experience. If we survive, and most of us will, COVID-19 gives us all the opportunity to be this happy.

I am facing up to my death. I don't expect to get a prize for this but I hope to avoid the folly of enjoying the trip for the wrong reasons. Not only should we be able to talk about death but to do so helps others and shows empathy, wit and, relative to those who dare not mention it, bravery. The authority on this, Dr Elizabeth Kübler-Ross in *On Death and Dying,* found that, "the more we are making advancements in science, the more we seem to fear and deny the reality of death." By trying to ignore it we are missing out on a unifying social truth. Misery loves company but death insists on it. Like the disgraced HIH businessman Ray Williams, who used to book a second business class seat for his briefcase, death does not travel alone.

The artist Damien Hirst has a very expensive sculpture called *The Physical Impossibility of Death in the Mind of Someone Living*. The Australian comedian Sam Simmons put it more economically when he told an audience that he did not want to die but would not mind being dead for awhile. If we are hibernating now, we should come out rested and with better energy.

I am lucky I am Irish. Death is a national obsession so we can digest and process this more easily. For my generation, it is all Yeats' fault. In a poem we were made to learn off by heart in primary school, Yeats cried,



"Consume my heart away, sick with desire And fastened to a dying animal".

I have collected some of these quotes on life and death by Irish writers who are our philosophers. My personal project is to write them down particularly for the benefit of our son if he is bothered to know what made his old man tick. He may be interested while I am alive or when I die. Or maybe his kids or grandkids will be interested or maybe a long-suffering spouse of one of them will want to know why my bloodline is *that* way? It is an immortality of sorts and satisfying to do if, like me, you think it is a good idea to hand down what you think is important in life to others.

Irish political heroes were martyrs and we learned graveyard orations in school. We are not ones for bucket lists. We know there is a hole in the bucket. But no matter where we grew up, didn't we all learn about it at school when we grew watercress (or whatever lucky plant you were encouraged to grow) and learned about photosynthesis and neglect? No-one told us about the dying process but nature taught us, sometimes only a day or two later.

Saul Bellow said, "death is the dark backing a mirror needs if we are to see anything". The bitter truth is that you and me and everyone we know is going to die and the sooner we face up to that the better. I might say, "I know I am going to die" but do I really accept it? For those of us locked into thinking like an economy not a society, supply and demand rules mean life is even more precious, right?

The lucky among us, who survive COVID-19, can take it as a near-death experience and lead lives more focussed on what we, not the Government, think is important. This is our opportunity and now is the time to grasp it before complacency creeps back in.

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What kind of a life do you really want to lead?

By your actions, what do you want to tell others that you chose to do from all of your options?

There are already wonderful examples of people helping others, expressing thanks to those on the frontline. The best of people comes undemanded by the Government. We do not have to be told. Why shouldn't we continue this long after this pandemic? It took many deaths for us to live the lives we want. We see that we are all in this together. We should wash our hands because we think it is the right thing to do, not because we are told to and it is a part of an economic plan.

Mourning his father, James Joyce said, "Life is so tragic – birth, death, departure, sickness, death, that we are permitted to distract ourselves and forget a little". A little distraction is a good thing but we need to see the big picture. At my work, I tell people the legal facts about a death in a family, listen to their hopes and help them to leave the legacy they want. I prepare, if I do say so, beautiful legalistic documents but the most important thing my clients should do, I tell them, is to write a practical and philosophical "user's manual" for their young children and a love letter to their older family and friends. This will help them to live forever. It took an embarrassingly long time for me to realise that I should do the same.

Have you done something similar? We can share some ideas with you if you are interested.

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In the book that gave me the idea for the title of my book to our next generation¹, *The Tibetan Book of Living and Dying*, Sogyal Rinpoche points out two certainties; "It is absolutely certain that we will die, and it is uncertain when or how we will die". But, as Cormac McCarthy, himself influenced by Yeats and no stranger to an Irish background, said "just because one is a pessimist doesn't mean one has to be miserable about it". For now, we are still here!

Stay well everyone and we hope you find time to work on your personal projects while working from home.

Best wishes until we meet.

Donal Griffin

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¹ This essay was drawn from a book the writer is finishing called The Irish Book of Living and Dying, Volume 1