Stewarding a Literary Legacy: An Ethical Framework for Estates:

Questions and practices for intentional, resilient, and enduring literary stewardship

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Introduction

Literary legacies don't manage themselves. After an author dies, someone (sometimes someone relationally or emotionally close, sometimes someone who has been chosen for business or legal expertise) is left to make decisions about how the work continues in the world. Those decisions are rarely straightforward. They involve contracts and copyrights, yes, but also values, relationships, and questions that don't have easy answers.

This framework grew out of that complexity. It comes from lived experience with literary stewardship: the slow, ongoing work of caring for a body of work that still speaks, still resonates, and still raises new questions. In my case, that work involves the legacy of my grandmother, Madeleine L'Engle. But the dilemmas I've encountered are not unique. Again and again, I've found myself in conversations with other stewards, heirs, and partners who are grappling with the same tensions.

This guide is for those making decisions after an author's death, whether formally as executors or informally as caretakers, collaborators, publishers, or teachers. It isn't meant to prescribe what to do but to offer language and structure for thinking through recurring tensions with more clarity, care, and confidence.

Living authors are also part of this picture, even if they're not the primary audience. The choices they make—about collaborators, contracts, the documentation of wishes or instructions for after they are gone, archives, and values—shape what comes after. A future version of this resource may speak more directly to those questions. For now, they remain in the background, acknowledged but not centered.

This version of the framework is still evolving. The final public-facing form may shift in tone or format—more tool than meditation—but the core aim will remain the same: to offer a thoughtful, usable structure for a task that is both practical and deeply personal.

Why Stewardship Matters

When an author dies, their work does not. Literary estates become stewards of a legacy that touches readers, scholars, teachers, and artists around the world. This work is not simply administrative; it is ethical. Estate stewards hold the power to shape how a writer's voice continues to resonate across generations.

Too often, estate management is framed in terms of ownership, control, or preservation. But truly ethical stewardship calls for something more: a commitment to access, equity, adaptability, and responsibility. This guide is designed for heirs, executors, literary agents, publishers, and also for adjacent communities such as educators, scholars, editors, and cultural producers who want to participate in conversations about access, responsibility, and relevance.

Why Ethics Matter

Ethics is not an abstract layer added on top of estate management—it is central to making good decisions. Clear ethical frameworks lead to:

- **Clarity**: By surfacing values and articulating priorities, estates reduce confusion and second-guessing.
- **Better decisions**: When trade-offs are explicit, choices are less reactive and more durable.
- **Trust**: Transparent, principled decision-making builds confidence among heirs, partners, and the wider public.
- **Sustainability**: Short-term gains are weighed against long-term health, ensuring the legacy remains vital for generations.

Ethical practice also makes the business case: clear processes and principled choices strengthen relationships with publishers, licensees, and audiences, making negotiations smoother and reducing conflict. In other words, ethics is not a constraint on stewardship—it is a tool for resilience and growth.

The Six Core Tensions in Literary Stewardship

Every estate faces recurring dilemmas. This framework highlights six tensions that surface again and again, offering tools to navigate them with clarity and care:

1. **Access vs. Sustainability** – How to share work widely while ensuring resources to preserve and promote it.
2. **Transparency vs. Privacy** – When to open decision-making to build trust, and when discretion protects relationships or integrity.
3. **Immediate Income vs. Future Agency** – Balancing short-term financial needs with long-term flexibility for future stewards.
4. **Fidelity vs. Adaptation** – Encouraging reinterpretations that keep a work alive while safeguarding its spirit.
5. **Continuity vs. Change** – Responding to shifting cultural and generational contexts without erasing the historical record.
6. **Silence vs. Voice** – Deciding whether and how to use an author's voice in current debates without misrepresentation.

Navigating Core Tensions in Literary Stewardship

Tensions are not problems to be solved once and for all; they are recurring dilemmas with no single right answer. Each estate, family, or partner will weigh them differently depending on context, values, and goals. By naming these tensions, we create space for reflection instead of reaction and for choices that feel steadier and more durable.

Each of the following sections introduces one of the six tensions, along with possible practices and questions to help surface values. The point is not to prescribe an answer but to give stewards tools to clarify their priorities and navigate difficult choices with greater confidence.

1. Access vs. Sustainability

The tension: How widely should a work be shared, and at what cost? Open access promotes equity, but estates must also ensure financial resources to sustain preservation and promotion.

Practices to consider: Tiered pricing; accessible digital formats; affordable library licenses; partnerships that expand reach while generating revenue.

Questions to weigh: Who is excluded by current pricing or formats? How can we balance cultural good with fiscal responsibility? What models make the legacy both open and durable?

Questions to surface values:

- Is our priority to maximize readership, maximize revenue, or balance both?
- Should educational or nonprofit access be treated differently from commercial use?
- How much financial risk are we willing to take for wider cultural reach?
- In 10 years, what would we regret more: restricting access or undermining sustainability?

Scenario: A global publisher offers to digitize an estate's backlist for free and make it widely available, but only through a proprietary subscription service. The estate must decide whether broad access is worth locking readers into one commercial platform.

Scenario: A library consortium requests deeply discounted licensing for unlimited e-book lending. The estate wants to support equity but worries this might depress retail sales and reduce revenue needed for preservation.

2. Transparency vs. Privacy

The tension: Openness builds trust, but some matters—personal correspondence, internal disputes, financial terms—require discretion.

Practices to consider: publish a values statement; document who participates in key decisions; communicate criteria and reasoning where appropriate; define boundaries for what remains private.

Questions to weigh: What information should be public, and what must remain confidential? How will we explain decisions to those affected? What feedback channels are meaningful?

Questions to surface values:

- Do we value public trust more than privacy, or vice versa?
- How transparent do we want to be about internal disagreements?
- Whose trust matters most—family, readers, publishers, or partners?
- What risks do we accept by sharing too much or by saying too little?

Scenario: Scholars request access to an author's personal letters to better understand their creative process. Some letters contain sensitive family

conflicts. The estate must weigh academic value and public trust against the privacy of living relatives.

Scenario: A journalist requests details of the estate's publishing contracts to investigate industry-wide royalty practices. Disclosing would contribute to transparency and possibly benefit other authors' estates but could compromise the estate's negotiating leverage.

3. Immediate Income vs. Future Agency

The tension: Short-term financial stability can conflict with long-term flexibility. Assigning rights permanently may yield income now but constrain future stewards.

Practices to consider: time-limited licenses; reversion or review clauses; regular rights audits; scenario planning for short- vs. long-term outcomes.

Questions to weigh: Which rights must remain revocable? What time horizon are we optimizing for? How might today's deal restrict (or empower) future generations?

Questions to surface values:

- Is financial security today worth limiting future options?
- How much should we prioritize our generation's needs over future heirs' opportunities?
- Would a smaller, renewable deal be preferable to a large, permanent one?
- What legacy do we want our financial choices to leave?

Scenario: A studio offers a large one-time payment for perpetual adaptation rights. Accepting would provide immediate financial security for heirs, but it would prevent future generations from renegotiating or reclaiming creative control.

Scenario: A small independent press offers a modest but renewable license with strong creative alignment. At the same time, a major publisher offers a much larger upfront advance but demands a twenty-five-year exclusive. The estate must weigh security against flexibility.

4. Fidelity vs. Adaptation

The tension: Adaptations keep works alive for new audiences but risk distorting the author's vision.

Practices to consider: identify non-negotiables (themes, tone, characters); gather evidence of authorial intent; set approval thresholds for different kinds of adaptations.

Questions to weigh: What changes illuminate the work versus distort it? How can contracts safeguard integrity without stifling creative freedom?

Questions to surface values:

- What aspects of the work are sacred and must never be changed?
- What kinds of reinterpretation might deepen or broaden the work's reach?
- Are we more concerned about artistic risk or reputational risk?
- Who should decide whether a proposed adaptation honors the spirit of the work?

Scenario: A theater company proposes a bold reinterpretation of a beloved novel, setting it in a contemporary political context. The production could bring new relevance and audiences, but risks alienating long-time readers who value fidelity to the original tone.

Scenario: An international publisher proposes translating a work but altering certain cultural references to "localize" it for readers. The estate must decide whether this counts as helpful adaptation or unwanted distortion.

5. Continuity vs. Change

The tension: Literary works are read differently across generations. What was once accepted may later be harmful; what was once overlooked may become newly important.

Practices to consider: contextual forewords; educator guides; annotated or phased releases; consultation with communities most affected by representation.

Questions to weigh: When is added framing enough, and when is withholding or delaying publication more responsible? Which audiences should be consulted to provide context?

Questions to surface values:

- Do we believe in presenting the work as it is or reframing it for modern readers?
- How much context is enough—footnotes, essays, content notes?
- Should the estate actively invite critique or quietly provide context?
- What responsibility do we hold toward communities harmed by outdated portrayals?

Scenario: An older children's book in the estate contains racial stereotypes. A publisher suggests releasing a new edition with contextual notes and an essay

by a contemporary scholar. Others push for a clean "updated" version without the problematic sections. The estate must decide how to acknowledge history while engaging modern readers responsibly.

Scenario: Among the papers, the estate finds a late draft where the author rewrote a published novel to soften its ending. Should the estate release the revision, highlighting the author's evolving views, or preserve the original as the "definitive" version?

6. Silence vs. Voice

The tension: Estates may be asked to speak in an author's name on current issues. Doing so may sustain relevance but risks overstepping or misrepresentation.

Practices to consider: create a quote bank from published works; adopt a policy for public statements; prioritize programming and curation over new statements.

Questions to weigh: Does the existing corpus already speak to the issue? Are we amplifying the author's perspective or projecting our own? What risks of confusion or misattribution exist?

Questions to surface values:

- Should the estate ever speak in the author's name beyond their published works?
- Is it more important to maintain relevance or to preserve restraint?
- How do we weigh silence against the risk of misrepresentation?
- Who should decide when the estate speaks, and how?

Scenario: The estate manages the author's official social media accounts. On a national day of remembrance, posting one of her quotes could resonate deeply with readers. Yet choosing which words to highlight (and in what context) risks being read as a political statement. Remaining silent may feel like a missed opportunity, but speaking risks projecting today's concerns onto the author's legacy.

Scenario: A political campaign begins quoting the author's words out of context. Journalists ask the estate for a statement. Remaining silent may allow misuse to spread; speaking risks the estate appearing partisan.

Moving Forward

Stewarding a literary legacy is never just about contracts or archives. It is also about relationships, emotions, and the long arc of cultural impact. Paying attention to these dimensions helps avoid conflict and fosters healthier

decision-making. Structured conversations, clarity around values, and neutral facilitation can all make a difference.

This guide is meant to spark reflection and dialogue. Each estate, family, or stakeholder group will answer the questions differently, and that is the point: the framework is not a prescription but a tool. The hope is that it raises the bar for stewardship, making choices clearer, more intentional, and more sustainable.

At Tesser Well Consulting, we support estates and literary organizations in navigating these complexities with empathy and focus. We offer guidance, mediation, and practical tools for decision-making that honors both relationships and legacy.

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Conclusion

This framework is the result of sustained reflection on the ethical dimensions of literary stewardship. While rooted in my personal and professional experience, it was shaped and sharpened through the process of engaging with this course content, especially as it intersected with my own experience in mediation. What emerged was a clearer understanding of ethics not just as a set of values but as a way of navigating tension, surfacing trade-offs, and building more durable, thoughtful approaches to decision-making.

The six tensions outlined in the guide are ones I have encountered repeatedly, yet naming them (along with potential practices and questions) has made them more navigable. My goal was to create a resource that could offer clarity without prescribing rigid answers and that could support stewards in making intentional, context-sensitive choices and give others interacting with estates insight into how to understand the things estates balance in order to create better conversations.

Developing this project helped me recognize that ethical frameworks are most powerful when they are practical. I expect the public-facing version of this document to evolve: the tone may shift, and the format may become more solution-oriented. But the core insight will remain—that literary stewardship is ethical work and that having tools to support that work can reduce conflict, increase trust, and better serve both the cultural record and the people entrusted with its care.

Looking ahead, I plan to adapt this framework as part of my consulting work with literary estates and rights holders and potentially as the foundation

for workshops or panel discussions with authors, publishers, and cultural institutions. It may also serve as the basis for a companion tool designed specifically for living authors who want to engage in legacy planning proactively.

This assignment has helped clarify the kind of space I want to offer: one that doesn't promise all the answers but instead supports clarity through well-framed questions and thoughtful processes. Every estate, author, trustee, and partner may settle these tensions differently—and what feels right may shift over time as relationships, priorities, and cultural contexts evolve. That's why a flexible framework matters. It makes room for change while still offering something steady to return to. That, I've come to believe, is what makes the work both sustainable and meaningful.