

MANIMONY

“A Gut Wrenching Decision for Jewish Men”

In the past six years, our Family Law firm has witnessed a spike in the numbers of divorcing men who must decide whether to pursue either interim support or long term support from their soon to be former spouse. Ten years ago this issue would have been an anomaly. Times have changed dramatically. The vast majority of cases at our firm address support for stay at home Moms or lower wage earning women. However, the trend is clearly shifting. From census studies and other reliable resources, we know that in nearly one third of the marriages, women are the higher wage earners. Yet only 3.3% of men in California seek temporary or long-term support when their marriages last more than ten years. Those upward trends also show that Dad’s role as the primary care taker for the couple’s children happens more frequently when Moms put their career first and are expected to bring home the gelt.

I have been particularly struck with the emotional turmoil a Jewish man faces when he must make the gut wrenching decision to seek spousal support from his soon to be ex-wife. There is clearly a stigma, a feeling of guilt and failure. This is understandable. Young Jewish boys are taught early on in their religious studies that the Children of Israel was founded by men. Abraham, Isaac and Jacob were our role models, and as spiritual ancestors, a direct link to our faith, our commitment to God, and to our families. Although modern trends for equality in our synagogues and our workplaces prevail, it is not unusual to hear extended family members, our mispoche, make comments like, “you father is such a mensch—such a good provider.” We were all socialized to view Jewish men as primary breadwinners.

Therefore, a Jewish man who has been in a less traditional marriage, one in which his wife was the primary wage earner, experiences tsuris when considering whether he should consider seeking temporary support or longer term financial assistance from his wife.

In point of fact, the California Court considers awarding temporary support on need and the ability of the higher earning spouse to pay. The courts routinely award spousal support to men who earn less than their spouses. If spousal support is appropriate, I will fight just as hard for a man as I do for women. However, so often the responses from Jewish men clients are almost uniform. They range from an imitation of Tony Soprano’s “FORGETABOUTIT” to “I could never face my children or my family.” Others say, “I don’t want be a schnorrer (mooch) I am feeling so guilty.” Or, “I understand that the law is here to protect me, but I just can’t go there.”

I counsel my client to get past this social stigma of the Jewish male patriarch provider. Sometimes I succeed and other times I do not. The bottom line is that we live in an ever changing and challenging social and economic environment. We left the Shetl many generations ago but our minds still return to our great history and of course TRADITION. Many Jewish women who I have also represented and who are the primary wage earners do not resent the payment of spousal support. Ten years ago there would have been major

resistance, but this is not the case now. In my experience, many successful women in executive or professional fields are pleased that their former mates are able to spend quality time with their children. Under our Family Code of California, our spousal support provisions are gender neutral.

It is time for Jewish men to realize that there is nothing to be ashamed of when seeking support from a soon to be former mate. For many, the length and duration of support is set so that you may transition into a new life and become self supporting in time. This is particularly important for Dads who have taken on the principal role as day to day caretaker and supervisor and have been out of the work force for some time. Vocational assessment, career counseling and other supportive services will make the path a lot easier for men this transition. A request for financial assistance is based on the path that the couple chose, whether it was career or family focused with children or both. These challenges were not faced by Teyve in Unitika with his wife, Golda. It is time to look at the ending of a marital relationship with dignity, respect and with a clear conscience.