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A boy and his dog:
But what about his
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Eyal Fisher

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Kids need dads, too, even divorced ones

Israeli law has adopted some halachic divorce laws, but only those detrimental to fathers. The laws that favor fathers have all been rejected. That is how we've wound up with the tender years clause and unilateral child support (only men pay child support and alimony in Israel)

Gil Ronen

No law is less egalitarian than the "tender years clause" in Israel's divorce laws, which grants women automatic custody of children up to the age of six. No law is less in keeping with the precepts of feminism.

The tender years clause is rooted in the patriarchal concept of men's and women's role in the family - the very same concept the feminists always tell us is outdated and primitive.

The man, according to halacha (traditional Jewish law), is the head of the family and is entrusted with maintaining its physical and financial security. He is prime minister, minister of defense and secretary of state - and his wife is in charge of the "homefront" and of raising the children, particularly when they are small.

The bigger the children grow - and this is especially true of boys - the more central the father's role is in raising them, because they are his successors. That is why halacha also gives the divorced father the right to take boys older than six years into his own care. It grants him preferred status in the division of property but makes him pay child support for the children who remain with the mother.

Detrimental laws

Israeli law has adopted some halachic divorce laws, but only those detrimental to fathers. The laws that favor fathers have all been rejected. That is how we've wound up with the tender years clause and unilateral child support (only men pay child support and alimony in Israel).

But these are not the Middle Ages. The vast majority of women work outside the home today, and quite a few of them make good money. More than half of the first year students in Israel's law and medical schools are women. Female bank managers are no longer a rarity, nor are women who hold positions as senior partners in accounting firms, small and large business owners, successful

media professionals, independent advertisers and managers in leading firms.

A man who dares treat a woman in a derogatory, discriminatory manner is a "chauvinist pig" and risks criminal prosecution.

And yet, when it comes to correcting a patently anti-egalitarian law that works in favor of women - the tender years clause - the Middle Ages suddenly become much less dark, and much more appealing.

Why is that? What are we asking for, after all?

That the courts cease automatically granting custody of children to women.

It is, after all, women who initiate most of the divorces now, and there is no longer any need to prove fault: even if the husband discharged his marital obligations in every way, a woman who wants a "get," or divorce decree, is granted one (And no - there aren't thousands of women in Israel who are denied gets, feminist propaganda notwithstanding. The official number, as presented to the Knesset by the Director of Rabbinical Courts, is 150. And there are quite a few females who refuse gets, too).

It is not rare to see a man who was a wonderful husband, a great dad, a devoted, loving and kindhearted family man thrown out of the house he himself built by the sweat of his own brow by a woman who wants a change, or feels unsatisfied in bed, or decides that he bores her or doesn't make coffee well enough, or whatever.

Alimony slave

That woman can be a brazen careerist or devoted clubber who is rarely at home. She might be a cold, distant mother. She may even be violent and abusive (mothers are responsible for two-thirds of child abuse, according to the Israel Association for Child Protection). And still - the children will automatically be entrusted to her care.

With one fell swoop, the court will turn the man from a beloved father to a miserable alimony/child support slave, who has to beg for every single "visitation hour" with his own children (and what is this business with "visitation", anyways? What are we, prisoners?).

And what about the children's hugs and kisses?

What about the tickling?

What about the stories and the questions, and walking hand in hand or carrying them on our shoulders, and playing and romping about? What about the heart-to-heart talks and the jokes, about helping them with the homework, taking them on trips, watching films or going to a soccer game?

Money machines?

What about our right to educate our children, to guide them, to protect them, to be proud of them, to comfort and seek comfort in them? They are flesh of our own flesh! Is that what the male citizens' parenting all comes down to? The money we supply?

Most of the research done on the subject of joint physical custody shows that this is the better arrangement for children of divorce, belying the radical feminist claim to the contrary. Other studies show that boys and girls who grew up without a father's presence are at greater risk of dropping out of school, unwanted pregnancy, drug use and turning to crime.

But even without the research, one doesn't need to be an expert to know that a child - any child, boy or girl - needs both parents. Some dads are great, others not so great. Anyone who had the privilege to be born to a good, loving father has received a great gift in life, and he knows it. This gift was granted to him by his Maker and his destiny, and only they have the right to take it away from him.

[Link](#) to Ronen's group Hakol Hagavri (Hebrew)

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[Back](#)