# A PRIMER ON JEWISH DIVORCE A Guide for the Jewish Communal Professional

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This article presents some basic information about the halacha of the divorce process with which Jewish communal professionals should be familiar. It describes the Get, the problems of the mamzer and the agunah, and the bet din process.

Historically, divorce within the tradition-ally close-knit and cohesive Jewish family, particularly one that adhered to halacha (Jewish law), was rare. Although the Torah itself recognizes the possibility of divorce, it was an option that was rarely employed and indeed was societally discouraged. This is no longer the case. Although the divorce rate among the most traditionalist segment of Jewry, the Orthodox, is still well below that of the general population, it is on the rise. To some extent, this is a sad reflection of the "throw away" mentality that pervades and afflicts all of American society---if it doesn't "pay" to fix a phone, it doesn't pay to "fix" a marriage. On another level, and this may be a more positive development, spouses, especially women, may be less willing to endure extreme psychological (and in some cases physical) abuse than they were in the past. Educators and psychologists within the Orthodox world are sensitive to this problem and are attempting to address it through counseling and education, with particular emphasis on reaching persons before they marry (Wikler, 1991, 1993). In any case, Jewish communal professionals will inevitably encounter clients who have strong commitments to Jewish law and tradition and should be aware of and sensitive to these clients' special needs.

Although the professional assisting a spouse whose marriage is in difficulty need not be conversant with all the nuances of Jewish law, a few basic items of information may be helpful. Indeed, for reasons that will become apparent in the course of this discussion, some of this information is quite important even to Jewish clients who may not normally adhere to *halacha*. Because women are most often affected by many of these requirements, this article assumes a female client.

## THE GET: WHAT IS IT?

To dissolve a marriage under Jewish law, a husband must present to his wife a specially prepared document known as a *Get*. *Get* is an Aramaic term meaning "document." Although the term "*Get*" can be, and occasionally is, employed in reference to any legal document, its predominant usage is in connection with bills of divorce.<sup>1</sup>

The requirement of a *Get* is found in Deuteronomy 24:1: "When a man takes a wife and marries her, if it then comes to pass that she finds no favor in his eyes for he has found something unseemly in her, he shall write her a document of divorce and give it to her hand, and send her out of his house." A civil divorce has no effect in the eyes of *halacha*, and any subsequent cohabitation or remarriage is regarded as adulterous.

<sup>&</sup>lt;sup>1</sup>The numerical equivalent of the Hebrew letters that make up the word Get is 12. This in turn corresponds to the custom that the Get be composed in exactly 12 lines. Rabbinic commentators note that in a Torah, there are a total of 12 blank lines separating the books of the Pentateuch from each other. Since 12 is a number symbolic of separation and division, and the Get itself is termed "sefer keritot" (a document of separation), it is therefore appropriate to compose the Get in 12 lines and to refer to the document by a name that indicates this fact.

The *Get* itself is written in a combination of Hebrew and Aramaic; a rough translation follows:

On the day of the week, the day of the month of \_\_\_\_\_ in the year \_\_\_\_ since the creation of the world according to the calendar reckoning we are accustomed to count here in the city situated on the River\_\_\_\_\_, I \_\_\_\_ the son of \_\_\_\_\_ have desired of my free will, being under no duress, to release [alt. trans. - remove, sever], let go, and expel you my wife \_\_\_\_\_ daughter of \_\_\_\_\_ who has been my wife from time past. And thus, I release [alt. trans. - remove, sever], let go of, and expel you so that you may have permission and authority over yourself to be married to any man you may desire and no one may raise any protest against your doing so from this day forward and forever more. Behold, you are permitted to all men. This shall be to you from me a book of expulsion, a letter of letting go, and a document of release [alt. trans. - removal, severance] in accordance with the law of Moses and Israel.

The execution of a *Get* is a private act; it does not require the participation or even the consent of a rabbinical tribunal, though in view of the fact that the formalities surrounding its writing and transfer are numerous and complex, a rabbinical court of at least three is invariably present. Even so, the role of the rabbi is supervisory only. In the eyes of halacha, it is the *husband* who *divorces* his wife, rather than the state or the judiciary dissolving the marriage.

The basic ceremony is fairly simple and can normally be accomplished in under an hour. (The mechanics of the ceremony are spelled out in the Appendix following the *Shulchan Aruch* E.H. 154. English treatments can be found in Haut, *Divorce in Jewish Law and Life*, and in Amram, *Jewish Law of Divorce*.) As already mentioned, the entire *Get* is only a 12-line document. Husband and wife or their proxies meet at a prearranged time and place. Three rabbis are present, one of whom has primary responsibility for ensuring observance of the requisite formalities—the *Mesader HaGet*, the "Arranger of the *Get*"—with the other two serving as witnesses. A scribe who will compose the text of the *Get* by hand is also present. According to the Talmud, "All who are not intimately familiar with the laws of marriage and divorce should take no part in their proceedings" (Kiddushin 6a).

The Get, although a standardized text except for names or places, may not be printed, Xeroxed, or even prewritten with spaces left blank for names and places. The document in its entirety must be written anew for the specific couple whose marriage is being terminated. Since the writing of the Get devolves in the first instance upon the husband, the husband must formally designate the scribe as his agent before the scribe can begin the composition of the Get. The Get must contain proper dates based on the traditional Jewish calculation, location and names of the husband and wife including common nicknames, etc., with the traditional tag "son of" or "daughter of." (Last names are not used.) These names must be spelled correctly. Indeed, one of the most difficult, albeit tedious, jobs of the Mesader HaGet is to determine which names should be included and how to transliterate those names into Hebrew. For example, what if Robert is sometimes called Rob, Bob, Robby, Bobby, or Skip and in addition has a Jewish name of Rafael that he never uses? The same questions may be raised regarding his father, his about-to-bedivorced wife, and her father. Upon completion of the writing of the Get, two witnesses sign at the bottom. The husband and wife are both asked a set of formalized questions as a final assurance that the Get is not a product of duress, compulsion, or extortion. The husband then takes the document, physically deposits it in his wife's hands-again in the presence of witnesses-and, upon the Get's delivery, the marriage is terminated. As a procedural matter, a divorced woman generally does

not keep the Get, but returns it to the custody of the bet din (the Jewish court), which will issue an official receipt stating that such Get was delivered properly. If further evidence of her divorced status ever becomes necessary, the bet din will produce the original from its archives. If either husband or wife is unable to be present, the entire procedure may be consummated via designated proxy, and the Mesader must ensure that all powers of attorney are in proper form. The details of the law of agency are quite complex. Appropriate power of attorney forms can be found in the Appendix following the Shulchan Aruch E.H. 154.

A divorced woman is free to marry anyone she chooses including her former spouse except for the following: (1) a Cohen, a descendant of the priestly class; (2) a man with whom she committed adultery; (3) persons who served as witnesses for the Get; (4) her former husband if in the interim she marries someone else who then dies or divorces her; or (5) her former husband if she was guilty of adultery during the course of a marriage (Shulchan Aruch 11:1 and 30:31). Indeed, unless the husband is a Cohen or the wife has remarried in the interim, the reuniting of divorced spouses is considered a meritorious deed, undoing in part the havoc produced by the divorce.

In addition, she must wait 90 days from the delivery of Get to determine whether or not she is pregnant from her first husband; marrying earlier could cast doubt on the paternity of a later offspring. The stated rationale for this rule is the legal presumption that it normally takes 3 months until a pregnancy is physically noticeable. Were a woman to marry before that point and a child to be born 6 to 8 months later, it would be uncertain whether the child was a full-term pregnancy from the first husband or a premature birth from the second. As codified, however, this 90-day period is essentially absolute. Remarriage before the expiration of 90 days is prohibited even under circumstances where an undetected

pregnancy is an impossibility, e.g., the woman is infertile, past menopause, or was physically separated from her husband for far more than 3 months (Ketubot 60b). For this reason, modern authorities have ruled that the 90-day period is not waivable by means of a sonogram or other early pregnancy test (2 Otzar HaPoskim E.H. 13:5).

The delivery of a *Get* also triggers alimony, child support, and custody rights but these are beyond the purview of this article. Jewish law treatment of child custody is sparse (see Schaffer, 1984; Shareshersky, 1987; Warburg, 1981). There is an excellent though brief review of property rights in Engel (1987).

Interestingly, just as a civil divorce has no validity in the eyes of religious law, a religious divorce is not recognized civilly. Unlike marriage in which virtually all states accord validity to a marriage performed by an authorized minister of the faith, the power of dissolution still rests exclusively with the secular judiciary. This, however, was not always the case. Civil divorce is a comparatively late development. Thus, the Get is totally unrelated to either the granting or withholding of a civil dissolution. As a matter of practice, however, many rabbinical tribunals will not supervise the execution of a Get until all attempts at reconciliation have failed, which may mean delaying the Get until a judgement of dissolution has been entered. This is the official practice of the Chief Rabbinate of Great Britain, which has taken the position that such deferral is required by secular law (Maidment, 1974). Rabbis in the United States do not have a standard practice.

# THE RIGHT TO INITIATE THE JEWISH DIVORCE PROCESS

The Mishna in *Gittin* 90a discusses the grounds upon which divorce should be pursued and records three opinions. The House of Shammai maintains that one should not divorce one's spouse unless she is guilty of adultery. The House of Hillel permits divorce even on the basis of such trivial dissatisfactions as burning the soup. Finally Rabbi Akiva asserts that a husband has the right to divorce his wife even in the absence of any basis for dissatisfaction; for example, he is simply attracted to someone else. It is clear from several places in the Talmud that these opinions do not pertain to the legal validity of a Get issued after the fact, but merely to the moral advisability or propriety of instituting the procedure (Gittin 90a). The Talmud after all is a mixture of law. morality, and spiritual aspiration; it is both a legal and religious work. In point of fact, under the original law of the Bible and the Talmud, a husband had an absolute right, or at least power, to divorce his wife at will for no reason at all, and unlike the case in marriage, her consent was not required. "A wife may be divorced either willingly or unwillingly but a husband may divorce only from his free will" (Yebamot 112b). However, the halachic right of the husband to effect divorce without the consent of the wife does not permit the divorce of a spouse who is deemed mentally incompetent, though the level of requisite competence for divorce law may be somewhat lower than it is in other areas, such as commercial transactions. The standard merely requires that she perceive that she has been divorced and knows that she is no longer to live with her husband (Yebamot 119:6-7).

The absolute right of a husband recognized by biblical and talmudic law to institute divorce proceedings underwent a drastic change in the 10th century. Rabbeinu Gershom, known by his contemporaries as "Me'Or HaGolah" (Light of the Diaspora) and an acknowledged leader of East European Jewry, spearheaded the enactment of a decree that prohibited a husband from divorcing his wife against her will except in narrowly defined circumstances. In addition, he instituted a decree banning the biblically permitted, though discouraged, practice of polygamy. These takkanot (legislative enactments) essentially introduced a spirit of equality in divorce proceedings and for the most part necessitate that all divorce

occur through *mutual* consent. As one authority noted, "when [Rabbeinu Gershom] saw how the generation was abusive of Jewish daughters insofar as divorcing them under compulsion, he enacted that the rights of women be equal to those of men, and just as a man divorces only from his own will, so too a woman might henceforth be divorced only willingly" (Teshuvot Rosh 42:1).

Essentially, therefore, Jewish law generally requires the consent and participation of *both* parties in the *Get* ceremony. Under no circumstances does the rabbinic court have the power to simply declare the marriage at an end, a fundamentally different approach than that of secular divorce where it is indeed the court and not the parties that terminates the marriage.

# WHAT HAPPENS IF A COUPLE IS DIVORCED WITHOUT BENEFIT OF GET

#### The Problem of Mamzer

Under halacha, in the absence of a *Get* neither party is generally permitted to remarry or cohabitate. Nevertheless, the consequences for a woman are far more serious. A man who remarries without giving his first wife a *Get* is at most guilty of a rabbinic infraction (the edict of Rabbeinu Gershom) and imposes no stigma or disability on his future offspring. A woman who remarries without having received a *Get* is not only guilty of a biblical offense of adultery but also imposes on her children the permanent stigma of *mamzer*.

The term *mamzer* is often translated as an "illegitimate child" or "bastard," but it has a specialized, technical meaning that is not captured in the translation. A child that is simply born out of wedlock is not a *mamzer* and is under no disability at all. A *mamzer* is a child born out of incest or from an *adulterous* union between a *married* woman (including a civilly divorced woman who has not received a *Get*) and a man whether married or not. Such a child may not marry another Jew unless that person is also a *mamzer* or a convert (Jew by choice). Moreover, the status of *mamzer* continues indefinitely. The child of a *mamzer* is also a *mamzer ad infinitum*. However, although a *mamzer*'s disabilities are quite severe, they are limited to one particular area: choice of marriage partners. In all other respects, such as inheritance rights and eligibility for community positions of authority, halacha does not permit discrimination. Indeed, the Talmud states that a "*mamzer* who is a scholar of the Law is entitled to more respect than a High Priest who is an ignoramus" (Horiyot 13a).

One might assume these concerns apply only to Orthodox or other traditional Jews who consider themselves bound by halacha and have no relevance or meaning to the vast majority of American Jewry who do not consider themselves bound by these norms. A moment's reflection reveals why this is an egregious error. Consider the following real-life example

Mrs. X was married in 1956. The marriage did not produce any children and was generally an unhappy one. Mrs. X filed for divorce in 1958, and a judgment of dissolution was entered one year later. Since neither Mrs. X nor her husband were religiously observant, the issue of Get was never brought up, and indeed Mrs. X indicated she was not aware such a requirement even existed. She remarried in 1965 and had a son from that second marriage. Since she and her second husband were Reform Jews, once again, the issue of Get was simply not raised. In 1988, their 22year-old son Mark took his first trip to Israel, a college graduation gift from his parents. While visiting the Western Wall, Mark encountered some friendly people who invited him to Shabbat dinner. Mark then began attending a yeshiva in Jerusalem, become a baal teshuva (a newly Orthodox follower), and decided to extend his stay by 2 years. Returning to the United States at age 25, he was ready to settle down and start a family. He met a lovely woman from the same background as himself. However, he discovered

to his great anguish and chagrin, that because his mother had failed to obtain a *Get* in 1956 9 years before he was born, he had the status of a *mamzer* and almost 30 years later could not halachically marry the person he desired.

Although there may be halachic avenues to help victims like Mark, the bottom line is very clear: All Jewish women married to Jewish men need to be informed about the need for a Get and the consequences of failing to obtain one. Even if a woman does not subscribe to the religious tenets that mandate a Get, the need to preserve the options of her future children and grandchildren make the procuring of a Get highly desirable from a purely secular perspective. Although the client makes the ultimate decision, he or she must have the information to make the decision, and it may very well be the duty of the Jewish communal professional to provide that input. Note, however, that intermarriages between Jews and non-Jews do no require a Get for their dissolution.

Unfortunately, not all Gittin (plural of Get) are regarded as equal. For a variety of reasons, a Get prepared under the auspices of the Conservative movement may not be accepted by various segments of the Orthodox community with the result that the stigma of mamzer has not been eliminated. Clients must be informed that only an Orthodox Get can fully preserve their future marital options. It will then of course be the client's choice which route to pursue. The Reform movement does not subscribe to the institution of Get; nevertheless, a number of individual rabbis counsel their congregants to procure a Get to avoid the complications of mamzer. There is also a nonsectarian organization, Kayama, operating out of New York City, that attempts to educate the broader Jewish public as to why a Get is so essential even to the nonpracticing Jew. If the professional is uncomfortable in directly addressing the issue, perhaps a referral to Kayama would be appropriate.

### The Agunah Problem (The Anchored Wife)

Since obtaining a *Get* is a matter of such overriding importance, it is not surprising that it affords ample opportunity for victimization. Husbands, whether nominally observant or not, may simply refuse to grant their wives a religious divorce. They may be acting out of pure spite or malice or in an attempt to wrest favorable concessions in the areas of custody, visitation, or alimony. Sometimes, the husband may blatantly request a large sum of money as a condition for his cooperation. Although the number of women in this unfortunate status is probably smaller than is often assumed,<sup>2</sup> each case is a tragedy. A not insignificant number of women have remained in this limbo status for decades. Although there may be little the professional worker can do directly, sensitivity to the great stress the woman is undergoing may enable the implementation of appropriate auxiliary therapies.

For women who are religiously observant, the lack of a *Get* is a true chain and a source of anguish. As one woman, who had to wait 3 years for a *Get*, remarked: "Your life is in limbo. You cannot begin to date, let alone think of marrying. You are at the mercy of another person who can resort to blackmail and other pressures, and your children are privy to the tension. Many women in this legal entanglement speak of feeling like hostages" (*New York Times*, 1982). Indeed, this author knows of one

woman who has been unable to marry for over 20 years. Often, a woman's only recourse has been to capitulate to whatever demands the husband might be making concerning alimony, child support, custody, and the like or to mobilize community support in calling for sanctions, such as boycotts, posting the husband's picture in public places, or depriving him of synagogue honors. Unfortunately, women have often had to organize this pressure by themselves, with the rabbinical court simply not getting involved. There have been, and continue to be, many calls for greater rabbinic and community activism in this area.

A welcome development in this area is the adoption of a recent resolution by rabbis whose synagogues are affiliated with the Agudath Israel movement to the effect that a person who refuses to respond to the summons of a rabbinic court or violates its order (1) forfeits his/her rights to synagogue membership; (2) may not serve as a prayer leader or be called to the Torah; (3) may not use synagogue facilities for family celebrations; and (4) will be informed that he/she is generally not welcome to attend services. Although this resolution technically binds only a small number of Orthodox synagogues (those affiliated with Agudath Israel), the influence of its sponsors may convince other rabbis and synagogues to follow suit.

Moreover, women themselves have organized support groups to exert pressure on

<sup>&</sup>lt;sup>2</sup>An article in the New York Times (July 5, 1982) quoted an astounding figure of 150,000. Nat Hentoff quoted a figure "of at least 15,000," in the Village Voice (September 13, 1983), which leads one to suspect that the ten-fold increase in the Times report may have been a typographical error. At the other extreme, Rabbi Mendel Epstein (1989), a long-time activist in the area of "agunah-rights," claims that at any one time there are no more than 50 women who meet the basic definition of *agunah*, which he defines as a woman unable to obtain a Get after exhausting all rabbinical procedures and obtaining a rabbinical order directing the husband to give a Get, which he then refuses to do. If neither party knows or cares about a Get, then the absence of a Get creates no individual hardship. The Times figure of 150,000 may

well include all Jewish married couples who have divorced without a *Get*, but only a tiny fraction of them perceive their status as problematical. Although the Hentoff figure claims to comprise "religiously observant Jewish women who have been civilly divorced" without a Jewish divorce, Epstein is correct that many of these women have not yet invoked the conventional channels and procedures. However, Epstein's own number ignores the very great obstacles that women face in securing a rabbinical court order and is therefore much too low. Ultimately, whether a woman is or is not called an *agunah* is largely irrelevant. Nothing substantive turns on the nomenclature. If her marriage is in fact ended and she does not have the freedom to remarry, she has a problem worthy of consideration.

unwilling husbands. One organization known as GET (Getting Equitable Treatment) uses volunteer "caseworkers." The president of GET, Gloria Greenman, was quoted in the *New York Times* (1982) as saying, "We will do whatever we can without force — we do not use brute strength to convince the recalcitrant spouse." A more recently established organization is Agunah, Inc., a women's advocacy group headquartered in New York City (Aronoff et al., 1992).

Occasionally, this pressure takes a more drastic form (Greenberg, 1984). A group of women in a Canadian city announced that none of them would cohabit with their husbands until a friend of theirs received a free *Get* from an ex-husband who was holding out for \$25,000. She received her *Get* in short order (*New York Times*, 1982). Sometimes, mass demonstrations or picketing either against the recalcitrant spouse or what is perceived as an overly passive rabbinical leadership are organized with moderate success (David Farber, a self-styled "agunah organizer," personal communication, 1990).

A word of caution, however, may be in order. Strong-arm tactics sometimes backfire, with spiteful husbands simply digging in their heels even deeper. Social workers and psychologists may provide valuable insights into family dynamics that may alleviate tension and facilitate at least enough of a reconciliation that a *Get* will be forthcoming. Such persons should make their services known to rabbis who are involved in the *Get* process.

## The Role of the Bet Din

A full understanding of both the *Get* process and the various pressures Jewish woman may face requires at least a cursory discussion of the *bet din*. A *bet din* ["house of law"] is the term for a rabbinical tribunal commonly comprised of three rabbis or even one rabbi and two lay persons that is assembled to decide matters of Jewish law or resolve disputes. Under classical biblical and talmudic law, each community had its own official *bet din* that would be empowered to rule on matters of Jewish law and to compel obedience to its ruling.

Most communities today do not have a standing bet din. In the absence of such an institution, the Shulchan Aruch rules that each party chooses one judge of their choice and the two chosen judges choose a third. The vast majority of disputes submitted to a bet din are decided under the procedure that is commonly referred to as ZABLA (acronym for "Ze Boreir Lo Achad" — "Each chooses one").

In the area of divorce, a bet din may be involved at two different points. First, in the event both parties have agreed to a divorce, the actual execution and delivery of a Get will be under the supervision and in the presence of a bet din. Here, in universal acknowledgement of the fact that the laws of writing a Get are extremely complex, ZABLA is invariably not used. Rather, communities tend to have individual rabbis who are experts in the area. These rabbis handle all Gittin in the community and choose two other people who will assist them in their task. As noted earlier, the actual execution of a Get is a short, almost perfunctory ceremony that can be completed in less than an hour. To the extent nonobservant Jews seeking divorce use a bet din at all, their involvement is likely to be limited to the basic procurement of a Get, often at the advice of their own spiritual advisor.

Even here, there are certain communication barriers that create unnecessary strains. Many women, particularly those less knowledgeable about Jewish ritual, may expect more of this ceremony than it is prepared to give and as a result leave with a sense of humiliation, frustration, and rage. Because divorce is a traumatic experience, women often naturally assume that the *Get* ceremony is designed to provide spiritual healing, comfort, reassurance, or hope. *It is not*. Rightly or wrongly, the *Get* ceremony as structured is a mechanical, bureaucratic act that does not address the individual feelings of its protagonists. Often, the rabbis who preside have never met the husband or wife before (all contact being through the phone) and are not in a position to provide much advice or help. Although few rabbis are intentionally insensitive to women's pain, the relative impersonality of the proceedings often leave women with that impression. This in turn may carry over into a negative feeling for rabbis in general and indeed toward the entire organized Jewish community.

Social workers can help address this problem in several ways: (1) by steering clients to the rabbis who are not only proficient in the technicalities of Jewish divorce law but who also possess qualities of empathy and compassion, enabling them to make a difficult experience somewhat easier (in many communities, though not all, there may be several rabbis able to execute a Get); (2) by educating the rabbinate about some of the pain and frustration women feel and about the various ways the Get ceremony can be humanized without compromising its halachic effectiveness; and (3) by informing the client what to expect so that expectations will not be artificially heightened. If one does not expect the Get ceremony to be a "rite of passage," one will not be disappointed if it is not.

The second aspect of bet din involvement is more complex and long term, although likely to be applicable only to cases where both parties to the marriage are Orthodox. When a bet din is used to resolve contested issues concerning the divorce, alimony, child support, child custody, visitation, and property rights, ZABLA is commonly employed. In the absence of an officially recognized standing bet din, however, it is often surprisingly difficult to find a rabbi willing to serve on one. Moreover, there can be considerable delay until the other side chooses their representative (and even more delay as the two try to find a willing third). Finally, working out scheduling may be quite cumbersome. Assuming, that both parties eventually do come before a bet din,

the general procedure is relatively simple and informal. The use of attorneys as advocates is normally discouraged, although not precluded: the litigants and witness are questioned directly by the judges. All evidence including hearsay may be admissible. although its weight may be appropriately discounted. The bet din would want to inquire into details of physical, mental, and emotional abuse and all other relevant aspects of marital and family life. Medical and psychiatric testimony, including reports and evaluations, would be welcome to aid the bet din in its determination. When the system works well, the bet din can complete its hearings in a relatively short amount of time and issue a written opinion forthwith. Often, however, whichever party is unhappy with the decision will simply disregard it, a clear violation of Jewish law but one that is not actionable in secular court. Most batei din will require litigants to sign an arbitration agreement before the case is heard to ensure the civil enforceability of the bet din award, but even the most iron-clad arbitration agreement will not protect the bet din's decision from judicial reversal on issues pertaining to child support, custody, and visitation (Epstein, 1989). Community pressure is often the only assurance that the bet din's decision will be obeyed and that is unfortunately a slim reed to rely on.

#### CONCLUSION

This article presents some basic information with which Jewish communal professionals should be familiar: the *Get*, the problem of *mamzer* and the *agunah*, and the *bet din* process. It is hoped that it will sensitize the professional to some of the unique concerns that Jewish women face during the divorce process.

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