A Rib Taken from Motherhood?

Feminist Men and the Test of Divorce

Yair Eldan

A.

Feminist men going through a divorce find themselves in a peculiar position. They believe that the world around them is patriarchal, a world run by men's standards for men's benefit, where women routinely face sexual harassment, where women are treated as objects, do not reach management positions and earn less than men. These men have run egalitarian households. They have supported their partners' careers, earned less than their partners, paid less into a pension fund or an executive insurance plan. Some have no continuing education fund. They were the ones who made sure there was a hot meal waiting when the children came home from school or kindergarten. They worry about the world their daughters are growing up in. They worry about the world their sons are growing up in. The machismo and racism they encounter on the street leave them speechless. These are men who understand that Israeli culture discriminates against women inside parliament and out, pushes them aside and undermines their political and social standing. They understand, profoundly, that the personal is political, that everything one does at home is shaped by cultural constructs and in turn shapes what it will be possible to change in the future. Yet when they come to negotiate the very things that matter so much to their sense of who they are, they find themselves at a dead end. It is precisely their feminism, their way of seeing the world, that supplies the rationale for requiring a father to pay child support regardless of who has the children in their care, or for the tender years presumption, under which the mother is to have custody of young children if the parents cannot agree. Suddenly these men find themselves at a disadvantage in the things that matter most to them, precisely because some judges, men and women alike, have taken their view of the world to heart. In some cases the courts will order a father to pay child support even when the parents share custody and the children spend equal time with each, and sometimes even when the mother earns more.

Perhaps that is a small price to pay for mending the world. The divorced feminist father comes under counterattack: You're living in a fantasy. Women run the world. They live in a paradise that keeps them safe, do whatever they like and seize every opportunity to hurt men and squeeze money out of them. But feminist men start from a different premise. It is a man's world, cut to fit men and run by men. To them, that much is obvious. They have no need of statistics, plentiful as those are. They take it as given. They see it played out before their eyes at work, on the bus, in cafés, in their friends' homes, in the stories their children bring home from school, on television. That is precisely what makes the dissonance so acute: they themselves are hurt by the desire to put things right for women. They understand that for the children's sake it would be

better to stay out of court and spare them the strain of their parents' legal battles. Yet they are in a weak and difficult bargaining position over matters that can shape their relationship with their children and their own financial future. They live with a shadow that never leaves them. Should they let themselves be hurt in the name of a policy that is good for the population as a whole? How can it be that they have joint custody, yet under the contact arrangements they get less time with their children? How can it be that their former partners earn more than they do and they live in fear of being sued for child support?

Feminist men see a symbolic dimension to reality. They understand that reality is neither something "natural" nor a fate imposed on us, and that forces and tendencies are at work behind it. The reason women's service in combat units is called into question is not that "they only serve for two years and combat training takes too long", or that "combat service will damage their ability to have children". The reason women do not break through the "glass ceiling" is not that they get pregnant and their careers therefore "naturally" grind to a halt. For feminist men, feminism is a broad term for the refusal to accept reality as a "natural" fate. The Freudian and Marxist premise that social structures are the product of social and economic forces is one that these men associate specifically with feminism. Being feminists makes them interpreters of reality of a very particular kind. They do not accept "that's just how it is, men earn more than women", or that there are simply more men than women in management, or that it is natural for young children to stay close to their mothers, or that fathers should be responsible for supporting their children, or that in Judaism a woman is exempt from time-bound positive commandments because, "in the ordinary course of things", she is supposed to look after her partner, the children and the house. It is their feminism that obliges them to look beneath the surface of reality and examine the forces at work in each sphere. It prompts them to examine disparities in bargaining power in a financial transaction and ask whether its terms have in effect made it a transaction under duress. It prompts them to ask whether a woman who responded to a man's aggressive advances did so because he brought disproportionate pressure to bear, or whether she herself manipulated him to get something out of him. They are also concerned with language and representation. They investigate what words mean and the layers of meaning they conceal, from the supposedly "natural" use of the masculine rather than the feminine in Hebrew when addressing a group, and turns of phrase such as *asita otah* ("you made it", literally "you did her"), to the symbolic import of our cultural narratives and myths and the way they depict women. How do the media portray women? What does selling a car have to do with a beautiful woman? And why is it women who sell washing powder or stain remover?

B.

The lawyers tell feminist men: Give up custody. Give it up. The court will award it to the mother anyway. And what is custody, after all? You will always be your children's legal

guardians. You are their biological fathers. So if custody has no bearing on guardianship and no direct effect on contact arrangements, **[1]** then by definition it is purely symbolic. But feminist men, as we have seen, care about representation. And if custody is symbolic, the question is: what does it symbolise?

Custody, in the sense of safekeeping, has a fundamental connection with responsibility. Where A has something or someone in their keeping, A is answerable for what happens to it or to that person. If harm comes to either, A can be called to account. At the heart of a custodian's obligation is the contractual tie that binds the custodian to the property entrusted to their care. The closer the tie, the greater the responsibility. Yet for feminist men there is something about the very idea of "responsibility" that runs counter to love itself. Their relationship with their children has to do with the love they feel for them, not with a responsibility they owe them. In their eyes, conservative forces devised the concept of responsibility to neutralise any fresh or imaginative way of seeing things. One might call that a childish or romantic position. But as feminist men see it, the word surfaces whenever people lack the emotional resources to ground their choices or their judgements. Responsibility is a word people who are unsure of their feelings often use to justify the price they have paid. Responsibility is a word invented by someone who feels on the point of collapse under the weight of an unhappy life. It speaks of cynicism and hardship. Applied to children or to work, it makes a feminist man shudder, because it betrays a deep despair about the bond with one's children. Responsibility is, at bottom, a masculine word. Distinctly masculine political regimes have made it their own, on the assumption that a regime of responsibility allows people to live together in a heterogeneous society. Here is one more reason to give up custody: custody matters to someone who is insecure about their relationship with their children. Feminist men feel that their bond with their children is unconditional. They feel love, closeness, a desire to do them good. The children are their own flesh and blood. These men did not give birth to their children, but their children are part of them all the same. Yet something happens to these men as they negotiate custody. Although they do not identify at all with the symbolism of responsibility that custody carries, they feel like Esau selling his birthright for a bowl of lentils. They feel they have been cheated and have cheated themselves. They know they are going to regret this. Perhaps they will regret having drawn attention to the issue and to what they gave up. Ordinarily these definitions do not matter. Once raised, they come to matter. Once raised, they give expression to something inward. They become symbols. Their symbolic weight comes from the context rather than the content. In this context the men feel that giving up custody is like giving up their children for cold hard cash. It makes no difference whether the contact arrangements have stayed the same. It makes no difference that, as the law stands, they cannot in any case be the custodial parent if there is a dispute. Still, they have an overwhelming urge to say, "This I won't give up. This I won't sell." They are gripped by a terrible fear of how their children will feel when they are older and hear about all this horse-trading. As if everything here could be reckoned in money. They are under siege. If they stand their ground on custody, they will have to give up a financial asset in the negotiations. If they

give up custody, they will be remembered in infamy as men who traded away a measure of closeness to their children for cold hard cash.

C.

Custody, and the responsibility behind it, come to stand for parenthood itself. Women usually get custody because they are traditionally regarded as the children's primary carers, and custody, parenthood and caring for children are closely bound up with one another. Since caring for children in their earliest years lays the foundation for the bond, custody comes to symbolise the bond itself. That is why giving up custody weighs so heavily on feminist men, and why they fear that one day their children will find out they gave it up. One of the Schnitt Committee's most important conclusions was that the tender years presumption should be abolished and the best interests of the child made the paramount principle. The committee held that both parents are the children's legal guardians and that contact arrangements should be determined in the children's best interests. The difficulty is that the committee describes the relationship with the child in terms of "shared parental responsibility". In the committee's view, guardianship as it figures in the Legal Capacity and Guardianship Law suggests a relationship in which the parent is an "overseer" or a "manager", one whose essence is the protection of those who are weak and in need of shelter. The committee proposed "parental responsibility" instead. It would preserve the full range of parents' duties towards their children but take away the right to relinquish guardianship. Admittedly, the Hebrew word for responsibility, *aḥarayut*, comes from *aḥer*, "another": someone who stands behind another person and is meant to vouch for them. Yet the word still casts a shadow over the child. It expresses a profound paternalism and brings out the darker side of responsibility as a form of bondage. Requiring men to pay child support that is high in relation to their income conveys a reproach: "Take responsibility. You should have thought of that before you brought children into the world." "Responsibility", then, is not only a masculine word that reflects a deep despair about men's bond with their children. It also expresses compliance with social expectations that reflect a division along gender lines: "Men provide, women look after the children." The dissonance between feeling and law comes through clearly in one of the Rotlevi Committee's conclusions: "It is the basic right of every child that **responsibility** for them should rest with a **responsible and loving** adult." **[2]** It seems the committee members could not see how the law might command love. Such a change would go beyond semantics. It would bring with it a whole range of images drawn from an emotional world appropriate to the welcome reform envisaged in the committee's conclusions. It would foster a culture of love for the child, beyond a culture of responsibility towards the child. That would be a feminist reform.

D.

The courts sometimes rule that a man must pay child support even if custody is shared, and even if the mother earns as much as the father or more. This affects all men, of

course, including those who never come before a court. It is a response to the more usual state of affairs, in which the family assets and the higher income are the man's, and when the couple separates the woman finds herself at a dead end. Requiring the father to pay child support is meant both to reflect men's economic advantage over women in Israel and to give the woman another card to play in a system that generally puts her at a disadvantage. Here, too, the feminist man experiences a dissonance. He comes to the negotiations over child support at a disadvantage, even though the two of them lived as equals and in some cases it is the woman who is better off.

For a feminist man, looking after his children, dressing them and feeding them, is at the very heart of fatherhood. It is what he experienced as a child. This was how his mother cared for him: she cooked for him and saw that he had clothes to wear. Nourishing a child, feeding a child, is central to being a parent. On this view breastfeeding, and before it childbirth, are the foundations of parenthood. They establish the bond with the child who, in the first years of life, depends entirely on a parent. In that sense, requiring a man to pay child support does more than reflect the existing state of affairs in which men are the main earners in the household. It also feeds a chauvinist view of the world that assigns to men the role of breadwinner and to women the care of home and children. This is no mere economic arrangement. It is rooted in the conviction, entrenched in Western culture for more than a century, that the mother is the most significant figure in a child's life. The physical bond between mother and child, forged in birth and breastfeeding, and the authority psychoanalysts have lent that bond, find an echo in the convention of treating the mother as the primary custodial parent and making the father responsible for providing. Melanie Klein put the relationship plainly:

> The infant's first object of love and hate, his mother, is both desired and hated with all the intensity and force of his earliest impulses. At the earliest stage he loves his mother, who meets his need for nourishment, eases his hunger and gives him the sensual pleasure he experiences when sucking at her breast stimulates his mouth. But when the infant is hungry and his desires go unsatisfied, or when he feels pain or physical discomfort, everything suddenly changes. Hatred and aggressive feelings arise in him. He is ruled by the impulse to destroy the very person who is the object of all his desires and who, in his mind, is bound up with all his experiences, good and bad alike. […] The very important part the father plays in the child's emotional life also affects every later love relationship and every other human attachment. **Yet the infant's early relationship with the father, insofar as the father is experienced as a gratifying, friendly and protective figure, is shaped in part by the relationship with the mother. [3]**

For Donald Winnicott, too, the mother is the significant figure: "The original two-body relationship is between the infant and the mother, or a substitute for her, before any attribute of the mother has been singled out and given shape as the idea of a father." **[4]**

The capacity to be alone is central to Winnicott, and it depends entirely on the relationship between mother and infant. If the infant trusts the mother to be there and to protect him, he can be alone in her presence. To Winnicott, this capacity to play alone in

the mother's presence is what makes it possible to develop the capacity to be alone at all. It gives the infant a sense that the mother goes on existing. She instils a sense of security that allows him to establish a personality of his own. But Winnicott goes further. The relationship with the mother, in his view, is "the maternal template [the matrix] of transference" (ibid.). The mother is not only the significant figure in the infant's life, nor is she merely what Winnicott calls "the stuff out of which friendship is made". The relationship with her serves as a model for psychoanalytic treatment. The well-known psychoanalyst Sándor Ferenczi likened the analyst to a mother and saw maternal devotion as central to what an analyst should be. The aim, once transference has developed in treatment, is to put the patient sufficiently at ease with the therapist that he feels safe enough in the therapist's presence simply to be there alongside him, just as an infant can play by himself when his mother is near. Transference is one of the most important elements of treatment. It occurs when a patient comes to relate to the therapist as he does to a significant figure in his life. At the heart of the therapeutic process is the therapist's ability to receive this transference and respond through a countertransference that contains those feelings and works them through. What is at stake, then, goes beyond the chauvinism that makes the father responsible for supporting the woman in a patriarchal world. Underneath it lies a conviction about the respective roles of mother and father. All the feminist and economic theories come to nothing in the face of this psychoanalytic premise: the mother is the central figure because she shapes all the child's earliest patterns of feeling and all the relationships to come. Indeed, the mother–infant relationship is the model for psychoanalytic treatment itself.

Some feminists have argued that these assumptions arise from cultural constructs and that there is nothing "natural" about them. **[5]** On this account, just as there is nothing natural about breastfeeding, and encouraging it serves to preserve a patriarchal order and men's control over women's time and bodies, so the assertion that relations with the mother have a much greater influence on an infant's inner life than relations with the father serves to preserve existing relations of power. Certainly, matters of gender are the product of social forces. There is nothing natural about them. And yet the feminist man was there when his children were born. He witnessed them being breastfed, with all the benefits and drawbacks that entailed, and something in him refuses to reduce birth and breastfeeding to matters of cultural conditioning. Countless cultural constructs surround both, of course, but the things themselves are, at bottom, facts of nature whose importance in the lives of mother and infant can hardly be overstated. No, these really are the foundations: the child grew in his mother's womb, she nourished him throughout the pregnancy, and he came into the world still attached to her by the umbilical cord. But Klein and Winnicott did not allow for the possibility of a man actively involved in his children's lives, a man who feeds his baby, changes nappies, talks, settles the baby to sleep, goes out for walks, laughs, sings, feels sad, gets irritated. A man in a relationship with his baby. At first the feminist man thinks his fatherhood is a rib taken from motherhood, the creation story in reverse. He thinks his fatherhood springs from some maternal capacity for tending and caring. To his mind this is the precise opposite of what

happens in the New Testament. Paul infers from the fact that woman was taken from man that woman is inferior to man: “Let a woman learn in silence, in all submission. I do not permit a woman to teach or to set herself above a man. Let her keep silent. For Adam was formed first, then Eve.” **[6]** The feminist sees things differently: where care for children and the bond with them are concerned, woman is the source. The decisive fact is that women bear children and can breastfeed them if they wish, and this has far-reaching consequences for the bond between children and their mothers. Yet the more the feminist father cares for his children, the more he engages with them, the more he sees that, as a man, he has a relationship of his own with them. A relationship that is not feminine, even though it includes caring and nourishing. Like any relationship, it grows more intense, stronger and deeper over time. It comes into being out of nothing at the moment of birth, yet acquires depth as time goes by. For the psychoanalysts, as we have seen, what happens between parents and children can teach us something about the therapeutic model. But it might also work the other way round. The therapeutic model might serve as a model for parenthood. Relations among father, mother and infant resemble those between therapist and patient. As I have said, one of the therapist’s central tasks is to bring about transference: the patient relates to the therapist in the same way, following the same patterns, as he once related to a significant figure in his life. **And that is precisely the parent’s role in the relationship with their children**: to contain the children’s projections and to respond to them. And, in situations that last longer and grow more complex, to deal with transference as well as projection. Just as the point of transference in treatment is for the therapist to become a father, a mother or some other significant figure, so, in the parent–child relationship, transference means that the mother or father becomes someone else who matters in the child’s life. Someone the child cannot or does not want to relate to directly, and so the child channels feelings for that person through the parent. Some psychoanalysts argue that we should avoid attaching labels to the figure of the therapist or defining that figure as maternal or paternal. They find the dichotomy between motherhood and fatherhood problematic and prefer to see these identities as a continuum. As Erlich puts it:

> I see the modes of oneness and being, and of separateness and doing, as ways in which we experience ourselves and others, simultaneously and in parallel, as part of us and as separate from us. These modes are present and active in men and women, fathers and mothers, even if the society that shapes individuals reinforces them differently. And I certainly find both modes in male therapists just as I do in female therapists. **[7]**

In some situations, then, a therapist needs to be maternal. In others, the patient needs to experience the therapist as paternal. If we take the therapeutic model as a model for parenthood, fatherhood is closer to the pole of separateness, motherhood to the pole of oneness. A child needs both poles to be able to form relationships in the future. The pole of separateness matters a great deal for the capacity for containment and transference, while the pole of oneness and connection matters for the formation of trust and love. In that sense the paternal pole is much better suited to be the “paternal matrix of transference”, to adapt Winnicott’s phrase.

Shame is one of the basic feelings that develop in an infant who does not get what he wants. The infant feels that he is not good enough, that he is incomplete, that something in him is lacking, that he cannot meet his own needs and that neither father nor mother is there to satisfy his wish. To help an infant with the shame that appears so early in life, the advice is to avoid fostering feelings of shame tied to a demand for perfection, for a quiet child, a good child, a perfect child. Such feelings may develop into a narcissistic disorder. The father is generally seen as the one who feeds the superego and cultivates the demand for perfection. Yet as a model it is precisely the paternal pole that makes it possible to contain the infant's shame. The separateness of parent and child, integral to this pole, allows the parent to contain the infant's feeling of shame. At the paternal pole the parent experiences this feeling as separate from the self. It casts no reflection on the parent. The same goes for containing anxiety or the fear of death. The paternal pole of parenthood allows a parent to respond better to a child's projections, to contain them and to sustain countertransference. At this pole it is possible to bring to the surface the things people avoid talking about in the relationship. If the child reacts with rage, calls sexuality into question, or cries, the parent can respond in a far more therapeutic way. Feminist men consciously choose to live at both poles. To learn, slowly, who they are in relation to each of them and how they respond to their children in different situations.

E.

Feminist men will not make demands as a condition of granting a *get*, the Jewish bill of divorce. They will not take advantage of the fact that in Israel divorce is governed by religious law. Not only because it would be unfair, but because imposing such conditions would go against the egalitarian outlook that is inseparable from the way they think. As interpreters of reality attentive to relations of power, feminist men recognise "divide and rule" at work here. They see the practice of setting out each element of a relationship in isolation — financial security, fulfilment as a couple, a career, the bond with the children, ownership of the family assets, caring for the children — as a way for men to shape the world to their own measure. They lift the veil on this artificial separation. There is a clear connection between registering a family's assets in the man's name and that same family concentrating on advancing his career. There is a connection between the fact that the woman cleans and tidies the house and the fact that she is the children's primary carer. Feminist men object to this use of divide and rule. That is probably also the underlying justification for the fact that many feminist women do take advantage of their legal position on child support, custody or the granting of a *get* in the negotiations leading up to a divorce agreement. They feel they have no choice but to look at the relationship as a whole. That is why they hold up the *get*, demand child support or ask for custody even when they feel it is unfair to take advantage of their legal position in this way, or that doing so misrepresents the life they shared with their former partner. They live, after all, in a man's world designed by men. Paradoxically, though, to act in this way is also to adopt the masculine discourse of separation. It is not simply a matter of treating each aspect of the relationship separately and being able to set it off against

another. There is also an instrumental approach to negotiation, according to which the parties' interests must be set one against the other and traded back and forth until an agreement is reached. This approach reflects the masculine way of seeing things separately, for it takes seriously the claim that each element of a relationship can be isolated and traded against the others. Judith Butler formulated the question in relation to Antigone. When Antigone says to Creon,

> It was not Zeus who proclaimed this,
> nor did Justice, who dwells with the gods below,
> lay down such laws for humankind.
> Nor did I think your orders had such force
> that a mortal could trample on the gods'
> unwritten, unshakable laws, **[8]**

is she submitting to masculine discourse, as Luce Irigaray argued in her early writings? Or does speaking the language of the (male) sovereign imply neither guilt nor compromise on Antigone's part? **[9]** What language, one must finally ask, can women use to defend themselves, their bodies and their rights, if not the language the sovereign speaks? Antigone does use the sovereign's language, but she also argues the merits of the case: the gods really are on her side, against the law Creon has laid down forbidding the burial of her brother. In much the same way, one might perhaps argue that a feminist woman who holds up a *get* to secure a higher child support payment believes that, within the terms of masculine discourse, she is doing the right thing. Still, Antigone appeals to something more fundamental. The justification for burying Polynices comes from considering the act of burial itself rather than the situation as a whole. Holding up a *get* or demanding child support after a shared life lived on equal terms, when custody too is shared, cannot be justified in the same way.

F.

Parenthood requires people to examine themselves from one moment to the next. It shows them the strengths and weaknesses of their own character. For feminist men, caring for their children and being in a relationship with them is an existential need. Their love for their children includes, as a matter of course, the work of looking after them day by day. For them there is no need to entertain all the familiar assumptions about fathers who "go out to work" and leave the children's care to their mother, or to dwell on the effects of an authoritarian, controlling father figure set against a gentle, loving mother. Being feminists profoundly affects the way these men see the world and hence the way they act in it. Their feminism seeks equality, but also structural change and a recognition that nothing is "natural" (except childbirth and perhaps breastfeeding): the things we take as natural are the work of cultural and political forces. This feminist understanding makes a decisive difference to their relationship with their children, to their capacity to contain them and, within that relationship, to make room for and sustain the children's projections as well as transference and countertransference.

Endnotes

[1] If there is a dispute over contact arrangements, the court will give priority to the custodial parent.

[2] Emphasis mine.

[3] Melanie Klein, “Love, Guilt and Reparation” (1937), in *Selected Writings* (Hebrew edition, Tola’at Sefarim, 2003), pp. 53–54. Emphasis mine. [Passage translated from the Hebrew edition cited.]

[4] Donald W. Winnicott, “The Capacity to Be Alone”, in *True Self and False Self* (Hebrew edition, Am Oved, 2009). [The quotations here follow the cited Hebrew translation.]

[5] On the cultural bias of psychoanalysts, and the contradiction between the significance and influence they attribute to the mother and her erasure by those same theories, see Anat Palgi Hecker, *Me’i-mahut le’imahut* (Am Oved, 2005).

[6] The First Epistle to Timothy 2:11–13. [Translated from the Hebrew quoted in the essay.]

[7] Shmuel Erlich, *Couch and Society: Psychoanalytic Spaces* (Hebrew edition, Resling, 2023), p. 251.

[8] Sophocles, *Antigone*, trans. into Hebrew by Aharon Shabtai (Schocken, 1990), lines 450–455. [English rendering follows Shabtai’s Hebrew.]

[9] For a discussion of Irigaray’s position, see Toril Moi, *Sexual/Textual Politics: Feminist Literary Theory* (Routledge, 1985), p. 143.