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# **Domestic Violence Does Not Discriminate by Color or Race: Examining Domestic Violence Comparatively in the Jewish and Latino Communities**

Victoria Gonchar

## **Introduction**

Domestic violence is an extremely critical legal and social issue that affects both men and women across all races, cultures, and ethnicities.<sup>1</sup> Approximately one in four women in the United States will enter into a domestically abusive relationship at some point in their lifetime.<sup>2</sup> Domestic violence is committed as a means of exerting power and control and can be manifested in behaviors ranging from severe physical battery to extreme psychological and emotional abuse.<sup>3</sup> Although domestic violence has received increased attention for many years now, the problem has yet to be eradicated and is still pervasive throughout communities, requiring victims to seek protection through law enforcement, restraining orders, and relocation when necessary to escape the violence perpetrated against them by their abusers.

While domestic violence may affect all communities, races, cultures, and ethnicities, some groups are affected to a greater degree than others and experience an increased lack in availability of services, specifically women of color and Latinas.<sup>4</sup> As domestic violence became increasingly prevalent, concerned scholars began to research the epidemic of domestic violence, specifically in the Latino community. Educator Jenny Rivera at City University of New York

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<sup>1</sup> N.Y. Senate Comm. on Investigations, Taxation, and Gov't Operations, *Domestic Violence: The Hidden Crime* 1 (1992).

<sup>2</sup> Patricia Tjaden & Nancy Thoennes, Nat'l Inst. of Justice and the Ctr. of Disease Control and Prevention, *Extent, Nature and Consequences of Intimate Partner Violence: Findings from the National Violence Against Women Survey 1* (2000).

<sup>3</sup> Nat'l Coal. Against Domestic Violence, *Domestic Violence Facts 1,1-2* (2007).

<sup>4</sup> Kimberle Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, 43 STAN. L. REV. 1241 (1991).

Law School was one of the foremost legal scholars that began to bring the issues to the forefront and recognized that the Latino community was not getting the assistance needed to deal with the epidemic of domestic violence.<sup>5</sup> Despite the recognition and research that the domestic violence problem as a whole was receiving, there remained a lack of culturally specific focus; until the mid-nineties, there was little to no research done on the effect of domestic violence on the Latino community and this lack of attention and research led to a lack of availability of necessary services and assistance.<sup>6</sup> Domestic violence in the Latino community continued to persist without a potential solution.

Legal scholars like Rivera attributed the lack of assistance and attention to the problem of domestic violence in the Latino community to issues created by numerous political, social, and socio-economic reasons.<sup>7</sup> In addition to a lack of law enforcement presence in the Latino community and a lack of culturally competent legal services, Rivera also argued that the issue was exacerbated by the stereotype of the Latino as “hot-blooded” and “violent” and the Latina as both “loose” and “passionate,” and “docile” and “devout.”<sup>8</sup> Because of these stereotypes and the lack of law enforcement presence, scholars asserted that Latina women in domestically violent relationships were in greater need of assistance than other abused women.<sup>9</sup> While the issue of domestic violence in the Latino community is now increasingly acknowledged as a problem,

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<sup>5</sup> Jenny Rivera began writing about Latinas and domestic violence with her first article: Jenny Rivera, *Domestic Violence Against Latinas by Latino Males: An Analysis of Race, National Origin, and Gender Differentials*, 14 B.C. THIRD WORLD L.J. 231 (1994). However, Rivera was not the only scholar to research the problems created by race and domestic violence. Rivera currently teaches at CUNY Law School and directs the school’s Center on Latino and Latina Rights and Equality that promotes law reform scholarship, public education, and litigation in support of expanded civil rights, and focuses on issues impacting the Latino community in the United States. Professor Rivera has written a multitude of different articles about domestic violence and its effect on Latinas and has followed its progress throughout the years. See CUNY School of Law Faculty Website. <http://www.law.cuny.edu/faculty-staff/JRivera/pubs.html>.

<sup>6</sup> *Id.* at 233.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* at 240-41.

<sup>9</sup> Edward W. Gondolf et al., *Racial Differences Among Shelter Residents: A Comparison of Anglo, Black, and Hispanic Battered Women*, 3 J.FAM. VIOLENCE 39, 48-49 (1988).

evidenced by some improvements in domestic violence services for Latinas,<sup>10</sup> there is yet another ethnic minority group that is also plagued by domestic violence in their communities: the Jewish community.

Domestic violence is kept very quiet and denied by members of the Jewish community.<sup>11</sup> However, domestic violence is just as dangerous and as prevalent in Jewish communities as in almost any other community.<sup>12</sup> The number of Jewish women who are affected by domestic violence in their lifetime ranges from about fifteen to twenty-five percent, hovering very close to the national average of twenty-five percent.<sup>13</sup> However, what is even more frightening is the fact that Jewish women stay in abusive relationships for approximately seven to thirteen years whereas women in non-Jewish homes stay in abusive relationships for about three to five years.<sup>14</sup>

This paper explores the prevalence of domestic violence in the Jewish community. It asserts that domestic violence has been kept hidden for quite some time due to variety of factors such as religion, patriarchy, traditional family values, and the belief that domestic violence does not exist in in the Jewish community due to stereotypes of Jewish males as non-violent and family-oriented. The paper then compares the similarities between Latinas and Jewish women in their fight against domestic violence and suggests that the patriarchal beliefs of the Catholic-Latino and the traditional Jewish communities combined with the wide-spread stereotypes of both groups tend to subordinate women and keep them in abusive relationships.<sup>15</sup> Some of the

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<sup>10</sup> Jenny Rivera, *The Availability of Domestic Violence Services for Latinas in New York State: Phase II Investigation*, 21 BUFF. PUB. INT. L.J. 37.

<sup>11</sup> Adam H. Koblenz, *Jewish Women Under Siege: The Fight for Survival on the Front Lines of Love and the Law*, 9 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 259, 260 (2009).

<sup>12</sup> Jewish Cmty. Relations Council of San Francisco, the Peninsula, Marin, Sonoma, Alameda & Contra Counties, *Guidelines on Domestic Violence*, 1 (Mar. 12, 1997), available at [http://www.jrc.org/downloads/consensusstatement/s/3.12.97\\_JCRC\\_CS\\_Violence.pdf](http://www.jrc.org/downloads/consensusstatement/s/3.12.97_JCRC_CS_Violence.pdf) (last visited Apr. 27, 2012).

<sup>13</sup> *Id.*

<sup>14</sup> Koblenz, *supra* note 11, at 260.

<sup>15</sup> Rivera, *supra* note 5, at 241; Koblenz, *supra* note 11, at 261.

culturally competent solutions that will be explored later in this paper that have been applied to solve the issue of domestic violence in the Latina community can also be tailored to assist women in the Jewish community. Although they may come from drastically different social, political, and economic groups, the struggles of Latina and Jewish women are quite similar and are in need of resolution.

Part one of this paper will explore the main issue of domestic violence as it affects all groups of women throughout the United States. Part two of this paper will then address the issue of domestic violence against Latinas perpetrated by Latino men. It will explore why domestic violence in the Latino community was not recognized as an emergent issue in the original domestic violence movement, and how positive changes were eventually made by the social and legal systems to assist Latina victims of domestic violence. Part three will then describe the problem of domestic violence in the Jewish community, specifically focusing on the Orthodox and Hasidic communities. Although there are many different sects of Judaism, research has shown that domestic violence is more prevalent in certain Jewish groups.<sup>16</sup> Part four will then focus on the reasons why domestic violence has gone unreported and unrecognized in Jewish communities. It will make comparisons between the Latino and Jewish communities, looking at stereotypes, religion, tradition, and the law as reasons why the services that are necessary for victims of domestic violence to escape abusive relationships have been limited. Part five will then focus on what can be done to solve the problem of domestic violence now in the Jewish community, asking what can the law and social services do in order to provide these women with better assistance. In addition to dispelling the stereotypes about both the Jewish and Latino communities, I will argue that more culturally competent legal and social services need to be

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<sup>16</sup> Koblenz, *supra* note 11, at 267.

made available to Jewish women in order to help them escape abusive relationships and work towards eradicating domestic violence in their communities.

### **Part I: What is Domestic Violence and Who Does it Affect?**

Domestic violence, also referred to as intimate partner violence, is a worldwide problem that affects women of all ages, races, socio-economic status, and education levels.<sup>17</sup> It is a serious problem that can take on many forms and affect victims in many ways. An estimated 1.3 million women are victims of physical assault by an intimate partner each year, yet domestic violence is one of the most chronically underreported crimes.<sup>18</sup> Domestic violence is also the single greatest cause of injury to women ages 15-44 in the United States and is the largest killer of women between the ages of 16-24.<sup>19</sup> Domestic violence is defined as:

“The willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior perpetrated by an intimate partner against another...Violence against women is often accompanied by emotionally abusive and controlling behavior, and this is part of a systematic pattern of dominance and control. Domestic violence results in physical injury, psychological trauma, and sometimes death. The consequences of domestic violence can cross generations and truly last a lifetime”<sup>20</sup>

Abusers will go to almost any length to control their victims, using many different techniques to subordinate and intimidate in order to maintain control.<sup>21</sup> Domestic violence is often cyclical, as explained by one of the leading domestic violence scholars, Lenore Walker.<sup>22</sup> The stages of a battering relationship consist of: the tension-building phase, the acute battering phase, and the

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<sup>17</sup> Nat'l Coal. Against Domestic Violence, *supra* note 3, at 1.

<sup>18</sup> *Id.*

<sup>19</sup> U.S. Department of Justice, Bureau of Justice Statistics, *Intimate Partner Violence in the United States 1* (2006).

<sup>20</sup> Nat'l Coal. Against Domestic Violence, *supra* note 3, at 1.

<sup>21</sup> *Id.*

<sup>22</sup> LENORE WALKER, *TERRIFYING LOVE: WHY BATTERED WOMEN KILL and HOW SOCIETY RESPONDS* 56-59 (1989).

honeymoon phase.<sup>23</sup> During the tension-building phase, the victim often feels as if she is walking on eggshells, waiting for the batterer to lose control and for a violent incident to occur.<sup>24</sup> Often times during this phase, the abuser engages in a pattern of emotional abuse.<sup>25</sup> During the acute battering phase, there is generally a more extreme incident of domestic violence and the victim begins to withdraw emotionally after the incident.<sup>26</sup> During the honeymoon phase, the interdependence between the parties begins to grow again, followed by promises by the batterer that he will never hurt the victim again and an illusion of bliss between the parties.<sup>27</sup> While this cycle is common in abusive relationships, it is not indicative of all battering relationships.<sup>28</sup>

When describing domestic violence to someone who is unfamiliar with the concept, one of the most common tools to use is the Power and Control Wheel.<sup>29</sup> The Power and Control Wheel is widely used by domestic violence advocates, psychologists, social workers, and the judicial system to illustrate the different methods that an abuser may use to subordinate and control his victim.<sup>30</sup> Many of the ideas on the wheel may be obvious, while some are more surprising. Among the wide list of methods batterers use to control their victims are coercion and threats, using children, money, and male privilege (traditional gender roles).<sup>31</sup> Among other controlling factors not on the wheel are immigration status and religion. An abuser may use any of these things to subordinate his victim in order to remain in control.<sup>32</sup>

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<sup>23</sup> *Id.* at 56.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.* at 57.

<sup>26</sup> *Id.*

<sup>27</sup> *Id.* at 58.

<sup>28</sup> *Id.* at 59.

<sup>29</sup> Nat'l Coal. Against Domestic Violence, *supra* note 3, at 2.

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

There are also risk factors that advocates and scholars look at when evaluating domestic violence situations. Researchers and scholars have found that there is a strong link between certain racial and ethnic minority groups and domestic violence.<sup>33</sup> Among these groups that most commonly suffer from increased rates of domestic violence are Latinas, black women, and as will be introduced in this paper, Jewish women.

Scholar Kimberle Crenshaw addressed the lack of resources available to women of color, specifically black and Latina women, when trying to escape violent relationships in her article *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*.<sup>34</sup> Crenshaw argued that because of both their race and gender, these women were less likely to receive the assistance to leave domestically violent relationships that they needed from both the legal system and social services; the traditional feminist movement was too focused on the issue of domestic violence as a whole to focus on specific racial groups while the racial equality movement was too focused on race to include the issue of gender.<sup>35</sup> Because of this split, the movements missed the intersectionality created by race and gender that cause women of color to experience heightened issues when dealing with domestic violence assistance.<sup>36</sup> Due to poverty, lack of education, and often language barriers, women of color, were unable to get the assistance they needed.<sup>37</sup> In addition to their experiences of control and subordination they suffered at the hands of their abusers, these women victims were not even able to depend on society for help. Because of the intersectionality of both race and gender in the fight against domestic violence, women of color were virtually ignored for quite some time and were lacking

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<sup>33</sup> Rivera, *supra* note 5, at 233; Crenshaw, *supra* note 4, at 1242; Koblenz, *supra* note 11, at 260.

<sup>34</sup> Crenshaw, *supra* note 4, at 1242.

<sup>35</sup> *Id.* at 1244.

<sup>36</sup> *Id.* at 1246.

<sup>37</sup> Rivera, *supra* note 5, at 234.



the necessary resources to ameliorate their situations.<sup>38</sup> One of the groups that suffered the most due to intersectionality of race and gender, as well as due to other concepts of power and control, was Latinas.

## **Part II. Examining Domestic Violence and its Effect on Latinas**

When Jenny Rivera wrote her first groundbreaking article about domestic violence in the Latina/Latino community, *Domestic Violence Against Latinas by Latino Males: An Analysis of Race, National Origin, and Gender Differentials*, she opened people's eyes to a problem that had existed unnoticed for quite some time.<sup>39</sup> Early on scholars, policy makers, advocates, and the general public recognized the domestic violence epidemic as a whole, but had not stopped to take it apart to dissect it to see if other problems existed. Therefore, many advocates and scholars were not aware of the myriad of different effects and hardships that domestic violence had on different races and cultures. According to Rivera, "this specific issue deserved consideration because differences of gender, race, and national origin shape Latinas' experiences within domestic violence."<sup>40</sup>

After increasing research, it became evident that certain racial groups, specifically Latinos, were having increased difficulty receiving the necessary services to escape a domestically violent relationship. While Rivera's research was groundbreaking, she was not the only scholar who attempted to open up the public's eye to the inconsistency of treatment for victims of domestic violence across race and culture. As mentioned earlier, Kimberle Crenshaw also made it apparent that domestic violence had many dimensions that affected women in

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<sup>38</sup> *Id.*

<sup>39</sup> Rivera, *supra* note 5, at 233-34.

<sup>40</sup> Rivera, *supra* note 5, at 233.

different ways across race and gender and due to this intersectionality, there was not enough advocacy and services available to domestic violence victims of color.<sup>41</sup>

There are many reasons why Latina women had decreased access to the necessary services to escape domestic violence relationships, but the biggest reasons were a combination of socioeconomic, political, cultural and social factors, such as pervasive stereotypes of the Latino community that led to a belief that violence was common in the Latino community and was therefore ignored.<sup>42</sup> Because of these stereotypes and other factors, domestic violence continues to be an issue of great prominence in the Latino community, one that is not given the attention that it deserves regardless of how obvious the issue is to the community within itself or secular society as a whole. A longstanding history of issues with the police in the Latino community, as well as familial and cultural barriers all contributed to Latinas' inability to receive the assistance they need to escape domestic violence situations.<sup>43</sup>

#### **A.) Stereotypes of the Latino Community**

Mainstream US society and many Latinos themselves hold numerous false stereotypes about the Latino community. One of the most damaging of these stereotypes to the Latino community as a whole is the misperception that all Latin males are violent and reactive.<sup>44</sup> The belief that all Latinos are hot-blooded, passionate, and irrational has spread throughout history and modern society as a stereotype.<sup>45</sup> Many now regard these stereotypes as true rather than as an image created by popular myth and media.<sup>46</sup> This perception has been exploited throughout society by television and movie characters such as the passionate and reactive character of Ricky

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<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.* at 240.

<sup>45</sup> *Id.*

<sup>46</sup> *Id.* at 240.

Riccardo on “I Love Lucy.”<sup>47</sup> Ricky was always angry and yelling at Lucy about something she did wrong, saying things like “Lucy, you’ve got some explaining to do.”<sup>48</sup> This “macho” perception of the Latino male still persists today and is promoted through dominant society.<sup>49</sup> This extremely negative stereotype of Latino males as violent has expanded to a stereotype of the entire Latino community and as Rivera notes in her research, “justifies the common assumption that all Latinos are violent.”<sup>50</sup>

In comparison to the volatile stereotype of the Latin male, Latinas are expected to conform to multiple different stereotypes all in one. Latina stereotypes are described as two opposite sets of traits: a docile, domestic virgin and a sexy, loose, ‘hot-blooded mama.’<sup>51</sup> Latinas are expected to be all those things in order to take care of her home, please her lover, and be a devout Catholic.<sup>52</sup>

## **B.) Religion and Family Values**

While there are stereotypes of Latina women as both docile and devout, with regards to many Latinas, these traits are not completely false. According to the research of Yvonne Pacheco Tevis, Catholicism’s influence throughout Latin America is ever-present in the Latino community in the United States.<sup>53</sup> Latinas are expected to follow the Catholic religious dogma and to be both conservative and traditional.<sup>54</sup> Also because of the Catholic-Latin American practice, there is a huge focus on family and religion within the Latino community.<sup>55</sup> Women are

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<sup>47</sup> *I Love Lucy* (CBS television broadcast Oct. 15, 1951 – May 6, 1957).

<sup>48</sup> *Id.*

<sup>49</sup> Rivera, *supra* note 5, at 240.

<sup>50</sup> *Id.*

<sup>51</sup> *Id.* at 241.

<sup>52</sup> *Id.*

<sup>53</sup> Yvonne Pacheco Tevis, *Feminism and the Mexican American Woman*, 28 U.C. Mexus News 1 (Summer 1991).

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

expected to be dutiful to their husbands and dedicated to bettering their families.<sup>56</sup> Rivera quotes in her research: “Latina’s identities are defined on the basis of their role as mothers and wives. By encouraging definitions of Latinas are interconnected with and dependent upon status within a family unit structure, the Latino patriarchy denies Latinas individuality on the basis of gender.”<sup>57</sup> This is one factor that prevents Latinas from seeking the assistance that they need if they find themselves in a battering relationship. The Latina is only expected to exist within the Latino family structure as daughter, wife, and mother; her main duty is to put the needs of other in her family before her own.<sup>58</sup> The strong Catholic belief system that Latinas are expected to follow in addition to her traditional role in the family makes it difficult for her to break out of the patriarchal male-centered community if necessary to escape domestic violence.

While interning at the New York Legal Assistance Group, one client that I assisted fit the description of the devout Catholic Latina. Her one concern was always her son and up until she chose to leave her abuser, she was a very attentive wife and involved family member. However, her husband repeatedly hit her, raped her, and verbally demeaned her, often in the presence of their young son and other family members. When she went to her family for help and explained her abusive situation, her family opposed her choice to leave her husband and reiterated the importance of her staying with her family, and of being a good wife and mother. Eventually when she had the courage to leave for her own safety and the safety of her son, she was shunned by her family and waited almost a full year before they were willing to communicate with her. This example alone illustrates the difficulty that Latinas face with their families and traditional communities when trying to leave an abusive relationship. The traditional patriarchal family-

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<sup>56</sup> Rivera, *supra* note 5, at 241.

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*

oriented beliefs tend to keep women from leaving their families. In addition, when the same client went to the police and the district attorney for help with prosecuting her husband, they were reluctant and slow to provide the services that she needed. This is another common problem that Rivera noted that Latina women have encountered when trying to receive assistance in domestic violence situations.<sup>59</sup>

### **C.) Law Enforcement and Social Services**

Latina women have also had problems receiving assistance from law enforcement officials and social service organizations like shelters when seeking domestic violence assistance.<sup>60</sup> The problems that Latina woman have with law enforcement stem from “a long acrimonious history of interaction with local police and federal law enforcement agencies, marked by abuse and violence suffered by the Latino community at the hands of police officers who have indiscriminately used excessive force against Latinos.”<sup>61</sup> This history of police brutality has led to a mistrust of the police in the Latino community.<sup>62</sup> This mistrust combined with an emotionally frightening domestic violence incident is unlikely to make Latinas comfortable calling the police for assistance.

A Latina woman also has to decide whether or not to seek help from an outsider, one who is likely male, is unlikely to speak her language, and is unlikely to understand her culture.<sup>63</sup> Also the police, due to the nature of a domestic violence complaint, are far more likely to ignore these complaints or fail to take them seriously.<sup>64</sup> The male police also may be more likely to believe the story of the abuser, and the victim, often aware of this, again finds herself a victim of male

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<sup>59</sup> *Id.* at 233.

<sup>60</sup> Rivera, *supra* note 5, at 246; Gondolf, *supra* note 9, at 48.

<sup>61</sup> Rivera, *supra* note 5, at 246. *See additionally*, Los Angeles Mayor Presents Panel to Review Police Dept., N. Y. TIMES, Apr. 2, 1991, at A14.

<sup>62</sup> Rivera, *supra* note 5, at 246.

<sup>63</sup> *Id.*

<sup>64</sup> Sara Mausolff Buel, *Mandatory Arrest for Domestic Violence*, 11 HARV. WOMEN’S L.J. 213 (1988).

subordination.<sup>65</sup> These women may also have additional concerns, such as immigration status if they are in the United States illegally. One Latina said:

I have never called the police here because [he] told me that they will deport us if I do. I've thought about learning some English, but between work and the kids there is hardly any time. So I've never really asked anybody for help. Anyway sometimes he goes months without hurting me and I try to forget about it and just work.<sup>66</sup>

The language barrier alone is a huge difficulty for Latina women as they are unlikely to be proficient in English and often when Latinas would finally call the police to report the abuse, it would often result in the arrest of both parties because of the language difference and assumptions that the police would make about both parties.<sup>67</sup> The fear of deportation is also very real for many Latina women and will deter them from reporting their abuse to the police.<sup>68</sup> Finally, as Rivera notes, if a Latina does decide to go beyond the perimeters of her Latino community to report her abuse and seek assistance, the members of her community will likely view her involvement of outsiders, especially the police, as betrayal.<sup>69</sup> All these factors combined, stereotypes, religion, family values and tradition, and problems with law enforcement involvement come together to oppress Latina victims of domestic violence and keep her from seeking the necessary assistance that she needs to escape abusive relationships. In order to find a solution to the problem of domestic violence in the Latina community, it must be understood that Latinas face various barriers that other women do not face because of their race, national origin, and gender.<sup>70</sup>

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<sup>65</sup> *Id.* at 217.

<sup>66</sup> Rivera, *supra* note 5, at 234.

<sup>67</sup> Buel, *supra* note 64, at 217.

<sup>68</sup> Rivera, *supra* note 5, at 234.

<sup>69</sup> *Id.* at 257.

<sup>70</sup> *Id.*

When research on domestic violence in the Latino community was first undertaken, many different suggestions were offered as solutions to provide better assistance for Latinas seeking to escape their abusive relationships.<sup>71</sup> Some of these solutions included more culturally competent services to assist Latinas, as well as an increase in education for police officers on how to implement domestic violence mandatory arrest policies without arresting and harming both the victim and the abuser.<sup>72</sup> In addition to this, general domestic violence education was also suggested for law enforcement officers so that they would be better equipped and more sensitive to deal with domestic violence complaints as a whole.<sup>73</sup> Edward Gondolf and his associates also suggested that Latinas were in need of better shelter services, specifically ones that were bilingual.<sup>74</sup> Finally, Rivera noted that in addition to legal cultural competency education, efforts must be devoted both within the Latino community and in the domestic violence movement to eradicate the stereotypes that exist about the Latino community in order to pave the way for an increase in assistance for Latina victims of domestic violence.<sup>75</sup>

### **Part III – Domestic Violence and the Jewish Woman**

While research about domestic violence in the Latino community has increased and is progressing, in the Jewish community, the topic of domestic violence is avoided and hardly ever discussed.<sup>76</sup> In fact, a myth persists that there is no domestic violence in the Jewish community at all.<sup>77</sup> According to one Rabbi, “Domestic violence? Jews condemn it!”<sup>78</sup> Although people

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<sup>71</sup> *Id.* at 256.

<sup>72</sup> Buel, *supra* note 64, at 217.

<sup>73</sup> *Id.*

<sup>74</sup> Gondolf et al, *supra* note 9, at 48.

<sup>75</sup> Rivera, *supra* note 5, at 257.

<sup>76</sup> Koblenz, *supra* note 11, at 260.

<sup>77</sup> *Id.*

outside the Jewish community are mostly to blame for the persistence of this myth, there are also many Jews who still believe that domestic violence simply does not exist within their world or who are committed to ensuring that the secular world believes it is non-existent within the Jewish community.<sup>79</sup> For example, one scholar, Stacy Guthartz, notes that abused Jewish women often face the unsympathetic scorn of other Jewish women, as well as the Jewish community at large, who frown upon those who dare to accuse abusive Jewish men of such heinous and immoral crimes.<sup>80</sup>

To illustrate secular society's ignorance to domestic violence in the Jewish community, I offer examples of my peers who were reasonably shocked when I explained to them the substance of this paper in passing. Many of my friends who work in Jewish communities were especially shocked and many were surprised that there was even research on the topic of domestic violence in the Jewish community. While discussing the paper with one friend, she said to me, "But how is that possible, all the Jewish men I know seem so nice! They do not beat their wives, do they?" Whether this idea that domestic violence does not exist in the Jewish community is due to ignorance, a complete lack of knowledge of the signs and symptoms of domestic violence, or just the desire to block out any mention of its existence in the Jewish community, domestic violence goes relatively ignored when members of the Jewish community deny the problem and outsiders do not realize it exists.<sup>81</sup>

However, regardless of those who believe that domestic violence does not exist in the Jewish community, the problem is all too real for many Jewish women. Just ten years after Jenny Rivera's article on Latinas and domestic violence, Jewish Women International conducted a

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<sup>78</sup> Beverly Horsburgh, *Lifting the Veil of Secrecy: Domestic Violence in the Jewish Community*, 18 HARV. WOMEN'S L.J. 171 (1995).

<sup>79</sup> *Id.*

<sup>80</sup> Stacy A. Guthartz, *Domestic Violence and the Jewish Community*, 11 MICH. J. GENDER & L. 27, 31, (2004).

<sup>81</sup> *Id.*



study that evaluated the state of domestic violence in the Jewish community.<sup>82</sup> The study released some very shocking information: that battered Jewish women were the least likely of any ethnic or religious group to utilize available resources or implement self-help remedies such as women's shelters, support groups, or social services as victims of domestic violence in their communities.<sup>83</sup> The study also found that due to the stereotypes that Jewish men do not abuse their wives, law enforcement, rabbis, and social services organizations tend to ignore the problem of domestic violence in the Jewish community.<sup>84</sup> There are many reasons why domestic violence is ignored in the Jewish community. These reasons range from shame, embarrassment, religion, family values, and the belief that no one will believe them because of the stereotypes of both men and women that run rampant in the Jewish community and secular society.

#### **A.) Religion and Family Values**

In the Jewish religion, men and women are instructed on their basic religious beliefs by the mitzvot.<sup>85</sup> The mitzvot is a set of obligations regarding Jewish life that can be found in the Torah, the Jewish bible and main source of the Jewish religion's scripture.<sup>86</sup> The main teachings of the written Torah are combined with oral teachings to comprise the Hallakah.<sup>87</sup> According to Jewish tradition, women are incapable of intellectually comprehending the teachings of the Hallakah, but as a source of law, it advocates for Shalom Bayit, defined as "peace in the home."<sup>88</sup> Therefore, because the basic teachings of the Torah advocate for peace and love in the home, the issue of domestic violence is hardly ever addressed and people are led to believe that it

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<sup>82</sup> Karen Buckelew, Jewish Domestic Abuse Equals Same As for Others, Baltimore Jewish Times, Oct. 22, 2004 at Local News (citing Jewish Women International's Needs Assessment: A Portrait of Domestic Abuse In the Jewish Community (2004)).

<sup>83</sup> *Id.*

<sup>84</sup> *Id.*

<sup>85</sup> Horsburgh, *supra* note 78, at 180.

<sup>86</sup> *Id.*

<sup>87</sup> *Id.*

<sup>88</sup> *Id.* at 181.

is something that is never experienced by Jews.<sup>89</sup> As Beverly Horsburgh has noted, there are very limited statistics about domestic violence in the Jewish community.<sup>90</sup> She highlights the fact that there is a severe lack of research on this issue and even the research that has been done, has not been widely disseminated or accepted by either Jews or the secular world outside their religious community.<sup>91</sup> When interviewing many Jewish women and rabbis about domestic violence for her article, Horsburgh received very diverse results from her different interviewees.<sup>92</sup> Some Rabbis, the more reformed and less strictly religious, expressed their awareness of the problem of domestic violence in the Jewish community, while the more conservative rabbis claimed that it was un-Jewish and did not exist.<sup>93</sup>

In her interview with the reform rabbi he said: “domestic violence is a Jewish problem as well as a non-Jewish problem. Jewish law forbids domestic violence. It is contrary to the Jewish tradition.”<sup>94</sup> When one Jewish survivor of domestic violence told her story to Horsburgh, she mentioned her own experience about telling her friends of her abuse.<sup>95</sup> The woman’s friends told her that what she was experiencing was not possible, that domestic violence did not exist in Jewish families, and that it was against the Jewish teachings.<sup>96</sup>

Regardless of whether or not it is against the teachings of the Torah, the main source of religious scripture and law in Judaism, domestic violence does exist in Jewish homes. Currently and for some time now, there has been a debate between rabbinical scholars about whether or not

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<sup>89</sup> *Id.* at 172.

<sup>90</sup> *Id.* at 177.

<sup>91</sup> *Id.*

<sup>92</sup> *Id.* at 171.

<sup>93</sup> *Id.*

<sup>94</sup> *Id.*

<sup>95</sup> *Id.* at 175.

<sup>96</sup> *Id.*

domestic violence is truly condoned in the Torah.<sup>97</sup> One Orthodox Rabbi said in an interview with one scholar on the issue, “Domestic violence? Jews condemn it! It is not Jewish. I don't know any women in my congregation who are abused. Why is a nice Jewish woman writing about this?”<sup>98</sup> Clearly even some Rabbis have a problem with a scholar discussing the possibility that domestic violence is something that exists in the Jewish community even though there is still debate going on about whether or not domestic violence is truly condoned by the Jewish religion. Another Rabbi also stated: “Observant religious families are not violent. You don't see violence in these homes. They are more spiritual.”<sup>99</sup>

There are many different sects of Judaism spanning from a more reformed practice of Judaism, where these communities are less likely to live strictly by the teachings of the Torah, the Jewish bible, to Orthodox and Hasidic communities who live completely according to the Torah in their own isolated communities, strictly following Jewish law.<sup>100</sup> While the mentioned rabbis may be right about the basic teachings of the Torah, this belief does not extend to all religious scholars and rabbis. While the Torah does not openly condone violence, whether against a stranger or against women in general, the more strict teachings of the Torah do place women in a subservient role in the Jewish home and Jewish society, and at times allow for women to be punished or beaten to help them to better follow Jewish Law.<sup>101</sup>

Women are separated from not only men as an entire gender, but also from their husbands and other male relatives.<sup>102</sup> Women and men are governed by different rules and

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<sup>97</sup> Koblenz, *supra* note 11, at 264.

<sup>98</sup> Horsburgh, *supra* note 78, at 172.

<sup>99</sup> *Id.*

<sup>100</sup> Koblenz, *supra* note 11, at 266-67.

<sup>101</sup> *Id.* at 264.

<sup>102</sup> *Id.* at 267.

women are in essence, treated as second-class citizens to men.<sup>103</sup> Jewish men and women are never allowed to touch in public, especially if they are married, and Jewish women are often excluded from many important religious rituals described as extremely sacred to their religion by the Torah itself.<sup>104</sup> According to Koblenz, Jewish women and girls are taught at a very young age that they are not regarded to be as important as males in the Jewish faith.<sup>105</sup> While Jewish males are celebrated at their birth with a celebration of circumcision, known as a brist, Jewish girls are not celebrated at all.<sup>106</sup> While in reformed Jewish communities it is common for both female and male Jewish children to celebrate their coming of age with a Bat or Bar Mitzvah, in Orthodox and Hasidic Jewish communities, it is not uncommon for families to only celebrate the male coming-of-age ritual, the Bar Mitzvah.<sup>107</sup> From an early age, it is implied to Jewish females that their place in the community is in the home and is not as valued as that of their male counterparts.<sup>108</sup>

According to Beverly Horsburgh this religious subservience paves the way for battering in the Jewish home as men are placed in a role of dominance and power when they are given greater responsibility, control, and opportunity in both society and the home.<sup>109</sup> Women are denied even the smallest of comforts, such as the ability to go to prayer and mourn when a family member has passed.<sup>110</sup> Without her husband's permission to do so in a situation of loss and mourning, an Orthodox or Hasidic woman is not permitted to go to the synagogue in order to

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<sup>103</sup> *Id.*

<sup>104</sup> *Id.* at 266.

<sup>105</sup> *Id.*

<sup>106</sup> *Id.*

<sup>107</sup> *Id.*

<sup>108</sup> *Id.*

<sup>109</sup> Horsburgh, *supra* note 78, at 171.

<sup>110</sup> Koblenz, *supra* note 11, at 266-67.

worship.<sup>111</sup> One Jewish woman said of the connection between her husband's abuse and his religious observance:

“Now I see a connection between religion and violence. When my husband went to synagogue he would feel exalted. That sense of self-uplift does not come from within, but from an external structure. The organization gives you status. So when he came home, shame would set in and he would get in touch with his lack of self-esteem. He needed to regain control and would take his feelings of shame out on me. He beat me more after going to synagogue. He got stirred up in synagogue and came home to reality where he hated himself.”<sup>112</sup>

The woman is expected to obey the commands of her husband and concentrate on their home and family life.<sup>113</sup> Her main goal is to achieve Shalom Bayit in the home in addition to obeying her husband.<sup>114</sup>

Another aspect of the Jewish religion that is male dominated is the Jewish legal system and the process of getting a divorce if either party wishes to do so. However, the problem is not getting a civil divorce, but getting a religious divorce. Like most aspects of the Jewish religion, males control religious divorce proceedings.<sup>115</sup> Even if a Jewish woman were to go down to the secular courts and file for divorce, in order to truly get away from her husband, that would not be enough. Because of Jewish law and religion, in order for a Jewish woman to get out of her marriage, she must persuade her husband to give her a “get,” or a Jewish religious divorce.<sup>116</sup> A “get” is a form of religious divorce that exists only in Judaism.<sup>117</sup> A Jewish woman has no power on her own under Jewish law, so she must be granted a get by her husband before she can approach the Jewish courts, the Beit Din, under Jewish law, to formally request the get and be

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<sup>111</sup> *Id.*

<sup>112</sup> Horsburgh, *supra* note 78, at 175.

<sup>113</sup> *Id.*

<sup>114</sup> *Id.*

<sup>115</sup> Koblenz, *supra* note 11, at 275-77.

<sup>116</sup> *Id.*

<sup>117</sup> *Id.*

religiously freed from her husband.<sup>118</sup> Without the permission of her husband, the parties would still be religiously bound and the women would be considered an outcast in the Jewish community, shunned by other members of her religion because she is technically still religiously married to her husband regardless of what a civil court may grant.<sup>119</sup>

A woman who has not been given a get by her husband, but only proceeds with a civil divorce, is referred to as an “agunah,” or outcast.<sup>120</sup> Oftentimes, in order to assert power over his victim, an abusive husband will refuse to grant his wife a get. If the case is severe, the rabbi knows about the abuse, and the husband is still unwilling to give his wife a get, the Rabbi will often need to get involved and attempt to convince the husband to grant his wife a get.<sup>121</sup> Not only has her husband abused his victim privately, but now is also publicly abusing her as he refuses to give her the freedom from their marriage that she is unable to receive on her own. This is just another example of an area of the Jewish religion where women have no power.

However, many Jewish women, including four Hasidic women interviewed for the first time ever on live television by Oprah Winfrey, do not consider their role in the Jewish family to be subservient to their husbands.<sup>122</sup> Instead of feeling as if they are left out of certain community and religious experiences, these women believe simply that it is only a difference in the roles practiced by the two genders that separate them.<sup>123</sup> These four women believed themselves to be the heads of their household while their husbands were simply living another part of their highly religious lifestyle; they viewed their relationship as equal parts of one whole.<sup>124</sup> While it is

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<sup>118</sup> *Id.* at 283.

<sup>119</sup> *Id.* at 275.

<sup>120</sup> *Id.* at 284-85.

<sup>121</sup> *Id.*

<sup>122</sup> *Oprah Winfrey: Special on Women of Crown Heights* (Oprah Winfrey Network television broadcast, February 14, 2012).

<sup>123</sup> *Id.*

<sup>124</sup> *Id.*

entirely possible that these women were never subjected to domestic violence in their homes, when the topic of general violence was approached in their community, all four women were completely appalled. It was as if the idea of violence at all was not even something that could have ever been considered in their community.<sup>125</sup> The topic of domestic violence in the Jewish home was never breached during the interview. This opens one's eyes to the idea that perhaps some in the Jewish community truly believe that domestic violence does not exist in their community. However, it is very possible that these women were also very aware of its existence and chose not to air the dirty laundry of a very private community on national television.

### **B.) Stereotypes**

While there are some very strong and pervasive stereotypes of the Latino community, there are also strong stereotypes of families in the Jewish community, however the stereotypes of Jewish males are much more positive than those of Latino males. Stereotypes are one of the main reasons that people do not believe that domestic violence exists in the Jewish community. The stereotypical Jewish male is one described as gentle, religious, and a dutiful husband and father because of his dedication to Jewish law and teachings.<sup>126</sup> Some have even gone as far as to consider the Jewish man the "perfect husband."<sup>127</sup> Because this stereotype is so ingrained in the Jewish community many women begin to believe that it is, in fact, true and are unable to conceptualize the violence they are experiencing.<sup>128</sup> In Horsburgh's interviews with Jewish domestic violence survivors, one woman expressed her knowledge of this stereotype about Jewish men.

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<sup>125</sup> *Id.* Oprah approached the topic of the young boy who was recently murdered in Crown Heights, Brooklyn and all the women interviewed expressed their extreme disgrace at any sort of violence taking place in their community. They described a very wholesome and faithful approach to Judaism, very far off from the descriptions that I have found in outside research about violence in their communities.

<sup>126</sup> Koblenz, *supra* note 11, at 260-61.

<sup>127</sup> *Id.*

<sup>128</sup> *Id.* at 270.

“In growing up, it was unheard of that a Jewish man beats a Jewish woman. That was not even a remote possibility. Jewish men make the best husbands. I was raised to believe that being Jewish is the same as being "good." Even after my divorce, I was told by my family to find a nice Jewish boy. It still angers me because my family knew my ex-husband was not "good." My husband came from a supposedly religious family. He was raised Conservative and went to shul (congregation) fairly regularly.”<sup>129</sup>

Regardless of the fact that this woman had already been traumatized by a domestically abusive relationship with her Jewish husband, even her family still found it difficult to believe that Jewish men were not the perfect husbands and that domestic violence existed in her home; they still insisted that she marry another Jewish man.

In addition to the stereotype of Jewish men as gentle and non-violent, Jewish women are often perceived as dominant, catered to, spoiled, and overbearing.<sup>130</sup> Many believe that with the sort of temperament attributed to Jewish women, it is impossible for a Jewish woman to be a victim of domestic violence.<sup>131</sup> For if a Jewish woman is really that overbearing and in control of her household, how could her partner ever possibly have the ability to abuse her? It is because of these stereotypes that Jewish families are not considered violent, as well as the women’s religious conditioning to keep peace in the home, that the stereotype persists that domestic violence is not a problem in Jewish communities. Even members of the Jewish community find it hard to believe that Jewish men often commit acts of domestic violence against their partners. In another of Horsburgh’s interviews with Jewish survivors of domestic violence, the woman gave more specifics about her life in an abusive Jewish household.

“He hit me before we married -- chased me around the room when I refused to marry him. After we married it was much worse. He drank a lot and took drugs. He became even more violent when he was drinking. He was two different people.

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<sup>129</sup> Horsburgh, *supra* note 78, at 175.

<sup>130</sup> Koblenz, *supra* note 11, at 269.

<sup>131</sup> *Id.*



In public he was the famous doctor, holier than God, loved by all. In private he was a monster...He also beat the children. We have six children...I couldn't leave him. It would break my parents' hearts to know that I was unhappy. I had six children. I was not educated. I didn't speak good English. I had no job skills. Where could I go with six kids?...I was raised not to complain about your personal problems. You don't hang your dirty laundry outside.”<sup>132</sup>

This woman suffered for twenty-seven years married to her abuser. That is more than five times the average amount of time that women stay in abusive relationships.<sup>133</sup> Because of her Jewish religious upbringing, her strong connection to her family, and her desire to keep peace in the home, it was difficult for her to leave her home and stop the cycle of abuse. She also was taught in the Jewish religion not to air her personal problems and ask for help from the outside. These factors support the prevailing stereotype that domestic violence does not exist in the Jewish community.

Another very highly publicized case of domestic violence, one of the first severe cases to ever make press in the United States, was the horrific case of New York City resident and Jewish woman, Hedda Nussbaum.<sup>134</sup> However, despite the severity of Ms. Nussbaum's case, one issue that was never addressed by the media was that she was a Jewish woman; it was as if it was not even pertinent to her case. Nussbaum and her young, illegally adopted daughter suffered at the hands of Nussbaum's partner, Joel Steinberg, for over ten years living in a tiny apartment where Steinberg abused them both regularly.<sup>135</sup> It was not until Steinberg eventually beat their daughter, Lisa, to death that Nussbaum's struggles with domestic abuse came to light and the public was faced with the horror that she and Lisa had been living in for years.<sup>136</sup>

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<sup>132</sup> Horsburgh, *supra* note 78, at 173.

<sup>133</sup> Koblenz, *supra* note 11, at 260.

<sup>134</sup> ANN JONES, NEXT TIME, SHE'LL BE DEAD: BATTERING AND HOW TO Stop IT, 167-98 (1994).

<sup>135</sup> *Id.*

<sup>136</sup> *Id.*

However, instead of empathizing with Nussbaum’s horrendous story of domestic abuse, many of the public instead sympathized with Steinberg for “what he must have had to deal with living with her.”<sup>137</sup> The public wanted to blame Nussbaum for something as well, despite all the abuse that she suffered at Steinberg’s hand.<sup>138</sup> The public also did not believe that Steinberg had the capability of committing all the extreme violence that he committed.<sup>139</sup> Regardless of whether public’s response mirrors the traditional stereotypes of both Jewish men and women was coincidental, it is interesting that this was how the public viewed this tragic case. The stereotypes that have been created about Jewish families are false, just like those that are spread about Latino families and communities. These stereotypes, as well as community isolation and religious restrictions are part of the reasons that domestic violence has not been solved in these communities, and in order to eradicate the problem, there needs to be further inquiry into why domestic violence is ignored in these communities.

#### **Part IV: What Are the Similarities Between the Latina and Jewish Women, and Why Is Domestic Violence Ignored in their Communities?**

Jewish women and Latinas both face horrific ordeals when it comes to dealing with domestic abuse in their homes, families, and communities, but regardless of how different these two racial and ethnic groups may seem, the reasons that domestic violence continues to persist in their communities are very similar. Clearly domestic violence from different races and cultures is a problem that persists regardless of the stereotype associated with it, either positive or negative. However, while the issues of ineffective assistance with domestic violence services in both

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<sup>137</sup> *Id.* at 177.

<sup>138</sup> *Id.*

<sup>139</sup> *Id.*

Latino and Jewish communities have been brought to the forefront in recent research, more needs to be done by the law to equip these women to better deal with the domestic abuse that they face in their homes.

### **A.) Religion and Traditional Values**

Many of the reasons why Jewish women and Latinas are continually oppressed in their communities are because of religion and a male-centered, patriarchal society. Judaism is centered on a patriarchal society, the strictest forms of the religion controlled only by men and excluding women from very important religious events such as mourning services and daily prayer services.<sup>140</sup> There are even rules governing whether men and women can touch each other in public.<sup>141</sup> All of the Jewish teachings come from the Torah and have different rulings on the different aspects of Jewish life; many of these teachings reference women as a lesser part of society, the part that is supposed to act as both wife and mother, not interfere with the male world of Judaism, and keep Shalom Bayit in the home.<sup>142</sup> As mentioned earlier, Beverly Horsburgh argues that this religious subservience paves the way for battering in the Jewish home as men are placed in a role of dominance and power when they are given greater responsibility, control, and opportunity in both society and the home.<sup>143</sup>

Latina women also face these same issues in the Latino community being dominated by male-centered society where women are expected to act as the Catholic daughter, wife, and mother, as well as putting the well being of her family before her own.<sup>144</sup> Latinas observance of the Catholic religion, also expected from the male-dominated society, puts Latinas in a similar

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<sup>140</sup> Koblenz, *supra* note 11, at 260-62.

<sup>141</sup> *Id.*

<sup>142</sup> *Id.*

<sup>143</sup> Horsburgh, *supra* note 78, at 171.

<sup>144</sup> Rivera, *supra* note 5, at 240.

position as Jewish women. Because of their traditional gender roles and the patriarchal religions of their communities, Latinas and Jewish women are subordinated in their roles and are unlikely to break out of these traditional roles in order to seek help when necessary to escape abusive relationships.<sup>145</sup> Because both Latinas and Jewish women are unlikely to ask for assistance, the problem of domestic violence in their communities may continue to go unnoticed. Also, because of their religions and traditional community beliefs, especially the Jewish belief not to air their dirty laundry to the public, both Latinas and Jewish women alike are unlikely to get outsiders involved in their problems of domestic violence.<sup>146</sup> This would be viewed as betrayal to both communities if these women chose to involve secular society in their problems.<sup>147</sup> In addition, both communities are rather isolated by the rest of society, Latinas because of language and cultural barriers, and Jewish women because of their deep-seated religious and cultural beliefs that may not be understood by outsiders. This may also make it increasingly difficult to engage the help of outsiders such as law enforcement and the judicial system.

### **B.) Stereotypes**

Latino and Jewish communities are also plagued by stereotypes that influence the opinions that outsiders and people in their communities have about domestic violence. Outsiders and the police ignore domestic violence in the Latino community because they stereotype this community as violent.<sup>148</sup> Because of this stereotype and the earlier mentioned factors, people are less willing to take the problem of domestic violence in the Latino community seriously and do not provide the necessary assistance to Latina victims of domestic violence.<sup>149</sup>

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<sup>145</sup> Koblenz, *supra* note 11, at 270; Rivera, *supra* note 5, at 240.

<sup>146</sup> Horsburgh, *supra* note 78, at 171.

<sup>147</sup> Horsburgh, *supra* note 78, at 171; Rivera, *supra* note 5, at 245.

<sup>148</sup> Rivera, *supra* note 5, at 240.

<sup>149</sup> *Id.* at 233.

In the Jewish community, domestic violence goes completely unnoticed due to the Jewish community's desire to deny the problem and keep it quiet from the secular world.<sup>150</sup> Because of the pervasive stereotypes of Jewish families as non-violent and the stereotype of Jewish men as the perfect husband, people are unlikely to believe that the Jewish community is, in fact, plagued by domestic violence.<sup>151</sup> Because of these stereotypes of the Latino and Jewish community, people in secular society are less likely to notice and take the problem of domestic violence in these communities seriously.

Many scholars, like Jenny Rivera, Adam Koblenz, and Beverly Horsburgh have all expressed that religion, male dominated society, and cultural isolation keep both groups of women from seeking the assistance they need with domestic violence and in turn, continues to keep the problem under the radar. It is interesting to see the extreme similarities between the two very different groups, but their religious, patriarchal, family-oriented societies both create a breeding ground for domestic violence.<sup>152</sup> While domestic violence is just as common in other communities and spans across cultures, races, and ages, the circumstances that Jewish women and Latinas face, like social isolation, family, and religious pressure, make it more difficult for them to escape these abusive situations. Also, the social isolation prevalent in both groups greatly affects whether or not the women are willing to go outside of their communities, in order to get the help they need.

When Jenny Rivera did her groundbreaking research on Latinas in domestic violence situations, her focus was only on Latinas and not on the same problem that was taking place right in front of our eyes in the Jewish community. Suddenly socio-economic and political factors

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<sup>150</sup> Koblenz, *supra* note 11, at 260-61.

<sup>151</sup> *Id.*

<sup>152</sup> Rivera, *supra* note 5, at 245; Horsburgh, *supra* note 78, at 177; Koblenz, *supra* note 11, at 260-61.

were not the only indicators of hidden domestic violence. Regardless of education, socio-economics, and language barriers, domestic violence exists in a community that is very unexpected to most, the Jewish community. While this conclusion is not original, the lens in which we have viewed it here, a lens more focused on the tools used to oppress, is refined. In order to decide what is necessary to do about the legal system assisting Jewish women in domestic violence cases, an approach needs to be taken similar to the ones taken and suggested by Jenny Rivera and other scholars for the Latino community regarding educating law enforcement officials and developing more culturally competent legal services in order to open up society's eyes to the problem of domestic violence in the Jewish community.

#### **Part V: What Can the Law Do For the Jewish Woman?**

As domestic violence in the Jewish community becomes better understood and discussed by scholars like Horsburgh and Koblenz, it is necessary for the judicial, legal, and social systems to start channeling greater resources into developing more accessible services for the Jewish women.<sup>153</sup> Aside from their obvious phenotypically similar characteristics like skin color, the ethnicity and culture of Jewish women are very different than the average white American woman. While one white middle class woman may know where to get legal services and may be comfortable working with any attorney willing to take on her case, an Orthodox women is in need of an advocate that understands the barriers that stand in the way of her getting help such as the teachings of the Torah, the basic Orthodox patriarchal belief system, and how to navigate the Jewish legal system in order to assist a client in the case of requesting a get. This is not to suggest that it is ever easy to leave an abusive relationship regardless of race or ethnicity,

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<sup>153</sup> Horsburgh, *supra* note 78, at 177; Koblenz, *supra* note 11, at 260-61.

services just may be more accessible for white, secular women to access in order to leave their abuser. Jewish women have an even harder time leaving their abuser because of their ingrained sense of dedication to their families, their communities, and their traditional religious beliefs.<sup>154</sup>

In order to truly assist Jewish women in their fight against domestic violence, there needs to be more culturally competent social and legal services available to Jewish women. Jewish women need to be able to work with social workers, attorneys, and shelters that they can trust to understand their cultural differences and boundaries. These service providers need to be willing to make the necessary accommodations to assist Jewish women, such as receiving the proper cultural training to understand the Jewish religion as well as Jewish Law. Without understanding how the Jewish community operates and functions, it may be very difficult for an advocate or social worker uneducated about the Jewish community to work with a Jewish woman, especially if that woman is from one of the more strictly religious sects of Judaism. There may be a risk of offending the client or disrespecting the client's wishes and beliefs if the advocate does not understand what the client needs.

These culturally competent organizations also need to exist in locations that are accessible to the Jewish woman. The New York Legal Assistance Group located in New York City is one legal services organization that is working toward providing Jewish women with culturally competent legal services in domestic violence and family law cases.<sup>155</sup> Located in Lower Manhattan, this group is very accessible to the large population of Jewish communities in New York City, especially in Brooklyn.<sup>156</sup> Their program, "Project Eden," is specifically tailored to work solely with Jewish women victims of domestic violence in effort to gain protection and

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<sup>154</sup> Koblenz, *supra* note 11, at 260-61.

<sup>155</sup> Interview with Lisa Rivera, Associate Director: Matrimonial and Family Law Unit, New York Legal Assistance Group, NY (Mar. 6, 2012).

<sup>156</sup> *Id.*

to leave their abusers.<sup>157</sup> The attorneys who work with these women are extremely competent Jewish women and understand their clients' cultural needs due to their own religious upbringing and education.<sup>158</sup> These attorneys are able to effectively assist their clients in getting the assistance that they need from both the Jewish and civil courts in order to obtain their get, as well as civil orders of protection to be freed from their abuser.<sup>159</sup>

In order to continue assisting Jewish women victims of domestic violence throughout the United States, more programs like "Project Eden" need to be created in order to provide Jewish women with culturally competent assistance and to stop the cycle of domestic violence in their communities. Education about the problem of domestic violence in the Jewish community is especially important in order to raise awareness to secular society that domestic violence is truly an issue for Jewish women. Something also needs to be done to dispel the stereotypes that exist that make people believe and continue to believe that domestic violence does not exist in the Jewish community due to the stereotype of Jewish males as non-violent. People need to be educated on the fact that domestic violence is just as prevalent in the Jewish community as it is in any other community and that Jewish women are not getting the assistance that they need to leave abusive relationships. As Jenny Rivera noted about stereotypes of Latina women, "the proliferation of stereotypes...obstructs the progress and mobility of Latinas...Unless these myths and misconceptions are revealed and dispelled, the reality of Latinas as targets of Latino violence will remain unexplored, and Latinas' critical problems will remain unsolved."<sup>160</sup> This same problem will likely persist if the stereotypes of the lack of domestic violence in the Jewish community continue and Jewish women are not given the help they need. Without proper and

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<sup>157</sup> *Id.*

<sup>158</sup> *Id.*

<sup>159</sup> *Id.*

<sup>160</sup> Rivera, *supra* note 5, at 241-42.



adequate education about the issue of domestic violence, domestic violence in the Jewish community will continue to go underreported and will continue to remain an issue. Therefore, the legal and social services systems should focus on developing more culturally competent social and legal services like the program at the New York Legal Assistance Group in order to truly assist Jewish women in their fight against domestic violence.

## **VI: Conclusion**

Inaccurate stereotypes of both the Latino and Jewish community make it difficult for victims of domestic violence to get help in order to flee their abusers. Due to the stereotypes about domestic violence in the Latino community, it has become very difficult for Latina women to persuade the community to take their fight against domestic violence seriously, leaving women without the necessary tools they need to avoid violence in the home. However, over time, policy makers, social services organizations, legal scholars, and the justice system have begun to work together to try to make progress for Latina victims of domestic violence.

The juxtaposition of Jewish male and female stereotypes make it difficult for Jewish women to address the issue of domestic violence in their community. Like Latina women, the strong family and religious focus of Jewish women make it difficult to separate themselves from the violence in their home and make it difficult for them to confide in others, especially religious leaders in order to do something to either solve the problem of domestic violence for themselves or help women prevent domestic violence in the future. These stereotypes need to be debunked in order to successfully assist these communities in eradicating the issue of domestic violence. More culturally competent resources also need to be created in order to combat domestic violence in these unique communities. Without addressing this crucial problem of domestic

violence in the Jewish community, it will likely continue to go unnoticed leaving Jewish women without the necessary assistance needed to leave their abusers.