

Daughter Topples Orthodox Law Disinheriting Her

Amy Neustein could have quietly savored her recent legal victory in a case of inheritance rights in New York. She'd won. The house was hers. But too many Orthodox women have lost similar struggles to keep silent.

BY WOMENS ENEWS STAFF • ARTS & CULTURE, EMPLOYMENT • NOVEMBER 9, 2010

[f](#) [t](#) [in](#) [st](#) [wh](#) [em](#)



Credit: diluvi / diluvi.com Anna I Adria on Flickr, under Creative Commons 2.0

(WOMENSENEWS)—Anyone who believes religious traditions only oppress women in faraway places should hear my story.

I've just won an eight-year legal battle in Brooklyn, N.Y., to keep the house my parents left me. My brother—the first-born son of an Orthodox rabbi—claimed the religious right to evict me.

Last month Brooklyn Surrogate's Court Judge Diana A. Johnson not only ruled the house was legally mine, but awarded me over a half a million dollars in damages from my brother for having padlocked me, just days after my father's death, out of the family home my parents had deeded to me. For over seven years, while I racked up crushing legal fees, my brother barricaded my childhood home.

My case is not exceptional. Many Orthodox Jewish women have called me since the news of my victory was reported in the New York Post and reprinted in the Brooklyn Eagle and on various blogs. Many said they wish they had fought back as I did. These calls made me livid at those handful of U.S. rabbis and others who share my faith who routinely turn their backs on women.

Ancient Jewish law says the first-born son—the b'khor, in Hebrew—inherits a double share of his parents' inheritance; daughters get nothing.

First-Born Boasts

When my brother locked the doors against me less than a week after my father died, he boasted that as the first-born son, he could take my old home, even though a deed my parents wrote in 2001 made me the sole owner after their deaths.



Although I ultimately won justice, I have been saddened at how much I've had to fight alone.

The expensive law firm I hired assigned an Orthodox Jewish lawyer to my case, who (after I had paid some \$75,000 in legal fees) urged me to settle with my brother. My lawyer claimed my "strong personality" would "turn off" a jury. (When the case finally came to trial, there was in fact no jury at all.)

Apparently the idea of a woman demanding her legal rights from an older, celebrated brother really does turn off many Orthodox. Several posters on an Orthodox-run blog, Vos Iz Neias, vilified me for trying to defend my inheritance rights.

"Torah [Jewish law] is clear," wrote one, "daughters get nothing." Another insisted that because I had gone to court to assert my rights I had "turned my back" on my father's religion and was "somebody who publicly defames the Tora[h]."

My victory goes to Orthodox Jewish women everywhere who share my view that first-born sons have no right to treat their sisters with blatant disregard.

I've organized something called Sisters of B'khors (SOB, if you don't mind the pun) to help other Jewish women stand up to eldest brothers who would rob them of their modern legal rights.

Amy Neustein is co-author of *"From Madness to Mutiny: Why Mothers Are Running from the Family Courts—and What Can Be Done about It"* and editor of *Tempest in the Temple: Jewish Communities and Child Sex Scandals*.

Would you like to Comment but not sure how? Visit our help page at <https://womensenews.org/help-making-comments-womens-eneews-stories>.

Would you like to Send Along a Link of This Story? <https://womensenews.org/story/religion/101108/daughter-topple-orthodox-law-disinheriting-her>

For more information:

The Court Decision:
http://www.courts.state.ny.us/Reporter/3dseries/2010/2010_51612.htm

Sisters of B'khors:
<http://amyneustein.com/sob.htm>

[f](#) [t](#) [in](#) [st](#) [wh](#) [em](#)

Author

