

Not Enough Progress By Rabbis, Leaders On Dealing With Sexual Abuse
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The time for serious vigilance of child abuse in the Modern Orthodox Jewish community is long overdue. It is time that lay and religious communal leaders have zero tolerance for child abusers and cease to cover up, enable, or protect them.

In recent years, both in Israel and in America, our community has learned many painful lessons on this topic, and institutions that have owned up to mistakes made in the past and seek ways to create policies that would avoid repeating these mistakes have made some progress. But we have not done enough. The progress made has been insufficient.

The most severe consequence of sexual abuse of children (and of enabling abuse by protecting offenders) is suicide. Tragically this has occurred in the Orthodox Jewish community. That makes it a form of murder. It is time that parents learn to overcome the taboo of reporting abusers to the authorities. Therapists tell me that it is in the best mental health interest of their children to do so. Parents who don't report abuse often say they are trying to protect their children by allowing the incident to quietly blow over, lest their children become publicly shamed or stigmatized. But in fact the opposite is true. Children are harmed much more when incidents are not reported and dealt with.

There can be no mercy for abusers. If they are not stopped they will abuse other people's children. In a sense, a failure to report (or to enable) makes one an indirect accessory to future crimes. And far worse than those who fail to report are those communal leaders who use their authority (or their synagogues, schools, or organizations) in ways that either directly or indirectly promote further abuse. This is done by refusing to take abuse seriously and maintaining abusers in settings where they have continued access to children, such that further abuse will surely occur.

Abuse is also indirectly promoted by leaders who discourage or disparage parents or others who are doing the right thing by reporting abuse to the authorities. I offer here one example of each type of promotion of abuse, not from the past, but now – one in Israel and one in America.

The religious Zionist community in Israel established the Takanah Forum about a decade ago as a reaction to tragic incidents of sexual abuse that occurred in both boys' and girls' schools. A large panel of leading roshei yeshiva [rabbinic heads of yeshivas], male and female educators, rabbis, therapists, and jurists was formed to respond to complaints of sexual abuse not subject to the jurisdiction of the criminal legal system in Israel. Wherever possible, complainants are encouraged to go to the authorities.

Their most famous and tragic case related to allegations that Rabbi Mordechai Elon, rosh yeshiva of Yeshivat HaKotel and charismatic rabbi to many young men and families, who was found guilty of inappropriate physical behavior with a number of boys/young men (<http://takana.org.il/en/the-alon-case/>). The charges were made public in February 2010, after Rabbi Elon refused to cease his educational activities and refused to stop meeting young men privately, as Takanah had urged him to do.

The panel reviewing the Rabbi Elon case included such prominent figures as Rabbi Aharon Lichtenstein, Rabbi Yaakov Ariel and Bar Ilan law professor Yedidia Stern.

Since then, Rabbi Elon has refused to comply and has relocated to Migdal in the north where he has a Beit Midrash, and he still lectures around the country. Many of his followers remain staunch believers

in him despite the prestigious ethical members of the Takanah panel and despite his conviction in court earlier this month on two charges of sexually assaulting a minor. He is due to be sentenced in October.

The Takanah Forum declared that the charges for which Rabbi Elon was tried pale before the allegations presented to the Forum which were not subject to criminal prosecution. But Rabbi Elon continues to claim innocence, teach and lecture, and lash out against the Takanah Forum, which he publicly called a kangaroo court.

In defiance of Takanah's warnings, Rabbi Chaim Druckman, head of Yeshivot Bnei Akiva (YBA), the network of Bnei Akiva yeshivas in Israel, engaged Rabbi Elon to teach in his boys' yeshiva, Ohr Etzion, and rehired him after Rabbi Elon's conviction.

Psychologist and others have observed that this case highlights the danger of charismatic figures, and a failure of the Israeli rabbinate. Followers caught in the allure of such individuals surrender their freedom of choice. We call groups like this a cult. Furthermore, besides the broader Takanah panel, most of the Israeli rabbinate has chosen to remain silent on this case. Rabbi Druckman has gone a step further by enabling Rabbi Elon to teach in a boys' school, which could potentially have tragic consequences.

Rabbi Druckman did the same thing in the 1990s, allowing Rabbi Ze'ev Kopolovich, rosh yeshiva of YBA's flagship high school, Netiv Meir, to continue teaching there even after Rabbi Kopolovich had been alleged to have sexually assaulted 10 students. This went on until the rabbi was arrested and jailed.

YBA must insist that Rabbi Druckman retract the Rav Elon appointment. If he refuses, the organization must override his decision.

In the U.S., parents of a boy in Lakewood, NJ pressed charges of sexual molestation against Rabbi Yosef Kolko. Rabbi Yisrael Belsky, the Orthodox Union's halachic authority for kashrut, publicly accused those parents of "mesirah," the crime of turning a Jew over to secular authorities. As a result, the complainants were driven out of Lakewood. A few months ago Rabbi Kolko confessed to his crimes. Nevertheless, Rabbi Belsky continues to condemn the complainants as "mosrim." His position is contrary to the OU's position and that of its rabbinic arm, the Rabbinical Council of America, that child abuse must be reported to the secular authorities.

The OU has refused to publicly rebuke or take any action against Rabbi Belsky. It is time that the OU publicly condemn his defiance of the rules of the RCA and the OU. Principles must trump kashrut revenues in a major Orthodox organization's order of priorities. The existence of the Takanah Forum in Israel is refreshing. Nothing like it exists yet in the United States, though still our community has made some progress in recent years.

But the fact that communal leaders in these two cases are protecting and enabling abusers, or condemning legitimate accusers, underscores that our community still has a long way to go. And given the high stakes of life and death and mental health of our children, we can't afford to wait. Things will only change if our community loudly and articulately demands it.

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