

## Day of reckoning

By Esti Ahronovitz • Ha'aretz

On that sweltering August evening less than a year ago, no one could have imagined the tragic encounter between Avraham Rana, a childless old man, and Shmuel Levy, a 33-year-old neighborhood activist known for his charity work. Passersby on Lehi Street in Tel Aviv, near the Hatikva neighborhood, will not soon forget the monstrous sight. Levy had run amok, continuously and forcefully kicking Rana, who lay on the sidewalk, blood streaming from his ears, nose and mouth. "Rapist," shouted Levy, seized by emotion, "rapist."

Of the many witnesses who gathered around, only two intervened. Rami Halaj, a neighborhood resident, stopped his car and shouted at Levy to stop. "That guy kept stepping on him," he said in the courtroom, describing what he saw. "On his head, with his foot. He shouted 'rapist,' something like that. I began to scream, 'Rapist or not, leave him alone.' All kinds of people who gathered around were saying things like 'That's a rapist.' I said, 'Wait a minute, nobody here is a judge.' I wanted to help the old man."

Nahshon Elkazov, a policeman with the rank of sergeant major who passed by, also stopped his car. "I told him 'Stop, I'm a policeman,'" he said in his testimony, "and he stopped. He stood in front of me and shouted something. I was somewhat shocked by the sight, because there really was a lot of blood. He [Levy] was angry, out of control, crazy. The guy left and returned a few seconds later and started attacking again, and the other guy didn't fight back. In fact, there was nobody to attack any more."

A month before this encounter, Levy had become a media attraction under entirely different circumstances. Journalists and politicians hung on the words of the man who had been Ehud Barak's campaign manager during the 1999 elections. As a boy who grew up on the fringes of the distressed Kfar Shalem neighborhood, the Labor Party was a second home for him; he lived and breathed street politics, and in the late 1990s supervised hundreds of activists.

Shortly before the elections, he established the Tikva Leyisrael association, devoted to helping needy residents of disadvantaged neighborhoods. After the elections, the state comptroller found that Tikva Leyisrael was a conduit for transferring money for Barak's campaign. Through that organization and others, the comptroller said, Barak's election

headquarters had carried out budgetary activities that deviated from those permitted by law.

Levy and his good friend Tal Zilberstein were among the leading subjects of investigation in the "NPO [non-profit organizations] affair." He politely refused the offer of the investigators of the National Fraud Unit to turn state's witness and, like a loyal soldier, maintained his right to remain silent. In 2006 the affair ended; the State Prosecutor's Office found it would be difficult to produce indictments and closed all the files.

But as far as Levy was concerned, that was not the end of the story. In late July 2008 he went to the fraud unit's investigation offices in Bat Yam and said he had decided to talk. The timing was no coincidence: Levy was demanding millions of shekels for work he had done during the elections. He claimed that he owed money to the activists. Party leaders showed him the door.

Levy saw Rana talking to a thin little boy with brown hair. He approached him furiously: "Are you still fooling around with children?" he shouted, pushing Rana and hitting him with his hand. Rana fell to the ground. Levy kicked him and left the place in a fury, remarking to the stunned passersby, "Call the police, the man is a pedophile."

In his testimony, Levy said: "He was walking there on the main road, hiding the child with the cart. There are public parks there. I saw him while he was enticing the boy, offering him something. I didn't hear the conversation between them, but it was completely clear to me that he had enticed him and was about to do bad things."

'The memories came back'

And so, after more than 20 years, with choked sobs and in a broken voice, Levy began to expose the painful wound of his life. First he told the psychiatrist, Prof. Shmuel Tiano, who gave the court his opinion on the matter, and afterward he testified. "When I said in the police station that it was *deja vu*," he said in a trembling voice, with a lowered glance at the witness stand, "I was referring to myself. Everything he did to abuse me when I was small came back to me. He hurt me several times when I was little. He used to come to my house, we lived in a private house, and take me into the street, to the side, to the alleys, where there are dark places. That's where it happened. He pulled down my pants all the time and he rubbed his sexual organ against me. It wasn't once, it was several times. When I saw him with another child, the images came back to me, I was

amazed that he was still fooling around with children."

"Did you tell anyone?"

"Never. The first time I talked about it, it was to Nitza. I didn't tell people."

"Why didn't you talk about it when it happened, or afterward?"

"I can't say why. Maybe I was ashamed, I don't know exactly. I was a kid."

"Why did you keep quiet?"

"I was ashamed of what I had experienced. Now I understand that I had nothing to be ashamed of, although I say that with reservations. To this day I don't feel comfortable talking about what I went through and what I experienced and all the feelings I still feel. And as they say, shame kills."

"Are you saying that you kept it in for 20 years?"

"Yes. I can't stand those thoughts. I didn't even tell the people in Abu Kabir [jail]. I'm not capable of talking about it, it brings back the smell of long ago. Now I'm sorry I told; the thoughts about what happened come back to me."

Levy was born in 1976 on the border of Kfar Shalem, the ninth of 10 children in a poor family. His father died young, and to this day he is considered his mother's favorite. His childhood was happy, but he says that when he was around 10, everything changed. When he was in fourth grade, Avraham Rana used to come to Levy's house on Habosem Street in the Hatikva neighborhood to visit his uncles, who lived next door. Levy's mother did not suspect the religious man who said he had come to teach her youngest child arithmetic.

'One-man soup kitchen'

One day, Rana disappeared, and rumor had it that he had been sent to prison. Levy went on with his life, repressing the abuse he had experienced. At the age of 15, he was already doing cleaning jobs and only rarely attended school. "We didn't see any hints from him," said his older brother Haim three weeks ago. "Even today Shmuel is incapable of talking to me about what happened to him then. Now that I know, many things are clear to me. Why after being a good boy he suddenly had problems in school;

afterward he had problems in the army."

Levy was found unsuitable for military service, and discharged from the army. At the age of 21 he started a family and went to live in Holon, started a cleaning company and continued with large-scale political and social activity. In 1992 he was a major activist for Yitzhak Rabin, the party chairman at the time. Later he supported Shimon Peres, and was among those who, in 1996, after Rabin's assassination, celebrated victory on election night and woke up the next morning to defeat. Then, during Barak's election campaign, he was, as he described himself, "the chief of staff in the field."

Over the years, alongside political work, he also did a great deal in the social sphere. His good friend Zilberstein dubbed him "a one-man soup kitchen." "On the Shavuot festival a year ago," says his brother, "he brought a truck of cheese products here and distributed them with great enthusiasm." Among the character witnesses at his trial was a man Levy had rescued from drug addiction and who now serves as a volunteer and a counselor.

After the elections came hard and disappointing times. "One day in the Dan Hotel they asked me what job I wanted," said Levy in the Maariv interview, "and I said social welfare adviser. That's what I wanted. But then they made sure to direct me toward all the spotlights of Barak's NPOs. They made sure I'd be in front and draw all the fire." His energetic political activity was replaced by police interrogations and arrests. Levy fell apart, was unable to get his business on its feet. The Labor Party denied owing him money.

"After the elections, they ignored us completely," says his brother Haim. "The entire family volunteered. We worked for Barak day and night. We put up posters. We stood at the intersections, we left our wives and children." In addition to all the problems, Levy also suffered a traffic accident, after which he began to drink. Weeks before the encounter with Rana he arrived at Labor Party headquarters.

"I told Barak's assistant to tell him: 'Your balls are in my pocket and I'll burn the party. I'll burn it with my mouth,'" he said. "The next day I came again to see that the message had arrived. The assistant told me: 'Don't make trouble.' And then a former member of the Shin Bet security came and said 'Don't cross the lines.'"

Bags of Bamba

Like Levy, Rana grew up in Kfar Shalem, in a family of seven. The family ties were severed years ago, some say because of a financial dispute. He was penniless. About 30 years ago he moved to Hatikva, and in the past three years lived on Yonadav Street. "He wanted to be alone, says his brother, Saadya. "After my mother died in 1998 he came for the week of mourning and then broke off ties. Occasionally I would meet him in the marketplace, we would say 'Shalom, shalom, what's new,' and that's it." Miriam, a neighbor, remembers how they used to play together in the street as children. A strange and unusual child, she says, but good-hearted.

After he left Kfar Shalem, Miriam used to meet Rana almost daily, when he went to his job in the municipal warehouses near Kerem Hatemanim. He used to walk slowly, holding a small transistor radio that emitted loud music. "He was a very pathetic person," she says, "without a living soul. We knew each other for years. When we met, he always wanted to give me something, he would check whether he had tangerines or oranges with him."

Rana was imprisoned for the first time in the 1960s. "The deceased was convicted of serious crimes of indecency, including sexual crimes against minors," said Judge Kabub in the decision. In 1993 he was sentenced to 20 months in prison after being convicted of indecent acts without the use of coercion and sodomizing a minor. The legal file tells of a "strange" relationship, as described by Judge Aryeh Segelson, between Rana and a minor who lived in a boarding school and came home on weekends. The relationship lasted for several years. "The unfortunate child, who was denied parental love," writes Segelson, "became emotionally tied to the accused."

"One day," summed up Segelson, "the child did not agree to let the accused carry out the sexually-related acts and demanded that he stop, and the accused accepted the child's wish and no longer dared to touch his body." The relationship between Rana and the minor continued for another two years. The judge also mentioned the test report indicated that Rana was a "lonely and childless man, and simply put, an unfortunate and pathetic person."

As a result of his arrest, Rana was fired from his job in the Tel Aviv municipality and received a pension of about NIS 1,000 a month, on which he lived. After his release, he met an old acquaintance, Mohammed Jabarin. Jabarin, 58, has been living on the margins of Tel Aviv for 35 years, separated from his family in Umm al-Fahm. He first met Rana 30 years ago. "I had a small apartment that I rented and Avraham used to come once every week or two, to eat and to sleep over," said Jabarin this week.

A few years later, the connection between Rana and Jabarin was broken off, but they met again some time later. Rana was living in an apartment on Carmi Street, next to the Hatikva market, and Jabarin, who was working in Kapulski's cafe in Tel Aviv, joined as a flatmate. "We lived there for 12 years," he says. "I worked; he used to walk around with the cart. He still had it from the days when he worked as a cleaner; he used to collect things. There was a time when I wanted to bring him closer to his brother, but Avraham refused. He used to cry that he had no family. He said that there was a fight about the inheritance."

In Hatikva people looked askance at the two adult men, a Jew and an Arab, who lived together. Every morning they would leave the house, Jabarin to his job and Rana to the streets. On warm evenings they would sit in the backyard over a cup of coffee. Rana prayed devoutly in the local synagogue, Sukkat Hashalom. Every Friday he would come to prayers and serve coffee and tea to everyone there.

Jabarin says he never saw his flatmate enticing minors. "I don't know if it's true. And if it was, then it wasn't in our house," he says in a whisper. "And even if he did what they say, you don't kill a man that way in the street."

After Rana's death, Jabarin left the apartment. The neighbors say crates of trash were removed from the two meager rooms. Jabarin says all Rana owned were a few religious texts that he donated to the synagogue after Rana's death. "Where else will you see such friendship between an Arab and a Jew?" he says, with a toothless smile.

### Taking the law into his own hands

Here and there, according to his testimony, Levy saw Rana on the streets of Hatikva, but he never approached him, never came near him. It should be noted that Rana was not convicted of sexually abusing Levy and that, during the trial, Judge Kabub did not find he was a criminal who had attacked Levy sexually. "I'm not intending to establish facts as to whether the deceased committed an indecent act against the accused during his childhood, or whether it was another sex offender ..." he wrote.

And yet, Kabub believes Levy's story of experiencing sexual abuse during his childhood. "The testimony of the accused was given in the courtroom with great emotion, his mouth trembled while he was telling his story, he spoke in choppy sentences, wiped his tears, so the court had the impression he really was talking about an unpleasant experience." In the decision he added: "In the opinion of Prof. Tiano, there is clear backing for the

accused's story of being sexually attacked in childhood, and for the harsh results of this attack for years, beginning with his psychological deterioration at the age of 9 [which was supported by the accused's medical file] and ending with sudden and unexpected outbursts on the part of the accused as a result of the trauma he experienced in childhood."

At the conclusion of the sentencing, the judge found it difficult not to imply that Rana was the attacker in Levy's case. The judge found Levy's version of the sexual crimes he had experienced, which he described to the police and the court, "unsurprisingly similar" to the description in the indictment submitted in Rana's case, in which he was convicted of sexual crimes against a minor in his neighborhood.

Finally, he ruled: "This is an exceptional case of someone who behaved in a legitimate manner during the first stage of the incident, in order to prevent sexual harm to a child, but it continued with total loss of control on the part of the accused, resulting from anger, and primarily a desire to punish the deceased, in light of that same incident from decades ago that caused the accused many years of suffering." The State Prosecutor's Office was surprised by the leniency of the punishment, and intends to appeal.

Shmuel Levy agreed to be interviewed for this article, but because he is a new prisoner, the Israel Prison Service did not permit it. Last week, Levy left his detention cell in Abu Kabir for his new home as a working prisoner in Ramle Prison. He recently told acquaintances that his world had been destroyed in an instant. "I was apparently in the wrong place at the wrong time," he said.