

## THE AUSTRALIAN INQUIRY – Review and Observations –

The inquiry by the Royal Commission in Australia into the way Jehovah's Witnesses handle allegations of child sexual abuse has nearly concluded. The Royal Commission is awaiting a further written report from Dr. Monica Applewhite, the expert witness called on behalf of the Watchtower organization, and they are hoping to get a written statement and oral testimony from Geoffrey Jackson, a member of the Governing Body. We suspect that once these matters are resolved, the Royal Commission will issue their response and/or directives. In the meantime, we will share our observations, while at the same time recognizing that others who viewed the proceedings may, in good faith, come away with different conclusions.

### Preliminary Observations

The Royal Commission was tasked with reviewing Jehovah's Witnesses from two perspectives: (1) the procedures as established by their governing authorities as to how overseers should respond to allegations of child sexual abuse; and (2) the way those procedures are actually carried out by congregation overseers. So far 15 witnesses have testified and about 33 documents were produced for review and consideration.

After hearing from the two victims of child sexual abuse who testified at the inquiry as to the Watchtower response 25 years ago, we believe every sane person would conclude that the practices and procedures of Jehovah's Witnesses were unfair, unloving, improper and otherwise inappropriate. Even the elders, overseers and attorneys, as well as their paid expert witness, concluded that the practices and procedures of Jehovah's Witnesses and the Watchtower organization were woefully deficient. Any Jehovah's Witnesses who does not see the gross error of the organization in this regard is a person who should not be taken seriously. Their delusion is far too great to give any serious consideration to their self-imposed blindness.

However, we also must mention that the Watchtower witnesses testified that some of the procedures and practices that were in place 25 years ago have changed, with the exception of 'the two-witness rule', the exclusion of women in the decision making process, and the failure to report to secular authorities **all** incidents of child sexual abuse among Jehovah's Witnesses. These are the matters the Royal Commission continues to have problems with.

To aid the Royal Commission in understanding why these policies and procedures have not or cannot be changed, the Royal Commission has asked Geoffrey Jackson to appear and testify. As a member of the Writing Committee and the Teaching Committee, Mr. Jackson is well suited to give competent testimony that will either 'accuse or excuse' the Watchtower's policies in this regard. (**Romans 2:15**) We hope Mr. Jackson does not cower from this opportunity to 'give a witness' to the Australian Royal Commission, nor follow the example of fellow Governing Body member Gerrit Losch who refused to give testimony in open court and even deceptively disavowed his role in directing Watchtower policies and procedures that govern Jehovah's Witnesses. It seems to us that the Governing Body should seek to imitate the fine shepherd rather than the 'hired man.' as Jesus described:

“I am the fine shepherd; the fine shepherd surrenders his life in behalf of the sheep. The hired man, who is not a shepherd and to whom the sheep do not belong, **sees the wolf coming and abandons the sheep and flees**—and the wolf snatches them and scatters them— because he is a hired man and does not care for the sheep.” – *John 10:11-13*

This will be the second opportunity for a Governing Body member to courageously defend the beliefs of Jehovah’s Witnesses before the world as many ordinary Jehovah’s Witnesses have done in the United States, Canada, Denmark, Nicaragua and Zaire. (See “*God’s Kingdom Rules!*” chapter 13 entitled “Kingdom Preachers Take Their Case to Court.”) For the sake of Jehovah’s Witnesses everywhere, we hope he will not become fearful and embarrass the worldwide brotherhood by setting a trend that the Governing Body members do not have the faith and courage of even young Witness children who have courageously taken a stand publicly when called upon to defend their faith. (*1 Peter 3:15*)

### **Overview of the Testimony**

There was a great deal of detail in the testimony given by the 15 witnesses thus far. To get a fair and real understanding of what happened, we recommend that you view the actual testimony as it was presented over the 7-day period. Each day was rather riveting and though it is time consuming, we believe the content will capture your attention and leave you wanting more. The videos can be accessed [here](#). We will not attempt to comment on each point made, but we will give our impression on the points that stood out to us.

#### The Two Victims of Child Sexual Abuse

The proceedings began with the testimony of one victim, followed later with the testimony of another victim. What they experienced was very distressing. It was horrific by all accounts. We note that neither the attorney for the elders nor the attorney for the Watchtower organization opted to question these victims or challenge their factual presentation. This, we believe, is a concession that the victims’ testimony is true, and not ‘apostate lies’ as stated by Stephen Lett of the Governing Body in the February 2015 broadcast (at 7:44). We note that one of the victims has since turned away from the Watchtower organization due to her experiences, and it appears that she no longer has a faith in God at all. There will, no doubt, be an accounting for stumbling such ones. (*Luke 17:1-2*)

#### The Elders Who Handled the Allegations

In contrast, the elders who were involved in handling the two victims’ allegations were contradictory, confusing, and in some instances dishonest and unintelligible. While they did have legal counsel, they clearly were not prepared for what occurred. Nor did they seem to give the proceeding due respect as neither of them took the time to read the victims’ statements or listen to the victim’s oral testimony. Each one feigned ignorance or memory lapse on important points and gave the impression that Jehovah’s Witness elders are bumbling simpletons who are in no way qualified to handle such serious matters.

After questioning by Mr. Angus Stewart, the counsel assisting the Royal Commission, each elder acknowledged the flaws in the procedures and practices. They admitted that the way

they handled the victims was very harmful, unloving and just wrong, but when asked what they will do differently in the future, each one froze. Apparently, it had never occurred to them that they could make a choice to do what was right and fair under the circumstances. Each one testified that they can only do what they are told to do by the Watchtower hierarchy, and only if they are given specific instructions to do something different could they actually do it. This is **absolute** (not relative) subjection, bordering on idolatry, but they could not see it!

This is exactly what opponents of Jehovah's Witnesses claim, namely that the elders lack discretion and critical thinking ability and can only do what they are told, whether it is right or wrong. By their testimony, these elders demonstrate that elders among Jehovah's Witnesses are merely puppets of the organization, and that the real responsible, and culpable, parties are those who formulate the procedures.

Competent legal counsel could use this testimony as evidence that the problems within the Watchtower organization originate and fall squarely at the feet of the seven members of the Governing Body of Jehovah's Witnesses. As the Watchtower has recently clarified, the 'Faithful and Discreet Slave,' the sole authority who can 'feed' and direct the worldwide congregations of Jehovah's Witnesses, is the 7-member Governing Body who operate out of the world headquarters in New York. Consequently, they alone must bear the responsibility and the liability for all damages and suffering caused by the erroneous teachings, policies and procedures carried out by Jehovah's Witnesses. For any who are not clear on the overarching and undisputable claim of authority of the Governing Body, including the Royal Commission and its assisting attorneys, we recommend you read the article "Who Really is the Faithful and Discreet Slave?" in the July 15, 2013 *Watchtower* Magazine.

Some have complained that these proceedings were unfair to the elders. However, it must be noted that the Royal Commission was respectful, professional and more than fair. The inquiry was conducted in open court, streamed live on the internet and made available for later viewing by any who might have complaint about the way it was conducted. In addition to transparency, it allowed the elders the opportunity to have a legal advocate to protect their interests, it was conducted within the rules of civil procedure, and all of the evidence used in the proceeding are available to any who might challenge the Commissions interpretations, directives or conclusions. These are all courtesies, privileges and protections that are denied to those who are subject to Judicial Committee hearings within the Watchtower organization. There is no accountability of the conduct of Elders in their Judicial Committees, and if not for this particular inquiry by the Royal Commission, these blatant offenses to common fairness would continue to be hidden from the public.

### The Watchtower's Expert Witness

Another point of interest is the Watchtower organization's decision to proffer as an expert witness, Dr. Monica Applewhite, a practicing Catholic, to defend Watchtower procedures and practices. Dr. Applewhite testified that in her opinion the Watchtower organization's procedures in connection with handling allegations of child sexual abuse are better than 'all other religions.' However, after being questioned by Mr. Stewart, Dr. Applewhite revealed that her opinion is based solely on reading Watchtower publications. She had not heard nor read the testimony of the two victims in this case, nor had she reviewed the practices – how the procedures are actually carried out by the elders.

At this point in the testimony, you could clearly hear painful cries and sobbing, apparently from one of the victims. The fact that an expert witness called upon to review the affairs of Jehovah's Witnesses would not even consider what happened to the two victims that gave rise to the need for her intervention in the first place was inconceivable and further traumatizing! We sympathize with this sister.

The judge, the honorable Peter McClellan, advised Dr. Applewhite that the Royal Commission was not interested in pitting one religion against another. The fact that one religion may be better than another religion is irrelevant. The Royal Commission is interested in whether the procedures and practices of Jehovah's Witnesses met a standard of care that would protect victims and potential victims of child sexual abuse, regardless of what other religions are doing. And after further questioning, Dr. Applewhite admitted that she is not aware of the practices of 'all other religions,' so her opinion that the procedures of Jehovah's Witnesses are better than 'all other religions' is faulty and valueless.

And the irony is not missed that in this time of great scrutiny, the Governing Body chose an active member of what they call 'Babylon the Great' to defend them and speak on their behalf. Of course, due to their policy that discourages higher education by Jehovah's Witnesses, there are not likely many Jehovah's Witnesses who could defend them in this way. Thus, they are forced to rely on the very people whom they denigrate as being a part of 'Satan's system.' And how appropriate that Dr. Applewhite had to admit that the procedures and policies of the Watchtower organization in relation to child sexual abuse are woefully inadequate and far below the standard of care. In fact, it appears that the Watchtower procedures are more concerned with protecting the abusers than the abused!

#### The Watchtower Witnesses

The concluding testimony was given by Rodney Spinks, a member of the Service Department in Australia, Vincent Toole an attorney and overseer of the Legal Department in Australia, and Terrence O'Brien, the current Branch Overseer of the headquarters in Australia.

Each of these men admitted the failings of the Watchtower procedures and practices in the past in handling allegations of child sexual abuse, but they also claim that the procedures have changed. However, Mr. Toole testified that he continues to receive 3 to 4 calls a month from church elders about child abuse allegations. Clearly, the problem has not gone away. And whatever changes were made, each of these witnesses admitted that the 'two-witness rule' will not change, women will never be involved in the decision making process regarding child sexual abuse allegations, and unless required by law, they will not voluntarily report each allegation of child sexual abuse to secular authorities.

While each were well spoken and clearly better educated than the congregation elders, they were at times combative, other times fawning and groveling, sometimes blatantly dishonest. For example, each one attempted to direct attention away from the Governing Body and play down their role as the ones who 'feed and direct' Jehovah's Witnesses. Outstandingly, when it became evident that Geoffrey Jackson was in Australia and could be summoned to testify at the inquiry, Mr. Toole testified that Mr. Jackson acts mainly as a translator and would therefore not be of much assistance to the Royal Commission. However, the Royal Commission discovered that was not true and that Mr. O'Brien has instructed Mr. Toole to give that erroneous testimony. On further questioning, Mr. O'Brien admitted that Mr. Jackson is on the Teaching and Writing

Committees and does far more than just translating. Judge McClellan was not impressed. It is because of this decision to conspire to mislead the Royal Commission that Mr. Jackson was officially summoned to appear. This was a shameful display for men who had sworn on the Bible before God to tell “the truth, the whole truth, nothing but the truth.”

To longtime Jehovah’s Witnesses who are ‘in the know’ so to speak, Mr. Toole and Mr. O’Brien’s efforts to mislead the Commission is a common tactic among Jehovah’s Witnesses known as ‘Theocratic Warfare.’ It is the concept that Jehovah’s Witnesses may lie and mislead others for the purposes of furthering their organization’s interests. We personally were well aware of that tactic during our association with Jehovah’s Witnesses. In fact, stories were often told at Witness gatherings of occasions when missionaries, branch overseers and others would lie to governmental officials in order to establish branch offices in foreign countries. Not surprisingly, Mr. Toole denied any knowledge of this well known tactic of evasion and deception when he was specifically asked about it.

It will now be up to Geoffrey Jackson to clear away any supposed reproach that Jehovah’s Witnesses believe is being heaped on the Watchtower organization and its policies. We wonder if Mr. Jackson will “tell the truth, the whole truth and nothing but the truth,” or whether he, too, will resort to ‘Theocratic Warfare’ to deceive and mislead. We wonder if he will have the courage to take a firm stand on the Governing Body’s authority to direct the affairs of Jehovah’s Witnesses even when those decisions are in direct opposition to secular authorities, or whether he will sheepishly avoid and evade, and pretend to be a lowly unpaid worker who had no say in the affairs of Jehovah’s Witnesses. We look forward to future developments.

### **The Remaining Issues**

In spite of all that the Watchtower witnesses testified to about changes in procedures and practices over the past 25 years, three issues remain that are counterproductive to a safe and protective environment for victims of child sexual abuse: (1) the ‘two-witness rule’; (2) the exclusion of women in the decision making process; and (3) the refusal to voluntarily report all allegations of child sexual abuse.

### The Two-Witness Rule

The Watchtower organization uses what is referred to as the ‘two-witness rule’ in handling judicial matters. This concept is based on a precept of the ‘Law of Moses.’

“No single witness may convict another for any error or any sin that he may commit. On the testimony of two witnesses or on the testimony of three witnesses the matter should be established.”

– ***Deuteronomy 19:14***

During the inquiry, the elders often stated this precept and then followed it with a reference to Jesus quoting that scripture to assert that it is binding also on Christians. This association of scriptures is also noted in Watchtower publications, as they often combine ***Deuteronomy 19:14*** with ***John 8:17***, with the implication that Jesus also requires the testimony of two witnesses to establish a sin. This is an erroneous implication. A fair reading of ***John 8:17*** shows that Jesus is not at all binding his followers to this Mosaic precept. Notice the context:

“Then Jesus spoke again to them, saying: ‘I am the light of the world. Whoever follows me will by no means walk in darkness, but will possess the light of life.’ So the Pharisees said to him: ‘You bear witness about yourself; your witness is not true.’ In answer Jesus said to them: ‘Even if I do bear witness about myself, my witness is true, because I know where I came from and where I am going. But you do not know where I came from and where I am going. **You judge according to the flesh**; I do not judge any man at all. And yet even if I do judge, my judgment is truthful, because I am not alone, but the Father who sent me is with me. Also, **in your own Law** it is written: ‘The witness of two men is true.’ I am one who bears witness about myself, and the Father who sent me bears witness about me.” – *John 8:12-18*

Jesus is not binding his followers to the Law, nor cherry picking portions of the Law, nor creating a new law for Christians. He is using the Pharisee’s *own law* to show that by their fleshly standards, it can be established that he is who he says he is.

Another scripture the Watchtower organization uses to promote the ‘two-witness rule’ is what Jesus said about resolving disputes between brothers:

“Moreover, if your brother commits a sin, go and **reveal his fault** between you and him alone. If he listens to you, you have gained your brother. But if he does not listen, take along with you one or two more, so that on the testimony of two or three witnesses every matter may be established.” – *Matthew 18:15-16*

Here, Jesus is not talking about **proving that a person sinned**; it is about helping the sinner see **his fault** – the wrongness of what he did. In this scripture, it is a given that the person being approached has, in fact, committed a sin. But apparently the sinner does not understand that what he did was wrong. The use of two or three witnesses is not to say “yes, I saw you sin too.” It is to offer additional viewpoints to help the sinner see that the sinful act offended or wronged his brother. It is a way to add perspective, and to reason with another to move such a person to recognize the wrong and make it right.

Under the current structure of Jehovah’s Witnesses, we also doubt that the ‘two-witness rule’ will be done away with. There may be ways around it to compensate for it by perhaps including forensic or circumstantial evidence as one of the ‘witnesses.’ But the legalistic approach will likely continue. We will comment more on this aspect of the organization in our next article.

### The Exclusion of Women

Just like the ancient Jewish religious system, women hold a secondary status among Jehovah’s Witnesses. While they have a bit more involvement than did Jewish women, they continue to be subject to the religious authority of men. An examination of Jesus’ interaction with women reveals that this idea is archaic and inappropriate for a Christian fellowship. We have written two articles about this matter – an article about Jesus’ view of women entitled **The Spiritual Equality of Women**, and a commentary on Paul’s view of women in **The Spiritual**

**Equality of Women, Part II.** Nevertheless, Jehovah's Witnesses have too much invested in male superiority to give women even a limited decision making role. This, too, will likely never change under the current religious structure of Jehovah's Witnesses.

### Voluntary Reporting

Each of the Watchtower witnesses testified that Jehovah's Witnesses will obey the laws on mandatory reporting. However, they decline to report when there is no law mandating it. From what we surmise, the reluctance to report is based on the 'ecclesiastical privilege' also called 'clergy-penitent privilege.' Unfortunately for Jehovah's Witnesses, their teachings and policies exclude them from using this privilege.

It is repeatedly written in Watchtower publications that "**Jehovah's Witnesses have no clergy-laity division.**" They consider themselves all ordained ministers, not clergy. Yet, when the issue of revealing child sexual abusers in the Watchtower organization arises, they seek the protection afforded to members of the clergy, but only for the elders and overseers. Something is not right here. Either the elders and overseers are clergy members entitled to ecclesiastical privilege or they are all equal ordained ministers who are not. Either there is a 'clergy-laity division' among Jehovah's Witnesses or they are all brothers. Which is it? 'How long will they be limping between two different opinions?'

More importantly, by failing to report child sexual abusers to the secular authorities, Jehovah's Witnesses reveal that they are not at all concerned with protecting the children of non-Witnesses. Sure, they may quietly disfellowship child abusers in their midst so that they cannot abuse Witness children, but then they cast those abusers onto the unsuspecting society at large. It is reprehensible how Jehovah's Witnesses policies dishonor God:

"You heard that it was said: 'You must love your neighbor and hate your enemy.' However, I say to you: Continue to love your enemies and to pray for those who persecute you, so that you may prove yourselves sons of your Father who is in the heavens, since he makes his sun rise on both the wicked and the good and makes it rain on both the righteous and the unrighteous. **For if you love those loving you, what reward do you have? Are not also the tax collectors doing the same thing? And if you greet your brothers only, what extraordinary thing are you doing? Are not also the people of the nations doing the same thing?** You must accordingly be perfect, as your heavenly Father is perfect."  
– *Matthew 5:43-48*

### Concluding Thoughts

We are anxious to see if Geoffrey Jackson appears and testifies to "the whole truth" on behalf of the Faithful and Discreet Slave as to how they are protecting children from child sexual abuse. And we look forward to seeing the additional report of the expert witness. And we wonder if, after admitting their past errors and the damage they caused to victims, whether they will voluntarily offer monetary compensation and be proactive in supporting and assisting future victims to get physical and emotional assistance, even recommending and encouraging professional counselors and psychotherapists. One would think that loving shepherds would leap

at the opportunity to help heal the ‘flock in their care’ rather than seek loopholes and attempt to wriggle out of the sufferings caused by their policies.

However, beyond these secular matters, we see a greater spiritual problem with Jehovah’s Witnesses, one that will not resolve itself until the Watchtower organization becomes a true Christian fellowship. We will discuss that in our next article.

***“Elaia Luchnia”***