

24/11/93

Greater Boston Eruv Corporation



FAX TRANSMISSION

To:

NAME DAVID SCHREIBER	DATE AND TIME OF TRANSMISSION 11-24-93 8:00 EST AM
COMPANY UNITED SYNAGOGUE ERUV	FAX NUMBER 011-44-71-433-3934

From:

NAME JESSE HEFTER

Reference:

SUBJECT LETTER OF SUPPORT

Message:

DAVID,
HERE IS MY INPUT. I MAY NOT HAVE A CHANCE TO
SEND OUT A HARD-COPY. IF SO, PLEASE PHOTOCOPY THE
FAX- AND IT WILL HAVE TO DO. I DID THE BEST I COULD
GIVEN THE QUANTITY OF EFFORT REQUIRED AND THE VERY
LAST MINUTE NOTICE YOU GAVE US. I HOPE THE LETTER FROM
MR. ROSENBERG IS HELPFUL US WELL AS THE ONES WE ARE
TRYING TO GET FROM THE BOSTON MAYOR'S OFFICE.

TAKE CARE, GOOD LUCK, AND
KEEP IN TOUCH!!

JESSE

Greater Boston Eruv Corporation
 653 Chestnut Hill Ave.
 Brookline, MA 02146

November 23, 1993

Lord Jakobovits
 The United Synagogue Eruv Committee
 9 West Heath Road, Hempstead
 London NW3 7UX, ENGLAND

Dear Lord Jakobovits,

The Boston Eruv, serving the Jewish communities of Boston, Brookline, and Newton, Massachusetts, became available for use on the weekend of January 2, 1993. This Eruv, one of the largest in North America, has a perimeter of approximately 30 kilometers and encloses an area of almost 40 square kilometers.

The process of obtaining the necessary permits and licenses, agreements and proclamations, required over eight years of meetings, negotiations, and cooperative interactions with management, legal, and engineering staff at almost twenty different organizations and corporations. These institutions range from state and local governments and public works organizations to the Telephone, Power, Highway, Mass Transit authorities to Parks Departments, Golf Commissions, Cemetery Properties, and Medical establishments.

Without exception, not one of the groups that were contacted had ever heard of the term "Eruv". Further, in almost all cases, none of the people with whom I worked was Jewish. In each case, I provided them with a comprehensive introductory essay explaining the concept of the Jewish Sabbath, the concept of "work" on the Sabbath, the origins of the term and laws of Eruv, the general operational aspects of how an Eruv can be constructed, precedents from other communities worldwide with established Eruvin, and the benefits that can accrue to the members of the Jewish community who live within the Eruv area.

It was stressed that the Eruv serves to extend the ability of members of the Jewish community to enjoy and to participate in communal Sabbath activities rather than being restricted to their homes. The Eruv

allows the disabled population the opportunity to attend synagogue services on the Sabbath, provides for families having very young children to attend synagogue *as a family* rather than leaving one parent at home as babysitter, allows entire families to socialize in each other's homes on the Sabbath, and permits generally greater ease to all other member's of the Jewish community by dint of the allowance for carrying of certain objects on the Sabbath that without the Eruv may not be transported.

In general, the major concerns voiced by the agencies and organizations from whom we desired the permits and licenses were (1) whether any cost of construction or maintenance would be borne by them, (2) if there were any legal problems associated with using our attachments on their equipment from a church-state separation perspective, and (3) whether the granting agencies would be liable for any damages potentially caused by fallen twine, downed poles, and the like.

We pointed out that all costs were to be borne by our community organization, that there was no "separation" issue relevant to Eruv since the attachments have no religious significance, and that we had already procured a liability policy from a nationally respected insurance company that met the highest liability limits imposed on us by any of the organizations. Following our demonstration of these three basic elements, the first a management issue, the second and third being legal issues, what remained was to demonstrate to the engineering and operations staff that the attachments that we desired to put into place, whether onto existing poles or onto new poles to be erected specifically for the Eruv, or on fences or buildings, etc. would not in any way interfere with the organization's ability to provide ongoing service to the public and further would not pose any danger to their outside plant staff.

This final issue required my meeting with representatives of each organization at least once but in some cases, numerous times at their site to review the details of what we proposed to attach/erect. We endeavored to demonstrate during these meetings that the Eruv attachments and materials, as well as the manner of attachment and construction would meet or surpass all requirements imposed on us by organizational, local, and state laws.

Prior to meeting before the local Town councils, we were required to file papers of intent with each Town Clerk's office. These papers are then

available for review by the general public before the meeting date. Of the three towns in which these papers were deposited in advance of the meeting, in only one did we encounter a dissenting view from a member of the public. This individual (non-Orthodox Jewish) maintained that the Eruv had superstitious ramifications, would lead to a ghettoization of his town and signified a move to the conservative "right" (vis-a-vis the Jewish community) in his town. Amazingly, after I provided a brief response to the individual, a member of the council before whom we were meeting (also non-Orthodox Jewish) spoke out and criticized the individual for making the Eruv sound medieval and magical. He pointed out that when he was a young boy, he remembered that his grandfather had spoken of what an Eruv was and that it was an "ordinary" thing, nothing hocus-pocus nor magical. This was the only incident we experienced during the eight years of effort in meeting with the organizations from whom we eventually received our permits and licenses.

The assistance of a lawyer with excellent credentials in zoning issues was critical in many later phases of the permits acquisition phase. Here, a Mr. Jason Rosenberg, Esq. of a Newton, MA law firm was of inestimable value. Mr. Rosenberg, a member of the Reform Jewish community, and I (from the Orthodox community) took an instant liking to each other and have become great friends and admirers of each other over the last three years. Mr. Rosenberg does not require the Eruv for his or his family's use since the Reform movement does not require its adherents to strictly conform to all traditional Sabbath laws. Nevertheless, Mr. Rosenberg graciously and vigorously assisted us in every way possible to help the Orthodox community reach its goal of having an Eruv in Boston. This is an excellent example of interdenominational cooperation and understanding.

The Eruv is checked each week by two individuals who carefully review the placement of each attachment and every length of twine. Although we had one of the harshest winters in the last ten years this past year and happened in the way of one major hurricane, there was not a single Sabbath since the Eruv was completed that it has not been available to the community. Our experience to-date has been such that repairs of some sort are required 2-3 weekends/month. We are using a dedicated voice-mail system to allow community members to determine the status of the Eruv (617-446-9797). It is remotely programmable and highly reliable. Several synagogues call each week and place small notifications outside of their buildings on Friday to notify passersby of the Eruv status.

We do not require the utility companies or any other granting agency to notify the Eruv Corporation in advance of ongoing work which may adversely affect the Eruv. Interestingly, I have received two calls over the last 6 weeks from Engineering firms with contracts for highway repairs in the 1994-1996 period who want to know how they can interface with us to assure that there is no interruption in Eruv availability during the reconstruction process. This was not required by us and serves to demonstrate the seriousness with which the agencies staff feel the community takes the continued existence of the Eruv.

During the 11 months that the Eruv has been in operation, there has not been a single act of vandalism, any damage due to animals or birds, nor any adverse publicity (even after a front page article in the Boston Globe daily newspaper in February of this year!). Needless to say, there have been no anti-Semitic acts of any kind perpetrated against the Eruv. In fact, even with a map in hand, unless one knows specifically what to look for, it is very difficult to "see" the Eruv! Given the preponderance of poles, cables, and other outside equipment, the minor, passive attachments that we have installed are simply in the background. In fact, it is not unreasonable to assume that the majority of Jews in the Eruv area are totally unaware of its presence.

The estimate for the total number of Jews living within the Eruv is 100,000 people. We estimate that the Orthodox Jewish population served by the Eruv numbers about 1200 families or about 5000 people. Of these, it is estimated that about 100 families or about 500 people may not be using it. We do not know how many are using it in the non-Orthodox community, but the number is probably about 50 families.

There has been absolutely no evidence of any social division brought on by the existence of the Eruv. In fact, there are many members of the Conservative movement who are traditional Sabbath-observant and use as well as financially support the Eruv. We even received financial support from non-Orthodox Jews who live outside of the Eruv borders but feel that due to the enhancements to Sabbath observance that the Eruv provides, that it is a worthwhile project to support.

Further, the Combined Jewish Philanthropies of Greater Boston (CJP), the umbrella fund-raising organization for the Greater Boston region, saw fit to support the Eruv with a one-time grant of several thousand dollars in 1985 in order to help us meet our engineering bills. They further suggested that we apply for inclusion as a Constituent Agency of CJP as

soon as we have been in operation for three years. The support of their Social Planning and Allocations subcommittee (headed and generally manned by non-Orthodox Jews) has been gratifying.

There are a number of groups within the Orthodox community of Boston which have adherents living within the Eruv. There have been no public statements made to discourage people from using the Eruv by these groups. While there are individuals who do not use the Eruv for personal reasons, the only group which does not use it (as a group) is a small Lubavitch community. This has not caused any community friction or public negative feeling whatsoever.

There is a large concentration of senior citizens living within the Eruv many of whom are originally from Eastern Europe and count among their ranks survivors of the Holocaust. There has been no evidence at any time during the process of designing, constructing, fund-raising, and operation of the Eruv of any negative feelings brought about by its existence. In fact, since a majority of the Eruv utilizes existing telephone cables for part of the Eruv boundary, there is no additional twine present in a majority of the perimeter. The areas which do have twine (due to the lack of existing cables) are not generally close to the concentrated areas of the residential Jewish community.

I conclude by stating categorically that the existence of the Eruv has brought a new level and dimension of Sabbath observance to the Jewish community of Boston. The greater level of participation by members of the community who could not previously avail themselves of communal gatherings is only one tangible effect of the Eruv's existence. The kind of cooperation and support demonstrated by the Governor of Massachusetts, the Honorable William Weld, the Mayors of Boston (Raymond Flynn) and Newton (Theodore Mann), the Administrator of Brookline (Richard Leary), the Brookline Board of Selectmen, the Newton Board of Aldermen, the Boston Public Works Commission, the Massachusetts, Newton, and Brookline Departments of Public Works, the Massachusetts Bay Transit Authority, the Massachusetts Turnpike Authority, the Massachusetts District Commission, the New England Telephone Company, and the Boston Edison Company, to name a few, goes beyond words. Their support and understanding demonstrates the degree to which their response to the cultural and ethnic diversity in a modern, pluralistic city can be taken. It further shows that a Project such as the Eruv, which includes rather than excludes, which provides for more equal access for citizens to public areas, and which causes no harm, actual or spiritual to anyone of any faith residing or passing

through the area can be cooperatively supported and maintained for the betterment of its citizens.

Sincerely,

Dr. Jesse Hefter

Dr. Jesse Hefter, President

P.S. If we can be of further assistance in providing additional information or clarification of any issues discussed above, please do not hesitate to contact us at the above address.