

THE UNITED SYNAGOGUE
ERUV COMMITTEE



PRIVATE

Mr. Andrew Braude
President, Hendon Adath Yisroel
79, Princess Park Avenue
London NW11 0JS

16th December 1993

Dear Mr. Braude,

I write to protest the behaviour and actions of your community Rabbi as they have directly affected the purpose of this committee and the people on whose behalf we work.

Our aim in 1987 was to develop the eruv with the cooperation, and for the benefit, of the orthodox communities in the area and the Hendon Adath was invited to participate. Rabbi Roberts expressed opposition without specific cause or detail and this stance was then adopted by the Kedassia Beth Din. On many occasions, and through various intermediaries, he has been invited to express any halachic reservations, as clearly these would equally be an obstacle to the London Beth Din and the members of this committee.

Rabbi Roberts added his name to a letter of opposition, signed by various Rabbis, sent to the Public Works Committee of Barnet last year. Its contents were irrelevant to that process but brought the Rabbis concerned, and by extension their communities, into ridicule.

Our planning application moved ahead to the Town Planning & Research Committee and was rejected in February primarily because of opposition from self-hating Jews and certain well-known anti-semites.

In preparing our Appeal to the Secretary of State, we gathered evidence

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Committee	Laurence Begner, Brian Berenblut, Edward Black, Joe Bloomberg, David Cohen, Daniel Drukarz, Alfie Frei, Jeremy Hershkorn, Michael Goldblatt, David Marriott, Graham S Morris, Mark Moss, Michael Posen, David Schreiber, Syma Weinberg, Michael Weinstein
Rabbinic Panel	Rabbi Isaac Bernstein (Finchley), Dayan Ivan Binstock (Golders Green), Rabbi Edward Jackson (Hampstead Garden Suburb), Rabbi Alan Kimche (Ner Yisrael), Rabbi Sidney Silberberg (Hendon)
Supervisory Authority	Chief Rabbi Dr. Jonathan Sacks, Dayan Chanoch Ehrentreu, Head of the London Beth Din
United Synagogue Liaison	Elkan Levy (Honorary Officer)

Technical Officer Alan Perrin B.Sc.

from across the community, including the present and former Chief Rabbis. Individuals gave evidence as to need which is a relevant planning matter where there might be loss of visual amenity. Mrs. Nussbaum was one of several people who gave personal testimony to the difference an eruv would make to their lives. She expressed the fact that with an eruv she would be able to be pushed to shul by her husband and would be free to visit family and friends. Under cross examination she confirmed that she had not been granted any 'dispensation' (in the words of Alistair McGregor, barrister for the Barnet Eruv Objectors Group). This indeed confirmed the explanation given to the Inspector by Chief Rabbi Dr. Jonathan Sacks.

On Friday 3rd December, the Inspector heard evidence from Councillor Frank Davis, a Jew who has led the opposition. His cross-examination by John Steel QC, acting for this committee, exposed his raw prejudice and hatred of orthodox Judaism. However, in the tradition of our enemies over the centuries, he was willing to quote any Rabbi or source to denigrate our purpose. He gave cover to non-Jewish antisemites and disgusted those present with his display of venom, ignorance, arrogance and stupidity. It was from his lips that the Inspector was told, as a throw-away line, that Rabbi Roberts contradicted Mrs. Nussbaum's evidence and had no objection to her being pushed to shul.

I telephoned Rabbi Roberts moments later from outside the Town Hall as I was sure that his name had been quoted falsely. Rabbi Roberts confirmed to me that he had never said this and furthermore that he could not even remember being asked. I explained the circumstances to him, the fact that he had been falsely quoted and the need to correct the false impression gained by the Inspector. Rabbi Roberts reminded me that he was against the whole process. I replied that that was not relevant to this specific issue and that if not rebutted the Inspector would accept the allegation and the witness would be impuned. I asked him directly to please put his comment in writing and he refused, saying that it is not his policy to react to being incorrectly quoted.

In the circumstances, you kindly provided a letter which was entered as evidence the following Monday. The lack of response from Rabbi Roberts was spotlighted when Mr. McGregor made the point to the Inspector that the letter was not signed by the Rabbi in question. Mr. Steel, acting on my instructions, explained that Rabbi Roberts stated policy was not to write in these circumstances.

On Monday last at the closing session, a letter was entered by Rabbi Roberts which I enclose.

The first paragraph is a matter for you and your colleagues.

The second paragraph directly challenges the evidence given by Mrs. Nussbaum and is untrue. It implies both that Jewish law grants 'dispensations' and that she lied to the Inspector. In adopting an uncharacteristic קולה regarding מצוה לצורך מצוה, he omitted to make clear that she would not be allowed to be pushed, even by a non-Jew, to family and friends. Lord Jakobovits went out of his way to explain that Jewish law does not work on the basis of 'dispensation' but that special circumstances, such as פקוח נפש are a fundamental part of the system. He further explained that orthodox Rabbis, in contrast to Reform, are not given special powers to rule contrary to הלכה. Rabbi Roberts' comments, therefore, besides anything else are grossly misleading. Had he indeed wanted to be 'of use' he could, at the very least, have consulted people involved in the Inquiry to ensure that his comments would not go beyond clarifying the point as he saw it.

In the circumstances, I can only conclude that Rabbi Roberts' purpose was to interfere with the process as much as possible in the guise of clarification. In so doing, he has lied directly to me and sought to impeach his own congregant, the evidence of Lord Jakobovits and Chief Rabbi Sacks.

Those present were frankly disgusted to hear an orthodox Rabbi's name, representing a respected local community, tripping off the tongue of שוני ישראל in a non-Jewish legal proceeding.

My understanding of the situation is that if Rabbi Roberts has basic halachic objections these should have been expressed early on and directed to those concerned. If his objections are of a minor nature, or are indeed personal, then it is unacceptable that they be expressed in a manner designed to discredit other Rabbis and a member of his own community.

I therefore protest his actions and wait to hear from you.

Yours sincerely,

David Schreiber