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SECTION: Letters; Pg. 6 (U.K. Edition Pg. 6)

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HEADLINE: Drawing the Jewish line

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DATELINE: London

BODY:

SIR -- It is the Department of Transport's lawyers who have sought to "scupper" the eruv proposal. The department's letter of January 12th to the Eruv Committee and Barnet says ". . . there is no power under highways legislation to permit posts to be erected for the purpose of the proposed eruv on land which retains highway status." All public-service statutory undertakers -- gas, electricity, etc -- required statutory authority from Parliament before they could place obstructions on the highway or put wires across it. It is clear that Parliament has the power to license an eruv : it is not clear that any other authority has such power.

It is English common law that, from time immemorial, has forbidden a Jewish line in principle, by saying that "there can be no dedication of the highway to a limited section of the public."

LANGUAGE: ENGLISH