

A PUBLIC INQUIRY TO EXAMINE DEMANDS FOR AN ERUV OPENS ON TUESDAY. NICKY BOLSTER EXPLAINS THE BACKGROUND

Eruv debate that became personal

WHEN the United Synagogue eruv committee first applied for planning permission for an eruv, few people knew what an eruv was.

It was explained that an eruv requires a series of poles, linked by wire to form part of the boundary of a symbolically enclosed area within which the public domain

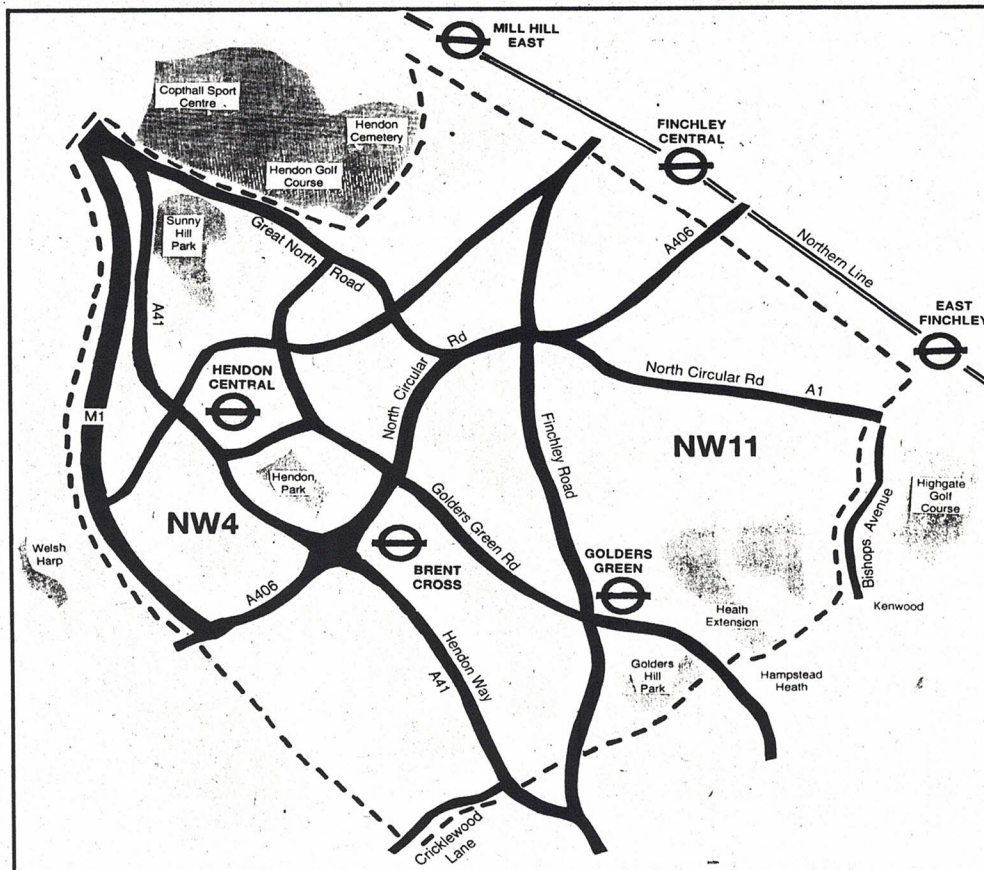
would acquire the same status as the private domain for Orthodox Jews on the Sabbath. Few were any the wiser.

Barnet councillors and the press heard from a woman in a wheelchair and a mother with young children how an eruv would improve their lives. Jewish law, which forbids carrying in a public place and the pushing of prams and wheelchairs on the Sabbath, was imprisoning them in their own homes on the holy day.

The only escape from a stuffy flat on a hot summer's day with bored and fractious children was to put up pairs of poles joined at the top with wire to form symbolic gateways. Simple, and then all would be well.

But it was not simple, and all was not well. Rumbles of discord grew louder. Objectors feared the scheme would demarcate the six-and-a-half square miles within the 11-mile eruv perimeter as a specifically Jewish area and provoke anti-Semitism. To some Holocaust survivors the idea of marking out a Jewish territory was an unpleasant reminder of the ghettos of Nazi Europe.

The Hampstead Garden Suburb Trust became heavily embroiled in the debate when it wrote to Barnet raising concerns about the proposal. The letter argued that to create a zone to meet the needs of one religious minority within a multicultural community could be divisive.



● The area that would become "symbolically enclosed" should the plan go ahead.

Pent-up anger on both sides erupted a few weeks later at what must have been the stormiest AGM in the trust's entire history. Some members were in tears at the end of the meeting that saw the resignation of the trust's illustrious chairman, Lord McGregor, who chairs the Press Complaints Commission. He was forced to step down following a bitter dispute over the trust's letter to the council.

The rift between the two sides of the argument deepened when

Rabbi Alan Kimche, who had spearheaded moves to create the eruv, accused Jews who opposed the scheme of being anti-Semitic.

But it then became clear that the ultra-orthodox Jewish community did not approve of the eruv scheme either, seeing it as a violation of the sanctity of the Sabbath.

Much of the eruv boundary was to be marked by existing features such as the M1, the Great North Way, the Northern Line and house fronts. The eruv committee

had not sought anyone's permission for this part, but had not reckoned with the degree of opposition from one couple, who refused to tolerate their home being used as a border-line for something they disapproved of.

The remit of Department of the Environment Inspector David Bushby at the inquiry next week is to determine the case on its planning merits alone. Bearing in mind the issues to be raised by figures of national standing, few of his colleagues can envy him the task.

TIMETABLE OF CONTROVERSY

June 30 1992. Barnet's public works committee approves the scheme, but eruv committee still needs planning permission to erect poles and wires.

September. Hampstead Garden Suburb Trust writes to Barnet, expressing fears that the plan to create a zone to meet the needs of one religious minority could prove divisive in a culturally and religiously mixed area.

September 22. Strong feelings for and against the eruv spill into the public arena at the trust's AGM, with a furious row about the trust's letter. Lord McGregor, who approved it, is forced by Orthodox Jewish lobbyists to resign as trust chairman.

February 24, 1993. Under the spotlight of the world's media Barnet planning committee refuses by 11 votes to seven to grant consent for the eruv. Its grounds are that the 85 poles and accompanying wire would introduce additional street furniture that would be visually intrusive and detrimental to the character and appearance of the street scene.

June. Appeal against Barnet's

decision is finally lodged with the Department of the Environment. A revised application to Barnet proposes an eruv with 80 poles instead of 85 and using five lamp posts in Wildwood Road, Hampstead Garden Suburb, to carry the boundary wire.

September 7. A proposal to hold a referendum to determine public opinion on the eruv is defeated by the Hampstead Garden Suburb Residents' Association.

October 5. Public works committee rejects revised scheme.

October 12. Eruv committee lodges fresh planning appeal with the DoE regarding its revised scheme. Planning committee had not yet discussed the application. Appeal is made on the grounds that the council had not reached a decision within the statutory eight weeks, but is in fact a means of meeting the deadline so that both schemes can go to public inquiry.

October 27. Barnet planning committee again refuses permission for poles and wires.

November 30. Public inquiry starts.

An inspector calls...

THE ERUV proposal demonstrates the opposite of the "Love thy neighbour" precept common to many religions, provoking and advertising religious differences that ought to be overcome with mutual understanding, the Rev. Lord Soper, former president of the Methodist Conference, will tell the public inquiry.

Lord Soper, who lives in Bigwood Road, Hampstead Garden Suburb, will be speaking against the Chief Rabbi Jonathan Sacks and his predecessor Lord Jacobovits. Lord Soper is opposed to the plan both on theological grounds and as someone who has lived in the area for 40 years.

"The people who are complaining about hardship could apply for dispensation. There are always exceptions to rules in the Jewish and Christian faiths. The rules are there to be interpreted not legally, but charitably," he will say.

There seemed no sense in certain Jews adopting behaviour that would lead to them voluntarily creating a ghetto for themselves. "I deplore this expression of divisiveness where there should be co-operation," says his written statement.

"The essence of this matter is that it could become an unnecessary provocation, not a solution to a perceived hardship."

He added that in Christianity and Judaism "the greatest enemy of true religion is authoritarianism, as frequently represented by its leaders."

It is never good religious observance to maintain the letter of the law in circumstances which make it inherently hostile to the well-being of the wider community, he will say.

The whole concept of an eruv is a retrograde step — "an attempt to find a way out of a dilemma by an attitude of self-satisfaction".

Edmund Dell, who lives in Reynolds Close, Hampstead Garden Suburb, was Labour secretary of state for trade in the 1970s. He will tell the inspector that the eruv campaign has been conducted in an illiberal manner.

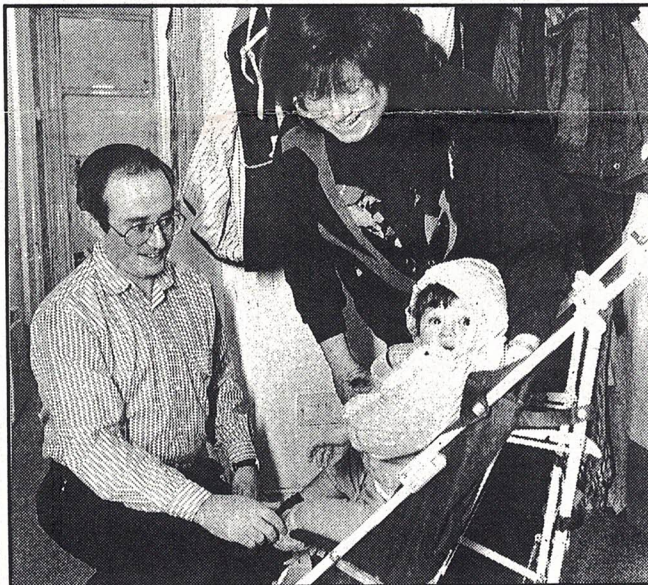
"One religious leader in the area has accused opponents of anti-Semitism, causing intense anger among people who are only exercising their civic right to oppose a proposal of which they strongly disapprove. Lord McGregor of Durrus was subjected to vilification because of the correct attitude which he took and, as a result, he resigned the chairmanship of the Hampstead Garden Suburb Trust."

When Lord McGregor, of Wyldes Close, Hampstead Garden Suburb, takes the platform he will accuse the United Synagogue of arrogance in proposing to make ritual observances more convenient for its members by damaging the appearance of the Heath.

"I cannot understand why the practice of Jewish religious discipline traditionally sustained for the best part of a century should now require these additional physical aids."

The Rev. John Wainwright, who has been vicar at All Saints' Church, Child's Hill, for 19 years, will tell the inspector the area has hitherto been multi-cultural, with Jewish residents totally integrated. He has now become aware of resentment at the possibility of the imposition of an eruv.

In order to attend his church the majority of parishioners would have to pass under the wires forming the symbolic eruv gateways, indicating that they were passing into or out of a Jewish domain. "The reason for the proposals is that a group of religious fundamentalists wish to be able to apply a double standard."



The White family: "The rules separate people on the Sabbath."

Yes: too many lives are stifled

"WHAT is wrong with an eruv drawing more Jews into the area?" ask solicitor Andrew White and his Israeli wife Yael in a letter to the planning inspector. "In Tower Hamlets that type of thinking, aimed at Bangladeshis, is currently the preserve of the British National Party."

Mr and Mrs White live in Canfield Gardens, West Hampstead, but are house-hunting in the Hendon area, which would be part of the eruv should the planning inquiry overturn Barnet's decision.

"We like living in a multicultural society. We like to think of ourselves as cosmopolitan but we do have a sense of our own community as well," said Mr White.

On the Sabbath Mrs White, 26, stays at home with her 21-month-old son Aron while her husband attends South Hampstead Synagogue.

"Until Aron could walk I really couldn't get out. That is quite stifling," she said.

Mr White, 33, said the Sabbath was a special day when people had time for each other. "At the moment we can only have guests who have no children or who have older children. The rules separate people on the Sabbath. An eruv would increase communal spirit."

"We are not asking non-Jewish residents to believe deeply and wholeheartedly in the eruv. However, we do appeal to them to respect the right of the orthodox Jewish community to have such an eruv and show tolerance for that right."

Why can't their rabbi give them a dispensation to allow them to use Aron's pushchair on the Sabbath? "Jewish law requires us to respect it and requires us to take the Sabbath seriously. We as individuals do not have the right to change the laws because we find them inconvenient," he said.

"The only way in which the position can be improved is through having an eruv."

No: it's divisive and offensive

"WHAT kind of God have they created that would deny people in wheelchairs and the infirm the comfort of worshipping in synagogue? What kind of God is it that relies on Barnet Council to deliver his people?"

These are among the reasons why Norma Blausten, president of Hampstead Garden Suburb Tories, is so vehemently opposed to the eruv.

Mrs Blausten grew up in a very Orthodox family in Minster Road, West Hampstead. From an early age she began to find some of the religious rites hypocritical. "We weren't allowed to put the lights on — the maids used to do it. I was told it wasn't their Sabbath."

She also never came to terms with being forbidden to carry money on the Sabbath. She recalls that on her way to synagogue she used to give some of her pocket money to a disabled old man who played a wind-up gramophone in the street. "The rabbi gave a real lecture about carrying money to

synagogue. I was outraged — it didn't seem right to prevent me giving him some of my pocket money."

She regards the eruv as a way of evading self-imposed difficulties. "It certainly wasn't in the 10 commandments that there should be an eruv."

An eruv will attract more Orthodox people into the area, which will "upset the balance of the social mix", argues Mrs Blausten. "When you take a disproportionate number of any minority group into an area it changes the character."

A founder member of Barnet Community Relations Council, she says that when some Jewish people talk about the "community" they mean the Jewish community. "When I talk about the community I mean the community. The Suburb Residents' Association and the trust are for everybody. They aren't seeking all the time to do things for one part of the community."



● Norma Blausten: "eruv will upset balance of the social mix".