Letters to the Editor of The Times
New York Times (1857-Current file); Jun 11, 1967; ProQuest Historical Newspapers The New York Times (1851 - 2002)
pg. 207

Letters

to the Editor of The Times

Legality of Arab Position

To the Editor:

The Arab states have consistently refused to accept the existence of Israel, have subjected it to military harassment, and have threatened to exterminate it. This does not, however, mean that everything that they do is wrong or that everything Israel does is right. The chance for Israel to live in peace will be improved if the United States better understands how things may look to the Arabs. It will also be improved if the United States now demands of Israel the same standards of conduct that we were demanding of the Arab states.

United States press reports about the Gulf of Aqaba situation were grossly one-sided. The United Arab Republic had a good legal case for restricting traffic through the Strait of Tiran.

First, it is debatable whether international law confers any right of innocent passage through such a waterway. Despite an Israeli request, the International Law Commission in 1956 found no rule which would govern the Strait of Tiran. Although the 1958 Convention on the Territorial Sea does provide for innocent passage through such straits, the United States representative, Arthur Dean, called this "a new rule" and the U.A.R. has not signed the treaty.

There are, of course, good arguments on the Israeli side too, and an impartial international court might well conclude that a right of innocent passage through the Strait of Tiran does exist.

Innocence of Passage

But a right of innocent passage is not a right of free passage for any cargo at any time. In the words of the Convention on the Territorial Sea:

"Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal state."

In April Israel conducted a major retaliatory raid on Syria and threatened raids of still greater size. In this situation was Egypt required by international law to continue to allow Israel to bring in oil and other strategic supplies through Egyptian territory — supplies which Israel could use to conduct further military raids? That was the critical question of law.

The exercise by Israel of the belligerent right of retaliation on Syria in April may have been morally justified (although the United Nations found that it was not and censured Israel). Even so, it provided a fair basis for the U.A.R. to assert the right to exercise a comparable (and less bloody) belligerent right — namely, to close the Strait of Tiran to strategic cargo for Israel.

The U.A.R. would have had a better case if it had announced that the closing was temporary and subject to review by the International Court, but taking the facts as they were I, as an international lawyer, would rather defend before the International Court of Justice the legality of the U.A.R.'s action in closing the Strait of Tiran than to argue the other side of the case, and I would certainly rather do so than to defend the legality of the preventive war which Israel launched this week.

Equal Application

Looking ahead one can see that it may be difficult to convince the Arabs that the United States does not decide issues on grounds of race or religion but on the grounds of principle.

Arabs may think that if we hold Egypt to its implied promise to let ships through the Gulf of Aqaba we should hold Israel to its express promise not to extend its territory.

Arabs may think that if we ask them to accept U.N. troops on their sovereign territory to prevent border raids we should ask Israel to do the same.

Arabs may think that if we plan to establish some international agency on Egyptian territory to see that the waters of the Jordan River are available for fair international use we should plan to establish a similar agency on Israeli territory to see that the waters of the Jordan River are available for fair international use.

Arabs may think that a firm United States guarantee of the borders of the Middle East ought to apply to them as well as to Israel.

ROGER FISHER
Professor of Law
Harvard University
Cambridge, Mass., June 9, 1967.

•

Clerics' Exemption

To the Editor:

As a clergyman, I protest ministerial exemption from the draft.

While a pastor in a church in Rochester, N.Y., I registered at the time of World War II. Of course I was classified 4-D, and was never compelled by the circumstances to make a clear-cut decision on military service.

I could stand in the pulpit and preach and pray, never knowing firsthand the agonies of body and soul faced by both my parishioners in the armed forces and my conscientious objector friends in civilian public service camps and prisons.

When the 1940 draft law was passed, members of Congress and ministers were exempted. In matters of life and death, why am I as a minister more holy than other men and exempted from their dilemmas? As the war dragged on, and seven of the boys in our church and my own nephew did not return, and when I came to understand that conscription was a basic underlying cause of war I returned my draft card to the President on Washington's Birthday 1947, and have never since carried one.

I believe that the 4-D classification should be abolished. If many ministers refused to accept 4-D classification, I believe they would be witnessing effectively against war.

(Rev.) ROBERT HORTON
Trevose, Pa., June 1, 1967

•

U.N.E.F. Withdrawal

To the Editor:

In his June 4 editorial page column entitled "Cairo: Quiet Flows the Nile," James Reston states that the Egyptians he has been talking to "even deny that they planned to get rid of the United Nations troops at the mouth of the Gulf of Aqaba. This, they say, was proposed by the Secretary General of the United Nations on the ground that if the U.N. couldn't keep its troops in one part of the crisis area, it wouldn't keep them in another part." This statement is repeated in Mr. Reston's news article in your issue of June 5, in which it is described as "the argument from the official side of Cairo."

If only for the sake of historical accuracy, I wish to make the following observations:

Whatever may have been said to Mr. Reston in Cairo, or by whom, I can assure you that there has not been the slightest hint of such a position here, and with good reason, for there is not a shred of truth to it. In critical times such as these, of course, it is common in official and unofficial circles alike to seek scapegoats (to a shameful degree at present in the U.S.A.) and to indulge in what may be called deception, if one wishes to be polite about it.

Chief of Staff's Letter

The letter received by the Commander of U.N.E.F. from the Chief of Staff of the United Arab Republic Army on the night of May 16 demanded the withdrawal of "all United Nations troops which installed O.P.'s along our borders." This unquestionably included Sharm el Sheikh which was, in fact, a U.N. Observation Post.

As reported by the Secretary General on May 18 to the General Assembly, this message to General Rikhye was quickly followed by a movement of U.A.R. troops up to the line in Sinai, and by a demand from the Chief of Staff of the U.A.R. Army at midday local time on May 17 for withdrawal within 24 hours of all U.N.E.F. detachments in Sinai, specifically including Sharm el Sheikh. In fact, U.A.R. troops arrived to take over the United Nations camp and positions at Sharm el Sheikh and Ras Nasrani at 12:10 hours G.M.T. on May 18, demanding a response from the U.N.E.F. troops there within fifteen minutes. They did not get it, and the U.N.E.F. troops remained there for six more days, although they were unable to function.

The official request for the withdrawal of U.N.E.F. was received by the Secretary General at 12 noon New York time on May 18, i.e. some four hours after the actual arrival of U.A.R. troops at Sharm el Sheikh.

The reason for the Secretary General's position that U.N.E.F. could not accept an order to withdraw from one part of the line and remain on another part was that to do this would in fact make U.N.E.F. a party to the resumption of war by opening the door to a direct military confrontation between Israel and the U.A.R. Once the U.A.R. decided to move its troops to any part of the line, which they could have done at any time during the past ten years, U.N.E.F.'s presence ceased to have any useful function.

The line that had to be covered by U.N.E.F., incidentally, was 295 miles long while the total strength of the force was 3,400 (1,800 on the line) with personal arms for self-defense only. At Sharm el Sheikh 32 men were stationed.

RALPH J. BUNCHE
Under Secretary of the
United Nations
United Nations, N. Y.
June 9, 1967

•

Generic Drug Prices

To the Editor:

Whoever in the American Medical Asssociation is responsible for the denial that many brand-name drugs are sold at exorbitant prices (Times, May 26) may not be guilty of a conscious attempt to deceive but he or she is nonetheless wrong.

In almost all instances where there is a generic counterpart of a brand-name drug the wholesale price of the generic drug is anywhere from one-half to one-fortieth the price of the brand-name drug. One need only to look at the catalogs of several drug distributors to verify this.

Probably some retail drug stores do boost the price of generic drugs to about the same level as the brand-name counterparts, but that is quite beside the point. If physicians write prescriptions so that the generic (or trade) name of the medicine appears on the label, there is no reason why the patient should not do comparison shopping—except in an emergency.

In fairness to the retail druggist it must be said that a fair mark-up is necessary if he is to stay in business, for many drug preparations become obsolete before his supply is used up. This results in an actual loss if, for example, 24 tablets out of a bottle of 100 are prescribed and the remaining 76 tablets remain on his shelves.

In partial defense of the manufacturers of brand-name drugs it must be admitted that they do spend a great deal on research, necessitating somewhat higher prices than the purveyor of generic drugs. However, the unconscionably high prices for many drugs are totally indefensible.

Honesty on the part of drug manufacturers, distributors, retail druggists, physicians and medical society officials seems to be the key to the whole problem. Or must there be more laws?

HAROLD J. HARRIS
Westport, N. Y., June 1, 1967

•

Statewide Solutions to Cities' Needs

To the Editor:

We are disturbed, as are all responsible segments of our city, at the travesty of New York City Mayors journeying annually to Albany, hat in hand, to plead for additional taxing powers or higher state grants-in-aid.

Under these circumstances it is perhaps understandable that The Times should editorially recommend a broad grant of fiscal home rule to the city as one goal to be achieved by the Constitutional Convention—most recently recommended in your June 2 editorial "Hat in Hand to Albany."

The New York Chamber of Commerce believes, however, that such a solution to an admittedly difficult problem is not in the best interests of the city, and that, if adopted, it would create additional problems, compounding still further the city's fiscal and economic difficulties.

A broad grant of powers by the state to local governments permitting them to impose any taxes they may desire would certainly result in a tax "Balkanization" of the state. It would produce a crazy-quilt of disjointed tax practices from community to community—practices which would also shift unpredictably from one local administration to the next.

The negative effects of such disparate local tax structures on the state's economic climate cannot be overemphasized. It is abundantly clear that considerations of equitable, dependable tax policy play an important—often determining—role in business location.

Essential to Sound Policy

Moreover, effective tax compliance is an essential part of any sound tax policy. Were local governments to have "fiscal autonomy," virtually insuperable problems of tax compliance would be imposed on business firms. The continuing healthy growth of the state's economy depends in good part on logical and consonant systems of taxation.

We have long felt that the present and proper direction of government in an era of growing interdependence is toward statewide or regional solutions to the unique problems of our large urban cities. We feel this is particularly true as it pertains to taxation.

To avoid the Mayor's annual pilgrimage to the Legislature, this Chamber urges the establishment of a new instrumentality of state-local fiscal relations, representative of both the state and local governments, which would have as its function a continuing examination of the fiscal needs of both the state and its subdivisions and the development of specific tax and other proposals to meet the legitimate needs of all levels of government in New York State.

If suitably high level and responsible, such a group could, in time, minimize—hopefully neutralize—"adversary roles" between the state and New York City, while assuring homogeneous tax policies conducive to economic expansion in the Empire State and all its regions.

G. G. TEGNELL
Executive Vice President
N. Y. Chamber of Commerce
New York, June 6, 1967

•

Japan's Speed Trains

To the Editor:

Your news article of May 25 in connection with the speedy trains soon to move between New York and Washington states, "the Japanese have been running a train between Tokyo and Osaka at 125 miles an hour for several years."

The fact is that the Japanese have been running 38 such trains daily, with extras on Saturdays and Sundays, moving 150,000 people a day. With some exceptions and with some supplementation, there are the Hikari (lightning) trains every hour in each direction with stops only at Nagoya and Kyoto, making the 360 miles in three hours, and the Kodama (echo) trains on the half-hour with nine stops, making the trip in 3½ hours.

These trains run on a completely new double track, and are automated: passengers only, no freight. New stations were necessary to accommodate the twelve cars that constitute these trains, tip to tip nearly 1,000 feet. Besides, there is the fleet of regular trains, on the regular four and six system, moving many more people every day.

Altogether, much to copy.

W. EDWARDS DEMING
Washington, May 28, 1967

•

Short Steering Column

To the Editor:

Daily we read of American automobile manufacturers' attempts at improving the safety of their automobiles. Recently, for example, it was announced that after Jan. 1, 1968, General Motors will build into its cars a collapsible steering column assembly which is 8¼ inches shorter than the steering column on previous models.

Two days later it was reported that Ford has developed and will at the same time incorporate into its cars a steering column assembly which is 11½ inches shorter than that on previous models.

When one considers that according to a Cornell University study published in 1962 at least one-third of all injuries to the occupants of cars involved in accidents can be traced to the steering column assembly, these are indeed steps in the right direction. As a layman, however, I can only express surprise and astonishment at the demonstrated paucity of technical ingenuity.

A proved and economical design for a radically shortened steering column assembly (twenty-five as opposed to fifty inches) which rests back of and above the front axle out of the impact area was developed in Austria as early as 1925. Several European and British automobile manufacturers—Rover—for example, have incorporated radically shortened steering columns into their automobiles in the last five years.

Why have American automotive engineers not shown an awareness of such designs or developed other similarly effective designs?

CHARLES E. FRYE
Assistant Professor of
Political Science
Bryn Mawr College
Mühldorf, West Germany
May 30, 1967



Herblock in The Washington Post

"Israel is winning—NOW we must DO something!"

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.