LAW OFFICES OF
BEVERLY HILLS, CALIFORNIA 90212

MEMORANDUM

TO: Readers of Plain Talk

FROM:

REF: GUNS

Supplement to Plain Talk 115 of 6-28-93 on "Guns"

DATE: April 29, 1994

#### Dear Reader:

1. "Land of the free" cover from London's The Economist March 26th-1st April 1994 depicts a menacing array of indiscriminate guns against the American urban background.

The lead article from the same issue "Guns in America: Home on the range: Gun control does not work in America, because it barely exists" likewise is annexed in copy.

- 2. The article concludes "The country does not yet have an inkling of what a responsible attitude to guns might mean" and suggests that it might mean "public health and safety." "... guns... should be treated more like cars, with strict safety, design and utility standards, proper federal regulation and mandatory training and licensing for their owners."
- 3. As in the case of cars, that would not prevent ownership by those who register.

It would provide an automatic criminal sanction for unregistered planners and doers of injury to person, property, and the nation.

4. It should promote sanity in this area.

Yours states y,

gg Encls.

cc: Editor, The Economist

## The Econom

MARCH 26TH-IST APRIL 1994

Canada.

..C\$4.50 Germany..

.Dm7.00 Italy

CONFRONTING N. KOREA

1,000 SATELLITES BLOOM

page 101

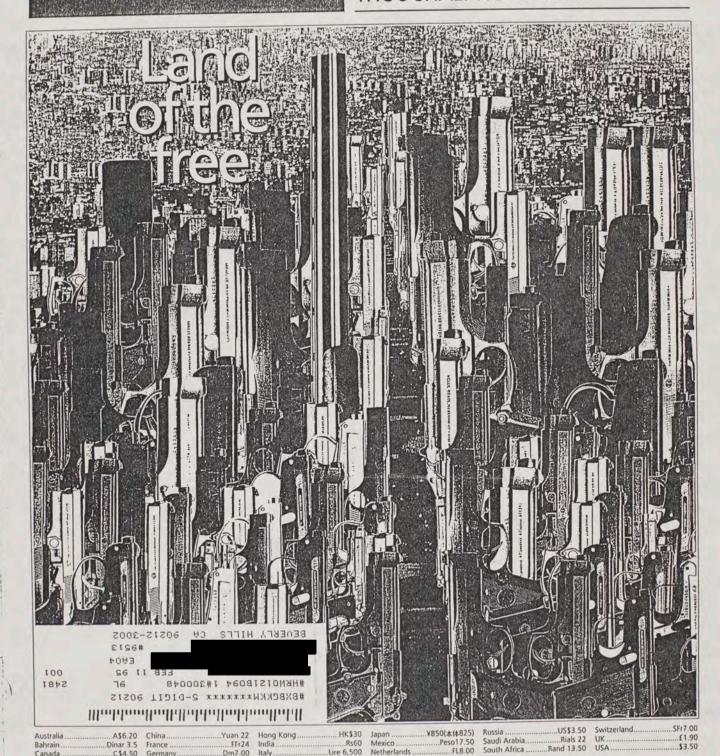
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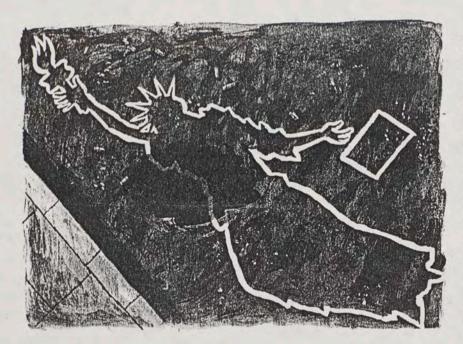
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THOU SHALT NOT SMOKE

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### Home on the range

Gun control does not work in America, because it barely exists

NO GUM, food or drink in the store," reads the notice on the door of Dave's Firearms, some miles outside Richmond, Virginia. And an afterthought: "Please, no loaded guns inside." Dave's is in a blue-collar suburb, with a dentist's surgery on one side and a car-parts shop on the other. It is a cosy place, cluttered like an old parlour with camouflage gear, stuffed bobcats, boots, buckets—and guns. Lots of guns. One young man of about 20 stands before a rack of rifles glossy and lean as thoroughbreds. When he is given one to hold, a look of slack-jawed wonder comes over his face; then a flush of pleasure. It is the same fascination that holds his country in thrall.

Every ten seconds a gun is made in America; every nine seconds one is imported, adding over 6m guns annually to the estimated 212m already in private circulation, nearly one per citizen. The country's 1,200 gun makers, most of them tiny firms, pay \$150 for their three-yearly federal permits and are subject to a single initial inspection by the Bureau of Alcohol, Tobacco and Firearms (ATF). Unless the guns they

make are fully automatic (in other words, machine-guns), they are subject to virtually no federal restrictions. Manufacturers of ammunition, even of hollow-point rounds, banned under the Geneva Convention for use in warfare, are also virtually unregulated: they pay \$10 a year for a manufacturing licence plus 10% federal excise tax.

From the manufacturers, guns are shipped to the wholesalers. Anyone who is not a convicted felon may obtain for the sum of \$66 a year (the fee went up from \$10 only this month) a licence to buy guns wholesale across state lines. About 90% of applicants are accepted. There were, at the last count, 284,000 licensed gun dealers in America, up from fewer than 150,000 in 1975. Some were giant retailers: Kmart (the biggest gun-licence holder) and Wal-Mart both sell guns, although Wal-Mart has, as of February, stopped selling handguns (pistols and revolvers) in the 700 stores that used to stock them. No federal licence or recordkeeping is required to sell ammunition.

Of the 284,000 gun dealers, about 20,000 have proper stores; just over half of

these are pawnbrokers. The rest sell guns out of car boots, over the kitchen table, or at gun shows and flea markets. They do not buy solely from manufacturers. Until January this year, federal law-enforcement agencies also sold off their surplus weapons—some 60,000 handguns and rifles, including the quasi-military 9mm automatic pistols so popular with young bloods.

Reputable manufacturers (such as Smith & Wesson, and Remington) deal only with the biggest and most solid dealers. The others ship their guns, no questions asked. It is not their job to inspect dealers; that falls again to the ATF, a much maligned and dispirited agency that was almost killed under Ronald Reagan, but was saved when the National Rifle Association realised that the FBI might take charge of firearms instead. Since then, the ATF has specialised in sympathetic policing. It is allowed by law to inspect dealers only once a year without a warrant, and is required to give them notice. Some visits from the agency last 30 days; because the ATF is forbidden to track gun transfers by computer (which would smack of registration, and is not allowed by law) its agents must sit down and sort through each dealer's books and all the federal firearms forms completed in the past year by his customers. This leaves a long delay between purchase and federal check.

The ATF admits that, even with onceyearly visits to dealers, it cannot possibly get round them all. For the same reason, it ignores gun shows and flea markets. In 1993, the ATF visited 400 dealers. Only 26% had storefronts; more than half maintained no stock of firearms; 34% were found in violation of firearms regulations. About 12% surrendered their licences during the inspection. Some of these dealers had had their licences withheld by their states; but under present law the ATF cannot use this as a reason to withhold a federal licence.

Gun dealers, for their part, feel burdened with paperwork already. Regulations for selling guns vary from state to state, but in general a customer must fill in two forms, one from the state police and one from the ATF, and must produce two current pieces of identification (including, usually, a driving licence, but not necessarily a photograph). At Dave's Firearms, a reputable place, the salesman telephones the state police as soon as the state form is completed. This is the "instant background check". The Brady bill, made law in February, which requires a five-day waiting period for handgun purchases, does not apply in states like Virginia that have their own arrangements.

Once the police give the go-ahead, the

federal form is filled in. Only a felony record prevents the customer from getting his gun. An arrest record (even a long one) or a conviction for a misdemeanour will not usually count against him; which is how Patrick Purdy, a man with many arrests to his name, was able to obtain the semi-automatic rifle with which he killed five children and wounded 30 others in a school playground in Stockton, California, in 1989. A history of mental instability may not stop a sale, either; the police will not have it on their records.

In general, dealers feel they must give their customers the benefit of the doubt. If they make a mistake—not detecting, say, that an adult is buying for a juvenile, or a straight man for a criminal—they bear no liability. Thefts or losses of firearms do not have to be reported, so the recorded figure of 200,000 guns stolen each year is probably a large underestimate. Dealers are not even required to look through their records when the ATF calls them for help in tracing a gun used in a crime.

#### Safety first, sometimes

For Dave's Firearms, the illegal gun market is another, quite separate, world: "You'll never stop those guns. They come in with the drugs." Some do; most do not. According to a Justice Department survey, about 27% of felons buy their guns over the counter like anyone else; 31% get them from family and friends, most of whom will also have bought them routinely in a store; and 42% obtain them "by other means"—predominantly theft—from legal dealers or private owners. Almost every gun that ends up in the illegal street network starts its active life in the hands of a licensed dealer. He may be careful; but the system will fail him.

These days, dealers are busier than ever. Sales rose by an estimated 10-20% in 1993, as people rushed to buy in advance of more federal regulations. Many of the new buyers want handguns to protect themselves. They have lost faith in the police, if they ever had it. The gun manufacturers have done a competent job of assuring citizens who are often a little frightened of guns, especially women, that they can "liberate" themselves, cease to be victims, if they possess

one. About half of America's households now have guns, and most of those have more than one: the average per owner is 4.5. Nor do they wear out quickly. Guns made in 1899 are still counted as being in active circulation, and may be traded and retraded for years.

New buyers may want training. Some stores provide a range in the back yard for neophyte owners to practise. At Dave's, which has no range, a salesman who has just recommended a nifty little .38 revolver proffers a pamphlet: "You could go and see this guy, but I wouldn't insist on it, and a lot of people can't afford it. Get a friend to show you or go practise out in the country. You can't hit anyone there."

Having bought their guns, Americans cannot use them with entire freedom. They may generally display them, and pull the trigger, only in their home or place of business. To be caught in possession of a gun somewhere else is an offence, but not a serious one; arrest usually leads to probation. Thirty-five states have concealed-weapons laws, whereby for around \$200 a gun owner can get a permit to carry his weapon under a coat or in the glove-compartment of his car. In Oregon, for example, 80,000 people have such permits. This number, which may seem large, represents a fraction of the state's gun-owning population.

Of the 212m firearms in circulation, about 67m are handguns. Three-quarters of the handguns produced in America are now semi-automatic pistols (that is, pistols carrying up to 12 rounds, where a bullet is expelled with each squeeze of the trigger), which until the 1980s were used mainly by soldiers. Handguns now figure in about 60% of firearms homicides. By contrast, semi-automatic rifles account for a mere 1% of homicides; there are around 3m in circulation. Opponents of semi-automatic rifles, which are widely used in hunting, say they can easily be converted for fully automatic fire, so that one squeeze of the trigger produces a stream of bullets. This makes them into machine-guns, banned by federal law. Their defenders say that conversion is difficult, needing a machine-tool shop and a supply of scarce or restricted parts.

For historical and political reasons, firearms are explicitly excluded from the Consumer Product Safety Act. Firearms injuries are therefore not tallied officially. At a rough estimate, about 38,000 Americans die each year of gunshot wounds, almost as many as are killed on the roads. Fewer than half of these deaths are homicides. Together, accidents and suicides account for 54% of firearms deaths. Among 15-24-year-olds, deaths by gunshot went up by 40% between 1985 and 1991.

Manufacturers cannot be held liable either for injuries deliberately caused by guns (a fair exclusion) or for deaths or injuries caused accidentally, by malfunction or faults in design. Dealers cannot be held liable for careless sales. Cheap imported Chinese and ex-Soviet guns are not inspected for safety defects. Conscientious gun-providers emphasise that guns must-be kept locked away and unloaded. But when Joe Citizen's aim is to protect himself from burglars or worse, he tends to want his gun loaded and beside his bed.

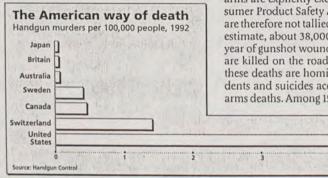
That said, self-defence is only part of the reason why America has so many guns. Most firearms purchased by civilians are rifles and shotguns. They are bought by generally law-abiding people for the pleasure of hunting, target-shooting and "plinking", or shooting at tin cans. "I can still remember", said Bill Clinton recently, "the first day when I was a little boy out in the country, putting the can on top of a fence-post and shooting a .22 at it."

In many parts of America, especially the rural south and west, guns are a rite of passage. A boy will get his first rifle about the time he gets his first car, and will be properly trained in the use of it. These aficionados find it hard to believe that in cities guns have become a terror. They do not see why their genuine enjoyment should be spoiled by yet more form-filling, or by the removal of certain kinds of guns, just to keep the streets safe in Detroit. And their resentment is nourished by the NRA, which tells them constantly that the federal government wants to take their basic freedoms away.

#### Guns and freedom

The connection between guns and freedom is a vexed one. For many years, before it became heavily politicised in the 1970s, the NRA was a sportsmen's club, dedicated mainly to good gun training and marksmanship. In recent decades, although its teaching and training in responsible gun use have continued, it has become possessed by a single argument: that the language of the Second Amendment rules out any and every sort of gun control. The Second Amendment reads, in full: "A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed." The Supreme Court, on the few occasions it has ruled on the matter, has found gun controls fully compatible with the Second Amendment. In 1939 it explicitly stated that the amendment was about "the effectiveness of [militias] ... and must be interpreted and applied with that end in view."

Fully 80% of Americans (including about 60% of the 3.3m members of the NRA) now favour some sort of restrictions on guns; fewer than 30% support a ban. Most



Americans want controls, but most also doubt that controls will reduce crime overall. The connection between guns and crime rates is still considered controversial. The present wave of gun proliferation started with the arrival of crack cocaine in the 1980s. But though the number of violent crimes involving guns rose by 55% between 1987 and 1992, such incidents still account for less than 15% of all violent crime.

Guns are plainly facilitators of crime; they make it simpler to commit. But causes of crime are so many, ranging from decaying cities to human wickedness, that restricting guns often has low priority. Indeed, cities with looser firearms laws, such as those that allow their citizens to carry concealed weapons with a permit, often show lower rates of crime.

The mere presence of guns in quantity may be an encouragement to crime or a deterrent, depending on whose guns they are.

Out of this confusion has come a mosaic of local gun-control experiments. In New York city and Washington, DC, handguns are banned entirely. In ten states, including New York and New Jersey, gun-owners must have permits. Twenty-six states have some sort of delay on purchase, which does not necessarily include a background check. Many cities, mainly in the north-east, ban different sorts of assault weapons. New York, Washington, Philadelphia and many Florida cities have buy-back plans, which offer owners money or vouchers for turning in their guns.

None of these has made more than the tiniest local dent in the incidence of guns or of gun-related crime. Some, indeed, have had the reverse effect. Gun-swaps bring in mostly non-working models, or the weapons of people who are law-abiding anyway. A study of states with waiting periods showed that the 1-2% of buyers who were turned down after the background check promptly bought their guns in another, laxer state. As a rule, a patchwork of bans and restrictions acts as an incentive to both criminals and dealers. Washington, DC, is legally disarmed; but over the border is Virginia, a state crawling with guns. Washington's rate of handgun homicide, 83% of all murders, is the country's highest.

Controls are therefore more likely to work if imposed at federal level. But the record here is poor. The National Firearms Act of 1934, the nation's first, required the registration of machine-guns, then much in vogue with Prohibition gangs. A law of 1938 brought in licences for dealers. A few more classes of guns were banned in 1968, and the ban on interstate sales was brought in. In general, gun-control measures are passed by Congress when popular fear reaches an unacceptable level, as in the 1930s and again in



the 1960s. When the panic dies down the rules are relaxed, as they were in 1986 when the Firearms Owners Protection Act limited the number of dealer inspections, struck down record-keeping requirements for ammunition dealers, and banned any attempt at gun registration. This is the law that still governs most gun matters today.

#### Death and taxes

Now that America is once more seized with the dread of guns, the Clinton administration says it means to tighten up again. So far it has brought in the Brady bill, which makes some buyers wait a short time. The dealer licence fee has been raised, and may be raised again to \$600 a year in the near future; this, it is hoped, may reduce the number of licensed dealers to a more manageable 60,000 or so. Senator Daniel Patrick Moynihan of New York proposes raising the ammunition tax by 1,000% and putting up the licence fee for ammunition manufacturers to \$10,000 a year.

The administration has also classified three types of semi-automatic rifles as "destructive weapons", designed for combat only. In order to hold a destructive weapon the owner must register his gun with the ATF and be photographed and fingerprinted. The ATF will try to trace existing owners, through dealers, and notify them; if they do not register within 30 days, they face a tenyear prison sentence and a \$250,000 fine. Manufacturers of, and dealers in, such weapons will have to pay a special fee. These restrictions are much like those previously applied to machine-guns, such as Uzis and AK rifles, which still turn up in America's drug and gang wars.

In fact, the classification of "destructive weapon" could apply to any gun. It might more logically apply to handguns, which cause most trouble, than to semi-automatic rifles. But the administration has to proceed with extreme slowness and care. It is not just

that the NRA fights it every step of the way; it is also that the ATF, overstretched and demoralised as it is, quails before every new task it is given to do.

The idea of a licence for gun owners has been floated by Mr Clinton and by Janet Reno, the attorney-general; it is argued most strongly by Charles Schumer, a Democratic congressman from Brooklyn. Under Mr Schumer's bill, which is now before Congress, every owner would have a national handgun card, issued after a thorough background check, and all gun transfers would be registered with the ATF. Mention this to the ATF, however, and its spokeswoman, Susan McCarron, replies with a tired laugh, explaining that she has been over that ground before: "We can't do anything computerised."

The NRA calls any sort of gun-owners' licence an infringement of rights; registration can only be a prelude to confiscation. The Supreme Court has suggested that registering guns (which modern technology would make easy) might constitute self-incrimination. But the bigger problem with imposing more bureaucracy, and spending more money, is that the public is not yet convinced that gun controls have much effect on crime. There has to be another compelling reason for restriction.

That reason could be public health and safety. Simply put, guns cause too many deaths. They are designed for it; they make it easy for people to kill themselves, or others, even when that is not their intention. And they are now as common in American households as toasters or microwave ovens. Responsibility for their use and control should therefore be shared out more evenly between manufacturers, dealers, buyersand parents and teachers. Guns should, perhaps, be treated more like cars, with strict safety, design and utility standards, proper federal regulation and mandatory training and licensing for their owners. The argument against this line is simple: well-made cars and well-trained drivers are no guarantee against joy-riders. Yet the counter-argument is surely more powerful: that if the whole world of guns were properly controlled from the manufacturer or importer onwards, fewer rogue guns and gun-wielders would get through the net.

From time to time, this vision of effective and widespread controls glimmers in the eyes of the Clinton administration. Then it fades again. When controls have so far seemed useless, faith in them is hard to justify. The political road is arduous. What should be remembered, however, is that America has hardly started down it. The country does not yet have an inkling of what a responsible attitude to guns might mean.

LAW OFFICES OF BEVERLY HILLS CALLEGRNIA 90212 MEMORANDUM

TO: Readers of Plain Talk

FROM:

MIDDLE EAST

REF: DATE: May 4, 1994

#### Dear Reader:

1. On the eve of "full" "Israeli-PLO Accord" on "Palestinian" "Self-Rule" at Gaza and Jericho, Prime Minister Rabin tells the Knesset: "If people want to rule over a foreign nation, they must know it is going to cost them blood." (NY Times Int. A6 5-3-94 "P.L.O. and Israel Say Accord on Self-Rule Appears Imminent").

The problem remains, that it may "cost" more "blood" to withdraw, -- with the "blood" then being shed in vain.

- 2. This is probably the first instance in world history, where a nation able to defend itself, is about to cede control of its 3400-year old place of origin and exodus, -- "lands" essential to its defense and water supply, -- as a "risk for peace" in favor of those who do not want peace with Israel. See annexed "On My Mind: Are Arabs Ready for Peace?" by A. M. Rosenthal (NY Times Int. A17 5-3-94).
- 3. The annexed "A troubled 46" from Jerusalem Post Int. 4-23-94, doubtless explains why the Prime Minister rushes to make this "risk" "irreversible", -- before Israel's population can vote on it!

The annexed "Taking a Logical Look at Land" by U.S. Army Col. (Ret.) Irving Kett, plus ad flyer from Jewish Institute for National Security Affairs ("Which would you rather have if a killer in a T-72 tank were after you?") are sample explanations why the "risk" is suicidal.

Sincerely yours,

former US Diplomat

gg Encl.

#### On My Mind

A. M. ROSENTHAL

## Are Arabs Ready for Peace?

WASHINGTON .

Prime Minister Yitzhak Rabin of Israel has something important in common with Saddam Hussein and Bill Clinton.

Saddam Hussein did not tell the Iraqi people when he invaded Kuwait that there was a chance they would be pounded into military defeat.

When Bill Clinton ordered American bombers to take part in the Bosnian war, he did not say there was a chance that bombing could spread the war further.

And Yitzhak Rabin, making concessions to bring peace with Palestinians and Syria, does not tell Israelis of the evidence that Arab public opinion is not ready for that peace, and favors immediate military confrontation as the alternative.

An old story — when national leaders, democratic or dictatorial, take a major step that involves big risk and big opportunity they emphasize the opportunities and slide over or just skip talk about risk.

In a recent column I wrote that Arab governments were still spewing out anti-Israeli propaganda and that Arab nations had taken none of the obvious steps to show their people that the unholy war was over. Coincidentally the day the column was printed I received a study that provided startling supporting statistics.

The study was carried out not by an Israeli but by Hilal Khashan, associate professor of political science at the American University of Beirut. The article, printed by the new Middle East Quarterly (4304 Osage Avenue, Philadelphia 19104) is called "Are the Arabs Ready for Peace With Israel?" His answer is a sad "no" — the result of a poll he carried out among 1,000 Muslim Lebanese, Syrians and Palestinians in Beirut on the eve of the first Israeli-P.L.O. agreement on Sept. 13, 1993.

"What are the alternatives to peace talks?" was one question. Of the two-thirds who replied to the question, 75 percent favored "immediate military confrontation with Israel." The remaining one-fourth wanted to maintain the present situation — no peace, no war. The conclusion in the analysis is that those who did support negotiations saw them merely as a truce before another military confrontation.

The study blames Arab leadership for the fact that Arab people show little understanding of peace with Israel or its benefits and see it as a surrender.

Since the early 1920's, Professor Khashan writes, the Arab elite has conditioned Arab populations to suspect Jews, hate Zionists and seek the destruction of Israel. And when Arab leaders chose to seek peace, he says, they did not prepare their people for what it meant, but followed a policy of "peace by stealth" — one step forward, two steps back, underestimating the implications of peace.

The Rabin Government is so convinced that a formal peace is in the best interest of Israel that it has changed the military strategy that for decades rested on control of the West Bank and the Golan Heights.

As part of its negotiating tactics Israel is playing down the refusal of Arab governments to revoke the very When Palestinians refused to revoke their death oaths, Israel acted unconcerned. When the Arab League refuses to end the embargo, Israel talks about the exceptions Arabs graciously grant from time to time.

The Rabin Government will probably achieve the agreements it seeks. Land on credit and the coming Palestinian independence are a good starting point for the Arabs. But in the process his Government is making the error of other Israeli governments — deluding itself about what Arab people think, and the consequences.

If Israel now does not seem to care much about how the Arab people are fed with hatred, or that so many see peace with Israel as a prelude to war with Israel, why should any other government bother itself — now or after the papers are signed?

#### And does Israel care?

actions that helped create and sustain hatred and war against Israel. Among them are: the global hate sewer, the world boycott, untermenschen barriers against Jewish travelers and the Arab conventions calling for the death of Israel.

wanted to push for an end of the embargo now, the Israelis touted them off. Then Israel docilely accepted a U.N. resolution condemning murders committed by one private person — the Hebron killer. This had never been done at the U.N. They did not urge the U.S. to veto a paragraph treating Jerusalem as occupied territory.

NO 1746 • WEEK ENDING APRIL 23, 1994 • IYAR 12, 5754, THU AL-QADAH 13/1

EDITORIAL ISPARI- Lovet.

## A troubled 46

It is difficult to remember an Independence Day on which Israel was more contentious, polarized and unsure of itself. Even in the state's first days, when Jews fired at Jews and the threat of a fateful split seemed frighteningly near, the promise and hope of a new era – and the imminent danger of destruction by external enemies – dwarfed all internal turmoil. Nor did the aftermath of the Yom Kippur War, for all its bitterness and recrimination, create the kind of suspicion and division plaguing the nation today.

Ironically, what has brought on today's malaise is the promise of yet another bright dawn. For the first time in the 46 years of the state, the prospect of peace between Israel and all its neighbors is said to be real. For the first time, the surrounding Arab world seems ready to recognize the right of a Jewish state to exist.

This is what the whole nation has been praying for since Zionism began. The dream of peace has been part of the vision of every leader from Binyamin Ze'ev Herzl to Yitzhak Rabin. It is an integral component of the Zionist faith.

If in the over 100 years of Zionism the dream has failed to materialize, it is solely because Israel's neighbors have always considered the existence of a sovereign non-Islamic state in the region a sacrilege and an insult. Only now, it is believed, has there been a sobering change; a willingness to accept Israel, albeit in its 1949 size, as a neighbor.

The disagreement over whether such a change has actually taken place is at the root of the nation's division. The government believes a real change has indeed occurred, that in recognizing Israel and declaring its willingness to live in peace with a Jewish sovereignty, the PLO has expressed the will of the Palestinian Arabs and – by extension – of all Arabs. Having accepted the premise that the root of the Arab-Israeli conflict is the Palestinian problem, the government believes that once this problem is solved, the larger conflict, too, will be resolved. It is willing to consider withdrawing to the 1949 borders in the belief that this will not only solve the Palestinian problem but rid Israel of the burden of ruling over another people.

The opposition suspects that the professed Arab change is purely tactical. It believes withdrawal is dangerous, if not suicidal, because there are still large, decisive elements in the Arab world that have not reconciled themselves to Israel's existence.

Unfortunately, evidence to support this assumption is all too plentiful. An article by Hilal Khashan, published recently in *The Wall Street Journal*, shows that in a carefully conducted poll of 1,000 Palestinians and other Arabs, *not a single respondent* wanted genuine peace with Israel. Those who support the present process do so only in the hope that it will weaken Israel and make it more vulnerable to attack.

Nor are the facts on the ground encouraging. No one expects the PLO to live up to its written commitment to change its covenant, which calls for the destruction of Israel. Nor has the organization lived up to its commitment to shun terrorism. Now even the State Department admits that it does not expect the PLO to prevent terrorist action against Israel once it rules Gaza and Jericho.

The national debate is clearly over fateful issues. Each side views the other's policies as an invitation to national disaster. But in fact there is a remarkable consensus on the need for both security and peace; and a recognition that there are risks the nation cannot take, no matter how extravagant the promises.

It would be tragic if this consensus is ignored. If there is one risk the nation cannot afford, it is the deadly danger of physical confrontation between supporters of the government's policies and their opponents. On this Independence Day, the greatest service the political leadership on both sides can perform is to curb the rhetoric.

Leaders of the government are not "treasonous," and leaders of the opposition are not "murderers of peace." The vast majority of Israelis — from Peace Now activists to the residents of Judea, Samaria and Gaza — wish and pray for a secure Israel living in peace with its neighbors. The debate is over the way to achieve this goal, not over the goal itself. Unless this is remembered at all times by all concerned, the resulting civil strife will make the pain and uncertainty of this Independence Day seem like minor discomfort.

Israel has gone through daunting trials in the 46 years of its existence as a state, and in the years leading to its founding. The 18,000 commemorated on Remembrance Day for having given their lives for the country, and the hundreds of thousands who have been wounded, constitute a staggeringly high price for national survival. Yet Israel has thrived beyond all expectations. Indeed, throughout its history, it has proved resilient enough and wise enough to make the right decisions. It will do so again.

There are probably no more spurious and dangerous opinions being bandied about than those which claim that defensible borders, terrain and maneuver areas are no longer critical for protecting

These opinions defy both logic and the laws of physics that govern modem weapons systems. Sensors and antennas - today's primary elements of advanced weaponry, communication and control systems - all depend on the transmission of electromagnetic waves. Without high ground for assemblages are worthless.

The sole locations in Israel's possession that furnish platforms for these devices (so indispensable for defensive operations, or for offensive operations against Israel if in Arab hands) exist in the spinal column that runs through the center of Judea and Samaria, and on the Golan Heights.

Since 1967, the mountain range running through the center of Judea and Samaria, from Jenin in the north combat. to Hebron in the south, comprising a continuous ridge approximately 55 km long, 20 km wide and reaching

## Taking a logical look at land

heights of about 1,100 meters, has become Israel's front line for air defense. Airborne radars cannot effectively replace it.

To comprehend what it would mean to the defense of Israel to surrender Judea and Samaria, one must examine its topography from a military overview. The width of the center of the country, where most of its population and industry is concenline-of-sight locations, these complex trated, would be reduced to a mere 15 - 25 km.

> Many Jewish settlements in Judea and Samaria have been sited so as to block armored thrusts from the east. Without them, Israel could be severed in several locations before reserves could be mobilized. The relatively small standing army stands little chance of repelling an Arab invasion, and it requires about 48 hours for reserve forces to muster for

Non-political US military experts have investigated the challenge to Israeli security from a viewpoint of

Irving Kett

deterrence, defense and terrorism. An aggressor will only attack if confident of victory. Therefore the key question is, "Under what conditions will the Arabs be more likely to attack Israel?" Obviously, the more vulnerable Israel is, the more likelihood of war.

In three major US military studies, in one of which I was an active participant, boundaries, terrain and maneuver area were determinant factors in evaluating Israel's defensive and deterrent capabilities.

IT IS A total denial of reason by those Jews, especially Israelis, who advocate that Israel return to the "death-trap borders" (Abba Eban) that existed prior to the Six Day War, or any facsimile thereof.

Like the Communists for over 70 years, the Arabs mask their designs with such noble expressions as "human rights," "self-determination" and "secular democracy" - concepts in total contradiction to everything they and their society represent.

In their yearning for tranquillity, some Israelis have lost sight of a fundamental factor: security must take precedence over peace. These people have become infected by the malaise of defeatism. The reality of the situation dictates that Israel cannot have peace without security.

In 1990, the Institute for Advanced Strategic Studies in Jerusalem analyzed the implications to Israeli security of an Arab entity comprising Gaza, Judea and Samaria. The conclusion was that it would represent "an unthinkable strategic risk to the State of Israel, to regional stability, and to any chance of finding a lasting comprehensive Arab-Israeli peace."

I believe that even those Israelis who are prepared to accept a further partition of their country would insist that Israel retain its present defense lines on the Jordan River and other

military installations in approximately a third of the Arab area. Such an approach involves the maximum risk that the most accommodating Israeli government may conceivably agree

It would envision the permanent positioning of the IDF within the new Arab state, together with electronic installations, demilitarization of the remainder, free lines of communications, and unlimited air rights over the entire 6,000-plus sq. km. of any new Arab entity. However, in the final analysis, these convoluted schemes will prove neither feasible for Israel's minimum defense needs. nor will they remotely satisfy Arab demands.

History has shown that demilitarization cannot be considered a longterm panacea. Nations will simply not accept long-term restrictions upon their sovereignty.

In the entire debate over territory there is one fundamental question: Can Israel survive the surrender of any of its existing borders and territory? The various professional US military studies have emphatically answered that question with "No."

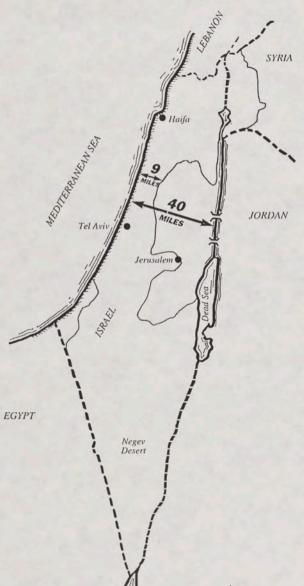
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The writer, a retired US Army colonel who dealt with Middle East and Israeli subjects, is a professor of civil engineering at California State University and was involved in the construction of two air bases in the Negev.

ISRAEL-GOLAN

# Which would you rather have if a killer in a T-72 tank were after you?

A 40-mile headstart. A 9-mile headstart.



IT'S easy to say Israel should take a chance and give up this land to make peace.

BUT the truth is that 8 out of every 10 Palestinians believe the "Palestinian Arab State" includes all of Israel. And they believe that is only the beginning.

THEY want the world to forget that 5 times in 43 years the Arabs have attacked Israel for these very lands.

OUR own U.S. Defense Department has gone on record saying Israel needs these depths and heights as a *minimum* to protect itself.

PUT yourself in Israel's place.

IT'S only as big as Rhode Island and it's surrounded by twenty hostile neighbors who have twice as much land as the entire U.S., ten times as many planes, tanks and missiles as Israel, fifty times as many people and all the oil in the Mideast.

WOULDN'T you be afraid to cut your security in half?

WOULDN'T you want to wait until they all made peace and proved to you they weren't going to do what they have pledged to do for forty three years...to drive you into the sea?

IT'S not as if they are democracies who have to answer to their people. Israel is the only democracy there.

SO let's not pressure Israel to commit suicide.

Put the Pressure for Peace Where It Belongs... Not Just On Israel

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