

INCIDENTAL PAPER

**Seminar on Intelligence, Command,
and Control**

**The Liberty Incident
A. Jay Cristol**

Guest Presentations, Spring 1995

Michael L. Brown; William A. Owens; R. C. M. (Mark) Baker;
Arthur V. Grant, Jr.; A. Jay Cristol; Robert Lawrence;
Albert Edmonds; John A. Leide

January 1996

Program on Information Resources Policy



Center for Information Policy Research



Harvard University

The Program on Information Resources Policy is jointly sponsored by
Harvard University and the Center for Information Policy Research.

Chairman
Anthony G. Oettinger

Managing Director
John C. B. LeGates

Copyright © 1996 by the President and Fellows of Harvard College. Not to be
reproduced in any form without written consent from the Program on
Information Resources Policy, Harvard University, Maxwell Dworkin 125,
33 Oxford Street, Cambridge MA 02138. (617) 495-4114

E-mail: pirp@deas.harvard.edu URL: <http://www.pirp.harvard.edu>
ISBN 1-879716-29-1 **I-96-2**

The Liberty Incident*

A. Jay Cristol

Chief Judge Cristol entered Navy flight training in November 1951 and earned his Navy wings in April 1953. During the Korean conflict, he flew day and night missions from the aircraft carrier Princeton in the Western Pacific. He was a flight instructor at the Fleet All Weather Training Unit, Pacific, and then became a four-engine transport plane commander in the Naval Reserve. In the 1960s, he flew volunteer airlift missions to Vietnam. After 18 years as a naval aviator, he became a Navy lawyer and served in the Pentagon, including the Office of the Secretary of the Navy and OP-616 during the Stark incident. The Department of Defense sent him to the International Institute of Humanitarian Law at San Remo, Italy, where he taught Law of Naval Warfare to senior military officers from numerous countries. He retired from the Naval Reserve as a captain in 1988 after 38 years of service. Jay Cristol has practiced law for 25 years, and in April 1985, he accepted appointment as a federal judge. He is now the Chief Judge of the United States Bankruptcy Court of the Southern District of Florida, which encompasses the lower half of the state and has a larger population than 35 of the United States. Judge Cristol earned a B.A. from the University of Miami and his J.D. cum laude from the University of Miami School of Law. He teaches as an adjunct professor at the law school and is enrolled in the Graduate School of International Studies at the University of Miami, where he hopes to complete his dissertation in international affairs in the near future. He has published numerous articles on law, aviation, history and other subjects.

Oettinger: Today we're going to pay attention to crisis management, which is usually something that's short of war, but sure scares everybody for one reason or another, and occurs abruptly, usually with some element of surprise. It is one of those things that keeps recurring. So the problem of managing crises, the functioning of command and control in crises, the usefulness of intelligence, et cetera, is a recurrent, and, given the continuing history of crises and their unavailability, extremely important subject. So I was delighted when a mutual friend put us in touch, because Judge Cristol has developed a degree of detail and insight into a particular crisis that took place 30 years ago that is unparalleled in my experience of analysis of crises in connection with this seminar. I'm urging you to listen to him not in purely historical terms, though the history itself is very interesting, but it's also a live object lesson in many aspects of crisis management, which is an ongoing, live, and essential subject. With that, I'm delighted to turn it over to Jay Cristol.

Cristol: Good afternoon. It's an honor to be here. First, let me take four or five or maybe six minutes to try to give you a flavor of the Eastern Mediterranean and the world itself in early June 1967. We, the United States, were mired in Vietnam. During the week of June 5, 1967, 187 U.S. military personnel were killed in Vietnam. It was less than five years after the world was on the brink of disaster with the October missile crisis.

The hotline, which had been established following the missile crisis, had never been used, except for exchange of annual New Year's greetings. Robert McNamara was Secretary of Defense. He told me that on the morning of the 5th of June he received a phone call at home, at three or four in the morning, from a First Class Petty Officer in the Pentagon. The First Class Petty Officer informed him that a hotline message from Premier Kosygin had arrived for President Johnson. McNamara said, "So why are you calling me? Why didn't this go to the White House?" and he was informed that the hotline ended in the Pentagon. There

* The material presented is part of the research for a doctoral degree at the Graduate School of International Studies at the University of Miami.

was no link to the White House. He recalled wondering why, with a multibillion dollar defense budget, we couldn't afford a telephone line to the White House from the Pentagon on the hotline. He said that he soon had that corrected.

Ultimately, three messages, at least, about *Liberty* were exchanged between President Johnson and Premier Kosygin on the hotline. One of those messages was sent by Johnson to Kosygin about the fact that we had some aircraft moving towards the battle area. Johnson didn't want the Russians to interpret that as us coming into the war. He wanted to make it quite clear that these aircraft were coming in for protection and rescue efforts relative only to this particular ship, the *Liberty*.

The Cold War was intense. U.S. and Soviet naval vessels were harassing each other, even bumping into each other in the Mediterranean. France had made peace in Algeria. DeGaulle had cut off all military hardware sales to Israel. As of this time, the United States had not yet sold offensive weapons to Israel. They had given them a few Hawk missile batteries, and in 1966, as a result of an interesting event, which we may or may not have time to talk about,

they sent Israel a few air-to-air missiles. The military supply and exchange between Israel and the United States as we know it today just did not exist.

No U.S. warship had visited an Israeli port in many years. The Soviets were meddling in the Middle East. They were looking to increase their influence there. They misled Egypt and the world with a story that Israel was building up forces on the Syrian border. Nasser jumped at this and ordered U.N. troops, who had been in the Sinai since 1956, out of the Sinai. He also closed the Straits of Tiran. At 7:45 a.m. on Monday, the 5th of June, Israel launched air strikes and the Six Day War began. The United States was on daylight time. Israel was not. So Washington time was six hours earlier than Sinai time, and Greenwich Mean Time was two hours earlier than Sinai time.

On June 8, 1967, at about 5:50 a.m., Israel spotted a ship somewhat north of Alexandria, Egypt, or perhaps a little further to the east, on a course of 120 degrees, steaming about 15 knots (figure 1). That ship was *Liberty*. During the Six Day War, Israel did two aerial reconnaissance flights a day. At dawn they launched a Nord 2501,

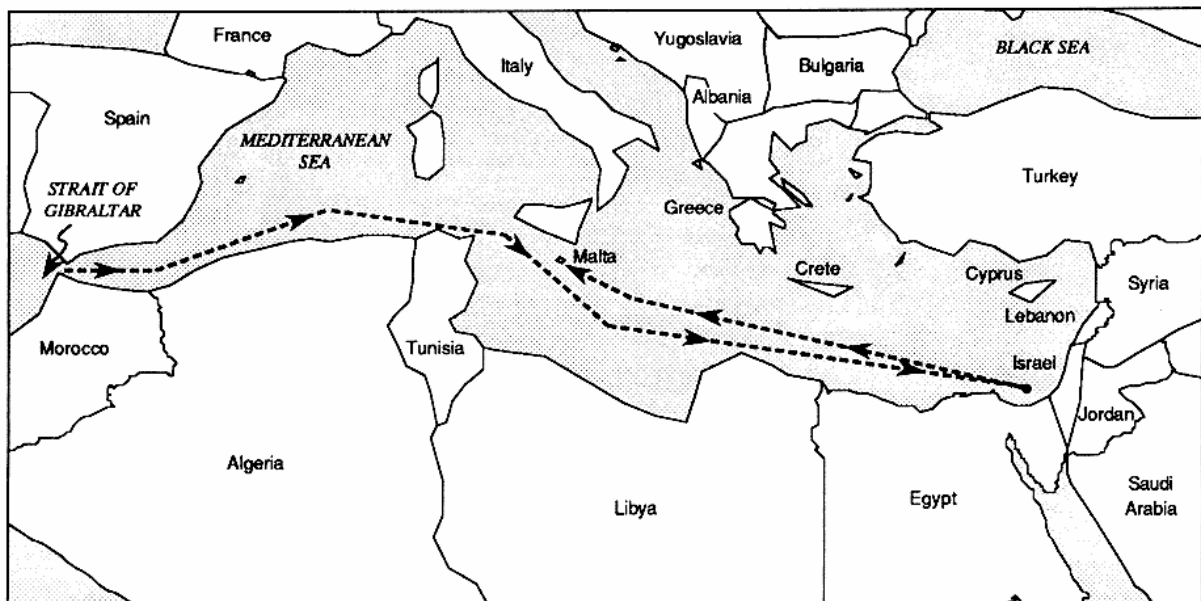


Figure 1
Water Traveled by Liberty, 2 June – 8 June 1967

which was a French-built aircraft that looked something like our flying boxcar, but a little smaller. They went out and swept the ocean area. Late in the day, before sundown, they sent the Nord out again and took another look. That was the extent of the surveillance of the waters by the navy.

Let me just interject that the Israeli navy, at the time, was a wonderful organization, but it consisted of less than 5,000 people. They could all fit on one of our aircraft carriers. Israeli naval air, in those days, didn't exist. Even today, the total Israeli naval air consists of three West Wind executive jets with some radar in the nose, which they use for a little surveillance. They also have a couple of Dauphine helicopters that they use for over-the-horizon targeting for their missile boats. But in 1967 the Israeli navy, as described by the chief of the navy, was at an all-time low. They were down at the bottom. Fortunately for them, they have come a long way since.

So the 2501 sighted *Liberty*. If you read *Liberty's* logs, it's interesting because as *Liberty* was steaming down towards the place where it was going, off the Sinai, at about 10 minutes before the reported sighting by the Nord, *Liberty* changed course to due south, and held that course for about 10 minutes, and then changed its course back, and got back on its original course line. Whether they picked up the Nord on radar and did not want to let the Nord know where they were going, I don't know. No one can give me an answer to that, but I suspect that it is possible that is what happened.

In any event, the Nord came back to base. It was run through the Israeli naval intelligence officer liaison person in Tel Aviv, a man named Uri Meritz. He opened *Jane's Fighting Ships** and he identified the *U.S.S. Liberty*. He passed the word to the naval intelligence center in Haifa that they sighted the *U.S.S. Liberty*, a U.S. intelligence gathering ship. He also warned, "Be careful. It's in the area. It looks somewhat

like the Egyptian ship *El Quesir*. Don't get them mixed up."

At eight o'clock on the morning of June 8, Uri Meritz went off duty. The information was received in Haifa at the Israeli naval command post. In 1967 it was situated on top of Mount Carmel. The British, while they were in control under the mandate, had built a bunker there for the RAF (Royal Air Force). Israel had taken it over, and they really didn't use it, except that when the war seemed to be imminent, they occupied it and set up naval wartime command there. Otherwise naval command was at the port in Haifa. The command of operations was in a room approximately 20 feet by 30 feet. It was dark and dank. Naval Intelligence was down the hall, and that's where this little bit of information about *Liberty* went.

On June 8, 1967, at about two o'clock, the *Liberty* was steaming 283 degrees. *Liberty* had arrived at a point that was designated Point Alpha (latitude 31-27N, longitude 34-00E), which was west of Israel. *Liberty's* instructions were to do a two-legged course along the Sinai, from east to west, and then come back and repeat it. They completed the first leg to point Bravo (31-22N, 33-42E) at 11:30, and made their first turn on the course. They were on their second leg. They'd only been in the war zone since 8:32 that morning. They were about 14 miles off the coast of the Sinai, near El Arish, when the ship was attacked by four Israeli aircraft. First, a flight of two Mirage III-C aircraft approached the ship from bow to stern and conducted three strafing runs apiece. As they left, two Super Mystère aircraft arrived and began runs from stern to bow. At 14:12, they left. About 20 minutes later, three Israeli motor torpedo boats (MTBs) approached the *Liberty*, and after some efforts to signal with lights, they attacked. One torpedo hit the *Liberty*. Almost immediately after the attack, the MTBs offered assistance, which was declined. The *Liberty* and her heroic crew saved the ship, which was badly damaged, and sailed to Malta. *Liberty's* main concern at this point was the security of her codes. Tragically, the Walkers had already sold

* *Jane's Fighting Ships*, published by Jane's Publishing Company, London, England, is accepted internationally as the authority on navies of the world.

those code keys to the KGB, as far as I can make out.

I have visited the site of the attack twice by sea and twice by air. On the first visit by sea, aboard an Israeli antiterrorist patrol boat, *A Dabour*, I sat on the deck at two o'clock in the morning. The glow of the lights of El Arish was on the horizon, and the crew gathered around me. I told them the story of the *Liberty*. There were nine Israeli crew members on board. The skipper, a reserve officer, had been 10 years of age at the time of the *Liberty* incident. The senior petty officer, who ran the engines, was 13. The other seven sailors had not yet been born when the event occurred. When I finished the story, they all asked, "Why didn't *Liberty* go to Ashdod?"* (the Israeli naval base, only a few hours away).

The CIA completed a report on this incident on June 13.** I have it for you for distribution, along with some other material. You will note, however, that the CIA report is an hour off on its time. They have the attack occurring at three o'clock. Apparently the people at the CIA who prepared the report were not aware of the daylight time one-hour differential and were using a seven-hour time difference. I've called this to the attention of the CIA, but as far as I know they have not made an effort to correct this error.

The United States Navy Court of Inquiry was convened under Rear Admiral Isaac C. Kidd, Jr. He was the president. He did a superb, accurate job, and completed the court of inquiry by the 18th of June.*** I have interviewed Admiral Kidd, and one of the two captains comprising the court and the staff counsel, Captain Ward Boston.

* FN Ashdod is an Israeli naval base on the Mediterranean coast about 24 miles south of Tel Aviv and about 80 miles from the site of the attack.

** U.S. Central Intelligence Agency, "Intelligence Memorandum: The Israeli Attack on the USS *Liberty*," SC No. 01415/67, 13 June 1967.

*** "Liberty Incident, 8 June 1967," Report of the Court of Inquiry, RADM Isaac C. Kidd, Jr., USN, President. Washington, D.C.: Office of the Judge Advocate General of the Navy, June 18, 1967.

Oettinger: I should note for the record that it was Admiral Kidd who introduced us, and to whom we owe Judge Cristol's presence here.

Cristol: Admiral Kidd hadn't talked to anyone about this since shortly after he signed that report in London. He told me that when he signed the report in London with Admiral McCain* he was exhausted, but they put it in a briefcase and chained it to his wrist. They gave him a big .45 caliber automatic and strapped that on him. They put him in a car, and sent him to the airport, where he got on a Pan Am airplane, first class (they don't do that anymore). He was flown to Washington, where he went directly from the airport to Bethesda Naval Hospital because Admiral McDonald, the Chief of Naval Operations, had had some sort of flu attack. He met McDonald there in the hospital and presented the report. They went over it together, and he hadn't really talked about it since.

I've had some amazing strokes of luck in being able to get to talk to people. It so happened that I have a friend, Don Engen, a Vice Admiral, who on June 8, 1967, was the captain of *America*, the aircraft carrier that was out there at the time. When I was talking to him one day, he said, "Why haven't you talked to Isaac Kidd about this?" I said, "Isaac Kidd won't talk to anybody." He said, "Well, I'll give him a call." So Don Engen gave him a call, and I met Kidd. He opened up a bunch of new doors to me and we've become very good friends. I visit him in Washington whenever I get a chance, and we talk on the phone quite a bit. Since that time, as I say, Kidd hadn't talked, but he did talk to me.

I interviewed Clark Clifford, who was at the time the Chairman of the President's Foreign Intelligence Advisory Board. He reported to President Johnson that the attack was a case of mistaken identity. That report remains classified, but Clifford and others have told me about its contents.

* John S. McCain, Jr. (CINCUSNAVEUR), "First Endorsement on Letter of RADM Isaac C. Kidd, USN, 111645/1100 of 18 June 1967," FF1-3, 5830, Ser00020/00, 18 June 1967.

The House Armed Services Committee on Worldwide Communications studied the five messages that ordered *Liberty* out of the area, and that were mis-sent by the Chairman of the Joint Chiefs of Staff. *Liberty* didn't receive them, at least not the first one, until after the attack. That report also studied the *Pueblo* incident, which occurred in 1968, as well as the downing of an Air Force EC-121.* I provided that report for you in the materials. I commend it to you. It's most interesting. Captain Frank Snyder was deeply involved in the preparation of that testimony to Congress.

Oettinger: Let me just break in. Captain Snyder is here with us. He's the author of the Snyder book** that you all critiqued last time. By the way, he thanks you for your critical comments.

Cristol: While I was looking forward to this appearance here today, I'm now nervous as can be, because not only is he an eminent scholar, but Captain Snyder was also there as communications officer aboard the *U.S.S. Little Rock*, the commander of the Sixth Fleet's flagship when this incident occurred. So I've got to be very careful that I don't make any mistakes in anything I say.

Student: He's a *gentleman* and a scholar. Don't let that worry you.

Cristol: The entire report is worth reading, but I will just call your attention to the colloquy at the end of the report when Congressman Hall says to General Klocko, who was testifying, "The clincher is to ask the general one question. Given another scenario like the *Liberty*, are you confident in your own mind that we will have the necessary communications to promptly and

effectively complete command decision?" General Klocko: "No sir. I couldn't guarantee that."

Student: General Klocko was the Director of the Defense Communication Agency at the time.

Cristol: Mr. Hall responds, "Then we are in a hell of a mess, Mr. Chairman."

There have been 14 official investigations of the *Liberty* incident: three by Israel and 11 by the United States, which include five Congressional investigations. All 14 of the official investigations or reports conclude essentially what Secretary McNamara told the Senate in July 1967.* I've included all of that testimony for you as another insert in your package. McNamara said this to the Senate, "In the case of the attack on the *Liberty*, it was the conclusion of the investigatory body headed by an admiral of the Navy, in whom we have great confidence, that the attack was not intentional. I read the record of that investigation and I support that conclusion. ... There is no evidence that the individuals attacking the *Liberty* knew they were attacking a U.S. ship and there is some evidence, circumstantial, that they did not know it."

Notwithstanding the official reports, there are at least 14 stories that are told about the event, each claiming that Israel knew the ship was a U.S. ship and knowingly and deliberately attacked it. Let me show you about three minutes of videotape. First you will see the skipper of the *Liberty*, Commander William McGonagle, now Captain (retired), at a press conference aboard the aircraft carrier *America* a few days after the attack. Then you'll see another minute-and-a-half of Captain Ernest Castle, then Commander Ernest Castle, who was the U.S. Naval Attaché at our embassy in Tel Aviv on that day in June when *Liberty* happened. He comments on

* "Review of Department of Defense Worldwide Communications, Phase I. Report of the Armed Services Investigating Subcommittee of the Committee on Armed Services, 92nd Congress," Doc. 60-499. Washington, D.C.: U.S. Government Printing Office, May 10, 1971.

** Frank Snyder, *Command and Control: Literature and Commentary*, Washington D.C.: National Defense University Press, 1993.

* Robert S. McNamara, Testimony in Hearings Before the Committee on Foreign Relations, United States Senate, 90th Congress, First Session, on S. 1872, June 12, July 24 and 26, 1967. Washington, D.C.: U.S. Government Printing Office, pp. 266-269.

the theories of those who reject the official conclusions.

Narrator: Captain William McGonagle never left the bridge despite serious wounds and was afterwards awarded the Congressional Medal of Honor. At a press conference on board the *U.S.S. America*, he gave his own account of the attack. He has refused to speak about it ever since.

McGonagle: A short time after the air attack had been completed, the three torpedo boats approached us from our starboard quarter at high speed, and in an apparent torpedo launch attitude. As they approached to within about one mile of the ship, I saw what appeared to me to be an Israeli flag on one of the boats, and at one time it appeared that the center boat was attempting to signal the ship, but because of the intermittent blocking of the signal light by the smoke and flames, we were unable to determine what this boat was attempting to signal.

I had previously directed a man from the bridge to proceed to the forward starboard gun mount and take the torpedo boats under fire in an attempt to defend ourselves. When I saw what appeared to be the Israeli flag, I yelled to the fo'c's'le because I had no phone communications with the man. And I yelled to him to tell him to hold fire. But before he was able to understand what I was trying to tell him, he opened fire on the boats as I had directed.

The torpedo struck the starboard side of the ship below the waterline and just forward of the bridge area.

After this, the torpedo boats stopped and milled around in the vicinity of the ship; helicopters later circled the ship. Shortly after that (it's surprising how the time passed by), it was dark, and we were clearing the area. Dr. Kiefer and his pharmacist's mate performed in heroic fashion, as did all of the crew.

Castle: Let us presume the Israeli high command was so fearful that the

United States would learn of what was an evident Israeli plan to take the Golan, or any other plan on the part of the Israelis, when they say, "My God, that will irritate the United States, our great friend, we'd better not do that or let that happen, so let's sink their ship instead." That's how I would address anyone who thinks the Israelis purposely sunk that ship to keep us from knowing something. Let us presume it was a premeditated plan, for whatever reason, to get rid of a United States ship that was a threat to Israel. Then the nation that had just, in 22 minutes, destroyed an entire Egyptian air force, had captured all of the Egyptian armor in the Sinai, if they had decided they had to sink a United States ship, I believe they would have done so. And I think it would have been done with *ruse de guerre*, and done during the night so that there was never any real evidence of who had done it, if the Israelis had really wanted to sink a United States ship.

Cristol: Those snips are from a Thames Television documentary, 53 minutes in length. I actually have the whole thing here, and if something comes up where we want to see or hear some other player in the act, it's available, although I don't think we'll have a chance to get to it.

At this point I'd like to say that any time you have a question or need a clarification, please do not hesitate to just jump in, and we can take this in any direction that you want to take it.

The first question that I'll ask is, "So, what has *Liberty* got to do with C³ or C⁴ and intelligence?" *Liberty* happened almost 28 years ago in primitive—almost prehistoric—times by today's C⁴I standards. In 1967, the U.S. had a few early satellites in orbit. The CIA station chief told me that good turnaround time for a message Tel Aviv–Washington–Tel Aviv was about two hours. The commander of the Israeli air force had an off-the-rack Motorola radio installed in his automobile for communicating with air force headquarters when he

was out of the Kirya.* The northern and central commanders, General David Eleazer and General Uzi Narkis, had no such equipment in their command cars.

Major General Roscoe Cougill came here to this course in the spring of 1992, and I quote a couple of sentences from his opening remarks: "Then Desert Storm began. I did have message backlogs when the war started, mainly in the priority and routine area and mainly with the U.S. Navy, which was still locked somewhere in the seventeenth century with its communications."** The backlog apparently was 15,000 messages at the beginning of Desert Storm.

Oettinger: If I may just interject a point, at the time when Cougill was here, we had a couple of naval officers in the class, and their comment about how stark the difference was between the comms they had while at dock and what happened when they were 50 feet out from land is part of what led to once again awakening the Navy to the issue. It's an amazingly recurrent kind of a problem, and I think one of the issues is that in each era there is a new generation of technology to which one hasn't caught up, which is among the many reasons why this is so recurrent.

Cristol: On naval communications, I'd like to digress to tell you about the sinking of the *General Belgrano* in the Argentinean conflict with Great Britain over the Falklands. The *General Belgrano* turned towards the British fleet. Commander Richard Wraith, skipper of the British

submarine, *HMS Conqueror*, saw that through his periscope, sent a message to Fleet Commander Woodward aboard the aircraft carrier *Invincible*, who sent a message to the Ministry of the Navy in London, where Admiral Sir Terence Lewen took it to the war cabinet consisting of Prime Minister Margaret Thatcher and four other ministers at No. 10 Downing Street. The message arrived there and Margaret Thatcher said, "Fire one!" and there went the torpedo.

There is potential for improvement in naval communications.

Vice Admiral Richard C. Macke also spoke to this program in the spring of 1992. His topic was, "C4I for the Warrior." He opened by saying that we took more laptop computers than 500-pound bombs to the Gulf War. There was not one laptop near the Sinai in 1967. However, the sophistication of equipment that has developed over 25 years, even non-Navy equipment, could not prevent the shoot-down of two U.S. Blackhawk helicopters by U.S. Air Force F-15s on the 14th of April, 1994, in Northern Iraq. The weather was clear. The Blackhawks had U.S. flags painted on them. Time after time we hear the folks who were on the *Liberty* say, "How could this happen? The weather was clear. We were flying the American flag." But I'm getting ahead of myself.

Liberty was first ordered to a point off Port Said, Egypt, and then was told to patrol a route that lies off the coast of Sinai along the Via Maris. She was initially told to go to a point west of the Suez Canal, and then to go to a point east of the Suez Canal, in the Sinai, but west of the Gaza Strip. As you remember, Egypt had the Gaza Strip in 1967, before the war started. I believe that NSA wanted *Liberty* to let it know what was going on along that coastal route. She was to remain outside all territorial waters; thus, although we may argue the point, it's my opinion she was not a spy ship, but a warship in international waters legally allowed to listen—a legitimate intelligence-gathering ship.

The Soviets had about six intelligence gatherers in the area in the eastern Med at this time, and their painted side numbers all began with the letter "C." As you know, in

* The Kirya, located north of Kaplan Street in Tel Aviv, is the Israeli equivalent of our Pentagon. The Hebrew word translates as "city" or "citadel." The military command center, the equivalent of our National Military Command Center, is located in a hardened underground bunker called "the pit" at the Kirya. The civil command center, the equivalent of our situation room in the White House, is also in the pit.

** Roscoe M. Cougill, "C3 During Desert Shield and Desert Storm," in *Seminar on Command, Control and Communications, Guest Presentations, Spring 1992*. Program on Information Resources Policy, Harvard University, Cambridge, MA, August 1994.

Cyrillic, "USSR" is "CCCP," and that perhaps becomes the subject of another mistake later on.

We had a total of five intelligence-gathering ships in service, and one of them had left the Mediterranean just before the 2nd of June. *Liberty* entered the Strait of Gibraltar on the 2nd of June, and began proceeding toward her patrol site. *Liberty* was tasked to listen to radio and telephone messages. I'm not going to get into a great deal of technology, but one of the neat things that *Liberty* had was the ability to sit 18, or 19, or 20 miles away and listen to what was being said over telephone wires. Nice stuff.

Radio broadcasts were also being recorded for FBIS (Foreign Broadcast Information Service). Low-frequency and medium-frequency broadcasts could be heard from quite a distance, but the important stuff on very high frequency could only be monitored line-of-sight, or about 19 to 20 miles to the horizon.

Liberty's captain, as he was steaming along (remember, he started at 8:32 in the morning), is looking at the Sinai as he goes, and he sees huge explosions (they're in the *Liberty's* log) and huge clouds of smoke. As Admiral Shlomo Erell says in response to people who say it was a clear day, and the flag was flying, "Very picturesque. But there was a war going on, a very intense war not very far away, and it wasn't just a clear day with the sun shining." So *Liberty's* captain saw this, and he called in his operations officer and discussed the possibility of their pulling the ship back over the horizon. His operations officer said that by moving over the horizon they would degrade the ship's listening capabilities by 80 percent. So Captain McGonagle chose to stay and carry out his mission. He had no knowledge that five messages had been sent ordering the ship back 100 miles.

Liberty had been working off the coast of Africa under direct JCS command. After leaving Rota, Spain, on the 2nd of June, and entering the Med, she was "chopped" (I guess you know what that means—change of operational control) and control of *Liberty* was transferred from JCS to the Sixth Fleet, but of course she wasn't a part of the Sixth Fleet in reality. She was on an

independent caper. Sometimes I wonder who has the bigger penchant for security, us or the Israelis. If anyone is more paranoid about security than the United States, it's Israel.

In any event, NSA didn't see fit to tell McGonagle why he was going there.

Oettinger: A footnote, by the way, besides security, because of your mention of *Liberty* being chopped and operational control being given to the Sixth Fleet, is that this, in and of itself as a command and control problem, presents many issues, and those of you who want to pursue that further should look at General Cushman's contributions to the seminar and some of his books where the issues dealing with this command stream, quite aside from the technicalities, are laid out in excruciating detail.* It's a point that could keep us busy for the rest of the seminar.

Cristol: *Liberty* entered the Med, on her way to her duty station. Her logs reflect that en route she made contact with only two ships, both Soviet. The U.S. fleet was near Crete and the NATO base at Souda Bay, but their paths didn't cross. *Liberty* arrived on station. As she was coming along, she was listening to radio news broadcasts and she became aware that on the 5th of June the war had started. At that time, she was about halfway. She sent a message to the Sixth Fleet requesting destroyer protection. The request was denied.

Whether *Liberty* was state of the art or Rube Goldberg is the subject of debate. While she had some extremely sophisticated, excellent eavesdropping or listening equipment on board, her communications

* John H. Cushman, "C³I and the Commander: Responsibility and Accountability," in *Seminar on Command, Control and Communications, Guest Presentations, Spring 1981*. Program on Information Resources Policy, Harvard University, Cambridge, MA, December 1981; *Command and Control of Theater Forces: Adequacy*. Washington, D.C.: AFCEA International Press, 1985; *Command and Control of Theater Forces: The Korea Command and Other Cases*. Program on Information Resources Policy, Harvard University, Cambridge, MA, 1986.

link with NSA was a dish on the fore deck that bounced a signal off the moon that then was picked up at Fort Meade, Maryland. It could only work when both *Liberty* and NSA could see the moon at the same time. It didn't work very much of the time, so the intelligence gathered by *Liberty*, for lack of a stable communications link, generally did not get to the National Security Agency in real time.

Student: Judge, was she tasked to provide intel to Sixth Fleet at all?

Cristol: My next sentence ... It was not shared with Sixth Fleet or CINCUS-NAVEUR (Commander in Chief, U.S. Navy Forces, Europe) by normal links. Now by comparison, last week I wanted to talk to a ship about 1,500 miles out in the Atlantic. I picked up the phone on my desk and I direct-dialed the number, and in less than 15 seconds I was talking to a ship in the middle of the Atlantic.

Oettinger: I think it's fair to say, though, that again there are two issues here. One is the technical one that Jay has just alluded to, which is that today you can pick up a phone and talk, but there's a second issue. I mean second, not secondary; it's perhaps even a primary issue, which has to do with what communication is intended. It may be that the ship's navigator, et cetera, may have been linked to the Sixth Fleet but the intel people may not, depending on what decisions were made about who works what channels. I don't know whether you had any evidence on that one way or the other, but my sense is that this is something that needs to be looked at as well: an element that's independent of the technology and has to do with command and control decisions rather than with technology. Do you have any sense of that?

Cristol: Yes, I can tell you a couple of things. First of all, my telephone call was not secure. Anyone who wanted to could listen. Getting a secure link is now possible, but at that time, according to Captain Snyder, we had some telephones that would do that—what was the name you gave for it?

Snyder: Steam Valve. But they were in Vietnam.

Cristol: They weren't with us in the Med. But on the ship, there were two groups. There was the ship's company: these were the boat drivers. And there was the security compartment, which was under the control of the National Security Agency. There was even a civilian in there. In that security compartment is where they did the listening and the transmitting back to the National Security Agency.

Liberty had her own communications station for fleet communications. She sent a number of messages on her movements—PIM (point of intended movement)—and some of them were regularly received. At one point, just before this happened, she sent a message that was received, which advised Sixth Fleet that she had updated her publications and destroyed obsolete documents. There were two possible ways to talk, but there was no really good way to talk to home base, which was her real boss, or to Sixth Fleet, which was her nominal commander now that she was chopped to the Sixth Fleet.

We now have satellites that can monitor VHF from quite a distance without putting people at risk, and some people like that. With the advent of satellites and some other problems, such as the *Pueblo*, which occurred a year later when we lost another of these ships, *Liberty* and her four sister ships became obsolete. Today, some people argue that the EP-3E—that's a certain sophisticated version of the Orion—is a better platform for intelligence gathering with a real-time link, but neither the EP-3E nor satellite surveillance were available in 1967.

Liberty was gallantly commanded by Commander McGonagle, who performed in the finest traditions of the Naval Service, for which he justly received the Congressional Medal of Honor. But *Liberty* was poorly controlled on this mission. A fuller disclosure of the mission to the skipper of *Liberty* would have given him the ability to make a pull-back decision. He had the authority, if he thought that the safety of the ship was in jeopardy, to pull back on his own. But since he didn't know nearly

enough about why he was there, he wasn't given the real option of making that decision when he considered it. He knew only what the degrading of the mission would be, so he decided to stay, believing it was important. The communications breakdown, as described in the House Armed Services Committee report, left *Liberty* in harm's way. I read you the tail end of that report.

Nor had it improved a year later when *Pueblo* was captured off North Korea. The Court of Inquiry in that incident said:

The Naval Court of Inquiry, which was convened to inquire into the circumstances surrounding the seizure of the *U.S.S. Pueblo*, was critical of the deplorable relaying of the messages from the *U.S.S. Pueblo*. That court stated in its opinions: 'The delays in transmission of *U.S.S. Pueblo*'s OPREP-3 messages, Pinnacles I and II, from Kamiseya to NAVCOMSTA (Naval Communications Station) Japan and higher commands were grossly excessive.' The Court of Inquiry stated 'Despite the fact that telephone communications were available between COMNAVFOR Japan (Commander of Naval Forces, Japan) and CINCPACFLT (Commander-in-Chief, Pacific Fleet), the fleet commander was not immediately informed and kept current of the developments in the *U.S.S. Pueblo* incident. Information he received was delayed about 1-1/2 hours; too late to be of use.'

Oettinger: I might just point out again for those of you who are pursuing some of these issues that if you go back to what Mr. Brown said in the first session of this seminar,* what you just heard really struck me as a direct parallel to the complaints in the Gulf War about imagery. In each instance we're talking about the latest not being available somewhere at a critical element. And so, the questions of when is soon enough, how much money does it cost, how feasible it is, when is it prudent,

when is there dereliction of duty, are live issues because the prioritization of these things is never going to be easy for the next one. Again, why is this a recurrent element? I think folks need to understand that it's likely to keep recurring. What does one do if one is the guy at the pointy end of the spear for whom this is likely to recur? How do you protect yourself? This goes back to comments a little earlier about the balance between operational security and the understanding of the mission. So, there's a wonderful illustration of some of the general principles. I think if you combine the specifics that he's giving us with some of the generics that I've spouted, you'd get a very good understanding of what the real issues are.

Cristol: I'll just point out, briefly, that the *Liberty* crisis and the *Pueblo* crisis had much in common; that they were both operational disasters and could be blamed, to some extent, on communication failures. But I want to point out that the problem in the *Liberty* was getting the message from the top down to the ship. The problem in the case of the *Pueblo* was getting information that had come from the ship out in the other direction. It's a sort of revolving door kind of problem here. They're both serious. They both deserve, and got, a lot of attention.

As the historical information comes out, I think you'll notice both on the U.S. side and on the Israeli side that in some areas they've really got it wired—I mean, they've got something, they know how to do it, and they do it. And then, right next to it is a 1916 Ford, and we'll see that time and again. For example, the ability to get this stuff off the telephone lines was incredible, but it didn't get anywhere in real time. If they had gotten something that was of value, and the moon wasn't up, well, what did they have?

I'll make a few comments about certain aspects of Israeli command and control and communications, and you'll find that in some areas they were superb and in other areas they weren't, such as the air force with an off-the-rack Motorola in the air force commander's car, and that Uzi Narkis, the general of the central command,

* See Michael L. Brown's presentation in this volume.

had Moshe Dayan, the Minister of Defense, with him on the way to Hebron, out of radio communication, for hours. So, some places it's state of the art and other places it's less than that.

The intelligence analysis of what was going on in the Sinai was also too little and too late, notwithstanding the fact that the newspapers, even though they weren't exactly CNN on the beach with the floodlights on as the troops landed, were good, and the reports in the papers around the world were telling the story, and we had a pretty good idea what was happening in the Eastern Mediterranean. But when *Liberty* was ordered to the Eastern Med on May 24, no hostilities were in progress, and we were wondering what was going on in the Sinai. Were the U.N. forces pulling back down the Via Maris? Was the Egyptian military moving towards Israel? Everything changed on June 5, and at that time *Liberty*, as we've indicated, was just about halfway across the Med, but the task she was originally assigned had been overcome by events. But no one in NSA came to that conclusion until the night of June 7, when a fellow named Frank Raven, someone in the hierarchy of NSA, I guess middle management, who had originally opposed the idea of sending *Liberty* there in the first place, suddenly became concerned. Then came the flurry of communications that failed, plus one additional communications effort that, if completed, might have averted the tragedy.

On the eve of June 7, NSA and JCS had no confirmation that *Liberty*'s withdrawal messages were received or that *Liberty* had withdrawn. A Major Breedlove of the U.S. Marine Corps, at JCS, called CINCUSNAVEUR on the telephone and orally ordered that a plain language voice message be broadcast to *Liberty* directing her to pull back. Captain M.J. Hanley, Deputy Chief of Staff at CINCUSNAVEUR, declined the order because he wanted a formal message with date-time group. The Navy Court of Inquiry required Captain Hanley to make a statement explaining why he refused to send the voice

message. His statement is provided for you in the papers that I've passed out.*

Now, on the Israeli side, the first command structure mistake occurred 11 years before. During the 1956 Suez caper the IDF (Israeli Defense Forces) army command came out of the Kirya—that's the Israeli Pentagon there on Kaplan Street in Tel Aviv—and the air force command was a little to the south of Tel Aviv, about 14 miles away at Ramla, and the navy was still up at Stella Maris, or actually at Haifa. The air force got a clue and realized that this split command wasn't a good idea and closed its headquarters at Ramla and moved to the pit in the Kirya. So, air force and army armor, et cetera, were together. But the navy remained up at Stella Maris, atop Mount Carmel. That's about 70 miles away. They were linked by closed telephone lines. By that I mean that you had to dial the number and say, "Hey, navy, this is somebody in Tel Aviv. We'd like you to do something or tell us something."

The absence of the slight communications delay between Tel Aviv and Haifa might have made a material difference in this event. Shortly after the Six Day War the Israeli navy command post was moved to the pit in the Kirya (figure 2).

Israeli command doctrine in 1967 was generally a permissive rules of engagement. An example was the initial order given by air control to Kursa flight leader. Kursa is a code name; it translates as "couch." The Mirage III-C aircraft were assigned code names in the name of household items. For example, there was Menorah, lamp. There was Window. There were several other names of that nature. Kursa was merely two Mirage III-C aircraft that were loitering over the Suez Canal on air-to-air patrol and were getting low on fuel and were about to be turned back from the Canal to come home to Israel.

In the pit in air force headquarters, there were two tiers of seats looking into a much bigger room, but it still had the old-fashioned plot where they moved wedges

* Statement of Captain M.J. Hanley, USN, Deputy Chief of Staff, CINCUSNAVEUR (prepared for the JCS Fact Finding Team and the Court of Inquiry), Doc. 52 Ex 48—*Liberty*, pp. 441–443.

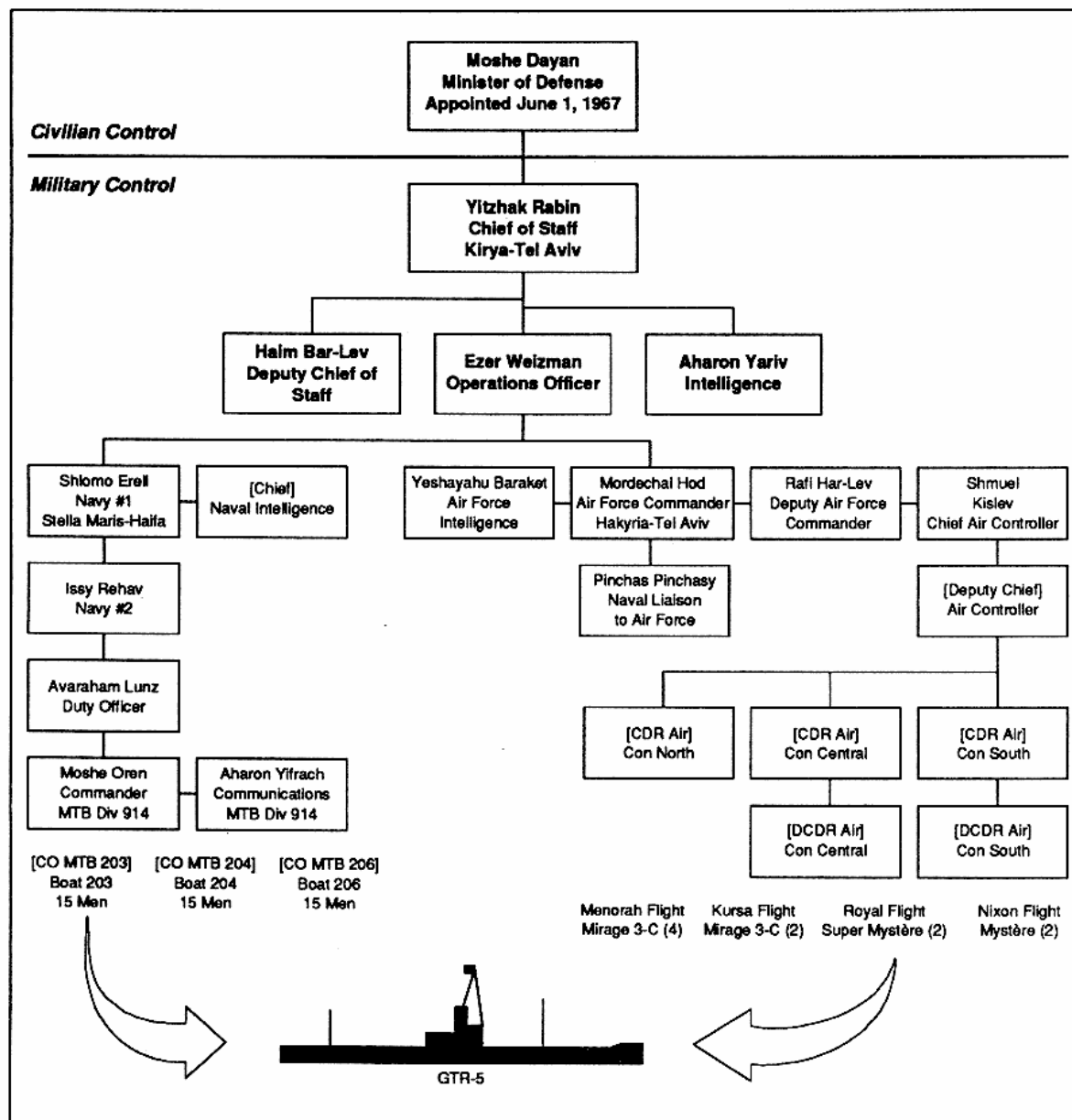


Figure 2
Liberty Incident

on a table with long wooden handles. If you can read Hebrew, I believe you'd find that in these pictures taken on another day. The code names of the flights were names of trees: Ash, Beech, Oak—as opposed to the household items on June 8.

Student: Just like Biggin Hill (RAF command post) in 1940.

Cristol: In air control, on the second level, there was a chair for the air force commander. That was Moti Hod, Mordechai Hod, who trained in the RAF and speaks with a charming, crisp British accent. To his right sat the deputy air force commander, Rafi Har-Lev, who's currently president of El Al Airlines. To his right sat Shmuel Kislev, the chief air controller, with his assistant air controller behind him. Regarding intel, there was some improve-

ment between Stella Maris and the air force. To the air force commander's left was a glass wall with a window that could slide open or shut. Behind that wall sat a gentleman whose real first name [Yeshayahu] I will not try to pronounce. His nickname is Shaykie, last name Baraket, and he's an air force general, chief of intelligence for the air force in 1967. If Hod wanted something from the intel side, he just slid back the glass and said, "Hey, Shaykie, what can you tell me about this?" But it wasn't so easy up at navy headquarters. If we have time, I'll come back and discuss how the air strikes got assigned, but ...

Oettinger: Let me just plant the question of collocation and close contact between what in U.S. parlance is the J-2 and the J-3, which remains a matter of controversy and discussion, again for reasons you can imagine and pursue. So, this is not, by any means, a dead letter. Nor are Israeli differences in operation between navy and air force something limited to the Israeli armed forces.

Cristol: The air force chief air controller, Shmuel Kislev, said to Kursa flight leader, "Go to El Arish. If you find a warship there, you may attack it, but be careful. We have three warships in the area."

Kursa went to El Arish. He looked around for a warship. He saw something, but he wasn't certain. Then he saw some other ships. He made a couple of passes. A number of people make an issue about the flag. They say, "He should have seen the flag." I can give you a lot of data to suggest to you that it really isn't a very practical way to identify a ship by a flag. By the same token, does anyone know what the Malaysian flag looks like?

Student: It's got a similar design, actually, to the Stars and Stripes.

Cristol: A field of blue with a golden half moon, and ...

Student: Except for the top left-hand corner, the rest of it looks the same.

Cristol: Then I think there are 14 instead of 13 red and white stripes. Anyone know what the flag of Liberia looks like? The same blue field with a single star and 13 stripes. I mean, we didn't get our patent in on the flag soon enough.

There's a picture, an exhibit from the Court of Inquiry, of the *Liberty* that was taken as she was arriving either in the vicinity of Malta or rendezvousing with the first destroyers in the Mediterranean, I'm not sure which. You notice that she's at a nine degree list and you're down low in the water, not very far away—I would say 1,000 yards at the most—and you're looking up, and she flies her flag from a halyard. Take a look, and see if you'd do a good job of finding out who she was by that flag.

Oettinger: One puzzle. Perhaps you may be getting to it momentarily, but you have mentioned that Israeli intelligence had had a pretty good ID of the ship, et cetera ...

Cristol: Israeli naval intelligence had a piece of intelligence data on their table, down the hall, that said that *Liberty* was in the area.

Oettinger: So, the problem, presumably, was getting from the navy to the air force, because air force intelligence was collocated with air force ops, but somehow things didn't get from the navy to the air force.

Cristol: Well, I'm a Navy man and would prefer to blame the air force whenever possible, but in this case, the blame lies with the navy. Let me tell you a little bit more. When the ship was first identified, it was put on the plotting board in the navy war room. It was first put on as a skunk—unidentified. The chief of the Israeli navy, Admiral Shlomo Erell, sought and got a brief on what it was, and said, "No. Put it on as a neutral." They changed the wedge, I think, to the color green, and marked it "U.S. ship." It was at its 6 a.m. position out in the Med steering 120 degrees, but a considerable distance from the point off El Arish.

Came 11 o'clock, the watches changed. The command duty officer was a gentleman named Avaraham, nicknamed Rami, Lunz,

who was running the war room. Shlomo Erell had gone down to the port to look after a matter and the number two man in the Israeli navy, a gentleman named Issy Rehav, had the deck. He was in tactical command. Before he came up and took the deck, Lunz, following their present doctrine which says, "Ships do not stand still," said, "We saw that ship before six this morning. It's now 11, five hours later, so it's obviously not there anymore. Take it off the board." The wedge was removed from the board. Lunz did not tell Issy Rehav anything about that wedge.

All right, let's look into how it came about. As you know, Israeli armor had swept across the Sinai and were right on the edge of the Suez Canal. They had the air, they had the ground, but, as evidenced by *Liberty's* own log, explosions were occurring in the vicinity of El Arish, and there out at sea was a ship painted gray. It had puny little .50 caliber guns on it, but you couldn't tell that by looking at it from 14 miles away. The army sent word into the Kirya at Tel Aviv from El Arish and said, "We are being shelled from the sea." The U.S. defense attaché, Colonel Anthony Perna, had sent a message to Washington the day before that Israeli units had been shelled from the sea by Egyptian ships, so this was not a unique event.*

The headquarters in the Kirya picked up the phone and called the navy and said, "We have reports of shelling from the sea at El Arish. Check it out." At first they thought about sending a couple of destroyers that they had, but then they decided to send their motor torpedo boats, Division 914, which were down in the vicinity of Ashdod. There is a page from the official Israeli Defense Forces history branch report on the *Liberty* in which they give some explanatory material. But in any event, they sent three motor torpedo boats with this order, "Proceed to the vicinity of El Arish." Nothing further.

The MTBs started down towards El Arish, and they were kind enough to mark

events and times in their war log: (1) Sailed out of Ashdod at 11:20, (2) "Order from naval operations" at a little after 12, and finally, (3) "Steer for point 20 miles north of El Arish." Down towards El Arish they got an announcement from naval operations, "Shelling of El Arish from the sea." At about 13:20 they came towards the target.

Now, you should know that, as in our own forces, there's rivalry between the air force and the navy in Israel. The air force is the premier service. It's the guardian, the protector of Israel. The navy has a difficult job to do and it does it very well but, nevertheless, the rivalry exists. In 1956, during the Sinai campaign, the Egyptians sent an old British Hunt class destroyer up to Haifa, and it pulled up and began shelling the port. The Egyptians didn't know that the French cruiser *Croissant* was in the harbor, and *Croissant* returned the fire. So, the *Ibrahim Al Awal*, the Egyptian destroyer, turned about and started out to sea. The air force then sent two Ouragans,* French-built early jet fighters, and they came in and made a couple of strafing runs on the ship and left, and then the Israeli navy, which in those days consisted of two destroyers, the *Jaffa* and the *Eliat*, arrived. At the same time, ironically, a group of American ships, several destroyers, arrived on the horizon. The Israeli captain, or commodore, Samek Yanay, signaled the Americans and said, "Excuse us, please. We're about to engage the Egyptians. Would you get out of the way?" The Americans politely turned around and left. The Israeli destroyers began firing and they apparently disabled the rudder of the *Ibrahim Al Awal*. She went dead in the water and they captured her. She became the *Haifa*, the third destroyer in the Israeli navy. There has been an on-going dispute between the air force and the navy: who really was the winner up there at Haifa? Did the air force Ouragans do it, or was it the navy?

Oettinger: Can I take you back to the

* Message from Colonel Anthony Perna, U.S. Defense Attaché at U.S. Embassy, Tel Aviv, 070812Z Jun 67. See reference in MSG: USDAO to DIA 082100Z Jun 67.

* Dassault Ouragan, MD450 fighter/bomber first built in 1949; subsonic; four 20mm guns. (*Ouragan* in French means "hurricane.")

Israeli navy and that plot board? Once the *Liberty* disappeared from the board, then clearly, there was nothing for the Israeli navy to report to the Israeli air force, so we understand why the Israeli air force was oblivious to the fact that there was something there. But you said something which has been puzzling me since you said it, which is that it was Israeli navy doctrine to say that the thing moved—I mean, time is passing and it moved. But why did the guy take it off? Why didn't he ask the question of where would it have moved to? It seems to me that there are at least two errors involved.

Cristol: I think that was clearly an error, and it was an error for which he had to answer in the Court of Inquiry where he was named a party and had to defend himself. But nevertheless, it was off. The MTBs get down in the area. They had old Kelvin-Hughes radar. In those days the Israelis would buy whatever hardware they could find wherever they could. This was U.S. For example, radar air control 501 had French radar, radar air control 509 had American radar. Only one of the three radars on the MTBs was true motion. They picked up a target at the extreme edge of their scope. The CIC (combat information center) and communications officer was a man named Aharon Yifrach, a young ensign in the Israeli navy. He was on the command boat and he was told to calculate the speed of the target. They picked up a ship heading 283 degrees. Now, if you'll notice, 283 from that point off El Arish is heading towards Port Said. The target was about 60 miles from Port Said. Yifrach made his calculations with a pencil and said that we've got a target steering 283 doing 30 knots.

At that time, U.S. doctrine and Israeli doctrine was that if a ship was sighted and was doing more than 25 or 20 knots, depending whether we were talking about Israel or the United States, it was probably a warship. In any event, he was told to recheck the speed by naval headquarters. He rechecked and got 28 knots. He was way off. *Liberty* was steaming 5 knots. But what reinforces my belief that this is a true story is the fact that if they could have got-

ten there without assistance from the air force, they would have gotten there. They would not have invited their rivals, the air force, to go to the party. So, they sent a message, "The ship is running from us at 30 knots. We do 42 knots. In the two hours it would take us to overtake the target, it will be at Port Said. We can't achieve it. Can the air force help us?"

So, now the message comes to Issy Rehav, and Issy Rehav picks up the telephone and calls a gentleman named Pinchas Pinchasy, the air force liaison officer who relieved Uri Meritz when Meritz went off duty in the morning. Pinchasy is downstairs in the lower section of the air force headquarters, and he picks up the phone and calls upstairs and says, "The navy needs some air."

I have provided you with an interesting excerpt from a book written by the son and grandson of Winston Churchill, and there's a segment in it about the night before (June 7, 1967), when Israeli radar reported three Egyptian destroyers steaming up the coast of Israel.* The navy was alerted and the three Israeli destroyers, the *Jaffa*, the *Eliat*, and their newest ship, the Hunt class destroyer *Haifa*, go steaming out to meet the incoming invaders. The air force is put on alert and Mirages go over the scene, and they are in the air above broken clouds. The pilots have reported that they see three ships with their wakes. They are ready to go. Moti Hod is on the phone to Shlomo Erell, "Okay. My planes are on station. We're ready to attack." Erell: "Wait a minute. I'm not sure." Hod: "Look. We have only so much fuel. If you can't let us attack, I'm pulling off the air." Erell: "Just a minute. I want illumination." Hod: "All right. We'll give you illumination." A plane goes down and drops a flare and pulls up. What did they illuminate? The *Jaffa*, the *Eliat*, and the *Haifa*. There were no Egyptian ships. It was false echoes on the initial radar that started this sequence of events.

So now, a day after the three-destroyer incident, Pinchas Pinchasy is asking, "Give us some air," and the air force is saying,

* Randolph S. and Winston S. Churchill, *The Six Day War*. Boston, MA: Houghton Mifflin Company, 1967.

"Yeah. You waste our time. You call us out, waste our flight hours, when we can be doing important things. Call back some other day." So Pinchas Pinchasy gets up from his chair and goes up the stairs directly to General Hod and says, "We've got to have some air." And Hod says, "Well, do you have a target?" "Yeah, we've got a target." So, the order goes out, "Go to El Arish. If you find a warship there, you may attack it. But be careful. We have these three warships in the area."

So Kursa flight goes to the area and flies around. As I say, he was looking for Egyptian ships, maybe Russian ships, or his own ships. The Israelis had a thing they called the Blue Max. That's the code name they had for an identifier that they put on their hardware to make sure that their people who could see it wouldn't shoot at it. The Blue Max was a white cross with a red background, actually the Swiss flag, but that's what Israel was using for a number of years as their identifier. (You may recall, if you've seen some pictures of the Gulf War, I think we used to put upside-down Vs on our tanks to identify them.) Kursa does not see the Blue Max on *Liberty*.

Let me just interject that in 1967 Israel ground-to-air communication was outstanding. They had a net of all air operations, supervised by the chief or deputy chief air controller at the Kirya, and the air controllers in the northern, central, and southern command were all on line. I mean, this was real-time communication. This was one of the superb parts of their operation. I learned so much about it that at one point they said to me, "You see, we think now you know more about Israeli air defense than anyone outside the IDF. We may not be able to let you leave." Fortunately, I talked my way out.

Another thing you should understand is that in the central and northern commands jet air travel, east-west across Israel, is three-and-a-half minutes. North-south is about 10 minutes. In the southern sector, east-west is a little bit longer than three-and-a-half minutes across, and it varies depending on which way you are going—whether you are going the long way, or whether you are cutting across—from anywhere from 4 to 14 minutes. So things

moved quickly and the air force had a good handle on it.

But in spite of the authority to attack the warship, Kursa is looking for the Blue Max. He doesn't find it, so he calls back and says, "What's the frequency for our ships?" He's given one and he calls the ship, whose code name is Tower, and says on VHF radio, "Tower, this is Kursa. I want to make sure I'm attacking the right ship." And nobody can answer. Why? Well, the Israelis, just a couple of weeks before, had gotten VHF radios to put on these boats. It was put on all three boats, but two of them—the boat of the division commander for the MTBs and another boat—couldn't make it work. So only Pagoda, boat 203, was able to transmit and receive on VHF. He talked to Kursa and then he talked to Tower and they passed back and forth and established that these three were our guys and that's the one we're chasing. And so, satisfied that he knew that the warship target was distinct from the Israeli ships, he again called air control south for authority, and air control south confirmed back to Kirya and at 13:56 he was authorized to attack.

Now, while Kursa was attacking, the naval liaison officer at radar air control 501 had not yet heard about the attack. The air force, as I said, doesn't treat the navy like one of their own. They wouldn't let any navy people on their net. Navy people were assigned and had to sit next to them and they would talk to them when they got a moment but they couldn't listen and they couldn't talk over the net. So when the navy liaison found out about the attack taking place, he raised the question. So the air force, through the Kirya, called Haifa and talked to the navy, and again it came back "Okay," and so, as Kursa flight had finished its three runs from bow to stern and was gone, Royal flight arrived.

Royal flight was delayed maybe 20 to 22 seconds. There's no official information on this. The Israeli air force has a recording of their communications, and the tape has in the background a constant voice saying the time in Hebrew. You hear that voice saying it's 3:25, 3:25, 3:26 and, of course, if there's a transmission, it blocks the voice and it goes on the tape. Otherwise you've

got a constant time print on the tape. I listened to the tapes and I have gotten transcripts and translations of them. I don't speak Hebrew, with the exception of a couple of words which I picked up here and there, but I was able to identify the various commands and used my own timing on it, and it's my calculation about this 22- or 23-second delay while this thing went back and forth. Then, "Okay, Royal may go in."

But Kislev, sitting in the command seat for air control in Tel Aviv, was a real professional, and while Kursa was making their runs, he was saying, "Is there any Nun Mem?" That's the letters "NM," for which we say "triple A," "AA," or "flak." Israel uses ...

Israeli Student: *Neged matossim.**

Cristol: Okay. Which is their acronym for anti-aircraft. And Kursa is saying, "No Nun Mem. No Nun Mem." Kislev is troubled. Royal starts in. Royal had been called in from the desert where it was out on an antitank patrol. Each Royal aircraft had two canisters of napalm, which is not exactly a weapon for attacking a ship, but Kislev, being air force, didn't know that, and he thought napalm would be fine. He said, "Go in and hit them with it." They came in stern to bow and dropped four canisters. One hit the ship, although I don't really think that any special harm was done by the napalm and, of course, they're strafing with their 30-millimeters, which are devastating.

The flight leader of Royal pulled up. He had come in from stern to bow, made a turn around, and then came back across the ship broadside to shoot at the middle of the ship, which he had been told was how to get the boilers and stop her because she was still running. As he came by, he said, "Wait a minute! This ship is marked P-30." (It wasn't marked P-30. It was marked GTR 5.) Kislev said, "Any Nun Mem?" "No. I'm going to take a closer look." So he goes around again and he comes by, and in

the meantime, they're talking on the air. They're saying, "Can't you get a flight here with some iron bombs? If you can get some iron bombs, we'll sink this ship." The actual words on the tape are, "It would be a *mitzvah* if we can get a flight with iron bombs," a *mitzvah* being a blessing. "Otherwise, the navy's going to get here and they're going to do the shooting."

Royal's flight leader comes around and he says, "There's something wrong," because when he sees these markings he knows that Arab ships are not marked with Roman characters and so he says, "Now pay attention. This ship is marked CTR 5" (not GTR 5, but CTR 5), "C" being the first character of all Russian intelligence ships. So Kislev, at 14:12 says, "Leave her." Or, since Israelis don't refer to ships as female, "Leave it." So they go off and start back to their base.

In the meantime, at Tel Nof airbase, which is very near Tel Aviv, just minutes away by Miracle III-C, another flight is on the runway, ready to go, armed with iron bombs. That was Nixon flight. I don't know why we had to get Nixon into this, but in any event, the *Mystère* aircraft were code named after world leaders. There was Roosevelt, there was Churchill, there was Stalin, and there was Nixon, and various other folks. Nixon flight with iron bombs is down the runway, ready to go, to put the *coup de grace* on *Liberty*, when Kislev says, "No. Send them off to another target in the north." I have their flight report that they did have iron bombs. They went out. They couldn't find their target. They dropped their bombs in the sea and they came home. That was one piece of luck for *Liberty*—that Nixon didn't hit her. You may recall that at Midway our dive bombers sank three Japanese aircraft carriers in 10 minutes with iron bombs.

Another stroke of luck for *Liberty* was that when they first were given air, there was a flight with four Mirage III-Cs armed with iron bombs southbound and the deputy controller said, "Shall we send Menorah flight?" Kislev said, "No. Menorah is going out to hit SAM (surface-to-air missile) sites. That's more important than the navy's business. Let it go!" Of course, if the four Menorah aircraft with iron

* Hebrew words: *neged* (against), *matossim* (aircraft). Where we say "AA" or "triple A" or "FLAK," they say *Nun*, *Mem*, or *N.M.*

bombs had attacked *Liberty*, there would probably have been total destruction. So, in the midst of all the bad luck, *Liberty* did have those two little pieces of good luck.

The aircraft are gone, and some of the people back at the Kirya, having heard the "C" (CTR-5), are thinking, "This is a Russian ship. Now we're in trouble. We are doing so well, and now the Russians have an excuse to come in on the Arab side and take away everything we've gained." A huge pall of gloom developed in the Kirya. Later on, the navy reidentified the target as Egyptian, and then the gloom went away and they were excited. They were hitting an Egyptian ship. Then the navy looks through the smoke and sees the new flag that had been raised, and it's reddish through the smoke and they say, "We see a red flag. We think it's a Russian ship," and the gloom comes back. Finally they sail by the stern and see "*U.S.S. Liberty*." Also, the *Liberty* crew had thrown an inflatable rubber boat into the water, and MTB-203 picked it up and it said on it "U.S. Navy," and there were packages of Lucky Strike cigarettes. So the Israeli MTB sailors were now convinced it was U.S., and they sent the word back to the Kirya, "We've identified it as a U.S. ship," and a wave of relief went over the Kirya that the ship was their friends, the Americans, not a Russian.

In Washington, at 9:48, Walt Rostow, the National Security Advisor, had received a message, "U.S. ship attacked and torpedoed in the Eastern Med." Nothing more about who did it. An emergency meeting was convened—ordered—in the Situation Room, and at 11:04 a.m. Dean Rusk, Robert McNamara, McGeorge Bundy, Clark Clifford, Nicholas Katzenbach, Lewellyn Thompson, and Walt Rostow were waiting. The President was on the way to the meeting. They're sitting around the table considering options. "Was this the Egyptians? If it's the Egyptians, well, how do we respond? If it's the Russians, do we attack them? Do they escalate, up and up? Are we going to World War III? Is there going to be a nuclear exchange? Is this the end of the world?" There was real terror in the Situation Room in the White House. Dean Rusk told me that the President walked in at 11:04 and said, "We've just

been advised by our naval attaché (that was Ernie Castle) that the Israelis have told us that by mistake they attacked one of our ships." A wave of relief went over the Situation Room. I learned here today, just before this class started, that Captain Snyder and Admiral Martin's staff, aboard the *Little Rock*, the Sixth Fleet flagship, hearing that the ship was under attack, were also concerned about the Russian ships in the area and that war was about to start, and when they got the word on the *Little Rock* that it was the Israelis who attacked, a wave of relief went through the *Little Rock*. Were you in CIC, Frank?

Snyder: I was down in main communications in the ready room.

Cristol: So, some of the ironies of the situation.

Oettinger: This is a marvelous ... funny, but sad account. People died in this. But the element of human error that has come across here I've never seen before in any of the other accounts of this. I point out to you how technology-independent this is. Some of you made comments about Coakley's account and the importance of the human element.* It's also the vulnerability of the human element. If you think about it, with much later technology, the *Vincennes* shoot-down of the Iranian airliner involved a misreading of a radar on a very sophisticated screen as opposed to misreading some letters on a ship, but the human error is there. If you watched the news about the still unfinished inquiries about the USAir crash in Pittsburgh, ground control wasn't telling the incoming pilots about wind shear effects on the ground. So we're talking about different locales, different technologies, and so on, but that irreducible element of human misperception and reaction is something that maintains a degree of uncertainty that we see now over the sweep of 20 years of the seminar. The technology does not deal with that.

* Thomas P. Coakley, *Command and Control for War and Peace*. Washington, D.C.: National Defense University Press, 1992.

McLaughlin: Tony, let me add a note. You have different technologies at work when you're talking about identifying a flag on a ship. Think back 51 years to the D-Day invasion. We painted invasion stripes on the wings of every allied aircraft flying to France to provide easy identification to minimize fratricide.

But then we talked about the Blackhawk shootdown in Iraq. One of the aviators here can probably give me a better fix. You've got to fly a jet twice as fast as you have to fly any prop, so improved aircraft technology, in the sense of faster, has made the fratricide thing so much worse. I'd rather be out there in the desert with A-10s or Apaches than have F-16s flying around. The point is made by my Army aviator son, who is sensitive to it, that on Russian helicopters the main rotors go opposite direction, which Army pilots keep trying to educate air force pilots about, and no way they could have been Hind* helicopters, but how slow can the guy in the F-15 go?

Student: He was probably doing at least 300 knots.

McLaughlin: Yeah. So try and pick up the finer details.

Cristol: At 600 knots you would move half a mile in three seconds, so at 300 knots you'd move half a mile in six seconds. I've flown aircraft and fired weapon systems. In fact, the last time I did that was two weeks ago when I went down to Atlanta to Sky Warriors to dogfight with my son. I can tell you that you've got a lot of things to do, turning on the armament switch, turning on the gunsight, flying the airplane. Your right hand is busy on the stick, your left hand is on the throttle, your trigger finger, your left and right feet are busy, your eyes are jumping around the instruments and visual references. You've got a lot to do, and when you're talking about either a three-second or a six-second bite, the time goes by quickly.

You'll notice that Admiral Kidd, in his report, indicates that he believed it was a mistake, and he also believed that the flag

drooped at the mast or the halyard. Of course, some of the *Liberty* survivors saw the flag flying in the morning. They're sure it was still flying straight out in the afternoon and they don't want to accept the fact that it was drooped, but I have gotten the gun camera film from the Kursa flight. (I had the gun camera film and I saw it before, but there was something on it I didn't see until I interviewed the pilot who flew lead on Kursa.) I don't remember whether I put a copy of this in your package or not, but here's the page of his log book. This is the Six Day War. It starts with the 5th of June, and I've had the translation handwritten in. You'll notice that on the 8th of June he scrambled. He was in Mirage III-C number 73, and he attacked the *Liberty*, and he also flew two other flights that day. One other flight was attacking armor on the ground and the other was shooting down a MiG. He was a busy fellow.

In his log book he saved snippets from the gun camera film, and I'll pass these around if you want to take a look. Here he is shooting down a MiG, and I don't remember, quite frankly, which was before and which was after. Here he is attacking armor in the Sinai. You see him getting a tank here. And here are his shots on the *Liberty*. He pointed out to me, and I point out to you (particularly these bottom pictures show it graphically) that, when the *Liberty* was attacked, they had a motor whaleboat on the deck with a can of gasoline in it. It ignited and exploded and a huge plume of smoke was going up. The Kursa flight leader said to me, "Look at the smoke! The smoke is going straight up." If the smoke goes straight up, the flag hangs straight down.

So Admiral Kidd was right. He didn't have this evidence to go on at the time. He possibly had these pictures (I'll just pass around two different blowups of an official navy photo). I've also photocopied the reverse of the picture, where it says, "Two torpedo boats viewed from the starboard wing of the bridge on level frames," and so on. "Smoke to right." These were taken by Captain McGonagle on the *Liberty*, and the two MTBs are seen out here, passing by on their torpedo run. But look at the smoke.

* MI-24 Hind, Soviet attack helicopter.

Even our own pictures corroborate. The smoke goes straight up.

So, Kursa flight leader was a busy fellow that day. The issue of shooting your own troops is not a new one. On May 2, 1863, probably the best general that the South had, Stonewall Jackson, was coming back through his own lines at night when he was mortally wounded by his own troops. In 1948, the Israelis had a guest soldier, a fellow named Mickey Marcus, a U.S. Military Academy graduate who went over to help them fight in their war of independence. He got up at night and went out of his tent to go to the bathroom, and coming back to his tent he was killed by Israeli sentries thinking he was an infiltrator.

In the battle of Abu 'Ageila,* in 1956, the biggest tank battle of that war was the battle between two Israeli tank units. Neither side was told how far the other one had gone forward, and they came up and turned into each other. You may recall that in the Gulf War, we killed more Brits than the Iraqis did, not to mention what we did to our own folks.

A very interesting publication on this subject, by Lt. Colonel Charles R. Schraeder, U.S. Army, comes out of the Combat Studies Institute at Fort Leavenworth, Kansas. He's coined a word, "amicicide," and he goes through our modern wars and comes up with a statistic that about 2 percent of casualties in modern warfare seem to result from friendly fire.

So, we were back at the point of the navy command, that is, the person in charge at the time, not knowing that the ship was sighted in the morning. The authorization had been given for the air attack, and now the motor torpedo boats arrive and they begin signaling to *Liberty*. The motor torpedo boat commander is a fellow named Moshe Oren, a reserve, and he is signaling "AA." "AA," Captain?

Snyder: Unknown ship. Unknown ship.

* George W. Gawrych, *Key to the Sinai: The Battles for Abu Ageila in the 1956 and 1967 Arab-Israeli Wars*. Fort Leavenworth, KS: U.S. Army Command and Staff College, 1982.

Cristol: Identify yourself! You heard Captain McGonagle say he saw him trying to signal. McGonagle goes on in his testimony to point out that the devastating 30-millimeter fire destroyed all their Aldis lamps ...

They have no other communications. He picked up a hand-held Aldis and tried to signal through the smoke. But Moshe Oren is in MTB-206, in command of the Motor Torpedo Division, and he's ordered him to signal "AA." He looks out and he thinks he sees "AA." Flashback to 1956, the *Ibrahim Al Awal*. The Israeli naval vessel *Jaffa*. Gunnery officer, Moshe Oren. When they encountered *Ibrahim Al Awal*, *Jaffa* signaled "AA," and *Ibrahim Al Awal* signaled back "AA." *Déjà vu!* Moshe Oren is thinking, "Looks like an Egyptian to me." At that time, on each of his sides, the boat commanders have an Israeli naval publication called *Identification of Arabian Navies*. The boats don't have *Jane's*. *Jane's* is back at headquarters. I don't know how many of you buy *Jane's*, but it's expensive and cumbersome. They don't put one on every Israeli ship. In any event, they look in their I.D. book, and here's *El Quesir*. They both have a mast forward and a mast aft. They both have a single stack in the center. It's true, *Liberty* had an array of antennas that were different, and it's true that *Liberty* was heavier than *El Quesir*, but if you read the CIA report, the CIA concludes in their report that they could easily be confused.

Both of these boat commanders looked in their identification books and say, "It's *El Quesir*." They pass that to Moshe Oren, and Moshe Oren is quoted as saying, "If MTB CO 203* says it's *El Quesir*, it's *El Quesir*."

Now you also heard Captain McGonagle say that they took the boats under fire. When I first heard that, I thought, "Gee, you know, that's an excuse for attacking." I mean, I could imagine Moshe Oren saying to Issy Rehav, in Haifa, "We want to attack," and Issy Rehav saying, "Just a minute. I've got a call from air force. We're not certain about the identification." And I could imagine Moshe Oren saying, "You

* Actual name omitted per agreement with IDF field security.

SOB! You're sitting at a desk in Haifa, not certain about the identification. They're shooting at me! I'm reasonably certain that they're not friendly." But the Israelis wouldn't take that way out. They said, "No, we can't really say that we were aware that they were shooting at us."

So, why did they attack? Aharon Yifrach told me this story, and I think that this is what happened. On the first night of the war, Israel, through its navy, sent out six SEAL (naval sea-air-land units) on naval commando missions. They all failed. In Alexandria they lost some people, but in the north, at Latakia, Syria, the team went in. They tried to do something, didn't do it and came out. The Israeli navy was concerned about extracting them, so they sent MTB Division 914 up to pull them out, and the division went to Latakia and they covered the withdrawal. They got all the SEALs out safely, and in the milling around, *BOOM* went one boat. It hit another, and made a big hole. So they went back to Ashdod and the repair crews went to work and within 12 hours that hole was repaired and the boat was as good as new. That was on the 5th of June.

As Yifrach said, "It was now the 8th of June. The air force had destroyed the Egyptian, Syrian, Iraqi, and Jordanian air forces. The armor had swept across the Sinai and was taking the Suez Canal. The paratroopers had stormed into Jerusalem, and had captured the Wailing Wall and all of the West Bank. And the navy had made a hole in one of its own boats! We were anxious to get a piece of the action."

When I interviewed Pinchas Pinchasy, who now works as a director for development at Technion University in Israel, I sat in his office for two hours, and I had my tape recorder on, and I had my notes, and we talked and we talked and we went over the whole thing. Finally, I finished and I had turned off the recorder and put it in my briefcase. I folded up my notebook and was in the process of saying thank you when he leaned across the desk and he said to me, "Now I'm going to tell you something that I've never told to anyone before, as one naval officer to another, and you can do with it what you wish."

The hair stood up on the back of my neck. Here it was! The confession! And he said, "The reason that this terrible thing occurred was because of the rivalry between the navy and the air force." The muscles at the back of my neck relaxed, and I sat back in my seat. I said to Mr. Pinchasy, "I thank you for sharing this with me, but if you read a book called *The Boats of Cherbourg*,* by Abraham Rabinovitch, which you can probably get at the library, there's a segment that deals with this incident, and Rabinovitch discusses the rivalry between the navy and the air force. In that book he attributes that as the major cause of the attack, and I think that it was probably the major factor."

Now, what happened? The commander of the navy came back to headquarters just as this was ending, and he said "What's happening?" and then, "Stop them! Don't attack!" but it was too late.

And the war ended. This was probably the greatest war victory in the history of Israel. Some people think it was a really great war by any standards. It was a tremendous victory for the Israelis, and everybody was happy and celebrating. Of course, there were some people lost and their families were not as happy, but nevertheless.

Issy Rehav, the number two man in the Israeli navy, had spent a lifetime working his way up to be the deputy. In the history of the Israeli navy, not in every case, but in almost every case, number two has fleet up to become number one, the chief of the navy. Two weeks after the 1967 War, Issy Rehav resigned and left the navy.

I discussed this with Shlomo Erell, the commander of the navy, because Ernie Castle was aware of this and he brought this to my attention. You see, in many of our diplomatic messages with Israel on this subject, the end of the message always says, "And we expect you to punish the person or persons responsible." Of course, they had the Court of Inquiry, and Rami Lunz had to come before the court as a party and the court found that under the cir-

* Abraham Rabinovich, *The Boats of Cherbourg*, Naval Institute Seaver Books. New York: Henry Holt and Company, 1988, pp. 68-70.

cumstances, while he certainly had made an error in judgment, he hadn't done anything criminally wrong and would not be prosecuted. When that report was brought from Israel to Washington, it was delivered by Ambassador (then Deputy Chief of Mission) Ephraim ("Eppie") Evron, to Nicholas Katzenbach, the number two person in the State Department. Katzenbach read the entire report and he said, in essence, I think it's a wonderful report. It's very clear and it really explains everything. Except, I disagree with the last sentence. The last sentence said, "In view of what has been said above, I hold that there is no sufficient *prima facie* evidence justifying committing anyone to trial,"* and Rami Lunz was discharged.

You may recall that on October 1, 1992, we were a little careless with a Sparrow missile, and blasted the bridge of the Turkish destroyer, *Muavenet*, killing the captain and four crew members. As I recall, they wrote a letter to punish the people responsible and said, "You should not have done that," but they didn't court-martial them or put them in jail. It depends on whether you are on the shooting or receiving side. From the Israelis' viewpoint, they had just come through a war where their existence was in question, and they prevailed. They were euphoric and very happy with the situation and inclined, I would think, to be more lenient than, perhaps, if the trial of Rami Lunz had been considered in the United States.

But in any event, there has always been this so-called bitterness that there was no punishment of anyone. However, as a navy person, I remember the *Stark*. The captain of the *Stark* didn't get court-martialed, but he was allowed to retire at one pay grade less and left the Navy. And likewise, I think that, although it's never been officially stated by anyone, Issy Rehav was taken aside by Shlomo Erell, according to what Shlomo told me, and he said, "You used bad judgment." He said, "Let's assume that everything was exactly as you thought it was, and that it was an Egyptian

ship, why did you torpedo it? It was no threat to Israel. It was no threat to the troops in the Sinai. It was sitting out there, already on fire. We could have captured it and had another ship in our navy. Why did you torpedo it?" He said he had a heart-to-heart talk with him, that he didn't fire him, and he didn't tell him to resign, but, nevertheless Rehav took the hint, and resigned from the navy. I think that to someone who spent his life trying to be number one in the navy and got turned away maybe months before he's ready to take the job, indeed, someone was punished.

So, I've got a thousand anecdotes that I could tell you, although I don't know how I'm going to do it in the next four minutes. If you're interested, I'll pass around the three hotline messages that relate to *Liberty*. I'll conclude by telling you that, in my opinion, modern armed conflict is dangerous, and if you get in harm's way, you may be wounded or killed. All of the advancements in C4I may have significant effects on the conflict and its outcome, but seem to have little or no effect on friendly fire or, in Hebrew, "*Ash Yedidutit*," or, as the Navy says, "blue on blue," or, as the Army says, "amicicide." And this tragedy continues to result from human error or mistakes in judgment.

Oettinger: We want to keep you at four o'clock. I think I express the sentiment of everyone in the room in thanking you enormously for your vivid and precisely detailed and marvelous account of a tragic incident. You've given it such a three-dimensional cast! We have nothing on record in the 20 years of these seminars that parallels this as a walk around in thorough detail, from both sides, from several views. We've had a lot of accounts, but nothing compared to this, in terms of its depth and completeness, and we're very, very grateful to you. I have a literally small, but figuratively large, token of our appreciation and thanks. Thank you.

Snyder: The speaker made reference to some antiquated naval communication methods. His talk reminded me that in the war in 1956, 11 years before this happened, the American Sixth Fleet was out in

* IDF Preliminary Inquiry file 1/67, Decision of Judge Yeshayahu Yerushalmi, given the 13th day of Tarmuz 5727 (21/7/67).

the eastern Med, kind of milling around with the Brits and the French, and the Israelis who had invaded, and Admiral Brown was told to go in and pick up the diplomats from Port Said, which he did. When he was finished he sent the following message, "Exodus, Chapter Three, verses

six and seven." The Navy always fell back on the ultimate signal book. When they looked it up, it said, "And I have come down to deliver them from the hands of the Egyptians and take them to a land of milk and honey."



INCSEMINARS1995



ISBN-1-879716-29-1