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December 2013

THE ALTERNATE RECORD AND ANALYSIS TO, “LIBERTY INCIDENT REVEALED, THE DEFINITIVE ACCOUNT OF THE 1967 ISRAELI ATTACK ON THE US NAVY SPY SHIP”, BY A JAY CRISTOL (NAVAL INSTITUTE PRESS, 2013)

BY

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December 23, 2013

Any book that claims to be the “definitive account” is likely to be an endangered specie, somewhat like saying that the laws of physics never change – a statement that Isaac Newton himself would abhor, let alone one of the 2013 Nobel Laureates in Physics, Professor Peter Higgs, from Edinburgh University. Jay Cristol has therefore made a very serious claim, and it is with much regret and considerable alarm that his substantive claims for “definitive” are most wanting. This highly sensitive subject has to be addressed with not just the utmost care but most of all with a detailed and hugely rounded approach to the whole environment that was the June War of 1967, into which the tragedy of June 8, 1967 fits. Jay Cristol’s book shows that he does not have that background, or knowledge, and it shines through his thesis in this book not for illumination but to blind readers to the very essence of what truly was happening in the Middle East, and in US-Soviet relations during those fateful days when so much hung in the balance. The most worrisome aspect of this book is that its detail and apparent authentic analysis of so much detail both obscures and obfuscates critical aspects and key facts that he either ignores, or is unaware of completely, or sought to avoid possibly because it would not fit his overall theme – that the attack on the Liberty was an unfortunate mistake, a product of the fog of war. He presented Admiral Thomas Moorer’s views of the Liberty with dismissive contempt, a disrespectful slight on a late Chief of Naval Operations and Chairman of the Joint Chiefs of Staff, whose own Report on the attack challenges Cristol in every regard. This is compounded by a totally inaccurate representation of the well-established views of Secretary of State Dean Rusk, who unequivocally stated that the attack was deliberate. Jay Cristol claims that he had totally authentic data from the CIA Chief of Station in Tel Aviv, that he knows that the US Ambassador at the time and the State Department were fully in the picture regarding Israeli war plans and intentions. He has attended several unclassified conferences where he claims final truth came from his personal iterations with former or current members of the State Department, the CIA, and NSA. Nothing could be further from the truth. The CIA were in the dark about almost everything that Moshe Dayan was planning for both Syria, and also the USS Liberty. He totally

exaggerates the role of the US Naval Attaché in Tel Aviv whose only knowledge and role was to transmit the urgent message to Washington about the attack. He had the usual attaché contacts but nothing that even compared to other special covert and clandestine sources and methods. The relationship between the United States and Israel bears no comparison between 1967 and today – Israel was still a relatively new state in 1967 and both the Eisenhower and Kennedy administrations had kept Israel at arm's length since Israel's founding, wishing to be open handed and have the total appearance and reality of honest broker between Israel and the Arab nations. US intelligence in the Middle East was lacking. What Mr. Cristol omits, and simply does not know, is that the British, the United States' cousin in the special relationship, provided the US with more intelligence from GCHQ and the Secret Intelligence Service than the US could garner itself. He has failed to address what other sources were available to the US, and why, and what the US may have learned, before and after the Liberty tragedy. Your reviewer is the only living person to have worked for British and US intelligence as a British citizen and American citizen respectively. He is intimately familiar with data, source and methods, tradecraft and how data is exchanged between the two nations. The UK had very special sources and methods in the Middle East in the 1960s – Cristol has never had access to such data. When your reviewer worked the Arab-Israeli war data analysis in the mid-1970s for the US Navy at an all source level he had unique knowledge and insights. He interviewed Secretary Rusk several times – what Dean Rusk told me merely confirmed what was already known in the most sensitive UK-US sources. What he added was deep personal insights into the effect the war was having on US-Soviet relations and the intimate personal exchanges that he had, and the crises that resulted from Dayan's heedless, headlong invasion of Syria, most without the prior knowledge or approval of either the Israeli Prime Minister, Levi Eshkol, or Foreign Minister, Abba Eban. To argue that the Liberty had no role because the US knew all – handed to them by the Israelis, is not just inaccurate it is totally fatuous and naïve. The whole of British intelligence in the Middle East was in overdrive – and Washington was as much an equal customer as the Prime Minister and Foreign Secretary in London. Cristol goes on to argue that the Liberty was therefore superfluous, should never have been there in the first place, had no serious SIGINT capability and was then a victim of blue on blue – a terrible error. He should not have to apologize for Israel, because at one level, the Israelis were totally innocent – the very top leadership were never informed until after the event what Moshe Dayan had ordered. They were not personally culpable and not guilty, but ultimately responsible and they apologized deeply and compensated the US accordingly. Secretary Rusk would turn in his grave if he read this book. He vehemently stated, against strong opposition from the US based Israeli lobby, that the attack was deliberate. Why would he do this? Dean Rusk was privy to all the intelligence, key parts of which to this day have not been disclosed. Neither the British nor the US release any data that can in any way be used to later retroactively figure out sources and methods, locations of various key sites, HUMINT sources, tradecraft and most of all networks that still persist decades after earlier events like the Liberty attack. For example, it was not until 1974 that the British even disclosed that a capability called ENIGMA actually existed, let alone what was its product and effect. To this day the British have still not released key World War Two data that your reviewer worked on with his mentor, the Late Sir Harry Hinsley, in the UK in the 1960s. If Cristol had adhered

professionally to the data that he collected, presented it in an unbiased way without a clear story line, his original thesis may have been worthy of a Master's degree at a third tier school. In the event all his writings are colored by a desire to make a case, and avoid asking those very key questions that would have improved his work and credibility. Does he believe that Admiral Thomas Moorer was really a man in the dark, groping to support the Liberty cause and that his fellow Board member Rear Admiral Merlin Staring, the former Judge Advocate General of the US Navy under Secretary of the Navy John Warner, was a foolish retired Navy lawyer – that Jay Cristol knows better because he researched some data that is good in part, but will never be quite good enough? Cristol also failed to spell Admiral Staring's name correctly, a sad blemish. There is an arrogance here that defies logic. When later Senator Warner writes that the attack was worthy of a war crimes investigation would this not get your attention?

Cristol never studied or truly understood the command structure in Israel in 1967 – in detail – the true political - military interfaces and the personality issues, agendas and egos that prevailed – he never once addressed who was really doing what, and most of all, why. What was the power base? He never had access to data relating to the Israeli communications, their capabilities, weaknesses and vulnerabilities, and he has zero knowledge of who in Israel and other key locations in the Middle East were either agents of or confidants of various foreign intelligence services. Did it occur to Mr. Cristol that former Russian Jews in Israel might communicate with their Soviet handlers, and might their communications and dealings be intercepted? Does he not understand the detailed underpinnings of the war, the role of the Soviets, and their KGB and GRU, and the concerns and issues facing a man like Moshe Dayan, a man given to reckless acts with a track record to support this, but also a hugely brave and courageous man, and a fine Israeli patriot who loved his country and would die for it if need be. However, he was given to rash, impetuous decision-making. Key people on the ground in Israel had Moshe Dayan's number, the wild card that suddenly appeared when he became Minister of Defense. He became the short lived man of the moment, for several very good reasons, and tragically for two very bad reasons.

One other key self-evident point needs to be remembered. It is so obvious that Cristol does not acknowledge its essential truth – the USS Liberty was spying on Israel, directly and indirectly (via surrogate communications intercepts), and all the other protagonists in the region, including the Soviet Union's communications with its clients – Egypt and particularly Syria, and indeed the Soviet Union listening to the Israelis – maybe the Liberty did not need Hebrew Translators - maybe the US and the British were milking Soviet systems? None of this has clearly ever occurred to Cristol because he is not a professional, but a lawyer with a client that he wants to defend. As such the US would, and did, deny Liberty's role and missions. So was Liberty important? Of course she was. Secretary Rusk and President Johnson and Prime Minister Wilson in London wanted to know from every source possible not only if Israel was about to do something so rash that the Soviets would launch forces into Syria, but when and how the Soviets might intervene. The extra personnel embarked on board Liberty en route to the eastern Mediterranean were not there because Jay Cristol forty seven years later thinks that they were totally superfluous and had no really serious SIGINT equipment in any case. Is this just not almost unbelievable unprofessionalism? If he was a graduate student learning over several years

the details of his profession he could quickly be cut a break, but he is not – he is claiming that this is all ground truth – the definitive story.

When the detail and small print in this study are analyzed one very salient point emerges – he has used copious data from multiple sources and then pursues a theme – he never addressed the fundamental issue of causation – the “Why” in the detailed total context of those fateful days. His reliance very early on regarding air and torpedo boat operations against the Liberty resulting simply from possible naval gunfire support by presumably Egyptian destroyers does not hold water because it is far too simplistic in the face of a vast amount of political-military operations and events not just within Israel but at the international level, and particularly US-Soviet relations, and how Israel was reacting in an extraordinary short time frame to a fast moving military situation on the ground and in the air. Did smoke in the El Arish area really trigger this whole fateful set of events? He makes rationalizations from a myriad set of data and then draws conclusions, rather than use critical intelligence, much of which he has clearly never seen despite various FOIA claims that he made, and for which in some cases he was successful. More power to his elbow in this regard. He receives credit for this. There is a very old saying in the national security and intelligence business, “You don’t know what you don’t know”. He never asked himself so many questions and then tried to find the answers, rather he took all the data he could assemble and then wove this into a fabric that he had designed – a foregone conclusion that Israel made simply a gross error of judgment by mistake. In other words the attack was not deliberate. His analytical failure in this book and his original thesis is that he fails to relate data, and he presents the reader with descriptive statements not well reasoned and proven related data sets. His work is not therefore, in any way, an original contribution to knowledge, but rather a point of view. This is not scholarly work, but a form of journalism with preconceived conclusions. Very simple points he makes, like the absence of Hebrew translators on board Liberty and the electronic capabilities of Liberty and the likely EM spectra monitored are naïve – the Israelis had no idea what translators were on board Liberty. He could have asked Commander Dave Lewis (the senior SIGINT officer on board and the Naval Security Group’s Officer-in-Charge) about the true SIGINT and ELINT capabilities of Liberty – he never did, and misrepresented statements about interviewing Liberty’s crew. He never asked himself so many basic questions – was it possible that Liberty was listening to the Soviets’ listening to the Israelis? Was Liberty intercepting Israeli plans and moves via a series of surrogate communications that were unknown in Washington and Moscow? He is totally dismissive – he states that Liberty had virtually zero capability for SIGINT collection based on its position and capabilities. Does he really believe that the Joint Chiefs of Staff and the Naval Security Group dispatched Liberty with the utmost urgency to the eastern Mediterranean if she had no capability to collect intelligence from the geographic location Commander William McGonagle was ordered to steam towards at best speed? He makes broad statements that the Israelis essentially told the US their battle plans, particularly regarding the attack on Syria – the Soviet Union’s client. The last thing Moshe Dayan wanted was for the Soviets to mess with his sudden and surprise strike on Syria, a disaster in the making that President Johnson, Secretary Rusk, and Director Helms at the CIA knew could bring in the Soviet Union, and which they would oppose.

Liberty was right there, on the line, listening to all and everything that it could collect. Liberty needed all the Russian and Arabic specialists that could be mustered at short notice. NSA civilian specialist Allen Blue gave his life for his country doing what the White House leadership urgently required. Cristol makes a point, however inaccurate, to then claim that Liberty had no real SIGINT role because the US already knew the Israeli game plan, (therefore the Israelis had no reason to attack her) and she was caught in the cross fire of mistaken identity, a classic blue-on-blue where Israeli pilots with Liberty in their gun sights could not tell what was what. Cristol quickly comes over as a lawyer who has to defend his client with all the material he can assemble and then build a story and make a case from it. He is very good indeed at this. Unfortunately for him, although several of his key witnesses are dead, their records live on.

For several years your reviewer and Commander David Lewis have communicated over many aspects of the LIBERTY's roles and missions. Commander Lewis is horrified at Cristol's technical misrepresentations and lack of basic knowledge. Commander Lewis wrote to me very recently, "Cristol has an obsession with VHF and LOS. VHF was only a part of our coverage and VHF is not always LOS. In 1956 in Germany I heard 5 watt Chicago taxicabs using VHF". Cristol's technical ignorance is appalling. Dave Lewis confirmed at the unclassified level just for this article that LIBERTY could listen to Tel Aviv with no problem. Also one very basic point – LIBERTY was not an NSA ship – she was a SERVON 8 asset and a USN 855, reporting directly to COMNAVSECGRU – NSA had to go via the JCS to request various things from LIBERTY. Commander Lewis also pointed out to me that Cristol either has no knowledge of, or does not understand, the workings in 1967 of the CRITICOM network established earlier by President Eisenhower – a means by which a CRITIC message went from even a junior officer directly to Washington, closing all switches and bypassing all other emergency traffic, and had to be in the President's hands in no less than ten minutes of origination. Another Cristol obsession is that secure voice is necessary to communicate securely – LIBERTY had AUTOVON and teletype. Cristol has had zero access to the still most sensitive aspects of LIBERTY's mission. Even basic facts he has wrong – for example on page 25 Commander Lewis says he must have literally invented 80% degradation – and on page 33 his statement is totally false – Commander William McGonagle, LIBERTY's Commanding Officer, was briefed in detail every morning and was cleared to the same highest levels with Commander Lewis.

Cristol obfuscates. He seems to forget that Israel planned a surprise attack. Both President Johnson and Secretary Rusk knew in due course what had truly transpired inside Israel, and were both deeply concerned and also at one level somewhat sympathetic to both Prime Minister Levi Eshkol and Foreign Minister Aba Eban for Moshe Dayan's transgressions regarding both Syria and Liberty. If you add Liberty's highly secret covert mission to this sorry state of affairs it is easy to see why the US created a cover story and played down a whole panoply of Israeli errors of judgment because Israel had achieved an incredible military victory. Possessions in Sinai, the West Bank, Gaza, and the Golan Heights were now nine tenths of the law, and the Soviets had been restrained from flying major forces into Syria to confront the Israeli Army – a disaster averted as a result of Dean Rusk's brilliant diplomacy. It is easy, but not necessarily satisfactory, to see why President Johnson wanted to play down certain things once the very worst of the

crisis had been averted. When Cristol quotes Admiral Stansfield Turner's letter of 1978 he fails to apply the correct interpretation – the official US totally unclassified line was still very much that the Israelis had made a regrettable mistake and certainly the very top Israeli leadership at the time had no malice towards the US, but this hid the inner truth of the lack of political control over the Minister of Defense, Moshe Dayan, during a most critical period. What though if events had gone awry – if the Soviets had intervened and brought in the forces they had on immediate stand by in Hungary, with air space clearances obtained for overflight to Syria? What if Moshe Dayan had not been brought to heel and he had tried to take the Israeli Army into Damascus? This was going to be worse than the Cuban Missile Crisis – this is how Dean Rusk explained his deep concerns and fretful days in June 1967. To his undying credit Secretary of State Dean Rusk was a man of such high integrity that he would never soft peddle the Liberty attack to either appease the Israeli lobby in the US or offend the Israeli Prime Minister – he said it as he knew it to be true from all and every source of very special intelligence made available to the United States at the highest code word levels – the attack on the USS Liberty was deliberate.

As a total aside it is speculative as to what would have been David Ben Gurion's actions if he had been the Israeli Prime Minister in 1967. It is easy to speculate after the event, but it is unlikely that Moshe Dayan would have been Minister of Defense.

One of the worst aspects of this book that your reviewer finds difficult to tolerate is his attack upon the book published by his rival, James Scott, who received a Harvard Fellowship to write his study of the attack on Liberty. Scott's father was Ensign John D. Scott and Liberty's damage control officer during the attack. His almost unsavory attack on this book is distasteful in the extreme – he devotes a chapter to attacking this book for reasons that are both inaccurate and totally implausible.

On page xii Mr. Cristol states that, “this author attests that the conclusions of this book are the truth, the whole truth, and nothing but the truth.” Most of us will attest that the truth is often transitory, for both time and place. Nothing is truer of this book. The late Captain Ward Boston, Jr, JAGC USN (Retired) swore a Declaration/Affidavit on January 8, 2004 in which he challenges Cristol in all regards. He refers to Cristol's first of two books. In Articles 14 and 15 Captain Boston stated, “In particular, the recent publication of Jay Cristol's book, *The Liberty Incident*, twists the facts and misrepresents the views of those of us who investigated the attack,” and “It is Cristol's insidious attempt to whitewash the facts that has pushed me to speak out.” This is a serious charge against a bankruptcy lawyer/judge by a former senior Navy Judge Advocate who was involved directly in the initial Liberty Investigation on the staff of Admiral Kidd. To read Captain Boston's Articles in their entirety is no other than an indictment.

Jay Cristol's book in its own negative way now actually helps bring attention to, enhances, and helps endorse the fine work that was led by Admiral Thomas Moorer, Marine Corps Medal of Honor winner General Ray Davis, Rear Admiral Clarence “Mark” Hill, Rear Admiral Merlin Staring, and many more who comprised Admiral Moorer's distinguished team who, for many years, fought for the cause of the USS Liberty and establishment of ground truth.

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Your readers are encouraged to study the unique set of documents that may be found at www.USSLibertyDocumentCenter.org. These documents will provide further detailed enlightenment not possible in a review of this length.

Anthony Wells

At Middleburg, Virginia

December 23, 2013.

Note: Dr. Wells succeeded Admiral Thomas Moorer and Rear Admiral Clarence “Mark” Hill as the third Chairman of the Board of the USS LIBERTY Alliance.