

Why the rush to judgment in the crash of EgyptAir Flight 990?

Barry Grey
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The past several days have seen extraordinary efforts by the US government, backed by the American media, to preempt the official investigation into the October 31 crash of EgyptAir Flight 990.

On Tuesday, less than three weeks after the disaster and prior to the recovery of most of the Boeing 767 wreckage, including such critical sections as the cockpit, National Transportation Safety Board (NTSB) Chairman Jim Hall indicated he had all but ruled out mechanical failure and concluded that the disaster was the result of sabotage. The NTSB, he broadly hinted, was about to hand over the probe to the Federal Bureau of Investigation.

That same day FBI Director Louis Freeh briefed congressional leaders on the government's theory of the crash—that co-pilot Gamil al-Batouti intentionally drove the plane to its destruction in an act of suicide and mass murder—and Attorney General Janet Reno made clear she supported Freeh's bid to turn the probe into a criminal investigation.

The next day the *New York Times* ran a front-page article with the headline “Crew Member Suspected of Crashing Jet” and an adjoining diagram illustrating the government's suicide scenario. The most remarkable thing about the *Times* story was its lack of serious evidence to back up its theory—that Batouti disengaged the automatic pilot shortly after the airplane reached cruising altitude and deliberately threw the jet into a dive that ultimately sent it plunging into the Atlantic Ocean sixty miles off of Nantucket Island, Massachusetts.

Only angry protests from the Egyptian government, and concern in Washington over potential damage to its relations with a key US asset in the Middle East and Africa, prevented Washington from carrying out its plan to immediately transfer the crash probe to the FBI. Instead US officials agreed to allow a high-level team from Egypt to review the flight data and cockpit recorder tapes on Thursday.

By Friday the beginning of a retreat was in evidence. Justice Department officials retracted claims that Batouti could be heard saying in Arabic, “I have made my decision now,” before uttering a three-word Islamic prayer, after Egyptian investigators challenged the translation released to the US media.

An FBI spokesman said, “It would appear that it is not on the tape.” He could not explain how the false version had been produced and disseminated to the media, blaming it on a misunderstanding between the FBI and the Arabic linguists who had interpreted the tape.

The original *Times* article, which set the tone for the rest of the national media, was a patchwork of speculation built around a few deductions, attributed to anonymous investigators and government officials, and said to have been drawn from the NTSB's study of the data and cockpit recorder tapes. But even the findings upon which the suicide scenario was based were acknowledged to be provisional.

The first was a sound suggesting the opening of the cockpit door. This was interpreted to mean that the captain, Ahmed al-Habashi, left the cockpit after the plane reached cruising altitude. Next was someone's voice reciting the Islamic saying “Tawakilt ala Allah” (“I put my trust in

God”), followed by the disengagement of the automatic pilot. The *Times*' sources concluded that the speaker was Batouti, although, as the newspaper cautioned, “they have no other verification of Mr. Batouti's voice and warned that further analysis of the information might lead them to different conclusions.”

Notwithstanding this disclaimer, the *Times* went on to cite the Muslim invocation as evidence that Batouti disengaged the automatic pilot for the purpose of crashing the plane. Next came a second voice, identified as that of Captain al-Habashi, saying “What's going on?” or “Let's fix this.” As the jet began to dive, the captain said, “Pull with me! Pull with me!”

Finally, the flight data recorder indicated that at the bottom of the initial descent (at 16,000 feet the engines were cut off and the jet ascended to 24,000 feet, before stalling and making its final plunge) the elevator flaps moved in opposite directions. This piece of evidence, combined with the Islamic saying and the captain's statements, showed, according to the *Times*, that there was a struggle in the cockpit for control of the plane. Such was the evidence adduced to support “the increasing likelihood that the relief pilot ... deliberately brought down the aircraft.”

While it is impossible to dismiss this scenario out of hand, it is, at best, only one among many alternate explanations, and not a very plausible one. As Jim McKenna of *Aviation Week* magazine said Wednesday night on ABC News' *Nightline* program, “Based on the publicly available data, there is nothing that makes a case for pilot suicide.” McKenna went on to say he was “puzzled” why “government officials chose to leak this story without revealing the evidence to back it up.”

The suicide scenario is riddled with anomalies and contradictions. As the *Times* acknowledges, nothing that is known about Batouti suggests a motive for suicide and mass murder. Matthew Wald, the co-author of the November 17 *Times* article, admitted on the *Nightline* program: “These people in the cockpit don't fit the profile of people likely to commit suicide.”

Batouti, 59, was a veteran pilot. Apparently happily married, with five children, he was independently wealthy. He was to retire in March, when he would receive a \$108,000 bonus plus a monthly pension and social security benefits. He was in the process of building a retirement villa. Two days before he flew out of New York's Kennedy International Airport on the doomed Flight 990 he telephoned his family and asked them to meet him at the airport in Cairo. He was carrying presents for his son, including two spare tires and a sweater. Associates who saw him before he left Kennedy said he was smiling and eagerly anticipating his return to Cairo, where he was looking forward to celebrating his thirty-fifth wedding anniversary.

Batouti did not have life insurance. He was religious, but did not have any known political affiliations. Suicide, considered an affront to the Islamic faith, is extremely rare in Egypt.

The Islamic saying, presented in such an ominous light by the US media, is commonly recited by religious Egyptians in the most mundane circumstances. At most, according to Egyptian sources, it may suggest a

sense of imminent danger.

The *Times* and other media outlets that have promoted the suicide theory acknowledge that the cockpit recorder tape provides no overt indications of a physical struggle onboard the aircraft. There are no shouts or screams, no threats, no sounds of fighting.

As for the opposed position of the elevator flaps, *Aviation Week's* McKenna told *Nightline* anchor Ted Koppel that such an anomaly could be the result of a "catastrophic failure of the controls."

This remains a plausible explanation, one more consistent with the known facts and data made public by the NTSB than the pilot suicide theory. A serious mechanical or structural failure, involving, perhaps, a sudden drop in cabin pressure, would explain a pilot's decision to disengage the autopilot and begin a rapid descent. If the problem were of a catastrophic character, the best efforts of the crew would not suffice to prevent a crash.

The NTSB's eagerness to rule out such an explanation is rendered even more suspicious by the suddenness of its shift toward the theory of pilot suicide. On Sunday night the safety board issued a statement saying the cockpit recorder tape was in good condition. NTSB Chairman Jim Hall announced that a cockpit recorder group, including representatives of Boeing and Pratt & Whitney, the maker of the plane's engines, would begin a detailed analysis of the recording on Monday.

Reports leaked to the press said the initial reading of the tape did not indicate that the pilots fought with each other, that any of the crew attempted to commit suicide, or that someone entered the cockpit and caused the crash. But as the *Washington Post* reported on Tuesday, November 17: "The tone of the investigation changed overnight. A day ago, the FBI was saying with certainty that no evidence of criminal acts had been found. And numerous federal law enforcement and political sources, who Sunday night said a preliminary reading of the Boeing 767's voice recorder contained no indication that the plane was deliberately crashed by someone in the cockpit, are now not so sure."

What was the new piece of evidence that so dramatically changed the trajectory of the investigation? It could not have been the opposed position of the elevator flaps. That had already been determined the previous week by an analysis of the flight data recorder. The only new revelation was the three-word Islamic prayer attributed to Batouti.

This sequence suggests that the FBI and other government agencies were looking for some pretext to take control of the investigation, and seized on this religious utterance. Such an interpretation is in conformity with press reports that Freeh had been pressing for the NTSB to rule out mechanical failure and turn the probe over to his agency.

Boeing Corporation would have a vested interest in the discovery of a startling piece of evidence on the cockpit tape that obviated the need for a protracted examination of the wreckage. A prolonged probe, whatever the ultimate findings, would raise doubts about the safety of the 767 aircraft, with potentially damaging, if not disastrous, consequences for the company's profits and financial stability. As the *Washington Post* reported on November 15: "Investigators said before the initial readout that if the voice recorder contained good data, they might quickly solve one of their most baffling crashes. If it did not, then they faced months and perhaps years of painstaking examination of wreckage and remains."

There is more than a whiff of racism in the sensationalized use of the Islamic phrase to argue for a criminal investigation. Those pushing for the FBI to take over the investigation no doubt counted on and sought to exploit the stereotype, long promoted by the US government and the media, of the Islamic fanatic, prone to martyrdom and terrorism. It is highly unlikely that such a thin reed would be used to build a case for pilot suicide were the airline and crew American or European. Indeed, years after the mysterious 1994 crash of US Air Flight 427 near Pittsburgh, which fell to earth out of a clear sky, and the similar unexplained crash of a United Air Lines jet near Colorado Springs in 1991, both Boeing 737s,

the NTSB continues to classify the disasters as unsolved, yet the possibility of pilot suicide has never been raised.

What are the possible motives and agendas that underlie the government's rush to judgment? In the first place, a quick decision to focus on pilot suicide effectively excludes a whole range of other possibilities, the investigation of which could prove damaging to corporate interests and the government for either economic or political reasons.

Handing jurisdiction over to the FBI will inevitably entail paring back, if not aborting, the investigation of the wreckage, to the relief of Boeing's executives and major shareholders. There are enormous commercial interests at stake. Boeing is not a disinterested party. On the contrary, one can be certain it is exerting tremendous pressure behind the scenes to place the blame for the crash on the pilots, and exonerate itself.

Such pressure may account, at least in part, for the NTSB's astonishing claim that the lack of evidence of mechanical failure on the EgyptAir flight tapes is conclusive. This assertion does not hold water. One need only cite the 1996 crash of TWA Flight 800, a Boeing 747. There too the flight data and cockpit recorder tapes did not reveal the cause of the mid-air blast that destroyed the aircraft. Only after a lengthy and meticulous process of recovery and reassembly of the plane were NTSB investigators able to conclude that the crash resulted from a fuel tank explosion.

In the TWA Flight 800 probe, Boeing sided with the FBI in its initial insistence that the disaster was the result of a terrorist act. It has now emerged that the company concealed its own study, carried out in 1980, which concluded there was a danger of fuel tank vapors exploding in the military version of the 747. On October 29, just two days before the EgyptAir crash, NTSB officials revealed that Boeing had withheld the report during the entire period of the TWA Flight 800 investigation. The NTSB first learned of the report last March, and only received a copy in June.

There are other areas of investigation suggested by the circumstances of the EgyptAir disaster. This is the third crash of a commercial jet departing from Kennedy International Airport within the past three-and-a-half years, the others being TWA Flight 800 in June of 1996 and Swissair Flight 111 in September of 1998. Does this troubling fact not raise the possibility of serious security or maintenance problems at Kennedy?

Among the passengers on board EgyptAir Flight 990 were 30 Egyptian officers who had received military training in the US. Are there not countries or political forces who might have an interest in preventing their return to Egypt?

One thing can be said for certain. Those promoting the theory of pilot suicide and clamoring most insistently for the FBI to take control of the investigation are among the least interested in a thorough and objective examination of the evidence.



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