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## Accidents and Crises: *Panay, Liberty, and Stark*

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Lieutenant Commander Joseph F. Bouchard, U.S. Navy

**T**hroughout the past decade there has been growing concern over the possibility of a Soviet-American war inadvertently triggered by escalatory processes resulting from unintentional or accidental actions or incidents. A spate of studies has examined these escalatory processes and the actions or incidents that might spark them.<sup>1</sup> Of particular concern is the possibility of accidents. An unintentional clash between military forces could defeat the efforts of both sides to manage a crisis. Naval forces are as subject to military accidents as are other military forces. Therefore, inherent in the advantages the U.S. Navy has as an instrument of American foreign policy and the frequency with which U.S. Navy ships are deployed to trouble spots, is the imperative need for Navy planners and operational commanders to understand and address the possibility of military accidents.

Richard Ned Lebow addressed the dangers of accidents in a 1978 *Naval War College Review* article on the Dogger Bank incident.<sup>2</sup> In that 1904 incident, the Russian Baltic Fleet, while transiting the North Sea en route to the Pacific to join in the war effort against Japan, fired on British fishing boats which they had mistaken for Japanese torpedo boats. The incident created a state of crisis with Britain, and the Royal Navy was alerted to forcibly halt the Russian Fleet. War was averted when the Czar capitulated to British demands that the perpetrators be punished. Although Lebow derived several propositions on accidents from his study of this event, other incidents with dissimilar factors involved could well produce different results.

To extend Lebow's initial examination of accidents and crises, this analysis examines three incidents in which U.S. Navy ships were victims of attack.

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On 12 December 1937, the Yangtze River gunboat U.S.S. *Panay* (PR 5), engaged in evacuating American civilians from Nanking during the Japanese invasion of China, was bombed and strafed by Japanese Navy aircraft. The *Panay* was sunk, 3 were killed and 48 wounded. On 8 June 1967 the intelligence collection ship U.S.S. *Liberty* (AGER 5), engaged in surveillance of the Arab-Israeli war, was rocketed, strafed, and napalmed by Israeli jets, and then machine-gunned and torpedoed by Israeli torpedo boats. The *Liberty* was severely damaged, 34 men died and 171 were wounded. On 17 May 1987 the guided missile frigate U.S.S. *Stark* (FFG 31), patrolling the Persian Gulf during the Iran-Iraq war, was struck by two Exocet missiles launched by an Iraqi jet. The *Stark* was severely damaged, 37 men died and dozens were wounded. All three of these incidents were portrayed as accidents by the perpetrators, and the U.S. Government officially accepted the perpetrators' apologies, if not their explanations, in all three situations.

A review of the *Panay*, *Liberty*, and *Stark* incidents raises three questions to be answered: Under what international circumstances do accidental attacks occur? What were the perpetrators' motives for the attacks? Why did the U.S. Government and the perpetrators' governments respond as they did to the incidents? Answers to these questions will improve our understanding of the dangers that can arise from military accidents.

### The Concerns about Accidents

Lebow's case study of the Dogger Bank incident focuses on five main points. First, the significance of an accident depends upon the political context in which it occurs, particularly the preexisting state of relations between the perpetrator and the victim. Whether a military incident is treated as a deliberate provocation or an unfortunate accident depends on the victim's decision either to avoid or to precipitate war. Second, the nation responsible for a military provocation may attempt to dismiss it as an accident in order to minimize the challenge it conveys. Third, the magnitude of an accident does not determine whether or not a crisis results. Heavy loss of life may evoke little reaction, while a few casualties may provoke war. Fourth, the victim's perception of the likelihood of a provocation being repeated is an important factor in determining his response to an incident. Fifth, policymakers are more likely to treat an accident as a provocation if it threatens an important interest or commitment. Lebow concludes that accidents are not events which compel particular responses, but embarrassments or opportunities which policymakers may seek to ignore or to exploit in keeping with their interests.<sup>3</sup>

Accidents are troublesome for crisis managers because decision makers who fail to realize that an incident was unintentional, may perceive it as a deliberate provocation or signal of hostile intent.<sup>4</sup> This problem is

compounded by modern communications systems which give national leaders in many countries the capability to exercise direct control over military operations. Lebow has warned that since any military action could conceivably be the result of orders from national leaders, an adversary may assume that those leaders did in fact order a given action, whether or not that conclusion is warranted. Thus, virtually any military action can assume strategic importance if an adversary believes it was ordered by national leaders.<sup>5</sup> When assessment of a military accident must be made in the fog of a crisis, with possibly incomplete or erroneous information coming in from the scene of the occurrence, the potential for escalation is heightened.

### The Attack on the *Panay*

War between China and Japan dominated the international setting in the Far East in 1937. Japan invaded the strategic Chinese industrial region of Manchuria in 1931, setting up a puppet government, and in July 1937 staged a military incident as a pretext for invading the remaining territory of China. Peking fell in three weeks, Shanghai was occupied in August, and the Chinese capital of Nanking was first bombed in September. The Chinese Government evacuated Nanking as Japanese troops swept inland from Shanghai, establishing a new capital first in Hankow, then in Chungking, much further up the Yangtze River. Nanking was attacked by Japanese troops on 11 December after almost three months of heavy air attacks.<sup>6</sup>

The United States and the other Western powers in China remained neutral during the Sino-Japanese war. In the midst of the fighting, the U.S. Navy's Yangtze Patrol continued to operate gunboats in their mission to protect American lives and property. British and American naval vessels, including the U.S.S. *Augusta*, flagship of the U.S. Asiatic Fleet, had been fired on or nearly missed by both Chinese and Japanese bombs and artillery on several occasions. In December 1937 the *Panay* was assigned to evacuate the remaining U.S. Embassy personnel and civilians in Nanking in the event of an attack by Japanese troops.

On 11 December the *Panay* embarked fifteen evacuees and departed Nanking, accompanied by three Standard Oil river steamers, going upriver to avoid Japanese artillery fire and anchoring in the Yangtze late the next morning, 27 miles upriver from Nanking. At 1338 that afternoon the *Panay* was attacked by 24 Japanese Navy planes. One or two bombs struck the ship, several more were near misses, and the ship was strafed repeatedly. The *Panay*'s crew valiantly attempted to defend themselves with machine guns, but were unable to drive off or shoot down their attackers. The attack left the *Panay* a shambles topside, without power, and it slowly settled into the river while taking on water. The order to abandon ship was given about a half hour after the attack had begun, and the last man abandoned ship

at 1505. Japanese aircraft strafed the ship's boats that were ferrying crew and passengers to shore, and a Japanese river patrol fired on and boarded the abandoned *Panay*. The *Panay* sank at 1545—the first U.S. Navy ship ever to be sunk by hostile aircraft. After two harrowing nights ashore, trying to reach safety, the survivors were rescued by British and American gunboats and taken to Shanghai.<sup>7</sup>

Japan quickly apologized. The day following the attack Japan's Minister of Foreign Affairs called on the American Ambassador in Tokyo, while the Japanese Ambassador in Washington called on the Secretary of State to express the Japanese Government's regrets and to offer reparations. Vice Admiral Kiyoshi Hasegawa, commander of Japanese naval forces in China, called on Admiral Harry E. Yarnell, Commander in Chief of the U.S. Asiatic Fleet, to offer the Japanese Navy's apology. Although President Roosevelt and Secretary of State Hull sent protest notes to the Japanese, the U.S. Government accepted Japan's apologies for the incident and did not challenge the Japanese claim that the attack had been due to the *Panay* having been mistaken for a Chinese troopship. Despite indignation arising from accusations that the attack had been deliberate rather than accidental, American public opinion was strongly against military involvement in the China war. The *Panay* incident was officially closed in April 1938 when the Japanese Government paid \$2.2 million in reparations to the United States.<sup>8</sup>

### The Attack on the *Liberty*

War between Israel and neighboring Arab countries dominated the Middle East international situation in June 1967. Tensions had been rising for years as a result of the Syrian-Jordanian effort to divert the Jordan River away from Israel, Palestinian terrorist attacks on Israel, Israeli reprisal raids into Jordan and Syria, and artillery duels along the Israeli-Syrian border.

Three events in May 1967 escalated these tensions to the brink of war. First, the United Nations Secretary General, U. Thant, caving in to Egyptian demands, ordered withdrawal of the U.N. peacekeeping force from the Israeli-Egyptian border, and Egyptian troops descended on the Sinai. Second, Egypt announced its intention to blockade the Strait of Tiran, controlling access to the Israeli port of Eilat; an act of war under international law. Third, an Egyptian-Jordanian mutual defense pact was signed, bringing Jordan into the Egyptian-Syrian joint military command. All three moves appeared to confirm Israeli fears of imminent attack and they decided to preempt.

Israel struck early on 5 June with devastating air strikes on Egyptian airfields, followed later in the day by attacks on Syrian, Jordanian, and Iraqi airfields. Israeli army units invaded the Sinai and Jordan on the morning of that same day. Late on 7 June, Israel decided to attack the Golan Heights

as soon as troops were in position and ready. By the morning of 8 June, Egyptian defenses in the Sinai had collapsed, Jordan had been knocked out of the war, and Israel was making final preparations to attack Syria.

The United States declared neutrality in the 1967 Arab-Israeli war. Politically, the United States supported the U.N. ceasefire and called on Israel to adhere to it. Popular sentiment in the United States favored Israel, but not so strongly as to support military involvement on the Israeli side or to risk alienating the Arab nations. The primary concern of the U.S. Government was Soviet reaction to the crisis, and this drove U.S. military and diplomatic moves. The U.S. Sixth Fleet was positioned in the eastern Mediterranean to deter Soviet intervention, but was kept well clear of the fighting—partly in response to Arab claims that U.S. and British aircraft had assisted Israel in its initial air strikes.<sup>9</sup>

The *Liberty* was ordered to the eastern Mediterranean as Arab-Israeli tensions reached the crisis point in late May. The ship was instructed to patrol just outside territorial waters (twelve miles) off the coast of the Sinai Peninsula and monitor the progress of Israeli-Egyptian fighting as well as to conduct general surveillance of the region. Specific forces were not designated to defend the *Liberty* because the United States was ostensibly neutral in the conflict, and the ship was operating in international waters. Just before the *Liberty* commenced its patrol, at least five messages were sent ordering the ship to increase standoff range from the coasts of the belligerents—apparently in response to Arab claims that the U.S. Navy was aiding Israel and warnings from Israel that the seas off its coast were a war zone. The *Liberty* did not receive these messages.<sup>10</sup>

Israeli aircraft spotted the *Liberty* as soon as it arrived in its patrol area the morning of 8 June, identified it as a U.S. Navy ship, and repeatedly flew by the ship throughout the morning. At 1400, two Israeli Mirage jet fighters attacked the *Liberty* with rockets and cannon fire, followed by Mystere jet fighters attacking with rockets, napalm, and cannon fire. At 1435, three Israeli torpedo boats attacked, launching at least five torpedoes, one of which struck the *Liberty* in its intelligence space. The Israeli boats also raked the ship with machine guns and fired at topside personnel and life rafts in the water before breaking off the attack at 1515. As the boats retired, two Israeli assault helicopters carrying troops arrived, but they did not attack. An hour later the torpedo boats returned to offer assistance and were refused by *Liberty*. The ship was able to clear the area under its own power and rendezvous with other U.S. Navy ships the following day.<sup>11</sup>

The U.S. Sixth Fleet responded to the *Liberty*'s initial report of being under attack by launching four fighter-bombers, which were immediately recalled. Eight more aircraft were launched after the attack was over, but they also were recalled. Thus, no support was provided to the *Liberty* until the day after the attack, when evacuation of the wounded commenced.<sup>12</sup>

About a half hour after the attack ended, Israel notified the United States that it had “erroneously” attacked a U.S. Navy ship and apologized for the incident. The United States did not officially endorse the Israeli claim that the attack was a mistake, but by accepting the Israeli apology and allowing the incident to fade quietly away without demanding a full accounting, the United States tacitly accepted Israel’s explanation. After an initial burst of public outrage in the United States, the incident was forgotten—reflecting Government handling of the incident. In June 1968, Israel paid \$3.3 million to the families of those killed; in April 1969, paid \$3.5 million to the men wounded in the attack; and in December 1980 agreed to pay \$6 million for damage to the ship.<sup>13</sup>

### The Attack on the *Stark*

The Iran-Iraq war, kindled by Iraq’s invasion of Iran in September 1980, dominated the international situation in the Persian Gulf in May 1987. During the first three years of the war, Iraq conducted sporadic attacks on shipping in the vicinity of Iranian ports and oil terminals. In retaliation for Iraqi attacks on oil facilities, Iran boarded tankers entering the Persian Gulf, demanding verification that their destination was not Iraq. The shipping war escalated in May 1984 with the first Iranian attacks on commercial shipping in the Persian Gulf. Iraq also heightened its attacks on shipping in 1984, conducting them with more frequency and covering nearly the entire Persian Gulf. Iran and Iraq further intensified their antishipping campaigns in 1986, conducting twice as many attacks as they had in 1985. Approximately 355 ships were attacked in the Persian Gulf from September 1980 to May 1987. In the nine months prior to the attack on the *Stark*, Iraq flew over 330 antishipping missions and fired 90 French-made Exocet antiship missiles, hitting 40 ships.<sup>14</sup>

Soon after the Iran-Iraq war began, the United States expressed concern for the security of shipping in the Persian Gulf, particularly through the Strait of Hormuz. Because of its hostility toward the United States and toward Arab nations siding with Iraq, Iran was viewed as the primary threat. U.S. Navy ships began escorting American-flag merchant ships in the Persian Gulf after the onset of Iran’s attacks on shipping in 1984. In the spring of 1987 the United States, responding to a request from Kuwait for assistance to counter an Iranian campaign against Kuwaiti shipping, and concerned over Iranian deployment of Chinese-made Silkworm antiship missiles, made final plans for reflagging Kuwaiti tankers and providing them with U.S. Navy escorts.<sup>15</sup>

Despite their escort duties, the ships of the U.S. Navy’s Middle East Force primarily served political purposes in the Persian Gulf. Their presence was intended to demonstrate U.S. resolve to keep the sea-lanes open and deter

Iranian attacks on American shipping. Special precautions were taken to prevent unwanted incidents. To insure that the many friendly aircraft over the Gulf would not be struck down, the rules of engagement required Navy ships to radio warnings to approaching planes and carefully assess their actions for indications of hostile intent, before firing. Navy ships were warned, however, that the primary danger existed in the possibility of inadvertent attacks and that they were to regard all Iranian and Iraqi aircraft as potentially hostile.<sup>16</sup>

Iraqi aircraft, which were routinely detected on antishipping flights, usually did not provoke reactions by U.S. Navy ships because they were regarded as nonhostile, and their targets were inside the Iranian exclusion zone—well away from U.S. Navy patrol areas. Occasionally, however, Iraqi jets had to be warned away and at least one close call occurred when a U.S. Navy warship was near the target of an Iraqi missile. Iraqi planes were dangerous because they made no effort to identify their targets and fired blindly at radar contacts.<sup>17</sup>

On 17 May the *Stark* was patrolling the central Persian Gulf about 85 miles northeast of Bahrain, 12 miles outside the Iranian exclusion zone. Shortly after 2000 she was informed that a U.S. Air Force AWACS plane had detected an Iraqi aircraft 200 miles from the ship, heading southeast along the coast of Saudi Arabia. The *Stark* picked up the plane on air search radar when it was 70 miles away and detected the Mirage's radar in the search mode. At 2108, when the Iraqi plane was 13 miles away, the *Stark* broadcast a warning, identified itself as a U.S. warship, and requested the plane's intentions. At 2109 the Mirage launched an Exocet missile from a range of about 12 miles. Two minutes later the plane launched a second Exocet missile while the *Stark* was sending a second warning. The *Stark* detected the plane's radar shift into its fire control mode for the missile launches, but did not detect the missiles on radar or their homing radars. The Tactical Action Officer ordered initial defensive actions after the missiles were launched, but the response was too late to be effective.<sup>18</sup>

At 2112 the first missile penetrated the port side of the *Stark*, failing to explode. About 20 seconds later the second missile struck the ship near the first and exploded just inside the ship. The blast tore a large hole in the port side and unexpended fuel from the two missiles ignited an intense fire that required nearly a day to extinguish. Two Saudi F-15 fighters scrambled as the Iraqi jet flew down their coast, but their ground controllers refused to let them pursue the Mirage. No U.S. ships or aircraft attempted to engage the Iraqi plane before or after the attack.<sup>19</sup>

The United States delivered a formal diplomatic protest to Iraq and demanded a full explanation for the attack. Reagan administration spokesmen described the incident as an accident, a case of mistaken identity. The United States also stated that it expected an apology and compensation



for the men who died and the damage to the ship. The Joint Chiefs of Staff revised the rules of engagement for Middle East Force ships, requiring radio warnings and defensive measures be taken at longer ranges, and emphasized that all aircraft approaching U.S. Navy ships must be treated as potentially hostile.<sup>20</sup>

Iraq formally accepted responsibility for the attack, expressed “profound regret,” called it an “unintentional incident,” and presented a compensation proposal to the United States. Iraqi spokesmen stated that the pilot believed he was attacking an Iranian ship and had not heard the warnings that were broadcast by the *Stark*. Iraq also claimed that the *Stark* had been ten miles inside the Iranian exclusion zone, a charge the United States refuted. Iraq and the United States later reached an agreement on measures to prevent future inadvertent attacks on U.S. Navy ships.<sup>21</sup>

### Circumstances of Accidental Attacks

There are strong similarities between the three incidents. A regional war was being fought in all three circumstances. In the *Liberty* and *Stark* incidents, Soviet-American competition for influence in the Middle East was the strategic backdrop for the regional crises, raising U.S. concerns over Soviet attempts to exploit the conflicts for political or even military gain. In the *Panay* incident, President Roosevelt’s dedication to opposing German and Japanese expansion, already evident in 1937, would lead, over the next four years, to tensions with those countries analogous to the cold war. The United States was officially neutral in all three conflicts, but the Government and the public were either sympathetic to one side (China in the *Panay* incident and Israel in the *Liberty* incident) or hostile to one side (Iran in the *Stark* incident). Thus, the situation was politically and militarily complex and dangerous in all three incidents—the United States had interests compelling it to become involved militarily, but other interests constraining it from direct military intervention in the conflicts.

The missions assigned to the three ships varied, but there were similarities. In two of the incidents, the ships were protecting U.S. interests: the *Panay* was evacuating U.S. citizens, and the *Stark* was patrolling against Iranian attacks on U.S. and friendly shipping. In two of the incidents, the ships were engaged in surveillance of the local war: the *Liberty*, monitoring Israeli-Egyptian fighting, and the *Stark*, monitoring Iranian air and naval activity. Two of the missions had acknowledged political purposes as well as military purposes: the *Panay* was signaling U.S. resolve to assert and protect its treaty rights in China, and the *Stark* was signaling U.S. resolve to keep the Persian Gulf sea-lanes open. Only the *Liberty*’s mission did not have a deliberate political signaling purpose, but it may have inadvertently signaled a strong political message to Israel.

All three ships were required to operate in (*Panay* and *Stark*) or near (*Liberty*) a war zone or the scene of fighting in order to carry out their missions. Two of the ships, the *Panay* and the *Liberty*, were inadequately armed for the duties required if attacked, but the *Stark* was well-suited for its mission. Despite the dangers inherent in such situations, U.S. leaders apparently felt that the threat to the ships was not excessive because the United States was neutral in all three incidents, and either the ships were operating in international waters (*Liberty* and *Stark*), or the potential adversaries had politico-military incentives to avoid incidents with U.S. ships (*Panay*). Evidence indicates, however, that regardless of how well or how poorly armed a U.S. ship may be, or the innocence of its mission, it will be in danger of accidental attack when dispatched to a scene of conflict.

It is recognized that danger exists for ships on a mission in an area of fighting, as evidenced by the precautions that were taken with all three ships. But the threat of indiscriminate attacks—deliberate attacks launched without efforts to identify the targets—appears to have been seriously underestimated and left ships inadequately prepared for, or protected against, such a threat. The rules of engagement authorized measures for the *Stark* to defend itself against indiscriminate attacks—measures that would have been effective had they been used properly at the time of the incident—but the daily contact between Middle East Force ships and Iraqi planes apparently tended to make some of the ships, at least in the instance of the *Stark*, complacent about the threat of attack by the Iraqis. At the time of the *Panay* incident, the United States had been keeping the belligerents informed of the locations of U.S. ships, but this measure failed to prevent an attack. Thus, indiscriminate attacks must be regarded as an inherent danger for U.S. ships carrying out missions in hostile environments.

Small nations are at least as dangerous as major powers, if not more so. In two of the three incidents (*Liberty* and *Stark*), the attacks were waged by small nations with military forces far inferior to U.S. forces in the theater. Readily available modern weapons, such as the Exocet, can make even small navies or air forces very dangerous. That none of the postwar incidents involved the Soviet Union supports the view that tacit but well-understood norms of behavior (rules of the game) regulate Soviet-American behavior in crises.<sup>22</sup> The United States does not share this understanding of behavioral norms with many smaller nations, thus, military accidents involving their forces are much more likely than they are with Soviet forces. Smaller nations are also more prone to launch indiscriminate attacks, relying on the accuracy and destructiveness of modern weapons to compensate for the mediocre skills of the men operating the systems. The fact that a U.S. Navy ship represents the armed might of the United States has little impact on the pilot who is not required to identify his targets before attacking.

Ironically, in two of the incidents, the attacks were carried out by the sides favored by the United States: that on the *Liberty* by Israel and that on the *Stark* by Iraq. Only *Panay* was attacked by forces opposing the United States. This underscores the peril of accidental and indiscriminate attacks happening in peacetime and also warns against the assumption that friendly nations can be relied upon to shield U.S. ships, or even to avoid them. These incidents also caution against reliance on the imaginary lines displayed prominently on charts—the limits of territorial waters, exclusion zones, and war zones—that indicate protection against attacks. Precise navigation is a luxury often forgone, either deliberately or inadvertently, in the heat of battle.

### Motives for the Attacks

The official explanation for the attacks, by all three nations, was “mistaken identity.” Japan claimed the *Panay* was mistaken for a Chinese steamer carrying troops out of Nanking; Israel claimed that the *Liberty* was mistaken for the Egyptian transport *El Quisir*, and Iraq claimed that the *Stark* was mistaken for a tanker headed toward an Iranian port. The U.S. Government officially accepted the explanations that these attacks were accidents, but rejected that they were based on mistaken identity.

In the aftermath, questions were raised about whether the attacks were, in fact, accidental. American journalist Hallett Abend claimed that Japanese Army officers informed him that Colonel Kinguro Hashimoto, notorious militarist and head of a violent political faction, ordered the attack on the *Panay*.<sup>23</sup> Imperial Japanese Navy officers involved in the incident deny this, and historians have concluded that the attack resulted from erroneous intelligence provided to the navy by the army. There is evidence that this intelligence may have originated with Colonel Hashimoto, thus making him responsible for setting in motion the chain of events that led to the sinking of the *Panay*, even if he did not order the attack as Abend claims.<sup>24</sup>

The *Liberty* incident is by far the most controversial of the three. Former *Liberty* officer James M. Ennes claims that Israel attacked the *Liberty* to prevent it from monitoring Israeli preparations to attack the Golan Heights, a move the Israelis knew the United States opposed and would try to block.<sup>25</sup> This charge warrants serious consideration: from a purely military perspective the attack was a rational action. But the political rationale for supposing the attack to have been deliberate is weak. Israel has, on several occasions, shown a willingness to proceed as it sees fit, regardless of U.S. pressure to the contrary. Why, in this one instance, it was necessary to attack a U.S. ship rather than ignore U.S. pressure is not clear.<sup>26</sup> The political senselessness of a deliberate attack is compounded by the fact that the United

States had begun a policy shift toward alignment with Israel, a move that would have improved Israel's strategic position.

It is beyond the limits of this analysis to resolve the controversy over the *Liberty* incident. The Israelis insist to this day that the attack was an accident and have detailed an elaborate scenario explaining how it occurred.<sup>27</sup> It is not necessary to believe the scenario in order to accept the indiscriminate nature of the attack: the forces that were sent to find an Egyptian ship attacked the first vessel they discovered, without attempting to identify it.<sup>28</sup> If the incident was an accident, the arguments given by Israel to support their claim of mistaken identity can largely be dismissed as an effort to cover a poor showing by their defense forces.

The *Stark* incident appears to be a clear-cut case of indiscriminate attack, although allegations have been made that it, too, was deliberate. Former U.S. Air Force Middle East analyst Joseph Churba claims that Iraq deliberately attacked the ship to provoke increased U.S. involvement in the Persian Gulf.<sup>29</sup> Of the charges raised in the three incidents, this one is the least plausible and least supported by evidence. No attempt was made by Iraq to disguise the attack as having been the work of Iran; the *Mirage* flew a flight path to intercept Iranian shipping in the central Persian Gulf but released its missiles about thirty miles too soon. Iraqi leaders would have had to have been extremely ill-informed of U.S. domestic political opinion, which was skeptical of the Navy role in the Gulf, to have believed that such an attack—easily identified as Iraqi—would provoke a greater role in the Gulf. If anything, the attack influenced the United States to delay convoying Kuwaiti tankers.

There are two combinations of motives for the three incidents: the motives for the attacks if they were accidents and the motives if they were deliberate. The first set of motives, those for attacks the perpetrators claimed they thought they were launching, are all routine wartime reasons for attacking ships. Two of the attacks had military purposes: to stop the evacuation of troops in the *Panay* incident and to counter a threat to army operations ashore in the *Liberty* incident. The third attack, on the *Stark*, had politico-economic purposes: to interrupt tanker shipping as part of a campaign of economic coercion. These three incidents illustrate the many tactical circumstances under which accidents can occur.

The interesting question is, why, in light of the purposes for the attacks, were they indiscriminately launched? The primary reason for this preference is a military explanation: to avoid the risks inherent in making positive identification of a target before attacking. This motive appears to be strong for armed forces that have mediocre tactical training and are equipped with powerful modern weapons, and apparently applies to the indiscriminate attacks on the *Liberty* and *Stark*—neither Israel nor Iraq were motivated to identify their targets before striking. Indiscriminate attacks could also be

preferred for political reasons: intimidation or coercion of the enemy and his supporters or retaliation for unrestrained attacks inflicted by the enemy. These motives may be operative at low levels in the chain of command, even when national policy is one of restraint and caution. This appears to have been the reason for the indiscriminate attack on the *Panay*: Japanese military officers in the field were much more aggressive and intolerant of the Western naval presence in China than was the government in Tokyo.

The second set of motives are those for deliberate attacks on ships known to have been U.S. Navy. Two of the incidents had primarily political motives: the attack on the *Panay* demonstrated opposition to the U.S. naval presence in China and its perceived support for China. The attack on the *Stark* provoked the United States into increased military intervention against Iran in the Persian Gulf. The attack on the *Liberty* had primarily military motives—to prevent surveillance of Israeli military activities—although it could have been intended to send a strong coercive signal to the United States not to restrain Israel from achieving its territorial objectives. If the three attacks were in fact deliberate, these motives would not be considered particularly unusual or unexpected.

A wide range of military and political motives for wartime attacks on ships could create tactical circumstances which promote accidental assaults on U.S. Navy ships. The possibility of indiscriminate attacks presents the greatest danger. Belligerents in a local conflict could also have motives for deliberately attacking U.S. ships near the scene of fighting. The fact that the U.S. Government has readily accepted the accident explanation in the past increases the likelihood that deliberate attacks under the guise of accidents could occur in the future.

### Responses to the Incidents

None of the three incidents caused the United States to go to war. The danger of an accidental attack perceived as a deliberate provocation or escalation existed in two of the incidents: the *Panay* was attacked by the nation opposed to the United States in the crisis, and there was initial concern that the *Liberty* may have been attacked by Soviet forces. In both cases, however, the perpetrators quickly acknowledged their roles and apologized for the incidents, thus alleviating the danger of strong U.S. reaction. Beyond this, however, U.S. leaders showed prudence in their handling of all three incidents, particularly when the initial, sketchy reports came in. As Phil Goulding observed: "A cardinal rule in an establishment as large as the Department of Defense is to assume that first reports are always wrong, no matter what their security classification, no matter to whom they are addressed."<sup>30</sup> Reactions of U.S. leaders to the three incidents support the view that the danger of an accident being misperceived as a deliberate

provocation is a function of the beliefs and perceptions held by decision makers concerning the conflict and the perpetrator. Even in a crisis, decision makers are capable of sorting out the nature of a military incident, if they are predisposed to do so.

These three incidents confirm four of Lebow's five points concerning the impact of accidents in crises. The political context of the incidents specified the significance attached to them. Leaders in the United States, eager to avoid hostilities or a serious deterioration of relations with the perpetrators in all three cases, were predisposed to accept the incidents as accidents. All three perpetrators quickly sought to dismiss the attacks as accidents in order to minimize the hostility they had conveyed toward the United States. The magnitude of the events did not determine whether or not a crisis resulted: in one incident, a ship was sunk; in the other two incidents, numerous lives were lost without provoking military confrontations. In all three circumstances the United States apparently viewed a recurrence as unlikely—in the *Panay* and *Stark* incidents because the perpetrators gave assurances that action would be taken to avoid future attacks on U.S. ships. Thus, the three incidents confirm Lebow's view that the impact of accidents is highly context-dependent.

Lebow's fifth proposition, that an accident is more likely to be treated as a provocation if it threatens an important interest or commitment, is not clearly supported by the three incidents. The Japanese attack on the *Panay* threatened the U.S. objective of protecting American citizens and interests in China. The Israeli attack on the *Liberty* threatened the U.S. objective of preventing a crisis from escalating to a Soviet-American confrontation. The Iraqi attack on the *Stark* threatened the U.S. objective of keeping the Persian Gulf sea-lanes safe for American shipping. In each incident the threatened objective was a principal U.S. interest in the conflict.

The qualification that must be placed on Lebow's proposition is that the United States usually has multiple objectives in a crisis, and a threat to one important interest may be allowed to go untended in order to further other important interests. During the *Panay* incident, avoiding war with Japan was of greater importance than protecting U.S. interests in China. As for the *Liberty* incident, countering Soviet influence in the Middle East was of greater importance than close surveillance of Israeli military moves. In the *Stark* incident, protecting Persian Gulf shipping against Iranian attacks and countering Soviet efforts to expand their role in the Gulf were of greater significance than deterring Iraqi shipping attacks. Thus, the importance of the interest or commitment threatened by an accident must be weighed relative to other U.S. interests in the conflict.

The three incidents suggest that military accidents are not especially dangerous from a crisis management or escalation control perspective. Indeed, these findings support the view of accidents expressed by Thomas

Schelling: "This is why there is a genuine risk of major war not from 'accidents' in the military machine but through a diplomatic process of commitment that is itself unpredictable. The unpredictability is not due solely to what a destroyer commander might do at midnight when he comes across a Soviet (or American) freighter at sea, but to the psychological process by which particular things become identified with courage or appeasement or how particular things get included in or left out of a diplomatic package."<sup>31</sup> Thus, while accidents are certainly a potential problem in crises, attention is more profitably directed at understanding the objectives, beliefs, and perceptions of national leaders, and the cognitive and political factors shaping decision making.

The *Panay*, *Liberty*, and *Stark* incidents do not suggest that accidental attacks can be prevented in the future. The only assured means of preventing attacks is through avoidance: not sending U.S. Navy ships on missions in or near hostilities. This solution is infeasible when American interests are at stake in the conflict or when forgoing a naval presence would signal an intent to concede those interests. Reliance on diplomacy and international law—declaring American neutrality, emphasizing the nonhostile missions of American ships, and citing freedom of the seas in international waters—have proved ineffective for safeguarding U.S. Navy ships. Even coordination measures, such as recognition signals and providing the location of U.S. ships, though far superior to nothing at all, cannot fully guarantee prevention of accidents.

Navy planners must always anticipate a high risk of accidental attacks against ships deployed in or near a war zone or on the scene of an international crisis. Inadvertent attacks are likely from friendly, as well as from hostile, nations. The greatest danger lies in indiscriminate attacks launched without an effort to identify the target. Belligerents in a local conflict could also have motives to deliberately attack U.S. ships operating near the scene of fighting. Further, unauthorized deliberate attacks ordered by local commanders or forces on the scene are a danger. That the U.S. Government has readily accepted the accident explanation in the past makes it more likely that deliberate attacks under the guise of accidents could occur in the future.

Contrary to the fears expressed by many observers, military accidents have proved not to be particularly perilous from a crisis management or escalation control perspective. U.S. leaders appear intuitively aware of the escalatory dangers of accidents and respond carefully when they occur, even in the midst of a tense crisis. The most important factor for determining the impact that an accident has had on a crisis is, as Lebow correctly pointed out, the politico-military context of the incident, especially the state of the relationship between the perpetrator and the victim. The political pressures

generated by the attack itself are much less important in crisis decision-making than is the political context. Accidents create the requirement to make decisions on national policy in times of crises, but do not inherently generate escalatory pressures so strong as to debilitate crisis management efforts.

### Notes

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3. *Ibid.*
4. Phil Williams, *Crisis Management: Confrontation and Diplomacy in the Nuclear Age* (New York: John Wiley, 1976), p. 202.
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9. Trevor N. Dupuy, *Elusive Victory: The Arab-Israeli Wars, 1947-1974* (New York: Harper and Row, 1978), p. 269; Jonathan T. Howe, *Multicrisis: Sea Power and Global Politics in the Missile Age* (Cambridge, Mass.: MIT Press, 1971), pp. 99-102.
10. James M. Ennes, Jr., *Assault on the Liberty* (New York: Random House, 1979; Ivy Books ed., 1987), pp. 51-54, 65; Phil G. Goulding, *Confirm or Deny: Informing the People on National Security* (New York: Harper and Row, 1970), pp. 130-132; Stephen Green, *Taking Sides* (New York: Morrow, 1984), pp. 214-217, 226-227.
11. Ennes, pp. 70-124; Goulding, pp. 93-113; Richard K. Smith, "The Violation of the Liberty," U.S. Naval Institute *Proceedings*, June 1978, pp. 64-68.
12. Ennes, pp. 89-92, 118-119; Goulding, pp. 97-98; Green, pp. 231-234. Green's account appears to be the most accurate.
13. Ennes, pp. 119-124, 154-158, 171-172, 184-191; Goulding, pp. 123-124, 129, 134-135; Smith, pp. 69-70.
14. "As Tension Rises in the Gulf, Role for U.S. Becomes Issue," *New York Times*, 23 May 1984, p. 1; "Stark Unaware It Was Target, Admiral Says," *Los Angeles Times*, 20 May 1987, p. 1; "U.S. Policy in Gulf Aimed at Halting Iran, Official Says," *Los Angeles Times*, 22 May 1987, p. 1.
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16. U.S. Congress, House, Committee on Armed Services, *Report on the Staff Investigation into the Iraqi Attack on the U.S.S. Stark* (hereafter referred to as *Staff Investigation*), (Washington: U.S. Govt. Print. Off., 14 June 1987), pp. 4-6. For an example of how these rules were used in the Gulf, see "U.S. Confirms Naval Incidents in Strait of Hormuz," *New York Times*, 29 February 1984, p. A7.
17. "2nd U.S. Warship Warned Off Iraqi Jets," *Los Angeles Times*, 21 May 1987, p. 14; *Staff Investigation*, pp. 4-5. The near miss occurred in 1985 when an Iraqi missile struck a ship about six miles from the



destroyer U.S.S. *John Hancock*. See "1985 Iraqi Attack on U.S. Ship Cited," *New York Times*, 24 May 1987, p. 13.

18. *Staff Investigation*, pp. 7-18.

19. *Staff Investigation*, pp. 20-22; "Saudis Balked at Intercepting Iraqi Attacker," *New York Times*, 21 May 1987, p. A1.

20. "Iraqi Missile Hits U.S. Navy Frigate in Persian Gulf," *New York Times*, 18 May 1987, p. A1; "Iraqi Missile Hits U.S. Warship; 30 Missing, 3 Dead," *Los Angeles Times*, 18 May 1987, p. 1; "Missile Toll on Frigate is 28," *New York Times*, 19 May 1987, p. A1; "Ship Deaths at 28; Iraq, Iran Warned," *Los Angeles Times*, 19 May 1987, p. 1; *Staff Investigation*, p. 6.

21. *Staff Investigation*, pp. 8-9; "U.S. and Iraq Act to Prevent Raids," *New York Times*, 30 May 1987, p. 1.

22. On the concept of "rules of the game" in Soviet-American relations, see James N. McConnell, "The 'Rules of the Game': A Theory on the Practice of Superpower Naval Diplomacy," in Bradford Dismukes and James McConnell, eds., *Soviet Naval Diplomacy* (New York: Pergamon, 1979), pp. 240-280; Robert Legvold, "The Super-Rivals: Conflict in the Third World," *Foreign Affairs*, Spring 1979, pp. 755-778; Raymond Cohen, *International Politics: The Rules of the Game* (London: Longman, 1981); Joanne Gowa and Nils H. Wessel, *Ground Rules: Soviet and American Involvement in Regional Conflicts* (Philadelphia: Foreign Policy Research Institute, 1982); and Neil Matheson, *The 'Rules of the Game' of Superpower Military Intervention in the Third World, 1975-1980* (Washington, D.C.: Univ. Press of America, 1981), pp. 99-117.

23. Hallett Abend, *My Life in China, 1926-1941* (New York: Harcourt, Brace and Co., 1943), pp. 268-285.

24. Perry, pp. 240-243; Swanson, pp. 35-36; Tolley, pp. 250-251; Coox, pp. 83, 91, 98.

25. Ennes, pp. 172-174, 187-188, 191-192, 254-263. Also see Goulding, pp. 123-124, 136-137; Smith, p. 64; and Anthony Pearson, *Conspiracy of Silence* (London: Quartet Books, 1978), pp. 105, 116-118, 163. Pearson's account of the *Liberty* incident is interesting reading, but flawed by numerous serious errors of fact that cast doubts upon his sensational allegations.

26. Israeli leaders, particularly Moshe Dayan (Chief of Staff of the army during the 1956 war and Defense Minister during the 1967 war), may have had an attitude of "never again" toward giving in to U.S. pressure to abandon their military objectives or conquered territory after their experience in the 1956 war with Egypt. In 1956, photographs taken by U-2 reconnaissance planes alerted President Eisenhower to British, French, and Israeli military and naval moves, enabling him to exert strong pressure on the three nations to abandon their plan to seize the Suez Canal early in the operation. *Liberty* could have been viewed by the Israelis as giving President Johnson the same advantage in 1967. On the role of U-2s in 1956, see Donald Neff, *Warriors at Suez* (New York: Simon and Schuster, 1981), pp. 333, 353; and Michael R. Breschloss, *Mayday: Eisenhower, Khrushchev, and the U-2 Affair* (New York: Harper and Row, 1986), pp. 136-139.

27. For the Israeli version of the attack, see Hirsh Goodman and Zeev Schiff, "The Attack on the *Liberty*," *The Atlantic Monthly*, September 1984, pp. 78-84.

28. In an incident strikingly similar to the *Liberty* incident, the Israeli Air Force on 2 November 1956 attacked the British frigate *Crane* off of Sharm el Sheikh. At the time, Israel and Britain were allies in the Suez crisis, and the *Crane* was on patrol as part of their campaign against Egypt. During the 1973 Yom Kippur War, Israeli Navy missile boats accidentally fired Gabriel missiles at Greek, Japanese, and even Soviet merchant ships while attempting to attack Syrian naval vessels. See Dupuy, pp. 210-211, 559. Thus, the Israelis launched indiscriminate attacks in the 1956, 1967, and 1973 wars, apparently due to permissive rules of engagement and lax identification requirements. In the 1956 and 1967 wars, the Israeli Air Force appeared to be poorly trained and organized for war at sea, particularly in the areas of ship recognition training for pilots and intelligence support for maritime operations.

29. The "*Stark* was attacked by two Iraqi jets, not one, experts say," *San Diego Union*, 2 August 1987, p. A14.

30. Goulding, p. 103.

31. Thomas C. Schelling, *Arms and Influence* (New Haven: Yale Univ. Press, 1966), p. 93.

