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Kosovo, Casualty Aversion, and the American Military Ethos: A Perspective

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Introduction

One of the most controversial aspects of the Kosovo air campaign of the spring of 1999 was the North Atlantic Treaty Organization (NATO)'s policy to minimize casualties among its forces. Though it is hardly surprising that a party to an armed conflict would seek to limit their potential military losses, the particular methods of doing so were sharply criticized in this instance. Specifically singled out was the tactic that generally restricted NATO warplanes to flying above 15,000 feet, an altitude at which the threat posed by Serb air defenses markedly diminished but which also reportedly made discrimination between military forces and civilian noncombatants more difficult. Also questioned was NATO's decision to forgo a ground invasion in the hopes of achieving its objectives without the casualties a land assault was expected to produce.

Critics claim that NATO's high-altitude attacks failed to stop the Serbs from completing their ethnic cleansing campaign. They also assert that the approach produced unnecessarily misdirected bombs that resulted in needless casualties among civilians in both Kosovo and Serbia. Furthermore, they charge that at the end of the conflict Serb troops responsible for atrocities were able to leave the province largely unscathed and unrepentant despite the seventy-eight day air bombardment.¹ These allegations raise doubts in some quarters about the martial ethos of U.S. and other NATO forces, and have made the military success look hollow. As one pundit remarked, "can Western forces unwilling to sacrifice a single life to save the Kosovar Albanians truly label the air war a victory?"²

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This article examines the issue of casualty aversion from several perspectives. Initially, it critically examines popular assumptions about the relative merits of high altitude attacks, as well as the efficacy of ground assaults in limiting noncombatant casualties. Next, it will discuss casualty aversion in the context of the American military ethos. It will conclude by offering some observations about casualty aversion and the involvement of American troops in future use of force situations.

A New American Military Ethos?

The Air Campaign

Evaluating the status of the American military ethos post-Kosovo can begin with a basic question: Did the policy that kept most of the warplanes at high altitude portend any change in the ethos of the American military as the critics suggest? Retired Marine Corps Lieutenant General Paul Van Riper seems to think so:

What really troubles me is that those who take an oath to defend others were held out of harm's way while the very people they were to defend were in many ways viewed as expendable. What does this say [about] the Western warrior ethic for the future?³

The short answer to General Van Riper's question is: not as much as some may think. To understand why, it is important to analyze with some specificity the genesis of the casualty aversion thesis. First, to the extent it existed at all, it dwelt almost exclusively in the minds of high-level civilian and military leaders, not the airmen actually flying combat missions or the soldiers on the ground.⁴ There are virtually no reports that those who would actually go in harm's way entertained any reluctance to personally engage the enemy at close quarters.⁵ Thus, at the combatant level—where ethos *really* counts—there is no evidence of any erosion of a disposition to take risks to attack enemy forces. To the contrary, many of the combatants (and especially the Army's Apache unit) expressed great frustration at being denied the opportunity to do so.

Second, the idea that the air war in Kosovo was a risk-free affair for the aircrews is misperceived. The mere presence over hostile territory in a complex, high-performance warplane loaded with explosives is a dangerous activity under any circumstances. The "friction of war" alone courts disaster. Many have incorrectly reverse-engineered the bloodless outcome to impute an absence of martial virtue. Brigadier General Daniel

P. Leaf, commander of the 34th Aerospace Expeditionary Wing during the Kosovo conflict points out the error of this logic: “The risk is not defined by the results.... Our airmen made it look easy but it wasn’t.”⁶ For example, during the operation, Serb forces launched some 700 surface-to-air missiles at NATO planes.⁷

Moreover, it does not seem to be well understood that lower altitude attacks were, in fact, attempted but they “did not seem very effective.”⁸ Indeed, the nature of modern precision munitions is such that they are often optimally targeted at the altitudes NATO employed.⁹ Among other things, higher altitude allows the pilots to concentrate on the targeting process; conversely, flying lower can be quite distracting. Michael Ignatieff reported in *The New Yorker*:

In reality, pilots frequently flew below the fifteen-thousand foot ceiling but soon discovered that, in [General Wesley] Clark’s words, “flying low doesn’t pay.” Pilots breaking out below cloud formations in mountainous terrain at five hundred knots could focus only on staying airborne.¹⁰

Third, in Kosovo the Serbs made extensive use not just of cover and camouflage, but also of human shields.¹¹ An adversary who defends with this tactic virtually ensures some noncombatant casualties. Avoiding them entirely in such situations would require an attacker to have a precision far beyond the capability of the most discrete weaponry available, regardless of the altitude from which the munition is launched.

Fourth, flying low enough to gain some greater degree of accuracy can engage the law of unintended consequences. Lower altitudes would have given Serbia’s numerous but less capable anti-aircraft gun and short-range missile systems a chance for success—and this would not necessarily bode well for those on the ground. A crippled twenty- or thirty-ton airplane loaded with fuel and high explosives crashing out-of-control into an urban neighborhood can create as much or more devastation among civilians as any errant bomb.

Finally, in a report otherwise critical of the air campaign, Human Rights Watch (HRW)¹² cited only one instance where “flying at a higher altitude *seems* to have impeded a pilot from adequately identifying a target. . .” Although it alludes that there were others, given the level of specificity elsewhere in the report, the absence of further examples supports a conclusion that the high-altitude operations did not have the adverse effect popular wisdom attributes to them.

A Ground Assault?

The realities of modern combat likewise do not suggest that a ground assault would have saved civilian lives. Frankly, it is puzzling to the military professional that anyone concerned with the sanctity of human life could conceive that such an operation would be less deadly than the air campaign that did take place. Many of the weapons of land warfare—artillery, multiple rocket launchers, and even machine guns and other small arms—lack the precision capability common to much of the air-delivered ordnance in the U.S. arsenal. Virtually every military expert today concedes that ground combat—especially in an urban environment—is a casualty-intensive affair for both combatant and noncombatant alike. The horrific scenes coming out of Grozny in Chechnya are but one example of how brutal this kind of warfare can get. To the combatant in a ground campaign every structure is a potential ambush source and must be treated as such by attacker and defender alike. For civilians caught in the middle, there is often literally no place to hide.

It is especially important to understand that the nature of ground combat moves many use of force decisions to a lower level in the military hierarchy, and this is not always a good thing for the civilian populace. In air warfare an officer-pilot flying above the fray and supported by an array of sophisticated intelligence-gathering and targeting technologies makes the decision to fire a weapon. In ground combat that decision is in the hands of a young soldier in the midst of the terrifying confusion and stress of the land battle. Tragedies can result as historian Stephen Ambrose records:

When you put young people, eighteen, nineteen, or twenty years old, in a foreign country with weapons in their hands, sometimes terrible things happen that you wish never happened. This is a reality that stretches across time and continents. It is a universal aspect of war, from the time of the ancient Greeks up to the present.¹³

Still, there are those who will contend that a credible ground threat would have forced Serb forces to come out of hiding and mass their troops, thus presenting airpower an inviting target. Though this thesis is attractive and soundly applicable in many cases, it is unlikely to have changed the outcome in Kosovo. Specifically, it appears now that most of the ethnic cleansing activity was complete prior to the start of the air campaign. The propriety of the delay in the political decision to use force is beyond the scope of this paper, but it seems churlish to challenge an effort to explore

every possible alternative before resorting to force just because—with hindsight—the peace effort was doomed to failure.

What is more is that this contention assumes the Serbs would respond to the ground threat with orthodox military maneuvers compatible with Western notions of ethical conduct in war. Regrettably, there is little to support such a conclusion. It seems probable that the Serbs would have quickly realized that massing their forces to confront a NATO invasion would be militarily catastrophic. Instead of doing so, they may well have engaged in guerrilla warfare tactics and employed them in such a way as to put civilians at most risk. Among other things, they would likely have expanded upon the human shield tactics that served them so well during the air campaign—a development that could have significantly increased the danger to Kosovar civilians or even captured NATO troops.

Casualty Aversion and American Culture

Despite the dearth of evidence to support the notion that a new American military ethos is emerging as a result of the casualty aversion policies employed during the Kosovo conflict, a re-examination of that ethos is still warranted as it may well be misunderstood. Actually, the American military ethos is largely built on the sanctity of *all* human life, combatant and noncombatant alike. The law of armed conflict (LOAC) is essentially in accord with this approach. Although LOAC obviously prohibits the targeting of *bona fide* noncombatants, it does not *per se* place a higher *value* on the lives of civilians over those in uniform. There is, of course, a significant body of both conventional and customary international law that seeks to shield noncombatant civilians from the adverse effects of war, but nothing in that legal regime expressly requires an assumption of more risk by a combatant than a noncombatant.

Furthermore, the military tradition of the United States does not offer much support for the notion that the lives of the members of its armed forces are any more dispensable than those of enemy noncombatants. Russell F. Weigley, in his treatise *The American Way of War*, discusses “wars of annihilation” where enemy noncombatants were sacrificed when necessary to end conflicts without further risk to U.S. troops.¹⁴ A classic illustration is the use of atomic weapons against Japan despite the prospect (and eventual reality) of thousands of enemy noncombatant casualties.¹⁵ That decision was principally sourced in a desire to avoid what surely would have been the deaths of thousands of U.S. troops (not to mention Japanese soldiers and civilians) if the planned invasion of Japan took place.

This disposition to so readily balance potential military losses against expected enemy civilian fatalities is rooted deep in the American psyche. Essentially, Americans do not instinctively draw a distinction that finds its soldiers' lives less precious than those of the citizens of an enemy state. This is traceable to the American concept of who composes its military: citizens *with just as much right to life as enemy citizens*. From the Nation's very beginning it rejected for its military the model of an armed force composed of professional hirelings expected to do the state's bidding at whatever risk for whatever purpose simply because they were paid to do so.

To the contrary, the persisting ideal of the American-at-arms is the altruistic yeoman farmer who lays down his plow to take up arms for the duration, always nevertheless intending to return to the responsibilities of family and farm at the very first opportunity. It would be a great mistake to underestimate how deeply embedded this archetype still remains in American culture. Consider that for the bulk of U.S. history the nation rarely maintained significant standing military forces. Instead, vast numbers of mobilized reserves, volunteers, or conscripts augmented rather small cadres of professional soldiers when needed to fight wars. It is only with the onset of the Cold War that the United States maintained a sizable military force in peacetime. Even that military, however, was largely composed of short-term conscripts until the advent of the All-Volunteer Force (AVF) in 1973.

Despite the predictions of many, the AVF never evolved into a military that saw itself as anything other than patriotic citizens in the service of their country. The U.S. military today is very much one where notions of citizenship and individual rights are quite strong, and its perspective in that regard scarcely differs from that of the populace at large. Few in the U.S. military—to include the AVF—expect to end their days in a corner of the regimental mess still in uniform; rather, virtually all harbor the dream of returning to civilian life young enough to be active participants in civic culture.

While there is a well-entrenched appreciation of loyalty, self-sacrifice, and duty in the U.S. military, it is nevertheless not an institution of the "legionnaire" variety that understands itself as an wholly expendable tool of government. Instead, in many key respects the concept of citizen-soldier—and the intellectual egalitarianism it breeds—remains robust in U.S. forces. While the American serviceman is cognizant of the ever-present obligation to make the ultimate sacrifice to defend the nation, that is not quite the same thing as viewing oneself as being inherently any less worthy of life than an enemy civilian.

This context directly affects the Nation's approach to casualty aversion. There is no groundswell anywhere in the U.S. for its military to take unnecessary risks simply to save enemy civilians. To the American way of thinking, their citizens—who just happen to be wearing uniforms for a time—are just as valuable as enemy civilians. The throngs who visit the Vietnam Veterans' Memorial—a monument to *lost* war—illustrate a relationship with those who serve almost without parallel elsewhere in the world. To Americans, those wearing uniforms collectively are the most trusted part of the citizenry well ahead of organized religion, universities, and every branch of government.¹⁶ Under these circumstances it is not surprising that savvy U.S. politicians are quick to embrace policies that seek to avoid needless deaths among a military so treasured by the American people.

The deeply-embedded concept of the citizen-soldier may be one reason the U.S. has been unwilling (in contrast to some developed nations) to recruit legions of foreigners to fill the ranks of their armed forces. Instead, America relies on her citizenry and is unwilling to risk those citizens lightly. Thus, the U.S. military ethos—which fully complies with LOAC—may well continue to view the sanctity of the lives of military personnel on a fully equal basis to those of enemy civilians.

Casualty Aversion and the Imperatives of Democracy

Clearly, other factors are involved in the casualty aversion equation. It is accurate, for example, to say that the political fallout from incidents like the 1983 bombing of the Marine barracks in Beirut, the 1993 killing of eighteen soldiers in Somalia, and the 1996 bombing of the Kohbar Towers barracks in Saudi Arabia has left U.S. leaders both in and out of uniform much more wary of incurring casualties in operations abroad. Despite polls suggesting the American public may be more tolerant of casualties than are their leaders,¹⁷ it is a well-founded article of faith that once the casualties start occurring, support can decline rapidly.¹⁸

Given that public support, especially in a democracy, is the *sine qua non* of a military effort, it is easily understood why leaders give priority to force protection. In operations where the connection to the vital interests of the United States is not readily apparent, policies aimed at limiting casualties may be the only realistic way to garner enough political capital to proceed. Humanitarian interventions in places like Kosovo with little direct social, economic, or political affinity with the U.S. electorate may be sustainable only if the sacrifice in American blood is minimized.

Importantly, U.S. courts acknowledge the legitimacy of the casualty aversion policies. In September of 1999, the all-civilian U.S. Court of Appeals for the Armed Forces recognized this political truth in its holding in *United States v. Captain Lawrence P. Rockwood*.¹⁹ In *Rockwood*, the accused was convicted, *inter alia*, of leaving his place of duty as a counter intelligence officer tasked with helping to ensure the security of American troops deployed to Haiti. He abandoned his force protection duties, he claims, in order to conduct an "inspection" of conditions at a Haitian civilian prison. In essence, Rockwood contended he had a responsibility towards civilians that trumped his assigned duties relating to the safety of his fellow soldiers. In dismissing the accused's argument, the Court noted:

The decision to place primary emphasis on force protection...is the type of decision that is within the responsibility of the commander...a servicemember must obey a commander's decision as to the priority given to [military] force protection, *as opposed to protection of the civilian population*.²⁰

In *Rockwood*, as well as in the Kosovo campaign, the priority placed on force protection originated with civilian leaders.²¹ Hence, the concept of civilian control of the military—another vital element of the American military ethos—dictates, as it should, the casualty aversion policies carried out by military commanders in the field. Despite this, the effect of such civilian direction concerns some.²² West Point professor Don Snider says "[w]hat soldiers are now being told is. . . your first mission is no casualties" and he worries about what this will do "to the ethic of self-sacrifice, when the political guidance is to accept no sacrifice."²³

So long as military commanders are giving force protection priority because it is the "first mission" *assigned by their civilian masters*, we should not worry too much about the effect of the policies on the ethos generally. Deference to civilian supremacy is a fundamental military virtue in a democracy. Parenthetically, because of the potential for social alienation, a democracy obliged to keep huge forces under arms may be wise to avoid establishing mores that seem to devalue the lives of those in uniform.²⁴ Still, Professor Snider's concerns are worthy of attention in that leaders must avoid creating an environment where a priority on force protection originates with—or is assumed by—military commanders in situations where that emphasis is to the detriment of the specific mission assigned by civilian authorities. A military culture that *implies* such a priority in every instance may well endanger innocents unnecessarily. To date, however, such fears remain unfounded.

Nevertheless, interpreting the warrior ethos in a broad context of chivalry and honor would still seem to provide an ethical requirement for altruistic sacrifice to protect the *truly* innocent, even if not mandated *per se* by law. But there is no indication this precept is anything but an intrinsic belief of the U.S. military (as well as the armed forces of its NATO partners). Reflecting on the Kosovo conflict, ex-Air Force pilot-turned-novelist Chris Stewart insists:

I...never met a pilot or crewmember in the U.S. Air Force who was not willing to take at least some risk to avoid being the one to drop his ordnance atop women, children, hospitals or a passenger train. That is the way Americans conduct war.²⁵

Although it is almost *chic* to conclude otherwise, nothing in the aftermath of Kosovo suggests any alteration in this basic American orientation.

Concluding Observations

The reality of the Kosovo conflict is that notwithstanding criticisms of NATO's casualty aversion policies, a brutal Serb army was ejected from the province and nearly a million refugees returned to their homes. Moreover, despite the miscues the policies allegedly caused, NATO accomplished its mission at the price of relatively few casualties among any of the parties. Ironically, the most celebrated tragedy—the mistaken bombing of the Chinese Embassy—cannot be attributed to a casualty aversion strategy. Of the more than 25,000 weapons used in Kosovo, only twenty resulted in collateral damage incidents, a phenomenal record in the history of warfare.²⁶

That such an immense quantum of combat power was applied so discretely and with such ultimate success is itself evidence that the ethos of the armed forces primarily responsible for those unprecedented results is one to be emulated—not adulterated. It may be that an ethic that equates the lives of American servicemen with those of enemy civilians is disquieting to some. But the critics must accept that this ethic works for American culture—and that culture is the same one that produced the world's most devastatingly effective military. Absent that military, any Kosovars who survived Serbia's pogrom likely would have spent the winter of 1999 and beyond freezing in refugee camps far from home.

Although the U.S. armed forces may have a sense of itself that is more aggressive and risk-taking than their leaders are inclined to allow, that fact does not necessarily militate for policies congenial to the military's more

dauntless perspective. In a democracy self-conceptualizations of soldiers must yield to serve the needs of the civilian authorities, not vice versa. Political leaders accountable directly or indirectly to the electorate are the decision-makers best positioned to assess what level of risk is acceptable to American society in a particular case.

Clearly, challenges remain. The use of force situations that ever more frequently confront U.S. and other militaries are increasingly complex, and a very high level of discipline is required. The *Rockwood* case²⁷ should serve as a sober warning that individuals within the armed forces may be inclined to interpose their own view of the importance of civilian protection in contravention of the policies set by proper authorities. In *Rockwood* the predilection of the soldier ostensibly favored protecting civilians, but conceivably it could have just as easily gone the other way. The point is that such force protection and casualty aversion policies must originate at the political level (after the considered advice of military leaders) and be scrupulously followed by the implementing armed forces. The reality is that military indiscipline for whatever reason—especially in complex humanitarian interventions—carries the dangerous potential to cause events to spin wildly out of control, to the serious detriment of both the armed forces and those to whom they were sent to aid.

It must be added that the U.S. approach to the use of force emphasizes the lavish expenditure of machines instead of manpower. Accordingly, technology has always been an intrinsic feature of the American approach to casualty aversion. From its inception, airpower in particular has always intended to obviate much of the need for bloodshed in war. But the very success of technology may well be one source of the theory that casualty aversion concerns are corrupting military ethos.

Technology is a key reason the U.S. military no longer wages “wars of annihilation,” but in a very real sense, it is a victim of its own success. The ability to militarily overwhelm its adversaries with startling efficiency causes some to conclude that doing so is somehow unfair or, at least, to use the absence of bloodshed to infer some deficiency of ethos. In essence, this is a logical fallacy, that is, assuming as valid a syllogism that concludes that the lack of NATO casualties *ipso facto* proves some measure of venality or even cowardice.

It appears that some theorists are not yet able to reconcile the classical model of military ethos (forged in the courageous endurance of physical cost and inevitable sacrifice) with modern realities. There are essentially two related issues in this regard: First, they need to appreciate that in developed societies like the U.S., it is a feature of modernity that the body politic values the lives of all its citizens—and those serving in uniform are

proving to be no exception. It no longer easily accepts the inevitability of loss in war, and demands in that endeavor the kind of efficiency it sees elsewhere in a high-tech world where technology is reducing costs of every kind. Why not fewer lives lost?

Second, many critics do not seem to fully understand the truly revolutionary impact of technology on warfare. Today's precision weaponry and advanced warfighting techniques—especially as developed and implemented in the U.S. military—make it possible to successfully apply force in a profoundly asymmetrical way. In so many instances, what might seem to be courage in the face of vast technological dominance is, in reality, mere ignorance of the extent of one's inferiority. In truth, the impact on war of increasingly impersonal and fully automated technology may produce results that say nothing about the mettle of those who wield it, or those who feel its sting. Indeed, technology may make, in the end, the ethos of the combatants, *per se*, of little importance—or even irrelevant to the morality of the conflict writ large.

The real focus ought not to be on the ethos of the U.S. armed forces - or on second guessing the way it applies combat power (the American military accomplishes that with a sometimes frightening competence and ease). Rather, more thinking is merited on whether the sheer efficacy of America's military power is making the use of force something other than the blunt instrument of last resort it should be. That is the *real* question of ethics and ethos for twenty-first century decision-makers.

NOTES

1. "Milosevic's forces in the field—aggressive, unrepentant soldiers, in sunglasses and bandannas, making obscene gestures at Western cameras as their columns withdrew northward—did not appear to have been defeated." Michael Ignatieff, *The Virtual Commander*, THE NEW YORKER, Aug. 2, 1999, at p. 31.
2. Dr. Michael Evans, *Dark Victory*, U.S. NAVAL INSTITUTE PROCEEDINGS, Sept. 1999, at 33.
3. Lieutenant General Paul Van Riper, USMC (Ret.) as quoted by Elaine Grossman in *For the U.S. Commander in Kosovo, Luck Played Role in Wartime Success*, INSIDE THE PENTAGON, Sept. 9, 1999, at 1.
4. See e.g., Triangle Institute for Security Studies, Project on the Gap Between the Military and Civilian Society, Digest of Findings and Studies, Oct. 1999 visited Nov. 7, 1999 at <http://www.unc.edu/depts/tiss/CIVMIL.htm> ("The strong belief of civilian and military elites that the American public will not accept casualties is not supported by the survey data. The mass public says it will accept casualties.")

5. See e.g., note 25, *infra*, and accompanying text.
6. See Bruce Rolfson, *Aviano Commander's Best Memory: Everyone Returning Safely*, AIR FORCE TIMES, Apr. 24, 2000, at 20 (quoting Brigadier General Daniel P. Leaf, commander of the 34th Aerospace Expeditionary Wing during the Kosovo conflict).
7. *Id.*
8. William M. Arkin, *Challenge to the '15,000-Foot Myth' Consumes Air Force Planners*, DEFENSE DAILY, Mar. 2, 2000, at 4.
9. *Id.*
10. Ignatieff, *supra* note 1, at 35.
11. Arkin, *supra* note 8.
12. *Civilian Deaths in the NATO Air Campaign, Watch*, (Human Rights Watch, New York, Feb. 7, 2000, at p. 14, visited Feb. 7, 2000 <http://xmail.hrw.org/nato/Matbm200-01.htm> (emphasis added).
13. STEPHEN E. AMBROSE, AMERICANS AT WAR 152 (1997).
14. RUSSELL F. WEIGLEY, THE AMERICAN WAY OF WAR (1977).
15. *Id.* at 364-65.
16. 68% of Americans said they had "a great deal" or "quite a lot" of confidence in the military. Organized religion was second at 58 percent. The Presidency and Congress were reported at 49 percent and 26 percent respectively. See Tamar A. Mehuron, *Military First in Public Confidence*, AIR FORCE MAGAZINE, Mar. 2000, at 9 (citing a late 1999 Gallup poll) available at <http://www.afa.org/magazine/chart/0300chart.html> (visited Apr. 5, 2000).
17. See note 4, *supra*.
18. Harvey Sapolsky and Jeremy Shapiro, *Casualties, Technology, and America's Future Wars*, 26 PARAMETERS 119, (1996). See also, Sapolsky and Shapiro, *Do Casualties Drive Policy? Public Opinion Can Swing as Body Count Rises*, Defense News, Sept. 27, 1999, p. 23.
19. *U.S. v. Rockwood*, 52 M.J. 98 (1999).
20. *Id.* at 108 (emphasis added).
21. *Id.* at 101 (citing a statement by President Clinton that "My first concern, and the most important one, obviously, is for the safety and security of our troops.").
22. See generally, Don M. Snider, John A. Nagl, and Tony Pfaff, *Army Professionalism, The Military Ethic, and Officership in the 21st Century*, U.S. Army Strategic Studies Institute, Dec. 1999 (monograph).
23. Don Snider as quoted by Harry G. Summers in *Strategy Driven By Fear*, WASHINGTON TIMES, Jul. 15, 1999, at A16.
24. See Project on the Gap Between the Military and Civilian Societies note 4, *supra*.
25. Chris Stewart and David Forsmark, *If Clinton Won Kosovo War, Why Did He Invoke a New Draft?* DETROIT NEWS, Jun. 17, 1999, at A18, visited (Jun. 17, 1999) on the Department of Defense, Current News Early Bird, at <http://ebird.dtic.mil>.

26. *See* Remarks of General Merrill McPeak, USAF (Ret.), The Art of War, Jun. 16, 1999, News Hour with Jim Lehrer (transcript) available on-line http://www.pbs.org/newshour/bb/europe/jan-june99/lessons_6-16.html.

27. *See* note 19 *supra* and accompanying text.

