
Fact Sheet

Funding the UNFPA: China's Coercive Population Control Program

SYNOPSIS: *The United Nations Population Fund (referred to as the UNFPA) is a strong supporter of China's coercive population control program. In 1985 Congress passed the Kemp-Kasten Amendment, giving the President the authority to deny U.S. funds to any organization or program that supports or participates in the management of a program of coercive abortion or involuntary sterilization. The Reagan and the two Bush administrations denied U.S. funding to the UNFPA because of its support for China's coercive program. The Clinton administration restored funding in 1993, as did the Obama administration in 2009.*

Coercion in China's One-Child-Per-Couple Policy

In 1979 China announced a one-child-per-couple family planning policy. In the early 1980's evidence was accumulating that China was employing coercive abortion and compulsory sterilization to carry out this policy. After living in rural China for a year, Steven Mosher wrote:

The Chinese government claims that the guiding principle of the abortion program is voluntarism, but there was nothing voluntary about the process I observed when living in a Chinese village in 1980. It involved subjecting pregnant women, many very close to term, to exhausting morning-to-night study sessions, levying heavy penalties on them and their families, and the actual incarceration of those who still proved recalcitrant. Nor does the description voluntary adequately encompass the reports that have come out of China since then of pregnant women being handcuffed, thrown into hog cages and taken to operating tables of rural clinics.¹

After a three-year investigation of China's one-child-per-couple policy, another report confirmed the Mosher experience:

Publicly, they [Chinese leaders] claim to rely on the powers of persuasion and education, exercising a policy of voluntary consent. . . . But a closer and longer look reveals a very different picture. China, to be sure, is curbing its population growth, but its success is rooted in widespread coercion, mass abortion and

intrusion by the state into the most intimate of human affairs. . . . What emerges from more than 200 interviews spaced over three years with officials, doctors, peasants and workers in almost two-thirds of China's 29 main subdivisions is the story of an all-out government siege against ancient family traditions and the reproductive habits of a billion people.²

Over the years, the evidence grew even stronger. The governmental claims that the program was voluntary stood in stark contrast to the pervasive brutal realities reported on repeated occasions. In the early 1990's, China intensified its population control program. One news account related how unauthorized births were punished:

Villagers say that if they cannot pay the fines, the family planning officials confiscate a cow, a pig, an important farm tool or household belongings like furniture or a television. Sometimes they simply smash the items, and often they knock down the house as well.³

The U.S. State Department's *Country Reports on Human Rights Practices - 2003* confirmed that with respect to China, "Violence against women (including imposition of a birth limitation policy coercive in nature that resulted in instances of forced abortion and forced sterilization) . . ." continued to be a problem.⁴

² Michael Weisskopf, "Abortion Policy Tears at China's Society," *The Washington Post* (January 7, 1985).

³ Shirley WuDunn, "Births Punished by Fine, Beating or Ruined Home," *The New York Times* (April 25, 1993).

¹ "How China Uses U.N. Aid for Forced Abortions," *The Wall Street Journal* (May 13, 1985).

On September 1, 2002, China issued the Population and Family Planning Law, its first formal law on the subject. The National Population and Family Planning Commission enforces the law with assistance from the Birth Planning Association, which has one million branches nationwide.⁵ The Laogai Research Foundation describes the magnitude of the enforcement effort:

The one-child policy is the most ambitious and daunting task the government faces. The State Family Planning Commission has approximately 520,000 full-time employees, or cadres, and the Birth Planning Association, which assists the cadres in enforcement and implementation, has over 83 million part-time employees working at one million locations.⁶

In its 2009 Annual Report, the Congressional-Executive Commission on China reported that all levels of the Chinese government continue all-encompassing interference and control over the reproductive lives of the Chinese people.⁷ The predominant forms of coercion persist, and new, or previously unknown, practices are emerging. In addition to imposing fines upon, imprisoning, or seizing property from the parents of unauthorized children, authorities may blacklist the parents from Chinese credit markets. Additionally, authorities offer monetary payments to incentivize reporting the “out-of-plan” pregnancy of a neighbor, friend, family member, or spouse.⁸

Some local Chinese authorities refine coercive population control to an elaborate points system. Wuyishan City, a county level city in the Fujian

⁴ U.S. Department of State, *China (includes Tibet, Hong Kong, and Macau): Country Reports on Human Rights Practices - 2003* (released by the Bureau of Democracy, Human Rights, and Labor, February 25, 2004). See: www.state.gov/g/drl/rls/hrrpt/2003/27768.htm.

⁵ *Ibid.*

⁶ *Better Ten Graves Than One Extra Birth: China's Systemic Use of Coercion to Meet Population Quotas* (Washington, DC: The Laogai Research Foundation, 2004), p. 24.

⁷ Congressional-Executive Commission on China: Annual Report 2009 (111th Congress, First Session, October 10, 2009) (Washington, DC: U.S. Government Printing Office, 2009), pp. 18-9, 151-60.

⁸ *Ibid.*, pp. 151-3.

Province, awards 15 points to officials for meeting yearly tubal ligation targets and 10 points for meeting IUD targets. Officials earn an additional five points for each mid-to-late term abortion they oversee, and two points for each first-trimester abortion. An official's point tally often determines job promotion.⁹

UNFPA's Support for China's Population Program

The UNFPA has been deeply involved in the China program from the beginning. Officials of the organization participated in the State Family Planning Commission. In 1983, the UNFPA gave China's family-planning minister, Qian Xinzhong, the first U.N. population award. In 1985 the U.S. Agency for International Development (USAID) concluded that “the kind and quality of assistance provided by UNFPA contributed significantly to China's ability to manage and implement a population program in which coercion was pervasive.”¹⁰ In 1987 the UNFPA representative in China said that the government had “shown its full commitment to a family planning program that has been internationally acknowledged as one of the most successful efforts in the world today.”¹¹ In 1991, Nafis Sadik, the executive director of the UNFPA, stated that “China has every reason to feel proud and pleased with its remarkable achievements” and held up the family planning program as a model for others: “Now the country could offer its experiences and special experts to help other countries.”¹²

In a 2002 report on the UNFPA, Douglas Sylva shows that the UNFPA continued to support the China population control program long after it was clear the program was coercive in nature.¹³ He also documents that the UNFPA was instrumental in setting up the policy, that it has a special fondness for the policy, and that the UNFPA has sought to deny

⁹ *Ibid.*, p. 156.

¹⁰ John S. Aird, *Slaughter of the Innocent: Coercive Birth Control in China* (Washington, DC: American Enterprise Institute, 1990).

¹¹ *Ibid.*

¹² XINHUA (China's official news agency), April 11, 1991.

¹³ Douglas A. Sylva, *The United Nations Population Fund: Assault on the World's Peoples* (NY: The International Organizations Research Group, 2002), p. 50.

and explain away the coercion.

U.S. Policy Denies Funding to UNFPA

On July 10, 1985, the U.S. House of Representatives voted to condemn the China population program and eliminate U.S. funding for the UNFPA. In August of that year Congress approved the Kemp-Kasten Amendment to a supplemental foreign aid appropriations bill.¹⁴ The amendment denied funding to any organization or program that, as determined by the President, supported or participated in the management of a program of coercive abortion or involuntary sterilization.

On September 25, 1985, USAID stated that involvement by the UNFPA in China violated the Kemp-Kasten Amendment and disqualified the organization for funding. The Population Institute (which received funds from the UNFPA) challenged this decision in the U.S. Court of Appeals for the District of Columbia. However, a three-judge panel unanimously upheld the USAID determination on August 12, 1986.

In subsequent years, Congress enacted the Kemp-Kasten Amendment as part of the annual Foreign Operations Appropriations Bill. During the Reagan and George H. Bush administrations, USAID reviewed the China program, and the UNFPA's involvement in it, and concluded that no change in the situation warranted resumption of funding. Congress annually redirected the family planning monies to organizations complying with the Kemp-Kasten Amendment.

Clinton Administration Reinterprets Law and Approves Funding

However, in 1993, the Clinton Administration reinterpreted the Kemp-Kasten Amendment, concluding that it applied only to "direct" participation in prohibited coercive policies. The Administration resumed funding the UNFPA.

Efforts to block the flow of federal tax dollars to the UNFPA during the Clinton years had no meaningful success except for a prohibition included in the Fiscal

¹⁴ H.R. 2577, signed into law August 15, 1985 as PL 99-88. NCHLA has published a detailed legislative history of this amendment from its origins to Fiscal Year 2003. See: nchla.org/docdisplay.asp?ID=116.

Year 1999 Omnibus Appropriations Bill.¹⁵ However, in fiscal year 2000, abortion advocates in Congress restored the funding to the UNFPA.

Beginning with fiscal year 1994 and going forward, the annual appropriations laws providing U.S. funds to the UNFPA (subject to a possible presidential review under the Kemp-Kasten Amendment) generally specified certain conditions, for example, that none of the U.S. funds appropriated for the UNFPA be used in China, that the U.S. funds be kept in a separate account and not be commingled with other funds at the UNFPA, that the UNFPA not fund abortions, and that the amount spent by the UNFPA in China be deducted, in whole or in part, from the total U.S. contribution to the UNFPA. In practice, the total U.S. contribution to the UNFPA could be reduced by the amount spent in China but that reduction could be offset by increasing the overall U.S. contribution.¹⁶

Bush Administration Denies Funding

The newly inaugurated George W. Bush Administration released \$25 million to the UNFPA for fiscal year 2001. However, the Administration undertook a study of the UNFPA's role in China for fiscal year 2002. A July 18, 2002, State Department report stated:

The PRC's [Peoples' Republic of China] coercive law and practices amount to a 'program of coercive abortion' and are an integral part of the comprehensive population-

¹⁵ "Provided further, That none of the funds appropriated under this heading may be made available for the United Nations Population Fund (UNFPA)." H.R. 4328, signed into law October 21, 1998 as PL 105-277.

¹⁶ The UNFPA reports that its collaboration with the China program began in 1979. What it designates as its first country program (1981-1984) was in the amount of \$50 million. Its second country program (1985-1989) also was \$50 million. Its third program (1990-1995) was \$57 million. Its fourth program (1997-2000) was in the proposed amount of \$20 million [approved January 1998]. United Nations Population Fund Proposed Projects and Programmes, July 8, 1997, as found in Appendix to *Hearing before the Subcommittee on International Operations and Human Rights of the Committee on International Relations, House of Representatives, June 10, 1998* (Washington, DC: GPO, 1998), pp. 160-75. For its Project Expenditures in China from 2002 to 2009, the UNFPA reports spending \$4.5, 4.8, 4.8, 4.7, 3.6, 4.1, 6.7, and 4.5 million, respectively.

control program that PRC officials at all levels of government work to advance. Regardless of the size of UNFPA's budget in China or any benefits its programs provide, UNFPA's support of, and involvement in, China's population-planning activities allows the Chinese government to implement more effectively its program of coercive abortion.¹⁷

On July 22, 2002, the State Department, citing the Kemp-Kasten Amendment, denied any funding to the UNFPA for fiscal year 2002. In the subsequent years of his tenure in office, President Bush continued to invoke the Kemp-Kasten Amendment to deny funding to the UNFPA. Pro-abortion advocates attempted in various ways to secure funds for the UNFPA. They also sought to block President Bush from redirecting the UNFPA funds to other programs.

Obama Administration Reinstates Funding

On January 23, 2009, in a statement on rescinding the Mexico City Policy, President Obama announced his intention to restore funding to the UNFPA: "In addition, I look forward to working with Congress to restore U.S. financial support for the U.N. Population Fund."¹⁸

Congress subsequently passed the Omnibus Appropriations Act of 2009 (H.R. 1105), exempting the UNFPA from the Kemp-Kasten Amendment, and making \$50 million available to the UNFPA in fiscal year 2009.¹⁹

The Consolidated Appropriations Act of 2010 (H.R. 3288) increased U.S. funding to the UNFPA to \$55 million for fiscal year 2010.²⁰

Coercion Continues in China

Testimony before Congress in 1998, 2001, 2004, and

¹⁷ U.S. Department of State, *Analysis of Determination that Kemp-Kasten Amendment Precludes Further Funding to UNFPA under Pub. L. 107-115* (released by the Bureau of Population, Refugees, and Migration, July 18, 2002).

¹⁸ See: www.whitehouse.gov/the-press-office/statement-president-barack-obama-rescinding-mexico-city-policy.

¹⁹ Section 7079. H.R. 1105 was signed into law by President Obama March 11, 2009 (Public Law 111-8).

²⁰ Section 7078. H.R. 3288 was signed into law by President Obama December 16, 2009 (Public Law 111-117).

2009 reveals that coercive population control practices that began in 1979 continue today.

In 1998, Gao Xiao Duan, an administrator from 1984 to 1998 in a Planned-Birth Office (PBO) in China's Fujian Province, gave firsthand testimony on how the policies on planned-births are carried out. Ms. Gao described "planned-birth supervision teams" organized by the PBOs. At the PBO's behest, the town head and party secretary would order all social organizations – including public security and the courts – to select persons who would be organized into teams.

They are then sent to villages or areas where problems are expected, either for routine door-to-door checking or for swift checking of local violators. Supervision teams are makeshift, and, to avoid leaks, cadres do not know which village they will be sent to until the last minute. Planned-birth supervision teams usually exercise night raids, encircling suspected households with lightening speed. Should they fail to apprehend a woman violator, they catch her husband, brother(s), and/or parent(s) in lieu of the woman herself, and detain them in the PBO's detention room to force the woman into surrendering herself. We then would perform a sterilization or abortion surgery on her.²¹

Ms. Gao listed "a few practices" carried out in the wake of planned-birth supervision: house dismantling, apprehending and detaining violators, sterilization, and abortion. She described one exercise that she led:

I found that two women in Zhoukeng Town had extra-plan births. In a move approved by the town head, I led a planned-birth supervision team composed of a dozen cadres and public security agents. Sledge hammers and heavy crowbars in hand, we went to Zhoukeng Town and dismantled their houses. Unable to apprehend the women in the case, we took their mothers in lieu of them, and detained them in the PBO's detention facility. It was not until a month-and-a-half later that the women surrendered themselves to the

²¹ June 10, 1998 Hearing before the House International Relations Subcommittee on International Operations and Human Rights (Washington, DC: Government Printing Office, 1998), p. 32.

PBO, where they were sterilized and monetary penalties were imposed.²²

On the same day, Mr. Harry Wu also testified, arguing that China's policy is from the central government on down. Because the policy is from the top down, the central government cannot shirk its responsibility for these policies "by referring to 'local cadres' low qualities,' 'deviation from the Center's spirit,' 'force of habit,' 'backward social culture,' or other explanations."²³

Subcommittee Chairman Rep. Christopher Smith (R-NJ) observed that Ms. Gao's testimony revealed new details about the China population control program, for example, that a network of paid informants is used, that sterilization is used not only as a preventive measure but also as a punishment, that the PBOs keep records about the sexual history of every woman within their jurisdiction, or that the PBOs actually contain detention cells.

Ironically, these shocking revelations come only a few months after the United Nations Population Fund (UNFPA) has resumed its formal cooperation with the PRC population program. The UNFPA's announcement this January [1998] of a 4-year, \$20-million China program included a statement that 'China is keen to move away from its administrative approach to family planning to an integrated, client-centered reproductive health approach, based on the principles of free and voluntary choice.' Ms. Gao's testimony today makes clear that this premise is profoundly wrong. UNFPA's renewed arrangement with the PRC population control bureaucrats puts them in partnership with thugs and criminals.

Forced abortion was rightly denounced as a crime against humanity by the Nuremberg Tribunal. The United Nations should be organizing an international tribunal to investigate and prosecute the perpetrators of the Chinese population control program. Instead it goes on funding them and congratulating them.²⁴

In his 2004 testimony, Harry Wu again stated that, "unfortunately the [one-child] policy is still enforced in China."²⁵ As the Laogai Research Foundation, which Mr. Wu founded and directs, summarizes elsewhere: "Cadres use various measures to enforce policy, including the removal of social benefits, fines, detention, destruction of personal property, forced abortion, sterilization, and infanticide."²⁶ In testimony at the same hearing, Mr. John Aird also affirmed that, news stories to the contrary, the "[Chinese] program remains coercive."²⁷ He even stated, "In the last four or five years, foreign journalists in China have cited instances of violent family planning measures more extreme than any reported previously in the one-child policy's 25-year history." After carefully reviewing the evidence of coercion on the China program, Mr. Aird summarized:

What the evidence from Chinese domestic sources makes clear is (1) that the one-child policy is still a basic national policy; (2) that it remains highly coercive and violative of human rights; (3) that the coercion is approved, encouraged, and virtually mandated by the central authorities; and (4) that, despite rumblings of discontent from below, there is no sign that change is imminent.²⁸

Mr. Aird stated that Chinese authorities see criticism from abroad "as an image problem that can be solved by steadfast denial," and that they are abetted in this position by the sympathetic international family planning interests and by superficial investigation by reporters and others.²⁹

In its *White Paper on Population* (December 19, 2000), the Peoples Republic of China "avows it will continue the one-child policy for another 50 years."³⁰

²⁵ See Mr. Wu's December 14, 2004 testimony before the House Committee on International Relations, p. 33.

²⁶ *Better Ten Graves Than One Extra Birth*, p. 107.

²⁷ "Human Rights Violations under China's One-Child Policy," December 14, 2004 testimony of John S. Aird before the House Committee on International Relations, p. 51.

²⁸ *Ibid.*, p. 69.

²⁹ *Ibid.*

³⁰ Testimony of Steven W. Mosher at October 17, 2001 Hearing before the Committee on International Relations, House of Representatives, 107th Congress, First Session

²² *Ibid.*, pp. 33-4.

²³ *Ibid.*, pp. 59-75.

²⁴ *Ibid.*, pp. 28-9.

2009 marked 30 years since the Chinese government first instituted its one-child policy. The Tom Lantos Human Rights Commission heard congressional testimony in November 2009 illuminating new evidence that the Chinese government continues to enforce the policy to devastating ends. According to the testimony of Reggie Littlejohn, President of Women's Rights Without Frontiers:

The Chinese Communist Party would have the world believe that it is relaxing its One-Child Policy. This is propaganda. To the contrary, the National Population and Family Planning Commission of China issued a statement on July 23, [2009] that its One-Child-Policy "will be strictly enforced as a means of controlling births for decades to come." The Chinese Communist Party points out that they have created certain limited exceptions to the One-Child rules. For example, couples who are both only children can now have two children. . . . *The problem with the One-Child Policy lies not in the number of children allowed. The problem lies with the coercive enforcement of the birth limit, whatever that limit might be* (emphasis original).³¹

Ms. Littlejohn proceeded to outline six of the most predominate violent consequences females face under the one-child policy:

1) Forced abortion is traumatic to women. 2) Because of the traditional preference for boys, sex-selective abortion is common and most of the aborted fetuses are girls, a form of "gendercide." 3) Because of this gendercide, there are 37 million more men than women in China today. This gender imbalance is a major force driving sexual trafficking of women and girls in Asia. 4) China has the highest female suicide rate of any country in the world. It is the only nation in which more women than men kill themselves – approximately 500 women a day. I believe that this high suicide rate is likely related to coercive family planning. 5) Women who have violated the

(Washington, DC: U.S. Government Printing Office, 2001), p. 44.

³¹ Testimony of Reggie Littlejohn before the Tom Lantos Human Rights Commission, November 10, 2009. Available at: www.pearlsofchina-thefilm.com/littlejohn3.pdf.

policy are often forcibly sterilized. Forced sterilization is a serious human rights abuse and can lead to life-long health complications. 6) Women are suffering the loss of the children. Recent evidence has emerged that Chinese officials are stealing "illegal" second babies for foreign adoption.³²

At a June 1, 2010, panel on Capitol Hill—called "No Choice Allowed"—Ms. Littlejohn decried that "Many people in America know about the one-child policy but don't know it leads to forced abortions." She noted that an estimated 400 million Chinese children have been aborted since the introduction of the one-child policy, a number larger than the entire population of the United States.³³

The UNFPA's Participation Continues

According to its January 1998 agreement with China, the UNFPA would operate in only 32 counties in which, it was claimed, there would be no coercion in the population control program. In an October 17, 2001 Congressional hearing, compelling eyewitness testimony was presented that this, in fact, has not been the case. Even in these counties, the abuses continue with the knowledge of the UNFPA. Summarizing her September 2001 field trip to China, Ms. Josephine Guy testified:

The interviews we conducted were reported in notebooks, on audio and videotape, and additional photographic evidence was obtained. The abuses we documented during this investigation are recent, ongoing, rampant and unrelenting. And they exist in a county where the United Nations Population Fund claims that women are free to determine the timing and spacing of pregnancy.³⁴

The Laogai Research Foundation also reports on interviews by Radio Free Asia dating from March 2003 concerning family planning policies in an area of China that the UNFPA supports. Clear references are made to the continued use of coercion, including

³² *Ibid*

³³ "Women Forced to Abort under China's One-Child Policy," *Washington Times* (June 2, 2010). See: www.washingtontimes.com/news/2010/jun/2/women-forced-abort-under-chinas-one-child-policy/print/.

³⁴ October 17, 2001 Hearing before the House Committee on International Relations (Washington, DC: U.S. Government Printing Office, 2001), p. 31.

finances and forced abortions. The RFA reporter asked a family planning official about what happens in the case of women who have illegal pregnancies. The response: "We will force her to abort her child. . . . Yes, it must be forced. If it were not, how could we control the population? It is clearly mentioned in our family planning policy." The RFA reporter also asked a woman involved in the UNFPA county project the same question about illegal pregnancies. RFA: "If the government finds out that someone is illegally pregnant, regardless of the length of gestation, will they force her to have an abortion?" Woman: "Yes, these women are forcibly brought to the hospital by family planning officers. If such a woman is not discovered, all responsibility is placed on the family planning officer."³⁵

In its June 26, 2008 report to Congress, the U.S. Department of State again confirmed that China's Population and Family Planning Law and its implementation are coercive and that the UNFPA continues to provide support for and participate in the management of the program. As a result, for fiscal year 2008, the UNFPA was again denied U.S. funding.

However, starting with the fiscal year 2009 appropriations, U.S. tax dollars began flowing to the UNFPA, despite its continued support of China's coercive population control program.

Conclusion

Denial, evasion, and opportunistic arguments cannot change the truth. Coerced abortion and coerced sterilization are realities in China. The United States has an obligation to take a stand for basic human rights and should not contribute to this human tragedy in any way.

RESOURCES

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³⁵ *Better Ten Graves Than One Extra Birth*, pp. 98-99.