# The Theory and Practice of Free Education in Nigeria: A Philosophical Critique

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## Abstract

This paper attempts to locate the genesis of free education in Nigeria and to trace its development. Besides, a philosophical critique of the theory and practice of free education in the country is also attempted with the facts and fallacies highlighted. The paper is a descriptive study and applies philosophical analysis. In the concluding part, it is suggested among other things that government at all levels in Nigeria should state more clearly their stance on free education, publicize this, together with the most important aspects of the policy statements on free education so that the citizenry can know the limit of their expectation from the government.

Keywords: Free education, education in Nigeria

### Introduction

In the traditional African Society, the purpose of education was very clear and functionalism was its main guiding principle (Fafunwa, 1974). The traditional African society, including Nigeria, regarded education as a means to an end and not an end in itself. It was a necessary induction into the society and the responsibility was should ered by the parents in their respective homes and the elders in the society. Education then emphasized social responsibility, job orientation, political and social participation as well as spiritual and moral values. Children learn by doing and theirs was an integrated experience which combined character and in tellectual development with physical training and the acquisition of different skills. At the initial stage, the child is more intimately involved with his mother than with his father. The closeness of the child to his mother from birth to the age of six is because it is the mother and not the entire family who rears the child at this early stage of his development. Between the ages of four and six or sometimes earlier, in some families, the grandparents, uncles and aunts become involved in the education of the child. They send the child on errands, tell him stories, teach him obedience and respect for elders, the code of behavior, and the history of the family or ethnic group. Within traditional Nigerian educational framework, the child has an unlimited access to the stimulating world of Nigerian music and dance. He observes adults and other children and naturally falls in step. The infinite varieties of the African dance movements offer the child one of the best media for physical exercise. The dance and the music also serve as cultural vehicles, which encourage team work. The parents and other members of the community participate in the education of the child. Everyone wants him to be sociable, honest, courageous, humble, persevering and of good report at all times. Fadipe (1970) observed that among the Yorubas, for example, "the education of the young Yoruba boy or girlin the codes of manners, conversation, custom, morals, superstition and laws of his society is therefore achieved through the various members of his family and extended family(usually located in the same compound)" (p.311). Traditional Nigerian education attaches a considerable importance to the promotion of cultural heritage, but this is done without elaborate equipment or complicated teaching methods.

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The child just grows into and within the cultural heritage of his people. The child observes religious services, marriage rituals, funeral obsequies. He witnesses the coronation of a king or chief, the annual yam festival, the annual dance and acrobatic displays of guilds. As a result of the nature of traditional Nigerian education as discussed above, the issue of giving financial remuneration to those responsible for the training of the child or the child having to make payment in cash for education or training received from the providers of such education did not arise.

## Prelude to the introduction of free education in Nigeria

In Nigeria, the programme of free education came into existence with the introduction of Western - oriented formal education system. Christian Missionaries pioneered Western Education in Nigeria. The efforts of missionaries were complemented by the British colonial administration. By the middle of the twentieth century, it could be rightly asserted that the Western form of education had to a large extent been firmly rooted in the Southern part of Nigeria. However, because of the relatively limited objectives of the pioneers of Western Education in Nigeria, the educational development in the country in the period before 1950 was grossly inadequate to meet the needs of the growing nation. The missionaries who had their base in Southern Nigeria were more interested in education as an instrument of evangelization, while the colonial masters saw schools more as agencies for producing various categories of low-cadre workers such as clerks, junior technicians in public works, sanitary inspectors, etc. In Nigeria, the decade of the 1950s was marked by the transition from colonial to independent status (Abernethy, 1952:125).

In 1951, the country adopted a Federal Constitution named after its author; Sir John Macpherson, the then Governor. As in 1952, there were three different political parties in the nation. These were National Council of Nigeria and the Camerouns (N.C.N.C), Action Group (A.G.) and Northern People's Congress (N.P.C). These parties were in control of the government in the Eastern Region, Western Region and Northern Region, respectively. The new Constitution provided democratic election to the regional Houses of Assembly. But, more importantly, the legislature of each region was empowered to make laws for peace, order and good governance of the region, with respect to certain enumerated subjects, of which education was one (Macpherson Constitution, 1951: Section 92 cited in Princewill, 2015). With this new development, therefore, the responsibility for education devolved on the government of each of the regions. Consequently, Ministries of Education were created in each of the regions of Nigeria, and were responsible for education in their respective regions, while the Federal Ministry of Education was in charge of Education in the Federal Territory of Lagos.

#### The outset of free education in Nigeria

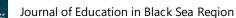
The Action Group Party led by Chief Obafemi Awolowo won the first election to the Western House of Assembly in 1952. In his first budget speech, Chief Awolowo (who was then the Regional Minister for Local Government as well as the leader of Government Business) made it clear to the members of the House that his government would give top priority to education among other things (Awolowo 1960: 263). In July 1952, the Minister of Education in the Western Region; Hon. S.O. Awokoya, presented a set of proposals to the House calling for a free, universal primary education otherwise known as Universal Primary Education (UPE) for the Western Region by 1955 (Awokoya, 1952). As planned by the government, the free education scheme was formally introduced on the 17<sup>th</sup> January 1955. According to Oni (2006), three hundred and ninety one thousand eight hundred and fifty nine (391,859) children appeared for registration in primary class 1 in six thousand two hundred and seventy fo ur (6,274) schools. The attendance, in all classes, altogether, was eight hundred and eleven thousand four hundred and thirty-two (811,432). 136 | P a q e

Four years after the commencement of the free primary education program, the number of primary schools went up to six thousand, five hundred and eighteen (6,518) with one million eighty thousand three hundred and three (1,080,303) pupils attending them. The budget on education by the government was 2.2 million pounds in 1954. It went up to 5.4 million pounds in 1955 (Oni, 2006, p.52, 53). By 1957/1958 education year, the recurrent expenditure on education from the funds of the region was 7,884,110 pounds. The amount covered personal emolument, other charges, special expenditure and grants in aid (Taiwo, 1980, p 117). In 1955 under the premiership of Chief Obafemi Awolowo, the government of the Western Region had to increase the budget from 2.2 Million in 1954 to 5.4 Million in 1955 (Fafunwa, 1974). By 1957/58 the recurrent expenditure and grants in aids of the region was 7,884,110 pounds which covered personal emoluments, other charges, special expenditure and grants in aids (Taiwo, 1980).

The National Council of Nigeria and the Cameroons (N.C.N.C), the then ruling party in the Eastern Region, criticized the free education program in the Western Region, especially the tax measures that were introduced by the government to supplement the finances for the program. When it became obvious that the Action Group (A.G.) was bent on continuing with her free universal primary education (UPE) scheme, there arose rivalry between the two parties and this made the Eastern Regional Government to make announcement in 1953 of its intention to embark on free universal four-year junior primary education covering infant 1, infant 2, standard 1 and standard 2. As a follow-up, therefore, in January 1957, Dr. Azikwe's National Council of Nigeria and Cameroon (N.C.N.C) also introduced her own free primary education program. The government afterwards changed the programme to eight-year free primary education program. The scheme was launched in February 1957. According to Oni (2008), almost everything except the pupils was not available. He further pointed out that the needed finances, the classrooms and necessary educational equipment for a thorough execution were grossly inadequate. Owing to so many problems, the scheme had a bad beginning and eventually failed in just two years after it was started. The government was therefore compelled to change to free universal primary education for the first two years only.

In 1957, the Lagos colony, A Federal Territory also started its own free education scheme and the Lagos City Council bore full responsibility for the programme. Islamic education had been introduced to the Northern Region long before Western education was introduced to Southern Nigeria. As a result of this, while the Eastern and Western regions were introducing free education program, the Northem region was consolidating Islamic education. The program of free education in Nigeria was, therefore, initially a regional project. However, what started as a regional project became a national project on September 6, 1976 when the then military head of state, Lieutenant-General (later General) Olusegun Obasanjo, launched the Free Universal Primary Education Scheme as a national project. With effect from the mentioned date, education was dedared not only free but, in addition, universal in all the then nineteen states of the Federal Republic of Nigeria. The government indicated its intention to make the scheme compulsory from 1979. Two million three hundred thousand (2, 300,000) children were projected to be enrolled in primary class 1, but three million (3,000,000) children showed up for registration (Fafunwa, 1991). Five million five hundred thousand (5,500,000) others joined the new intakes. Altogether, about eight million five hundred thousand (8,500,000) children started receiving formal instruction in primary classes 1 to 6. Within a period of six years, pupils' population rose from 6 million in 1975/1976 academic session to 15 million in 1982 (Fafunwa, 1991, p. 218). During the Second Republic (1979 – 1983), the Unity Party of Nigeria made primary education, among other levels of education, free and universal in the south-west geopolitical zone of the country. In all the five states - Lagos, Ogun, Ondo, Bendel, and Oyo - which the party controlled, no child paid tuition fee. In addition, reading and writing materials were provided for every pupil free of charge.

Further attempt in the practice of free education in Nigeria was in 1999 when on September 30, the then civilian president of the country, Chief Olusegun Obasanjo, launched Universal Basic Education (UBE). According to Babalola Borishade; a former 137 | P a q e



Minister of Education, as in March 2003, the Universal Basic Education had gulped over #13 billion thirteen billion Naira" (*The Guardian*, Tuesday, March 18, 2003, cited in Oni, 2008). The UBE scheme is still on going as at the time of writing this paper; 2017.

## Federal government's legislation on free education

Section 18(3) of the 1999 Constitution of the Federal Republic of Nigeria states that:

Government shall strive to eradicate illiteracy and to this end Government shall as and when practicable provide

- a. Free, compulsory and universal primary education
- b. Free secondary education
- c. Free university education and
- d. Free adult literacy program

In addition, Part 1, Section 2(1) of The Compulsory, Free, Universal Basic Education Act, 2004 states that:

Every Government in Nigeria shall provide free compulsory and universal basic education for every child of primary and junior secondary school age.

Part 1, Section 2(2) of the same document has it that:

Every parent shall ensure that his child or ward attends and completes -

- a. Primary school; and
- b. Junior secondary school education

by endeavoring to send the child to primary and junior secondary schools.

According to Part 1, Section 4 of the same Act, A parent who contravenes section 2(2) of this Act commits an offence and is liable-

- a. on first conviction, to be reprimanded;
- b. On second conviction, to a fine of # 2,000.00 or imprisonment for a term of 1 month or to both; and
- c. on subsequent conviction, to a fine of # 5,000.00 or imprisonment for a term of 2 months or to both.

Section 3(1) of Part 1 states that

The services provided in public primary and junior secondary schools shall be free of charge.

Section 3(2) of Part 1, has it that:

A person who receives or obtains any fee contrary to the provisions of subsection (1) of this section commits an offence and is liable on conviction to a fine not exceeding #10,000.00 or imprisonment for a term of three months or both.

Section 4 subsection 19 (a) has it that primary education shall be tuition-free, universal and compulsory.

Section 6, subsection 34 that concerns mass literacy, adult and non-formal education states that mass literacy programs shall be provided free to the beneficiaries. Section 10, subsection 96b has it that the education of children with special needs shall be free at all levels.

Section fifteen of the Compulsory, Free, Universal Basic Education Act, 2004 and the Comments on p.27 of the same Act contain the interpretation of terms or special words used in the Act. It defines these terms so that there is no doubt as to what they mean in the context of the Act. Some of these terms are as follows:

" Basic Education" & "Universal Basic Education"

"Basic Education" in the context of the law, bears a restrictive definition in section 15(1) to mean early childhood care and education and nine years of formal schooling while "Universal Basic Education" has been broadly defined to include early childhood care and education, the nine years of formal schooling, adult literacy, skills acquisition programs and the education of special groups such as nomads and migrants, girl-child and women, almajirai, street children and disabled groups.

• "Free"

In addition to tuition, the services that will be provided free of charge under the Act have also been clearly stated in section 15(1), these include books, instructional materials, classrooms, furniture and lunch.

Furthermore, Section 2, Subsection 12 of the National Policy on Education (Federal Republic of Nigeria, 2013) has it that:

Basic Education, to be provided by Government shall be compulsory, free, universal and qualitative. It comprises -

- 1 year of Pre-primary
- 6 years of Primary
- 3years of Junior Secondary Education

# A philosophical critique of the theory and practice of free education in Nigeria

According to the Compulsory, Free, Universal Basic Education Act of 2004, in addition to tuition, the services that will be provided free of charge include books, instructional materials, classrooms, furniture and lunch. This clarification from the outset as to what governmental free education program connotes, sets the limit as to what the citizenry should expect from the government in free education package. However, despite this clarification, it must be emphasized that the talk about free education itself is a fallacy as a result of the fact that free education does not exist in the real sense of the word. This is because the cost of education is not limited to the direct cost of education to the individual but also the opportunity cost to the individual for receiving education. The cost of education to the individual includes the purchase of school uniforms, books, educational materials which the student may deem necessary for him/her to succeed, the cost of supplementary lessons (to ensure an excellent performance at school), the cost of food (taken to ensure maximum concentration) and the levies paid at school (however meager) to ensure the development of the school.

The costs of education to the individual also include opportunity costs; which are the amount of the money that the individual would have earned or received had the individual not gone to school. Opportunity costs also include what the individual would

have been doing, had he not gone to school. These are the costs that are not bome and can hardly be borne by the government of Nigeria. For instance, in Mozambique prior to school fee abolition, World Bank (2005) analysis of household data revealed that tuition fees were minimal and did not have a significant impact on enrolment. Instead, parents felt that high opportunity costs were a more substantial burden. Therefore, despite the clarifications given by the government of Nigeria in the Compulsory free Universal Basic Education Act of 2004, as to what the program of free education connotes (free fee, books, infrastructure, classrooms, instructional materials and lunch), not much is being said with clarity concerning the mentioned free education programme and that what is being offered in the free education package is relatively not much. This is more so because the implication of fee- free education is that in most cases, it is not the immediate beneficiary of education that is saddled with the responsibility of paying for it. The burden is shouldered by the government by using public funds. This is obvious in the practice of free education in Nigeria at the regional, state and national level since its inception as discussed in the earlier part of this paper. Incidentally, the contributors to the public coffers from which education is being funded indude the parents and relatives of the beneficiary and in some cases the beneficiary of education might have contributed at one time or the other directly to public funds. Such contributions may be through one form of tax or the other or simply by virtue of being a citizen of the country and therefore a legal co-owner of the nation's resources through which the government generates money that is used for the provision of education.

Furthermore, though the government states clearly in the Compulsory, Free, Universal Basic Education Act of 2004, what its free education program entails (in addition to tuition, the services that will be provided free of charge in dude books, instructional materials, classrooms, fumiture and lunch), one observes that many of the provisions in the Act and the National Policy on Education (2013) are yet to be fully implemented across the nation. For example, Mass Literacy Programs are not in place in the country contrary to Section 6 subsection 34 of the Compulsory, Free, Universal, Basic Education Act of 2004 which states that Mass Literacy Programs shall be provided free of charge to the beneficiaries. Since the programs are not in place to start with, it is logically impossible to have beneficiaries. In the same vein, the education of children with special needs is yet to be made free at all levels as stated in section 10, sub section 96b of the Compulsory, Free, Universal, Basic, Free Education Act of 2004. Children with disabilities in the country still face a multitude of barriers from an overall lack of inclusive education to classrooms that are simply inaccessible. Special groups, such as nomads and migrants, girl child and women, almajiri children (children who live or work on the street) that are supposed to benefit from the free education program of the government according to section 15(1) of the Universal Basic Education Act are yet to be availed of this opportunity across the nation, several years after the enactment of the Act. In the same vein, though the definition of Basic Education and Universal Basic Education in section 15 of the Compulsory, Free, Universal Basic Education Act of 2004 and the Comments on page 27 of the same document encompasses early childhood care and education, the Act is silent on the position of government with respect to the funding of this aspect of education. The National Policy on Education (Federal Republic of Nigeria, 2013), however, has it in section 2, subsection 18c that government shall be responsible for the funding of one-year pre-primary education. Despite this provision, the one-year preprimary education that the government is supposed to be funding in line with its free education programme is still in the hands of private investors in most states of the Federation. This has further exposed Nigerian parents to the exploitative practices of private investors. Despite the professed free education programme of the government, the UNESCO-EFA Global Monitoring Report (2009) reveals that Nigeria has more primary age children out of school than any other country in the world. As in 2010, the number of out of school children in Nigeria stood at 8.7 million (UNESCO, 2015). Similarly, UNICEF-UIS (2012) has it that in Nigeria, two thirds of primary school age children in the poorest households are out of school, and of them, almost 90% will probably never enroll. The situation should have worsened as at the time of writing this paper due to insurgency in the northern part of the country, general insecurity in the nation coupled with economic recession and the increasing wave of corruption. Notwithstanding the alarming number of out-of-school children in Nigeria, no parent has ever been reprimanded, fined or imprisoned for not ensuring that his/her child is in school as stipulated in section 4 of the Universal, Free, Compulsory, Basic Education Act of 2004. These happenings and reports indicate a contradiction between the theory and the practice of free education in Nigeria.

While the government of Nigeria professes commitment to free and compulsory education in the country, the financial resources devoted to the initiative have remained inadequate for years. As a result of this, direct charges are made in most public primary schools. These charges include contributions made by individual parents directly or jointly through Parents' – Teachers' Association, to supplement government's inadequate funding of schools. The prevalence of diverse forms of monetary charges in Nigeria's public primary schools is also substantiated by Humphreys and Crawford (2014) when they report that the 2010 NEDS (Nigeria Education Data Survey) reveals that the main reason why parents and guardians gave for the primary aged children having never attended school were the distance to school, child labor needs at home and the monetary costs. In the public secondary and tertiary schools in the country diverse forms of fees also are being charged. In the same vein, Okoli (2015) points out that there has been a steady increase in fees in Nigeria's tertiary institutions since 1990s and that this increase has had a toll on many students who could not continue their programme. She observes further that the increase of the fees has been a serious hindrance to access to quality education in Nigeria, and a major hindrance to Education for All (EFA) in Nigeria.

Furthermore, in the UBE Act of 2004, government promised to provide textbooks and even midday lunch. This provision is yet to be fully implemented in the country. In few cases where textbooks were provided, the quantity was grossly inadequate (Amoge, 2016). The provision of midday lunch is also at the pilot stage after more than a decade that the UBE Act came into f orce. In addition, Wiener (2010) points out that reports suggest that, despite the fact that enrolment increases associated with free primary education, some inequalities still remain and these are exacerbated by such practices as paying for extra tutoring. As a result of this, the policy of free education in Nigeria, designed to promote opportunities for children to have an unrestricted access to basic education, has led to a system where there is inequality in succeeding in basic education depending on a child's family financial circumstances; a critical factor that determines the ability to afford private tuition and other things to supplement what the public schools offer. The public schools that are available in most places (primary, secondary and tertiary) and are also relatively cheap do not provide quality education. On the other hand, the private schools which are better in terms of facilities are not everywhere and they are very expensive.

That Nigeria's primary schools are facing the challenge of quality becomes more glaring in the global competitiveness report for the period 2009 – 2010 where Nigeria's primary education level was ranked 132<sup>nd</sup> out of 133 countries that were surveyed (Daily Sun 2009 cited in Ejire 2011). In the same vein, The Universal Basic Education Commission acknowledges that there is a shortage of teachers, while it stated in UNICEF (2012) Global Initiative, that the "UBE Programme is in dire need of 40,000 t eachers" given that there were only 590,655 teachers catering for the learning needs of 24.77 million children in primary schools. Bamiro and Adedeji (2010) also point out that the quality of learning and research work in Nigeria's tertiary institutions has significantly declined over the years leading to overcrowding and unconducive learning and teaching environment. Incidentally the situation is not changing for better.

Section 18(3) of the 1999 Constitution of the Federal Republic of Nigeria states that:

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It is logical to deduce that the clause "as and when practicable" as reflected in the section of the 1979 Constitution cited above is tantamount to talking about to morrow which never ends. This is because, apart from government's provision in the UBE Act of 2004 and the National Policy on Education (2013) which have to do with commitment to free education at the primary level and one year of pre-primary education, government has remained silent since 1979 on taking proactive steps towards ensuring free, compulsory and universal education at the other levels of education in the country. In addition, the challenge of corruption in the country which has paralyzed many initiatives over the years in all sectors of the nation, including education, and which continues to paralyze wonderful initiatives that would have done the nation a lot of good, has continued unabated. Commenting on the evils of corruption, Huguette Labell, a onetime chair of Transparency International as reported by Nwaokugha and Ezeugwu (2017) wrote that corruption ruins lives and obstructs attempts at social and economic development. While commenting on the level of corruption in Nigeria's Universal Basic Education Commission (UBEC), Mumuni and Sweeny (2013:308) report that 3.3 billion Naira (US\$ 21 million) was lost in 2005 and 2006 to illegal and unauthorized utilization of funds. In addition, Orubite (2008) writes that a particular State Universal Basic Education Board (SUBEB) in Nigeria spent eight hundred million naira to organize a one-day training workshop for teachers. With the prevalence of corrupt practices of these magnitudes in almost every sector of the nation including education, the provision in the 1979 Constitution that education shall be made free as and when practicable also does not show much of the spirit of optimism and is very far from the perspective of UNICEF and UIS (2012) on how to address the challenge of out of school children as they write:

"To put it simply, build it and they will come. Optimism will not pull the world's 121 million out of school children and adolescents into school unless policy makers enact specific interventions to address the barriers that they face".

Furthermore, the provision in Section 18 (3) of the 1999 Constitution of the Federal Republic of Nigeria that education shall be made free as and when practicable implies that the right to free education is not an *absolute right in Nigeria*. However, the various sections of The Compulsory, Free, Universal Basic Education Act (2004) and Nigeria's National Policy on Education (2013) cited in this paper provide for a greater right than the Constitution provides, in that they make the right to free education absolute. This is obviously a contradiction. However, the contradiction is excusable in the sense that while it is not allowed for a law to be passed that takes away from the rights given in the Constitution, the relevant bodies may pass a law that gives a broader version of the rights given in the Constitution with the proviso that it does not go against the spirit of the constitution. It can also be logically inferred that the assumption at the time the Compulsory, Free, Universal Basic Education Act of 2004 and the portion of the National Policy on Education (2013) that concerns the provision of free education were put in place by the relevant authorities, they applied their minds to the economic means of the country and other relevant factors and they came to the conclusion that it was proper to make specific provisions for free education at some levels, on the basis that it was practical to do so and on the basis that if and when the situation changes and becomes, they may repeal or amend those Acts on the basis that free education is no longer practicable.

Similarly, the clause in the Constitution which tied the provision of free education to "as and when practicable" places the citizenry in a position where they cannot successfully put pressure on the leadership of the nation with respect to free education

programme for a more functional and more comprehensive programme as any and every demand made at any time can always be met with the section of the Constitution that ties the provision of free education to "as and when practicable". The determination of "as and when practicable" is obviously the prerogative of the government, therefore, leaving the citizenry "at the mercy of the government" as it were.

### **Conclusion and Suggestions**

In the light of the intricacies surrounding free education program in Nigeria, the contradictions between its theory and practice coupled with the nebulous nature of free education itself as a concept as discussed in this paper, it is suggested that, instead of making orchestrated noise about free education which as a concept is neither easy to explain nor easy to comprehend, the government of Nigeria would communicate its policy more clearly and more meaningfully with the citizenry if it talks about subsidizing the cost of education. This, among other things, will prepare the citizenry to face the reality instead of holding on to the nebulous concept of free education. This will also enable the citizens to know clearly where to draw the line between their own responsibilities and that of the government. This suggestion also goes to relevant authorities in other nations that claim to be practicing free education, those aspiring to introduce the policy of free education and international organizations making policy statements on free education.

Following the submission of UNICEF and UIS (2012) that across the globe household poverty is linked to the most persistence barriers to education, the fact that while Nigeria has achieved high economic growth rates in the last five years (6 per cent annually), the growth has not been equitable and an estimated 54 per cent of the population lives below the poverty line (43 per cent urban, 64 per cent rural with 90 per cent of the poorest people living in the north) (UNICEF 2013) coupled with the argument of Ejere (2011) that no matter how little the cost associated with education may be, there will be parents in Nigeria who can not afford it and such can keep pupils out of school, it is suggested that more than ever before, proactive steps be taken by the government to address the challenges of corruption and other factors in the country that are responsible for poverty. It is further suggested that special attention be given to the submissions of UNICEF and UIS (2012) that "*in countries such as Nigeria, targeted interventions alone cannot compensate for weak educational system; the emphasis has to be on investments to strengthen and expand the system to ensure a sufficient number of schools that children can attend*.

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