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How Corporal Punishment Undermines a Democratic Society: Is its Use Necessary in Botswana Schools?

Agreement Lathi Jotia[1] and Keene Boikhutso[2]

University of Botswana, Department of Languages and Social Sciences, Private Bag 00702, Gaborone, Botswana
E-mail: [1]<agreementjotia@yahoo.com>, [2]<Boikhutso@mopipi.ub.bw>

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ABSTRACT This paper argues that although Botswana is crowned as a shining example of African democracy, its education system has failed to adhere to the ideals and principles of democratic education. The paper charges that the use of corporal punishment in Botswana's classrooms is not only undemocratic but also undermines and calls into question the country's ability to promote a democratic society. What is needed is a multi-pronged approach covering more intensive research into the policy and practice of corporal punishment, training teachers on non-violent ways of disciplining children, making sure teachers have a good and sound knowledge of educational law, legal implications, law suits, litigation and the ramifications that might arise from inappropriate use of corporal punishment in the classrooms. Finally, the paper advances that since Botswana is a democracy; its education system has to strive to protect children's individual rights as well as their civil liberties.

INTRODUCTION

The end of democracy is a radical end. For it is an end that has not been adequately realized in any country at any time ~John Dewey (1937)

Botswana is popularly known as a miracle story of African democracy because of the socio-economic and political developments that it has made since independence. On a comparative note, to most of the African countries, she has managed to maintain a democratic system by ascertaining that elections are held after every five years as per the constitutional stipulations. Although we cannot always equate elections with the success of a democracy, at least Botswana has managed to uphold the constitution to avoid any social unrest or political chaos. Most of the African countries at some point in time have experienced disheartening and painful socio-economic and political upheavals which have left the masses in a state of disarray. Botswana certainly might have its own shortcomings pertaining to governance and the dispensation of democratic practices, but so far the country has staged a good show in as far as democratic leadership is concerned given the African standards.

Although Botswana could be seen to be doing well democratically, the issue of setting up structures in the education system that enhance the teaching and practicing of democracy in schools has become a mammoth task, if not one of the greatest challenges. Of course, in general terms, we can talk about a successful story of African democracy, but all the same, democratic ideals are also supposed to be nurtured in the school system. The goal of a school as Dewey (1937) has observed, is to instill in each member an ability to think reflectively and critically, so as to become a successful member of a democratic society. The production of democratic critical thinkers in Botswana schools has been a challenge. Corporal punishment has been legalized in Botswana schools which to a large extent suppresses and contradicts the ideals of democracy in education.

Of late, cases of child abuse in schools have been rampant since teachers take the law into their hands by administering corporal punishment indiscriminately and without adhering to the rules of its implementation. This in some instances has triggered civil unrest in schools, strikes and violence which led to vandalism of property. According to Harber (1998: 1) making reference to Dewey, he indicates that in cases where democracy has fallen, it was too exclusively political in nature. It had not become part of the bone and blood of the people in daily conduct. Unless democratic habits of thought and actions are part of the fiber of the people, political democracy is insecure. Truly so, democracy is supposed to be part of the daily fiber of the people even in schools. Students and teachers promote a democratic community when they develop an inclusive classroom and school environment, one where all students can participate with fairness and justice, democracy is pro-

moted when students learn to work together to respect one another and to resolve conflicts and achieve community goals (Campbell 2004: 238). This is what is currently lacking in Botswana schools. The indiscriminate use of corporal punishment in schools suppresses the emergence of a platform for democratic empowerment and engagement and in the ultimate it promotes sour relationships within the school environment. Campbell further observes that in order for schools to better serve the marginalized and alienated children, they should formally teach democracy and fairness as part of the curriculum so that students can experience fairness, safety, respect and trust (p. 239).

AUTHORITARIANISM IN BOTSWANA SCHOOLS

Addressing the issue of democracy in education, Gutmann (1999) notes that the democratic virtue advises that we should publicly debate educational problems in a style that will help increase our understanding of one another as well as our education rather than leaving things to the school management and relying heavily upon the judgment of the most enlightened experts as observed by Kant (1899 cited in Gutmann 1999). Children in Botswana schools have a minimal say in the administration of the school as well as how the curriculum should be run or having an input on some of the development projects which are supposed to be instituted in school. Schools which are run by marginalizing the voices of the learners are just the same as prisons or factories whose pursuit is just mass production (Harber 1998). Children are the hope for the future and are also the future of any democracy. Addressing the issue of *African Children and HIV/AIDS,* Howard (2003 in Howard and Singhal 2003: 3) contends that 'a community's hopes and aspirations are embodied in their children; children present possibilities. They are a community's bright signal…' If children are to truly become bright signals in Botswana schools, then the manner in which they are treated should change so as to give them a platform where they can emancipate from being docile citizens to being critical thinkers who can pursue their country's democratic obligations without fear for being punished corporally or victimized otherwise. Gutmann (1999) opines:

At the levels of government, citizens have a legitimate interest in teaching children a civic culture; democratic politics is the proper means for the shaping of that culture; and primary schools that serve simply to perpetrate the beliefs held by dominant majorities-whether at the federal, state or local level-are agents of political repression. Education is not democratic if citizens do not collectively influence the purposes of primary schooling nor if they control the content of classroom teaching so as to repress reasonable challenge to dominant political perspectives (p.75).

Taking into account Gutmann's statement above, it could be argued that the process of educating should be spearheaded by teachers who have the intellectual mission of exposing children to democratic praxis during the teaching-learning process so that they could become active community members. Green (1999) states it is important that we understand the meaning of an ideal democratic community in our daily lives and that in our interrelated diversity we should strive to create local communities that have a sustaining and transformative democratic character. The school as a social institution of learning should provide a basis for the sprouting of that democratic culture.

Newell (2006: 1) posits that corporal punishment of children breaches their rights to respect for human dignity and to equal protection under the law. Addressing the issue of children and their rights in Botswana schools, Newell (2006: 2) further indicates that:

Corporal punishment is lawful in schools under the Education Act (Corporal Punishment) Regulations. The head teacher is authorized to inflict up to five strokes of the cane on a child, but this authority can be delegated to a teacher. Draft amendments to the Children Act confirm the right of teachers to administer "reasonable" correction. In June 2007, the Education Secretary for Ngami Region reported a Baseline Study which found that 92% of students had been beaten at school…In a survey by DITSHWANELO (a human rights group) on corporal punishment in schools, 90% of respondents said they used corporal punishment on children.

The above research findings are disturbing especially in a country which is supposed to be exemplary in pursuing the ideals of democracy in Africa. Although the intention of corporal

punishment according to the penal code, is to deter behavior or certain unwanted attitudes in children, in Botswana, corporal punishment in schools has now turned into an act of violence against children more so the administration of corporal punishment is done haphazardly without following the stipulated rules and regulations. Whenever teachers become too cruel and sarcastic with their learners, the result are that they will end up with devastating results as well as feeling intimidated in school which could consequently hamper positive attitudes within the learning process (Campbell 2004).

In one of the most disgusting and perplexing cases of the abuse of corporal punishment in schools, a student was corporally punished, punched on his face and had his private parts grabbed. According to Ditshipi (2009), there was an incident at Gaborone Senior Secondary School where a student was firstly physically abused by the school security guard, who later handed him over to a couple of teachers and ultimately to the school head so that he could be punished. Ditshipi (2009) exposes:

…According to the boy's police statement, three teachers, the one who beat him the previous day, two others and the security guard were called to witness his punishment. Apparently the school head asked him if he thought he was a man and that if he was a man enough they should then fight each other. The school head punched and slapped him on the face, then squeezed the boy between his legs and gave him more strokes on the back, allegedly uttering the words, ke tlaa go bolaya (I will kill you). While all that was happening he locked the office and another teacher, took off his belt and pulled down the boy's pants and grabbed his private parts (p.3).

It is absolutely outrageous to learn that schools can be grounds where children are brutally abused. Apparently, the only offence that the student committed was to ask for permission to go home and collect one of his books while classes where in session. However, shocking to learn is the fact that some students had been granted permission earlier to go and get their books. Such incidents of child abuse under the pretext of corporal punishment degrade a student's self- esteem and in some instances can instill hostility and an element of vengeance. Democratic behaviors can only be encouraged within a safe school environment and if the teachers and administrators fail to consistently instill a positive, appropriate and fair structure of discipline, then peer groups are likely to disrupt the school as adults fail to maintain a reasonable standard of school-appropriate behavior (Campbell 2004: 249). Banks (1997: 1) cements this argument:

A fundamental premise of a democratic society is that citizens will participate in the governing of the nation and that the nation-state will reflect the hopes, dreams and possibilities of its people. People are not born democrats. Consequently, an important goal of the schools in a democratic society is to help students acquire the knowledge, values, and skills needed to participate effectively in public communities. Educating students to be democrats is a challenge in any kind of society. It is a serious challenge in a society characterized by cultural, ethnic, racial, and language diversity, especially when these variables are used to privilege some individuals from some groups and to deny others opportunities to participate.

Given the above assertion by Banks as well as the gruesome experience of child abuse indicated above, a contention could be made that Botswana cannot produce active and pragmatic democrats if schools continue to condone violence against children by teachers. How does one make a democrat by pulling students' private parts? Obscure behaviors of teachers such as the one indicated above do only contribute to turning schools into dreary warehouses where the human dignity and the teaching-learning process are highly compromised.

Jotia (2008: 145) shares that teachers in Botswana schools are often armed with sticks, *sjamboks (whips)* and board dusters during their teaching and even outside the classroom it appears as though corporally punishing students even for minor offences is a tradition. In one of the studies by Jotia; *The Quest for Deep Democratic Participation: Schools as Democratic Spaces in the Post-Colonial Botswana,* he reveals that he came face-to-face with the brutality and authoritarian state of affairs of Botswana schools. During some of the class observations, he saw teachers punishing students for failing tests, coming late to school and for talking to their colleagues in various classes. Democratic practices were rare to find. Phorano (1988) in Holm and Molutsi (1988: 95) states:

The very structure of education in Botswana rejects the idea of democracy. There is a ladder

of seniority that is uncompromising. The principal is at the top, followed by the deputy principal, the senior teacher, and the ordinary teachers. One can tell this hierarchy from the position and size of offices. The authoritarian nature of our schools is reflected in the person of the teacher who enforces discipline with the stick, whose teaching is dominated by the lecture method. Desks in class are regimentally arranged with the teacher in front reflecting his dominant and authoritarian role and passivity of the pupils. The teacher even supervises evening studies and entertainment. In the end, students learn that they are expected to conform to the dictates of the rulers, no matter how irrational the commands are. If they do not conform, they experience the high cost of punishment.

If Botswana is to continue holding the crown of being a shining example of African democracy, then the manner in which the young democrats (students) are treated should definitely change. Subjecting children to abuse and silencing them through corporal punishment will never yield any positive results in as far as their attitudes and behaviors are concerned. If anything, the schools are going to produce rebellious people in society. According to Campbell (2004), teachers can reduce discipline problems and design their classroom for better democratic control by creating a positive learning environment, promoting student choice, promoting on-task behavior, and promoting positive teacher-student communications (p. 240).

In a study by Muchado (2002) on *The Perceived Needs for School Counselling Services in Primary and Secondary Schools in Botswana,* students generally indicated that they hate corporal punishment and that in some instances it makes them feel, so angry, hateful and above all, they do feel that they are being oppressed. As though not enough, another study by Tafa (2002), *Corporal Punishment: The Brutal Face of Botswana's Authoritarian Schools,* shows that the researcher observed students being caned for using vulgar language, coming late to school, fighting and for not doing their homework. The amazing thing is that in the same school, the school head was seen '…holding student's head with his left hand, then tilting it to the left and then whacking the student's right cheek three times' (Tafa 2002 cited in Jotia 2008: 147). It is well documented that the widespread and extensive use of corporal punishment in Botswana's schools and in other countries intimidate, inflict pain and fear among the leaners thus affecting their ability to learn effectively in a more conducive environment. But more importantly the indiscriminate and official sanctioning of the use of corporal punishment negatively impacts on the effectiveness of classroom interaction. Besides, it also calls into question the country's ability to promote a democratic society. This is one of the unintended consequences that are often neglected on the extant literature on the use of corporal punishment.

Corporal punishment suppresses the leaner's potential for democratic engagement. Pansiri et al. (2010) contend that people who grow up being used to corporal punishment, can always look forward to rewards and punishment even in their daily experiences. According to Pansiri et al. (2010), in Botswana a number of students violate the school rules and regulations knowing very well that when they are caught, they will be beaten and get over with it. Such kind of students end up joining the work environment with the same attitude and consequently they become poor performers with low self-motivation and self esteem. Consequently, they lose their jobs since they cannot perform where corporal punishment is not administered. Now, do we really expect those kinds of graduates to participate in the country's democratic exercise such as voting? Obviously, they may look towards someone having to punish them in order to go and vote. In other words, corporal punishment becomes a "motivational factor" that should drive someone to do something. That is very dangerous in any democratic society-you cannot have citizens acting only after being punished. Green (1999) observes that unity and respect for one another within the school environment helps promote valued and balanced diversity and also prepares students to participate in democratic society's cooperative conversation which includes desirably differing perspectives and values within shared processes of social inquiry and community building that will democratically reshape the entire range of social institutions in ways that improve the mutual flourishing of each and all (p. 65).

ACTS OF ABUSE OF THE GIRL CHILD IN BOTSWANA SCHOOLS

Culturally the girl child is not supposed to be heard but just seen and if a girl proves her-

self to be a genius at school and even within society in general, she will be subjected to unnecessary scrutiny and at times she will be called names for 'trying to be manly.' The dictates of *Tswana culture* let alone African culture, marginalizes the girl child to a second or even third class citizen and the treatment that they get in school also portrays societal biases against them. In addition to the pains of corporal punishment, girls in Botswana schools are also sexually abused by teachers who at times are of the age of their father or even grandfather. In addition, they are also marginalized in positions of school leadership. This is truly an excruciating double jeopardy which triggers emotional trauma. In fact, apart from the psychological and emotional trauma, the girl child is predisposed to adopt a negative attitude to politics hence limiting their ability to contribute towards democratic dispensation.

In a study, *Shattered Hopes*, by one of the women's rights groups, *Metlhaetsile* which focused on cases of sexual abuse of girls in rural areas, it is revealed by Woods (2000) that out of the 800 students, of which 422 where girls aged between 13-16 years, 38% of the girls reported that they have been touched in a sexual manner without their consent. In addition, 17% are reported to have had sex with the abuser and 50% claim that they were forced into a sexual encounter. As though not enough, 34% of the students revealed to have indulged in sex for money, gifts or favors and the most shocking and painful thing is that 48% indicated that they have never used a condom during their sexual encounters. It is sad to note on the basis of the above statistical realities that the school environment in Botswana makes girls vulnerable to both physical, emotional and sexual abuse and yet schools are supposed to be safe environments for children. Clearly the undemocratic nature of our schools poses one of the greatest challenges to promote a democratic society. A free and democratic society can only be achieved if the girl child is free to actively participate in all school activities without fear of being physically and emotionally abused.

Naturally, girls are weak physically and they end up being taken advantage of in school because they do not have the muscle to wrestle it out with their abusers. They ultimately undergo grief and depression which consequently leads to poor achievement and failure to self-actualize. In some instances, some of the girls end up being aggressive and hostile to society because of their experiences. Malete (2006) charges that when youth are exposed to antisocial experiences or behaviors, they end up developing significantly antisocial, aggressive, violent and criminal behavior which in the long run can undermine as well as affect the civil liberties and security of others. Schools in Botswana are increasingly becoming very unsafe because of the unruly behavior of children which in some instances is triggered by the manner in which they are treated. Hence the undemocratic nurture of our schools makes it increasingly difficult to promote a just and free democratic society.

Malete (2006) further notes that some disturbing cases such as the so-called passion killings, typically involving the murder of girl friends by their boyfriends or recently jilted boyfriends are becoming rampant in schools. He reasons that in addition to instances of murder, stories of gangs of youth who go about causing havoc in the villages by beating up, stealing and raping people are becoming pronounced and almost all this children who get involved are children whose antisocial behavior could have been triggered by the society in which they belong and most of it starts in schools. According to Malete, researchers have indicated that violence and aggression among children are often caused by maltreatment, physical abuse as well as low self esteem. Andinkrah (1995 cited in Malete 2006: 3) argues specifically that physical abuse and excessive use of corporal punishment have both been linked to low self-esteem and aggressive tendencies among youth. Similarly our ability to promote a democratic society is severely constrained.

Children, especially the girl child needs protection both at school and in society in general. According to the Education Act in Botswana, girls are not supposed to be corporally punished by male teachers but teachers continue to act against this stipulation. No one really cares to enforce the rule. Lex von (2009) outlines some of the regulations, regulation 11 and 12, governing the administration of corporal punishment which in any case are often violated by teachers.

- 11 (3) corporal punishment shall not exceed three strokes:: provided that where, in the opinion of the headmaster, a pupil is guilty of a serious breach of good order

or discipline, the headmaster may administer corporal punishment to the pupil not exceeding five strokes, or may cause such punishment to be administered in his presence by another teacher.

- 11 (2) (c) the punishment shall not be administered with such severity to break the skin of the pupil.
- 11 (2d) the punishment should not be administered to any part of the pupil's body other than, in case of a boy, his palms, buttocks or the back of his legs, or in the case of a girl, her palm or calves.
- 12 (1) every headmaster shall maintain a punishment register, which shall be produced by him for inspection on request by the Permanent Secretary or a public officer authorized by him in writing in that behalf.

Although the regulations are clear, they are never adhered to. Moswela (2008) posits that part of the explanation is the inadequate teacher's knowledge and understanding of educational law, civic liabilities and litigation. According to Moswela, the knowledge of educational law is an imperative for teacher's practice. The nature of the teaching profession exposes teachers to civic liabilities and litigation because in the process of discharging their duties they invariably need to discipline students who display bad behavior. And "in disciplining students, teachers use a variety of punishment including corporal punishment. Without knowledge of the legal implications of their actions, inadvertently they find themselves on the wrong side of the law" (Moswela 2008: 93).

Child abuse is not only endemic in Botswana but is a global problem that needs to be addressed by all the stakeholders (Shumba and Moorad 2000; Shumba 2011). On the one hand, there is need to make children aware of their rights and safeguard them from all forms of abuse – emotional, physical or social (Shumba and Moorad 2000; Shumba 2001). On the other hand, Moswela (2008) reminds us that it is the duty and responsibilities of all of us (including teachers) to not only know the law but also what (Shumba and Moorad 2000) constitutes child abuse. Unfortunately as shall be demonstrated below with a specific case study from Botswana, the majority of people in Botswana are not fully aware of the rights of children and the pieces of legislation protecting these rights (Shumba and Moorad 2000). It is in this context that Shumba (2001) though specifically talking about child abuse by teachers in Zimbabwean secondary schools, posits the rhetorical question: 'who guards the guards in schools?' Shumba's (2011) main argument is that the society entrust authority, power and respect on teachers as agents of social change. Yet some teachers abuse this trust forgetting that children look-up to them for guidance and assistance in dealing with their (children) social problems. This is the irony that we turn to in the context of child abuse from one of the schools in Botswana.

A school head of one Secondary School in *Mochudi* village faced some serious allegations (which turned out to be true) in 2009 that he had abused school girls corporally by administering punishment on their buttocks which resulted in one girl seeking medical attention. After investigations, it emerged that the school head indeed abused the girls by striking them on the buttocks and argued that he was operating within the confines of the Education Act. To make matters worse, he did not even maintain the punishment register as per the demands of the Act. This is just a clear indication of how children are taken for granted especially the girl child who is often at the center of physical, emotional and sexual abuse by those in positions of power. As a democracy, Botswana needs to guard against the abuses of children in society in general and in schools in particular. Every democracy ought to safeguard the dignity of all its citizens especially the powerless and defenseless innocent children. In fact, chances are that students who grow up in the environment that emphasizes extrinsic rather than intrinsic controls are not well prepared to participate as citizens in a democratic society.

In the light of the case study presented above, the question that needs to be asked is:: should Botswana ban the use of corporal punishment in the schools or maintain the current status quo? In other words, what is the way forward and what specific lesson can be learned from countries that have banned corporal punishment particularly in Africa? Kenya and South Africa are among the countries that have officially banned the use of corporal punishment in schools (Mweru 2010; Morrell 2001). However, despite the illegal status of corporal punishment in the two schools, teachers still continue to persistently use it. In South Africa corporal punishment has been used to maintain discipline in

the schools (Morrell 2001). In 1996 after protracted criticism of corporal punishment, the South African government banned its use in schools (Morrell 2001). The use of corporal punishment in the Kenyan schools was banned in 2001. This was the result of the enactment of the Children's Act as well as Kenya becoming a signatory to the United Nations (UN) Convention on the Rights of the Child. The two instruments theoretically entitled children to protection from all forms of abuse and violence (Mweru 2010).

Three important lessons arise from the experiences of Kenya and South Africa. First, as stated earlier, the two countries have officially banned corporal punishment in schools yet in reality its use persists though unofficially and illegally. What is intriguing is that the reasons for the persistence and illegal use of corporal punishment are similar. These also stem from the historical legacy of its use in the education system (Mweru 2010; Morrell 2001). Second, is the often neglected explanation that corporal punishment persists because parents use it at home and support its use in schools. The logic is that teachers use corporal punishment because parents continually authorize it. In other words, even though the use of corporal punishment is banned and illegal in Kenyan and South African schools, teachers are prepared to break the rules as they believe its use is in the best interest of the students (Morrell 2001; Mweru 2010). Third, corporal punishment is widely used because of the belief that it is the most effective way to discipline children. Thus corporal punishment is used under the pretext that there seems to be no effective alternative to its use (Morrell 2001; Mweru 2010). This line of reasoning is global in nature hence not peculiar to Kenya and South Africa.

This now brings us back to the question: should Botswana abolish the use of corporal punishment in the schools or stick to the existing status quo? Empirical evidence suggest that the introduction of myriad of laws protecting children is not a ready-made solution as teachers will readily break them if they believe corporal punishment is good for children. What is needed is a multi-pronged approach covering more intensive research into the policy and practice of corporal punishment, training teachers on non-violent ways of disciplining children, making sure teachers have a good and sound knowledge of educational law, legal implications, law suits, litigation and their ramifications and more importantly child abuse and how it can be tackled to protect boys and girls (Mweru 2010; Moswela 2008).

CONCLUSION

In a democratic and a pluralist society, schools are expected to nurture participation and democratic engagements by both teachers and students. It is a violation of democratic principles of engagement to have schools that perpetrate imposition of fear and docility amongst students through indiscriminate use of corporal punishment. This study has demonstrated that there is a link between undemocratic classrooms and the challenges of promoting a democratic society. The use of corporal punishment impacts negatively on the effectiveness of classroom instruction. Its prevalence at the classroom and school level means that for most part, students are subjected to an environment that is not conducive for effective and active learning and participation. As a result, there is likely to be a disconnection between what the students have actually learnt in class and what they ultimately do in the world after school. Furthermore, excessive use of corporal punishment means more emphasis on the use of extrinsic controls to regulate student's behavior. Then the chances are that students who grow up in this environment that emphasizes extrinsic (rather than intrinsic) controls are not well prepared to participate as citizens in a democratic society. It goes without saying that the widespread use of corporal punishment in Botswana's classrooms and schools in general calls into question's the country's ability to promote a democratic society.

The issue of corporal punishment in schools stands out as one of the greatest enemy of nurturing democracy through pronounced social relationships. Lack of student-student and teacher-student interaction as well as absence of meaningful dialogue within a school environment is tantamount to declaring a no democracy zone within academic institutions, especially in a country that claims to be a shining example of democracy. The use of corporal punishment to enforce and impose hierarchical dominance of teachers over students and specifically male teachers over female students is something that has to be bluntly criticized if at

all democratic education is to become a reality in our schools.

RECOMMENDATIONS

Botswana's education system needs to protect children's individual rights as well as civil liberties at the same time enhancing the flourishing of participatory democracy in the teaching-learning process. The call for the democratization of education is a call that if taken into cognizance, would promote greater citizenship engagement. As such, there is absolute need to move away from school structures and policies or regulations which perpetrate undemocratic contexts of learning. The starting point should be the abolishing of corporal punishment in schools; it does not only affect the dignity of the learner but also endangers the existence of democracy in school. The democratization of education is essential if at all the rights and civil liberties of children are to be protected. In order to democratically restructure our schools in Botswana as social institutions for democratic engagement and praxis, we ought to liberate our children from abuse and cultivate a culture of mutually symbiotic and harmonious and transformative democratic communities. Democracy is about respecting the other's voice as well as according them the due respect and dignity they deserve by virtue of them being human.

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