DECONSTRUCTING THE STATE POLICE THESIS AS AN ANTIDOTE TO INTERNAL SECURITY CHALLENGES IN NIGERIA, 1999-2018

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Abstract

The increasing security challenges in Nigeria particularly as from 1999 have conditioned the clamor for State Police thereby igniting a national conversation on the subject. This paper using primary and secondary sources laced in a historical methodology makes a contribution to this on-going dialogue. It dissects the State Police thesis against the backdrop of its potency as an antidote to innumerous and escalating security challenges. Whilst disagreeing with the State Police thesis, it argues that though the Federal Police appears overwhelmed by the magnitude of internal security incongruities, the fundamental problem with the system is not necessarily its structure but the attitude of Nigeria Police personnel and the character of the elites in power. The paper insists that unless there is a restructuring of the attitude of the elites in power, the efficacy of the State Police antidote is doubtful. The peculiar historical, social and economic realities in Nigeria blight whatever promise State Police theoretically hold. Therefore, rather than enthrone State Police, a reformation or re-engineering of the Federal Police particularly its operations is advocated. It is hoped that this paper would help broaden policy options for strengthening the Nigeria Police.

Introduction

Hardly a day passes without an incident of killing or a manifestation of security threat in the country. It is either Boko Haram militants, herdsmen militia, cattle rustlers, armed robbers, kidnappers or Niger-Delta militants menacing innocent citizens. Although these security challenges predate the new wave of democratization which began in Nigeria by 1999, the opening of the political space arising from the liberalization that democracy necessitates, allowed the ventilation of pent up frustrations and dissatisfactions. Accumulated grievances have since been expressed in ways that have increasingly diminished the containment capacity of the federally controlled Police. It is this that has conditioned the agitation for State Police. Proponents of this thesis project State Police as an antidote to the seeming incapacitation of the federal Police. The growing internal security challenges have therefore framed the discourse around State Police igniting as it were contrasting and contending views.

This paper seeks to join this national dialogue and make a modest contribution to the conversation. Unarguably, the Federal Police appears overwhelmed by the increasing internal security contradictions. But the fundamental question is, Is State Police an antidote to the plethora of security challenges in the country? Though there have been several views against the establishment of State Police. Much of the arguments do not go beyond mere rejection of the idea, not much is said in terms of chatting a way forward particularly as it relates to a workable police system. This paper beyond puncturing the State Police thesis makes an informed suggestion on the way forward.

For a logical flow of thought, the paper is divided into sections. The first section sets the thrust. The second section overviews the nature of internal security challenges in Nigeria since 1999 so as to situate the context in which the clamor for State Police has arisen. The third section dissects the State Police thesis stating the core arguments. The fourth section contains the concluding thoughts.

An Overview of Internal Security Challenges in Nigeria

A convenient starting point in over viewing the dynamics of internal security challenges in Nigeria is to put into context what is being referred to as internal security. Imobighe¹, points out that internal security may be conceptualized as freedom from or the absence of those tendencies which could determine internal cohesion and corporate existence of the nation and its ability to maintain its vital institutions for the promotion of its core values and sociopolitical and economic objectives as well as meet the legitimate aspiration of the citizenry. Iweze², on his part sees internal security as the totality of the nation's equilibrium state which must be maintained to enhance the State performance of its responsibility without unnecessary interruptions from anywhere. Flowing from these definitions is the inference that disruptions in the peace and freedom of inhabitants of a country arising from internal contradictions could rightly be termed internal security challenges.

It is important to make the point at the onset that, internal security challenges in Nigeria are not a 1999 development. In fact, the challenges of internal security go back to the cradle of

nation-states. Armies for domestic peace –keeping and maintaining national sovereignty have existed since the dawn of recorded history and in Nigeria since the creation of the Nigerian State. Nevertheless, since the return to democratic governance in 1999, the Nigerian State is increasingly been faced with various forms of security challenges, many of which are undermining the very foundations of the State. Karl Maier in a seminal work on the crisis in Nigeria entitled *this house has fallen* restates the seriousness of the crisis in Nigeria thus,

Designed by alien occupiers and abused by army rule for three quarters of its brief life span, the Nigerian State is a battered and bruised elephant staggering toward an an abyss with the ground crumbling under its feet. Should it fall, the impact will shake the rest of West Africa...Ethnic and religious prejudices have found fertile ground in Nigeria, where there is neither a national consensus nor a binding ideology...This sort of politicized tribalism, a constant companion to the modern version of globalization, is the biggest threat to international peace and stability³.

Maier's articulation of the crisis in Nigeria is indeed didactic. Internal security challenges in Nigeria are deeply rooted and have piled up for long, spanning the era of colonial rule, military rule to the present. The return to democratic governance in 1999 provided the opportunity for the people to vent their pent up tension and disaffection with the existing social, political and economic order. Uncouth expression of frustrations and governance contradictions are spurring insecurities in various forms. Some of the major security challenges confronting the Nigerian State could be identified to include, political and electioneering conflicts, socio-economic agitations, ethno-religious crises, ethnic militias, boundary disputes, cultism, armed robbery, herdsmen militia and more disturbing Boko Haram terrorism. Abraham and Aghedo have provided a summary of the internal contradictions in Nigeria since 1999 thus,

...since the transition to civil rule in 1999, violent insecurity has surged With different perpetrators such as militants, kidnappers, cultists, pirates and terrorists. In the Niger Delta, in the South South geo-political zone, grievance over injustice in oil wealth distribution and environmental degradation had led to militancy in much of the 1990s and 2000s. Beyond the oil producing Niger Delta, the North Central zone has been turbulent owing to incessant conflicts between "indigenes and settlers", farmers and herders, as well as Christians and Muslims. Terrorist activities by Boko Haram sect in the North Eastern part of Nigeria represent the greatest threat to lives, investments and even the existence of the Nigerian State in recent years. The extremist group which is domiciled in the north eastern zone rebels against the State in the hope of creating a theocracy based on Sharia law⁴.

The conglomerate nature of the Nigerian nation it has been argued is at the centre of many internal security challenges. Those who share this view assume that the ethnic plurality or heterogeneity of the nation provides the basis for conflict, which is particularly so because of

the way and manner the British colonialists designed contemporary Nigeria without ensuring the proper integration of constituent units'⁵. This development has since created what J.O. Connel calls the "inevitability of instability".⁶

Also of concern in underscoring the sources of internal security challenges in Nigeria is the nature and particular character of the State and indeed its ruling elites. Having emerged from the womb of imperialism, the State in Nigeria genetically exists as an instrument in the hands of the ruling class for the domination of other classes in the society. The elite class in Nigeria is preoccupied with surplus exploitation, maximization and appropriation. The implication of this on the masses is that they are polarized along ethnic and religious divides. In all parts of the country, there exist ethno-religious conflicts that are stimulating new and particularistic forms of political consciousness and identity often structured around ethno- religious identities. The increasing claim over resources like oil, land, chieftaincy and other trivial issues is resulting to large scale killings and violence amongst groups. Today, inter-ethnic competition and conflicts pose a major threat to development and in fact the survival of the State in Nigeria. Indeed, the increasing spate of killings in Nigeria and magnitude of destruction calls to mind the Hobbesian State of natural anarchy, a state of existence in which every community is at war with its neighbors⁷.

The internal security challenges orchestrated by Boko Haram and Herdsmen militia are the greatest security challenges unsettling Nigeria at the moment. Though it is difficult to pin down Boko Haram to a specific coloration be it political, religious or economic. The nomenclature, modus operandi, regional base and indeed composition give the group an ethnic identity garb. The organization came to limelight with the official name jama'atul Alhul Sunnah Lidda wati jihad which means "people committed to the propagation of the prophet's teachings and jihad".8. However, the group is popularly known as Boko Haram meaning "Western Education is forbidden". The sect was founded by Mohammed Yusuf in early 2000. The group's anti-establishment rhetoric gained a lot of supporters' chiefly young people. Boko Haram started violent activities by fermenting sectarian violence using clubs, machetes and small arms on Christians. The momentum of violence heightened in 2008 and 2009 resulting to the death of hundreds of people. By 2010, Boko Haram had added Molotov cocktails and simple improvised explosive devices to its tactical repertoire. Since then Boko Haram has continued to be more lethal in attacks. The bombing of Nigeria Police Force Headquarters in Abuja on June 16, 2011, the UN House in Abuja on August 26, 2011, the kidnap of over 200 school girls in Chibok, the twin bombings at Nyanya in Abuja⁹ and the recent kidnap of over 100 Dapchi school girls add up to the hundreds of Nigerians killed by Boko Haram. The economic and social costs of these destructions are monumental and reincarnating suspicion among the ethnic groups in the country.

Closely related to the Boko Haram challenge is the increase spate of killings by herdsmen militia. Although herders and farmers conflict is an age long problem, the bout of clashes became rampant and frightening as from the year 2000; shortly after the return to democratic governance. For instance, herders/farmers clashes in the Yelwa-Shendam area of Plateau State between 2002and2004 led to the loss of about a thousand lives¹⁰. This saw ethnic,

political, economic and religious tensions overlap and the consequences are reflected in the deep distrust between Fulani herders and mostly Christian farming communities. In 2014, Global terrorism index reported that more than 1, 200 people lost their lives as a result of militant herders¹¹. The January 2016 massacre of over 300 people at Agatu in Benue State, the killing of over 40 people at Nimbo village in neighboring Enugu State, the New Year day killing of over 73 persons in Logo and Guma local governments are but few examples of killings by herdsmen militias¹². Just recently 19 worshippers including two priests in a catholic church in Mbalom, Gwer- East local government of Benue State were murdered while celebrating mass sparking nationwide condemnation and protest by Christians¹³. General Abdulsalami Abubakar while addressing a group known as "the Search for Common Ground" on his farm, released mind bugling statistics. He asserted that clashes between Fulani herdsmen and peasant farmers in four States of Plateau, Nasarawa, Kaduna and Benue in 2016 led to the killing of 2,500 people, 62, ooo people displaced; \$13.7 billion dollars lost to the clashes and 47 per cent of the internally-generated revenue in the affected states lost 14. Worried about the increasing spate of killings in the country, the office of the Senate President, Dr. Bukola Saraki released the following statistics of killing in the Middle Belt from January 1st to April, 30, 2018.

TIMELINE ON KILLINGS IN MIDDLE BELT SINCE JAN 1 TO 30TH APRIL, 2018.

- · January 1 73 killed in Logo and Guma LGAs in Benue
- · January 1 2 killed in Awe LGA, Nasarawa
- · January 1 25 Killed in Keana LGA, Nasarawa
- · January 3 3 killed in Markurdi, Benue State
- · January 4 6 killed in Wukari in Taraba
- · January 4 1 killed in Gassol LGA, Taraba
- · January 5 4 Killed in Lau LGA, Taraba
- · January 5 15 killed in Tse Akombo, Tse Vii and Tse Agule vilages in Benue
- · January 6 55 killed in Lau LGA in Taraba State
- · January 8 3 killed in Sardauna LGA, Taraba
- · January 8 Two policemen killed in Logo, Benue State
- · January 13 10 killed in Birnin Gwari LGA, Kaduna
- · January 13 1 killed in Makurdi LGA, Benue
- · January 14 1 killed in Bassa LGA, Plateau
- · January 14 1 killed in Ibi LGA, Taraba
- · January 16 5 killed in Madagali LGA, Adamawa
- · January 16 5 killed in Guma, Logo and Okpokwu LGAs Benue
- · January 18 11 killed in Madagali LGA, Adamawa
- · January 21 1 killed in Barkin Ladi LGA, Plateau
- · January 21 6 killed in Juman LGA, Adamawa
- · January 23 9 killed in Ardo Kola, Adamawa
- · January 24 4 killed in Kaiama, Kwara
- · January 25 15 killed in Bassa LGA, Plateau
- · January 26 3 killed in Bassa LGA, Plateau
- · January 26 2 killed in Ukum, Benue

- · January 29 1 killed in Guma, Benue
- · January 31 1 killed in Jema'a LGA, Kaduna
- · January 31 –9 killed in Birnin Gwari, Kaduna
- · February 1 4 killed in Gassol, Taraba
- · February 2 –10 killed in Song, Adamawa
- · February 5 2 killed in Guma, Benue
- · February 6 8 killed in Obi, Nasarawa
- · February 8 6 killed in Shellen, Adamawa
- · February 10 2 killed in Benue
- · February 10 3 killed in Bassa, Plateau
- · February 11 4 killed in Jema'a, Kaduna
- · February 12 2 killed in Guma, Benue
- · February 26 12 killed in Kajuru, Kaduna
- · February 27 20 killed in Demsa, Adamawa
- · March 1 15 killed in Saradauna, Taraba
- · March 4 20 killed in Saradauna, Taraba
- · March 5 25 killed in Okpokwu, Benue
- · March 7 2 killed in Takum, Taraba
- · March 8 11 killed in Bassa, Plateau
- · March 9 9 killed in Bokkos, Plateau
- · March 12 26 killed in Bassa, Plateau
- · March 13 7 killed in Guma, Benue
- · March 13 1 killed in Lokoja, Kogi
- · March 14 32 killed in Daima/Omala, Kogi
- · March 14 6 killed in Bassa, Plateau
- · March 15 5 killed in Takum, Taraba
- · March 19 –10 killed in Omala, Kogi
- · March 20 11 killed in Birnin Gwari, Kaduna
- · March 22 3 killed in Jos South, Plateau
- · March 24 5 killed in Makurdi, Benue
- · March 30 6 killed in Jema'a, Kaduna
- · April 4 6 killed in Chikun, Kaduna
- · April 4 4 killed in Takum, Taraba
- · April 4 10 killed in Gwer West, Benue
- · April 5 5 killed in Dobga, Taraba
- · April 5 30 killed in Gwer West, Benue
- · April 5 50 killed in Offa, Kwara*
- · April 7 4 killed in Bali, Taraba
- · April 7 2 killed in Agatu, Benue
- · April 8 5 killed in Birkin Ladi, Plateau State
- · April 8 5 murdered in Obi, Nasarawa
- · April 8 4 killed in Keana, Nasarawa
- · April 9 1 killed in Guma, Benue

- · April 10 10 murdered in Benue
- · April 10 51 killed in Wukari, Taraba
- · April 12 2 killed in Markudi, Benue
- · April 12 2 murdered in Birnin Gwari, Kaduna
- · April 13 5 killed in Bassa, Kogi
- · April 14 4 killed in Logo, Benue
- · April 14 78 murdered in Obi, Nasarawa
- · April 17 1 killed in Logo, Benue
- · April 18 4 killed in Bassa, Plateau
- · April 19 1 killed in Kutigi, Niger
- · April 19 1 killed in Gwer West, Benue
- · April 20 31 killed in Guma, Benue
- · April 25 19 killed in Gwer East, Benue
- · April 25 38 killed in Guma, Benue
- · April 25 7 killed in Awe, Nassarawa
- · April 28 14 killed in Birnin Gwari, Kaduna
- · April 29 5 killed in Gwer West, Benue

Source: Daily Post, May 16, 2018.

These statistics indicate the lethality of attacks and the attendant security challenges in the country. This alarming data is also an indication of failures in internal security which the Nigerian Police has responsibility. It is also this that has opened the flood gates of agitations for State Police. Protagonists of this agitation seem to believe that State Police is an antidote to the plethora of security challenges. But is it really an antidote?

Interrogating the State Police Thesis

It is important to begin by putting into context what is meant by State Police. Aremu¹⁵, describes State Police as "territorial policing". It is a sub national form of policing in which there is devolution of security operations in the hands of the federating States or regions. In simple terms, State Police implies a policing structure controlled by a State government rather than the federal government or President of the federation. The deplorable security challenges in the country have heightened agitations for State Police. The existence of State Police is projected by protagonists as an antidote to numerous security challenges in the federation. Proponents of this view argue that it accords with the principle of federalism on which Nigeria styles its Constitution. They further insist that each State has its own peculiar security challenges which can only be better managed by the officers who are familiar with the terrain, culture and way of life of a particular people in a given locality. Supporters of State Police also argue that Nigeria is too large and heterogeneous for its security matters to be over centralized. They point to the fact that the long process of getting approval from the Inspector General of Police before any action can be taken to quell insurrection or security threat in a given State, worsen the security situation in the country. For this school of thought, the blood bath and other security challenges in the country are largely a manifestation of an inefficient federal Police¹⁶.

Antagonists of the State Police thesis on the other hand insist that Nigeria is not ripe for it. They argue that creating State Police at this level of our development is an invitation to chaos. Apart from the impunity of office and the possibility of abuse of power, State Police could lead to the disintegration of the country. Those who oppose State Police wonder how State governments would fund State Police given that only few States in the country are up to date in the payment of salaries. For this school, State Police will be a catastrophe¹⁷.

It suffices to restate the fact that the clamor for State Police in Nigeria historically draws inspiration from the experience during the colonial era and therefore it is not a new development. Britain had always maintained a decentralized policing system in Nigeria. It started with the enacting of the 1861 Police ordinance law that established the Lagos Consular Guard Police system recruiting about 30 men in that year with subsequent enlistment in other years that made it up to 600 men by 1863 and by 1879 reached 1,200 officers, under the administration of an Inspector General of Police. By 1896, the Lagos Consular Guard was transformed into Lagos Police Force. In the Northern parts of the country, the Royal Niger Company which was granted a Royal Charter in 1886 by the British government set up the Royal Niger Constabulary in 1888 which was headquartered in Lokoja to protect its installations along the banks of the River Niger. When the British government in 1900, sequel to the transfer of administration from the Royal Niger Constabulary proclaimed Protectorates of Northern and Southern Nigeria, the Royal Niger Constabulary was split into the Northern Nigeria Force and the Northern Nigeria Regiment. In the South, the Lagos Police Force and part of the Niger Coast Constabulary became the Southern Nigeria Police Force in 1906, while the bulk of the Niger Coast Constabulary formed the Southern Nigeria Regiments. By 1914, even after amalgamation of the Northern and Southern Protectorates, the Police forces operated separately. It was only on April 1, 1930 that both the Northern and Southern Police forces were merged to form the Nigeria Police Force under a centralized control¹⁸.

It is important to add that in spite of the 1930 merger and its legalization by the 1954 Constitution into a Federal Police with regional commands, the colonial administrative policies never discouraged the operation of a decentralized policing system in Nigeria. The point being made here is that, there existed Native Authority Police. In fact, the 1960 independence Constitution and the 1963 Republican Constitution allowed the creation and maintenance of regional, local government and Native Authority systems of police operations. It was the General Yakubu Gowon administration in 1966 that disbanded the regional Police formations and brought them under the sole control and supervision of the Federal government¹⁹. This marked the onset of a unified system of Police operation under an Inspector General of Police. The 1999 Constitution has since given legal backing to this unified arrangement.

It is important to equally make the point that the centralization of the Police Force was influenced by the problems that arose from decentralization of authority particularly as from the 1950s. The ethnic minorities in the country were apprehensive about the power of the regional government and their control of all instruments of coercion. The minority ethnic

groups preferred than the Nigeria Police should be controlled at the center by the Inspector General Police so as to provide them with some sense of security. In fact, in the Constitutional conferences which preceded independence, it was agreed as a compromise that there should be a unified Police force under an Inspector General of Police who should be responsible directly to the Governor General²⁰.

The experience with Native Authority Police in Tiv land illustrates the historical basis of the apprehension on State Police. The Northern Regional Government which was led by the Northern People's Congress (NPC) used the Tiv Native Authority Police to harass and victimize the local population apparently for supporting the United Middle Belt Congress (UMBC). For instance, the Native Authority law of 1954 which the Native Authority derived its powers had provisions which vested the power of approving political meetings in the Native Authority. Permission to hold a public meeting had to be obtained from the NA (duly signed by the Tor Tiv), and at least twenty-four hours notice of any application was required. While the requirement of notice was often waived in favor of the NPC, opposition parties were frequently refused a permit. Besides this, the NA might require the subjects or topics to be discussed at such meetings to be specified in the permit, a departure from which would then render sponsors and/ or speakers at the meeting liable for arrest for infringement of the conditions laid down in the permit. This was a trap for imprisoning opposition elements for holding public meetings not approved by the NA which alone defined what constituted a public meeting. It was therefore this development that prompted Isaac Shaahu, a UMBC opposition member during one of the debates in the Northern House of Assembly to appeal to the Federal government for a takeover of the Native Authority Police because they were a menace to the opposition party. In fact, the misuse of the Tiv Native Authority police to intimidate the local pollution was one of the factors that caused the Tiv riots of 1960s. The question then is, have these apprehensions being eroded?

The above experience makes it important to take into cognizance the peculiar historical, social and economic context of Nigeria in clamoring for State Police. The call for State Police can be an easy crowd -pleaser, a knee-jerk reaction to recurrent inadequacies of the centre, but at close scrutiny, the arguments are porous. Clearly, the current Federal arrangement has not adequately met the challenges of national security thus igniting the conversation on State Police. But in processing this conversation we must be mindful of history and contemporary realities. The character of elites in power and indeed our practice of politics give little hope that State Police would work better than the Federal Police. The same problems hindering the efficient functioning of the Nigeria Police as presently constituted might equally affect State Police even in greater measure given the character of the elites in power. Existing examples from other climes show that each Federal State in practice adopts a Police structure that is tailored to suit its situation and needs. There is no one cap -fits-all system. Therefore, it is a considered view in this paper that the present Federal Police structure needs to be fine tuned to make it more efficient and effective. However, the conversation ought to be on strengthening the institution particularly reforming the accountability structures of the police and the role of governance bodies such as the Police Service Commission in order to be more inclusive, to insulate policing from the negative effects of politics. More importantly, there is the need to assign operational responsibilities to State governors to give practical effect to their roles as chief security officers in the States. This in our view would enhance quick response to security situations.

Another critical issue advocates of State Police fail to consider is the fear of minorities in States where indigene-settler disputes are prominent. What checks and balances would ensure that State Police does not become "indigene Police". Beyond that, who would ensure representative recruitment, training and standards? When we consider the status and concerns of non-indigenes in a situation where "indigene-settler" relations are tense and State Police were allowed to equate to indigene Police. The role of security forces in times of communal tensions could be deeply worrying and inflammatory.

On funding, it is important not to confuse State governors making donations to Police with capacity to fund State Police. Occasional capricious handout to Police is not co-terminus to funding State Police. One wonders how States with difficulty in paying salaries would pay Police personnel. What would happen in the event of delayed salaries is better imagined than told. The result could be an armed and legally empowered group of men and women in uniform with a strong interest in paying themselves which in such circumstances would prove more of a threat to security than a provider of it. It is important to also make the point that many advocates of State Police ignore the fact that vast majority of constable-level recruits are posted to their States to police a local public of which they are culturally and linguistically part. To assume that local policing by indigenous personnel would make up for the lapses in the Federal police structure is to underrate the very issues that are generating internal security challenges.

By these arguments, this paper disagrees with the State Police thesis. The reality in Nigeria today is that most of the "State" controlled institutions have failed and are failing to perform optimally. Take State Independent Electoral Commissions for instance, this institution across the States have been appropriated by State governors such that opposition political parties have little or no hope of winning elections except in rare situations. It is always the party in power that wins local government elections. Again, given the financial distress in majority of the States in the country, it is difficult to guarantee funding for State Police. It is curious to imagine how State Police would work efficiently in a country where State Houses of Assembly have become rubber stamps of respective State governors. Moreover, the fundamental problem in Nigeria is not the structure of institutions but the particular character of the elites in power. The elites in Nigeria are materialistic, parochial, selfish, sentimental, unpatriotic and non-nationalistic and therefore they have continued to frustrate institutions. Clearly, the unwavering primordial attachments of the elites becloud their sense of judgment. Unless there is a restructuring of the attitudes and proclivities of elites in power or government, no structural organization would work including State Police.

Conclusion

The paper interrogated the appropriateness of the State Police thesis as a panacea to internal security challenges in Nigeria. It noted that the Nigerian State is increasingly been weighed down by daunting security threats. These security challenges are at the bottom of the growing agitation for State Police. Though these agitations are not new, the liberalization created by the wave of democratization particularly as from 1999 provided impetus for a national conversation on the subject. The paper argued that the fundamental problem with the Nigerian Police is not necessarily its structure but the attitude of personnel and elites in power. Therefore, what is required is not State Police but a strengthening and decentralization of the operations of the Police to make it efficient and effective. This can be enabled through a number of internal reformations and capacity building efforts. Community policing could also be strengthened particularly in intelligence gathering. We must adopt a Police structure that suits our peculiar historical, social and economic situation and not adopt structures that would turn our country to a geographical landscape for internally displaced persons. The call for State Police in contemporary times is more of a political rallying rhetoric rather than a realistic solution to internal security challenges in Nigeria.

Endnotes

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