

Power and Justice

Political Science 13D – 818554-818559
University of California, San Diego
Prof. Gerry Mackie, Fall 2014
Center 119; MW, 9:00 – 9:50 AM
+ Discussion Section

23 September 2014

As of October 1, 2014

PURPOSE

This course is an introduction to *political theory*, the subfield of political science that deals with moral and conceptual questions and the history of political thought (the rest of political science is empirical, it studies what is, not what should be). It is not a course on moral philosophy, or a survey of the history of political thought. It is an introductory sampling of political theory, with a focus on central concepts of power and justice.

A student completing this course would know better how to conduct moral argumentation (what is right for me to do, for us to do) and how to clarify her political values. She would briefly be introduced to some of the giants of political thought, and would begin to learn how to read an esteemed text from the past. She would learn how contemporary political philosophers conduct argumentation and analysis. She would know a variety of ways to understand the ideas of *power, justice, and liberty*.

PREVIEW

Is *justice* simply the interest of the stronger, as the ancient Athenians inform the Melians they conquer and destroy; or as Thrasymachus rudely proclaims at the dinner party in Plato's *Republic* written 2400 years ago? Is *liberty* Thrasymachus' goal of having the maximum power, including power over others that deprives their liberties? If justice is something other than arbitrary, self-serving power, is it only something that people in a group happen to agree upon, or could a group's idea of justice be mistaken in some ways? If so, how would we decide that there is a mistake?

The course is about politics, not personal morality, and to understand political justice we have to consider the central problem of politics: the problem of order. Why government? Is any government at all better than the war of all against all? Government is established, John Locke said metaphorically, to guard us against foxes and polecats, but absolute government is a fearsome lion. What distinguishes a just government from an unjust government that would devour us like a lion? The power of government, and of other forces in society, is not just *visible*, but in senses to be made precise, is also *hidden* and *invisible*. To control the evil that power can do, or to use power for good, we should understand its three faces.

Government power and social power can properly uphold our liberties or deny them, according to John Stuart Mill's classic defense of the liberty to do as one chooses unless it harms the liberty of others. Indeed, *equality* and *liberty* are the central values in our political tradition; we favor a society and a government that enables equal liberty for all rather than the maximal liberty of one or a few to harm, enslave, and deny the liberties of others as advocated by Thrasymachus. But what counts as equal liberty? One meaning of liberty in American discourse is that no human agency interferes with one's activity: freedom as noninterference. There are additional conceptions, however, of positive liberty and of republican liberty. A major instance of liberty as noninterference is the ideal of free exchange on the market; we'll read celebrations of its value and also ask whether market exchange can fail to be free.

A simple idea of how to achieve justice is to maximize average income in a country, or across the globe, and this has been the goal of economic development until recently. Indian economist and Nobel Prize winner Amartya Sen, in both technical and popular work, argues that material income is only one aspect of enhancing the capacities of humans as agents, what he calls *development as freedom*. For Sen, the poverty that justice should remedy is not just lack of money but deprivations of a variety of human capabilities, including for example the right to democratic voice and vote. Another conceptualization of global justice, ultimately compatible with Sen's focus on human agency, is to aim for the realization of international human rights. Human rights discourse has two faces: it demonstrably has been applied as a pretext for domination but also, recalling Appiah in week two, can be developed and applied to liberate in a contexts of ongoing intercultural discussion.

COURSE CONDUCT

You won't be graded on the basis of your political views. In this course we will study and discuss personal and public values, conceptions of justice, and people's political and moral beliefs. You are encouraged to state and defend your beliefs forthrightly (or you may discuss the issues hypothetically and impersonally, as you please). All viewpoints are welcome: anarchist, socialist, left-liberal, libertarian, conservative, religious, Green, Democrat, Republican, indifferent. Inside the course the professor and the teaching assistants are not political partisans or advocates, but are here to encourage considerations of all sides of any issue. Sometimes instructors may take a position opposite to the one on the floor in order to ensure that many considerations are brought to bear on the question; it need not be and probably is not their own view. You will **never** in the course be graded on the basis of your political views; and the way to please instructors is not to echo what you imagine their views to be but rather to challenge them! In this course I do ask students to consider wide conceptions of the value of liberty; but there are good arguments against that wide understanding of liberty which you may find more persuasive. If you think any of us are being one-sided, please let us know.

What we expect from you. You are obliged to attend all lectures and discussion sessions unless you have a legitimate excuse; to do all course readings in advance, to be prepared for and participate in discussion sessions, and to complete and submit assignments on time. Different people legitimately have different reasons to take a course – some are strongly interested in a

topic, some want to explore what it is and see whether they would be interested in more like it, some have a requirement to meet. Whatever your reasons for being here, make the best of it, and contribute to making the course a good learning experience for all.

Academic Honesty. We will abide strictly by standards of academic honesty. That means you must not cheat on exams, must not plagiarize on the writing assignments, and must provide proper citations for written work that you submit, among other things. If you have any questions about what is permitted, consult with us, as ambiguities will be construed against the violator. **I do not have a forgiving attitude about academic misconduct.**

Norms of argument in this class. All instructors and students will master Graham's hierarchy of disagreements and will strive to conduct discussion at Graham level DH4 and above. Most discouraged to least discouraged; Name Calling, Ad Hominem, Responding to Tone, Mere Contradiction. Encouraged: Counter-Argument, Refutation, Refutation of Central Point:

- http://commons.wikimedia.org/wiki/File:Graham's_Hierarchy_of_Disagreement.svg
- <http://www.paulgraham.com/disagree.html>

Use of laptops, tablets, smartphones. A few instructors have begun to prohibit use of these devices. Why? Multi-tasking does not work. Here are some serious arguments about that: <http://www.washingtonpost.com/blogs/answer-sheet/wp/2014/09/25/why-a-leading-professor-of-new-media-just-banned-technology-use-in-class/> I won't ban them, but I urge you to relax and focus on the class rather than cruising in the digital world.

COURSE WEBSITE

The course website is a Blackboard program called TED here at UCSD.

- Here it is: <https://ted.ucsd.edu/>
- Here's how to set up your UCSD computing account: <http://acms.ucsd.edu/students/accounts-and-passwords/index.html>
- Ask TAs if you need help.
- You are responsible for regularly checking the course website for announcements; that helps us keep class emails to a minimum.

The syllabus, announcements, assignments, powerpoints and other material are listed in TED. If you haven't used Blackboard before, familiarize yourself with its nooks and crannies. I will post class powerpoints on TED, I will try to do so in advance, but sometimes will do so right before class or even a few days after. Hint: in class spend time thinking and writing – you don't need to copy out the powerpoints as they will be available to you for download at TED.

CONTACTS

Please initiate inquiry about understanding course matters and other advice with your Teaching Assistant. After you have done that please, for any reason, email or see Professor Mackie.

*All course-related email must contain **13D** in the subject line. Otherwise, it may be neglected.*

Teaching Assistants

- Kyle Haines
 - kylehaines@gmail.com kyhaines@ucsd.edu
 - Soc Sci Bldg 349
 - Office hours, Wed 10-11 and by appt.
- Sean Morgan
 - stmorgan@ucsd.edu
 - Soc Sci Bldg 349
 - Office hours, Mon Wed 11-12, or email for appointment
- Ike Sharpless
 - isharple@ucsd.edu
 - Place to be determined
 - Office hours, Fri 12-1, or email for appointment

My office is at SDSC 153E, Center on Global Justice, San Diego Supercomputer Center, tel. 858 534-7015, email gmackie@ucsd.edu (please email and do not telephone). Office hours are Wednesday, 10-12, or by appointment.

- The CENTRAL (WEST) entrance of the SDSC is on Ridge Walk, north of the Social Science Building and south of Rimac Arena. A path goes downhill to the east. Take the path, enter the main door, continue straight and to the east until you run into windows and can go no further. Then, look right, you will see a sign for UC San Diego Center on Global Justice. At the sign, turn left, and go to the end of the wing; CGJ offices are here.
- The EAST entrance of the SDSC is on Hopkins Drive, north of the Hopkins Parking structure and south of Rimac Arena. Walk west up the outside stairs to SDSC East Entrance. Enter, and go west up one more flight of stairs. At the top, turn 180 degrees and head east, and continue until you can go no further. Then, look right, you will see a sign for UC San Diego Center on Global Justice. At the sign, turn left, and go to the end of the wing; CGJ offices are here.
- BY CAR: From N. Torrey Pines Road, turn east on North Point Drive, follow the road right as it turns into Hopkins Drive, proceed, at the stop sign turn right and uphill on Voight Lane for a short way, then turn right onto floor 6 of the Hopkins Parking Structure. Walk up one flight to 7, take the bridge west to the Social Science Bldg, turn right at SSB and walk north along it, then as SDSC Bldg. becomes visible you will run into a path that goes east downhill to the Central (West) Entrance of SDSC.

Sometimes I will hold office hours at SS **Research** Building 322. NOT Social Science Building,. If so, I will announce it in class and on TED.

ASSESSMENT

- Participation in discussion sessions, 20% of the grade
 - 5% session attendance
 - 10% discussion session one-pagers*
 - 5% T.A.'s assessment of oral participation**
- Take-home midterm, 35% of the grade
- Take-home final, 45% of the grade

Discussion Sessions.

Our three teaching assistants each have much experience teaching courses on their own and are skilled in guiding active discussion in groups on topics of power, justice, and moral and political philosophy. They are brilliant and original scholars working on their PhDs.

The discussion session is a place of learning. You are expected to attend, be prepared, and participate. The discussion session is important, it counts for 20% of your grade.

- Attendance: T.A.s will note it.
 - If you plan to miss a discussion session, let the TA know by email in advance with a legitimate UCSD-accepted excuse.
- *Discussion preparation: you will be provided in advance with a few questions to answer in at least one-half but never more than one single-spaced **hard-copy** page which you will bring to each session. This is to motivate you to attend lecture, read, study, and come into the session with active thoughts.
 - Randomly about three (2-4) times in your section the TA will collect your discussion paper and grade it. No paper is graded 0, an extremely weak paper is graded 1, and most papers will be graded 3.
 - This paper is not a final considered answer but tentative ideas for discussion.
- Oral participation: TAs will assess the quality (of arguments and insights, not viewpoints or conclusions) and quantity of your oral participation.
 - **If you find it difficult to speak in a small group, please try; this is your chance. TAs will be encouraging, not discouraging. If you are extremely averse to speaking, arrange with the TA in advance to write down *your own* thoughts during the session and provide the notes to him at its end.

Take-Home Exams.

You will also be assessed by two take-home exams, one at midterm and one due finals week.

- Content

- At least two weeks in advance of the due date we will provide you with around three topics to write on. You choose one to answer. Here is an **example** that we may or may not use.
 - Using Thucydides, Appiah, and at least one other text, provide an argument in favor of one of the following: Thrasymachus', Glaucon's, or Socrates' view of justice in *The Republic*
- Submission
 - **We will use Turnitin.Com** through the UCSD TED course website.
 - Exams are to be electronically submitted to TED by due dates stated below; any submitted after that time will be considered late.
 - Late midterm exams will be penalized ½ grade for 5 minutes to 24 hours late, and another ½ grade for each additional week late (absent meeting *in advance* requirements for exceptions stated next). Lateness will be excused only if
 - a) the T.A. is notified by email at least 24 hours before the due date and time, AND
 - AND b) the student has a university-permitted
 - AND c) properly documented excuse.
 - The final exam cannot be submitted late except for explicit arrangements made with your TA more than three weeks in advance.
 - If it emerges that you are unable to timely submit the final exam and can show a UCSD-legitimate excuse that would result in an Incomplete grade.
- Format
 - Use one cover page, with only title (if any), the prompt you are answering, your name, and student number.
 - **Only accepted format:** Times New Roman, 12 point, 1 inch margins, double-spaced, with page numbers.
 - Five further pages for midterm, eight further pages for final.
 - Exceeding length, not complying with format: reduction of grade by half point, e.g., B turns in to B-.
 - This provision is intended to reduce everyone's workload by punishing rather than rewarding over-long submissions.
 - One additional page for references cited (if any).
- **Due dates**
 - Mid-Term, five pages, due on Mon **Nov 3, 9 AM**
 - TENTATIVE, check TED announcements to make sure.
 - Final, eight pages, due no later than **Wed Dec 17, 11 AM.**
 - Early submission encouraged.
 - There can be NO ad hoc excuses for late submission of the takehome final. This year the fall quarter pushes right up to the winter break.
 - Notify TAs well in advance about any submission problem

Writing Skills. I encounter graduating students who are not able to write well, and I know from lifelong experience that lacking that skill will limit their career opportunities. In upper-level courses you won't have a discussion session and a TA closely linked to you. Take advantage of this opportunity to get better at making good arguments and writing well. TAs grading your take-home exams will be providing you with advice about our expectations and how to fulfill them. We will post on TED several guides to writing.

Additionally, take advantage of the UCSD Writing Center for undergraduates. They will welcome and assist you. <https://writingcenter.ucsd.edu/>

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Readings and Schedule

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REQUIRED TEXTS

- **Purchase at University Bookstore** or elsewhere
 - For Week 2, Anthony Appiah, *Cosmopolitanism*
 - For Week 10, Amartya Sen, *Development as Freedom*
 - Both texts are on library reserve
- All other readings will be on electronic reserve at UCSD library, both pdfs and urls (urls also listed in the schedule below), organized in folders by week
 - **This course's password for UCSD electronic reserve is gm13**
 - If you notice any defects or other problems with a reserve, first double-check your assumptions, and next **immediately** email instructor gmackie@ucsd.edu with **reserves** and **13D** in the subject line.
- Pay close attention to the reading instructions in the schedule below. I try to reduce readings to a minimum so that students will actually do them. Thus, for some readings that you will open in pdf or by url, you are assigned only selected pages. Sometimes, but not always, I have indicated where to start and where to stop in the pdf itself – check the schedule. I have seen students neglect this and do twice the work they need to do. **Save yourself work.**

SCHEDULE

What is Justice?

- **Week 0.**
 - Fri Oct 3, NO MEETING
 - Shorris, *Riches for the Poor*, 3-11, 24-33
 - Start reading Plato, *Republic*, Ch. 1, 327A-339A, 17-31; Ch. 2 357A-367E, 49-59; Justice
 - Any edition is fine, the best free version is Jowett (but 19th century). But I strongly recommend this translation by Joe Sachs on ELECTRONIC RESERVE:
- **Week 1. Is Justice Might?**
 - Mon Oct 6 Course Introduction
 - Thucydides, *The Peloponnesian Wars*, Power
 - LINK: Read http://www.shsu.edu/~his_ncp/Melian.html

- Abridged dramatization, LINK: <https://www.youtube.com/watch?v=PNzHOqjMHwY>
 - Continue reading Plato, *Republic*, Ch. 1, 327A-339A, 17-31; Ch. 2 357A-367E, 49-59; Justice
 - Wed Oct 8
 - Plato continued
 - Fri Oct 10
- **Week 2. Is Justice Arbitrary?**
 - Mon Oct 13
 - BUY Appiah, *Cosmopolitanism*, Introduction and Ch. 2
 - Read Ch. 3 if you are interested, it's useful but NOT required
 - Wed Oct 15
 - Appiah, Chs. 4, 5, 6
 - Fri Oct 17

Power!

- **Week 3. The Problem of Order**
 - Mon Oct 20, The Problem of Order
 - Hume, "The Circumstances of Justice," from his *Treatise*, ELECTRONIC RESERVE
 - Demick, *Nothing to Envy*, 128-131, 140-146
 - LINK: <http://www.theguardian.com/world/2014/aug/03/libya-freedom-now-flee-new-chaos>
 - LINK: <http://www.washingtonpost.com/posteverything/wp/2014/09/15/i-despised-saddams-police-state-but-the-islamic-state-would-not-exist-under-his-rule/>
 - Hobbes, *The Leviathan*, Chs. 13, 14.1-7, 15.1-3, 17, use any edition, or ELECTRONIC RESERVE
 - Wed Oct 22, NO CLASS, BUT READ FOR NEXT WEEK
 - Aristotle, *The Politics*; I.1-2 The Polis; III.6-8, Sixfold Regimes; IV.7-9, Polity; on ELECTRONIC RESERVE

- Rousseau, *On the Social Contract*, I.1, I.6, last two paragraphs of I.7, next to last paragraph of IV.1, ELECTRONIC RESERVE
- Weber, Politics as a Vocation, on ELECTRONIC RESERVE
- Held, Legitimacy, on ELECTRONIC RESERVE

○ Fri Oct 24

• **Week 4. Order: Legitimate and Not**

- Mon Oct 27, Problem of Order continued
 - Folbre, *The Invisible Heart*, “The Nice Person’s Dilemma,” 22-31
 - Understanding Interdependent Human Action (game theory), by Mackie TBA
 - Moral, Social, and Legal Norms, by Mackie TBA
 - LINK: http://en.wikipedia.org/wiki/Public_good up to including “The Free Rider Problem,” then STOP
- Wed Oct 29 Legitimate Order
 - Readings assigned for Oct. 22
- Fri Oct 31

• **Week 5. The Three Faces of Power**

- **Midterm Exam due** on TED before 9 AM (TENTATIVE – check announcements on TED).
- Mon Nov 3, Powercube
 - LINK: www.powercube.net This is a simply written website on the topic of power. However, it is confusing to navigate. It will be easier for you to click the following links in the order provided (total reading is much more brief than it looks). If you become confused, the last link is a summary table.
 - <http://www.powercube.net/analyse-power/what-is-the-powercube/>
 - <http://www.powercube.net/analyse-power/forms-of-power/visible-power/>
 - <http://www.powercube.net/analyse-power/forms-of-power/hidden-power/>
 - <http://www.powercube.net/analyse-power/forms-of-power/invisible-power/>
 - <http://www.powercube.net/other-forms-of-power/hayward-de-facing-power/>

- important for understanding the third face of power
 - <http://www.powercube.net/analyse-power/spaces-of-power/> quick look
 - <http://www.powercube.net/analyse-power/levels-of-power/> quick look
 - <http://www.powercube.net/other-forms-of-power/expressions-of-power/>
 - <http://www.powercube.net/other-forms-of-power/the-power-in-the-powercube/>
 - http://www.powercube.net/wp-content/uploads/2009/12/Power_Matrix.pdf
 - summary table
- Wed Nov 5, Second and Third Faces of Power Illustrated
 - Vollman, *Poor People*, 173-194, ELECTRONIC RESERVE:
 - Scheper-Hughes, *Death Without Weeping*, 268-276, 316-326, ELECTRONIC RESERVE
- Fri Nov 7
 - Richard Wright, *Black Boy*, Chs. 9-10, ELECTRONIC RESERVE

Liberty

- **Week 6. J.S. Mill *On Liberty***
 - Mon Nov 10
 - Mill, *On Liberty*, Ch 1., selections from Chs. 2, 5, 230-244, 251-255, 258-260, 262-264, 291-294, 302-305, on ELECTRONIC RESERVE:
 - Wed Nov 12
 - Continued
 - Fri Nov 14
- **Week 7. Three Conceptions of Liberty**
 - Mon Nov 17
 - Miller (ed.), Berlin, "Two Concepts of Liberty," 33-47, ELECTRONIC RESERVE

- Marti and Pettit, *A Political Philosophy in Public Life*, 31-52, ELECTRONIC RESERVE
 - Tue Nov 11 VETERANS DAY HOLIDAY
 - Wed Nov 19
 - Mackie, Three Conceptions of Liberty, only 1-10, 12-27, ELECTRONIC RESERVE
 - Fri Nov 21
 - Richard Wright, *Black Boy*, Chs. 9-10, ELECTRONIC RESERVE
- **Week 8. Liberty as Free Market Exchange**
 - Mon Nov 24, Market
 - LINK: Friedman, *Capitalism and Freedom*, Chapter One, http://books.cat-v.org/economics/capitalism-and-freedom/chapter_01
 - LINK: Leonard Read, *I Pencil* – <http://www.econlib.org/library/Essays/rdPncl1.html>
 - Nozick, *Anarchy, State, and Utopia*, 149-153, 160-164, ELECTRONIC RESERVE
 -
 - Wed Nov 26. Market Failure, Including Gender Inequity
 - LINK: <http://robbedonthejob.org/shareyourstory.html>
 - LINK: <http://blog.workingamerica.org/2013/08/02/its-probably-happened-to-you-16-stories-of-wage-theft/>
 - Linder and Nygaard, Void Where Prohibited, 1-11, 44-49, ELECTRONIC RESERVE
 - LINK: <http://steadystate.org/negative-externalities/>
 - Iversen and Rosenbluth, *Women, Work, and Politics*, 17-21, ELECTRONIC RESERVE
 - Nancy Folbre, *The Invisible Heart*, xi-xv, 1-11, 20-21, 38-41, 64-67, 73-75.
 - No discussion sessions this week
 - Thu Nov 27, Fri Nov 28 THANKSGIVING HOLIDAY

Justice as Freedom

- **Week 9. Global Justice**
 - Mon Dec 1
 - BUY Sen, *Development as Freedom*, Freedom, 3-11, 13-34

 - Wed Dec 3
 - Continued, Poverty, 86-94, Missing Women, 104-106, Democracy and Famine, 146-159, 178-184

 - Fri Dec 5

- **Week 10. International Human Rights**
 - Mon Dec 8
 - Matua, "Savage, Victim, Savior," skip all footnotes, read only 201-209, 220-221, 227-235, 245, 249, on ELECTRONIC RESERVE

 - Wed Dec 10
 - Merry, *Human Rights and Gender Violence*, selections, ELECTRONIC RESERVE
 -
 - Fri Dec 12, Review

- **Final Take-Home Exam Deadline**
 - **Wed Dec 17, 11 AM**

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Discussion Session Preparation Questions

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Hint: “But I don’t know the answers to these questions. That’s what I’m here to learn!” A good way to learn is to start thinking about answers to a question and then to talk it over with others and pool perspectives. Your one-page paper won’t be graded on whether it’s “right.” Show us that you are learning and thinking and don’t worry about making mistakes (skipping the lectures and readings and faking answers will probably not work though).

What is Justice?

- **Week 1. Is Justice Might?**
 - Is justice only what power says it is?
 - If so, defend.
 - If not, what is justice and how can we know what it is?

- **Week 2. Is Justice Arbitrary?**
 - Name three ways humans are different from things like rocks, trees, clouds and the like. Are the differences only physical?
 - Name three things that humans need. Are their needs only physical?
 - “Justice is only what your group thinks it is.” One reason for, or one reason against.

Power

- **Week 3. The Problem of Order**
 - If your only choice was to live under a harsh dictator or in circumstances of civil war, which would you choose and why? (This week, write no more than half a page).
 - Interdependent-action learning exercise.

- **Week 4. Order: Legitimate and Not**
 - Name one collective action problem outside of examples discussed in the course.

- Name one way that the collective action problem is or could be regulated by moral, legal, or social norms.
 - If people widely believe a regime is morally legitimate that can make it empirically legitimate. Can subjects be mistaken in believing that the regime they live under is morally legitimate?
- **Week 5. The Three Faces of Power**
 - Find an instance of each of the three faces of power in Richard Wright's *Black Boy*.
 - Identify one other instance of one of the three faces of power outside of examples considered in the course.

Liberty

- **Week 6. J.S. Mill *On Liberty***
 - Name one thing that in Mill's sense is a wrongful harm to others that is not against the law but should be, in your view.
 - Name one thing that is not a wrongful harm to others, is against the law, but shouldn't be, in your view.
 - What is Mill's *social* tyranny of the majority? Identify an instance of it you have observed, and say whether that "tyranny" is morally wrong, indifferent, or right.
- **Week 7. Three Conceptions of Liberty**
 - Find an instance of each of the three conceptions of liberty in Richard Wright's *Black Boy*.
 - Identify one other instance of one of the three conceptions of liberty outside of examples considered in the course.
- **Week 8. Liberty as Free Market Exchange**
 - Thanksgiving, no discussion session

Justice as Freedom

- **Week 9. Global Justice**
 - Referring to readings in weeks 8 and 9
 - Can moral regulation remedy market failure?
 - Can legal regulation remedy market failure, or is it prone to state failure that makes the cure worse than the disease?
 - Week 9
 - Name three capability deprivations other than low income, two from Sen and one not mentioned in the Sen reading.

- **Week 10. International Human Rights**
 - From news of current events, history, or your own knowledge, name ways that human rights interventions – international, governmental, private – have portrayed people as any two of
 - Savages
 - Victims
 - Savors
 - Under what conditions are human rights interventions legitimate and when are they not?

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