

**POLITICS OF IMPEACHMENT AT THE STATE LEVEL IN
NIGERIA'S DEMOCRATIC GOVERNANCE:
1999- 2024**

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Abstract

In any developed democracy, the legislature plays a crucial role in the democratic governance of the state. Apart from their law-making function, they still perform a quasi-judicial function of impeachment, to check the excesses of political office holder. However, the process and the use of impeachment have been abused in the Nigerian political space, therefore the study delves into the politics of Impeachment at the State level in Nigeria between 1999 and 2024. Patron-client politics was adopted as a theoretical framework and the paper made use of a case study approach and documentary method thereby relying on secondary sources to assess the constitutional provisions and legal frameworks governing impeachment in Nigeria, evaluate notable cases of impeachment and the impact of political parties, godfatherism and ethnic politics on impeachment proceedings which were analyzed using content analysis method. The findings indicated that impeachment processes have been significantly shaped by patron-client relationships, political godfathers and the ethnic dimensions of Nigerian politics, which undermine Nigeria's democratic stability and governance. The study recommended a constitutional amendment to make provision for detailed specification of impeachable offences. Also, reforms should be implemented within political parties to significantly whittle down the influence of godfathers in political activities.

Keywords: Impeachment, Politics, Democracy, Legislature, godfatherism.

Introduction

Nigeria's second republic (1979-1983) ushered in a presidential system of government, a distinct system of government from the one practiced in the country since the attainment of independence. The 1979 constitution of Nigeria designed for the presidential system of government provides a mechanism for checks and balances among the arms of government. This constitution introduced the concept of impeachment, further entrenched in the 1999 constitution of the Federal Republic of Nigeria. The 1999 Constitution of Nigeria established a framework for democratic governance, including provisions for the impeachment of executive officials to ensure accountability and uphold the rule of law (Sections 143 and 188). The constitutional provision of impeachment establishes the principle of separation of power and checks and balances among the three arms of government: the Executive, Legislature, and Judiciary.

The Nigerian Constitutional provision for the impeachment of the President, Vice President, Governor, and Deputy Governor in section 143 and section 188 of the 1999 constitution of the Federal Republic of Nigeria is meant to serve as a check on the excesses of the elected public office holders, if well executed will promote transparency, accountability, good governance and prevent the emergence of a tyrant in a democratic setting (Obiyan, 2013). Impeachment as the constitutional means of removing erring political office holder by the legislature seems to have a fairly long antecedent, with some

analysts preferring to date it back to the 14th century in Britain, as a way through which the parliament can hold the king's ministers and also the British citizens who have committed a crime to be accountable for their action (Prince Godfrey et al. 2023). Since then, impeachment has been entrenched in the constitution of democratic states.

The U.S. impeachment "clause" was developed in 1783 at the constitutional convention in Philadelphia, which empowered the two chambers with the legislative power of impeachment. Article 1, section 1 of the U.S. Constitution provides that "legislative power" herein granted shall be vested in a congress of the United States, consisting of a Senate and House of Representatives. As provided in Article 1, section 2, clause 5 of the U.S. Constitution, the House of Representatives has the sole power of impeachment, which is not outright removal from office but a preamble to the latter by presenting the articles of impeachment to the Senate. The Senate has the sole power to try all impeachments, as provided in Article 1, section 3, clause 6 of the U.S. Constitution. The Senate has the power to remove the impeached public personnel from office by a two-thirds majority vote or acquit the impeached personnel. The punishment for impeachment is removal from office and disqualification to hold public offices.

The concept of impeachment and removal from office as a result of conviction of treason, bribery, or other high crimes and misdemeanors in

the Nigerian Federal constitution originates from the U.S constitution. The 1999 constitution of the Federal Republic of Nigeria as amended mirrors the United States Constitution of 1790 as amended, although, there are slight differences in the procedure. This explains how Nigeria got similar constitutional provisions to the United States of America (Prince-Godfery, 2024).

However, Impeachment has lost its democratic essence in some democratic Third-World Countries (TWC). Impeachment in Nigeria, as specified in the 1999 Constitution, is intended as a mechanism to hold public officials accountable for misconduct, corruption, or breaches of the law (Section 143 and Section 188), Despite its constitutional intent, the practice of impeachment has often been entangled with partisan politics and power struggles, raising concerns about its role in promoting genuine accountability and governance. The application of impeachment and its process in Nigeria has reflected its misapplication, abuse, and misnomer in the Nigerian Political system (Opara, 2024). Impeachment as a legislative power to prevent misuse and abuse of power has often been abused across the country because it has not been exercised with the necessary care, caution, and routine.

While impeachment is intended to uphold accountability and the rule of law, its application in Nigeria has often been influenced by partisan politics, raising concerns about its effectiveness and integrity. Between 1999 and

2024, the pattern of impeachment proceedings has revealed two recurring features: (i) the concentration of impeachments among state-level executives (governors and deputy governors), and (ii) the frequent interplay of legislative majorities and elite bargaining in the impeachment processes (Fagbadebo, 2020; Galadima, 2023). The post 2003 period witnessed an “impeachment wave” during which several governors and many deputy governors were removed, a pattern often linked to shifting party alliances and elite disagreements (Arinze, 2015; This Day, 2024).

Studies by Fagbadebo & Francis (2014), Opara (2024), and Prince Godfrey et al. (2023), have made a series of contributions to impeachment and its associated politics, little attention has been paid to the critical issues surrounding the politics of impeachment. It is against this backdrop that this study examines the politics of impeachment at the State level in Nigeria’s democratic governance, 1999 – 2024. This paper attempts to examine the constitutional provisions and legal frameworks governing impeachment in Nigeria, identify and evaluate notable cases of impeachment at the state level, assess the impact of godfatherism and ethnic politics on impeachment proceedings and provide recommendations to promote the integrity of impeachment cases in Nigeria.

Conceptual Clarification

Some basic concepts that are relevant to this study are reviewed and analyzed for the purpose of a clear understanding of the content to which these concepts are being put into use.

The Concept of Impeachment

Impeachment is one of the distinctive features that characterizes Presidential democracy. It is a constitutional means of checking the excesses of political officeholders in a democratic setting. Impeachment is an indictment of misconduct of elected public office holder (Fagbadebo & Francis, 2014)

Godfrey II et al (2023) contend that impeachment connotes the practice and procedure through which politically elected officials are constitutionally removed from office by the Legislature before the expiration of their tenure. The power of impeachment is vested in the legislative arm of government, as part of the democratic principles of checks and balances.

In a presidential democracy, the legislature possesses the constitutional authority to hold the executive accountable (Adamolekun, 2010). One of the mechanisms employed by the legislature to promote accountability, check and control the excesses of the executive arm is impeachment. The National Assembly and the State House of Assembly as the case may be have the constitutional power of impeachment.

It should be noted that there is no use of the word impeachment for the removal of the President, Vice President, Governor, and Deputy Governor in the Constitution of Nigeria. However, the word impeachment appeared in six places in the 1999 constitution of FRN; Section 84 (5), Section 124(5), Section 146 (1), Section 146 (3), Section 191 (i), and Section 191 (3). The main sections (143 and 188) which provide for the removal of from office do make use of the word “Impeachment”. In this study, impeachment is used to represent removal from office.

The Concept of Politics

Politics denotes “who gets what, when, and how” as rightly stated by Lasswell (2018). Politics is inherently ridden with competition and struggle for power which could be political power, economic power, military power, or any other forms of power. It is characterized by conflicts, conflicts in the pursuance of group interest, struggle for political power, and allocation of resources. (Opara, 2024)

The politics of impeachment is expedient in a presidential democracy to promote the principle of check and balance and prevent any form of misuse of power by elected government officials. However, Politics in Nigeria, including the procedure for impeachment is in sine-qua-none with the Hobbesian state of nature where might is right.

Constitutional Provision of Impeachment in Nigeria.

The legislative power of removal from office was first introduced in Nigeria through the parliamentary system of the First Republic based on the provision of the 1960 independent constitution of Nigeria. The political system was based on a parliamentary model and the excesses of the prime minister or government could be checked through a vote of no confidence. The 1979 constitution of Nigeria which ushered in the presidential system of government in the country, introduced the provision for the removal of public officials from office. This constitution laid the framework for the procedures and conditions under which elected officials, including the President, Vice President, and State Governors could be removed from office for gross misconduct. The provision for the removal of the President and Vice President is contained in section 132, while section 170 specifies the provision for the removal of the Governor and Deputy Governor. It should be noted that the procedure and process for the removal from office based on the provision of the 1979 constitution of Nigeria begins and ends with the Legislature.

The 1999 Constitution of the Federal Republic of Nigeria (FRN) also entrenched this provision in Section 143 which set out the procedure for the removal of the President and Vice President. A similar procedure for the removal of the Governor and Deputy Governor is in Section 188. Article II Section 4 of the US Constitution stipulates offences that could warrant

impeachment to include treason, bribery, or other high crimes and misdemeanors. Likewise in Nigeria, the process of impeachment could be proceeded by the Legislature if an elected public officeholder is guilty of gross misconduct concerning the exercise of his power and discharge of his official duties.

Sections 143 (i) and 188 (i) of the 1999 constitution of FRN stipulate that gross misconduct is “ a grave violation or breach of the provisions of the constitution or a misconduct of such nature as amounts in the opinion of the National Assembly or a State House of Assembly, to gross misconduct”. However, the constitutional provision does not clarify the offences that could result in the impeachment of an elected public office holder.

The impeachment process is expressly stated in the Constitution. Section 143 (1-9) and section 188 (1-9) of the 1999 constitution of FRN stipulate that whenever a notice of allegation against a holder of the office of President, Vice President, Governor or Deputy Governor as the case may be is presented and signed by not less than one-third of the concerned legislative house, is presented to the President of the Senate or Speaker of the House of Assembly as the case may be, explicitly stating that the office holder is guilty of gross misconduct in the discharge of his official duties.

The Senate President or the Speaker of the House of Assembly shall within 7 days present a copy of the allegation to the accused officeholder and each member of the legislature. If the concerned officeholder presents a

statement in response to the allegation, the Senate President or the Speaker of the House of Assembly shall also make copies of the statement available to the lawmakers in the legislative chamber.

Thereafter, each member of the National Assembly or the State House of Assembly involved shall resolve by a motion of not less than two-thirds of the majority members within 14 days whether the indictment levelled against the office holder shall be investigated or not. If the motion for the investigation is passed, then within 7 days, the Chief Justice of Nigeria or the State Chief Judge shall set up a panel upon request by the Senate President or the Speaker of the House of Assembly, set up a panel of seven non-partisan members who are not members of any public service or legislative house to investigate the allegation.

If the allegation is not proved by the panel, the procedure for impeachment ends there, and the concerned public office holder cannot be impeached or removed, however, if the allegation is proven by the panel, The National Assembly or the concerned state legislature shall consider the report and if the report is adopted by a two-thirds majority of the legislative chamber, the accused public office holder shall be removed.

Notable Impeachment Cases in Nigeria

In Nigeria, the wave of impeachment is more at the State level, several notable impeachment cases have occurred at this level in Nigeria between

1999 and 2024. These cases often highlight the interplay between political power struggles, ethnic dynamics, and constitutional challenges.

Diepreye Alamieyeseigha, the former Governor of Bayelsa State was impeached on the 9th of December, 2005 on the allegation of corruption, misuse of public funds and money laundering. This impeachment case highlights the relationship between criminal accusations and elite politics. While the impeachment was based on the ground of financial misconduct and corruption, the process also reflected federal–state dynamics and political calculations by state legislators due to the federal pressure, local patronage, and personal incentives (Fagbadebo, 2020).

Ayo Fayose, the former Governor of Ekiti State, was impeached on October 16, 2006. The impeachment was primarily due to allegations of embezzling state funds for the Ekiti State Poultry Project, which never materialized (Sotubo, 2017). His impeachment was controversial, with many arguing that it was politically motivated. Interestingly, the Supreme Court later ruled in 2015 that Fayose's impeachment was not valid, citing procedural irregularities (Inochiri, 2015). The case exemplified how impeachment can be used as a tool for political retribution, especially when power dynamics between state and federal authorities are at play (Ojo & Olaniyan, 2008).

Plateau State's Governor Joshua Dariye was impeached in 2006 after being accused of corruption and mismanagement of state funds. His impeachment

was controversial, as it involved just eight out of 24 members of the state House of Assembly. Although Dariye was later reinstated by the court, his impeachment highlighted the extent to which federal influence and partisan politics could play a role in state-level impeachments (Adebanwi, 2009).

Governor Rasheed Ladoja of Oyo State was impeached in January 2006 under circumstances clouded by political rivalry. His impeachment was widely seen as an orchestrated move by his political godfather, Lamidi Adedibu, and supported by the then, President Olusegun Obasanjo. (Adegboyega, 2006), due to his acclaimed stinginess to Lamidi Adedibu and his stand on Chief Olusegun Obasanjo's third term as President (Agboluaje, 2019; Agboola, 2024). Ladoja was accused of gross misconduct, but the impeachment was later declared illegal by the court, and Ladoja was reinstated in 2006. This case exemplified the influence of political godfathers in state politics (Suberu, 2007). Ladoja's case illustrates the pervasive role of "godfatherism" in Nigerian politics, where influential political figures wield significant control over state politics and impeachment processes.

Peter Obi, the former Governor of Anambra State, was impeached on November 3, 2006, by the Anambra State House of Assembly. The impeachment was led by the Speaker, Mike Balonwu, and was based on allegations of gross misconduct. However, . Only a fraction of the required

number of lawmakers participated, which ultimately led to the nullification of the impeachment by the Supreme Court of Nigeria (Vanguard, 2018). Obi's impeachment was controversial, with many believing it was politically motivated. He was known for his integrity and refusal to inflate the state's budget, which reportedly led to his impeachment (Vanguard, 2018). Obi's case underscored how impeachments at the state level are often shaped by political rivalries and struggle for power, particularly between different factions within the ruling party (Uzochukwu, 2014 and Ezeamalu, 2017)

Murtala Nyako, the Governor of Adamawa State, was impeached on July 15, 2014, after a fallout with President Goodluck Jonathan's administration. Nyako, a former ally of Jonathan, had defected to the opposition and became increasingly vocal in his criticism of the federal government's handling of the insurgency in northeastern Nigeria. He was impeached by the Adamawa State House of Assembly after deliberating on a report from an investigative panel that probed allegations of financial misconduct against him (Tukur, 2014). The impeachment was widely criticized for being flawed and seen as a politically motivated move, and it ignited a national debate on the impartiality of the impeachment process. with little regard for the constitutional grounds on which it should be based (Agbese, 2016).

In October 2019, Simon Achuba, the Deputy Governor of Kogi State, was impeached by the State House of Assembly for alleged gross misconduct after a fallout with Governor Yahaya Bello (Toromade, 2019). Achuba was accused of gross misconduct, however, his impeachment raised significant legal questions about due process, with the court eventually ruling that the process was unconstitutional (Agency Report, 2020; Adeoye, 2020). The court found that the process leading to his impeachment did not follow due process and described it as an act of "legislative rascality" (Nnakaike, 2020). The case is a prominent example of how political differences between governors and their deputies often lead to impeachments without substantive legal grounds

In 2024, Philip Shaibu, the Deputy Governor of Edo State, faced impeachment proceedings after a publicized dispute with the Governor, Governor Godwin Obaseki. Shaibu was accused of plotting to undermine the government, or seeking to orchestrate his political ascension. The impeachment attempt was seen as a political battle between two formerly close allies whose relationship had soured over succession plans. However, the impeachment was nullified by a Federal High Court in Abuja on 17th July, 2024, the case highlighted the increasing frequency of impeachment threats in state politics. Shaibu's case illustrates the persistent fragility of political alliances in Nigerian governance and the ease with which

impeachment processes can be initiated based on personal or political disagreements.

Table 1 The list of some selected impeachment cases in Nigeria between 1999-2024

	Name	State	Designation	Date	Offence	Outcome
1	Diepreye Alamieyeseigha	Bayelsa	Governor	9th December, 2005	Alleged corruption, misuse of public funds and money laundering	Impeached and removed from office
2	Rashidi Adewolu Ladoja	Oyo	Governor	12th January, 2006	Alleged gross misconduct	Impeachment nullified by the court and re-instated in December, 2006
3	Ayo Fayose	Ekiti	Governor	16th October, 2006	Alleged mismanagement of public funds and corruption	Impeached.
4	Peter Obi	Anambra	Governor	2nd November, 2006	Allegations of gross misconduct	Impeachment nullified by the Court of Appeal and re-instated in February, 2007
5	Joshua Dariye	Plateau	Governor	13th November, 2006	Alleged diversion of public funds and money laundering	Impeached but was later re-instated by the Supreme Court in 2007
6	Murtala Nyako	Adamawa	Governor	14th July, 2014	Alleged misappropriation of state funds,	Impeachment nullified by the Court of

7	Simon Achuba	Kogi	Deputy Governor	18th October, 2019	illegal deductions and abuse of office Allegation of gross misconduct	Appeal and re-instated in 2016 Impeachment declared illegal by the High Court in 27th February, 2020
8	Philip Shaibu	Edo	Deputy Governor	8th April, 2024	Alleged misconduct, perjury and disclosure of government secrets	Impeached, however, the impeachment was later nullified by the Federal High Court in 27th July, 2024

Table compiled by the Researcher.

The list of some selected impeachment cases between 1999 and 2024 in Table 1 has revealed two major patterns:

- i. State Governors and Deputy Governors are the major subject of impeachment in the Fourth Republic.
- ii. The Judicial reversal of impeachment cases on procedural or constitutional grounds. This highlights the contested nature of impeachment proceedings in the State House of Assembly and the role of judicial oversight

Patron-Client Politics and Impeachments in Nigeria

Patron-client politics is a theory that explains relationships where a more powerful individual or group (the patron) provides material benefits, protection, or political opportunities in exchange for loyalty and services from less powerful individuals (the clients). This system has been discussed extensively by political scientists, notably **James Scott** in his book “Comparative Political Corruption” (1972).

At its core, Patron-Client Politics proposes that political decisions and actions are often shaped by informal, personalized networks of exchange rather than formal democratic institutions. Patrons use their influence and resources to secure the loyalty of clients, who, in turn, support the patron’s political or economic objectives. This relationship is symbiotic, patrons rely on clients to maintain their power base, and clients rely on patrons for access to opportunities, protection, or favours. Such networks often operate outside formal channels, influencing elections, legislative decisions, and impeachment processes.

The study has uncovered several significant findings on the implications of patron-client politics on impeachment in Nigeria from 1999 to 2024. It highlights how political actors, institutions, and power dynamics have

influenced the impeachment process, often for purposes beyond the intended constitutional checks and balances.

Politics in Nigeria operates within the framework of the Hobbesian state of nature, where power often dictates what is considered right. Unfortunately, this dynamic has seeped into the impeachment process, many impeachment cases are not driven by the legal or moral failures of an official, but rather by the breakage in the dynamics of patron-client relationships. For instance, a governor or legislator who loses the favour of a political godfather (a patron) is vulnerable to impeachment, not necessarily because of misconduct, but due to the breakdown of this patron-client relationship. The 2006 impeachment of Oyo State Governor Rasheed Ladoja, after falling out with his political godfather Lamidi Adedibu, illustrates this pattern. Conversely, officials who maintain strong ties with their patrons may escape impeachment even in cases of corruption or gross misconduct. This system undermines Nigeria's democratic processes by prioritizing loyalty over accountability.

Impeachment in Nigeria has largely been adopted as a weapon for settling political scores rather than as a mechanism for accountability and checks and balances. This was evident in the impeachment of Joshua Dariye, Governor of Plateau state in 2006 whose impeachment could be linked to the faction within his party, People's Democratic Party (PDP), and the then

President Olusegun Obasanjo, who was displeased with Dariye 's conduct on the ethnic and religious clashes in Plateaus State.

Similarly, the Impeachment of Deputy Governor Simon Achuba of Kogi State was a prominent example of how political differences between governors and their deputies often lead to impeachments without substantive legal grounds. Achuba's impeachment demonstrated how the process is sometimes used to settle political scores rather than promote accountability. These incidents expose the fragility of Nigeria's democratic institutions, where loyalty to patrons outweighs the rule of law.

The misuse of impeachment has eroded trust in Nigeria's democratic institutions. When used as a tool for settling political rivalries, impeachment weakens public confidence in governance. The manipulation of the process, particularly by godfathers and party elites, has contributed to political instability, increased partisan conflict, and hindered effective policy implementation.

Ethnic and regional politics have a significant influence on impeachment processes. In Nigeria, the country's diverse ethnic groups often lead to impeachment proceedings conducted based on ethnic or religious bias. The attempt to impeach Governor Dariye was not only seen as a legal action but also interpreted within the framework of ethnic tensions between northern

and middle-belt political factions due to his failure to address the violence between Bororo indigenes and the non-indigenous Hausa-Fulani people.

Implications of Impeachment for Nigeria's Democracy

The quality and sustainability of democracy in Nigeria is impacted on a very large scale by the frequent and politicized usage of impeachment proceedings. Instead of acting as a constitutional control mechanism of accountability, impeachment has been employed as a tool for political retribution. This diminishes public trust on democratic institutions especially the legislature and the judiciary that are supposed to be upholding constitutionalism and the rule of law. Loss of confidence on these institutions by the citizens greatly reduces democratic participation and legitimacy (Ojo, 2006).

In addition, the politicization of impeachment proceedings has contributed to legitimacy crisis within Nigeria's democratic system. When impeachment is used as a political weapon, it undermines the legitimacy of the legislature and also reduces the integrity of impeachment process itself.

Also, politicized impeachment procedures undermine the democratic accountability as the political godfathers increasingly create undue influence on elected officials. In this case, the survival of a politician is pegged to individual loyalty, as opposed to their responsiveness to the

voters. This can be a blow to representative democracy, because the interests of political patrons will take precedence over the common good, and this will in turn defy the mechanism of accountability which is based on democracies.

Impeachment proceedings could lead to political instability which impedes government efficiency and democratic consolidation. The long political arguments that emerge due to the impeachment procedure would affect the proper execution of policies and effective administration. Such conflicts may also enhance the intensity of ethnic tensions and social division within the society; in multi ethnically constructed societies like Nigeria, this will make the society less united as a nation and reduce democratization.

Conclusion and Recommendations

This study examined the politics of impeachment in Nigeria from 1999 to 2024, revealing how this constitutional mechanism has often been exploited for political gain rather than accountability. The findings indicate that impeachment processes have been shaped significantly by patron-client relationships, political godfathers, and the ethnic dimensions of Nigerian politics. High-profile cases, such as the impeachments of **Joshua Dariye** and **Rasheed Ladoja** exemplify how political motives often overshadow legitimate concerns, turning impeachment into a tool for political retribution

(Suberu, 2007; Aiyede, 2013). The misuse of impeachment in Nigeria poses serious challenges to democratic governance. It can lead to political instability, increase partisan conflict, and hinder effective policy implementation. The removal of key officials may lead to inefficiencies and hampering the delivery of public services.

In order to restore the credibility of the impeachment process in Nigeria, institutional and political reforms are necessary to be deliberate. At the center of this exercise is the need to ensure that the political players exhibit greater political maturity, patriotism, and adherence to democratic forms of governance. Instead of allowing ethnic groups, religious intolerance, personal ambitions, or partisan interests to prevail in the political arena, leaders should work together and cooperate to ensure efficient and effective administration. This orientation would enhance stability and strengthen public trust in democratic institution.

The reform of political parties is equally critical considering that these parties continue to act as major vehicles to political power in Nigeria. Enhancing internal political party democracy and reducing the excessive power of political godfathers would increase accountability and responsibility on the elected officials to remain answerable to voters and not to their influential patron. Reforms by the parties to enhance transparency, fairness and leadership selection based on merit would go a long way in

ensuring that impeachment processes are not manipulated to serve personal or factional interests.

Also, the constitution should be reformed to deal with the uncertainties in impeachment processes. The Constitution must be changed to have specifications of the impeachable offences in clear and detailed terms, and this will help remove the vague provisions that present a chance to be subjected to subjective interpretation, and misuse. Clear provisions in the constitution would curb the element of arbitrariness, whereby impeachment is put to practice as a process of accountability and not as a tool of political retribution. In the same vein, misuse or abuse of impeachment powers are to be accepted as a severe infringement of legislative duty. By addressing such practices as abuse of legislative power and imposing suitable punishment, would act as a deterrent to careless or politicized impeachment practices, and would enhance respect of constitutional limits.

Finally, the independent and non-partisan investigative mechanisms should be institutionalized at the state level so that allegations against the executive officials can be investigated. They must be given definite investigative mandates and made to present binding reports before impeachment process can take place. These mechanisms would make legislation less arbitrary; it

would strengthen the due process and would make the impeachment credible as a constitutional protection but not a political tool.

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