FISCHER'S SEMICOMPATIBILISM AND ITS CONSEQUENCES

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ABSTRACT

In this paper I argue that the symmetric approach to moral responsibility, proposed by John Martin Fischer, should be focused merely on the consequence-particular. Fischer employs the symmetric approach with the intention to solve the asymmetric problems on moral responsibility. The problem arises from Frankfurt's case, which rejects the principle of alternate possibilities (PAP), and relies on the action, rather than omission resulting in asymmetric problems. Fischer solves the problem by using his guidance control and returns the symmetry the idea of moral responsibility. I am convinced by his idea of guidance control that moral responsibility for an omission is the same as moral responsibility for an action. Notwithstanding, I found that Fischer appears to broaden his conclusion from the consequence-particular to the consequence-universal. This issue becomes more explicit when he argues against the case of "direct argument". But I contend that this argument is unnecessary. The attempt to stretch out responsibility to the consequence-universal is only designed to address a certain kind of problem in his moral responsibility's theory. This can also be seen when Fischer tries to solve other problem by using his overdetermination example.

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I believe that his theory of moral responsibility and guidance control should limit itself merely to the consequence-particular.

Introduction

In order to develop my argument, I will clarify some relevant terms. I will start by briefly explaining the *Principle of Alternate Possibilities*, which is repudiated by Harry G. Frankfurt. I will then go on to explain Fischer's Theory of Moral Responsibility and his concept of "guidance control." After that I will demonstrate that even if the Principle of Alternate Possibilities is rejected, there are by all accounts some complications with the cases of non-action or omission. Although moral responsibility for an action does not require the ability to do otherwise, moral responsibility by omission does seems to require the ability to do the action in question. At this point, I will show how Fischer employs his concept of guidance control to solve the problem and restore symmetry to Frankfurt's rejection of alternate possibilities. I will then raise my concerns on his use of the consequence universal, and I will argue that Fischer's approach to moral responsibility should limit itself to the consequence-particular. I will conclude by giving suggestions on how to more properly use Fischer's theory of moral responsibility.

Section 1: Frankfurt's Type Example

Often it seems that when we are making a decision, we are standing on a forking path. A path that indicates our freedom to choose whether to do right or wrong action. This leads us to judge somebody to be praiseworthy or blameworthy for his actions because we believe that he could have chosen differently or could have done otherwise.

Harry G. Frankfurt named the principle as "The Principle of Alternate Possibilities" or PAP for short. PAP states that a person is morally responsible for what he has done only if he could have done otherwise.¹ However, Frankfurt shows problems with this principle. He contends that a person is morally responsible for what he has done

even though he could not have done otherwise. Frankfurt provides a novel example to illustrate his view. This has become known as a "Frankfurt-type Example" or "Frankfurt-case". For the purpose of this paper, I have created my own version of Frankfurt-type example:

Jack and John hates their friend, Lina, who has borrowed money from them but never returned it. Jack therefore decides to kill Lina at a specific time. John agrees with his friend's decision. However, he believes that Jack might not go through with his plan for he loved Lina in the past. So John secretly implants a device into Jack's brain to ensure that if Jack had shown any sign of hesitation, the device would intervene in his thinking process and make Jack kill Lina anyway. But as it turns out, Jack kills Lina without showing any sign of hesitation. Thus, the implanted device did not do anything.

Following this case, we can see that moral responsibility is not dependent solely on the capacity to do something else. Jack is ethically in charge of his act of killing Lina, despite the fact that he could not have ceased from his plan.

After Frankfurt published his paper in 1969, numerous literature emerged in reaction to this. Criticisms of his idea came in two forms. There are those who rejected it on the basis of preserving PAP or maintaining that the ability to act otherwise as a requirement for moral responsibility. They employ either the *flicker of freedom strategy* or the *omission strategy*. Another is a group of philosophers who insisted that if causal determinism is true, then it rules out moral responsibility directly. The prominent principle of this group is the Principle of Transfer Non-Responsibility. I will now clarify both approaches.

Section 2: Fischer's Theory of Moral Responsibility

The most prominent proponent of the Frankfurt example is John Martin Fischer.² He addresses Frankfurt's case in his approach called

Semicompatibilism. Semicompatibilism claims that moral responsibility is compatible with causal determinism, despite the fact causal determinism rules out the ability to do otherwise. Fischer distinguishes two sorts of control: *regulative control* and *guidance control*. Regulative control is freedom in the sense of the agent having the ability to do otherwise. Guidance control is freedom in a sense of the agent having control over his own behavior. Fischer claims that guidance control is a freedom relevant to moral responsibility, not regulative control.²

One might ask on what condition we could establish our moral responsibility if we could not have done otherwise? Fischer answers this question by insisting that our action should be a result of guidance control issuing directly from the moderate reason-responsiveness mechanism and this mechanism needs to belong to the agent himself.⁴

There are two approaches for moral responsibility: the hierarchical and non-hierarchical approach. The well-known hierarchical approach is developed by Frankfurt. This approach sees desire functioning at many levels. Desire at one level can conflict with desires in another level. For instance, there are two orders of desire: the first order and the second order. One might have a first-order desire to eat candy. The same person also has the second-order desire not to eat the candy. Moral responsibility comes from the ability of the agent to identify himself with the second-order desire through the use of reason.⁵

While the hierarchical approach requires moral responsibility to emerge from these various levels of desire, the non-hierarchical approach does not. It requires association between the agent and the value (or reason). The non-hierarchical model can be divided into two sorts: agentbased and mechanism-based theory. The agent-based theory requires the agent to be responsive to reasons, where the mechanism-based theory requires the *mechanism on which the agent acts* to be responsive to reasons. Fischer's approach to moral responsibility can be classified as mechanism-based reasons-responsiveness. In his version, he distinguishes "strong" and "weak" versions of the theory. Fischer describes that the strong reasons-responsiveness would be obtained when: A certain kind K of mechanism actually issues in an action and if there were sufficient reason to do otherwise and K were to operate, the agent would recognize the sufficient reason and thus choose to do otherwise and do otherwise.⁶

In other words, the agent must acknowledge a sufficient reason to do, or choose, in accordance with reason, and act in accordance with the choice to complete the condition of strong reason-responsiveness. This approach has problems when dealing with the scenarios involving weakness of will. For instance, I acknowledged that eating candy is bad for my health. Nevertheless, I decide to eat the candy anyway. Does it mean that I am not responsible for my action of eating candy? Obviously not. Thus, the condition for strong-responsiveness may be too strong to satisfy all of three conditions. Failing one of the three conditions does not mean that I am not responsible for my action.

Consequently, there is a looser version of reasons responsiveness which is described by Fischer:

Weak reasons-responsiveness, which requires only that there be some possible scenario in which the actual mechanism operates, the agent has reason to do otherwise, and he does otherwise.⁷

From this definition, any kind of reason to do otherwise, and the agent doing otherwise, easily fulfills the condition of this weak reason-responsiveness. Note that the reason to do otherwise need not be a sufficient reason. It could be any kind of reason. Thus, we face the problem of the theory being either too strong or too weak for the reasonsresponsive mechanism.

Fischer suggests a third approach for the mechanism called "moderate reasons-responsiveness" to solve the problem of the model being too strong or too weak. Here I present a clear definition of moderate reasons-responsiveness given by Todd R. Long.⁸

An agent's responsibility-relevant mechanism K is moderately reasons-responsive if

- (1) K is regularly receptive to reasons, some of which are moral; this requires (a) that holding fixed the operation of a K-type mechanism, the agent would recognize reasons in such a way as to give rise to an understandable pattern from the viewpoint of a third party who understands the agent's values and beliefs; and (b) that some of the reasons mentioned in (1.a) are moral reasons; and
- (2) K is at least weakly reactive to reasons; this requires that the agent would react to at least one sufficient reason to do otherwise (in some possible scenario), although it does not follow that the agent could have responded differently to the actual reasons; and
- (3) K is the agent's own; being the agent's own means "taking responsibility" for K; this requires that the agent (a) sees herself as the source of her behavior (which follows from the operation of K); and (b) believes that she is an apt candidate for the reactive attitudes as a result of how she exercises her agency in certain contexts; and (c) views herself as an agent with respect to (3.a) - (3.b) based on her evidence for these beliefs.

There are two crucial components for the moderate reasonsresponsiveness mechanism, which are: reasons-recognition and reasons-reactivity. Reasons-recognition means the ability to recognize the reasons that exist. Reasons-reactivity means choose in accordance with reasons that are recognized as good and sufficient.

Fischer contends that merely have the guidance control which is connected to the moderate-reason responsiveness is insufficient to be considered as a control for moral responsibility. He suggests that the guidance control must contain two elements: reasons-sensitivity of the appropriate sort and the mechanism-ownership. The condition of mechanism-ownership could address such problems as brainwashing. By the mechanism-ownership, Fischer also argues by using the subjective approach. He insists that the agent, in some senses, needs to see himself in a certain way.⁹

Fischer's theory of moral responsibility usually is challenged in two ways: by indirect and direct argument. The indirect argument argues against semicompatibilism based on the desire to preserve the alternative possibilities. The direct argument contends that moral responsibility is ruled out straightforwardly by causal determinism regardless of the alternative possibilities. I will briefly clarify eight possible cases of the indirect argument and exhibit how Fischer handles those cases. Therefore, I will introduce two notions: The consequence-particular and the consequence-universal, which are my main concern of this paper. Fischer and Ravizza provide a clear explanation of this distinction:

Consequences can be construed as either particulars or universals. This distinction is made in terms of criteria of individuation: the causal antecedents of a consequenceparticular are essential to it, while there can be various different causal routes to the same consequence-universal. (Fischer and Ravizza 1998: 244)

The following table represents my analysis of both action and omission case for the Frankfurt-type example. I will call this table for a balanced analysis. There is no middle ground in which agent is not responsible for anything by this analysis.

No.	Case	To do	Counter- factual	Consequence -particular	Consequence -universal	Morally Responsible
1	Action	Good	Good	Good	Good	Praiseworthy
2	Action	Good	Good	Good	Bad	Praiseworthy
3	Action	Bad	Bad	Bad	Good	Blameworthy
4	Action	Bad	Bad	Bad	Bad	Blameworthy
5	Omission	Good	(omit) Good	(omit) Good	Good	Blameworthy
6	Omission	Good	(omit) Good	(omit) Good	Bad	Blameworthy
7	Omission	Bad	(omit) Bad	(omit) Bad	Good	Praiseworthy
8	Omission	Bad	(omit) Bad	(omit) Bad	Bad	Praiseworthy

Case 1 and 2 are counterparts to case 7 and 8, as well as case 3 and 4 are counterparts to case 5 and 6 respectively. The "To do" and "Counter-Factual" column will always be the same to guarantee that the agent has no alternative possibilities. The consequence-particular can be interpreted as an action directly issuing from the moderate reason-responsiveness mechanism. Thus, by this analysis, there is no case in which the agent does not deliberate his or her ability to do or to omit the action. The only one column which is possible to be different from "To do", "Counterfactual" and the "Consequence-particular" is the "Consequence-universal". This is because the consequence-universal might be obtained from a totally different causal chain as in the overdetermination case.¹⁰

To answer the question of what we actually hold a person to be morally responsible for, let me explain case by case from case 1 to 8. I will use the "Hero" case, which Fischer mentions in his work "My Way" as an example for case 1 and 2:

In "Hero," Matthew is walking along a beach, looking at the water. He sees a child struggling in the water, and he quickly deliberates about the matter, jumps into the water, and rescues the child. We can imagine that Matthew does not give any thought to not trying to rescue the child, but that if he had considered not trying to save the child, he would have been overwhelmed by literally irresistible guilt feelings that would have caused him to jump into the water and save the child anyway.¹⁰

Matthew is praiseworthy for his action, even though he could not have done otherwise. The "irresistible guilt" acts as a counter factual intervener in the alternative scenario. The consequence-particular is that he saves the child. The consequence-universal is the child is saved by him. This is case 1 of my analysis. However, if the child is not saved by Matthew, but is killed by a shark or simply drowns regardless of Matthew's action, it will turn case 1 into case 2. Also, the fact that the child is dead from the other causal chain should not turn the case of Matthew's praiseworthy action into blameworthy or even neutral one. He is praiseworthy because of his action which is issuing directly from his moderate reason-responsiveness mechanism.

Case 3 and 4 can be considered by using the case of normal Frankfurt's example. Using the case at the beginning of this paper "Jack kills Lina without showing any sign of hesitation", I assume that Jack is morally responsible for his action, even though he could not have done otherwise. In addition, if he had tried to kill Lina, but failed because someone saved her, he would still be responsible for trying to kill Lina.

For case 5 and 6 suppose that:

John is walking along a beach, and he sees a child struggling in the water. John believes that he could save the child with very little effort, but he is disinclined to expend any energy to help anyone else. He decides not to try to save the child, and he continues to walk along the beach. Is John morally responsible for failing to save the child? Unknown to John, the child was about to drown when John glimpsed him, and the child drowned one second after John decided not to jump into the water.¹² In this case, the fact that the child is about to drown is not a counterfactual as we would see in Frankfurt's example, which would be considered counterfactual within the agent deliberation process. The consequence-universal that the child is about to drown is the fact from the different causal determinism. However, Frankfurt himself recognized such a problem and suggested a modified case using guilt to direct the agent to doing something else rather than saving the child. Nevertheless, I would insist that John is morally responsible for the fact that he did not try to save the child. He omitted saving the child. Even though the child is not dead and saved by someone else, he is still responsible for not trying to do what he believes he could do.

For the case of omission to do a dreadful thing 7 and 8 using Fischer's example:

Imagine that you are a small-time thug strolling along a dimly lit street in a deserted part of town. Suddenly, you spy a shiny, new Mercedes with a flat tire stranded by the side of the road. The driver of the car is a well-dressed, elderly gentleman with a bulging billfold in his breast pocket. You are tempted to hurry over to the car, assault the old man, and steal his money. Fortunately, you decide against this, and you continue along your way. Are you morally responsible for failing to rob the driver? Well, unknown to you (and the driver of the car), the Mafia has put drugs into the trunk of the car. Five Mafioso thugs are watching the car from five other cars in the neighborhood. They have strict instructions: if anyone threatens the driver of the car, they are to shoot that person with their Uzis. In these circumstances, we can safely imagine that, if you had attempted to rob the driver, you would have been killed.13

Fischer explains this case of omission to do a terrible thing as the agent is responsible for that fact that he did not try to rob someone (this is considered praiseworthy action), even though according to the consequence-universal, if he did, he would have been killed. I believe that we could entitle the agent to be morally responsible for action or omission solely on his or her action issuing directly from the mechanism.

But the problem emerges when Fischer construes the case of omission to be a simple omission and complex omission. The simple omission is the omission of the body's movement. The complex omission involves both the act of omitting the body's movement and the consequences. To find whether the agent is morally responsible, he gives the condition that:

It is natural to say that an agent has guidance control of his failure to do A (where this is a complex omission) just in case: (1) his movement of his body in a certain way is moderately responsive to reason, and (2) the relevant event in the external world is suitably sensitive to his failure to move his body in a different way.¹⁴

I do not agree with him on the second condition. The relevant event in the external world should not be counted as the condition to entitle the agent to be morally responsible. Consider the following:

We contend that, when an agent's omission is a complex omission, he should be construed as bringing about a relatively narrowly specified negative Consequenceuniversal. So, for example, imagine that, in "Good Fortune," John walks along a beach, sees a child struggling in the water, and simply decides to continue walking (and not to bother to try to save the child). Here, it seems (at first blush) that John brings about the negative consequence-universal, that the child is not saved (from drowning). But suppose that the child is saved from drowning by floating to a nearby island within a few seconds of John's decision. John has failed to save the child, but he has not brought about the negative consequence-universal, that the child is not saved (from drowning). What he does bring about, however, is that the child is not saved by him. And, in general, we contend that it is fruitful to construe complex omissions on this model, that is, as the agent's bringing about relatively finely specific negative consequence-universals.¹⁵

This example is exactly the same as case 5, in which the agent omits doing something good but the consequence-universal yields as a good result. However, if the consequence-universal turns out to be a bad one, as the child drowning in case 6. This situation can be construed as the relevant event in the external world is suitably sensitive to agent's body movement, thus he is responsible for the consequence-universal. But, why should consequences-universals that are not in the power of the agent be considered as the condition for someone to be responsible? The problem might not be clear at this point, but it will reveal itself on the direct argument, which I will now turn to explain.

Section 3: The Direct Argument

As previously stated, the argument against Frankfurt and Fischer that moral responsibility is not compatible with determinism notably comes in two forms: alternative possibilities and direct argument. Now, I will turn to the Principle of Transfer Non-Responsibility (or Principle of Transfer NR). It can be roughly stated "if no one is responsible for p, and no one is responsible for the fact that p leads to q, then it follows that no one is responsible for q."¹⁶ Thus, if causal determinism is true, then no one is even partly morally responsible for anything. These propositions rule out moral responsibility directly without paying attention to the alternative possibilities.

Such a proposition seems to go well with the case of a natural disaster such as a tsunami. In that case, no one is partially responsible, the tsunami simply occurs. The reason is that there is no human agency in the case. Fischer response to such an argument seems to extend his conclusion more than warranted. Fischer responds to the argument by using an example that: Betty plants...explosives in the crevices of [a] glacier and [intuitively speaking, freely] detonates the charge at T1 causing an avalanche that crushes the enemy fortress at T3 [a result intended by Betty]. Unbeknownst to Betty... however, the glacier is gradually melting, shifting, and eroding. Had Betty not placed the dynamite in the crevices, some ice and rocks would have broken free at T2, starting a natural avalanche that would have crushed the enemy camp at T3.

This example could be simply summarized that Betty did nothing that the glacier would not have one naturally. Betty entered into the causal chain sharing the consequence-universal with the natural disaster. This is the case of overdetermination. Betty seems to be morally responsible for her action because her action of planting the device issues from her moderate reasons-responsiveness.

Mckenna argues that Fischer still hangs criticism of the Principle of Transfer NR. This is because Fischer uses his 'two-path' case to solve the problem itself, not the 'one-path'. The Principle of Transfer NR is designed to rule out the moral responsibility within the chain directly and is 'one-path'. This is the reason why it is called a direct argument. If Fischer cannot employ one-path example rather than the overdetermination one, it might imply that moral responsibility could be ruled out directly by causal determinism. Nevertheless, Mckenna granted that the Transfer NR cannot rule out causal overdetermination.¹⁷ This gives chance for Fischer to argue that, "To point out that Transfer NR poses problems for developing a plausible compatibilist theory of moral responsibility is one thing; to suppose that it generates a successful argument for incompatibilist is quite another". According to Fischer, even if the Principle NR could reject the compatibility between causal determinism and moral responsibility, it does not successfully establish the incompatibility between causal determinism and moral responsibility. It merely poses another problem in the case of overdetermination.

Be that as it may, I do not agree with Fischer on this point. I do not think it is a clever idea to extend the scope of moral responsibility to the consequence-universal, but should instead, limit itself to the consequence-particular.

At first, when Fischer argued the case of omission he stated on the second condition of the complex omission that "the relevant event in the external world is suitably sensitive to his failure to move his body in a different way". The relevant event, in my opinion, is the consequenceuniversal. Thus, it is appropriate to understand that consequence-universal is within the scope of moral responsibility's condition for Fischer. This condition has been confirmed again when Fischer argued against Mckenna by using his overdetermination approach.

I argue that moral responsibility should solely focus on the consequence-particular issuing from the moderate-reason responsiveness mechanism. There are two main reasons that motivate me. Firstly, it is possible to say that the consequence-universal is not always a direct consequence of the action issuing from the moderate reasonresponsiveness mechanism. As in the example of glacier, the consequenceuniversal obtained from the natural disaster along with Betty's action. The consequence-universal is not stable, because it can issue from natural phenomena and another people's intentions. While the consequenceparticular can be either good or bad and the consequence-universal can also be either good or bad, the consequence-particular always follows directly from the moderate-reasons responsiveness. The consequenceuniversal, on the other hands, could be responsive to the consequenceparticular but it can also follow from something else such as a natural disaster. Secondly, when compatibilist (or semi-compatibilist) agrees that moral responsibility is compatible with causal determinism without regard to the causal chain "prior" to the agent's deliberation process, why should we consider the chain that comes "after" the agent's action? The fact that the agent "chooses" and "acts" is already sufficient to consider him to be morally responsible for his action.

Nonetheless, it is possible that the agent does not deliberate about the issue and trigger his action, but is responsible for the consequenceuniversal. But this responsibility is not morally responsible in the sense of "intentionally". Thus, it is appropriate to say that the agent is "partially" responsible for the consequence-universal in the sense that he does not mean it to happen. For instance, I plan to kill a person by shooting at him. Unbeknown to my knowledge, another person is walking past the bullet's trajectory and is shot.

Conclusion

I believe that moral responsibility should concern merely these two main aspects: intention and action which is issuing directly from the intention. In Fischer terms, it means the action responsive to the moderate reason-responsiveness mechanism. The motivation to limit merely on intention and action since it is not always the case that consequenceuniversal would be a direct result from action issuing directly from the mechanism as it appears on the case of overdetermination.

By grasping this standpoint, I am acknowledging that the thesis of causal determinism and the consequence argument are both true. Be that as it may, these acknowledgments do not mean that moral responsibility could not happen within the causal chain. Moderate reason-responsiveness mechanism and guidance control are adequate to be considered conditions for moral responsibility within the chain of causal determinism. They help us to locate the starting point to inquire from where does the action originate. The action itself, is within the causal chain of determinism.

Nevertheless, we should confine the subject of who ought to be in charge of the outcome merely to the action resulting from the mechanism. If we ignore the chain prior to the agent, for what reason should we accept the following chain from the agent, especially the chain that allows something else to happen rather than the agent's original intention? Where will it be halted? Truly, I trust that we should be in charge of our original intention and the following action we resolved to do, on the grounds that we believe it is within our power to do. In other words, the action that receptive to our intention. Unfortunately, consequence of an action is not always corresponding to its original intention and action. It possibly includes numerous factors, such as the natural law and other people endeavors. It is conceivable to claim partially moral responsible for the consequence-universal. In any case, it is not completely accredited solely to the agent's action.

I trust that Fischer should be a little more concerned with the epistemic status of the agent. In all of Frankfurt's example, the there is always something 'unbeknown' to the agent. This 'unknown' condition is not taking into account the agent's deliberation process. In this way, the agent believes that it is within his power to perform something different. He neglects to perform what he considers to be the best among his alternatives or at least he believes that it is his best option at the time. Therefore, I believe that an agent is morally responsible for the action that he believes he has potential to bring about, the action that is required for the desired result. We should restrict our moral judgments merely to these conditions and there is no need to extend the conditions to something, which might not belong to the agent.

ENDNOTES

¹Harry G. Frankfurt, "Alternate Possibilities and Moral Responsibility," *Journal of Philosophy* 66, no.3 (1969), p.829.

² The beginning of Fischer's Theory of Moral Responsibility is the effort of Fischer and his co-author Mark Ravizza. However, Fischer is known widely and later develop the theory far beyond this early effort.

³ John Martin Fischer, *My Way: Essays on Moral Responsibility* (New York: Oxford University Press, 2006), p.13.

⁴ Ibid., p.17-18.

⁵ Ibid.,, p.25.

⁶ Ibid., p.30

⁷ Fischer and Ravizza, Perspectives on Moral Responsibility, p.31.

⁸ Todd R. Long, "Moderate Reasons-Responsiveness, Moral Responsibility, and Manipulation," *Freedom and Determinism*, 2004, p.3.

⁹ John Martin Fischer, *Deep Control: Essays on Free Will and Value* (Oxford; New York: Oxford University Press, 2012), p.11.

¹⁰ Consequence-particular and consequence universal appear on Peter van Inwagen, *Ability and Responsibility*, Philosophical Review 87 (1978): 201–24. His argument against Fischer is not in the scope of this paper. However, I have simplified the meaning of both terms in context to ensure reader's understanding.

¹¹ John Martin Fischer, *My Way: Essays on Moral Responsibility* (New York: Oxford University Press, 2006), p.84.

¹² Ibid., p.85

¹³ John Martin Fischer, *My Way: Essays on Moral Responsibility* (New York: Oxford University Press, 2006), p.86.

14 Ibid., p.91

¹⁵ Ibid., p.91.

¹⁶ Mark Ravizza, "Semi-Compatibilism and the Transfer of Non-Responsibility," *Philosophical Studies* 75, no.1–2 (1994): 61–93.

¹⁷ McKenna, M. (2001). Source Incompatibilism, Ultimacy, and the Transfer of Non-Responsibility. American Philosophical Quarterly, p.

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