

2011

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International, Fiji.

# [GOVERNANCE AND CORRUPTION]

A discussion of the important of governance and corruption in development and the experience of Fiji.

## GOVERNANCE AND CORRUPTION

A paper presented to the Fiji Institute of Accountants Annual Congress, 11<sup>th</sup> June 2011

By Suliana Siwatibau

I wish to thank the Fiji Institute of Accountants and the organisers of this Congress for the invitation for me as a member of the Board of Directors of Transparency International Fiji to present this paper here today. I hope that this will be the beginning of some form of relationship between our two organisations for co-operative efforts where our interests intersect.

***“Good governance is not a luxury but a basic requirement for development. Corruption undermines development and is generally an outcome and a symptom of poor governance. It has reached global proportions and needs to be attacked directly and explicitly.”*** (Durban HOG Commonwealth Declaration 2004) It is now widely acknowledged that the control of corruption has to be an integral component of good governance.

This paper focuses only on governance of a state or of a country by its government, although recognising that governance occurs for any organised group of people be it the family, the village, the company, the township, the civil society organisation, or the nation and beyond.

I have divided my presentation into three main sections. The first section discusses governance; the second section focuses on corruption, while the third dwells on the links between the two with respect to Fiji's experience.

### GOVERNANCE

The concept of governance in academic discourses particularly of African intellectuals is often expressed in terms of state–society relations (Mkandawire 2010). Governance, they assert, should be developmental, democratic and socially inclusive. In brief, governance is conceptualised as the exercise of power amongst society to manage a nation's affairs encompassing all three aspects aforementioned.

1. Developmental state-society relations allow the management of the economy in a manner that maximises economic growth, induces structural change, and uses all available resources in a responsible and sustainable manner enabling a nation to compete well in the global environment.
2. State– society relationships that are democratic and respectful of citizens' rights enable greater inclusion of local initiatives in the governance of the nation at all levels respecting the values inherent in local systems, cultures and structures.
3. Socially inclusive relationships provide all citizens with a decent living with improved quality of life, equity, and full participation in national affairs.

How well the state practices good governance therefore may be judged on how well it sustains this triad in its relations with its citizens.

In 1996 the terms good governance and corruption rose to dominance in international vocabulary through the World Bank (WB) which defines governance as the “*traditions and institutions by which authority in a country is exercised*” (Kaufman et al 2009). The concept of governance by the WB and the International Monetary Fund (IMF) takes a slightly different emphasis from that of the African intellectuals (Mkandawire 2010). The latter concept focuses on relationships within a society based on its structure of power and authority, while the focus of the WB and IMF is more on state structures or institutions. Therefore for the WB and IMF improving governance would necessarily promote structural adjustment or restructuring of the administrative system of a nation to improve transparency and accountability through more open processes.

Quantification of a process or attribute always helps in improving our understanding of its nature. The same with governance. We could have a better idea of our performance if we were able to measure how well we are practicing it. The WB since 1996 has developed a system of measurements that has enabled it to monitor the practice of governance by individual states and to compare progress across states. Like most international composite indices it has its weaknesses and critics. (See Wikipedia). Amongst its identified weaknesses are that it draws on too many data bases and is too complex; its sources are not all accessible to the public, and it uses questionable weighting of the data. This paper has adopted the WB concept of governance but recognising its limitations both in concept and in measurement.

I now wish to take us through some measurements that help us gauge Fiji’s performance with our governance practice. The first set of measurements is presented in Table 1 below.

**TABLE 1:  
Selected Development Indicators of Two Successful African Countries & Fiji**

Country	Year of Independence	Area (km <sup>2</sup> )	Popul. ('000)	Per capita income (US\$ current)			GNI/capita (US\$ PPP)	Primary school enrolment	Life expectancy at birth
				1972	2000	2008			
			2010	1972	2000	2008	2008	2008	2009
Botswana	1966	600,370	1,980	240	3,300	13,204	12,860	87%	55.5
Mauritius	1968	2,040	1,300	300	3,750	13,344	13,270	93%	72.1
Fiji	1970	18,270	876	500	1,820	4,315	4,570	91%	69.2

Source: World Bank and Finland Ministry of Foreign Affairs

The table above gives us a quick glance at the impacts of governance – as documented below - on the development of two well performing nations in Africa and our performance in Fiji. Botswana as you all know is a land locked country that at independence in 1966 was one of the poorest countries in the world. With the discovery of diamonds it negotiated a partnership deal with the well known diamond company, De Beers, and has managed its income from that source with prudence.

Botswana’s widely acclaimed success has been attributed to a set of good governance features (Martin 2009) that include:

- a traditional system of governance that demands the chiefs' accountability to the people,
- the practice of public participation through a tradition of consultation,
- a stable multi-party democracy with no changes in ruling parties,
- respect for citizens' individual property rights as well as that of the state,
- good leadership particularly at its establishment following independence,
- a relatively homogenous population, and
- sound development policies such as the attention to education, health, infrastructure and rural-focussed development

Botswana is now in the upper middle income level with amongst the highest rates of economic growth in the world averaging 9% GDP/capita/annum from 1966 to 1999. Education is almost entirely free so that it has a highly educated citizenship with female enrolment exceeding that of males from primary through to tertiary level, and the country is served with a well developed infrastructure.

Table 1 also shows figures for Fiji and Mauritius – two island countries of comparable size and social conditions. Both have to deal with the challenges of a multiethnic society, and an economy dominated by sugar cane and tourism, while sharing similar limitations such as of limited resources and distant markets. Yet they have diverged widely in terms of development as evident from their income per capita figures over the years. Much of this may be attributed to governance.

Contributing factors to what has been acclaimed as the Mauritius miracle or enigma have been identified to include its colonial history, its political geography, its present demography and its robust and long standing civil society (Miles 1999). As in Fiji, the British colonialists left Mauritius with a system of democracy and attendant institutions for checks and balances. Mauritius has built on that to maintain a stable and dynamic democracy in a plural society (Darga 1998). Its features include an independent and vocal media, and vibrant civil society, with effective trade unions, strong churches and religious bodies, and a range of proactive social, youth and environmental groups. Its constitution promotes governance transparency and accountability and it has a track record of a legitimately established government elected in a transparent manner and accepted by all.

I now wish to turn to Fiji. As revealed in Table 1, Fiji has not performed well for the last three decades. In fact poor performance in the same period has been a general feature of the Pacific Island nations as a whole including Fiji - despite large inflows of aid. (Hughes 2003). However, this should not be taken as an excuse not to critically examine the specific experience of Fiji.

Table 2 and Figure 1 present the World Bank indicators of governance for Fiji from 1996 to 2009. The WB uses six governance indicators. These are expressed as percentile values indicating the percentage of countries in the world that are rated below Fiji. The higher percentile score indicates better performance.

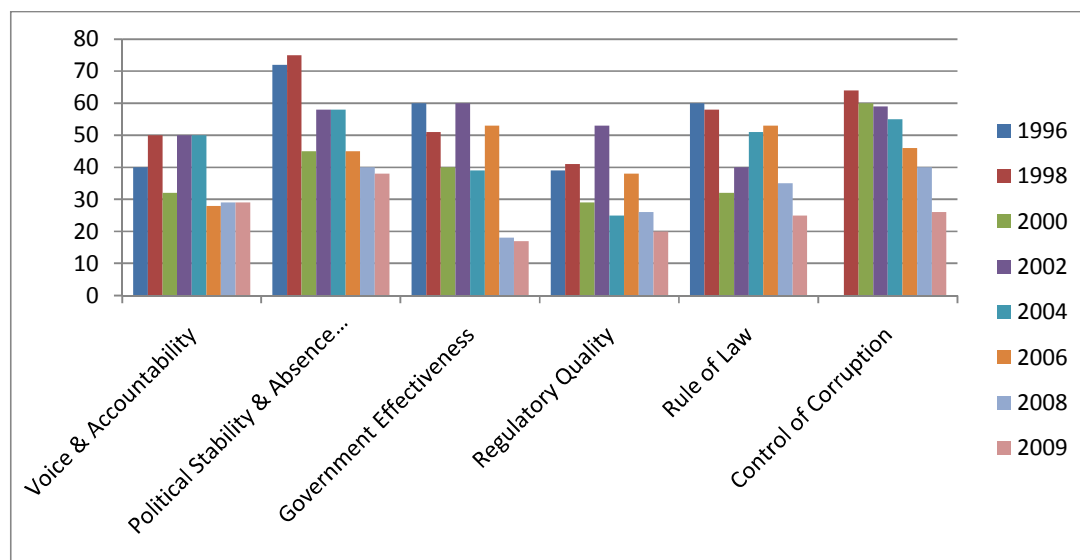
The indicators are updated annually for 213 economies and are based on several hundred individual underlying variables taken from close to 40 data sources produced by over 30 organisations worldwide. (Kaufman et al 2010).

**TABLE 2: Governance Indicators for Fiji: 1996 -2009**

Attribute	1996	1998	2000	2002	2004	2006	2008	2009
Voice & Accountability	40	50	32	50	50	28	29	29
Political Stability & Absence of Violence / Terrorism	72	75	45	58	58	45	40	38
Government Effectiveness	60	51	40	60	39	53	18	17
Regulatory Quality	39	41	29	53	25	38	26	20
Rule of Law	60	58	32	40	51	53	35	25
Control of Corruption	NA	64	60	59	55	46	40	26

Source: World Bank governance indicators 2011; <http://info.worldbank.org/governance/wgi/index.asp>

Figure 1 below reveals that all 6 of the indices show a clear downward, negative trend to 2009.



**FIGURE 1: Governance Indicators for Fiji: 1996 -2009**

The intensity of activities to churn out these different indices and to aggregate them not only globally but also by regions is indeed a certain indication of the strong interest in governance. It recognises the positive link between good governance and successful development. The values in Table 2 (and Figure 1) show a general dip for all indicators in 2000 – the year of the third coup in Fiji.

There was some improvement in 2002 but this was not carried through to 2006, the year of our fourth coup, when all governance indices again generally slipped further to the lowest scores to date in 2009. By that year 80% of all countries scored higher than Fiji in regulatory effectiveness and government effectiveness.

This should be of extreme concern if we are interested in attracting serious investors to our country.

- For Government effectiveness, this places Fiji worse than Bukino Faso, Niger, Cambodia, Pakistan, and Djbouti, for example.

For regulatory quality, which is essential to protect the public interest, Fiji is down there among Angola, Burundi, Chad, Cote D'Ivoire, and others.

Does poor governance result in poor development achievement?

I decided to look at the UNDP Human Development Index (HDI) as it is a more holistic indicator of development than purely economic indicators such as GDP. It also reflects the performance of governance closer to the wider concept developed by the African intellectuals.

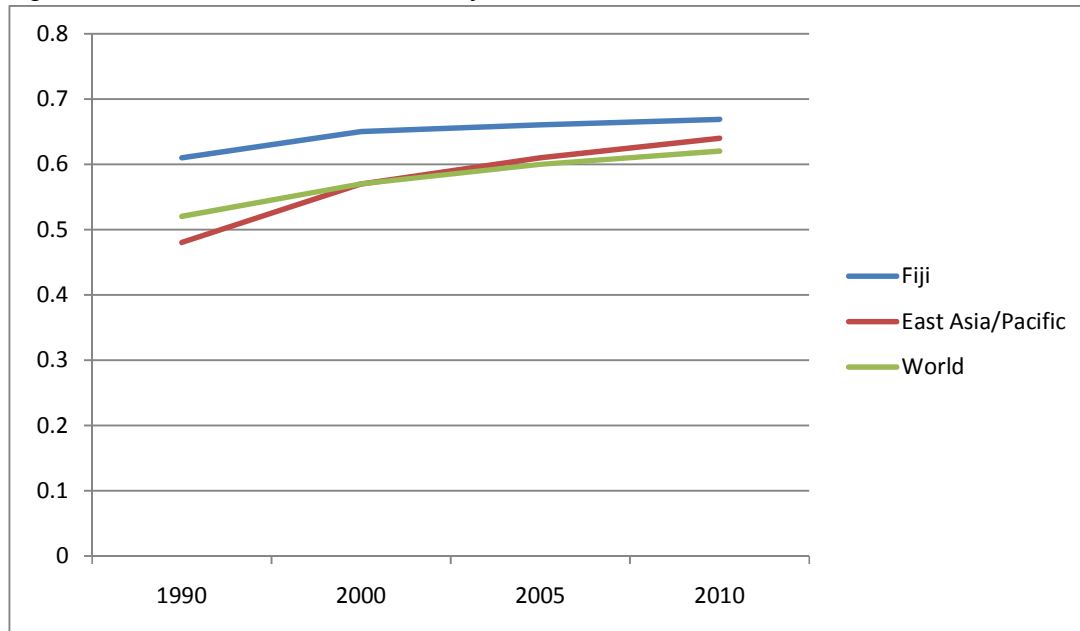
A quick glance at the trends in UNDP Human Development Index from 1990 to 2010 could imply a link between poor governance and poor development for Fiji. Table 3 and Figure 2 present the HDI values for Fiji, the East Asia and Pacific Region and the World, in the period 1990 to 2010. This shows that although Fiji is still above average for the region and for the world, its rate of growth has been slower (approx. 0.5%) - thus closing the gap between it and the average for both the other two groupings with approximately 1.7% and 0.7% growths respectively.

**TABLE 3: Fiji Human Development Indices  
Compared to averages for East Asia and Pacific Region and the World**

<b>Country/region</b>	<b>1990</b>	<b>2000</b>	<b>2005</b>	<b>2010</b>	<b>% annual growth</b>
FIJI	0.61	0.65	0.66	0.669	~ 0.5%
EAST ASIA/PACIFIC	0.48	0.57	0.61	0.64	~ 1.7%
WORLD	0.52	0,57	0.60	0.62	~0.7%

Source: (UNDP) - <http://hdr.undp.org/en/statistics>

Figure 2: HDI from 1990 to 2010 for Fiji, Asia/Pacific and the World.



The deceleration in the rate of growth of Fiji's HDI shown in Table 3 (and Figure 2) and the creeping weakness in the control of corruption presented in Table 1, are two risks that Fiji should take note of seriously to address resolutely.

Non physical changes are often easy to ignore or difficult to address. Because they may be too imperceptible to cause concern; several generations can pass and what the country was like some decades back is forgotten in the collective memory- as the changes are not obvious enough to be registered over time – until it is too late. The message of the governance indicators for Fiji is clear. We have no laurels to rest on.

I now wish to focus on corruption in state governance.

If we look again at Fiji's scores in Table 2 and Figure 1 on the control of corruption, we can see an unbroken decline in Fiji's control of corruption from 64 percentile in 1998 through 59 in 2002, 46 in 2006 to a low 26 in 2009, i.e. we are now ranked among the bottom fourth of all countries in the world. We are now ranked below many countries with widely acknowledged corruption problems such as Benin, Ethiopia, Mali, Niger and Dominican Republic. It is an insidious risk that is easy to ignore until it is too late. Control of corruption is an integral component of good governance. We must address corruption while simultaneously strengthening our governance system as a whole.

## CORRUPTION

While the concept of governance may be relatively new, that of corruption seems to be as old as human organisation itself. There are warnings against it in the Bible, the Koran and the Bhagavad Gita - the holy books of the three dominant faiths in Fiji. Exactly what corruption is however, has evaded agreement of the experts. The literature is replete with discussions and debates on what is corruption. This is because corruption includes so many

different actions such as bribery, extortion, nepotism, rank pulling, kick backs and so on. Generally though there seems to be general agreement that corruption does occur and can occur anywhere.

## Corruption

- can exist in any place, at any time and under any form of government while its understanding / definition evolves and changes over time (Farrales 2005);
- is defined by the context and the culture of where it occurs (Pardo 2004);
- is harmful to development through its negative impacts on democratic processes, civil society, cost of government, and rates of investment.

One of the more widely accepted definitions of corruption is that of the international NGO - Transparency International (TI) based in Berlin, Germany. TI's working definition of corruption is "**the abuse of trusted authority for private gain**". For our discussion it is important that we are clear ourselves as to what is included in the term corruption as we use it. This paper assumes the definition used by Transparency International.

Under that definition TI Fiji conducts surveys and receives complaints of corruption from members of the public. Activities labelled as corruption by people surveyed in Fiji (Singh et al, TI GCB) include the following:

1. **Kick backs** when public officials demand extra payments for services that are part of their normal duties. These may be in issuance of licences, passports, vehicle certificates etc.
2. **Bribery of officials** by ordinary citizens for privileged service that have included entry of children to educational institutes, special medical services, diversion of the justice system, and favours from tax officials.
3. **Greasing the palms** when private companies or powerful individuals offer incentives (financial or material gain), to public officials for preferential provision of goods and services.
4. **Nepotism/Cronyism** which is unfair selection of relatives or friends for jobs, or appointments to influential boards, or selection of their companies for award of contracts.
5. **Rank pulling** is the use of status by powerful individuals like chiefs or company directors or politicians, to get special favours from public services.
6. **Unfair and unethical decision on public procurement** has been cited with respect to government offices that decide on the use of funds such as the Government Supplies Department, or Ministries that award contracts to external agencies.
7. **Misuse/Abuse of Public Funds** has been well illustrated by the National Bank of Fiji saga which cost the country hundreds of millions of dollars.
8. **Private sector practice of over pricing by importers** who purchase goods offshore through linked companies that inflate invoiced prices to Fiji importing companies thus giving excess profits offshore to the latter.
9. **Private sector bribery of officials supervising** large constructions such as roads and buildings so that sub-standard materials are used thus increasing costs of maintenance.

These examples show that corruption in Fiji, as elsewhere, can occur at any level of society and in several different forms. .

But how widespread and pernicious is it in Fiji?

Apart from our own data collection, TI Fiji has also participated in TI's Global Corruption Barometer (GCB) surveys in 2006 and again in 2010. The GCB surveys a random sample of the adult public and presents the perceptions and experiences of those who are actually affected by corruption.

The majority of the respondents in 2010 – some 53%, claim that corruption in Fiji has decreased over the last three years while a smaller proportion - 36%, claim it has increased.

When asked whether they had paid bribe in the last 12 months, in order to receive attention from nine different service providers, quite a large proportion of respondents – 12% - claim that they had done so. This is just above the average of 11% for the Asia Pacific Region although very high compared to North America and the EU....Of interest to note that Australia's rate was 2% and New Zealand 5% in 2010.

([http://www.transparency.org/policy\\_research/surveys\\_indices/gcb/2010/interactive](http://www.transparency.org/policy_research/surveys_indices/gcb/2010/interactive)). Fiji's rate has deteriorated from a mere 3% in 2006 to 12% in 2010.

Despite this apparent increase in bribery, a large majority of the respondents – 88% - assess government's fight against corruption as effective. This has risen from 44% in 2006 to 88% in 2010. Those who consider it to be ineffective have dropped from 28% in 2006 to 9% in 2010.

Of interest also is the perception of the people of Fiji on the degree to which some major institutions of our country are affected by corruption. The results of the survey for 2006 and 2010 are presented in Table 4 below.

**TABLE 4: To what extent do you perceive the following institutions in this country to be affected by corruption?**

Year	Politician	Parliament	Police	Business Private	Media	Judiciary	NGOs	Religious bodies	Military	Educ system
2006	3.6	3.4	3.2	3.4	2.7	3.2	2.2	2.2	2.9	3.0
2010	3.4	2.7	2.8	3.2	2.3	2.5	2.3	2.2	2.1	2.2

Source: Extracted from TI Global Corruption Barometer reports for 2006 and 2010.

Note: 1 = not at all corrupt; 5 = extremely corrupt

The figures indicate that politicians, parliament, the business/private sector, and the judiciary were considered more corrupt than other institutions in 2006. Assessments had improved to below 3.0 in 2010 for the parliament (disbanded), the police and the judiciary. It is interesting to note that politicians and business/private sector retain their positions as the two highest assessed corrupt institutions in Fiji. Also of interest is the general decrease in scores - indicating improved assessments - for almost all institutions. The greatest improvements in assessment scores have been for the judiciary, the military and the education system implying that these institutions are now considered much cleaner than in 2006. Religious bodies and NGOs have retained their positions as assessed amongst the least corrupt of institutions.

Why are we so concerned with corruption and go to such lengths to measure its presence or perceived occurrence?

As a nation, we in Fiji have had direct experience with corruption, both small and grand on our scale. Corruption has robbed us of development and has undermined our well constructed governance system. Good governance is a *sine qua non* for successful development and the eradication of poverty. According to the previous Chair of TI, Peter Eigen, "*Corruption is a major cause of poverty as well as a barrier to overcoming it. The two scourges feed off each other, locking their populations in a cycle of misery. Corruption must be vigorously addressed if aid is to make a real difference in freeing people from poverty.*" (TI CPI report 2010)

The importance of good governance is well illustrated by the cases we discussed earlier of Botswana and Mauritius. These two countries were the two cleanest African countries according to Transparency International's Corruption Perceptions Index (CPI) for 2010, which measures perceived public sector corruption. Of a total of 178 countries surveyed, Botswana was rated 33rd cleanest country while Mauritius scored 39<sup>th</sup> place with indices of 5.8 and 5.4 out of 10 respectively ([http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2010/results](http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results)). They were roughly in the top 20% in that year. Fiji was included in the CPI only once in 2005 when it scored 4.0 and was placed 55<sup>th</sup> - putting it amongst the bottom 30% of the 80 countries surveyed that year.

## GOVERNANCE AND CORRUPTION

The results of the various survey data on Fiji quoted here have some curious discrepancies. Notably:

- The proportion of respondents who claimed that they had actually paid bribes had increased fourfold from 2006 to 2010 in apparent contradiction to the high percentage – 53%- of the same group who perceived corruption to have decreased.
- Generally the assessment of the performance of various institutions in Fiji indicated perceptions of wide reduction in corruption. This was supported by a large majority of 88% response claiming government's fight against corruption was effective. Yet this contrasted with the WB scores on control of corruption that showed a steady downward trend in the same period.

There are two possible alternative explanations:

It is possible that in line with perceptions, the rate of corruption in Fiji had indeed decreased and that the data on increased bribery and the WB scores could be explained as resulting from errors in survey methods,

Or

It is also possible that the improvements in perceptions were due to lack of information on the occurrence of corruption in the country.

The WB scores as mentioned before are a composite of a wide range of data sources while the Fiji survey is only one set of data based on a sample of just over 1,000 adults.

I therefore pursued a few more sources of information on our governance performance related to control of corruption.

Control of corruption is inter-linked with the other five aspects of governance, especially with the rule of law. Rule of law enables legal certainty which makes processes predictable and legally enforceable. It includes judicial review which evaluates the strength of scrutiny by the courts of the Executive's actions. It ensures that the appointment of judges is transparent and their independence respected. It promotes the prevention of corruption by state officials and politicians.

A Law and Justice report on Fiji for the period April 2009 to April 2010 (CCF 2010) showed some interesting information on some aspects of governance in our country that may explain the discrepancies.

1. In terms of legal certainty ---

Some 74 decrees were passed in the period April 2009 to April 2010. Of these 53% contained amendments to other legislation while 23% were minor amendments to earlier decrees or promulgations. This process of legislative changes, the report claims, lacks certainty and creates confusion about which rules apply at given times.

2. In terms of judicial review –

Eleven of the 74 decrees “have provisions removing judicial review of government decisions” which means that the government cannot be challenged in court.

3. In terms of appointment of judges-

There is no Judicial Services Commission and all judicial officers are appointed and dismissed by the President on the advice of the Attorney General. Conditions of work including contract duration as explained in the report indicate the possibility of lack of independence of the judiciary.

4. In terms of Corruption prevention-

Fiji is amongst only three South Pacific countries to have ratified the UN Convention Against Corruption which it did so in 2008. (FICAC 2010) Fiji is amongst the 40 countries to participate in the first series of peer reviews of the Convention which is currently on-going. Fiji took the bold step of establishing the Fiji Independent Commission Against Corruption (FICAC) in 2007. A summary of the number of complaints received by FICAC, of the number of prosecutions in court, and of percentage convictions - showed an increase of all three from 2008 to 2009. This indicates that FICAC could become more efficient quite quickly as it gains experience. These figures are presented in Table 5.

TABLE 5 Data on FICAC performance 2007 to 2009.

Year	charges	Prosecutions	Convictions	Complaints received	% Convictions
2007				2128	
2008	155	29	1	2367	3.4%
2009	N/A	79	8	3974	10.1%

Source: CCF from FICAC Annual reports.

Cases brought to the courts by FICAC are usually well publicised in the media and FICAC annual reports are available to the public.

Given the lack of transparency of the other three conditions of the rule of law discussed above, the encouraging conclusions gathered from the 2010 GCB survey may be read with caution.

Another aspect of governance that may affect the occurrence of corruption is transparency of the budgeting process including its formulation, its presentation and its expenditure. TI Fiji joined some 94 other countries in a global survey of transparency of state budgets and budgeting process. This is organised and published by the International Budget Partnership, an NGO group based in Washington DC. Out of a possible score of 100 Fiji scored 12 in 2008 and slipped to the bottom of the pile along with Equatorial Guinea and Sao Tome e Principe, with a score of zero in 2010. Generally however most countries provide less than half of the information they should make accessible to the public. Fiji's score may be compared with PNG's score of 57 and New Zealand's score of 90 out of 100.

(<http://www.internationalbudget.org/files/2010>)

The lack of transparency in governance including the state budget is of concern as it could be ground for increased corruption. Of particular concern to TI Fiji is the lack of public information on the actual expenditure against budget allocations at the end of each financial year. This kind of information can assist the public in monitoring the performance of the public service. Experience worldwide indicates that in weak economies petty corruption of the public service becomes common. This is usually encouraged by a number of factors including low salaries, lack of media freedom to expose irregularities and absence of transparency in public fund management.

As is well known, the general fight against corruption requires media freedom as stated above. The situation of the press in Fiji is of concern in this regard. Again the international index on Press freedom shows a downward trend for our country from 58<sup>th</sup> position with the top 34% just below USA and Tonga in 2006 to 149<sup>th</sup> position amongst the bottom 26% in 2010 just below Colombo, Nigeria, Afghanistan and the Democratic Republic of Congo. With a free press facilitating access to information, the people themselves can be an effective force in combating corruption. The "Right to Information Movement in India" for example has displayed significant success in bringing corrupt bureaucrats to account. (Harrison 2010). They can trace budget expenditures even at local levels.

The cost of corruption to Fiji in the past has been extensive. Its very nature as a secret exchange between two parties renders it difficult to detect. Corruption can have cost implications impacting the political life and business environment of a country as well as the economic and social lives of families and individuals.

As the famous collapse of the National Bank of Fiji (NBF) illustrated, weaknesses of governance can lead to large scale corruption with disastrous impact on the society. Grynberg, Munro and White showed in their report on the collapse of the NBF that:

- Proper process was not followed in the appointment of the NBF management after the 1987 coup.
- The installed Manager ignored sound banking practice and used the bank services for extending the government's development objectives of increasing indigenous Fijians and Rothmans participation in the national economy. Loans were given to

people who were obviously unable to meet payment requirements. The bank's accountability to its depositors was ignored.

- In 1992, four years before the 1996 announcement in Parliament by the then Minister of Finance, the Reserve Bank of Fiji, as the supervisory authority, was already aware of the difficulties facing the NBF and that it was effectively insolvent. Over the next four years, the NBF consistently ignored the instructions from the supervisory authority, which failed to act decisively as it could have. There was a lack of firm and courageous leadership.
- The government was also regularly briefed by the supervisory authority but no action was taken. Government instead tried to muzzle the media and refused to launch a commission of enquiry. The basic governance principles of accountability and transparency were both ignored by the government. Rumours were rife and the integrity of the nation's leadership questioned.
- The Auditor General finally exposed the status of insolvency of the bank but had acted too late to save it. (Grynberg et al 2002)

It is widely acknowledged that poor governance encourages corruption while corruption weakens the performance and integrity of governance. Both have direct negative impact on a nation's development and prosperity. Extensive research shows that foreign investment is lower in countries perceived to be corrupt, which further thwarts their chance to prosper. Experience worldwide shows that good clean governance has to be a necessary basis for sustainable prosperity for all.

Ladies and gentlemen, the indicators itemised here show a worrying trend for Fiji. It seems to me to be a wakeup call for us all. We at TI Fiji invite each of you concerned for the human and natural welfare of this country, to consider taking up the fight against corruption and the promotion of good transparent governance in your everyday lives with courage.

THANK YOU.

#### **Acknowledgement**

Useful comments were gratefully received on the draft of this paper from Mr Dave Aidney (TI Fiji Chair) and Mr Peter Johnston (TI Fiji member). Any faults and weaknesses in interpretation of data are entirely of the author.

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