

Ensuring the safety of students in pesantren: A study on the ministry of religious affairs' role in handling violence cases

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Abstract

Cases of violence within pesantren (Islamic boarding schools) continue to occur. According to data from the Indonesian Teachers Union Federation (FSGI), 101 children were recorded as victims of sexual violence in schools between January and August 2024 – all within educational institutions, across eight different cases. Of these, three cases occurred in boarding schools, while the other five took place in institutions under the supervision of the Ministry of Religious Affairs. This qualitative descriptive study, based on a literature review, aims to analyze two key policies: the Decree of the Director General of Islamic Education No. 1262 of 2024 concerning Technical Guidelines for Child-Friendly Care in Islamic Boarding Schools, and the Minister of Religious Affairs Regulation No. 73 of 2022 on the Prevention and Handling of Sexual Violence in Educational Institutions under the Ministry of Religious Affairs. Data sources include articles, journals, books, and other relevant literature on violence in pesantren environments. The findings reveal that, despite the issuance of these regulatory policies, cases of violence in pesantren persist. The study underscores the urgent need to strengthen and clarify evaluation and enforcement mechanisms at all institutional levels to effectively prevent and address such cases.

Keywords: Violence, Boarding School, Ministry of Religious Affairs

Abstrak

Kasus kekerasan di lingkungan pesantren terus terjadi. Berdasarkan data Federasi Serikat Guru Indonesia (FSGI), sebanyak 101 anak tercatat menjadi korban kekerasan seksual di sekolah antara Januari hingga Agustus 2024 – seluruhnya terjadi di lingkungan lembaga pendidikan, dalam delapan kasus berbeda. Dari jumlah tersebut, tiga kasus terjadi di pesantren, sementara lima lainnya terjadi di lembaga yang berada di bawah naungan Kementerian Agama. Penelitian ini merupakan studi deskriptif kualitatif berbasis tinjauan pustaka yang bertujuan untuk menganalisis dua kebijakan utama: Keputusan



Direktur Jenderal Pendidikan Islam No. 1262 Tahun 2024 tentang Petunjuk Teknis Pengasuhan Ramah Anak di Pesantren, dan Peraturan Menteri Agama No. 73 Tahun 2022 tentang Pencegahan dan Penanganan Kekerasan Seksual di Satuan Pendidikan di bawah Kementerian Agama. Sumber data dalam penelitian ini mencakup artikel, jurnal, buku, dan literatur relevan lainnya mengenai kekerasan di lingkungan pesantren. Temuan menunjukkan bahwa meskipun telah diterbitkan kebijakan regulatif tersebut, kasus kekerasan di pesantren masih terus terjadi. Penelitian ini menegaskan pentingnya penguatan dan kejelasan mekanisme evaluasi serta penegakan kebijakan di semua tingkat kelembagaan untuk secara efektif mencegah dan menangani kasus-kasus tersebut.

Kata Kunci: Kekerasan, Pesantren, Kementerian Agama

INTRODUCTION

Islamic boarding schools are Islamic educational institutions that are under the guidance of *ustadz* and *kyai*, using a learning curriculum that is dominated by religious education and implementing a dormitory system where a santri (student) lives in a pesantren dormitory and *kyai* as the main figure (Fitri & Ondeng, 2022). Pesantren as an educational institution has an important role in shaping the character and understanding of religion for students in Indonesia. With an Islamic-based education system, pesantren are expected to be a place to instill Islamic values and become the safest place for students to develop intellectuality, spirituality, and morality (Muslim, 2023). However, what has happened lately is the opposite of what the community considers to be the truth about the world of pesantren. The emergence of various cases of violence in the world of pesantren, ranging from verbal violence, physical violence, to sexual violence, has also invited the attention of the Indonesian people, this certainly greatly injured the public's trust in the world of pesantren which should be a "clean" educational institution. Pesantren as an institution that is supposed to uphold the values of equality, morality, Islamic, and humanism is actually trapped in a vortex of deviant behavior, far from religion, and far from decency.

Cases such as bullying and sexual violence in the world of pesantren, several times were actually carried out by "pesantren administrators" and even by the "pesantren caregivers" themselves. As research conducted by (Khoirini & Widiasih, 2024) examined that seniority in the pesantren environment is a hereditary culture so that such behavior will lead to bullying, verbal violence, and physical violence committed by seniors against juniors. It is sad, where parents have entrusted their children to the caregivers of the boarding school, with the hope that their children can be guided in exploring religious

knowledge, socializing with the community, and becoming Islamic personalities, but their future is damaged by irresponsible pesantren elements, and must bear a lifetime trauma of the violence that the students (victims) experience.

The factors that cause violence in pesantren are very complex, starting from the problem of excessive discipline by seniors, not understanding the right teaching methods, emotional instability, lack of faith, superiority, and unbalanced power relations, so that these accumulations lead to behavior that deviates from Islamic norms and values. This is in line with research conducted by (Bafaqih & Sa'adah, 2023), that the ineligibility of santri input, power conflicts, and strong diversity can cause violence against santri to continue to advance in the scope of pesantren. Similarly, Wagner (2023) also provides confirmation that unbalanced power relations are also a cause of violence. In line, Fitri Febriaisyah's research which says that the education system in Indonesia still tends to be patriarchal, where women are seen as a vulnerable group - in this case, the figure of kyai or gus is very dominant and has a power relationship with his santri (Fitri Pebriaisyah et al., 2022).

Reporting from the Kompas news page, from January to August 2024, the Federation of Indonesian Teachers' Unions (FSGI) recorded 101 children who were victims of sexual violence in schools, all of which occurred in educational institutions with eight different cases. Of the eight cases, three of them occurred in boarding schools, while the other five cases occurred in educational institutions under the auspices of the Ministry of Religion. Based on gender, 69 percent of victims were male and 31 percent were female (Arandito, 2024). This should be a special concern for the government, how the governments can seriously and wisely handle cases of violence in the world of education (Novi Andari, 2017).

The Ministry of Religious Affairs, through the Director General of Islamic Education, on March 4, 2024, has approved the Director General of Islamic Education's Decision Letter No. 1262 of 2024 regarding Technical Guidelines for Child-Friendly Care in Islamic Boarding Schools, which is subsequently abbreviated as SK Dirjen Pendis No. 1262, which includes provisions on ensuring a conducive and safe environment for the safety of students to prevent various forms of violence, and the Minister of Religion Regulation No. 73 of 2022 on the Prevention and Handling of Sexual Violence in Educational Institutions under the Ministry of Religion, hereinafter referred to as PMA No. 73. However, on September 29, 2024, the public was once again shocked by reports of acts of violence occurring within the boarding school environment.

The Al-Qonaah Islamic boarding school (Ponpes) located in Karang Mukti, Karangbahagia, Bekasi, West Java on Saturday, September 29, 2024 had shocked the public because it was raided by around 300 people. Reporting from Detiknews, as many as 300 people demanded accountability for the alleged acts of sexual abuse of several students by the head of the pesantren and an ustaz at the pesantren (Adha Mahendra, 2024). This indicates that the decree issued by the Ministry of Religious Affairs has not fully addressed the issue of bullying behavior and violence against children, especially in the pesantren environment.

Through this research, the researcher highlights the policies made by the Ministry of Religious Affairs and it is hoped that there will be some kind of clarity in the Ministry of Religious Affairs' regulations in overcoming problems in Islamic educational institutions regarding violence, bullying and so on - especially since there has been no research that specifically highlights and criticizes the Ministry of Religious Affairs' policies on handling violence in pesantren. So that the formulation of the problem proposed by the author in this study is: why cases of violence can occur in pesantren educational institutions; and how the Ministry of Religion's efforts to overcome violence in Pesantren Educational Institutions. By analyzing the Decree of the Director General of Pendis No. 1262 and PMA No. 73, it is hoped that the intersection between regulations and practices (cases that occur) that have been carried out so far can be found to take strategic policies and have a positive impact on pesantren education institutions, especially in handling cases of violence in pesantren.

METHOD

This research uses a type of qualitative research with a descriptive approach based on the literature study method. Data collection in this literature study is carried out by tracing literature in the form of books, journals, or other scientific sources to find theories relevant to the topic of this research (Subagiya, 2023). The data sources used in this study are Decree of the Director General of Religious Education No. 1262, Minister of Religious Affairs Regulation (PMA) No. 73 of 2022 concerning Prevention and Handling of Sexual Violence in Education Units at the Ministry of Religion. In addition, secondary data comes from previous studies that have been published on the theme of violence in the education environment and pesantren, which are then analyzed to obtain conclusions that can be scientifically justified (Sugiyono, 2017). The data analysis method used in this research is the descriptive analytical method,

which is to collect and make data based on what already exists or as it is, and then analyze and interpret or interpret the data (Nawawi, 2007).

RESULT AND DISCUSSION

Forms and Characteristics of Pesantren

According to (Dhofier, 2019), in his book entitled "Pesantren Tradition", Pesantren is interpreted as a traditional Islamic educational institution whose role is to provide education, interpretation, and appreciation of Islamic teachings while emphasizing the urgency of religious morals as guidelines for daily behavior. As we know that pesantren is indeed an educational institution that focuses on instilling and teaching Islamic values as a whole, starting from the curriculum design which features many Islamic lessons such as fiqh, aqidah, Arabic language, tafsir, and several other subjects. Not only are those, students also required to participate in habituation activities such as studies, congregational prayers, Qur'an tadarus, and other activities.

In the view of the community, pesantren are only divided into 2 parts, namely traditional pesantren and modern pesantren. Traditional pesantren (salaf pesantren) is an educational institution whose curriculum only contains classical books (such as Bulughul Marom, Tafsir Jalalain, I'anatut Tholibin, and so on) as the core of traditional education, and uses a monarchical system in its leadership hierarchy (Arif, 2012). While modern pesantren is a pesantren whose curriculum contains Islamic subjects and also subjects like public schools in which there are thematic subjects, ICT, science, social studies, Indonesian, foreign languages, and others.

Pesantren as an educational, proselytizing, social, and cultural institution is able to provide a special style for the education paradigm in Indonesia. The presence of pesantren continues to transform following the times and always appears to be the answer to the challenges that exist in the surrounding community (Hasan, 1988).

The existence of pesantren education institutions, gives its own style in the world of Islamic education in Indonesia, growing and developing in the midst of society, certainly makes pesantren have its own characteristics that are different from other educational institutions, here are some characteristics of pesantren according to H. A. Mukti Ali (Nasution, 2019), they are:

1. There is a close relationship between the santri (students) and the Kyai.
2. The santri's submission to the Kyai's orders
3. Live simply, avoiding all luxuries.
4. The spirit of self-help among boarding school students is very pronounced.

5. The spirit of mutual help and the atmosphere of close brotherhood between students also characterize the life of the pesantren.
6. Emphasize discipline
7. Practicing tirakat to achieve a goal is one of the educations obtained by santri in pesantren education.

Pesantren as one of the Islamic educational institutions under the Ministry of Religious Affairs through the Directorate of Early Education and Islamic Boarding Schools and is part of the Directorate General of Islamic Education. So that its existence is always evaluated, including how pesantren carry out their function as non-formal educational institutions in forming capable individuals in the religious and social fields of society (Janah & Ghofarrozin, 2021). In research conducted by (Maesaroh & Achdiani, 2018), pesantren have three functions, namely education, religious, and social functions.

The educational function carried out by pesantren aims to fulfill the community's need for formal education as well as non-formal education based on religion to children since childhood, then the religious function is the function of pesantren as an institution that provides education to the community through religious-based events or traditions in pesantren which are carried out continuously, and finally the social function where pesantren stands as an institution that produces cadres of scholars who will go directly to the community to teach and provide religious education. So that, the educational, religious, and social functions of pesantren are a continuum that cannot be separated each other's.

Structure, Functions, and Duties of the Ministry of Religious Affairs

The Ministry of Religious Affairs (MoRA) is a government institution tasked with managing government affairs in the field of religion. The Ministry was established on November 25-27, 1945 through the Plenary Session of the Central Indonesian National Committee (KNIP). Its main task is to assist the President in implementing the state government, especially in the field of religion. In its structure, the Ministry consists of various divisions, including: (1) General Secretariat, (2) Inspectorate General, (3) Directorate General of Islamic Education, (4) Directorate General of Islamic Public Guidance, (5) Directorate General of Hajj and Umrah Organization, (6) Directorate General of Catholic Public Guidance, (7) Directorate General of Christian Guidance, (9) Directorate General of Hindu Public Guidance, (10) Directorate General of Buddhist Public Guidance, (10) Research, Development, Education and Training Agency (Litbang and Diklat), (11) Halal Product Guarantee Agency.

Then, some of the main functions of the Ministry of Religious Affairs are as follows:

- 1) Formulating, stipulating, and implementing policies in the field of interfaith community guidance (Islam, Christianity, Catholicism, Hinduism, Buddhism, and Confucianism), organizing Hajj and Umrah, and religious and religious education.
- 2) Coordinate the implementation of tasks, guidance, and administrative support to all organizational elements under the Ministry of Religious Affairs.
- 3) Managing some of the state assets for which the Ministry of Religious Affairs is responsible
- 4) Conducting activities in the form of supervision over the implementation of tasks within the Ministry of Religious Affairs.
- 5) Implementation of technical guidance and supervision on the implementation of the affairs of the Ministry of Religious Affairs in the region.
- 6) Carry out technical activities from the center to the regions.
- 7) Managing education, training, research and development in the field of religion and religious affairs.
- 8) Organizing halal product assurance.
- 9) Provide substantive support to all organizational elements of the Ministry of Religious Affairs.

Forms and Effects of Violence

The Minister of Religious Affairs Regulation (PMA) describes sexual violence as any act that is harmful, humiliating, disturbing, or other actions against a person's body, sexual desire, or reproductive function, either forcibly or involuntarily, or against a person's will because of inequality in power relations and or gender, which can cause suffering to the victim in any form (PMA No. 73 of 2022 concerning Prevention and Handling of Sexual Violence in Education Units at the Ministry of Religious Affairs, 2022).

Referring to the KBBI, violence is one of the actions whose perpetrators can be individuals or groups that cause injury or disability, physical damage, and even death. This violence can occur directly or indirectly such as through social media, so it can take the form of verbal, nonverbal, and physical violence.

Bullying is one of the moral deviations in the form of aggressive and negative behavior that causes discomfort with the aim of hurting others physically or psychologically, which is usually done continuously with full awareness (Rizky Analiya & Arifin, 2022).

Forms of violence are divided into 2, namely:

1. Direct violence is a form of violence that is carried out directly by someone against the victim or target, which is more directed towards actions such as intentionally injuring, injuring, persecuting, raping, and even murdering.
2. Indirect violence is a form of violence perpetrated by the perpetrator against the victim through means such as restraint, intimidation, slander, and also the reduction of the victim's rights by the perpetrator himself.

According to Christiana and Sumartono quoted by Tuti Budirahayu in the book Violence in Schools divides forms of violence into 3 categories, namely: (Budirahayu, 2022)

1. Physical violence, which is violence that affects a person's physical or external body, examples of actions such as being slapped, hit, kicked, pinched, sexual violence, and others where the impact of this violence is visible so that it can be seen with the naked eye.
2. Verbal or psychological violence, which is violence directed at a person's body but carried out with words or actions that aim to embarrass the victim. Examples include cursing, saying dirty words directed at other people, demeaning, reproaching, and insulting someone in a crowd so that it can cause victims to experience psychological and psychological trauma which is usually marked by the victim's behavior which tends to become more quiet, passive, feeling worthless, and others.
3. Symbolic violence, which refers to the imposition of a system of symbolism from one person to another so that the act is considered as something commonplace, for example, teachers force students to take additional lessons outside of school hours when in fact the students feel burdened but they are "forced" to do this because of the inequality in the power relations of teachers and students so that they will be reluctant / unable to refuse.

Violence's Factors in the Pesantren Environment.

According to data collected by SIMFONI PPA (Online Information System for the Protection of Women and Children), in October 2023 there were 1,478 cases of violence, of which 615 cases were cases of child victims of sexual crimes, followed by 303 cases of child victims of physical/psychological violence. In January - December 2022, the Ministry of PPPA noted that there were 32,687 reports of cases of violence, while the number of cases that had been handled was 25,053 victims (KPAI Public Relations, 2023).

Looking at the reality, the pesantren education environment is still far from safe for students, cases of violence such as bullying, sexual violence, or verbal violence still persist in pesantren. These various problems certainly have

various root causes. Violence that occurs in the educational environment is part of social-emotional problems, a culture of seniority that is ingrained in the pesantren environment so that it becomes commonplace, a poor education system, and a lack of supervision (Helena Lohy & Pribadi, 2021). The roots of cases of violence in the pesantren environment, especially cases of sexual violence, also consist of various factors including unbalanced power relations, weak legal protection, and economy (Natsir and Rohman, 2024).

The many cases of sexual violence that occur in pesantren, where most of the victims are women, show that the issue of gender bias related to the subordination between male and female students is a serious matter. Kyai, who is the central figure in pesantren, often perpetuates the patriarchal culture, which will later be imitated by santri or students, because all forms of thought, speech (*dawuh*) and actions of kyai are exemplary (Pebriaisyah et al., 2022).

Not only that, the pesantren curriculum whose teaching is based on classical books where the general view in the book still describes the subordination of women themselves or sometimes some arguments in religious texts are understood textually so that they tend to cause "discrimination" against women and are far from humanist (Amalia & Arifin, 2018). Not to mention the practice of power relations that create a very striking disparity between santri and gus - the relationship creates silence in santri (Aini, 2022). In fact, to become a role model and be respected, a leader must have a wise and charismatic leadership mode - especially in an effort to build a broader and more trusted pesantren ecosystem (Suryana et al., 2021).

In essence, cultures such as seniority, gender subordination, and unbalanced power relations in pesantren are the main factors that trigger physical and verbal violence, bullying, and sexual violence. All elements in the pesantren, including students, administrators, kyai/ustadz, caregivers, and policy makers must make improvements in order to create a safe pesantren environment as a place for students to learn.

Through the PMA that has been issued by the government, Pesantren as educational institutions also need to design further policies in the form of regulations and programs related to preventing and handling cases of violence seriously, because each pesantren certainly has different characteristics, problems, and backgrounds (Varela, 2024). These different tendencies require the government to be observant in handling cases of violence that occur in Pesantren Islamic Education Institutions.

Analysis of Decree of the Director General of Pendis Number 1262 of 2024 and PMA Number 73 of 2022

Although the Director General of Islamic Education has issued Decree No. 1262, there are still quite a lot of cases of violence in pesantren that occur in the field, this is certainly a concern for many parties and also invites the concerns of parents who place their children in pesantren.

The need for supervision from pesantren caregivers, especially for pesantren that have many students, of course, regular monitoring must be carried out so that acts of violence in pesantren can be resolved properly and suppressed as much as possible. The tendency of regulations made also tends to be poorly realized and only revolves around the issue of formal legality. Not only that, some pesantren institutions actually cover up cases of violence that occur in their institutions, because they consider that violence in pesantren if it becomes known to the public it will reduce their credibility, and the trust of parents, so that some parents will transfer their children to other educational institutions that are considered safer.

Pesantren, which should be a safe house for students to study, have actually become a place where they died several times due to violence. In fact, several times violence occurred in pesantren that did not have a license and did not have an NSP (Pesantren Statistical Number), so this became a weak point of the Ministry of Religious Affairs, which could not provide sanctions or administrative actions against the pesantren concerned. Some pesantren have indeed made efforts to realize child-friendly pesantren as desired by the Ministry of Religious Affairs, whose implementation in the field with meets 3 indicators including subjects (caregivers, teachers, and students), pesantren management and infrastructure (Muafiah et al., 2022).

As sexual violence in Islamic education or pesantren is ranked second, with a percentage of 19% where in the first rank is filled by universities with 27% of cases and Public High Schools / High Schools as much as 15% (Muafiah et al., 2022).

So, it can be said that the Decree of the Director General of Pendis No. 1262 only applies to pesantren under the auspices of the Ministry of Religious Affairs, whereas as we know the number of unregistered pesantren (not under the auspices of the Ministry of Religious Affairs) is greater. This must be a special concern, especially for policy makers how the central system that regulates regulations must be connected to the lowest level, namely the village or kelurahan. Monitoring and approaches must be carried out carefully, systematically, humanistically, and must also pay attention to locality.

Some pesantren have indeed tried to implement child-friendly pesantren initiated by the Ministry of Religion, but in its application, students or santri are not provided with a psychologist in the pesantren environment, these students

can visit a psychologist once a month. This is what is felt to tend to be worrying, because the students are in the pesantren environment every day for 24 hours and experience everything there, problems begin to arise when for example there are students who experience physical violence or sexual violence where these victims should be able to get psychologist treatment immediately, the hope is that they will not become prolonged trauma.

Similarly, Boscarino (2004) emphasized that most victims when experiencing sexual violence they will experience *tonic immobility* which will cause them not to be able to digest properly what is happening, so that when this event takes place the victims cannot move, then, the next day the victims will also experience *post-traumatic* stress disorder or known as PTSD (*Post-Traumatic Stress Disorder*), acute stress, and even depression. What needs to be of more concern is what if victims of violence (physical, sexual, verbal, and symbolic) occur in Pesantren and are not handled immediately or even forced to hide it for fear - this is supported by the pattern of power relations that occur in it, and is very worrying about the mental condition of victims (Ramadhani & Nurwati, 2023) - especially when the role of parents has been replaced by pesantren caregivers.

Victims of violence in the field do not immediately get immediate treatment; this certainly provides a greater opportunity for victims to feel PTSD. One of the social movement forums in pesantren engaged in the empowerment of pesantren, FASANTRI (Forum Silaturahmi Pengasuh Pondok Pesantren Putri) which has been affiliated with PPTPPA (Integrated Service Center for Women and Children Empowerment) by providing prevention services as well as handling victims of sexual violence, will only provide referral recommendations for victims of violence with severe categories that require expert handling (Afiah et al., 2024).

Every pesantren needs to establish a safe house for victims of violence, both physical violence and sexual violence. In addition, it is also important to provide a psychologist in the pesantren environment, where later the students can visit the psychologist at any time not limited to pesantren regulations, the hope is that when an act of violence occurs, even if it is still mild, early detection can be done, so that victims do not experience severe physical trauma or prolonged trauma.

Although the Ministry of Religious Affairs has issued Decree No. 1262 related to child-friendly pesantren, the existing culture in pesantren such as the culture of *ta'ziran* (punishment) which sometimes involves corporal punishment is difficult to eliminate, and the Ministry of Religious Affairs will not be able to check the culture of *ta'zir* in pesantren one by one, so it requires

massive and comprehensive socialization to pesantren up to remote pesantren. This violent *ta'zir* culture has become commonplace in pesantren, especially in male pesantren. Seniority and violence packaged under the guise of *ta'zir* are quite common in pesantren, when reprimanded, these perpetrators do not feel guilty because they consider what they do is only a form of discipline or punishment for the delinquency and mistakes made by the victim.

Thus, field issues (facts) must be studied by the Ministry of Religious Affairs in depth, considering that this phenomenon seems to have become a culture. Once again, violence is not justified. What needs to be done by the Ministry of Religious Affairs is to use a humanist *soft approach* through the formation of anti-violence task forces in each region. In addition, it must also make clear and firm regulations on the management in each pesantren that violence is the wrong behavior. Pesantren, on the other hand, also need to make regulations related to this matter, as well as anti-violence programs that can then be socialized to santri (Zhang, 2022).

Anyone who violates must be dealt with firmly, especially those who cover up cases of violence to maintain the good name of the pesantren, must be warned firmly, it is even possible to revoke the operational license. This aims to make pesantren a comfortable and safe place to study. In this case, the role of the Ministry of Religious Affairs (MoRA) in handling cases of violence in pesantren educational institutions is vital to ensure the creation of an educational environment that is safe, comfortable, and in accordance with religious values.

CONCLUSION

Pesantren as a religious-based educational institution that should be a safe house for children is actually an environment that produces many acts of violence. Various factors that become problems ranging from gaps in power relations, seniority, *ta'zir* culture, power relations, gender subordination, to a patriarchal culture that has been deeply rooted in pesantren become a major challenge in efforts to prevent and handle violence in the pesantren environment. Thus, although the Ministry of Religious Affairs has made efforts by issuing Decree of the Director General of Pendis No. 1262 and PMA No. 73, in reality these two regulations have not been able to effectively control violence in pesantren. The Ministry of Religious Affairs needs to take more comprehensive preventive steps because the handling of sexual violence in pesantren is still ineffective, it is not enough to use technical policies alone, there needs to be concrete steps such as the formation of anti-violence task forces in each region and the making of clear and strict regulations on

management in each pesantren, so that perpetrators of violence and those who try to cover up violence in the pesantren environment can be dealt with firmly through applicable laws in Indonesia.

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