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Child Abuse as a Humanity Values Violations

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Abstract

This study discusses the causes and consequences caused by bullying behavior to victims, perpetrators, and students who also witness bullying. Several research questions are proposed to study the bullying behaviors in the school environment: who is involved, why the perpetrators of bullying committed these despicable acts, the consequences for victims, and how the response of the National Commission on Disabilities of the Republic of Indonesia regarding this incident. This study uses a qualitative method with the fifth principle of the Pancasila approach from the

community point of view. The survey results show that bullying can occur in all circles, even persons with disabilities. Second, bullying can substantially impact victims, perpetrators, and other students who witness it. Third, bullying behavior can arise from the perpetrator's past, who was once a victim and wants to channel this feeling of revenge by doing the same thing. Fourth, many schools in Indonesia are unaware of the importance of education about bullying in the school environment.

Keywords: Humanity, Child Bullying, Pancasila

Introduction

Adolescence is a period of transition from childhood to adulthood. During this transition period, psychological instability appears in children who must be passed through various adaptations. In the development stage, multiple conflicts will be found that can trigger unrest in society, so the role of the surrounding environment is to provide knowledge of what is right so as not to deviate because this period is a search for their identity. They are always finding out and trying new things to quench their thirst.

Deviations in the adolescent environment will have an impact on them and also on the surrounding community. Of the various cases that have arisen, this study will focus on the problem of bullying cases. Bullying is an act of oppressing a child who is "weaker" than the perpetrator for the satisfaction or benefit of the perpetrator. According to the American Psychiatric Association (APA), bullying is aggressive behavior characterized by three conditions, namely (a) negative behavior that aims to damage or harm, (b) repeated behavior for a specific time, (c) an imbalance of power or power from the parties involved parties. Some of these conditions refer to those that can traumatize the victim, anxious and uncomfortable. Olweus (1997) ^[32] states that bullying is a negative behavior that results in a person being painful or injured and usually occurs repeatedly, characterized by an imbalance of power between the perpetrator and the victim. Bullying is not just done once, but many times until the victim cannot stand it anymore or because of other things, such as the victim changing schools. Bullying can be through physical actions, such as hitting and kicking. It can be through verbal actions, such as threatening by speaking harshly or humiliatingly. It can also be through non-verbal, such as looking down and cynical, threatening facial expressions, manipulating the victim, and sending messages of terror. , cyberbullying (acts of bullying via the internet), and spreading nasty rumors about the victim, which of course, both physically and verbally, will have a fatal impact.

Even cyberbullying can happen to people who do not even know each other between the perpetrator and the victim. Not only uploading photos on the internet but also commenting on obscene, inappropriate, insulting, and cursing words. There have been many cases of cyberbullying where the perpetrator took indecent pictures of a victim's body and sent them to their social media with demeaning and insulting captions. This was watched by so many of their followers. In contrast, the victim could only surrender to the situation that happened to them because if they resist, it will only worsen the torture carried out by the perpetrator. In many cases, public figures insulted and attacked each other on social media, which ended with public figures insulting each other and reporting them to the authorities because they were deemed to have abused their power and hurt their

reputation.

School is a second means of self-development besides family. Environmental influences and school friendships can majorly change children's behavior. The elementary, middle, and university levels are factors for this change. There are so many cases that started from school friendships to knives that stabbed themselves. Riauskina, Djuwita, and Soesetio (2005) define school bullying as aggressive behavior carried out repeatedly by a student or group of students who have power against other students or weaker students intending to hurt that person.

Factors causing bullying can come from parents, siblings, schools, peers, mass media, the surrounding environment, and himself. Because the number of cases of bullying in this school environment is getting higher in Indonesia, it must be immediately addressed and given preventive measures. Finally, the National Commission on Disabilities of the Republic of Indonesia responds to bullying cases.

In Indonesia itself, there is already a law that regulates bullying. There are legal channels for perpetrators of bullying to provide a deterrent effect. Articles that ensnare perpetrators of bullying include Article 351 of the Criminal Code concerning Acts of Persecution, Article 170 of the Criminal Code concerning Beatings, and Articles 310 and Article 311 of the Criminal Code concerning Bullying in Public Places and Shaming a Person's Dignity.

Suppose the act of light maltreatment can be charged with Article 351 of the Criminal Code, with a maximum threat of two years and eight months in prison. The following reads Article 351 of the Criminal Code regarding persecution. 1) Persecution is punishable by imprisonment for two years and eight months or a maximum fine of Rp. 4,500. 2) If the act causes serious injury, the offender is punished with a maximum imprisonment of five years. 3) If the act kills the person, he is punished with a maximum imprisonment of seven years. 4) With persecution equated to damaging people's health on purpose. 5) Attempt to commit this crime is not punishable (KUHP 37, 53, 184 s, 353 s, 356, 487).

The contents of Article 170 of the Criminal Code regarding beatings and punishments are as follows 1) Anyone who publicly commits violence against people or property is sentenced to a maximum imprisonment of five years and six months. 2) Guilty Punished: 1. By imprisonment for a maximum of seven years if a person intentionally destroys property or if the violence, he commits causes injury; 2. Imprisonment for a maximum of nine years if the violence causes serious injury; 3. With imprisonment for a maximum of twelve years if the violence causes the death of another person. 3) Article 89 is not applied.

Then there is also an article that regulates acts of bullying that lead to sexual harassment, namely Article 289 of the Criminal Code concerning Sexual Harassment. Punishment for bullying is also held in Article 76 of Law no. 35 of 2014 concerning Child Protection. It is explained that everyone is prohibited from placing, allowing, doing, ordering to do, or participating in violence against children. Those who violate it will be imprisoned for 3 (three) years and 6 (six) months, and a maximum fine of IDR 72 million.

The punishment for bullying perpetrators can be even more severe if the victim he bullied commits suicide. Article 345 of the Indonesian Criminal Code stipulates that anyone who intentionally encourages another person to commit suicide, helps him in the act, or provides the means for him to do so, is punishable by a maximum imprisonment of four years if

the person commits suicide.

The formulation of the problem in this paper is 1) What is the meaning of the fifth Pancasila principle so that it can be related to the cases taken, 2) What is the chronology of bullying by high school students in Cirebon with disabilities, 3) What are the impacts on victims and perpetrators of bullying, 4) What are the factors that cause bullying and how does it relate to the applicable law, 5) Why does this case violate the fifth principle in Pancasila.

Research Methods

The study focused on incidents of bullying experienced by a 17-year-old boy who was a disabled person in Cirebon, West Java, and the perpetrators, who numbered four people and were students who were still high school students (SMA). as an object of study. The analysis is directed to understand the background, and its impact is viewed from a humanitarian perspective.

Source collection is done by searching news in journals available on the internet. We dig up many sources that match our discussion. Data verification is done by comparing news content from one source with data from other sources. The data is categorized as valid and used as study data if there are similarities. On the other hand, if there are differences, the information is ignored or not used as a reference.

This study uses the fifth principle of the Pancasila approach. Ir. Soekarno is one of the figures who played an essential role in creating the basis of the Indonesian state. Ir. Sukarno once revealed social justice in his speech at the Joint BPUPKI session on 1 June 1955, which read, "Social justice is a condition of society or the nature of a just and prosperous society, happiness for everyone, no humiliation, no oppressive behavior, no exploitation... We want to establish an 'all for all' state. Not for one person, not for one group, neither the nobility nor for the rich, but 'all for all.'" Soekarno, of course, is closely related to the violations in the discussion of this case. The fifth Pancasila principle does not justify humiliation and oppression in any form. In the discussion of this study, we can pay more attention to and care about applying justice in the surrounding environment.

Results

Quoting from one source with the aim that there is no double information or missing information, we took sources from detik Jabar. Several facts of bullying, unfortunately, happened to a youth with disabilities which is the subject of our paper this time. A video circulating shows that the victim was first kicked and even stepped on, which shows several teenagers wearing high school uniforms doing this heinous thing to the victim. In detail, the perpetrators kicked the victim. They even continued to trample on the victim, precisely on the victim's shoulder, which caused the victim to scream and also the victim to cry continuously due to very severe pain. The incident occurred in Bojong Kulon Village, Susukan District, Cirebon Regency, West Java. Because of this, the village head of Bojong Kulon stated that the incident was actual. He also provided additional information that the perpetrators carried out the act of bullying against victims with disabilities in a hut located in the village's rice fields on 19 September on Monday, and it was estimated at around 13.00. Mr. Sudarso, the village head, provided information during an interview on 21 September 2022.

Then Mr. Sudarso also stated that he would not have known about the incident if he had not received a report from the victim's parents. It turned out that the victim's parents contacted the village head to complain about what happened to their child, but of course, not when the incident was happening. After the complaint made by the victim's parents to the village head, Sudarso himself said that he went straight to the perpetrator's house first. However, unfortunately, when Sudarso came to the perpetrator's residence, the perpetrator was not at home, said Sudarso. After learning about the incident, Sudarso felt very sad about how some teenagers could have the heart to bully those with special needs. The cases of bullying have also been reported to the Cirebon Police. Sudarso confirmed that the victim of the bullying was indeed a person with disabilities or special needs, even though, according to him, the victim was a good person. Sudarso believes that residents would also be furious if they saw the incident.

Even though the residents did not see the incident, they immediately became furious about what happened to the victim when they heard the news. Of course, the residents of Bojong Kulon Village were the angriest because they knew the victim as someone who did not have any behavior or even bother her. And not to be left behind. All citizens in Indonesia who heard this news were also furious and continued to push the police so that the perpetrators received appropriate rewards for what they had done to the victims. As previously mentioned, Sudarso, as a spokesperson for the villagers, said that the victim of the high school bullying act was a perfect figure, according to the local villagers. Because of that, he also admitted that he was surprised and saddened that something heinous like that could happen to a victim, which according to him, people were not messy. Because of that, all residents felt sorry for what happened to the victim.

Not only the residents but also the village head felt that this incident was very disgraceful and very bad. However, the Chairperson of the Indonesian National Commission on Disabilities, Dante Rigmalia, felt very sad and regretted why there could be bullying of students with disabilities by a group of teenagers wearing the high school uniform. According to him, bullying is terrible, and the sanctions, formally or socially, are very severe. Moreover, bullying was carried out against victims with disabilities who do not tend to fight back when beaten or even stepped on. According to Dante, education must teach not only general education but also be able to teach and shape the nature of students so that they can be more sensitive to their surroundings, especially if they have friends who are disabled. With such character formation, Dante believes students will love each other more, respect their friends with disabilities and not take things lightly. Also, they can understand how they have to protect disabilities if something like this happens again, although hopefully, there will not be anymore.

Moreover, finally, they can see persons with disabilities as individuals who are the same as them and do not discriminate against the rights of persons with disabilities. The Governor of West Java, namely Ridwan Kamil, was also furious about the bullying incident in Cirebon. Ridwan Kamil continued to emphasize not only to persons with disabilities but as a whole that there should not be bullying occurring for any reason. He said this through his personal Instagram, using capital letters, indicating he was furious at

the bullying. Ridwan Kamil also added that, especially for disabilities, we should protect it because, in essence, we are all unique in our own lives, so do not discriminate.

Regarding the impact that the victim will feel, he instructed West Java Quick Response volunteers to assist victims of bullying in their mental healing. The impact on victims will be huge and can affect their daily life, even school life, especially since the victim, in this case, is a person with disabilities and may have a more significant impact than those without disabilities. Kang Emil said that mental assistance should be carried out by a team of psychologists or experts so that it can be cured quickly and as long as possible. He again invited students at or outside school to continue educating themselves so that our compassion and humanity as fellow human beings would not disappear. With this, the world will be peaceful, and we can continue to help and spread kindness to everyone. We also hope that no one will be afraid to report if they see an incident like this to the authorities so that cases like this can continue to be minimized until later. There is no bullying at all, and even though we are still very far from that, we still have to work together.

The Head of the Criminal Investigation Unit of the Cirebon Police, namely Police commissioner Anton, said that four people were suspected of committing bullying and violence against disabled youth. Three of them had been secured for giving information. The other one was thought to be in the process of searching. According to Anton, they also received a report from the victim's parents to the police. They searched and arrested the alleged perpetrators of this bullying and violence incident. Anton said the alleged perpetrators of bullying and violence were around 15 years old, whereas, at that time, his status was a high school student, while the victims of violence who were disabled were 17 years old. At that time, the victims were older than the perpetrators. According to Anton, based on the results of an investigation by the police, this act of bullying against young people with disabilities, each of the perpetrators previously mentioned, namely four people, each perpetrator turned out to have his task. Because the police have only arrested three perpetrators, the details of the role of the three new people are known. The first is that the perpetrator is tasked with bullying by trampling on the victim's shoulder during the incident. Then, the second perpetrator, who was successfully arrested, was suspected of having a duty to continuously beat and kick the victim.

Furthermore, the last perpetrator who was successfully arrested, namely the third actor, allegedly had the task of recording a video of the incident. It was unfortunate for the police to feel that this perpetrator had absolutely no sense of empathy to help. According to Anton's statement, the three perpetrators of bullying and violence against persons with disabilities have been immediately secured at the Cirebon Police Headquarters so that a more detailed and further examination can be carried out immediately.

Against the perpetrators of bullying accompanied by violence, Kompol Anton has mentioned several articles that are expected to be imposed on the perpetrators of bullying. Among them are the first Articles 80 and 76 of the Republic of Indonesia Law No. 35 2014 concerning amendments to Law No. 23 of 2002, which discusses the protection of children. Not only that but there are also estimates that the perpetrators of bullying will be subject to Article 170 of the Criminal Code, accompanied by a prison sentence of 5 years

to a maximum of 9 years. Following is the statement from Kompol Anton.

Discussion

a. The Meaning of the Fifth Pancasila

The fifth principle of Pancasila is social justice for all Indonesian people. There are several different values of justice, namely justice in the relationship between humans and themselves, humans and other humans, humans, and society, and nation and state to the relationship between humans and their respective Gods. This principle means that all Indonesian people are entitled to equal or fair treatment. However, not only, but this principle also contains meaning that apart from being entitled to justice, the Indonesian people must also apply the obligation to create social justice in Indonesia.

Several values of justice must be realized in life together. For example, the first is distributive justice between a state and its citizens. It means the state should fulfill justice for its citizens by giving or sharing justice. Then the second is legal justice, namely the relationship regarding justice between the state and the state. In this second point, citizens must obey their country's laws to fulfill justice. Then the third or the last one is cumulative justice, namely the relationship of justice between one citizen to another. At this point, an action ends in the extreme it will bring about injustice and most likely can damage even to the point that Community ties can be destroyed.

Indonesia must recognize and protect the human rights of Indonesian citizens, more precisely contained in the 1945 law article 27, namely the position of all citizens must be equal in the eyes of the law and government and without giving exceptions to whoever. It is in article 28 which is that everyone has the right to live. Article 29 is that the state must guarantee that every citizen has a sense of security and freedom to embrace religion according to their respective beliefs. Article 31 states that every citizen has the right to education, starting from primary education, and the government is obliged to finance it.

The reality of the implementation of social justice in Indonesia itself can still be said to be uneven. Social justice itself, which we understand, is a condition where there are no gaps between existing groups, so often, efforts to achieve justice must be linked to how to reduce inequality, which is not under the concept of social justice itself. The values of justice that were previously mentioned must be used as a basis for living together to realize one of the state's goals, namely, to realize the welfare of its citizens. Of course, not only within the country itself but the values of justice should still be applied in relations with all nations in the world so that order in living together and eternal peace can be achieved anywhere. Not only the gap between groups, but social justice is also intended so that there is no difference in the degrees of other people because we are all human beings and have the same degrees. Bullying itself, which is discussed in this case, is often included in one of the second violations of Pancasila Sila. However, bullying can be included in the fifth Sila violation in Pancasila because most of the perpetrators of bullying feel higher than the victim. Hence, they dare to bully the victim. That is why bullying, especially among those with disabilities, is the fifth violation of the Pancasila principles.

b. The Impact of Bullying on Victims and Perpetrators

The disability bullying discussed in this case can have a

substantial negative impact, not only on the victim, but it turns out that the perpetrator, even the people who witness it, can have a substantial negative impact. The most important thing is that the impact that victims of bullying feel, especially children with disabilities, is that they can lose their self-esteem, even their behavior will get worse and make the victims tend to shut themselves up. They feel afraid, even if it is very extreme. This bullying case can encourage victims to end their lives because they are not strong enough and constantly feel alone if they are not acted upon immediately. Victims of disabilities will continue to have tantrums or tantrums without stopping and can endanger themselves to the people or anything around them. Even bullying can affect the IQ or intelligence test score of a child and also the analytical skills of the victim.

Bullies can also be affected, and perpetrators can have higher self-confidence and self-esteem because they feel they are above others. The perpetrator also usually has a robust character so that the people around him cannot prevent him and always justifies his own decisions. He can also be irritable and impulsive. Bullies usually want to dominate other people and do not empathize with the victim if they have been targeted. Because the perpetrator, who increasingly feels himself dominating other people, also feels himself to be the strongest of others, this can affect his social relationships because he tends to be unable to develop friendships or even in a healthy family.

It turns out that bullying does not only impact victims and perpetrators, but it can also impact other students who see bullying happening. After all, when bullying occurs and is not dealt with properly, other students will think that bullying is not a painful thing that can harm others and will not be punished for being ordinary. It is hazardous because the students who were watching earlier will join the bully because they do not want to become the target of the next bully. They could not have done anything when they saw the incident again. We need to stop this very "ordinary" incident.

The possible consequence is that the victim of bullying has a feeling of revenge against the perpetrator. Some victims even become bullies because they want to revenge but do not dare to bully them first, so they take out their anger and get revenge on other people. Moreover, finally, the number of perpetrators of bullying increased instead of decreasing.

c. Factors Causing Bullying and Applicable Laws

Usually, bullies have several characteristics that tend to become bullies. For example, they come from affluent or wealthy families because, with that alone, they are valued and feel that they are above those whose economy is below them. There is also a characteristic where he cares a lot about his popularity at school and usually has many friends and connections because they usually have their gang to strengthen themselves. As previously mentioned, perpetrators of bullying can come from victims who still feel they do not accept being treated like that, and they usually have difficulty adapting or being accepted in a new association and environment. It could also be because they are easily provoked by anger and feel alone. Bullies tend to be easily influenced by friends around them or like to follow the behavior of their friends, which can make them consciously or unconsciously bully. Also, what is most often mentioned is that bullies tend to have low self-esteem. They do not want to be competed with by anyone because they do not believe in themselves. They tend to want to get rid of

anyone above them in terms of economy, achievement, or whatever. It is underneath.

According to some psychology experts, teenagers nowadays, especially in Indonesia, have too much pressure. It can be from families with high hopes or demands of children what their parents expect, schools or college majors, or it can get to the little things that happen every day. However, apart from the family, there is also a very intimate environment. Of course, the school can become because of the pressure of grades or assignments that keep coming and cannot be appropriately handled by students. Finally, it results in students needing help finding interests or what they like academically or non-academically. Furthermore, they channel it through pranks, which may start small and then get more significant because they are unsatisfied, and their ignorance eventually leads to torture.

Apart from that, bullying behavior in children can also be caused by the urge to get angry because of something that might cause the perpetrator to feel competitive or offend him, and he will immediately vent his emotions which previously he might have tried to hold back. Based on various studies, it is also said that the condition of an environment can give a violent response to someone. Furthermore, a child will tend to learn the behavior of other individuals he makes a role model or observes. When an adult commits minor or major violence continuously, and the child sees the incident and does not explain, the child may tend to do the same whether he is aware of it.

d. Analysis from the point of view of the fifth Pancasila principle

As previously explained, the meaning of these five Pancasila principles is to be able to place all human beings, all citizens whose degrees as human beings are all the same, so that there should not be any differences by looking at racial, religious, physical, and other backgrounds, whether that be before the law but also in the social front of our daily lives. This case of bullying can be included in the fifth violation of the Pancasila principles because bullying is the perpetrator who will place the victim with the feeling that the victim's degree is below the perpetrator's. Moreover, bullying is not only verbal but can reach physical and can be fatal, and these things are very against the fifth principle of Pancasila. Bullying can have a terrible influence on the victim and lead to new cases of bullying because the victim feels unfair and wants revenge and to bully. However, the most significant impact of bullying on victims is that it can cause enormous trauma, a feeling of wanting to isolate oneself, and a feeling of inferiority; not even a few cases of bullying cause victims to commit suicide because they are not strong enough for pressure from themselves and the perpetrators.

Apart from Indonesia, it turns out that bullying against disabilities abroad is also quite a lot compared to Indonesia; for example, there is in England also, South Korea, and many more. At this point, we will discuss cases of disability bullying in England. Ollie Forsyth, a man from England Pury End, Northamptonshire, has also become a young millionaire because he runs his own online business. However, many do not know that Forsyth used to have dyslexia as a child, a neurobiological disorder that can make the sufferer have difficulty reading and spelling correctly and usually.

It turned out that because of his disorder, Forsyth was bullied by friends from his former school. Until he said that, since he was bullied, just coming to school felt like coming

to a tiger's den. At that time, he moved to the city of Dorset after previously attending a school specifically for children with special needs. While at school in Dorset for three years, Forsyth also experienced bullying to the point of cyberbullying by his friends because it caused him to be very depressed during school. Forsyth never told anyone about this problem because he thought he could endure it and keep it under wraps until he graduated from school. However, his counselor teacher found out and advised Forsyth to get out of the school and quickly change schools so that his feelings of depression would not drag on and affect him even more.

Forsyth also said that he was bullied not only by his friends at school but also in cyberspace. He even said he wanted to kill himself because he could not stand the bullying from his friends at school and in cyberspace. Because at school he was bullied by his schoolmates, Forsyth preferred social media because he felt it safer. However, who would have thought that the same thing would happen again to him? Forsyth felt that he deserved to be bullied and was able to isolate himself without wanting to go to school. However, Forsyth did not just give up. He felt that the bullying his schoolmates did to him was what brought him to the point where he is now a very successful person at a very young age.

Compared to cases of bullying with disabilities in Indonesia and England, there is not much difference. The impact felt by the two victims was the same. Namely, they isolated themselves, did not want to go to school, and even almost committed suicide. Nevertheless, Forsyth was able to get up from the bullying, and it even positively impacted him. Bullying encouraged him to be more successful, and sure enough, he got up and proved that people with disabilities could be as successful as him, even at the age of 20 years. Even though the bullying he gets is severe because it reaches social media, cyberbullying can significantly affect children's psychology. However, there are still cases of bullying in Indonesia that are more severe because they lead to physical beatings that affect the victims psychologically, mentally, and physically. Of course, the impact will be even more significant. However, we must also pray for the victims of bullying in Cirebon to be as successful as Forsyth and prove in Indonesia that victims of bullying will not continue to be stuck in the past and will be a trigger for themselves to be more successful than their perpetrators of bullying.

Conclusion

This paper concludes that bullying is an immoral treatment that is carried out repeatedly to injure and make the other party feel uncomfortable and as if they feel inferior to the perpetrator. This act of bullying can harm both parties, from the perpetrator and, of course, the victim. Even the students who witnessed the event were affected. Bullying can come from various sides, from physical, verbal, and non-verbal bullying to cyberbullying on the internet.

The maturity of adolescents in going through puberty is a critical aspect of this discussion. Adolescents who go through all kinds of life obstacles and eventually reach maturity will be able to control themselves to become good individuals. Therefore, parents and the school must provide education and guidance to support its development.

In Indonesia, there have been many cases of bullying that have even claimed lives. For cases of bullying that befall

disabilities, as in this paper, the victims do nothing if it befalls them. Victims can only surrender and obey the perpetrator's will so as not to worsen the treatment he gets. With the victim always accepting and obeying the perpetrator's will, it can have a fatal impact on the psychological and physical aspects of the victim, which can end in suicide.

Bullying behavior has been regulated in Indonesian law, namely in Article 351 of the Criminal Code concerning Acts of Persecution, Article 170 of the Criminal Code concerning Beatings, and Articles 310 and Article 311 of the Criminal Code concerning Bullying in Public Places and Shaming a Person's Dignity. If bullying leads to sexual harassment, it will be charged with Article 289 of the Criminal Code concerning Sexual Harassment and regulated in Article 76 of Law no. 35 of 2014 concerning child protection. The punishment for bullying perpetrators can be even more severe if the victim he bullied commits suicide, regulated in Article 345 of the Criminal Code.

The recommendation is 1) The school should make a program to introduce the poor treatment of bullying in the school environment so that students feel interested and want to understand bullying. 2) Monitor students both in and outside the school environment. 3) The school and the parents of students cooperate in providing education about bullying so that unwanted things do not happen.

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