

Social control in times of increasing neoliberalism in the period of 2020-2023



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Marilene de Figueiredo Alves

Master's student of the Master's Degree in Public Policy and Local Development at the School of Sciences of Santa Casa de Misericórdia de Vitória – EMESCAM
LATTES: <http://lattes.cnpq.br/2952786064002232>
E-mail: figueiredomarilene334@gmail.com

Janice Gusmão Ferreira de Andrade

Professor of the Master's Degree in Public Policy and Local Development at the School of Sciences of Santa Casa de Misericórdia de Vitória – EMESCAM
LATTES: <http://lattes.cnpq.br/7114956764236876>
E-mail: janice.andrade@emescam.br

ABSTRACT

The present work aims to analyze social control in a context of resurgence of neoliberalism during the period from 2020 to 2023. Neoliberalism, characterized by policies of economic liberalization, privatization, and reduction of state intervention, significantly impacts the dynamics of citizen participation and supervision of public policies. During this period, an intensification of neoliberal policies has been observed in many

countries, which raises questions about how this approach has affected civil society's ability to influence political decisions and protect the public interest. The study explores the implications of neoliberalism for social control, including the decrease in public investment in areas such as health and education, which increases the dependence on civil society in complementing these services and in the search for transparency and accountability. The literature review method used consisted of a systematic analysis of academic studies and government reports that address neoliberalism, social control, and their interactions. Historical, political, and social aspects were considered for a holistic understanding of the dynamics in question. The results highlight the influence of neoliberalism in reconfiguring citizen participation, reflected in the reduction of the State's regulatory role and the growing dependence on civil society to fill gaps in public services. The resurgence of neoliberalism was also associated with economic inequality and the weakening of control institutions.

Keywords: Social control, Democracy, Ultra-Neoliberalism, Participation.

1 INTRODUCTION

Ultra-neoliberalist principles have been eroding the social protection system and widening inequalities by minimizing state intervention in the economy. The impact of neoliberal dictates seems to intensify at the beginning of this century and their expressions gain greater visibility in the years of the Covid-19 pandemic.

Covid-19 is a respiratory inflammation caused by the Sars-Cov-2 virus, with high transmissibility and lethality that was identified in December 2019 in China and quickly spread worldwide (PAHO, 2023). In March 2020, the World Health Organization (WHO) recognized that it was a Public Health Emergency of International Concern, thus recognizing a pandemic. From March 23 to April 27, about 545,638 and more than 22,000 deaths were recorded worldwide. All the efforts between countries to contain the health crisis that quickly took hold required sudden and severe transformations that, we can say, affected all dimensions of life.



In this study, we are interested in analyzing how the management of State interventions took place with a view to guaranteeing participation, democratic management, and social control. Although the virus has been the same for everyone, what is observed is that it has been experienced in different ways and that the sequelae of the capitalist productive forces and the force of inequalities have not reduced, but their opposite.

In addition, as the pandemic has exposed the fragilities of social and economic structures, it is critical to investigate how the voices of civil society, social movements, and organizations, such as health councils, have mobilized to address emerging challenges, defending rights, and contributing to the promotion of social justice and equality.

2 METHODOLOGY

This is a bibliographic research with a qualitative approach, carried out through the consultation of scientific articles available in journals, Proceedings of symposia, Congresses, Catalog of Theses and Dissertations of the Coordination for the Improvement of Higher Education Personnel (CAPES) and in the Scientific Electronic Library Online (SciELO).

The descriptors used included terms such as social control, municipal health councils, Covid-19, and democratic participation. In addition, Laws, Ordinances and Norms were accessed through consultations on the websites of the Ministry of Education Health. Subsequent phase, a comprehensive analysis of the topic was conducted, involving dissertations, theses, book chapters and literary works.

A critical analysis of the theories of neoliberalism and social control was made, identifying their historical roots, principles, criticisms, and social impacts. The information obtained will be organized into thematic categories to facilitate synthesis and comparison, allowing the construction of a solid theoretical structure.

3 RESULTS AND DISCUSSION

3.1 DEMOCRACY AND SOCIAL PARTICIPATION

Democracy is characterised by the existence of three fundamental principles: the principle of freedom, the principle of equality and the principle of majority. The principle of liberty implies respect for the individual rights and fundamental freedoms of citizens, ensuring protection against oppression and tyranny. The principle of equality refers to the equal consideration and treatment of all citizens before the law, regardless of their social, economic, or cultural differences. The majority principle, on the other hand, establishes that political decisions should be made through majority voting, respecting the opinions and interests of minorities (Pinheiro and Dias, 2022).

In the Brazilian context, the Federal Constitution of 1988 is the main document that enshrines and defines the Democratic Rule of Law. It establishes the principles and values that govern Brazilian



society, guaranteeing individual rights and freedoms, in addition to establishing clear limits for state power. Among the fundamental principles are sovereignty, citizenship, the dignity of the human person, the social values of work and free enterprise, political pluralism, and the prevalence of human rights (Sparapani, 2019).

In the context of democratic management, Souza Filho and Gurgel (2018) emphasize the importance of an inclusive and participatory decision-making process. They argue that management should be permeated by constant dialogue between the various actors involved, ensuring the representativeness of different perspectives and interests. This approach ensures that policies and actions are not imposed from the top down, but rather collectively constructed, resulting in solutions that are more aligned with the needs of the community.

Moreover, in a democratic state governed by the rule of law, citizen participation is valued and encouraged. Citizens have the right to actively participate in political life, either by voting in free and periodic elections, or by engaging in social movements, associations, and interest groups. Citizen participation contributes to the legitimacy of political decisions, promotes representativeness, and enables the expression of society's interests and demands. Santiago (2019, p. 2) explains, "the defense of democracy, in its dimension of participation, representative and pluralism, makes up the second axis that sustains the Democratic State".

Pointing out the relationship between the democratic rule of law and social participation, it is important to highlight that it is valued as a legitimate form of expression of society's interests and demands. According to Cotta, Cazale Rodrigues (2010, p. 420) "the social control conquered by civil society must be understood as an instrument and expression of democracy". It involves the participation of citizens in political decision-making processes, whether through voting in elections, participating in public consultations, demonstrating in protests and social movements, or engaging in civil society organizations, such as the councils in the three spheres of government.

Social participation legitimizes a democratic state and contributes to its intervention in social demands, as it allows different perspectives and voices to be heard. It promotes representation and diversity by ensuring that the interests of minority and marginalized groups are considered. In this way, social participation helps to avoid excessive concentration of power and to favor a more equitable distribution of resources and opportunities. Social participation mechanisms allow society to monitor the actions of the State, demand transparency in public policies, and hold accountable when necessary (Santos and Guimarães, 2020).

Social participation also plays an important role in the formulation and implementation of public policies. By involving citizens in the policy-making process, it is possible to obtain relevant information about the real needs of the population, the experiences lived and the solutions that best suit social demands. Social participation contributes to the effectiveness and legitimacy of public



policies, making them more appropriate and contextualized. Gomes and Orfão (2021, p. 1200) strongly argue that such participation, "despite being provided for by law, does not constitute, necessarily, the guarantee of its effectiveness in collegiate instances, since it is inferred that many of these institutionalized spaces are not achieving effective social control". However, it is important to emphasize that social participation must be inclusive and accessible to all citizens, regardless of their origin, social condition, gender, or any other personal characteristic. In Brazil, after the end of the era of an authoritarian and dictatorial government, the redemocratization period of the Brazilian State, consolidated in the Federal Constitution of 1988, has been guaranteeing social participation and social control of the actions of the State. The democratic rule of law has the responsibility to create favorable conditions for social participation to occur in a broad and egalitarian way, overcoming social barriers economic and cultural (Gohn, 2019).

3.2 THE IMPORTANCE OF SOCIAL CONTROL EXERCISED BY COUNCILS

The construction and maintenance of a Democratic Rule of Law are fundamental for the full functioning of a just and equitable society. This state model not only establishes laws and norms, but also ensures the active participation of citizens in the elaboration, execution, and control of public policies. In this context, participation and social control emerge as key elements for the effectiveness of democracy, allowing citizens to exert influence over political decisions and oversee the actions of the State (Oliveira and Nascimento, 2020).

Social control refers to the set of mechanisms and processes through which civil society participates in the formulation, implementation, monitoring, and evaluation of public social policies, aiming to ensure the transparency, accountability, and effectiveness of these policies (Santos and Guimarães, 2020).

Some channels are planned to ensure social participation, among them the National Health Council (CNS), created by Law No. 8,080/1990 (Law creating the Unified Health System - SUS), and by Law No. 8,142, of December 28, 1990, which provides for the participation of the community in the management of the Unified Health System (SUS).

The councils play an essential role in the social control of public policies, especially in health, they monitor the execution of programs and projects, monitor the fulfillment of goals, and supervise the application of public resources (Silva and Souza, 2019). This contributes to the transparency, efficiency and effectiveness of government actions, avoiding corrupt practices and negligence. In addition, the councils have the function of contributing to the formulation, implementation and evaluation of public policies. They are spaces for debate, analysis, and collective construction of proposals, taking into account the diversity of perspectives and needs of society. The councils monitor



the implementation of public social policies, verifying that they are being effective and that they are achieving the expected results (Machado and Krüger, 2019).

The councils are tools that act to enable the direct participation of society in the definition of public social policies and in the oversight of government actions, since they allow citizens to have an active voice in the discussion of topics relevant to the community and to influence the decisions made by government agencies. The councils are composed of elected or appointed representatives of civil society who act on behalf of specific groups, communities, or categories. In this way, they guarantee the diversity of voices and interests, enabling the representation of different segments of society in discussions and deliberations (Rodrigues et al., 2019).

The councils promote dialogue between civil society and public authorities, allowing the demands and experiences of the population to be considered in decision-making. They provide a space for interaction, negotiation, and joint construction, seeking to build consensus and solutions that meet the collective interest (Gohn, 2019). On the other hand, the deliberation and negotiation of the councils, as well as the convening of meetings, are subject to conditions imposed by the governmental interest, making it difficult to meet, create and maintain them, as they are financially and administratively in disagreement with the will of the executive branch (Silva and Souza, 2019).

In the context of Health Policy, the Federal Constitution of 1988 in its Art. 196 states that "Health is a right of all and a duty of the State, guaranteed through social and economic policies aimed at reducing the risk of disease and other health problems and at universal and equal access to actions and services for its promotion, protection and recovery" (Brazil, 1988). In this context, in 1990 Federal Law 8.142/90 was instituted, which establishes and defines the Health Councils through the participation of the community in the management of the Unified Health System (SUS), focusing on the transfer of financial resources around health (Brasil, 1990).

The Federal Constitution allocated a part of its text to discipline social assistance, which affirmed the need for "participation of the population, through representative organizations, in the formulation of policies and in the control of actions at all levels" (Brasil, 1988). One of these representative organizations are the councils designed to discuss assistance and social service actions.

According to CFESS (2011), councils are relevant mechanisms for the implementation of democracy through social control and participation, they exist at the federal, state and municipal levels and play a fundamental role in promoting citizen participation, formulating public policies and ensuring democracy. Characterized as spaces for dialogue and deliberation that involve civil society and public authorities in decision-making and in the implementation of actions that directly affect people's lives.

The author Souza Filho and Gurgel (2011) state that through the articulation with the subjects involved and the deep analysis of social structures, it is possible to understand how inequalities are



perpetuated and, based on this, to develop effective intervention strategies as concrete proposals for this intersection between democratic management and social work. The author suggests that professionals in the area should act as facilitators of the democratic process, enabling service users to exercise their voice and influence. This requires the promotion of spaces for participation, the dissemination of information and the formation of collaboration networks.

3.3 EXPERIENCES AND CHALLENGES OF SOCIAL CONTROL IN THE NEOLIBERAL PERIOD OF 2020-2023

In the years 2020-2023, the world was affected by the Covid-19 pandemic¹ and this brought a series of significant changes in society's behavior. The disease caused by the SARS-Covi-2 virus, with a high contagion and lethality power (PAHO, 2023), forced everyone to isolate¹ to protect themselves. The need for social isolation restricted social participation and control of state actions.

Although social control is provided for in the Federal Constitution of 1988, there are many challenges to its effectiveness and the pandemic scenario has only amplified it. Some of these challenges include the existence of significant socioeconomic inequalities that can hinder equal participation in social control. Those facing conditions of socioeconomic vulnerability may have less access to resources, information, and engagement opportunities, which limits their ability to participate effectively (Boschetti and Behring, 2021).

Intertwined with the concentration of economic and political power and influence in the period in which routines were affected by Covid-19, there is also a worrying factor for the effectiveness of popular participation: the growing distrust in political institutions and the democratic system, which can affect the willingness of citizens to participate in social control. Corruption scandals, lack of transparency, and perception of impunity can discredit institutions, discouraging participation and undermining trust in the democratic process (Medeiros, 2021).

During times of pandemic, the impact of an ultra-neoliberal government can be especially challenging and worrisome. An ultra-neoliberal system is characterized by an economic policy based on deregulation, the reduction of the state, and the prioritization of the free market. This approach can have significant consequences for society in times of crisis, such as the Covid-19 pandemic, in an economic model as presented in the pandemic in which political intervention was suspended by decisions of government officials, at a time when they should intervene (Raichelis, Paz, and Wanderley, 2022).

¹ Ordinance No. 356, of March 11, 2020 (Provides for the regulation and operationalization of the provisions of Law No. 13,979, of February 6, 2020, which establishes measures to address the public health emergency of international concern resulting from the coronavirus (COVID-19). Recommendation No. 036, of May 11, 2020 (Recommends the implementation of more restrictive social distancing measures (lockdown) in municipalities with an accelerated occurrence of new cases of COVID-19 and with a service occupancy rate reached critical levels)



This type of state tends to reduce investments in public health and promote the privatization of health services. This approach can result in the fragility of health systems, hindering the population's ability to respond and access adequate health services during the pandemic. In this scenario, policies that reduce labor rights and social protection have been reinforced. This resulted in poor working conditions, even for the professions that were on the front lines, low wages, and a lack of job security, making workers more vulnerable during the pandemic. The lack of adequate social protection can prevent sick workers from taking time off work, increasing the risk of spreading the virus (Oliveira, 2022).

During the Covid-19 pandemic, Jair Messias Bolsonaro's government in Brazil adopted some characteristics that can be associated with an ultra-neoliberal stance. Since the beginning of the crisis, Bolsonaro has downplayed the severity of the disease, promoting a narrative that contradicted scientific and public health guidelines. He expressed skepticism about social distancing measures, discouraged the use of masks, and promoted drugs with no proven efficacy in treating Covid-19 (Silva, 2020).

The Covid-19 pandemic has shown one of the biggest and worst problems that society faces and social services try at all times to alleviate the existing inequalities. Vulnerable groups, such as informal workers, low-income people, and ethnic minorities, can be disproportionately affected by the economic measures adopted by the ultra-neoliberal government, which further increased social disparity (Raichelis, Paz, and Wanderley, 2022). The reduction of the state promoted culminated in cuts in social spending and the reduction of social assistance programs. This had a direct impact on vulnerable individuals and families during the pandemic, hindering access to basic resources such as food, housing, and healthcare (Medeiros, 2021).

Even before the pandemic, the Bolsonaro government had already promoted a series of measures that resulted in cuts in the health budget. In 2019, there was a reduction in resources allocated to the Ministry of Health and to programs and projects aimed at strengthening the Unified Health System (SUS). After the Constitutional Amendment (EC), investment in SUS, which was 15.77% of net current revenue in 2017, fell to 13.54% in 2019 (Lacerda, 2022). This reduction has undermined the capacity of care and the quality of health services. Fewer available resources mean less money to buy personal protective equipment (PPE), respirators, diagnostic tests, and other essential supplies to fight COVID-19. Lack of investment in expanding hospital capacity can lead to a shortage of hospital beds, making it difficult to adequately care for COVID-19 infected patients. Budget cuts can lead to the layoff of health workers or the inability to hire additional staff to cope with the growing demand.

With the arrival of the pandemic, the need for emergency investments to face the health crisis became evident. However, Bolsonaro's government has faced criticism for not allocating sufficient and adequate resources to health. Thus, Mendes, Carnut and Melo (2023, p. 09) argue, "the Ministry of Health's budget proposal for 2021, in full continuity and rise of the pandemic, decreased by R\$ 40



billion when compared to 2020, not including the last extraordinary credit opened of R\$ 20 billion for vaccines in the last days of the year".

The Proposed Constitutional Amendment No. 10/2020, which would later be approved and would become Constitutional Amendment No. 106 of 05/07/2020, made it possible to create an extraordinary regime to face the public calamity resulting from the pandemic. Among the main changes introduced by the measure, the creation of the so-called "War Budget" stands out, which allowed the federal government to take emergency and exceptional measures to combat Covid-19 without violating the fiscal rules provided for in the Constitution (Maranhão and Senhoras, 2020).

One of the main points of concern lies in the relaxation of budget rules, which allowed the federal government to allocate extraordinary resources without the need to follow the usual procedures of approval in the National Congress. Although this measure has been defended as essential for agility in the response to the pandemic, it also opened the door to the discretionary use of public resources, without proper supervision and control. In addition, Constitutional Amendment No. 106 suspended the obligation to meet fiscal targets during 2020. This has led to a lack of transparency in fiscal management, since fiscal targets are essential to monitor the balance of public accounts and ensure accountability in the administration of state resources (Silva, 2020).

The government promoted the dismantling and dismantling of important public health programs. Brazil's disengagement from the More Doctors Program, for example, resulted in the departure of Cuban professionals who worked in remote and underserved regions of the country. This has led to a shortage of health professionals in vulnerable areas, hindering the population's access to basic health services. Another dismantling occurred in the National Immunization Program (PNI), which was affected by the lack of adequate planning and organization for the vaccination campaign against Covid-19. The lack of investment in the production and distribution of vaccines, as well as the lack of a clear vaccination strategy, has resulted in delays and difficulties in the population's access to doses (Silva, 2020).

In 2019, the government of President Jair Messias Bolsonaro, through Decree No. 9,759, of April 11, 2019, extinguished and established guidelines, rules, and limitations for collegiate bodies of the federal public administration. In other words, it was a measure taken by the Brazilian government in that period that brought to the fore a debate about the extinction and reduction of the channels of popular participation, especially the councils. Rodrigues (2020, p. 4) emphasizes that regarding the councils "there is a consensus that they are essential for the exercise of citizenship and necessary for the smooth running of democracy".

One of the main criticisms in relation to this decree is related to the possibility of extinction of collegiate bodies of the federal public administration that have not been created by law. The decree establishes that all collegiate bodies that have not been created by law must undergo a review process



and, if they are not regulated by a specific normative act within three months, they will be extinguished. This has raised concerns about the possibility of weakening important instances of social participation and democratic control (Fontes et al., 2022).

In addition, Decree No. 9,759 was also criticized for limiting the creation of new collegiate bodies, requiring a presidential decree for their creation, which can hinder the participation of civil society in the formulation of public policies and in the monitoring of government actions. Another critical point concerns the role of the National Council on Drug Policies (CONAD), whose composition was modified by the decree, removing the participation of civil society. This has raised concerns about the lack of plurality and representativeness in decisions related to drug policies (Rodrigues, 2020).

Considering that social participation involves the interaction with the social reality in which it is inserted and the monitoring of existing structures, its influence is linked to social changes, as participatory practices adapt to historical and social contexts. Therefore, a normative instrument that establishes limits for this participation can have an impact on the institutions and spaces already established. This was evidenced by Decree No. 9,759, of 2019, which established guidelines and regulations for the functioning of collegiate bodies, resulting in a broad reorganization or deactivation of these participatory and deliberative channels (Rizzotto, Costa and Lobato, 2022).

On April 16, 2019, the Workers' Party filed a petition with the Federal Supreme Court (STF) questioning the constitutionality of the provisions contained in Decree No. 9,759/2019. The allegation was that the decree conflicts with the Federal Constitution by allowing collegiate bodies, which are formally mentioned in law and which enable popular participation in the conduct of public policies, to be extinguished through a unilateral decision of the Chief Executive, even in the absence of an express indication of its competences or of the members that compose it (Rodrigues, 2020).

As a result, the Plenary of the Federal Supreme Court (STF) partially accepted a precautionary measure in Direct Action of Unconstitutionality (ADI) 6121, resulting in the suspension of certain provisions of Decree 9,759/2019, issued by the Presidency of the Republic. These provisions sought to terminate collegiate bodies of the federal public administration that are provided for by law. Unanimously, the justices understood that, given that the creation of these collegiate bodies was authorized by the National Congress, only through a law is it possible to extinguish them (Fontes et al., 2022).

The extinction or reduction of councils can raise concerns about the weakening of popular participation mechanisms, raising questions about the representativeness, transparency, and legitimacy of government policies (Rizzotto, Costa and Lobato, 2022). Councils play an important role in democratizing decision-making, strengthening citizenship, and promoting equal opportunities. In addition, the reduction of channels of popular participation can affect historically marginalized and



vulnerable groups, who depend on these spaces to have their voices heard and their rights guaranteed. The councils are instruments that enable the inclusion of different perspectives, contributing to the formulation of more comprehensive and fair policies (Rodrigues, 2020).

Despite the determination of Decree No. 9,759, of April 11, 2019, with the departure of Jair Messias Bolsonaro from the executive branch and the entry of the then President of the Republic, Luís Inácio Lula da Silva, on the first day of office, through Decree No. 11,371, of January 1, 2023, revoked the decree that extinguished and reduced popular participation through councils, committees, commissions, among others. To address these challenges, it is necessary to strengthen citizen participation mechanisms, promote equal opportunities, ensure transparency and accountability of institutions, fight corruption, and promote a democratic culture that values citizen engagement.

It is essential that governments adopt policies that prioritize social protection, strengthening health systems, promoting equality, and caring for the most vulnerable, especially in times of crisis, such as the COVID-19 pandemic. An ultra-neoliberal approach could undermine these principles, making the impacts of the crisis more severe and prolonged. In this sense, it is essential to seek more balanced approaches, which consider the importance of the State as a promoter of social well-being and justice, to reestablish the national scenario with security and equity (Raichelis, Paz and Wanderley, 2022).

4 CONCLUSION

The period from 2020 to 2023 witnessed a marked resurgence of ultra-neoliberalism, a phenomenon that significantly shaped the dynamics of social control. Neoliberal policies, based on economic liberalization, privatization, and the reduction of the role of the state in the economy, have had profound impacts on society's ability to actively participate in the oversight and influence of public policies.

The effects of the resurgence of ultra-neoliberalism have been diverse and challenging for social control. The reduction of public investments in crucial sectors, such as health and education, has amplified the need for active participation of civil society to compensate these deficiencies. However, exacerbated economic inequality and the fragmentation of social movements have hindered this participation, undermining the effectiveness of social control. The fragmentation of interest groups and social movements weakens the capacity for coordination and mobilization. Instead of uniting around a common voice, different groups may pursue separate goals, weakening the impact of their actions. This can make it difficult to articulate effective demands for public health policies and to put pressure on authorities.

Economic inequality often translates into inequality in political representation. Those with more resources have greater influence on policy decisions, while marginalized groups may face



significant barriers to being heard. This can lead to policies that do not adequately address the needs of the most vulnerable. Thus, exacerbated economic inequality can increase distrust in government and health institutions. This can lead people to feel discouraged from actively participating in social control initiatives, since they may believe that their voices will not be heard or that decisions are already made.

In addition to the deregulation of the market, which has been promoting an environment conducive to corruption and lack of transparency, ultra-neoliberal and conservative governments have been causing wear and tear on the democratic rule of law, promoting its discredit and its institutions, calling for authoritarian states where there is no social control.

It is important to highlight that there were numerous challenges for social movements that, even so, remained firm in the defense of democracy and in the guarantee of social rights. Social movements and organizations have demonstrated their ability to adapt to the pandemic context, using information technologies to amplify their voices and create public pressure. These strategies have proven to be fundamental to ensure some level of active social participation.

With social distancing and mobility restrictions, social movements quickly adapted to the use of information technologies to maintain their activities and amplify their voices. They started to hold meetings, seminars, and assemblies online, using videoconferencing platforms, social networks and websites. This change allowed his activities to continue despite physical limitations. Human rights organizations conducted webinars and livestreams to discuss issues related to the pandemic and minority rights, reaching a global audience.

In summary, the years from 2017 to 2022 signaled authoritarianism, and in this perspective, brought even greater challenges to the consolidation of effective social control. However, it also revealed the urgent need to rethink and strengthen citizen participation in the formulation and implementation of public policies. The balance between neoliberal policies and ensuring a just and equitable society requires an in-depth analysis of the interactions between ultra-neoliberalism and social control. Future studies should continue to investigate these relationships, offering valuable insights to inform policies that prioritize the common good and social inclusion.



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