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LEGAL AID FUND SUPERVISION FROM THE PERSPECTIVE OF FIQH SIYASAH

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Abstract

Legal aid constitutes a constitutional right guaranteed by the Indonesian government to ensure equal access to justice for economically disadvantaged citizens. Effective implementation of legal aid requires transparent, accountable, and well-supervised management of public funds to ensure that legal services are delivered appropriately and in accordance with statutory provisions. This study examines the authority of the Regional Supervisory Committee in supervising the distribution of legal aid funds and evaluates its implementation from the perspective of *Fiqh Siyasah*. An empirical juridical approach was employed using qualitative methods. Primary data were obtained through interviews, observations, and documentation conducted at the Regional Office of the Ministry of Law of Bengkulu Province, while secondary data were collected from legislation, official documents, and relevant academic literature. Data were analyzed using a descriptive qualitative approach. Research findings indicate that the Regional Supervisory Committee performs supervisory functions through monitoring, evaluation, report verification, and oversight of legal aid fund utilization by accredited Legal Aid Providers. Practical implementation has not yet achieved optimal effectiveness because supervision remains constrained by limited human resources, insufficient institutional coordination, and weaknesses in monitoring and evaluation mechanisms. Analysis from the perspective of *Fiqh Siyasah* demonstrates that supervision of legal aid funds reflects the principles of *al-'adl*, *amānah*, and *hisbah* as fundamental elements of governmental responsibility in safeguarding public interests. Strengthening institutional capacity, improving inter-agency coordination, and enhancing supervisory mechanisms are essential for developing a more transparent, accountable, and equitable legal aid system.

Keywords: *Legal Aid, Regional Supervisory Committee, Legal Aid Funds, Fiqh Siyasah, Supervision*

INTRODUCTION

Access to justice constitutes one of the fundamental principles of the rule of law and serves as an essential guarantee for protecting the constitutional rights of every citizen. Equal legal protection cannot be achieved solely through the existence of legislation but also requires effective mechanisms enabling economically disadvantaged individuals to obtain legal assistance. Indonesia has recognized this obligation through Law Number 16 of 2011 concerning Legal Aid, which establishes the state's responsibility to provide free legal services for indigent communities. Legal aid represents an important instrument for promoting equality before the law while reducing disparities in access to judicial institutions. Effective implementation of legal aid depends not only on the availability of legal aid providers but also on transparent, accountable, and well-supervised management of public funds allocated for legal aid services. Weak supervision may reduce service quality, create administrative irregularities, and undermine public confidence in government programs designed to protect fundamental legal rights (Hanifah, 2024).

Supervision of legal aid fund distribution constitutes an essential element of public administration because legal aid programs are financed through state funds that must be managed responsibly and in accordance with statutory provisions. The Regional Supervisory Committee performs a strategic role in monitoring the utilization of legal aid funds, verifying administrative compliance, evaluating institutional performance, and ensuring that accredited Legal Aid Providers implement legal aid services according to applicable regulations. Effective supervision contributes to financial accountability, prevents misuse of public funds, and improves the quality of legal services delivered to eligible beneficiaries. Practical implementation nevertheless continues to encounter several challenges, including limitations in institutional resources, inconsistencies in monitoring procedures, and varying levels of compliance among legal aid providers. These conditions demonstrate that strengthening supervisory mechanisms remains essential for achieving an accountable and sustainable legal aid system (Gayo, 2020).

Public accountability in legal aid fund management extends beyond financial oversight because it directly affects the protection of constitutional rights and the credibility of public institutions. Research conducted at the Regional Office of the Ministry of Law in Bengkulu Province indicates that supervisory activities have been implemented through administrative verification, monitoring, reporting, and evaluation of legal aid providers. Practical implementation has not yet achieved optimal effectiveness because supervisory capacity remains constrained by limited personnel, administrative challenges, and coordination among relevant institutions. These conditions create potential risks affecting the efficiency of legal aid fund distribution and the quality of legal services received by disadvantaged communities. Evaluation of supervisory practices therefore becomes necessary to identify institutional strengths and limitations while supporting continuous improvement of public administration in legal aid governance.

The implementation of legal aid fund supervision may also be evaluated through the perspective of *Fiqh Siyasah*, which emphasizes that governmental authority is a public trust exercised to realize justice, accountability, and public welfare. Islamic political jurisprudence requires every public institution entrusted with managing public resources to perform its responsibilities transparently, honestly, and fairly. Supervision of legal aid funds therefore represents not only an administrative obligation but also an ethical responsibility to ensure that state resources are distributed appropriately and benefit those who are legally entitled to receive assistance. Principles such as *amānah*, *al-'adl*, *hisbah*, and *maṣlaḥah* provide normative standards for assessing whether supervisory practices have fulfilled the objectives of both public administration and Islamic governance. Evaluation through this perspective enriches legal analysis by integrating positive law with the ethical values underlying public authority in Islam (Shokhikhah, 2024).

Previous studies concerning legal aid have predominantly focused on the implementation of legal aid services, access to justice, accreditation of legal aid organizations, and the effectiveness of Law Number 16 of 2011 concerning Legal Aid. Limited attention has been devoted to examining the authority of the Regional Supervisory Committee in overseeing the distribution of legal aid funds, particularly through an integrated analysis combining statutory regulations and the principles of *Fiqh Siyasah*. Existing research has generally emphasized legal protection for beneficiaries without comprehensively evaluating supervisory mechanisms responsible for ensuring financial accountability and institutional compliance. This study addresses that gap by analyzing supervisory authority, evaluating its implementation in practice, and examining its consistency with the principles of Islamic political jurisprudence. Integration of these perspectives provides a broader understanding of how legal aid governance may be strengthened through effective supervision and ethical public administration (Apriliani et al., 2025).

This study aims to analyze the authority of the Regional Supervisory Committee in supervising the distribution of legal aid funds, evaluate the implementation of supervisory functions within the Regional Office of the Ministry of Law of Bengkulu Province, and examine the supervisory system from the perspective of *Fiqh Siyasah*. Research findings are expected to contribute to the development of legal aid governance by strengthening transparency, accountability, institutional coordination, and supervisory effectiveness in managing public funds. Academic contributions of this study also expand the discourse on the relationship between public administration and Islamic political jurisprudence while providing practical recommendations for improving legal aid supervision in Indonesia.

RESEARCH METHOD

This study employed an empirical juridical research design using a qualitative socio-legal approach to examine the authority of the Regional Supervisory Committee in supervising the distribution of legal aid funds. The research analyzed the relationship between the legal framework governing legal aid supervision and its practical implementation within the Regional Office of the Ministry of Law of Bengkulu Province. Statutory, conceptual, and empirical approaches were applied to evaluate supervisory authority, institutional performance, and compliance with legal aid regulations while assessing their consistency with the principles of *Fiqh Siyasah*. The research was conducted at the Regional Office of the Ministry of Law of Bengkulu Province because the institution is responsible for supervising accredited Legal Aid Providers through the Regional Supervisory Committee. Primary data were obtained through in-depth interviews, direct observations, and documentation involving members of the Regional Supervisory Committee, government officials, Legal Aid Providers, and legal aid beneficiaries. Secondary data were collected from legislation, ministerial regulations, institutional reports, official documents, and academic literature concerning legal aid, public administration, and Islamic political jurisprudence.

Data collection focused on supervisory mechanisms, institutional coordination, administrative verification, monitoring procedures, implementation challenges, and the accountability of legal aid fund management. Informants were selected purposively based on their direct involvement in legal aid supervision and fund administration. Data were analyzed using an interactive qualitative model consisting of data reduction, data presentation, and conclusion drawing to identify patterns explaining the effectiveness of supervisory practices. Research findings were subsequently interpreted using the legal framework established by Law Number 16 of 2011 concerning Legal Aid together with the principles of *Fiqh Siyasah*, particularly *amānah*, *al-'adl*, *hisbah*, and *maṣlaḥah*, to evaluate whether supervisory authority fulfilled governmental responsibilities in ensuring transparency, accountability, and equitable distribution of legal aid funds. Research validity was strengthened through source triangulation, methodological triangulation, document verification, and cross-validation of interview findings with institutional records to enhance the credibility, dependability, and confirmability of the research results.

RESULTS AND DISCUSSION

Authority of the Regional Supervisory Committee in Legal Aid Fund Supervision

The Regional Supervisory Committee performs a strategic function in ensuring that legal aid funds are distributed transparently, accountably, and in accordance with statutory regulations. Research findings indicate that supervisory authority encompasses administrative monitoring, verification of financial reports, evaluation of legal aid implementation, and assessment of compliance by accredited Legal Aid Providers. These responsibilities are intended to ensure that public funds allocated for legal aid are utilized exclusively for eligible beneficiaries while maintaining the integrity of government-funded legal services. Effective supervision also strengthens institutional accountability by ensuring that every stage of legal aid fund management complies with applicable legal standards and administrative procedures. Research findings demonstrate that supervisory activities begin with the examination of administrative documents submitted by accredited Legal Aid Providers. Financial reports, supporting documentation, case records, and implementation reports are reviewed to determine whether legal aid funds have been managed in accordance with approved operational guidelines. Administrative verification enables the Regional Supervisory Committee to identify inconsistencies, incomplete documentation, and potential irregularities before financial accountability reports are approved. Careful examination of administrative records therefore serves as the first layer of preventive supervision within the legal aid funding system (Palgunadi, 2018).

Monitoring activities constitute another important aspect of supervisory authority. Research findings reveal that the Regional Supervisory Committee conducts periodic monitoring to evaluate whether legal aid services are implemented consistently with statutory provisions and contractual obligations. Monitoring includes reviewing service delivery, beneficiary eligibility, implementation of legal assistance, and utilization of allocated funds. Continuous supervision enables government institutions to identify implementation problems at an early stage while ensuring that legal aid organizations maintain compliance with administrative and financial requirements. Preventive monitoring therefore contributes significantly to improving institutional accountability. Evaluation of legal aid implementation represents an essential supervisory responsibility. Research findings indicate that the Regional Supervisory Committee assesses organizational performance by examining service quality, financial accountability, administrative compliance, and fulfillment of legal aid obligations. Evaluation findings provide important recommendations for improving institutional performance and correcting administrative deficiencies identified during supervisory activities. Objective assessment also strengthens public confidence by ensuring that accredited Legal Aid Providers continue to satisfy the standards established by national legal aid policies (Nasution, 2015).

Institutional coordination plays a significant role in supporting effective supervision. Research findings demonstrate that the Regional Supervisory Committee collaborates with the Regional Office of the Ministry of Law, accredited Legal Aid Providers, and other relevant institutions to facilitate information exchange, administrative verification, and resolution of supervisory issues. Coordination improves consistency in implementing supervisory procedures while reducing administrative obstacles encountered during financial reporting and monitoring activities. Collaborative institutional relationships therefore enhance the effectiveness of legal aid fund supervision throughout the implementation process. Research findings further indicate that supervisory authority extends beyond administrative verification to include preventive guidance for accredited Legal Aid Providers. Officials provide technical assistance regarding financial reporting, administrative documentation, and regulatory compliance to minimize procedural errors affecting accountability. Guidance activities improve institutional understanding of legal obligations while encouraging more effective management of public funds. Preventive supervision through continuous consultation therefore supports greater compliance without relying exclusively on corrective enforcement measures (Rangkuti & Pane, 2024).

Interviews conducted during this research indicate that supervisory implementation has contributed to improving financial accountability among accredited Legal Aid Providers. Respondents acknowledged that routine monitoring, report verification, and administrative guidance have strengthened institutional discipline in managing government-funded legal aid programs. Increased compliance demonstrates that supervision performs not only a controlling function but also an educational role in promoting responsible financial administration. Research findings nevertheless reveal several challenges affecting supervisory effectiveness. Limited human resources reduce opportunities for comprehensive monitoring, while the increasing number of legal aid cases creates additional administrative workloads for supervisory institutions. Variations in administrative capacity among Legal Aid Providers also influence the quality of financial reporting submitted for evaluation. These conditions require continuous institutional improvement to maintain consistent supervisory performance across different organizations (Rezeki & NPM, n.d.).

Evaluation of the research findings demonstrates that the Regional Supervisory Committee has exercised its authority in accordance with statutory responsibilities governing legal aid supervision. Administrative verification, monitoring, evaluation, institutional coordination, and preventive guidance collectively strengthen transparency and accountability in managing legal aid funds. Practical implementation nevertheless remains influenced by institutional capacity and administrative challenges that require continuous improvement through stronger supervisory mechanisms and enhanced coordination among relevant institutions. Research findings confirm that the authority of the Regional Supervisory Committee constitutes an essential component of Indonesia's legal aid governance system. Effective supervision protects public funds, strengthens institutional accountability, improves the quality of legal aid services, and supports the realization of equal access to justice for economically disadvantaged communities. Continuous strengthening of supervisory capacity remains necessary to ensure that legal aid funds are administered transparently, efficiently, and consistently with the objectives established by national legislation (Nurhidayati et al., 2023).

Implementation of Regional Supervisory Committee Authority Under Law Number 16 of 2011 concerning Legal Aid

Law Number 16 of 2011 concerning Legal Aid establishes the legal foundation governing the implementation of state-funded legal aid while ensuring equal access to justice for economically disadvantaged communities. The legislation assigns supervisory responsibilities to the government to ensure that legal aid funds are distributed transparently, accountably, and in accordance with statutory objectives. Research findings indicate that the Regional Supervisory Committee exercises this authority through administrative verification, financial supervision, performance evaluation, monitoring of legal aid implementation, and examination of accountability reports submitted by accredited Legal Aid Providers. These supervisory functions are intended to guarantee that every stage of legal aid administration complies with legal requirements while ensuring that public funds are allocated exclusively to eligible beneficiaries. Effective implementation of supervisory authority therefore represents an essential mechanism for maintaining public accountability because legal aid funding originates from the state budget and must be managed under strict administrative standards. Institutional supervision also contributes to improving the quality of legal aid services by ensuring that accredited organizations fulfill their legal obligations, maintain accurate financial records, and provide legal assistance according to the service standards established by national regulations. Research findings demonstrate that implementation of supervisory authority is not limited to detecting administrative violations but also serves as a preventive mechanism designed to strengthen institutional governance, reduce financial irregularities, and enhance public confidence in government-funded legal aid programs (Ratulia et al., 2025).

Research findings demonstrate that implementation of supervisory authority follows a structured administrative process beginning with verification of funding proposals, examination of supporting documents, evaluation of financial reports, and assessment of legal aid implementation before reimbursement of legal aid expenditures is approved. Officials examine whether every legal aid case satisfies administrative requirements, verify the eligibility of beneficiaries, review supporting legal documents, and evaluate financial accountability reports submitted by accredited Legal Aid Providers. Administrative verification constitutes a fundamental stage because it determines whether public funds have been utilized in accordance with statutory regulations and contractual obligations. Careful examination of documentation minimizes opportunities for administrative errors, duplicate claims, inaccurate reporting, and misuse of legal aid funds that could undermine public accountability. Interviews conducted during this research indicate that document verification also functions as an educational process because supervisory officials frequently provide guidance to Legal Aid Providers regarding financial reporting standards, documentation procedures, and compliance with applicable regulations. Preventive supervision through administrative verification therefore improves institutional discipline while encouraging continuous improvement in financial governance among organizations receiving government legal aid funding (Saefudin, 2015).

Monitoring and evaluation constitute integral components of implementing supervisory authority under Law Number 16 of 2011. Research findings indicate that the Regional Supervisory Committee conducts periodic monitoring to evaluate the consistency between reported administrative information and the actual implementation of legal aid services. Monitoring activities include assessment of legal representation provided to beneficiaries, examination of case documentation, verification of financial expenditures, and evaluation of institutional compliance with accreditation standards. Evaluation results provide an objective basis for determining whether Legal Aid Providers continue to satisfy the requirements necessary to receive government funding in subsequent implementation periods. Continuous monitoring also enables supervisory institutions to identify procedural weaknesses, administrative deficiencies, and financial risks before they develop into more significant legal or institutional problems. Research findings reveal that evaluation activities not only assess compliance with administrative procedures but also measure the effectiveness of legal aid delivery in fulfilling the constitutional objective of expanding access to justice. Comprehensive monitoring therefore strengthens institutional accountability while simultaneously improving the overall quality of publicly funded legal aid services (Rotami & Tanjung, 2024).

Institutional coordination represents another determining factor influencing the effectiveness of supervisory implementation. Research findings reveal that the Regional Supervisory Committee cooperates with the Regional Office of the Ministry of Law, accredited Legal Aid Providers, and other related institutions in exchanging administrative information, verifying reports, resolving implementation problems, and improving supervisory performance. Coordination facilitates more efficient communication during the supervision process while reducing delays associated with document verification and financial accountability procedures. Collaborative relationships also improve consistency in interpreting legal provisions governing legal aid fund distribution, thereby minimizing administrative discrepancies among implementing institutions. Research findings nevertheless indicate that coordination has not yet reached optimal effectiveness because differences in administrative capacity, limited communication resources, and varying institutional workloads occasionally delay the supervisory process. These conditions demonstrate that strengthening inter-agency coordination remains an essential requirement for improving both the efficiency and effectiveness of legal aid fund supervision throughout the implementation process (Dasan et al., 2022).

Research findings further demonstrate that implementation of supervisory authority continues to encounter several practical challenges despite the existence of a comprehensive legal framework. Limited human resources within supervisory institutions reduce opportunities to conduct intensive monitoring across all accredited Legal Aid Providers. Administrative workloads continue to increase as the number of legal aid cases expands each year, requiring greater institutional capacity to perform verification, monitoring, evaluation, and reporting activities effectively. Variations in administrative competence among Legal Aid

Providers also affect the quality and completeness of financial reports submitted for evaluation, resulting in additional verification procedures before accountability documents can be approved. Research findings indicate that these challenges do not arise from deficiencies within the legal framework established by Law Number 16 of 2011 but rather from practical limitations affecting institutional implementation. Strengthening supervisory capacity through professional training, digital administrative systems, improved coordination mechanisms, and additional human resources therefore becomes essential for optimizing implementation of supervisory authority while ensuring transparent, accountable, and sustainable management of legal aid funds (Rustamaji, 2013).

Legal Aid Fund Supervision from the Perspective of *Fiqh Siyasah*

Fiqh Siyasah provides a comprehensive normative framework for evaluating the exercise of governmental authority in administering public affairs based on justice, responsibility, and public welfare. Public authority is not merely regarded as legal power delegated by statutory regulations but also as a trust (*amānah*) that must be exercised honestly, transparently, and accountably to protect the interests of society. Research findings indicate that the authority exercised by the Regional Supervisory Committee in supervising the distribution of legal aid funds reflects the implementation of governmental responsibilities aimed at ensuring that state resources are managed appropriately and distributed to citizens who are legally entitled to receive legal assistance. Supervision of legal aid funds therefore extends beyond administrative compliance because it represents a constitutional and moral obligation to protect the constitutional right of access to justice. Islamic political jurisprudence emphasizes that every public policy must be directed toward preventing injustice and safeguarding the rights of vulnerable members of society. Distribution of legal aid funds financed through the state budget consequently becomes part of the government's responsibility to uphold justice while ensuring that public resources are managed in accordance with ethical principles established by Islamic law. Research findings demonstrate that effective supervision strengthens institutional integrity while ensuring that legal aid programs continue to fulfill their constitutional objective of protecting economically disadvantaged communities (Pramori, 2021).

The principle of *amānah* constitutes one of the primary foundations of governmental administration in *Fiqh Siyasah*. Every public official entrusted with supervisory responsibilities is required to perform duties with integrity, professionalism, and accountability because public authority represents a trust that must be exercised exclusively for the benefit of society. Research findings reveal that the Regional Supervisory Committee implements this principle through systematic verification of financial reports, examination of supporting documentation, monitoring of legal aid implementation, and evaluation of institutional accountability. Administrative verification performed during supervisory activities ensures that legal aid funds are utilized only for legitimate purposes and prevents deviations that may reduce the effectiveness of government-funded legal services. Interviews conducted during this research indicate that supervisory officials consistently emphasize compliance with financial regulations and administrative procedures before approving accountability reports submitted by accredited Legal Aid Providers. These findings demonstrate that implementation of *amānah* is reflected not only through personal integrity but also through institutional mechanisms designed to protect public funds from misuse, administrative negligence, and procedural irregularities. Effective realization of this principle therefore strengthens public confidence in government institutions responsible for administering legal aid programs (Pardede & Simanjuntak, 2021).

Justice (*al-'adl*) represents another fundamental principle governing the implementation of supervisory authority within the framework of *Fiqh Siyasah*. Justice requires that public funds be distributed objectively, proportionally, and without discrimination while ensuring equal treatment for every institution participating in the legal aid system. Research findings indicate that supervisory evaluation is conducted according to uniform legal standards established by Law Number 16 of 2011 and its implementing regulations, without distinguishing among accredited Legal Aid Providers based on institutional background or organizational affiliation. Objective assessment of financial accountability, administrative compliance, and implementation performance demonstrates the government's commitment to ensuring equality before the law in managing legal aid programs. Fair supervision also protects the constitutional rights of legal aid beneficiaries because transparent evaluation prevents unequal allocation of public resources and strengthens the credibility of legal aid governance. Research findings further indicate that consistent application of objective supervisory standards contributes to reducing administrative disputes while encouraging accredited organizations to improve institutional performance through compliance with legal and financial requirements. Implementation of *al-'adl* therefore strengthens both administrative accountability and public trust in the legal aid system (Harley et al., 2024).

The principle of *hisbah* provides an important analytical perspective for understanding the supervisory function performed by the Regional Supervisory Committee. Islamic governance recognizes *hisbah* as an institutional mechanism responsible for supervising public affairs, preventing misconduct, promoting compliance with legal norms, and protecting society from actions that may harm the public interest. Research findings demonstrate that supervisory activities undertaken by the Regional Supervisory Committee correspond closely with these objectives because monitoring, verification, evaluation, and administrative guidance are designed to prevent misuse of legal aid funds before violations occur. Preventive supervision constitutes a significant characteristic of *hisbah* because the objective of supervision is not merely to identify violations after they have occurred but to establish an administrative environment that minimizes opportunities for irregularities and strengthens institutional compliance. Interviews conducted during this research indicate that supervisory officials regularly provide technical guidance and consultation to accredited Legal Aid Providers to improve financial reporting and administrative management. Educational supervision of this nature reflects the preventive orientation emphasized in *Fiqh Siyasah*, where guidance and correction are prioritized alongside regulatory enforcement. Implementation of supervisory authority therefore illustrates that the concept of *hisbah* remains highly relevant in contemporary public administration, particularly in ensuring transparent and accountable management of state-funded legal aid programs (Nurhidayati et al., 2023).

The realization of *maṣlaḥah* represents the ultimate objective of governmental authority within the perspective of *Fiqh Siyasah*. Every public policy should generate tangible benefits for society while preventing harm that may arise from weak governance, administrative misconduct, or ineffective public services. Research findings indicate that supervision of legal aid funds contributes directly to the realization of public welfare by ensuring that financial resources allocated by the government are utilized efficiently to expand access to justice for economically disadvantaged citizens. Effective supervision protects the sustainability of legal aid programs, improves institutional accountability, enhances the quality of legal services, and strengthens legal certainty for beneficiaries. Practical challenges identified during this research, including limited human resources, administrative constraints, and institutional coordination issues, demonstrate that continuous improvement remains necessary to maximize the public benefits expected from legal aid governance. Evaluation of these findings confirms that strengthening supervisory capacity through institutional reform, professional development, digital administrative systems, and closer inter-agency cooperation will further support the realization of *maṣlaḥah* while reinforcing the ethical foundations of public administration prescribed by *Fiqh Siyasah*. Integration between statutory regulations and Islamic political jurisprudence ultimately provides a comprehensive governance framework capable of ensuring that legal aid funds are managed transparently, accountably, and consistently for the protection of justice and the welfare of society (Octavia & Susanti, 2024).

CONCLUSION

Supervision of legal aid funds by the Regional Supervisory Committee has generally been implemented in accordance with Law Number 16 of 2011 through administrative verification, monitoring, evaluation, and institutional coordination, thereby strengthening accountability in legal aid governance. Practical implementation remains constrained by limited institutional capacity, administrative challenges, and coordination among relevant stakeholders. Analysis from the perspective of *Fiqh Siyasah* demonstrates that the supervisory mechanism reflects the principles of *amānah*, *al-'adl*, *hisbah*, and *maṣlaḥah*, emphasizing governmental responsibility to ensure justice, transparency, and public welfare. Strengthening supervisory capacity and institutional coordination is essential to improving the effectiveness and sustainability of legal aid fund governance.

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