

CONCERNING CULTURAL AND POLITICAL MOVEMENT; THE ROLE OF INTELLECTUAL AND CIVIL SOCIETY IN GRISHAM'S *THE STREET LAWYER*

Nasrullah

Fakultas Ilmu Budaya, Universitas Mulawarman
Jalan Pulau Flores No.1, Samarinda, Kalimantan Timur
Pos-el: nasrullah.mappatang@gmail.com

ABSTRACT

This paper is about the role of intellectuals and America's civil society movement in the struggle of poor people and the homeless in Washington, USA, to claim their rights in Grisham's *The Street Lawyer*. Both of these are called cultural and political movement. The author analyzes the discrepancy in USA in Reagan's era. The interesting aspect of the novel is the role of legal clinic for homeless and the intellectual from NGO and social organization constructed in the novel. This paper uses genetic structuralism in analysis. Aspect of intrinsic and extrinsic of the work is the object of material of the analysis. Otherwise, the theories about intellectual and civil society movement by Antonio Gramsci are the extrinsic tools to describe how the social condition in that era is. The results of the analysis indicates the discrepancy in America, especially in Washington DC. The street lawyer and the intellectuals of some social organizations have the significant roles as the part of America's social movement in creating equality and social welfare for all. Those case are founded in the analysis of the novel.

Keywords: intellectual, civil society, cultural, political movement, homeless

ABSTRAK

*Tulisan ini membahas peran intelektual dan gerakan masyarakat sipil Amerika pada perjuangan orang-orang miskin dan gelandangan di Washington untuk menuntut hak-hak hidup mereka dalam novel John Grisham berjudul *The Street Lawyer*. Peran intelektual dan aliansi masyarakat sipil ini disebut sebagai kombinasi gerakan kebudayaan dan gerakan politik. Penulis menganalisa kesenjangan yang terjadi di dalam novel ini yang berlatarkan pemerintahan Presiden Reagan. Perjuangan rakyat miskin dan para gelandangan yang melibatkan Klinik Hukum untuk rakyat miskin dan intelektual organisasi sosial ini menjadikan novel ini menarik untuk dikaji. Tulisan ini menggunakan pendekatan strukturalisme genetik yang dikenal dengan analisis karya sastra pada aspek intrinsik dan ekstrinsik. Selain itu, teori tentang peran intelektual dan gerakan masyarakat sipil dari Antonio Gramsci merupakan perangkat analisis ekstrinsik*

yang digunakan untuk melihat dinamika sosial yang dikonstruksi oleh Grisham dalam menggambarkan keadaan sosial di masa itu. Hasil analisis menunjukkan bahwa kesenjangan sosial terdapat dalam berbagai sektor di Amerika khususnya di Washington DC. Pengacara jalanan dan intelektual organisasi sosial memberikan peranan penting dalam membela hak orang miskin dan gelandangan. Peran para intelektual inilah yang menjadi bagian gerakan masyarakat sipil Amerika dalam mewujudkan kesetaraan dan kesejahteraan untuk semua kalangan ditemukan dalam novel ini.

Kata kunci: masyarakat sipil, intelektual, gerakan politik, kebudayaan, gelandangan

A. INTRODUCTION

This study will describe how a literary work in this novel *The Street Lawyer* was analyzed using the approach of genetic structuralism. It becomes the principal focus of this research that can be described as intrinsic and extrinsic elements then how novel *The Street Lawyer* is analyzed. It can clearly be seen how relationship structure of the work and social structures are interconnected. The interconnected of them specifically focusing on the role of intellectual and civil society movement in America in 1980's, Reagan's era that portrayed and constructed by John Grisham in his *The Street Lawyer*.

The street lawyer by John Grisham tells about how a lawyer from a large firm who is a lawyer and renowned conglomerates and the rich in America become a street lawyer that serves the interests of poor people's right to live in Washington DC. The process of the journey of life that is the street lawyer draws attention and the reason why the novel is taken for analysis. In addition, why does a lawyer whose career is rising and become an increasingly wealthy lawyer turn into a life devoted to the interests of the poor. That is the important thing to analyze how the structure is arranged in a literary work into a story. And extrinsically, it will analyze how the process of the defense of the weak is, which is commonly called the poor advocacy of various public policies issued by the government in the novel *The Street Lawyer*. A very rare form of solidarity in the globalization era is increasingly divinizing money today.

Poorness, discrimination, racial, passiveness of rich people toward poor people life, eviction are some theme and problems in this novel. John Grisham describes how the condition of Washington DC as District Capitol of USA, the policy of government, real estate corporation, the law firm activity, and the homeless life. There are many cases that are related to them. Grisham describe us how life condition of homeless in the street, especially in the wintertime. Beside that he tells us about how the District Capitol government gives their policy to homeless.

In otherwise, there is real estate Corporation with a great law firm work together to do eviction toward homeless and poorness in the DC. In general of homeless are Afro-America people who face discrimination by white people. Afro-America live in poorness while white people live in richness. Rich people do not have an attention to the poorness. And, the role of intellectuals and civil society movement to be the significant issues that Grisham constructs this work.

B. THEORY

1. Civil Society

Antonio Gramsci is a social intellectual that has many contribution in social movement thoughts. Gramsci's thoughts are in politic, culture, and social movement theories. His works that are very famous are *The Pre-Prison Notebook* and *The Selection of Prison Notebook*. Both books are the collection of thoughts of Gramsci that become a reference to analyze how a group or organization does movement for their struggle to claim their rights. Poor people claim their rights to government or to save their life in capitalist press.

Civil society is a term of Gramsci to distinguish social society from political society. There is a relationship between social organization with state and political party in social struggle. As he explain in *Selection of Prison Notebook* as follow:

The State is the instrument for conforming civil society to the economic structure, but it is necessary for the State to be willing to do this; i.e. for the representatives of the change that has taken place in the economic structure to be in control of the State. To expect that civil society will conform to the new structure as a result of propaganda and persuasion, or that the old *homo economics* will disappear without being buried with all the honors it deserves, is a new form of economic rhetoric, a new form of empty and inconclusive economic moralism. Here civil society is in effect equated with—the mode of economic behavior (Gramsci, 1999:448).

Otherwise, private association of social group tells about the characteristic of organization in civil society, as Gramsci (1999:536) assumes:

I have remarked elsewhere that in any given society nobody is disorganized and without party, provided that one takes organization and party in a broad and not a formal sense. In this multiplicity of private associations (which are of two kinds: natural, and contractual or voluntary) one or more predominates relatively or absolutely—constituting the hegemonic apparatus of one social group over the rest of the population (or **civil society**): the basis for the State in the narrow sense of the governmental-coercive apparatus.

In social movement, especially in civil society movement, it is needed a strategy to build effective struggle. Gramsci said it as “frontal attack” and “long struggle”, or in other term, “war of position” and “war of movement”. Both of two strategies above are depended on political-culture's condition in civil society to

identify and counting the real condition of political and cultural movement's phases. Gramsci's explanation in *Selections from Prison Notebooks* about political struggle is as follow:

In political struggle, there also exist other forms of warfare—apart from the war of movement and siege warfare or **the war of position**. True, i.e. modern, commandos belong to the war of position, in its 1914-18 form. The war of movement and siege warfare of the preceding periods also had their commandos, in a certain sense. The light and heavy cavalry, crack rifle corps, etc.—and indeed mobile forces in general—partly functioned as commandos. Similarly the art of organizing patrols contained the germ of modern commandos. This germ was contained in siege warfare more than in the war of movement: more extensive use of patrols, and particularly (Gramsci, 1999:484—485).

The war of position is the strategy to defense the struggle when the power of the enemy is strong. This phase is also used by the lower class struggle to consolidate the alliance power to face next steps of their political struggle to fight the ruling class in political and cultural movement.

2. Intellectual

In other line, Gramsci (1999:446) said “*A social group can, and indeed must, already exercise leadership' [i.e. be hegemonic] before winning governmental power (this indeed is one of the principal conditions for the winning of such power)*”. He emphasizes the importance of leadership before winning the governmental power. Of course, it is also very important when the poor people build their power in social organization for doing their struggle. War of movement is done if position of the civil society is strong, and in contrary, the *war of position* is done if the position of civil society is weak. In other word, war of position done if the social-civil group/organization dominated by repressive state or capitalist system.

Otherwise, according to Gramsci (in Simon, 2004:140), the presence of the *intellectual organic* is very important to organize the political and cultural movement, especially to manage when the war of position strategy applied and when the war of movement is done. It is the role of “intellectual organic” in a struggle, as organizer of people power and manages the strategy of the cultural and political movement. The role of intellectual in Gramsci's is conception as organic intellectual to organize the mass and the power against the ruling class using the combination of cultural and political strategies.

C. METHOD

First of all, I read the novel *The Street Lawyer*. Then, I identify several problems; most of the problem which I found is relationship to the condition of poor people rights who struggle in Washington 1980—1990s era. That was the reason

why I choose rights struggle of Poor People as a topic. After finding several problems, I scoped it into specific problems which were related to the topics.

The writer used genetic structural approach that appropriate to the analysis. The writer would like to describe and analyze the role of intellectual and civil society movement to support the right claim of homeless and the poor people in America. Then, I gather Gramsci's theories to analyze the problems relates to the role of intellectual and civil society movement. Most of the data were found by using library research, and collecting the data through finding to the topic.

The next step was analyzing the data by using the chosen approach. I started in explanation about social contradiction that portrayed in the novel. Then, confirmed the role of intellectual and civil society movement with identifying the data in the text of the novel. The data was analyzed using the theories to find how the struggle of lower class to claim their rights which is dynamited by the (organic) intellectual in the civil society movement. The results of the analysis were the findings that indicates how the author constructed the story about intellectual and civil society movement against the policy of repressive government and the act of capitalist business expansion.

D. RESULTS AND DISCUSSION

Struggle of classes and war of position represent analysis and tactic to face the power of oppressor by poor people as oppressed. Legal clinic and social organization are the protector and organizer for poor people power. Legal Aid Clinic for poor people and homeless is one important unsure of poor people spirit to claim their rights. While social organization organize poor people and identifies each problem of their member before become a client of Legal Aid clinic.

Intellectual organic function in social organization and street lawyers in Legal Aid Clinic for homeless are the important role in poor people struggle when claim their rights and press a policy. Those role make civil society power strong, minimize social crime and to be a way to implement social justice and Human Rights values. These themes are the main topic to identify and analysis in this paper.

The contra productive policy is one of some sources why the poor people protest each government policies. Protest of poor people is to claim their rights which is collaborated with social organization intellectual and street lawyers portrayed in Grisham's *The Street Lawyer* (1998). In that novel, the contradiction describes as quotation below:

Advocates all over the country are attacking these laws. Damned cities are spending more on legal fees than on building shelters for the homeless. You gotta love this country. New York, richest city in the world, can't house its people, so they sleep on the streets and panhandle on Fifth Avenue, and this upsets the sensitive New Yorkers, so they elect Rudy.

can't beg, can't sit on the sidewalk, can't be homeless--and they cut budgets like hell, close shelters and cut assistance, and at the same time they spend a bloody fortune paying New York lawyers to defend them for trying to eliminate poor people." "How bad is Washington?"

"Not as bad as New York, but not much better, I'm afraid.

"Washington is a black city," he continued, "with a large welfare class. It attracts a lot of people who want change, a lot of intellectuals and radicals. People like you."

"I'm hardly an intellectual or a radical." (Grisham, 1998:115).

Federal governments in fact pay New York Lawyers to defend their policy that injure poor people and homeless. They are trying to eliminate homeless through their policy in injuring homeless and poor people. The role of social organization intellectual is protesting those policy together with poor people and homeless, while the Street Lawyers do class action to advocacy those injuring policy through litigation method.

Mordecai Green is Director of The 14th Street Legal Clinic. While Michael Brock is a new street lawyer that leaves Drake & Sweeney Law Firm then join to Mordecai the 14th Legal Clinic which defend poor people and homeless as their clients. Toward poor people and homeless struggle, Michael and Mordecai in consult and help their clients as described below:

Clients awaited us. Our office was in a corner of the dining hall, near the kitchen. Our desk was a folding table we borrowed from the cook. Mordecai unlocked a file cabinet in the corner, and we were in business. Six people sat in a row of chairs along the wall. "Who's first?" he announced, and a woman came forward with her chair. She sat across from her lawyers, both ready with pen and legal pad, one a seasoned veteran of street law, the other clueless.

Her name was Waylene, age twenty-seven, two children, no husband. "Half will come from the shelter,"

Mordecai said to me as we took notes. "The other half come from the streets." "We take anybody?"

"Anybody who's homeless" (Grisham, 1998:116).

Besides Legal Aid for poor people and homeless, a social organization has a great shelter in DC. That is Community for Creative Non-Violence (CCNV). Homeless take shelter and food in CCNV. Otherwise, The 14th Street Legal Clinic give Legal Aid to the homeless in this shelter. Most of their clients in CCNV, and Mordecai as Director set the schedule to receive clients in this shelter. Description about CCNV likes quotations below:

Tuesday was an intake day at the Community for Creative Non-Violence, or CCNV, by far the largest shelter in the District. Once again Mordecai handled the driving. His plan was to accompany me for the first week, then turn me loose on the city (Grisham, 1998:130).

Mordecai and Michael from the 14th Street Legal Clinic facing their client to consult as description of quotation below:

Mordecai walked to the door with the clipboard, and called out the first name: "Luther Williams."

Luther barely fit through the door, and the chair popped as he fell into it across from us. He wore a green work uniform, white socks, and orange rubber shower sandals. He worked nights at a boiler room under the Pentagon. A girlfriend had moved out and taken everything, then run up bills. He lost his apartment, and was ashamed to be in the shelter. "I just need a break," he said, and I felt sorry for him.

He had a lot of bills. Credit agencies were hounding him. For the moment, he was hiding at CCNV. (Grisham, 1998:130)

As a great shelter in DC, CCNV has many activities to give their service to homeless. Those are the way that CCNV support and to be a frontline in poor people and homeless struggle to defend their live and claim their rights. Those expressed in quotation below:

"D.C. Central Kitchen, an outfit in the basement of the CCNV. They've developed this amazing system of collecting excess food from local restaurants, not leftovers, but uncooked food that will simply go bad if not used immediately. They have a fleet of refrigerated trucks, and they run all over the city collecting food which they take to the kitchen and prepare, frozen dinners. Over two thousand a day" (Grisham, 1998:147).

To support and defend poor people and homeless claim their rights as citizen, many programs of Legal Aid and Social Organization created. Pro bono volunteer is one of them like described by quotation below:

Most surprisingly, a lawyer appeared, a young associate from a large firm, a pro bono volunteer with the Washington Legal Clinic for the Homeless. He recognized Mordecai from a fund-raiser the year before.

We did law talk for a few minutes, then he disappeared into a back room to begin three hours of intake. "The Washington Legal Clinic has a hundred and fifty volunteers," Mordecai said (Grisham, 1998:148).

To claim poor people and homeless rights about eviction in this novel, The 14th Street Legal Clinic as Lawyer of the victims doing Legal Action in the Court. He press evictors to responsible toward great loss of victims. Eviction that done by River Oaks, TAG Inc. and Drake & Sweeney will be indicted in the court by Mordecai as a Lawyer of the victims. Its description as follows:

There were three of them RiverOaks, Drake & Sweeney, and TAG, and we did not expect to add more. The first method was the ambush. The other was the serve and volley. With the ambush, we would prepare the skeletal framework of our allegations, run to the courthouse, file the suit, leak it to the press, and hope we could prove what we thought we knew. The advantage was surprise, and embarrassment for the defendants, and, hopefully, public opinion. The downside was the legal equivalent of

jumping off a cliff with the strong, but unconfirmed, belief that there was a net down there somewhere.

The firm had shown no interest in leaving me alone; the two searches were clear proof that Arthur on the top floor and Rafter and his band of hard-asses in litigation were coming after me. My arrest would make a nice news story, one they would undoubtedly leak to humiliate me and build pressure. We had to be ready with our own assault (Grisham, 1998:151—152).

To influence public opinion and build strong solidarity towards poor people, homeless, intellectual, and street lawyers, they create a Lontae's rally to campaign how the oppressor or evictors make poor people and homeless suffer. Lontae is a victim of eviction by Drake & Sweeney, TAG Inc. and RiverOaks. They have sent Lontae and others to the streets. Moreover, Federal government turns aside poor people and homeless in their policy. These actions indicate the combination of cultural and political strategies in a social movement.

Description of Lontae's rally in this The Street lawyer novel as follows:

The march began at the District Building with a rally for justice. Since Mordecai was a Who's Who in the world of the homeless, he left me in the crowd and went to his spot on the platform. A church choir robed in burgundy and gold got organized on the steps and began flooding the area with lively hymns.

The CCNV had promised a thousand of its foot soldiers, and they arrived in a group one long, impressive, disorganized column of men homeless and proud of it.

They gathered intact before the steps of the District Building and began waving their placards, most of which were of the homemade, hand-painted variety. **STOP THE KILLINGS; SAVE THE SHELTERS; I HAVE THE RIGHT TO A HOME; JOBS, JOBS, JOBS.** The signs were hoisted above their heads, where they danced with the rhythm of the hymns and the cadence of each noisy chant.

Church buses stopped at the barricades and unloaded hundreds of people, many of whom did not appear to be living on the streets. It was billed as the largest homeless march in the past ten years Lontae's Rally (Grisham, 1998:155).

Lontae's Rally created by alliance of CCNV, The 14th Street Legal Clinic, and shelters member from some Social organization. This rally receives great sympathy from public. The winning aspect of this rally towards poor people and homeless is public support to keep running their struggle to claim their rights. But ironically, the Mayor had no comment.

The rally for Lontae was the lead story at eleven. There were close-ups of the five black caskets lying on the steps of the District Building, and later as they were marched down the street. Mordecai was featured preaching to the masses. The crowd appeared larger than I had realized the estimate was five thousand.

The mayor had no comment (Grisham, 1998:160).

Mass media published their news in attacking Congress and expose the failure of Federal as quotation below:

A long editorial blistered Congress and the city for their failure to fund services for the homeless. Other Lontaes would follow, it warned. Other children would die in our streets, in the shadows of the U.S.

Capitol. I paraphrased this for Ruby, who concurred with every phrase (Grisham, 1998:162).

Investigation of that eviction continues. Journalists interest to explore that case more depth. In addition, it of course disadvantages to the evictors reputation. An illegal eviction has done by a great law firm together a famous real estate company in USA.

The story was a natural for the *Post*. It began on page one, under a bold headline, and was continued on page ten where the photos were a photo of Lontae taken from the placards at the rally for justice, one of Mordecai when he was ten years younger, and a set of three, which no doubt would humiliate the bluebloods at Drake & Sweeney. Arthur Jacobs was in the center, a mug shot of Tilman Gantry was on the left, and on the right was a mug shot of DeVon Hardy, who was linked to the story only because he'd been evicted and got himself killed in a newsworthy fashion.

The story was long and thorough. It began with the eviction, and all the participants therein, including Hardy, who surfaced seven days later at the offices of Drake & Sweeney where he took hostages, one whom was me. From me it went to Mordecai, then to the deaths of the Burtons. It mentioned my arrest, though I had been careful to tell the reporter little about the disputed file. He was true to his word we were never referred to by name, only as informed sources. I couldn't have written it better myself. Not a word from any of the defendants. It appeared as if the reporter made little or no effort to contact them (Grisham, 1998:195).

Homeless and poor people struggle as victims of that eviction have a good position in *Post* news. Great pressure facing to the evictors and it makes spirit of struggle stronger. It indicates how the media also has the significant role in social movement pressure. Grisham construct the role of media to pressure the public opinion above.

Legal action is one of the 14th Street Legal Clinic lawyers to sue the Government policy that discriminate towards homeless and poor people. Many cases focused by them as description below:

"What, specifically, do you do?" I asked. I was enjoying our talk. He was fiery and bright, with a vast vocabulary that kept me reeling.

"Two things. Policy. I work with other advocates to shape legislation. And I direct litigation, usually class actions. We've sued the Commerce Department because the homeless were grossly underrepresented in the ninety census.

We've sued the District school system for refusing to admit homeless children.

We've sued as a class because the District wrongfully terminated several thousand housing grants without due process. We've attacked many of the statutes designed to criminalize homelessness.

We'll sue for almost anything if the homeless are getting screwed." "That's complicated litigation" (Grisham, 1998:121).

In the court, Mordecai is the lawyer of Lontae's family to sue River Oaks and Drake & Sweeney in front of judge as mediator to make the case clear. Mordecai sue the indemnity of Lontae and her four children were death. This is a way of poor people that is helped by a street lawyer to claim their rights in the court. Drake & Sweeney admit their mistake who done illegal eviction. Therefore, he receives mediation of DeOrio as judge to do "restorative justice" or finishing Lawsuit without Jury. The process of mediation described in quotation below:

"Mr. Green," he began, "I have met with the lawyers for the defendants. Here's their best offer: the sum of three million dollars, and a one-year suspension for Mr. Brock." Mordecai had barely settled into his seat, when he bounced forward. "Then we're wasting our time," he said and grabbed his briefcase. I jumped up to follow him. "Please excuse us, Your Honor," he said. "But we have better things to do." We started for the aisle between the pews. "You're excused," the Judge said, very frustrated. We left the courtroom in a rush (Grisham, 1998:234).

Mordecai sue does payment of damage toward Lontae and his children death. He explains his claim of damage to the Judge explicitly. This action is a way of Mordecai to shows how poor people and homeless rights are very important in the face of law. In order to evictors, do not easily repeat his illegal eviction again to others homeless, Mordecai does not give a chance to them to win in the front of the Judge.

"If they can pay four million, then they can certainly pay five." Mordecai pointed again, back to Drake & Sweeney. "This defendant had gross billings last year of almost seven hundred million dollars." He paused as the numbers echoed around the courtroom. "Seven hundred million dollars, last year alone." Then he pointed at RiverOaks. "And this defendant owns real estate worth three hundred and fifty million dollars. Give me a jury."

They may be forced to raise rents and hourly rates, but they certainly know how to do that." A structured settlement with an extended payout made sense. Because of the instability of the heirs, and the fact that most of them were still unknown, the money would be carefully guarded by the court. Mordecai's latest onslaught was nothing short of brilliant. There was a notice able relaxing in the Drake & Sweeney group. He had given them a way out (Grisham, 1998:235—236).

Mordecai success to make Drake & Sweeney pay for damage. He can show that the street lawyer can claim poor people and homeless right from the evictors. This is a success of a rights struggle of poor people. Successful of Mordecai hopes can make poor people and homeless have addition spirit to struggle claim their rights. Though it is just a little success, it becomes an example how a struggle of alliance power between lawyers, social organization intellectual that organize Lontae's rally, and poor people-homeless self can press the court to take their rights.

To save long life struggles in the next time, Mordecai as a Director of The 14th Street Legal Clinic plans a pro bono program to recruit new street lawyers. It's purpose is to add power of his clinic in giving service to poor people and homeless when they want to claim their rights. This program also has purposes to make poor people struggle more massive in the next time. It is the great dream of Mordecai who tell to Michael Brock as can be shown in description below:

There were two other projects of particular interest to Mordecai. The first was a pro bono program the clinic had once organized, then allowed to slip away as federal monies evaporated. At its peak, the program had a hundred lawyers volunteering a few hours a week to help the homeless. He asked me to consider reviving it. I liked the idea; we could reach more people, make more contacts within the established bar, and broaden our base for raising funds. That was the second project.

...

The rights of the homeless would be protected, as long as they could find us. And their voices would be heard through ours (Grisham, 1998:237).

All of explanation above give evidence that Legal Aid Clinic and Social Organization as civil society alliance for poor people struggle in The Street Lawyer. There are several poor people struggles various to claim their rights. The role of poor people together intellectual of social organizations in the campaign of war eviction, the role of street lawyers in sue the evictors in front of the Judge are good cooperation each other to implement humanity of Human Rights values and social justice for a good life in the world. The role of intellectuals and civil society alliance indicate the significant role of cultural and political movement to claim the rights of poor people and homeless in America.

E. CONCLUSION

In poor people struggle, there are the roles of some others of civil society unsure. The role of Legal Clinic for homeless as the street lawyers of homeless and poor people is one of them. Beside it, there are some social organization through their intellectual who organize poor people and homeless in the shelters. Those elements build alliance to move forward struggle as unity to claim poor people and homeless rights. Building a unity through alliance of poor people, homeless together with the street lawyers of Legal Clinic to homeless and intellectual of some social organizations is a method of poor people struggles to claim their rights. The struggle is aimed for justice to poor people.

In increasing literature knowledge and skills analysis in the future, the writer suggests to other who wants to analyze this novel elaborate not only intrinsic and extrinsic aspects, but also sociological aspects of this novel. In this novel, many interesting theme can be found. However, both major themes represented by the

book are that humanity values and social justice as basic spirit values of poor people struggles. With many themes, it is not a difficult thing to analyze.

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