

Humanity and security under siege. European discursive politics on immigration and asylum

ABSTRACT

In recent years, European politics and public discourse about immigration and asylum have been permeated by a humanitarian stance. Yet the same political representatives who speak up humanely often produce merciless statements that imply inhumane treatment for people on the move. To explain this contradictory regime of humanitarian and security discourse we start from the early securitization of European borders, which has established a link between immigration, crime, and terrorism. The securitization of the issue of immigration, with its related rhetoric of fear and security, has made the metaphor of the siege seem natural, credible, and validated by facts. After illustrating the pendular regime of humanitarian/security discourse, we show how while the first is deemed inevitable after high profile shipwrecks, but is soon forgotten, the second is justified by a paradigm of siege and institutionalized in norms, bureaucracies, technologies, and doctrines that privilege security over human life.

Key words: Humanitarian discourse, Paradigm of Siege, Securitization, Security, European asylum policies

1. INTRODUCTION

On 25 January 2016, in an informal meeting in Amsterdam where EU interior and justice ministers were exchanging views on the current state of the refugee crisis, the Belgian State Secretary for Asylum and Migration Theo Francken said to his Greek counterpart, ‘do push back in the sea, go against the law, I’m afraid, I don’t care if you drown them, I want you push back’¹. This astonishing statement was reported to the general public two days later by the same Greek Minister of Immigration Policy, Yiannis Mouzalas, during

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¹ <http://www.bbc.com/news/av/world-europe-35420967/belgium-said-push-migrants-back-to-sea-greek-minister>.

an interview with the BBC. Even if the Belgian Minister denied what he had allegedly said the day after, by all journalistic standards this should have been considered a major news story, imbued as it was with scandal, conflict, topicality, and unexpectedness. However, despite the authority of both the source and the news organization and brief circulation among social media, mainstream news outlets and public figures did not pick up the news.

How can a political representative go so far as to press – even if only at an informal meeting – for the (illegal) death of people whose sole fault is that they have attempted to cross a border? How can such a shocking event go unnoticed amid the absolute indifference of the media environment? Furthermore, as we will see, this is not a unique case, for political statements that call for the inhumane treatment of migrants, refugees and asylum seekers have become increasingly frequent in recent years. This raises the question of why an important part of the mainstream European political and media elite so openly sets aside the humanitarian principles that had been solemnly proclaimed with the Charter of Fundamental Rights of the European Union.

A growing body of scholarship has already shown how the securitization of the European borders (as well as of the US/Mexico border) has led to the deployment of every kind of tactic and technology to stop undesired human mobility (Payan 2016; Vallet 2014). The effect of this strategy has been an exponential increase in human suffering and death (Ferrer-Gallardo and van Houtum 2014), the legal production of collective indifference (Basaran 2015), and the denial in fact of the principle of non-refoulement. This form of ‘necropolitics’ (Mbembe 2003) has been conducted out of sight, maintaining silence on mass expulsions, torture and abuse in detention facilities in Libya, and especially on the causal relationship between increasingly sophisticated border surveillance and more deaths in the Mediterranean (Aas and Gundhus 2015). However, especially in the past ten years, politics of security and humanitarian politics have been paradoxically integrated (Bigo 1998; Fassin 2005; Walters 2011), helping to foreground a caring side and a – sometimes – benevolent approach while persisting within the framework of securitization of the border. This is part of a general shift towards a “military and humanitarian order” (Fassin and Pandolfi 2010:17), an order where a state of exception to the rules, resting on both a logic of security and a logic of human protection, is progressively established at a global level in interventions after (civil) wars, natural catastrophes, and health emergencies. At the same time, the emergence of humanitarian politics in the context of border management, or at least of a humanitarian discourse, can also be interpreted as a response to the criticisms brought by NGOs, EU agencies and human rights bodies against the role of European institutions in the deaths at sea.

Therefore, the intensification of the military management of the borders² by dominant state and supra-state powers goes hand in hand with the employment and display of humanitarian politics, which are often remedies for the damage that their same control policies have procured. To re-contextualise Agier's expression (2003), the right hand of Europe strikes, the left hand cures. There is no practical contradiction between these two ethically opposed processes, as securitization of borders and their humanitarian management mutually reinforce each other (Williams 2016). Emergency is key to this self-reinforcing dynamic: the definition of a situation as a crisis – its “catastrophization” (Ophir 2010) – imposes new priorities that legitimise the use of force and exceptional measures that prevail over ordinary norms. In turn, the human suffering preceding or caused by this extraordinary intervention – the right hand – becomes itself an emergency that requires the left hand. As crises oblige and justify the use of power, they are carefully downplayed or evoked, resolved or created (Cuttitta 2015).

If these two regimes of practice – military-securitizing and humanitarian – and their interplay have been increasingly scrutinized, the relationship between the corresponding discourses is less clear: whilst politics of care and politics of security sustain each other, the discourse of care and the discourse of fear are in clear contradiction. Cuttitta (2015) has shown how, in the management of asylum seekers on the island of Lampedusa, there alternates a register of fear and a register of reassurance, a discourse of border closure and one of humanitarian aid. In different stages, and in relation to different political gains, the enforcement of border security or the provision of humanitarian reception may gain public prominence. In addition, the two regimes of discourse may also hybridise: hundreds of political statements and documents use a humanitarian rhetoric to justify border enforcement, for example by claiming to save lives by (militarily) combatting illegal migration and people smuggling.

What is more difficult to understand is why a strategic operation on the image of European institutions and agencies, which can take a high moral ground with their growing attention to human rights in public statements and documents (Aas and Gundhus 2015; Vollmer 2016), is gainsaid by frequent exhibitions of mercilessness – like the one that we used to open this discussion – in the general acceptance. On 3 March 2016, when the war in Syria was still violent and hundreds of thousands of people were leaving the country, Donald Tusk, President of the European Council, made an official appeal to “potentially illegal migrants”, saying “do not come to Europe, do not believe the smugglers. Do not

² As an example, consider the budget of Frontex, which increased from 6.3 million euros in 2005 to 238 million in 2016, with a proposed 322 million in 2020. See http://europa.eu/rapid/press-release_MEMO-15-6332_en.htm.

risk your lives and your money. It is all for nothing”³. This amoral intransigence is at odds with the “benevolent morality” (Chouliaraki and Musarò 2017:545) sometimes considered to be the prevalent posture of European public figures. The contradiction should be explained. To do so, we will start with assessment of the origin of this intransigence in the EU and its representational consequences; we will analyse its offspring, which we call the ‘paradigm of siege’, and describe its operation; then we will illustrate the pendular movement between compassion and fear, a ‘flip-flop’ regime of humanitarian/security discourse that alternates and at the same time hybridizes care and dismissal.

2. SCHENGEN AND MAASTRICHT TRANSLATED

An argument often invoked to defend, or to account for, the resoluteness displayed by political representatives on the topic of immigration and asylum centres on a response to public fears, also in order to impede the growth of far-right and anti-EU populist parties. Although these parties certainly benefit from ‘immigration crises’ of every sort, this idea shifts the focus away from the actual key players of security politics. As many authors have observed, security is a political technology of government whereby politicians and public officials assert the sovereignty of the state and their own authority by protecting the inviolability of its borders. This ‘governmentality of unease’ (Bigo 2002), which fosters fears against an elusive enemy, re-legitimizes political action, providing protection against external dangers instead of social welfare. In parallel, private contractors and public agencies, whose wealth and power depend on security politics, engage in lobbying and furnish their expertise to ensure that European policies and expenditure go in the ‘right direction’ (Bigo 2005; Rodier 2012).

While this political and economic logic explains much of the ‘everyday maintenance’ of security, the origins of this political approach in the context of the EU should be considered more thoroughly. According to Brion (1996), after the first inter-ministerial meetings that laid the foundations for the Schengen Agreement (1985) a clear and stringent link was established - later confirmed by the Treaty of Maastricht in 1992 - between international migration and transnational criminal organizations like mafias and terrorist groups. The strengthening of security through intensification of controls on external borders – the best example of which was the Schengen Information System – was, in fact, considered the necessary corollary of the abolition of internal borders. This abolition, alongside the creation of a free European market, would certainly have favoured both a transnational reorganization of criminal networks and the emergence of channels of illegal mass immigration to Europe (Bigo 1996).

³ <https://www.theguardian.com/world/2016/mar/03/donald-tusk-economic-migrants-do-not-come-to-europe>.

This framework was implemented and further developed in the Treaty of Amsterdam (1997), the Tampere Summit (1999) and The Hague Programme (2004) that defined four pillars for European-level policy: the creation of specific channels for economic migration; the narrowing and harmonization of asylum policies; the fight against illegal immigration; forms of cooperation and assistance between the institutions of the Member States responsible for border control through the transfer of technologies and the financing of programmes for the repatriation of illegal migrants to their countries of origin (Zaiotti 2011). Border control cooperation at the European level was further improved with the creation, in 2004, of Frontex, which should have enhanced the militarization of borders through tight and widespread patrolling throughout the Mediterranean basin.

Thus, more than twenty-five years after the Maastricht Treaty, it can be said that the safety of the European political space has been achieved, at least to a certain extent, thanks to a strong politicization of international migration, which has benefited from the constant assertion of a continuum among crime, terrorism and immigration, as well as the obsessive use of war/hydraulic metaphors like ‘invasion’, ‘waves’, ‘uncontrolled flows’, ‘siege’, etc., which evoke an external threat to the stability of the European economic and social system (Maneri 2011). Immigration has thus become a sort of political meta-issue encompassing questions such as the internal security of the Union, the crisis of European welfare systems, and the ethnonational identity of European states (Huysmans 2000).

Security politics in Europe have constituted the material source of how sense has been made of immigration and asylum, as their public narrative and representation has relied on documents, statements, and accounts that were part of procedures of control implemented in the framework of the Schengen agreements. These procedures have made immigration visible to observation and mentionable in discourse only from a given standpoint, that of the organizational imperatives of the institutions that control immigration, with their priorities, perspectives, definitions, and subjects. The priorities and practices of these institutions – Frontex and national border patrols, intelligence agencies, the police – set the frame of media accounts about the management of immigrants and asylum seekers. The media translation of this discourse, with its priorities, has become an important part of the ‘immigration vocabulary’ used in people’s everyday lives, with its connotations, metaphors, and scripts. In this way the categories through which we give sense to our experience and can talk about immigration make control practices self-evident, legitimizing them (Maneri 2011).

We can therefore speak of a translation of Schengen-Maastricht into common-sense categories by the media, which determine the position of non-EU citizens in the mainstream mindset. This is not a denial of the persistence of the colonial heritage, which continues to nurture ideas, categorizations and hierarchization of the subjects of the former empire(s). Nevertheless, the current experience of othering and alienation starts from the juridical framework that develops from these founding acts, from the many frontiers where immigrants/refugees are organizationally treated and controlled, and from the political and mundane commentary that complements these operations.

This nexus between security practices and public discourse and representations needs to be borne in mind if we want to shed light on the apparent contradiction between the discourse of amoral intransigence and the one of 'benevolent morality'. The nexus itself can be one of apparent contrast. On discussing contemporary borders, (Bennafla and Peraldi 2008) underlined the paradox between an architecture of impermeability – with walls and barbed wire that 'stamp the mark' of the border, staging identity and closure – and a social and economic reality of continuity, integration, and interdependence between the two sides of the border. Despite their architecture, it is evident that walls do not stop mobility, appearing instead as an appeal to transgression because by their very nature borders are porous *articulations*; they are disobeyed and crossed.

Nonetheless, as we have seen, the Europe of Schengen and Maastricht has from the outset conceived the illegal trespassing of its frontiers as a threat to its very existence. In other words, Europe has securitized its borders, with far-reaching consequences that we now discuss.

3. THE PARADIGM OF SIEGE

The securitization of an issue justifies and calls for the use of exceptional means to confront an existential threat (Buzan, Wæver, and de Wilde 1998). Because the threat of border trespassing is inherently permanent, exceptionalism is provided with enduring foundations. In his historical reconstruction of the state of exception, Agamben (2005) sees its modern emergence in revolutionary France with the decree of 1791, which established for the first time in modern Europe the state of siege as the moment when powers pass from civil to military authorities. Today's Europe does not need this transfer of power, despite the increasing involvement of military technologies and strategies in its border management, but the metaphor of siege is nonetheless pertinent. After all, also the authorities that, during the past two centuries, have declared a state of siege to tackle social protests, rebellions, and natural disasters, have considered the definition appropriate. Siege is a powerful icon of our historical imagery and a formidable sign of threat.

The securitization of borders, with its correlated rhetoric of fear and security, has made the metaphor of the siege natural, credible, and validated by facts. In fact, the ‘border spectacle’, the relentless scene of the enforcement and therefore the violation of the border, renders dramatically visible not only migrants’ inherent illegality (De Genova 2002, 2013) but also the repeated challenge to the intangibility of ‘our’ territory and identity. The experience of the state, provided by a dramatically narrated border, is that of its penetration by exasperating ‘uncontrollable’ ‘aliens’. This oppositional reality, mediated by visual and verbal accounts, symbolises and asserts a social relationship between besiegers and besieged, people who raise a threat, whatever it is – crime, terrorism, disease, ‘flood’, cultural annihilation, welfare scourge – and people who must defend themselves. Internment in and escapes from reception centres, police raids on informal settlements, patrols, rescue operations, repatriations, and crossings of walls colonize representational frames showing what ordinary people should fear and what political actors should do. If the declaration of a state of siege suspends the ordinary for a given period, the constant renovation of the metaphor of siege ordinarily legitimizes the exceptional. The border, or better the process of bordering (Newman 2006), is not only a theatrical stage where European governments develop their representation of state control over immigration or of their humaneness; it is the symbolic act where the spectacle of siege structures the uncompromising way in which the ‘immigration emergency’ should be dealt with.

The metaphor of siege is renewed repeatedly, both as political praxis and as representation. We are given a scene, with fortifications – walls, barbed wire fences, and sea and land patrols – that are constantly violated and challenged. We are informed about defence strategies and devices: new and reinforced bastions, more intelligent systems of surveillance, allied forces like the Libyan ‘government’ that are responsible for the first line of defence. We are kept updated on attempts of infiltration – as in the 2015-16 denunciations of a supposed ISIS strategy to smuggle terrorists among refugees – and about successes in the battle when our defenders seize so-called human traffickers and expose them as agents of enemy infiltration. We are frequently reminded of the stakes in this fight for survival both by the accusations against others who have opened a breach (those bleeding-heart political opponents, inefficient neighbouring countries, or complicit NGOs) and by the celebrations of one’s own results. Fear of capitulation sets the emotional colour of the spectacle of siege, with recurrent alarms by governments, intelligence, and EU agencies about ‘millions’ of migrants ready to take to the seas, which inspire, but we should say dictate, the typical keywords that announce arrivals: ‘alarm’, ‘invasion’, ‘emergency’, and ‘assault’.

According to the metaphor of the siege, border porosity is an existential threat and requires a prompt and tough reaction. This has led to decisions that are increasingly lethal but decreasingly susceptible to creating a sensation. To follow the grammar of siege means making obvious, natural, if anything insufficient, all the deadly devices already at work, plus those that fantasy makes available. Radar systems, drones, and satellites to track migrants are fatal weapons, forcing refugees and migrants towards increasingly dangerous routes and strategies. As the news and research reports show⁴, political and other agencies' decision makers often deliberately decide to pay the cost of more deaths in exchange for not taking in more shipwrecked people.

But again, what is most striking is the discursive level, where politicians competing for the coveted role of defender-in-chief pronounce war-like statements. When, on 27 March 1997, one of the best-known figures in the Italian xenophobic party *Lega Nord* proposed her way to deal with incoming refugees from the Albanian civil war ("Let's throw them overboard and sink their ships")⁵, her call caused an uproar. Nevertheless, on 19 April 2015, a few hours after a shipwreck in the Sicilian sea that claimed hundreds of lives, a leading member of the Italian Parliament of the Centre-right party *Forza Italia* reiterated the idea: "It is necessary to sink the boats [...] An act of war is better than losing the war"⁶. In her statement, she approvingly, if vaguely, recalled the sinking of an Albanian boat by a corvette of the Italian navy that in the spring of 1997 killed one hundred people. Two days later, on 21 April 2015, the Minister of the Interior, clearly inspired by that 'authoritative' idea, declared "We need to sink the smugglers' boats, prevent their departure [...] A negotiation with UN and EU is underway to have, in a framework of international legality, the authorization for this intervention"⁷. The prime minister and leader of the centre-left Democratic Party, Renzi, soon echoed him: "Let's study how to bomb the boats"⁸.

Bellicose statements have entered the mainstream discourse (Maneri 2010), although substituting ships at sea with boats in ports. The hegemonic nature of the securitization of the border, guaranteed not only by EU policies but also by the strategic position of the professionals of security as routine sources for

⁴ See "New evidence proves EU policymakers knew reduced search-and-rescue operation would cause mass migrant deaths" at <https://www.gold.ac.uk/news/death-by-rescue/>.

⁵ http://www1.adnkronos.com/Archivio/AdnAgenzia/1997/03/29/Cronaca/ALBANIA-DIRITTI-CIVILI-DENUNCIA-IRENE-PIVETTI_174100.php.

⁶ http://www.huffingtonpost.it/2015/04/19/daniela-santanche-barconi_n_7094910.html.

⁷ <http://www.rainews.it/dl/rainews/articoli/Alfano-affondare-barconi-prima-che-partano-440b0a63-d14d-4f49-980f-f9b4367f1dbf.html>.

⁸ http://www.ansa.it/sito/notizie/topnews/2015/05/12/renzi-studiamo-come-bombardare-barconi_d3250729-d37e-423c-aa20-e8a182c945b9.html.

the media, makes the politics of siege – the implementation of control and ‘defence’ measures and the correlated discourse of invasion and fortification – the only ones that reconcile with ‘reality’. The application of more security-oriented measures and the issuance of more intransigent and aggressive statements are deemed the only political choice (Bigo 2005).

4. THE REGIME OF HUMANITARIAN/SECURITY DISCOURSE

But then a ship full of people founders and hundreds of people die. If deaths exceed a given – gradually higher – threshold, the tragedy becomes major news and is assumed to break down the indifference of even a hardened audience. Faced with images of corpses aligned on a beach, or of just one – a cute, light-skinned, well-dressed, smartly-photographed, Twitter-propagated Alan Kurdi⁹ – turning the back or exhibiting intransigence is no longer the most rewarding posture. Heads of government and their ‘court’ bring flowers to the victims and make touching speeches. It is time for humanitarian discourse. Indeed, the politics of care (Ticktin 2011)¹⁰, those humanitarian exceptions dedicated to the few deserving-because-more-vulnerable victims, have become a stable part of the governmentality of immigration, but it needs the sudden occurrence of tragedy to take the siege discourse off the stage and enact the full spectrum of humanitarian discourse. This entails the planning of ritual moments for the expression of empathy and sorrow, resorting to rhetoric of compassion, publishing more stories that foreground refugees’ suffering and aspirations that mobilize sympathy, activating and displaying measures of protection.

The new regime may have some lasting effects, both in practice – as in the case of the one year-long Mare Nostrum operation launched after one of the deadliest shipwrecks off Lampedusa, which brought patrol missions closer to the area where most people die – and in discourse – as in the case of the substitution of the word ‘clandestine’ for ‘refugee’ in the Italian debate on immigration and in google searches¹¹ after the death of Alan Kurdi; but its glory is by no means durable, nor are its implications unambiguous. New words can be inflected with new negative meanings, like the well-known refugee-as-un-deserving-burden in European public discourse; the increased attention to suffering, in its turn, can hide the responsibility of security politics and be used as a precautionary story about the dangers of migration for people who are deemed in this way responsible for their fates (Chouliaraki and Musarò 2017).

⁹ See Vis and Goriunova (2015).

¹⁰ For a more general framework on the ‘politics of protection’ see Huysmans, Dobson, and Prokhovnik (2006).

¹¹ [Http://openmigration.org/analisi/quello-che-google-trends-ci-puo-insegnare-su-clandestini-e-rifugiati/](http://openmigration.org/analisi/quello-che-google-trends-ci-puo-insegnare-su-clandestini-e-rifugiati/)

In general, the passive subjects of the politics of protection are dispossessed of their voice, political agency and dignity, being paradoxically de-humanised (Fassin 2012). On the contrary, the ‘humanitarian-soldiers’ (Musarò 2017) are celebrated and decorated. This, together with ‘their’ gratitude towards ‘us’, confirms a hierarchy that reproduces the colonial order.

As the politics of protection tell this moral tale, they allow for the reconciliation of a humanitarian approach to refugees with the rejection of ‘illegal immigration’, providing aid while generally refusing asylum and recognition of rights. As refugee rights are subordinated to migration control, it is not surprising that humanitarian discourse, albeit prominent in the ‘after-tragedy’, is easily superseded by a discourse of fear and control. The politics of protection and the politics of siege have the same capacity to play out their priorities – care and security – to conjure up different emotions – compassion and fear – and to be sustained by actors able to reach the public arena – NGOs and other non-state players and governments (agencies) – but cannot be said to be involved in a fair competition, like that between feminized and masculine endeavours with which they are easily associated. The siege paradigm resulting from the European founding pillars, which establishes a dualized structure between the rightless & dangerous and the fearful & rightful, has a superordinate status that no politics of protection can undermine (indeed, as long as protection is performed too close to the securitized space, its visibility is a factor that aggravates fear). In the politics of siege, asylum is a threat and every concession is a capitulation. The humanitarian posture is the opening of a breach and is likened to treason.

The siege paradigm is institutionalized in norms, bureaucracies, technologies, and doctrines that structure the acquisition of knowledge (one of its most recurrent outputs being estimates about ‘illegal immigrants’ wanting to enter the Schengen area or already present in a given country), the interpretation of information (consider the ‘risk analysis’ professed as the “starting point for all *Frontex* activities”¹²), decision-making procedures (the ‘care but there’ that prioritizes the minimum possible migrants’ intake), and the responses to challenges (whereby a humanitarian ‘refugee crisis’ sooner or later resolves in a tightening of security).¹³

5. CONCLUDING REMARKS

Behind the different forms of contemporary bordering across the world, some scholars see the logic of the reproduction of a disposable and exploitable workforce by way of its illegalization (De Genova 2002; Mezzadra and Neilson 2012). In this regard, the obstinacy that characterizes the closing of borders

¹² [Http://frontex.europa.eu/intelligence/risk-analysis/](http://frontex.europa.eu/intelligence/risk-analysis/).

¹³ For a similar argument about fear, see Crawford (2014).

– or better, the ‘revolving door policies’ (Cockcroft 1986) that reject or expel people while importing others at the same time – is functional to a racialized differential inclusion in both the workforce and citizenship. While it is hard to deny that a racialized differential inclusion is the ultimate outcome of most forms of present-day and previous processes of bordering, in our opinion the political agency that performs it often responds to a smaller scale rationale and to a range of specific interests, which require legitimization.

The siege paradigm provides a framework for action and a source of legitimization that keeps these different local strategies together. It is about institutions and their everyday practices, but it is also a cultural formation, one that frames reality within powerful combinations of practice and representation. It moulds symbolic boundaries and leaves a mark on the way immigration and asylum are conceived, perceived and believed, creating a reality that orients and constrains actions. The strength of the paradigm derives from its being an offspring of the foundation of the European Union; hence, we are afraid, it is difficult to think of its dismantling without the project of a different Europe.

This self-validating power/knowledge nexus has an inertia that blocks every attempt to reform EU policies profoundly, despite their admitted failure and the evident contradiction between the goal of ‘protecting’ Europe as the ‘cradle of human rights’ and the stark undermining of the principle of non-refoulement established by the Geneva Convention that results from this aim. Instead, after the so-called ‘refugee crisis’ in the summer of 2015, several European countries began to suspend the Schengen convention – which had been previously dismissed temporarily in the event of top-level summits, terrorist attacks or demonstrations – for new reasons, this time formulated as the “threat of a big influx of persons seeking international protection”¹⁴, and for longer and repeated periods of time, going much further than the “temporary reintroduction of border control” permitted by Article 25 et seq. of the Schengen Borders Code. In other words, the politics of siege, whose most solid foundations were laid by the Schengen agreements, prevail over and cannibalizes their putative father: you can betray Schengen as long as you do not betray the siege paradigm.

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¹⁴ [Http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control/docs/ms_notifications_-_reintroduction_of_border_control_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control/docs/ms_notifications_-_reintroduction_of_border_control_en.pdf).

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