

The Crime and State Terrorism Nexus: How Organized Crime Appropriates Counterinsurgency Violence

by Philip Luke Johnson

Abstract

Studies on the connections between organized crime and terrorism tend to focus on non-state armed groups, and on the convergence of violent tactics. This article demonstrates that such a focus can overlook well-documented connections between state terrorism and organized crime. Particularly in post-Cold War Latin America, criminal groups recruit violence specialists from military and paramilitary units with histories of using indiscriminate violence and other forms of terrorism during counterinsurgency campaigns. Through this recruitment process, tactics of state terrorism are appropriated into the repertoires of criminal groups. This article demonstrates this process with a case study of the Zetas in Mexico, which was the first group in the country to actively recruit soldiers with counterinsurgency training. By doing so, the group caused a paradigm shift in criminal operations in the country, leading to the widespread adoption of terrorist tactics. This case study highlights the need for scholars of terrorism and organized crime to bring state terrorism back in, and to more thoroughly examine the points of contact between state and non-state terrorism.

Keywords: Organized Crime, State Terrorism, Counterinsurgency, Terrorist Tactics, Mexico, Zetas

Introduction

In 2010, the bodies of 72 men and women were found on an isolated property in San Fernando, Mexico. All had been executed. The massacre was perpetrated by the Zetas, a criminal organization with a strong local presence and a reputation for using indiscriminate violence. This massacre provoked widespread outrage, as the victims were migrants from Central America, passing through the area on their way north. They could offer little in terms of resources, information, or local leverage. A cable from the local U.S. consulate reflects the puzzling nature of the massacre: “It remains unclear how these deaths benefit the Zetas.”[1] Yet the killing was hardly an aberration: the following year, almost two hundred more bodies were found in unmarked graves in the same area.

The recurrence of acts of brutal and indiscriminate violence in Mexico since the start of the war on narco-trafficking at the end of 2006 has led to a broad scholarly debate as to whether organized crime in Mexico can be classified as terrorism, and furthermore over the question of whether criminal groups are appropriating terror-inducing tactics from terrorist networks in other parts of the world.[2] Across this debate, the point of reference is invariably non-state terrorist networks. However, there is little evidence to demonstrate traceable mechanisms for the transmission of tactics between criminal groups in Latin America and terrorist groups in other regions. To understand the use of terror-generating tactics by criminal groups and develop better counter-crime policy recommendations, scholars should be willing to look beyond the common focus on transnational, non-state terrorist networks, and to examine the full range of possible linkages between terrorism and organized crime.

This article argues in favor of including state terrorism as an important component of the full range of forms of terrorism. While criminal groups in Mexico bear certain correspondences with non-state terrorist networks in other parts of the world, these criminal groups also cultivate direct connections with current and former state counterinsurgency forces. Through these connections, tactics of state terrorism—such as the indiscriminate killing of civilians—are imported into the repertoires of criminal organizations. These linkages are better able to explain the adoption of patterns of indiscriminate violence by criminal groups, because a clear process of transmission can be demonstrated.

Through a case study of the criminal organization that first appropriated state terrorist tactics in Mexico, this article makes several contributions to current scholarly debates. By tracing the mechanism by which organized crime appropriated terrorist tactics used by state counterinsurgency forces, the article demonstrates the need to bring state terrorism back in as a relevant concept for understanding contemporary patterns of violence, and especially violence targeting civilians. In turn, this shift in focus means that scholars should rethink assumptions about the relationship between the state security apparatus and crime. Elite military forces are often taken to be the best means of combating organized crime, but throughout Latin America, there is ample evidence that members of these forces also make the most attractive recruits for criminal outfits. This has far-reaching security policy implications, e.g. how elite units are raised and trained, or how state forces are demobilized following conflict. Even when military units are disarmed and demobilized, the terrorist tactics learned by members of these units remain available for appropriation by criminal groups.

In developing this argument, the article proceeds through four sections. The first section surveys the literature on convergence between (organized) crime and terrorist groups, and argues for the importance of including state terrorism in this. The second section explains the logic of case selection, and provides context for the case study. The third section offers a study of how the Zetas criminal group appropriated elements of state counterinsurgency terrorism into its repertoire of violence. The final section concludes by looking to areas for further investigation.

Bringing the State Terror Back In

The levels of violence—in terms of frequency, visibility, and brutality—perpetrated by criminal groups in Mexico unsettle conventional theories of organized crime.[3] Criminal groups are generally expected to shun broad publicity, flying under the radar of the state so as to maximize profits.[4] Studies of mafias in various parts of the world characterize these groups as engaging in occasional acts of public violence, but for the most part relying on informal, often intimate networks through which to exert “hidden power”. [5] Criminal violence in Mexico, by contrast, occurs on a scale which invites comparisons to civil war or insurgency, and with a degree of public brutality and lack of discrimination that invites comparisons with political terrorism. [6]

Such comparisons provoke debate about whether criminal groups could be categorized as terrorist actors. Much of this debate rages over the question of whether violence by criminal groups is political enough to count as terrorism. On one hand, criminal groups in Mexico are primarily driven by economic rather than political goals.[7] On the other hand, criminal violence often has an intended political effect, such as the assassination of a local politician or mayoral candidate.[8] The most nuanced scholarship on the topic charts a course between these extremes. Phillips argues that violence in Mexico is characterized by criminal groups using terrorist tactics.[9] Lessing codes about 25% of violent events in Mexico between 2008 and 2011 as utilizing terrorist tactics, or what he calls violent lobbying.[10] These studies follow Tilly’s lead, in that their focus is on whether actions can be classified as terrorist, rather than on whether groups can be classified as such.[11]

At the level of terror-generating tactics, much has been made about apparent correspondences between the violence used by criminal groups in Mexico and the violence deployed by terrorist groups such as Hezbollah and al Qaeda.[12] This scholarship draws on models of convergence, such as Makarenko’s concept of the crime-terror continuum, which spans from alliances of convenience between discrete groups, to the full amalgamation of features of crime and terrorism.[13] This continuum, and similar models of a crime-terror nexus, center on the convergence of non-state groups. Such models address the logic of convergence, but give less attention to specific mechanisms or actors. Media coverage is sometimes assumed to provide a connection, but while the coincidence of highly mediated terrorist tactics in different regions of the world is striking, there is no clear mechanism of transmission.[14] Indeed, the clearest cases of convergence come

within countries; one of Makarenko's examples is the campaign of terrorism implemented by Pablo Escobar's Medellín Cartel in Colombia in the 90s, which involved collaboration with domestic insurgent groups.[15] There is less evidence of transnational, trans-ideological alliances going beyond economic transactions to move illicit drugs, procure weapons, or launder money.[16]

Scholars do not need to look as far afield as the Middle East to find connections between Mexican criminal groups and terrorism. Identifying more direct and traceable connections, however, involves expanding the definition of terrorism to include state terrorism. Some scholars argue that terrorism is fundamentally a matter of asymmetrical violence, and can only be applied to non- or sub-state groups.[17] By contrast, the revised academic consensus definition of terrorism constructed by Schmid includes both state repression and irregular warfare by state actors as forms of terrorism.[18] In theory, many scholars acknowledge the conceptual validity of state terrorism, but then focus their analysis only on non-state terror.[19] Without presuming to resolve the difficult question of defining terrorism (let alone state terrorism), this study focuses on the tactics of state actors that match the most common components of definitions of terrorism, namely: the use of violence, targeted against civilians or non-combatants, for the purposes of spreading fear in a target audience beyond the direct victims of violence. This definition accords with many scholarly definitions, including the revised academic consensus definition, and the most frequently occurring definitional elements of terrorism, as described by Schmid and Jongman.[20] The operationalization of this definition for the purposes of this study is laid out in the next section.

For all the valid concerns about the utility of the concept of state terrorism, there is good reason to at least consider regime terrorism in examinations of the transmission of terror-generating tactics. The effective use of violence that produces terror usually requires the participation of skilled and willing "violence specialists." [21] Many such specialists operate within or adjacent to the state, and even those specialists operating entirely outside of government adopt organizational structures similar to those of states.[22] Training programs are particularly important in this regard, as they facilitate the transmission of tactics and techniques to new recruits. For example, during the Cold War, the United States ran the School of the Americas training facility in Panama precisely to equip elite military units from allied Latin American countries with specialized counterinsurgency capacities. This specialization was to give elite military units an advantage over leftist insurgent groups in the region. However, in some cases this specialized counterinsurgency training also led to terroristic practices, such as in the case of the massacres at El Mozote and other sites in Salvador during the civil war.[23] U.S. training programs typically incorporate "train-the-trainer" modules, in which trainees are equipped to pass on their knowledge to other recruits.[24]

Specialization in violence creates, as it were, portable toolkits of tactics, that specialists can bring with them into new contexts. In many cases, this includes using violence for extra-legal or criminal ends. Auyero calls this a "gray zone" between state authorities and crime.[25] The connection between state security agents and organized crime has been observed in diverse contexts. In the 1860s, both Union soldiers and Confederate guerrillas remobilized after the American Civil War as bandits.[26] The fall of the Soviet Union saw state security agents in Eastern Europe develop emergent criminal enterprises and illicit markets.[27] The case study elaborated below focuses on this connection between state agents and organized crime, and demonstrates that it provides the key mechanism by which terrorist tactics were appropriated by Mexican criminal groups.

Case Context and Design

To trace the specific processes by which criminal groups adopt terror tactics, this article focuses below the level of the government and looks at the level of a violent non-state group. It uses a critical case study of one particular group to understand how terrorist tactics were transmitted from state counterinsurgency forces to organized crime formations. It is stressed here that the study does not claim that terrorist tactics are always transmitted in this way, but rather that in Mexico they were transmitted in this way, and to profound effect.

Critical cases are not necessarily generalizable to other contexts, but are important for the descriptive insights into complex processes that these can offer. This case study cannot prove that terrorist tactics are always or only transmitted in this way, but can demonstrate that the specific processes in this case became a paradigm for related cases.

During the 71 years of single-party rule by the Partido Revolucionario Institucional in Mexico, drug trafficking and organized crime were largely kept in check by the state security apparatus.[28] With liberalizing reforms in the 90s and the advent of competitive elections, state control over illicit economies weakened, leading criminal groups to form their own private militias, and to growing contestation of lucrative trafficking routes.[29] This increased contestation, coupled with a shift in state strategy to targeting the leadership of organized crime groups, led to fragmentation of major groups and spiraling levels of violence.[30] As a result, between 2007 to 2018, more than 250,000 people are estimated to have been killed in the country.[31]

Even within the general criminal landscape, the Zetas stand out. For a generation, the Zetas are a defining symbol of criminal violence in Mexico.[32] The main cartels in Mexico all formed private militias, but the Zetas are distinctive for being originally recruited from elite military units, rather than from local police forces and gangs.[33] The rise of the Zetas prompted the formation of similar groups—both as the Zetas reproduced their model of organization to expand their influence, and as rivals copied this model—leading to the “Zetanization” of organized crime in the country.[34] Following the Zetas’ lead, the Knights Templar organization also recruited Mexican elite soldiers.[35] One of “Chapo” Gúzman’s former bodyguards was a member of the same unit from which the Zetas emerged.[36] The Zetas are thus a critical case for understanding the violent tactics used by much of contemporary organized crime in Mexico.[37]

The case study of the Zetas developed below focuses on one specific terrorist tactic: the indiscriminate killing of unarmed civilians. This is not the only terror-generating tactic used by the Zetas, but it is a tactic that closely matches the definition of terrorism provided above. The study follows Kalyvas’s understanding of indiscriminate violence: the deliberate targeting of non-combatants, just in case they are (or become) enemies, or because they are associated with enemies (such as inhabiting a similar area, or speaking the same language).[38] In counterinsurgency contexts, this is sometimes known as “draining the sea,” and is most commonly utilized where a state faces a strong and popular insurgent force.[39] Such violence is not explicitly endorsed in counterinsurgency doctrine, but recurred in counterinsurgency operations in Latin America throughout the Cold War.[40] However, reports of such violence on the part of US-trained or allied militaries were routinely denied.[41]

This study traces the mechanism by which the Zetas appropriated terrorist tactics from elite counterinsurgent units. To do so, it looks at three processes: the recruitment of violence specialists from elite military units; the transmission of tactics to other recruits through training camps; and the use of indiscriminate violence by the Zetas in ways that resemble the violence used by elite counterinsurgency units. Interviews with current or former Zetas are exceedingly rare, due to obvious security and access issues.[42] In the absence of interviews to demonstrate these processes, this case study follows the lead of other studies that have drawn upon a diverse range of data, to create a series of snapshots that together illustrate these processes.[43]

Case Study: The Zetas

In 1997, the Gulf Cartel recruited Arturo Guzmán Decena to create a group of well-armed enforcers for the cartel. Guzmán Decena was a member of the elite military unit G.A.F.E. (*Grupo Aeromóvil de Fuerzas Especiales*).[44] G.A.F.E. was created in 1986 as an elite anti-crime unit to enhance security while Mexico hosted the soccer World Cup. In 1994, G.A.F.E. was mobilized against the Zapatista uprising in southern Mexico.[45] Subsequently, G.A.F.E. soldiers were deployed in counter-narcotics operations in key trafficking regions such as Tamaulipas, the domain of the Gulf Cartel.[46] During that time, members of G.A.F.E. were trained by U.S., French, and Israeli special forces. Guzmán Decena recruited at least 30 other soldiers to

become the original Zetas, including trusted lieutenants such as Heriberto Lazcano Lazcano, who would later lead the group.[47]

The founding members of the Zetas came from the Mexican military, but a subsequent wave of recruits came from the Kaibiles, an elite Guatemalan force. Kaibiles had a reputation for their brutal training practices and for participating in massacres during the Guatemalan Civil War.[48] Like G.A.F.E., the Kaibiles received elite international training, but the reputation of the Kaibiles soon became such that they also train soldiers from abroad.[49] Local reports suggest that the Mexican military collaborated with Kaibiles across the border in Guatemala during operations against the Zapatistas.[50] When the Zetas expanded into Guatemala, starting in about 2007, they recruited extensively from among the Kaibiles.[51]

By recruiting soldiers with elite training, the Zetas appropriated the counterinsurgency tactics of the state. The Zetas quickly earned a reputation for their tactical capabilities, introducing a previously-absent degree of paramilitary effectiveness to organized crime in Mexico. The Zetas also inherited a legacy of state terrorism—brutally violent practices upon which the reputations of G.A.F.E. and especially the Kaibiles, were founded. During the Zapatista uprising, members of G.A.F.E. were alleged to have massacred unarmed people, conducted disappearances (kidnappings followed by torture and murder), and mutilated the corpses of victims.[52] The Kaibiles took a lead role in terrorizing—and in some cases almost eradicating—indigenous communities during the civil war which had features of genocide, including, for instance, the mass killing of 200 unarmed civilians in the village of Dos Erres.[53] By recruiting members from these military units, the Zetas also acquired a reputation for terror. U.S. diplomatic cables on the Zetas demonstrate a preoccupation in U.S. foreign policy circles with the presence of Kaibiles among the Zetas, and the capacity for terrorism that the Kaibiles brought to the group.[54]

By 2007, the Zetas were operating with some autonomy from the Gulf Cartel. As the group expanded, it recruited beyond its original base. Later recruits often had little or no military background, and included child recruits.[55] These recruits could, however, earn an opportunity to undergo military-style training in one of the camps established by the Zetas, and so be inducted further into the group. Zeta protocol stipulated the creation of training camps as the first priority of new bosses; the organization spent an estimated US \$8,000 per new recruit.[56] In 2007, a single camp housed over one hundred recruits.[57] These camps replicated elite training practices; both Zeta and Kaibil training paired up recruits, and use the same term to refer to these pairs as “brothers.”[58]

In addition to teaching weapons handling and tactical maneuvering, these camps blooded recruits by pressuring them to practice killing captives. The camps replicated the elite counterinsurgency training of the original Zetas, but further emphasized terror-generating tactics by encouraging brutal acts of violence. One Zeta recruit stated that dozens of captives were kept at the camp and used to practice violence and killing. Zeta leaders demonstrated how to kill the captives quickly and cruelly. [59] The Zetas were the earliest criminal group in Mexico known to have used camps to train specialists in violence, but other groups have subsequently adopted the practice.[60] Such training camps are a key feature of appropriation of state terrorism tactics by organized crime, as it allows tactics to be transmitted from state specialists to the criminal group.

By recruiting from elite counterinsurgent units, the Zetas appropriated the tactics of these units into their own repertoire. These tactics, including the indiscriminate use of violence against civilians, have been deployed in numerous cases by the Zetas. In 2010, the Zetas killed 72 undocumented migrants in San Fernando, Tamaulipas. The migrants had been traveling in buses, and were kidnapped en masse. They were summarily executed, and their bodies left in an abandoned building.[61] In 2011, the corpses of almost 200 more victims were found in mass graves in the same area.[62] The fallout from the first massacre—prompted by the survival of one victim who lived to flee the site and tell the tale—included a broad public outcry and increased security presence in the region.[63] Yet rather than moderating their violence, the Zetas increased it, both in terms of the number of people killed and in the level of brutality of their violence; most of the later victims were beaten to death. At the time of the first massacre, the Zetas believed that a rival cartel was

trying to conquer the area; one explanation for the massacre states that the migrants were killed just in case they worked (as so-called drug mules) for the rival cartel.[64] This resembles the “draining the sea” logic used to justify the annihilation of indigenous communities during the Guatemalan civil war; without good information, indiscriminate violence was the preferred counterinsurgency strategy.

Practices of state terrorism recurred in numerous other violent acts attributed to the Zetas. In 2011, the group killed over 300 people in and around Allende, Coahuila. They also used heavy machinery to tear down properties of victims, and torched buildings in the town. This scorched earth-style violence was prompted by reports that several locals were D.E.A. informants. Although these alleged informants were identified by the Zetas, the group chose to utilize indiscriminate violence against the entire community.[65] This type of methodical destruction of the physical environment is rare in situations of asymmetrical conflict, but can be found in accounts of state counterinsurgency terror tactics targeting entire communities.[66] Use of such violence by the Zetas suggests that other terrorist tactics beyond indiscriminate violence were also appropriated by the group from violence specialists of the state.

From 2009 to 2012, the Zeta group used Piedras Negras prison, again in Coahuila, as a site to murder and incinerate the bodies of about 150 people. This involved a steady process of collecting and transporting the victims—including several disabled activists on a pilgrimage to Mexico’s northern border—to the prison, to be tortured and killed there.[67] In 2011, over 50 people died when the Zetas barricaded and burned a casino in Monterrey. The casino belonged to a rival of the Zetas, but the victims of the inferno were innocent customers and bystanders; the death of a pregnant woman provoked particular outrage.[68] Also in 2011, the Zetas killed and dismembered 27 farm laborers in Petén, Guatemala, and left messages scrawled in blood at the site. The messages indicated that the laborers were killed to send a warning to the farm owner.[69] Again, indiscriminate violence against innocent people was used to target a rival. In 2012, the dismembered bodies of 49 people were dumped on the side of the highway to Cadereyta, Nuevo León.[70] Investigations suggest that some of these victims were migrants from Central America. Here again, the Zetas used indiscriminate violence against bystanders to generate terror meant primarily for their rivals.

Recruiting elite counterinsurgent soldiers not only allowed the Zetas to appropriate tactics of state terrorism into the group’s repertoire; this process of transmission also shaped the type of indiscriminate violence deployed by the Zetas. The parallels between the violence used by the Zetas and the violence used by elite counterinsurgency units are striking. As with the Kaibiles and G.A.F.E., the most notorious acts of the Zetas involve torture and slow and painful killing. Like in the case of the Dos Erres massacre in Guatemala, the second San Fernando massacre involved killing almost two hundred people, primarily by hand, and then dumping the bodies in mass graves. Zeta training included learning to kill captives with their bare hands.[71] Witnesses to the Allende massacre described the slow and methodical work of destruction by the Zetas, which took days to complete. Accounts of massacres by the Kaibiles similarly describe the unit slowly and systematically engaging in violence, and taking breaks before continuing the slaughter.[72] The Zetas learned much more than just the overall tactic of indiscriminate violence from the elite units from which they recruited; they even appropriated specific modes of indiscriminate violence from the state’s counterinsurgency apparatus.

Conclusion

The appropriation of terrorist tactics by organized crime groups is a topic of urgent concern, but scholarly investigation of this topic has been limited by a narrow focus on convergence between criminal groups and non-state terrorist networks (particularly in Lebanon and Colombia). While the use of similar tactics by geographically and ideologically distant groups merits further investigation, connections between organized crime and state terrorism provide a direct explanation for the adoption of terror-generating tactics into criminal repertoires. These connections are sufficiently well documented that, in cases such as the Zetas, we can trace the linkages between crime and state terrorism down to the level of individual violence specialists.

The linkages between organized crime and state terrorism are strategic, not opportunistic or accidental. There is a clear direction and process of transmission from governmental elite counterinsurgency units to non-state criminal groups. In Mexico, these linkages were pioneered by the Gulf Cartel in the 90s through the targeted recruitment of elite Mexican soldiers, a strategy that was expanded to targeted recruitment of Guatemalan Kaibiles with their notorious reputation as instruments of state terrorism. Given the increasing criminal competition in Mexico, appropriating the tactics of state terrorism gave the Gulf Cartel and the Zetas a strategic advantage over their rivals. Among the many groups using violence to contest territory, the Zetas stood out with their reputation for generating terror—until other groups replicated their recruitment and training practices, as well as their violent tactics. The Zetas forged the connection between organized crime and state terrorism, but could not monopolize this, and as a consequence the tactics of state terrorism spread throughout Mexico.

Identifying the intersections of organized crime violence and state terrorism raises an important analytical issue for scholars of terrorism. 9/11 may have situated scholarly attention squarely on “new” non-state terrorist networks, but longer legacies of terrorism continue to exert powerful influence over contemporary patterns of crime.[73] The brutal Latin American counterinsurgency campaigns of the 80s and 90s have been eclipsed by the end of the Cold War and by the events on 9/11, but many of the perpetrators of state terrorist campaigns remain in formal and informal positions of power, and the tactics that they used to notorious effect continue to be taught and deployed by these perpetrators and their scions. To effectively analyze contemporary trends in the use of terrorism, scholars must not neglect these longer legacies of violence.

A critical case study like the one on the Zetas is not necessarily generalizable, and so further research should carefully explore possible linkages between state terrorism and organized crime in contexts beyond Mexico. For Guatemala, Paul and Demarest offered a detailed account of a death squad that mobilized out of the military, and terrorized a local community.[74] After the peace accords in Guatemala, much of the security and intelligence apparatus that perpetrated acts of state terrorism remains intact. Although the military ceded political power in the country, this apparatus merely shifted focus from counterinsurgency to organized crime.[75] In Colombia, the demobilization of the United Self-Defense Forces (A.U.C. for *Autodefensas Unidas de Colombia*) saw networks of former paramilitary recruits re-mobilize as criminal groups. The A.U.C. was an important, informal element of the state’s counterinsurgency apparatus. Paramilitaries linked to the A.U.C. committed numerous massacres before being demobilized.[76] These practices continue among criminal groups with roots in the A.U.C.[77] These suggested test cases come from Latin American countries that have received extensive counterinsurgency support from the United States military. A further direction of inquiry would consider whether state terrorist tactics developed outside of the orbit of U.S. influence were and are also available for appropriation by criminal organizations. If the terror-generating tactics deployed by state security forces in Syria, for example, are not readily transmitted to criminal groups, we should consider what about Latin American (and U.S.-sponsored) state terrorism is so readily transmitted to other contexts.

Further research should also consider variations in the process of transmission identified here. Could state terrorist tactics be appropriated by other types of groups? Some former Kaibiles remobilized as mercenaries, raising the question of whether these tactics could be appropriated by private security outfits. Could the direction of transmission be reversed, with organized crime bringing violent tactics into the state? Given reports of Mexican criminal groups capturing or co-opting municipal and state governments, this possibility merits closer examination.

This crime and state terrorist nexus also has vital implications for security policy. Both U.S. foreign and Mexican security policy has emphasized the importance of equipping and deploying the Mexican military to fight a criminal insurgency waged by narco-terrorists.[78] Yet certain terrorist counter-insurgency tactics entered criminal repertoires precisely through highly trained and well-equipped counterinsurgent units. Rather than treating the military as a bulwark against organized crime and terrorism, then, security policy must grapple with the potentially compromised status of the security apparatus—especially in the long-term aftermath of brutal counterinsurgency campaigns. Greater vetting of recruits to counterinsurgency training programs is not enough here; the original Zetas were not recruited until after they had completed training.

Only with due attention to the possibility of a leakage of counter-insurgency tactics to organized crime will more effective security policies have a chance of being implemented.

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Notes

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