

# Can Artificial Intelligence Perform Ijtihad? Authority, Epistemology, and Legitimacy in Digital Islamic Jurisprudence

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<https://doi.org/10.23917/suhuf.v38i1.16437>

## ARTICLE INFO

### ARTICLE HISTORY

Received Month 02, 2026

Revised Month 04, 2026

Accepted Month 05, 2026

### KEYWORDS

Artificial intelligence

*Ijtihad*

Usul al-Fiqh

Legal authority

Digital islamic jurisprudence

## ABSTRACT

The swift advancement of artificial intelligence (AI) in digital fatwa platforms and legal advising systems has sparked significant debate regarding its role in Islamic jurisprudence. **Objective:** This study aims to determine whether AI can perform *ijtihad* and to evaluate its validity and authority in relation to traditional usul al-fiqh. **Methodology:** The research adopts a qualitative, conceptual approach and a normative-doctrinal juridical method, analysing classical Islamic legal sources alongside multidisciplinary AI scholarship to assess epistemological, ethical, and legal prerequisites, such as mastery of knowledge, moral integrity, intentionality (*niyyah*), and *shar'i* accountability. **Results:** The findings reveal that although AI can enhance data-driven legal research and replicate analytical reasoning, it lacks moral agency and legal responsibility, two essential conditions for legitimate *ijtihad*. **Conclusion:** Therefore, AI cannot function as an independent *mujtahid*, but may serve as a supportive analytical tool. **Implications:** This study contributes to the development of ethically grounded and technologically informed Islamic legal governance by positioning AI as an assistive instrument under the supervision of qualified scholars.

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## 1. Introduction

Artificial intelligence's (AI) rapid development has drastically transformed the world's legal, financial, and advisory institutions. Predictive analytics, automated decision-support systems, and machine learning algorithms are increasingly being utilised to evaluate complex legal data, produce recommendations, and mimic thought processes. AI has started to have an impact on Shariah-

compliant systems, Islamic financial advisory systems, and digital fatwa platforms in Muslim communities [1]. Regarding the nature of legal reasoning, authority, and accountability in Islamic law, these changes bring up important theological and jurisprudential issues [2].

The development of AI calls into question long-held beliefs about the nature of authority and reasoning. Artificial intelligence (AI) systems are capable of processing legal documents and simulating analytical processes, but they are devoid of moral agency, conscience, and intentionality. Real normative thinking and computational pattern recognition are distinguished in current AI ethics discussions [3]. Legal philosophers also wonder if algorithmic systems are capable of actually interpreting the law or if they are just reproducing statistical correlations seen in training data. In Islamic law, where legal reasoning is inherently connected to ethical obligation, divine accountability, and spiritual intentionality rather than being merely procedural, these discussions take on particular significance.

The digital revolution has also impacted legal and religious institutions in Muslim societies. The availability of Shariah advisory apps, online fatwa platforms, and AI-assisted Islamic financial compliance solutions has increased. While some platforms incorporate machine-learning methods to offer quick solutions to religious questions, others use automated responses taken from sizable juristic databases. Fundamental problems about the function of artificial intelligence in Islamic jurisprudence (fiqh) and whether algorithmic technologies can supplement or even replace human juristic reasoning are raised by the growing reliance on digital systems [4].

At the heart of Islamic legal development lies *ijtihad*, the disciplined process of independent reasoning employed to derive legal rulings from foundational sources such as the Qur'an, Sunnah, consensus (ijma), and analogical reasoning (qiyas). The requirements for a *mujtahid* were carefully outlined by classical scholars of *usul al-fiqh*, who placed a strong emphasis on knowledge of the scriptures, linguistic and methodological proficiency, awareness of juristic consensus, comprehension of the goals of the law (*maqasid al-shariah*), moral integrity (adalah), intellectual rigor, and conscious intentionality (niyyah). Crucially, the *mujtahid* is a morally responsible agent who is answerable to God and society for the decisions made not just a technical interpreter [5].

The foundation of legal progress, according to classical Islamic jurisprudence (fiqh), is *ijtihad*, or autonomous juristic reasoning. According to *usul al-fiqh*, a *mujtahid* must possess the following qualities: accountability before God, linguistic proficiency, methodological knowledge, moral integrity (adalah), intentionality (niyyah), and mastery of scriptural sources. There are continuous scholarly discussions concerning whether algorithmic systems actually "reason" or just mimic cognition, even though AI systems are remarkably efficient at processing large volumes of textual material and identifying patterns. There is still little systematic research on whether AI can meet the ethical and epistemic requirements of *ijtihad* within the traditional Islamic legal framework, despite the growing discussion of AI ethics and Islamic finance technology. This disparity highlights how urgent and essential it is to look at AI's place in digital Islamic jurisprudence [6].

Even though artificial intelligence (AI) is becoming more prevalent in Islamic digital services, there is still little scholarly discussion of the jurisprudential ramifications of AI. Current debates frequently center on technological viability, effectiveness, or broad ethical issues without carrying out a methodical doctrinal study grounded in traditional *usul al-fiqh*. The question of whether AI can meet the ethical and epistemological requirements that characterize legitimate *ijtihad* has not been sufficiently investigated. A conceptual divide between normative Islamic legal theory and technological innovation results from this lack of thorough jurisprudential examination. It is therefore important and essential to close this gap given the rapid incorporation of AI into religious advice systems [7].

Despite the growing integration of AI technologies into Shariah advising systems and digital fatwa services, there isn't a clear jurisprudential consensus on whether AI has the authority to perform *ijtihad*. Current debates frequently concentrate on ethical issues or technological prowess while ignoring a thorough analysis based on traditional *usul al-fiqh*. The question of whether AI can meet the legal, ethical, and epistemological requirements of a *mujtahid* specifically, intentionality, moral

agency, and Shari accountability thus remains crucial. This problem must be resolved in order to avoid conceptual misunderstandings between effective technology and valid legal authority, particularly as Muslim societies deal with the digital revolution [8].

The purpose of this study is to:

1. Determine and evaluate the legal, ethical, and epistemological requirements for *ijtihad* as stated in traditional *usul al-fiqh*.
2. Analyze how algorithmic decision-making and modern theories of artificial intelligence relate to legal thinking.
3. Use a comparative analytical approach to assess if AI meets the standards of Shar‘i accountability and juristic authority.
4. Provide a normative framework that maintains human intellectual authority while incorporating AI into Islamic legal procedures.

By defining the distinctions between valid legal authority and technical help, this study advances the developing subject of digital Islamic jurisprudence. The results are intended to improve the theoretical discussion of *ijtihad*, guide Shariah governance frameworks, and assist Islamic organisations and policymakers in the responsible adoption of AI technologies. The work bridges the gap between traditional legal theory and modern technology realities by providing a jurisprudentially grounded and *maqasid*-informed analysis [9].

This article's remaining content is organised as follows: The theoretical foundation of *ijtihad* in traditional Islamic legal theory is described in the next section, which is followed by a look into AI decision-making models. After evaluating authority and responsibility through a comparative study, a suggested framework for "Augmented *Ijtihad*" is provided. Implications for further study and regulatory advancement in digital Islamic law are discussed in the article's conclusion [10].

## 2. Method

Using a qualitative, conceptual, and comparative analytical approach, this study uses a normative-doctrinal juridical technique. Since the main question of this study is whether artificial intelligence is legitimate, authoritative, and capable of epistemic knowledge in respect to the traditional doctrine of *ijtihad*, the normative-doctrinal approach is suitable. This approach concentrates on the methodical analysis of legal principles, juristic doctrines, and theoretical structures within Islamic legal research rather than gathering empirical field data. The study assesses whether AI meets the normative requirements for sound legal reasoning outlined in *usul al-fiqh* using this method [11].

To examine and elucidate important terms that are at the heart of the conversation, such as *ijtihad*, *mujtahid*, moral agency, intentionality (*niyyah*), Shari accountability (*taklif*), and legal authority (*wilayah*), the study uses a qualitative conceptual framework. These ideas are analysed in the context of traditional Islamic law before being compared to more recent theories of artificial intelligence and algorithmic decision-making. Both classical and modern viewpoints are appropriately represented and critically assessed according to the study's qualitative design, which enables in-depth textual interpretation and theoretical synthesis [12].

A thorough literature analysis of primary and secondary sources was used to gather data for this study. Classical books of *usul al-fiqh* that explain the legal, ethical, and epistemological requirements for *ijtihad* are considered primary sources. Among these are reputable legal texts that outline the requirements and duties of a *mujtahid*. Current scholarly works on Islamic legal theory, *maqasid* al-shariah, artificial intelligence, machine learning, legal philosophy, and algorithmic governance are examples of secondary sources. To guarantee legitimacy and relevance, pertinent resources were found using academic journals, scholarly databases, and well-known publications [13].

Three steps make up the analytical procedure. To extract and organize the traditional requirements of *ijtihad* mastery, methodological proficiency, moral purity, intentionality, and accountability, a doctrinal analysis is first carried out. Second, the question of whether AI decision-making systems meet these established standards is investigated using a comparative conceptual analysis. In order to determine whether AI holds the qualities necessary for juristic authority, this stage makes a distinction between normative legal reasoning and computational pattern recognition. Third, the wider ramifications of integrating AI into Islamic legal processes are evaluated normatively through a *maqasid*-based lens, with a focus on the preservation of religion, intellect, and public welfare [14].

This study does not involve empirical testing with specific artificial intelligence systems; rather, it focuses exclusively on a theoretical and doctrinal analysis of the subject matter. The primary objective is to clarify the jurisprudential boundaries that pertain to authority and legitimacy within the context of the digital age. It is important to note that the aim is not to produce legally binding decisions but to engage in a comprehensive exploration of the implications and challenges posed by AI technologies in relation to Islamic jurisprudence [15].

Through a structured methodological approach, the research aspires to deliver an in-depth and unbiased evaluation of how AI intersects with the principles of modern Islamic law. This includes examining the foundational texts, relevant legal theories, and the evolving interpretations that arise as technology continues to advance. Ultimately, the goal is to enhance understanding and promote constructive dialogue on the appropriate role of AI in shaping contemporary legal frameworks within Islamic tradition. This study does not involve empirical testing with specific artificial intelligence systems; rather, it focuses exclusively on a theoretical and doctrinal analysis of the subject matter. The primary objective is to clarify the jurisprudential boundaries that pertain to authority and legitimacy within the context of the digital age. It is important to note that the aim is not to produce legally binding decisions but to engage in a comprehensive exploration of the implications and challenges posed by AI technologies in relation to Islamic jurisprudence [16].

Fig.1 demonstrates the role of artificial intelligence in Islamic jurisprudence. As shown, AI applications support legal reasoning and interpretation, indicating a significant shift in how Islamic legal frameworks engage with emerging technologies [17].

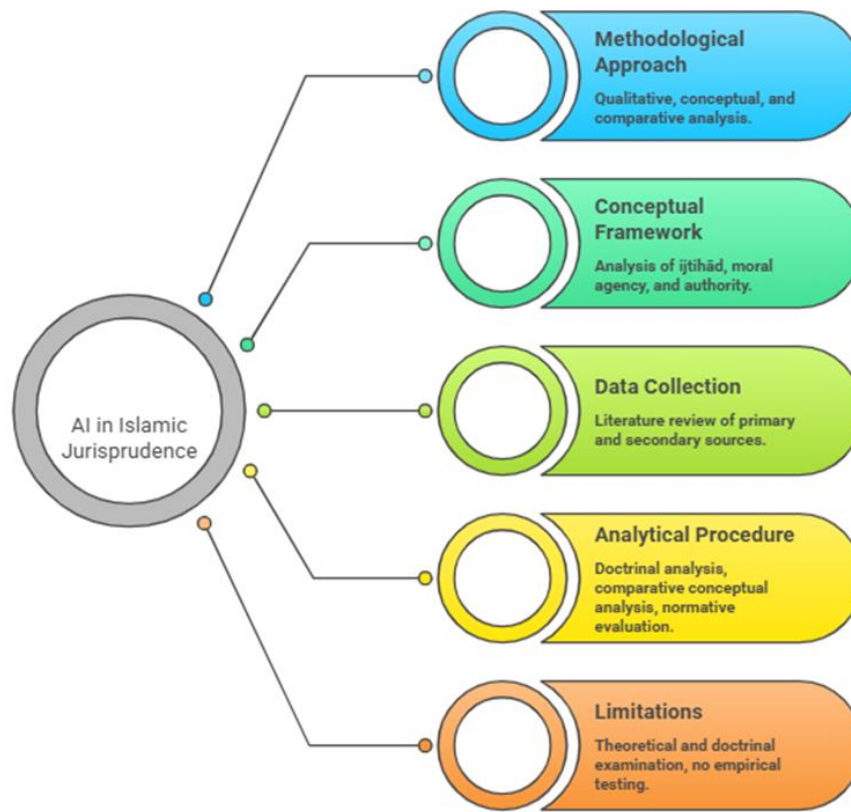


Fig.1. Demonstrates the role of artificial intelligence in Islamic jurisprudence

### 3. Results and Discussion

#### 3.1 Classical Requirements of Ijtihad and Their Jurisprudential Significance

It is confirmed by the doctrinal study of traditional *usul al-fiqh* that *ijtiḥād* is not just a technical analytical exercise but also a comprehensive epistemological and ethical endeavour. According to classical jurists, a *mujtahid* needs to be proficient in the legal verses of the Qur'an, Prophetic traditions, consensus (*ijma*), analogical reasoning (*qiyas*), and precise language. Beyond academic credentials, academics constantly stress Shari accountability (*taklif*), intentionality (*niyyah*), and moral integrity (*adalah*) [6].

This result proves that moral agency and *ijtiḥād* are inextricably linked. The jurist has accountability for the outcomes of legal decisions before God and society, in addition to processing legal facts. Instead of being a neutral computational process, this ethical dimension places *ijtiḥād* as an ethically grounded act of interpretive judgment. Therefore, any assessment of AI's ability to carry out *ijtiḥād* must take agency and accountability issues into account in addition to functional capability.

Classical jurists also emphasize that *ijtiḥād* necessitates the ability to reconcile textual evidence with contextual circumstances and to recognize the goals of the Shariah (*maqasid al-shariah*). In order to evaluate societal repercussions and avert injury (*mafsadah*) while encouraging good (*maslahah*), the jurist must possess both situational awareness (*fiqh al-waqi*) and textual literacy. The incorporation of *maqasid*-oriented thinking strengthens the dynamic and purposeful nature of *ijtiḥād* [18].

Furthermore, the tradition distinguishes between multiple levels of *ijtiḥād*, including the restricted *mujtahid* within a specific *madhhab* and the absolute *mujtahid* (*mujtahid muṭlaq*). This hierarchy demonstrates how scholarly depth, methodological independence, and prominence within the academic community are used to gauge interpretive authority. Therefore, authority is socially and

epistemically confirmed through academic networks and institutional legitimacy rather than being self-declared [19].

Last but not least, the procedural discipline of *ijtihad* incorporates methodological safeguards intended to reduce arbitrariness, such as adherence to accepted legal-theoretical principles, verification of the evidence, and organized thought processes. These protections highlight how *ijtihad* functions within a normative framework that strikes a balance between doctrinal continuity and intellectual freedom. As a result, classical jurisprudence presents *ijtihad* as a regulated, accountable, and morally conscious enterprise features that remain central to contemporary discussions about technological mediation in legal reasoning [20].

Furthermore, the classical tradition differentiates between varying degrees of *ijtihad*, reflecting a nuanced understanding of scholarly authority and methodological competence. Jurists distinguish, for example, between the *mujtahid muṭlaq* (absolute jurist), who possesses independent interpretive authority across all legal domains, and the *mujtahid fi al-madhhab*, whose reasoning operates within the established methodological framework of a particular legal school. This gradation illustrates that interpretive authority is neither binary nor self-proclaimed; rather, it is cultivated through rigorous training, recognition by scholarly peers, and sustained contribution to legal discourse. Authority, therefore, is socially embedded and epistemically validated within networks of scholarship and institutional legitimacy, underscoring the communal dimension of Islamic legal reasoning [21].

In addition to hierarchical classification, classical jurists developed procedural safeguards to regulate the exercise of *ijtihad* and prevent arbitrariness. These safeguards include strict adherence to recognized principles of *usul al-fiqh*, systematic verification of textual evidence, reconciliation of apparently conflicting proofs, and structured analytical reasoning. The jurist is required to exhaust all relevant sources before arriving at a ruling and to justify conclusions through transparent methodological steps. Such discipline ensures that interpretive freedom operates within a coherent normative framework, preserving doctrinal continuity while still allowing for adaptability and renewal in changing circumstances [22].

Taken together, these elements reveal that *ijtihad* in classical jurisprudence is conceived as a deeply regulated, morally accountable, and socially situated enterprise. It is not reducible to mechanical rule-application but instead embodies intellectual exertion guided by ethical consciousness, communal validation, and purposive reasoning oriented toward the objectives of the Shariah [23]. These characteristics remain highly significant in contemporary debates, particularly those concerning technological mediation and artificial intelligence in legal reasoning because they foreground questions of agency, accountability, legitimacy, and moral responsibility that cannot be separated from the very definition of *ijtihad* itself [24].

### 3.2 Functional Capabilities of Artificial Intelligence in Legal Contexts

AI systems can do sophisticated textual processing, pattern recognition, probabilistic reasoning, and structured analytical modelling, according to the comparative analysis. Machine learning systems are capable of producing solutions based on predictive algorithms, extracting legal precedents, and finding correlations across large databases. In this regard, AI shows great promise for improving the effectiveness of digital fatwa services and Islamic legal studies [25].

Discussion of these results, however, suggests that AI's reasoning is still essentially computational rather than normative. AI systems operate through algorithmic optimisation and statistical inference without conscious awareness, ethical deliberation, or intentional commitment. AI lacks the capacity to independently understand meaning and value, even though it may be able to mimic some of the structural components of analogical reasoning. This distinction is important because Islamic law defines *ijtihad* by the presence of reflecting human judgment rather than just methodical form [13].

The results further show that the quality, quantity, and bias of AI's training data have a significant impact on the system's performance [26]. Datasets in Islamic legal contexts may represent

specific legal schools, regional customs, or modern reformist interpretations. Consequently, AI-generated outputs might unintentionally marginalize some legal tendencies while elevating others. This calls into question theological balance and epistemic neutrality. AI cannot purposefully mediate between conflicting legal paradigms, in contrast to a trained *mujtahid* who actively negotiates intra-madhab differences and weighs juristic disagreement with knowledge of methodological commitments [27].

Furthermore, the investigation shows that AI systems do not assess the moral and social implications of legal decisions on their own. When forming legal conclusions, classical jurists frequently take into account contextual sensitivities, long-term effects, and communal welfare [28]. Prudent judgment informed by experience, ethical contemplation, and collective accountability is a component of this evaluation process. AI, on the other hand, produces results based on predictive modeling rather than ethical insight. As a result, even if AI can be a very useful instrument for legal research and data synthesis, it does not meet the normative and purposeful requirements that define true *ijtihad* in the context of Islamic law [29].

### 3.3 Epistemological Distinction Between Human Reasoning and Algorithmic Simulation

The findings show a clear epistemological difference between AI-based decision-making and human juristic thinking. Purposive engagement with divine revelation, ethical assessment, and contextual interpretation are all components of human *ijtihad*. It combines spiritual responsibility with analytical reasoning. AI, on the other hand, uses data correlations to mimic thought processes without any inherent comprehension or ethical consideration [30].

The lack of intentionality (*niyyah*) is a basic restriction from a jurisprudential standpoint. According to classical doctrine, legal reasoning is an act of worship and responsibility, which makes intentionality crucial. Furthermore, as AI is neither ethically accountable nor subject to ethical consequences, it cannot bear Shari accountability. AI cannot meet the ontological standards of a *mujtahid* because of its absence. The discussion, therefore, suggests that equating algorithmic output with legitimate *ijtihad* risks conflating technical competence with normative authority [31].

Furthermore, the character of understanding itself is also affected by the epistemological divide. Islamic jurisprudence uses hermeneutical human reasoning, which entails interpreting texts in light of complex linguistic, historical, and sociocultural circumstances. A *mujtahid* addresses revelation as meaningful conversation that necessitates insight (*fiqh*), wisdom (*hikmah*), and contextual awareness. Even the most advanced AI systems interpret symbols syntactically rather than meaningfully. Instead of using lived understanding, they rely on statistical correlations to generate their outcomes [32]. This distinction emphasizes that true interpretative awareness is not the same as reasoning simulation.

Lastly, the results show that authority in Islamic law comes from acknowledged intellectual validity within a moral and institutional context rather than just accuracy. A *mujtahid's* authority develops by academic training, peer acceptance, and group trust. This ingrained moral and social positioning is absent from AI. It does not engage in the epistemic community that bestows legal authority, despite the fact that its analytical performance may seem sophisticated. Thus, it is dangerous to reduce a highly normative and relational process to a technological technique divorced from its ethical and theological underpinnings by equating algorithmic output with valid *ijtihad* [33].

Fig.2. illustrates the epistemological divide in legal reasoning. As shown, the contrast between traditional and contemporary approaches highlights differing foundations of knowledge and methods of interpretation [34].



Fig.2. Illustrates the epistemological divide in legal reasoning

### 3.4 Maqasid-Based Evaluation of AI Integration

Despite AI's inability to execute *ijtihad* on its own, the normative assessment provided by *maqasid* al-shariah suggests that it may be useful in supporting roles. Because AI-assisted systems increase access to legal knowledge and improve research precision, they may aid in the preservation of intellect. By making religious advising services more accessible and efficient, they may also promote public welfare [35].

These advantages are still conditional, though. By separating moral responsibility from legal interpretation, AI may jeopardise religious preservation if it were given independent authority. As a result, the debate highlights a clear line of distinction: while technology support is consistent with Islamic goals, it is not consistent with replacing legal power [36].

Additionally, a paradigm that is focused on *maqasid* mandates that technical tools be assessed in terms of both ethical protections and efficiency. Making sure that legal decisions are based on reliable scholarship and responsible interpretation is part of the preservation of religion. Without replacing human authority, AI systems may help with evidence organization, mapping legal disputes (*ikhtilaf*), and recognizing precedents if they are integrated under scholarly supervision. Instead of replacing the interpretive act itself, AI serves as a tool that promotes deeper legal participation in this organized capacity [37].

Additionally, carefully controlled AI deployment in fields like Islamic finance, medical ethics, and family law advice systems may aid the preservation of wealth and life. Automated contract verification, risk analysis, and compliance screening can lower human error and increase transparency [38]. But risk assessment is also necessary for *maqasid* analysis since algorithmic bias, inaccurate data, or an excessive dependence on automated outputs might result in unfair findings. As a result, human oversight, auditability, and governance procedures are necessary for legal integration [38].

In the end, the results point to a well-rounded *maqasid*-based concept of "assisted *ijtihad*," where AI functions as a tool for research advancement under the epistemic supervision of knowledgeable academics. Such a concept embraces technological innovation while maintaining the ethical and spiritual underpinnings of Islamic jurisprudence. Islamic legal governance can appropriately engage.

With digital innovation in the modern period, while staying true to its normative goals by upholding this fundamental barrier [39].

Fig.3. illustrates a *maqasid*-based evaluation of artificial intelligence integration in Islamic law. As shown, the application of *maqasid* al-shariah provides a framework for assessing the ethical and legal implications of AI within contemporary jurisprudence [40].

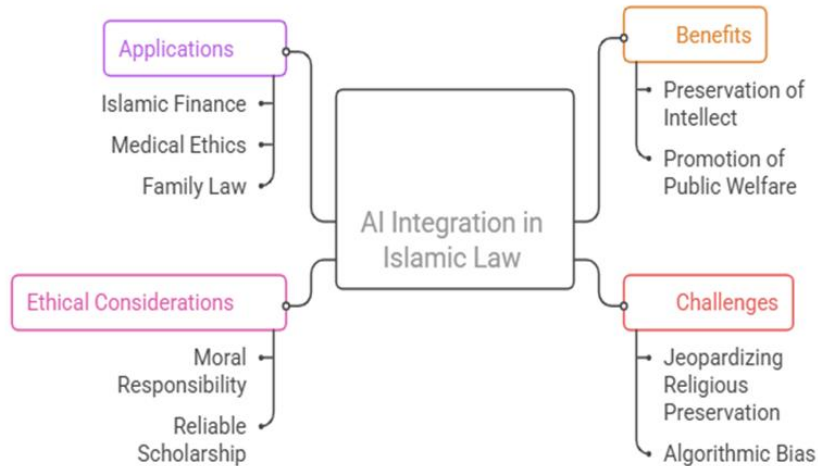


Fig.3. Illustrates a *maqasid*-based evaluation of artificial intelligence integration in Islamic law

### 3.4 Toward an “Augmented Ijtihad” Model

The creation of an integrative framework known as "Augmented Ijtihad" results from the synthesis of doctrinal and comparative discoveries. According to this paradigm, AI serves as a tool for decision-making that expands research capabilities, but qualified human researchers retain the final say in interpretation. This method balances jurisprudential integrity with technical innovation.

The discussion highlights that such a framework preserves ethical accountability, maintains theological coherence, and aligns with broader *maqasid* objectives. Rather than framing AI as a competitor to juristic authority, the model positions it as a facilitative tool within structured scholarly supervision [41].

Additionally, the “Augmented Ijtihad” model clearly delineates a hierarchy of roles in digital Islamic jurisprudence, with AI at the level of analytical assistance organizing sources, recognizing precedent patterns, mapping juristic disagreement, and producing structured drafts and the evaluative, interpretive, and authoritative functions remaining solely human. This layered structure avoids epistemic confusion between computational output and juristic judgment, ensuring that technology improves methodological rigor without changing the ontological underpinnings of legal authority [42].

This approach also asks for ethical governance practices and institutional control. Scholarly review boards, bias audits, dataset verification, and transparency norms should all be included when integrating AI into Islamic legal procedures. These protections guarantee that AI technologies continue to adhere to accepted legal schools and methodological standards. The model preserves the community's trust and the legitimacy of religious authority by integrating technology into responsible institutional frameworks [43].

Last but not least, the "Augmented Ijtihad" concept adds to current discussions about digital authority in religious traditions. It provides a compromise between unquestioning technical determinism and technological rejectionism. The paradigm views AI as a disciplined tool that serves higher legal goals rather than as a threat or a substitute. By doing thus, it underscores that

notwithstanding the possibility of tool evolution, Islamic law's locus of moral responsibility and interpretive validity is nonetheless firmly rooted in qualified human activity [44].

Fig.4. illustrates the Augmented Ijtihad Model. As shown, the model integrates traditional juristic reasoning with contemporary technological tools, offering a hybrid approach to legal interpretation [45].

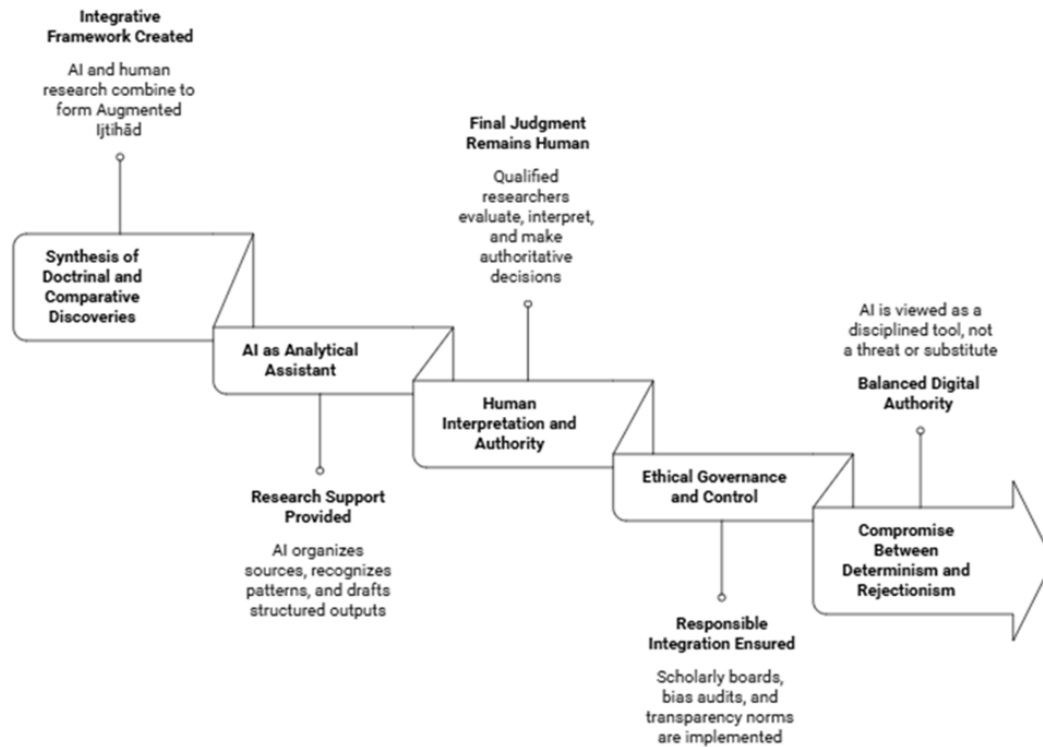


Fig.4. Illustrates Augmented *Ijtihad* Model

#### 4. Conclusion

This study concludes that, because artificial intelligence lacks moral agency, intentionality (niyyah), and Shar'i accountability (taklif), all of which are necessary ontological and ethical requirements of legitimate juristic authority, it cannot independently perform ijtihad within the classical framework of Islamic jurisprudence, even with its sophisticated analytical and computational capabilities. A normative doctrinal examination of *usul al-fiqh* shows that ijtihad is a morally grounded act of interpretive responsibility before God and society, rather than merely a technical exercise in legal reasoning. Even though AI can greatly improve structured analysis, pattern recognition, and legal research, its results are still computational simulations rather than thoughtful, morally sound decisions. According to a *maqasid*-based assessment, AI can be used as a lawful decision-support tool under the guidance of trained scholars. This leads to the concept of "Augmented Ijtihad," which suggests that technology can improve research efficiency without replacing human authority. Since the *mujtahid* cannot be replaced, the future of digital Islamic jurisprudence rests in the responsible integration of AI within institutionally supervised and morally guided frameworks that uphold the moral underpinnings of Islamic law.

**Author Contribution:** The first author contributes to the first draft of the article, while the other authors improve the existing content. All authors have read and approved the final paper.

**Acknowledgment:** Not related.

**Conflicts of Interest:** The authors declare no conflict of interest.

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