Reassessing European Contact: Insights from Spanish America

by Daniella F. Bassi

There's no doubt that the Americas were irrevocably changed by European contact. The decimation and sociopolitical transformation of the Western Hemisphere was so thorough that many scholars speak of an indigenous genocide—the intentional destruction of native societies. But there's also no doubt that the story is not so simple.[175]

Over the last fifty years, many scholars have steadily added nuance to it by showing how native agency—the universal human will and ability to act—impacted Euro–Indian diplomatic relations and foreign policy, the conduct of trade, and the newcomers' possession, settlement, and enjoyment of the land.[176] So significant was the influence of

[175] To get an idea of this logic, see Ostler, Jeffrey. 2015. "Genocide and American Indian History" in *Oxford Research Encyclopedia of American History*.
[176] Midtrød, Tom Arne. 2012. *The Memory of All Ancient Customs: Native American Diplomacy in the Colonial Hudson Valley*.; White, Richard. 2012 (2nd edition). *The Middle*

native peoples that European governments and their colonial populations couldn't simply push the locals aside. Colonial domination was not a foregone conclusion, at least not in the short term.

Yet in spite of all this great scholarship on native power, the general outline of European contact and what followed it remains virtually unchanged: American Indians were ultimately hopeless to stop European expansion. They were almost destined for extinction or for the sociopolitical margin, to make way for new peoples and their aggressive market order.

It's strange how little this narrative has changed. The reason for the stasis, I think, is framing. Much nuance has been added, yes, but the same structural framework remains: natives versus whites, supposed tribal communism versus so-called

Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650–1815; Ray, Arthur & Donald B. Freeman. 1978. *Give Us Good Measure: An economic analysis of relations between the Indians and the Hudson's Bay Company before 1763*; Carlos, Ann M. & Frank D. Lewis. 2011. *Commerce by a Frozen Sea: Native Americans and the European Fur Trade*; Greer, Allan. 2017. *Property and Dispossession Natives, Empires and Land in Early Modern North America*; Bassi, Daniella F. 2017. *Dutch-Indian Land Transactions, 1630-1664: A Legal Middle Ground of Land Tenures*; Hämäläinen, Pekka. 2008. *The Comanche Empire*.

European capitalism, arrows versus gunpowder, stone versus iron.

These divisions have one thing in common: They are all extremely broad and therefore rigid. Under these thematic frameworks, the nuances of time and place can't really be woven into the story. There's no place for them, so they end up in the bin of exceptions and other odd scraps of history. In this essay I invite readers to interpret the history of the Americas through a more useful thematic lens: rulers versus subjects.

Rulers Versus Subjects: A New Historical Framework for the Americas

As I've noted before, the reality of the precontact Americas is that most societies were politically stratified to some extent, just as most Eurasian societies were.[177] This is a crucial piece of information whose import still fails to resonate among academics and laymen alike. It's important because any kind of heterogeneity in society creates divergent and sometimes conflicting interests, which means that people pull in different directions, so to speak.

[177] Bassi, Daniella F. 2021. "Pre-Columbian America Wasn't Exactly a Paradise of Freedom." *Mises Wire*.

But the foundational division in politics—between those who rule and those who are ruled—is arguably the starkest because it is fundamentally unequal, the fruit of conquest and economic exploitation.[178] So, rulers and subjects pull hard in different directions. But politics yokes them together, which causes a lot of problems for the subjects.

Under the rulers versus subjects framework, the European conquest of the Americas seems less like a definitive break with a peaceful indigenous past and more like the latest series of violent power transfers on the continent. I can almost feel my readers seizing up. But spotting and trying to trace this continuity does not excuse the atrocities committed by the newcomers nor the dispossession of native peoples.

On the contrary, the rulers versus subjects framework throws these trespasses into sharper relief by pinpointing their source: not merely newcomers but the agents of their states. What is

[178] Rothbard, Murray. 2002 [1982]. *The Ethics of Liberty*; Oppenheimer, Franz. 1922. *The State: Its History and Development viewed Sociologically*, authorized translation by John M. Gitterman; Rothbard, Murray. 2009. *Anatomy of the State*.

more, the specificity of this framework allows us to detect the many trespasses of indigenous rulers and states, which scholars often downplay if they notice them at all, and add them to the story.

Taking full stock of the political inequality and unfreedom of native societies is useful because it allows us to discern important continuities between the pre- and postcontact eras. The most significant of these continuities, I argue, is that the sociopolitical order—the pecking order—remained very much intact in places whose native societies were politically stratified. That is to say, many subjects remained subordinate to their original rulers, and many rulers retained their legal privileges under colonial regimes.

As I will show, this continuity is particularly visible in colonial Mexico and Peru, where the Spanish Empire superimposed itself over some of the most complex and politically stratified indigenous polities in the Americas, the Aztec and Inca Empires. But, arguably more important, the pattern is also visible in Spanish Florida and California, where simpler chiefdoms were subsumed under the colonial mission system.

Unending Subjecthood in Colonial Mexico and Peru

We've all heard of the great Indian state societies that the Spanish conquistadors did battle with. The Aztec and Inca Empires endure in the popular memory at least in part because of all the wonders they left behind: the stone ruins of ceremonial centers and entire towns, artificial islands of reclaimed land, terraced fields carved into the mountains, extensive road networks, and more.[179] And above all, the Aztecs and the Incas are remembered as the mother lode of Spanish gold and silver.

But although most people at least vaguely understand that these societies were wealthy empires, they don't usually see the link between that status and exploitation. This is because relatively few of us learn about the violent origin and extractive nature of the state.

If we dare to consider that most states begin with a violent conquest and that all states sustain

[179] "Templo Major," *Brittanica*; "Machu Picchu," *Brittanica*; "chinampa," *Brittanica*; Graber, Cynthia. 2011. "Farming Like the Incas" *Smithsonian Magazine*; "The Great Inka Road: Engineering an Empire." Smithsonian | *National Museum of the American Indian*.

themselves through violence—by demanding tribute in kind, money, or labor; by monopolizing justice; and by threatening or punishing those who resist—we can begin to glimpse the unfreedom of Aztec and Inca subjects.

Once we see that Aztec and Inca subjects weren't free, it becomes clear that in some ways Spanish rule was just state exploitation under new management. Let's go over how the Aztec and Inca societies were organized before Spanish rule.

As I've explained before, the Aztec Empire was a network of Nahua city-states (*altepeme*) that had been violently conquered by the Aztecs (Mexicas), themselves a Nahua people.[180] The Aztecs ruled their subjects from Tenochtitlan (now Mexico City). Here's what this rule entailed.

The Aztec emperor extracted tribute from the rulers of conquered city-states (as well as from his own peasantry) and forced conquered people to accept the Aztec gods (though they could continue to worship their own gods alongside them). Where did these tribute payments come from? Each city-state had a ruler (*tlatoani*) and a privileged political class

[180] Bassi, Daniella F. 2021. "Pre-Columbian America Wasn't Exactly a Paradise of Freedom." *Mises Wire*.

of lesser politicians, warriors, nobles, and priests. These rulers in turn exacted tribute from their own commoners. Most people were commoners or slaves, and part of their tribute was paid in temporary forced labor: They worked lands set aside for the politicians and clergy, as well as nobles' personal lands.

Commoners paid the rest of their tribute in property taxes. Each city-state was divided into districts (*calpulli*) ruled by local officials, and each household held a specific plot that was subject to tribute (based on its size) and that could not be sold out of the kin group. Just like most people today, Aztecs did not own their land outright in that it was held, as historian Allen Greer explains, "under the authority and eminent domain" of the state, meaning the people didn't have full control over their property.[181]

As Greer shows, each person was carefully accounted for. Not unlike today, local censuses recorded each household's members, including their age, sex, and civic status, and the state also kept detailed land surveys to ensure that each household

[181] Greer, Allan. 2017. *Property and Dispossession Natives, Empires and Land in Early Modern North America*, pp. 34.

met its tax burden. Working to support others against your will doesn't sound much like freedom.[182]

The Inca Empire wasn't any better, as I've detailed in another essay.[183] The Inca elite ruled a variety of peoples from their Cuzco metropole (still called Cuzco). The empire was divided into kinship-based districts called *ayllus*. Cuzco was the home of the Incas and of the political class, so its districts were exempt from tribute.[184]

All the other districts, the conquered *ayllus*, had to pay tribute. But, again, who paid this tribute? After all, the rulers of conquered *ayllus* did not personally have to pay tribute. In fact, these rulers (*curacas*) were lesser members of the Inca elite. *Curacas* were given an Inca wife, split their time between their district and the imperial capital, and were required to send their sons to be educated in Cuzco, after which they too became lesser officials.[185]

[182] Greer, Allan. 2017. *Property and Dispossession Natives, Empires and Land in Early Modern North America*, chap. 4
[183] Bassi, Daniella. 2021 "The Inca Empire: An Indigenous Leviathan State." *Mises Wire.*
[184] Lorente, Sebastian. 1860. *Historia antigua del Perú*.
[185] Patterson, Thomas C. 1992. *The Inca Empire The Formation and Disintegration of a Pre-Capitalist State*.

The commoners paid, of course. The empire nationalized part of the conquered group's land and forced the commoners to dig canals and to build those impressive terraced fields I mentioned. After being forced to surrender their most sacred religious objects, conquered groups also had to build a local temple to the Inca sun god (Inti) and to surrender several of their prepubescent virgin girls: Some of these girls worked in the local temple, where they produced fabric, food, and chicha (a corn beer traditionally fermented with saliva) for the state. Others were sent to Cuzco, where they worked in temples, were sacrificed, or were given to the emperor and other prominent men as wives.[186]

Tribute was generally paid in labor, and the obligation was called the *mit'a*. As in the Aztec Empire, detailed censuses were kept, and the information was used to impress working-age men (ages 25–55) into the army, public works crews, and even personal service to elites. As mentioned, people also worked the state's stolen land, growing

[186] Patterson, Thomas C. 1992. *The Inca Empire The Formation and Disintegration of a Pre-Capitalist State*.

potatoes, quinoa, and corn and raising llamas and alpacas.[187]

Curacas assigned tasks and distributed any state-supplied raw materials needed to complete them. The commoners had to do their neighbors' work if they could not complete it, whatever the reason, and also owed labor to their *curacas*.

There was no free travel, and worse, commoners and elites alike were moved around like pawns on a chessboard. People were resettled in underpopulated or unproductive areas for "efficiency" or moved to newly conquered areas, where their role was to stabilize the frontier and teach the recalcitrant natives. Conquered people were also moved inland for surveillance and assimilation. Again, doesn't sound like freedom.[188]

And what happened after Spanish contact? As most people know, many Indians were forced to toil in mines, on plantations, and in missions, and they

[187] Baudin, Louis. 1961. *A Socialist Empire: The Incas of Peru*. Edited by Arthur Goddard and translated by Katherine Woods.
[188] Baudin, Louis. 1961. *A Socialist Empire: The Incas of Peru*. Edited by Arthur Goddard and translated by Katherine Woods.

were all supposed to accept the Roman Catholic Church. Here's how it went.

When conquistadors made contact with native peoples, they read them the 1510 Requerimiento (requirement), which implored them to accept the church, missionaries, and Spanish rule or else. Those who resisted vassalage were threatened with war, dispossession, and enslavement. Those who obeyed would not have to convert and were promised their freedom and property. By giving the natives warning, the Requerimiento was supposed to be a more humanitarian way of conquering the Americas, which Spain was doing with the support of the Catholic Church.[189]

Of course, the Requerimiento was jibberish to most natives, since it was in Spanish, and many were easily reduced to slavery in the sixteenth century, although the 1542 New Laws of the Indies and the 1573 Ordinances Concerning Discovery, New Settlements, and Pacification were passed to help prevent abuses.[190] Conquered Indians were bound to

[189] "What Did El Requerimiento Say?" *Early Caribbean Digital Archive* | Northeastern University Library
[190] see *Leyes y ordenanças nueuame[n]te hechas por Su Magestad, p[ar]a la gouernacion de las Indias y buen tratamiento y conseruacion de los indios: que se han de*

toil for officials, conquistadors, religious orders, privileged colonists and other politically connected people under the terms of encomiendas[191] and repartimientos, which were grants from the Spanish crown (that is, from the Spanish ruler). Encomiendas gave the holder the indefinite right to Indian tribute in kind, labor, or gold. Repartimientos were grants of temporary Indian labor (two to five weeks, three to four times per year), much like the Inca *mit'a*, which the Spanish colonial government adopted as well.[192]

But political stratification didn't vanish under Spanish colonialism. By and large it was the commoners who suffered. And when they weren't laboring for their new masters, they returned to their communities, where they continued to be ruled by the local indigenous political classes (former rulers and other principal men), who, as it happens, became part of the Spanish colonial government.

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guardar en el consejo y audie[n]cias reales q[ue] en ellas residen: y por todos los otros gouernadores, juezes y personas particulares dellas; see *Transcripción de las Ordenanzas de descubrimiento, nueva población y pacificación de las Indias dadas por Felipe II, el 13 de julio de 1573, en el Bosque de Segovia, según el original que se conserva en el Archivo General de Indias de Sevilla*

[191] "encomienda" *Britannica*

[192] "repartimiento" *Britannica*

The native ruling classes learned Castilian, studied Spanish law and Catholic doctrine, and became local elected officials in the new colonial government—governors, mayor-judges (alcaldes), and sheriffs (alguaciles). Of course, election was based on elite status, which was in turn based on previous membership in the ancien régime, so to speak. And yeah, you can bet that any nobles who were able to retain their pre-Hispanic status did not slave away under encomiendas, repartimientos, or *mit'a*s.[193]

Since it was more logistically feasible for the Spanish state to superimpose itself over local political structures than to raze them completely, native officials were tacitly permitted to administer local justice based on local custom.

So, political subordination for conquered peoples, submission to a new god without necessarily giving up their religion, forced labor and tribute payments, and pretty much the same leaders at the local level. None of this is a very drastic break with Aztec and Inca colonial rule.

[193] Premo, Bianca. 2017. *The Enlightenment on Trial: Ordinary Litigants and Colonialism in the Spanish Empire*, chap. 5.

Enduring Political Privilege in Florida and California Missions

We've seen that rather than experiencing a sudden fall into servitude, many indigenous commoners continued to toil for their social betters after Spanish conquest. We've also seen that many pre-Hispanic indigenous elites retained their political status, continued to rule their people at the local level, and were exempt from tribute obligations under the new colonial regime. This legal bifurcation of indigenous communities persisted not only where the Spanish government swallowed up full-blown indigenous states, but also where it attempted to replace simpler polities like those of pre-Hispanic Florida and California.

Let's start with the short-lived missions to present-day South Florida in the mid-sixteenth century. Before Spanish contact, the Calusas, Tocobagas, and Tequestas were all divided into the noble (political) class and commoners. Their rulers (chiefs) were entitled to labor and tribute from their people, and they controlled the distribution of goods. Chiefs also had the exclusive right to hold the most valuable goods, eat the best foods, and take multiple wives. They maintained power by

acquiring, flaunting, and making gifts of exclusive items, which included painted deerskins, shells, feathers, and precious stones. Those who were connected to the cacique benefited from the wealth that flowed to him, so, as you can imagine, the interests of nobles and commoners often diverged.

As I've written, South Florida chiefs initially welcomed missionaries into their communities.[194] Why was this? Politics, of course. Like other rulers, these chiefs reinforced their geopolitical position by forming strategic alliances. The chiefs heard that the Spanish had defeated the French at Fort Caroline (present-day South Carolina) in 1565 and so were eager to establish diplomatic relations when Pedro Menéndez de Avilés came south to establish St. Augustine in the name of the Spanish crown.

A powerful new ally could potentially help vanquish enemy chiefdoms, and this seems to have been a common indigenous motive for alliances, judging from Spanish accounts. Time and again, Spaniards reported being welcomed by an indigenous ruler who insisted on forming an alliance and promptly tried to cash in on it by

[194] Bassi, Daniella F. 2024. "Hispano-indigenous Alliances and Cacical Political Authority in La Florida, 1565–97." *Journal of Libertarian Studies* 28 (1): 120–43.

asking the Spanish for help ambushing an enemy chiefdom. In fact, this was so common that the crown specifically outlawed it in 1573.[195]

When Menéndez de Avilés encountered the Calusas of the southwestern Florida coast in 1566, their leader, Calus/Carlos, gave Menéndez de Avilés his sister, Antonia, in marriage to secure an alliance and then tried to get the Spanish to help him strike the Tocobagas of Tampa Bay (also named by the Spanish for their cacique, Tocobaga). Menéndez de Avilés punted by brokering a peace between Calus, Tocobaga, and Tequesta (ruler of the Tequestas of Miami), with whom Calus was also at war.

Vassalage to the Spanish crown and conversion to Christianity were, of course, conditions of alliance. The peace was sealed on the condition that the crown would provide aid against anyone who broke the pact. As a power play, Calus, Tocobaga, and Tequesta all requested that Christians be posted in their community. Menéndez de Avilés left soldier-missionaries (really just soldiers who were

[195] see *Transcripción de las Ordenanzas de descubrimiento, nueva población y pacificación de las Indias dadas por Felipe II, el 13 de julio de 1573, en el Bosque de Segovia, según el original que se conserva en el Archivo General de Indias de Sevilla*.

supposed to act out Christianity) with all of them, but the Calusas and Tequestas each received a Jesuit friar as well.

The peace talk was notably attended by Calus, Antonia, Tocobaga, Tequesta, twenty-nine other caciques, and one hundred nobles. Tocobaga and Tequesta, who were subordinate to the dominant Calus, were happy with the agreement because it bolstered their position against him, while Calus and Antonia were angry because their long-standing dominance in the region was now threatened. Many of these people received gifts from the newcomers. Calus, for example, received a set of Spanish clothing—a shirt, breeches, doublet, and a hat, exotic and therefore valuable goods. Commoners had no say in what occurred, and it's unlikely that any of the finery trickled down to them.

In less than a year, unrest forced the Spanish to withdraw from all three chiefdoms. The soldiers among the Tequestas killed a politically connected elder who had been a cacique. The people were sick of feeding and hosting the soldier-missionaries, who did not leave after being asked nicely and had been mooching off them for ten months. The Tocobagas killed all their soldier-missionaries, likely for

similar reasons, though the record is silent on the cause.

Among the Calusas, the soldiers, unsurprisingly, blundered by sleeping with the local women, which upset the local men. The friar preached against the Calusa religion, stoking the ire of Calusa clerics. Calus lost patience and had a Tequesta cacique and two Tequesta nobles assassinated. Probably his next move would have been to expel the Spanish, but Calus had competition from a kinsman, Felipe, who feigned interest in Christianity and convinced the soldiers to off Calus.

After the coup, relations again soured, this time because the friar tried to stop Felipe from marrying his sister, which was a chiefly custom, and pressed him to burn his idols. The missionaries now threatened Felipe's authority too. He tried to have them killed, but they got to him first. The people then fled the area, leaving the Spanish no choice but to retreat.

South Florida rulers did not mind having missionaries around, and they were in fact keen to host them, so long as they reinforced the preexisting power structure. After all, it was the commoners who would actually feed and host the ungrateful

outsiders indefinitely while their rulers played politics. In the end, it was also the commoners who endured unrest and lost their homes when their rulers' ambitions failed to pan out. Sure, Calus and Felipe were assassinated (and elites were no doubt affected by the unrest), but politics is a dangerous game that they chose to play and lost.

With the case of sixteenth-century South Florida, we see how the missions could be a source of political power for indigenous rulers even as they burdened indigenous commoners. But these missions were too short-lived to show how political privilege endured in the mission system. For that we turn briefly to the missions of colonial California.

In eighteenth-century California, as in colonial Mexico and Peru, the native elite became part of the colonial government, serving as alcaldes and aldermen (regidores). The Franciscan missionaries oversaw the elections, and of course only "the right people" could run for office (that is, those whom the Franciscans called the "least unqualified," which usually meant former officials and those who did not oppose the emerging order).[196]

[196] Hackel, Steven W. 2005. *Children of Coyote, Missionaries of Saint Francis: Indian-Spanish Relations in Colonial California, 1769-1850*, pp. 238

Native officials in colonial California were fewer and had less autonomy than their counterparts in Mexico and Peru. In addition to being subject to colonial authority, they were clearly subordinate to the Franciscan missionaries, who could discipline them through corporal punishment and against whom native officials could not bring charges. Nevertheless, California native officials had what historian Steven Hackel describes as "wide-ranging authority over other Indians" and therefore shaped daily mission life.[197]

The Franciscans charged native officials with upholding Christian norms, especially sexual mores, such as the separation and supervision of single men and women, which they enforced at their discretion. Many native officials were removed from office, for example, for turning a blind eye to so-called sexual crimes.[198]

More important, native officials were charged with enforcing the missions' labor regime. They supervised commoners and beat those who absented themselves from work or who did not meet their

[197] Hackel, Steven W. 2005. *Children of Coyote, Missionaries of Saint Francis: Indian-Spanish Relations in Colonial California, 1769-1850*.
[198] Ibid.

daily quota. They themselves did not labor but rather coordinated the labor of commoners, whose labor sustained the political class, just as in pre-Hispanic days.[199]

And just as in pre-mission days, the native elite continued to hold a disproportionate amount of wealth, and well, to live the good life. Hackel describes the pre-Hispanic order as a "self-perpetuating oligarchy" in which leadership was hereditary. The colonial order was not much of a break with this past. The sons and relatives of native officials often served in the colonial government themselves.[200]

Native officials had the exclusive right to carry staffs, wore clothing that distinguished them from common mission Indians, and were allowed to ride horses, a privilege in Spanish colonial society. Pre-Hispanic village leaders had also worn fine clothing and carried regalia such as wampum-like money.

[199] Hackel, Steven W. 2005. *Children of Coyote, Missionaries of Saint Francis: Indian-Spanish Relations in Colonial California, 1769-1850*, chaps. 6-7.
[200] Hackel, Steven W. 2005. *Children of Coyote, Missionaries of Saint Francis: Indian-Spanish Relations in Colonial California, 1769-1850*, pp. 248.

Native officials also seem to have had their own special residences in the missions, and they were entitled to extra food. At Mission San Carlos (near present-day Monterey), for example, two fanegas (1.6 bushels) of wheat were sown just for mission servants and high-ranking natives, while twenty-one were planted for everyone else. Not quite the endless toil that often comes to mind when we think of the mission system.

Like subjecthood and exploitation, political privilege seems to have been a bridge rather than a break between the precontact era and the rise of the New World, even for the people of simpler chiefdoms like those of South Florida and California.

Why Precontact Unfreedom Matters

As we've seen, in many places European contact brought merely the continuation of unfreedom and political privilege. We've only looked at Spanish America, where generally the indigenous populations were much larger and where Indians lived in more complex polities than in Anglo-America. These factors are partly responsible for the close continuity that we've observed between native rule and Spanish colonial rule.

But if we dare to look closely, we can also see the persistence of political privilege in Anglo-America, where, for example, native rulers generally were the individuals who sold land to and signed treaties with colonial governments and their successors. This they often did without the full consent or comprehension of their communities, and they often received personal benefits such as fine goods in return (though we must bear in mind that North America was also home to some stateless or at least more egalitarian native societies).

Natives and nonnatives alike need to acknowledge native rulers' role in native subjugation to pinpoint the source of colonial oppression and, for that matter, of oppression throughout history: the institution of the state, which is founded on violence and privilege; that is, on inequality before the law.

But it's also important to remember that Indian commoners had agency within the bounds of their circumstances, just as all people do. All people, even the most disenfranchised, have an impact on their physical and social surroundings. These insights mean that rulers can never totally control their subjects or totally disregard popular opinion.

On the most basic level, people's resistance to the will of others is the ultimate source of all the conflict we see in the historical record, and native commoners' resistance to conquest and exploitation is why we see oppression, revolts, and the emergence of workarounds such as informal markets and de facto law in early American history. The point of highlighting native political privilege is to add important context and nuance to the story of the Americas rather than to create a new narrative of victimization.

The reality of native inequality and political privilege is startling, even offensive. And it can't be undone. But it does put the societies and worlds that were lost in helpful and perhaps reassuring perspective: European contact did not initiate a fall from paradise. In many ways it merely continued the very human cycle of war, conquest, subjugation, and peace in the Americas.

Relatively few native people were free and sovereign before European contact. And although the people of the Americas (who of course now include the descendants of natives as well as nonnatives) remain unfree—forced to obey and sustain the political class—we have forged beautiful

new worlds, new ethnicities, and new cultures since the fifteenth century. Many of us live in peace, even as conflict breaks out among others, and even as our rulers continue to play politics at our expense. The rebirth and resilience of the Americas is something to celebrate even as we expose the iniquities of the past.

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