

*Ernst H. Kantorowicz (1895-1963) and Gabriel Naudé (1600-1653): From “Mysteries of State” to “Coups d’État”*

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**“Mysteries of State”**

Ernst H. Kantorowicz was the author that best showed, in a large amount of documents and with a preeminent speculative skill, not only the medieval origins of the absolutist concept of “Mysteries of State” but also the ways it influenced the modern state politics. He raises a theological-political issue that he clearly answers: “How, by what channels and by what techniques, were the spiritual *arcana ecclesiae* transferred to the state so as to produce the new secular *arcana imperii* of absolutism?”<sup>1</sup>. Amongst the extreme richness of the political vocabulary of the 17th century it is the late-medieval expression “Mysteries of State” that gives us a fair idea of the way *Leviathan*’s opposition to church and to its different confessions and factions made the State a religious aim in itself.

From this point of view, it should be noted that the so-called “laicisation” or “secularisation” of the political sphere is inseparable from a sacralization of the figure of the State, which results in the modern political “mystery” par excellence. Indeed, the evidently theological dimension of the modern “absolute State” consecrated by a religious redefinition of the political power, requires us to undertake – before addressing Gabriel Naudé’s concept of “*coup d’État*” – a brief analysis of the mechanisms that led to the creation of what medieval jurists dubbed “Mysteries of State”.

In the essay “Mysteries of State. An Absolutist Concept and its Late Mediaeval Origins”, Kantorowicz highlighted the way by which, through reciprocal mimicry, the *imitatio imperii* of the spiritual power was offset by an *imitatio sacerdotii* by the secular power. From his point of view, the rulers – “both spiritual and secular” – proceeded to mutually imitate insignia, titles, symbols, privileges and prerogatives and the exchange, at the end of the Middle Ages, of honorific rights between *sacerdotium* (“the crown-wearing pontiff”) and *regnum* (“the mitre-wearing emperor”) allowed the hierarchical apparatus of the Roman Church to emerge as “the prototype of an absolute and rational monarchy on a mystical basis, whereas

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<sup>1</sup> Cf. Ernst H. Kantorowicz, “Mysteries of State. An Absolutist Concept and its Late Mediaeval Origins”, in *Harvard Theological Review*, 48 (1955), p. 66.

simultaneously the state showed increasingly a tendency to become a quasi-Church and, in other respects, a mystical monarchy on a rational basis”<sup>2</sup>.

In fact, the political secularisation of theological concepts – and most importantly the secularisation of the concept of “royalty” – is even more important since, in the opinion of Kantorowicz, the application of a theological language to secular institutions resulted in an enthronement or divinisation of the modern State. To this end contributed an exchange of vocabulary – and sometimes confusion or lack of distinction of the respective lexicons – between the canonist commentators and the civil lawyer commentators present at the creation of the medieval legal concept known as “Mysteries of State”. It was precisely from this formula exchange between canon law and roman law (which Kantorowicz dubs “brackish waters”) that resulted the “mezzo-theological language” of the medieval jurists, which made possible the legitimisation and elevation of the State to the religious and supernatural sphere of the “mystery”. Kantorowicz observes: “The jurists of all branches of Law applied freely, and without scruples or inhibitions, theological metaphors and similes when expounding their points of view in glosses and legal opinions. Under the impact of those exchanges between canon and civilian glossators and commentators – all but non-existent in the earlier Middle Ages – something came into being which then was called ‘Mysteries of State’, and which today in a more generalizing sense is often termed ‘Political Theology’”<sup>3</sup>.

It is the opinion of Ernst Kantorowicz that the expression “Mysteries of State”, a blatant secularisation of a theological concept, possesses a Christian tone more than a Tacitean one, although the term *arcana* served generically the purpose of specifying the *mysteria* to pagans as well as Christians. The author situates the modern avatar of the “Mysteries of State” problem in a complaint that James I made to the House of Commons, in which the English king ordered the Speaker “to acquaint that house with our pleasure that none therein shall presume to meddle (‘to meddle’ was a favorite expression of absolutism) with anything concerning our government or mysteries of State”<sup>4</sup>.

With this proclamation, dating from 1610, James I outlawed, so to speak, any attempt from his subjects to provide their opinion or to... “freely wade by their writings in the deepest mysteries of monarchy and politick government”<sup>5</sup>. In this proclamation, James I claims that questioning or discussing the “mysteries of the King's power” is a sacrilegious act and, as such,

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<sup>2</sup> Cf. Ernst Kantorowicz, *ibidem*, p. 66.

<sup>3</sup> Cf. Ernst Kantorowicz, *ibidem*, p. 67.

<sup>4</sup> Cf. Ernst Kantorowicz, *ibidem*, p. 68.

<sup>5</sup> Cf. Ernst Kantorowicz, *ibidem*, p. 68.

it is worthy of repudiation and of punishment. Moreover, the word “sacrilege” being used to describe – and to criminalise – the violation of the sacred nature of royalty abuts with what Kantorowicz calls the mandatory “zone of silence” imposed on anyone who approaches the area reserved for the *mysteria* and *arcana*. No doubt that the violation of such a “zone of silence”, breaking with the “Prerogative or mystery of State” of the King, means, evidently, that the diffusion of the political knowledge contained in government secrets has deeply political effects.

According to the author of *The King's Two Bodies*, the legal doctrine of the “Mysteries of State”, formulated by James I, is one of the main features of what he called “royal Pontificalism”, a form of government employed by the absolute monarchies of the XVII century, in which, according to the laconic formula of Kantorowicz: “the Prince himself stepped into the pontifical shoes of Pope and Bishop”<sup>6</sup>. According to Kantorowicz, the medieval notion of “Mysteries of State”, which the modern absolute State adopts and develops, originates from a legal training that the glossators from the XII and XIII century called *religio iuris* or *mysterium Iustitiae*: Mysteries of the Justice, this is, mysteries of the *State* or mysteries of the *Government*. “The royal ‘Pontificalism’” – concludes Kantorowicz – “then, seems to be resting in the legally settled belief that government is a *mysterium* administered alone by the king-highpriest and his indisputable officers, and that all actions committed in the name of ‘Mysteries of State’ are valid *ipso facto* or *ex opera operato*, regardless even of the personal worthiness of the king and his henchmen”<sup>7</sup>.

From our standpoint of interest, namely, delving on the nature and political role of the “Mysteries of State” in the work *Considérations politiques sur les coups d’État* (1639), by the French polemist Gabriel Naudé, it should be noted that the problematic that the expression “Mysteries of State” reflects is, effectively, the political effect of a legal fiction which, once objectified in instrument or in a political stratagem, aimed initially at the reinforcement of the *imperium* and of the *dominium* of the clergy, while being later, once secularised, aimed at the safeguarding of an autonomous political space of the modern State and at the protection and the inviolability of the private property of the Prince who heads the State. However, the actions taken in the name of these “Mysteries of State”, are, precisely, the *coups d’État* of the Prince, actions that confirm the mysteries and thus reveal them. The State secret, or rather, what is worthy of secretiveness in the modern “absolute State”, its mystery, is precisely the sacred character of the State. Therefore, the “master-stroke of State”, in the overall sense in which

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<sup>6</sup> Cf. Ernst Kantorowicz, *ibidem*, p. 67.

<sup>7</sup> Cf. Ernst Kantorowicz, *ibidem*, p. 72.

Naudé interprets the sense of the genuine secret of State, is nothing more than the privileged expression of the sacralised sphere of the “Mysteries of State”.

### “Coups d’État”

Not being invented by Gabriel Naudé, the expression “master-stroke of State” is one of those topics in the political vocabulary of the XVII century that enjoys a specific place within the dynamic lexicon of the then-current State, which hopes primarily to distinguish between the *common rationality* and the properly called *political rationality*, whose principles or “sentences” we attempt to analyze and organise. Expressions such as “Mystery of State”, “Reason of State”, “Necessity of State”, “Interest of State”, “Virtue of State”, “Consideration of State”, “Chimera of State”, “Crime of State”, give us an approximated idea of how the extreme richness of vocabulary of the seventeenth century regarding the “Reason of State”, rather than being a signal of a political redefinition of the religious sphere, is mainly an indication of a clear religious redefinition of the political sphere.

With a markedly ambiguous gesture, Naudé seeks to demystify the political secret understood as *mystery* and as *arcane*. His erudite, patient and delayed casuistry of the master-strokes of State, allows him to bring to daylight the whole range of inventive political techniques in the mysteries of power. Thus, he is being both crude and cynical when he says: “Since therefore it is natural to most Princes to treat religion like mountebanks, and use it as a drug to maintain the credit and reputation of their Stage, one ought not in any opinion to blame a politician, if to accomplish some important affair, he have recourse to the same industry, thought it be more decent to say the contrary, and indeed to speak rightly

This from de vulgar should be hidden still

They are already versed enough in ill”<sup>8</sup>.

By extending the perception of “mysteries” and of “secrets” of State to an audience so far prevented or unable to recognise them by itself, Naudé sets the stage for a radical *disillusion* of men and people, an indispensable condition to the institution of a body of positive political knowledge. It is therefore necessary for the darkness of the secret itself, which in fact by means

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<sup>8</sup> Cf. Gabriel Naudé, *Considérations politiques sur les coups d’État* [1639], édition établie para Frédérique Marin et Marie-Odile Perulli, précédée de *Gabriel Naudé*, par Sainte-Beuve (édition de Maxime Leroy) et suivie par *Naudaena* (texte établi par Lionel Leforestier), Le Promeneur, Paris, 2004, pp. 169-170. English version: Gabriel Naudé, *Political Considerations upon Refin’d Politicks, and the Master-Strokes of State, as Practised by the Ancients and Moderns*, translated into English by Dr. King, London, 1711, pp. 158-159.

of its obscure revelation becomes credible in the mind of the public, to be - to a certain point - demystified. This only to a certain extent since, in order for a secret to inspire respect and induce obedience in all who are willing to worship, it is necessary for it to keep an indestructible mystical halo - and not just a purely technical meaning. However, as Jean-Pierre Cavaillé rightly observes: “The political and religious culture of the secret holds the secret, in a non-mystical sense (although it attempts to emulate the opposite) but instead a strictly technical one, as a mandatory condition of its success or its theoretical knowledge and practical truth, that which allows it to truly establish itself”<sup>9</sup>.

The necessity to dissimulate (and, therefore, to also simulate), a fundamental requirement of the “extraordinary caution” that characterises the concept of a coup d’état, explains the aporetic aspect of the naudénian project that is the *publication of the secret*, according to which the *arcana* should be both secret and public. Indeed, as shrewdly concluded by Peter S. Donaldson when discussing the paradox inherent to the dissemination and publicizing of political secrets: “The arcana can be published only if their publication somehow replicates the act of concealment or erasure from which political power arises”<sup>10</sup>. A bold and clever gesture that Naudé saw in its predecessor Machiavelli and that a pious contemporary of Naudé, the philosopher Blaise Pascal, negatively formulated as follows: “It is important that the people do not realise the reality of the usurpation. It was introduced without reason, and it has become unreasonable. It is necessary that we make it seem authentic, eternal, and to hide its beginnings, in order to prevent its premature demise”<sup>11</sup>.

As Gabriel Naudé strongly emphasises, the *Considérations politiques sur les coups d’État* intend to address in a new and bold sense, all those political issues that cannot be publicly and widely revealed. It is, as he says, about to “try to penetrate into the actions of Princes, and to lay that open and naked to view, which they always endeavour to conceal by a thousand artifices”<sup>12</sup>. “To penetrate”, in the political vocabulary of Naudé means “to do the recital of so many deceits, tricks, violence, and other the like unjust and tyrannical actions (as they appear at first), which I must hereafter relate, explain and defend”<sup>13</sup>.

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<sup>9</sup> Cf. Jean-Pierre Cavaillé, “Gabriel Naudé, la bibliothèque des coups d’État”, in *Dis/Simulations. Jules-César Vanini, François La Mothe Le Vayer, Gabriel Naudé, Louis Machon et Torquato Accetto – Religion, morale et politique au XVII<sup>e</sup> siècle*, Honoré Champion Éditeur, Paris, 2008, p. 208.

<sup>10</sup> Cf. Peter S. Donaldson, “Gabriel Naudé: magic and Machiavelli”, in *Machiavelli and Mystery of State*, Cambridge University Press, New York, 1988, p. 164.

<sup>11</sup> Cf. Blaise Pascal, “Pensées”, in *Œuvres Complètes*, préface d’Henri Gouhier, présentation et notes de Louis Lafuma, Éditions du Seuil, Paris, 1963, pp. 507-508.

<sup>12</sup> Cf. Gabriel Naudé, *Considérations politiques...* p. 67 ; *Political considerations...*, p. 8.

<sup>13</sup> Cf. Gabriel Naudé, *Ibidem*, p. 68; p. 9.

With the closed theorisation of the concept of coup d'état, Gabriel Naudé tries to bring a new dimension into the arena of theoretical *mysteries* of State, the *arcana imperii* and the *reason* of State, viscerally unspeakable, about the political practice, reorganizing in a daring way the different orders or degrees of vocabulary and political reality. Here is how he justifies his erudite endeavour: "We must go on and say, that the depravity of mankind is so great, and the means they make use of to obtain their designs so daring and hazardous, that to speak of the following politicks as practised nowadays, without mentioning these *Refinements*, is indeed to be ignorant of the proper Methods of instruction which Aristotle says are so essential"<sup>14</sup>.

But the originality shown by Gabriel Naudé when unravelling the "Mysteries of the State" by presenting and reviewing historical examples of "coups", the radical boldness of his gesture, consisted of having submitted the speeches of the doctrines of the "reason of State" to a theory of political action derived not only from situations of need, but, as he repeatedly refers, an "extraordinary and absolute need", meaning, an extreme or exceptional need, for "extraordinary remedies are to be applied to extraordinary diseases"<sup>15</sup>.

Thus, the "coup", as Naudé conceives it, is an exceptional political action carried out by an "*esprit fort*" (a virtuous and exceptional man) that violates the laws and rules in order to save the State. There is a secret provision within a "coup", sudden, unusual, extraordinary, seemingly supernatural, of the *artificial miracle* order, because "in all the major political issues, as well as in all major illnesses, there is a *divinum quid* we can not understand"<sup>16</sup>.

Let us analyse now the naudénian definition of the *coups d'État* (*master-strokes of State*): "Bold and extraordinary actions, which Princes are constrained to execute when their affairs are difficult and almost to be despaired of, contrary to the common right, without observing any order or form of justice, but hazarding particular interest for the good of the public"<sup>17</sup>.

In the same manner of the "*maxims* of State", the "*master-strokes* of State" are "an excess of the common law for the public good" (*Excessum juris communis propter bonum commune*)<sup>18</sup>. However, Naudé emphasizes the distinction between the "maxims" and "coups" of the State. Both the former and the latter are policy instruments typical of an extraordinary dimension of the art of ruling and governing States, which the philosophical tradition sometimes

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<sup>14</sup> Cf. Gabriel Naudé, *Considérations politiques...*, p. 72; *Political considerations...* pp. 15-16.

<sup>15</sup> Cf. Gabriel Naudé, *Ibidem*, p. 145; p. 121.

<sup>16</sup> Cf. Gabriel Naudé, *Le Mascurat* [1649], in <http://gallica.bnf.fr/ark:/12148/bpt6k57698w>

<sup>17</sup> Cf. Gabriel Naudé, *Considérations politiques...*, p. 104; *Political considerations...*, p. 59.

<sup>18</sup> Cf. Gabriel Naudé, *Considérations politiques...*, p. 104; *Political considerations...*, p. 59.

calls *sophismata*, sometimes *arcana imperii*, or *reasons of State*. But “extraordinary” here means that both proceed by means of undermining the common or positive law.

The “maxims” refer to more or less lawful means which apply in accordance with the law and current customs, taking into account possible abuses. As for the “coups”, violating the common sense of justice and morality, they are properly rare and exceptional. It could be said that they stand with respect to ordinary policy in the same way that the miracles and other direct interventions of the gods stand with respect to the regular process of nature: “Experience teaches us, that all such things as are wonderful and extraordinary are not seen everyday, comets don’t appear but at the distance of some ages, monsters, deluges, eruptions of the Vesuvius, and earthquakes happen rarely, and this uncommonness of the appearance gives a lustre and beauty to abundance of things which suddenly lose it when they become too frequent”<sup>19</sup>.

But the decisive difference between “maxims” and “coups” of State resides in that all which is achieved through “maxims” presupposes legitimacy prior to action, requiring causes, reasons, justifications and explanations. In short, the “maxims” of a process are instructed before its execution, while everything that comes by way of “coups” should be kept secret until the moment of execution, since its reason for being and the principle of its justification lie in its success. Absolute secrecy is, therefore, the condition of the success of the “coup”, and this is what explains that in its mode of operation, action will necessarily surface prior to legitimate reason.

Within a political act in accordance with the “maxim” of State, action is legitimate and transgressive, and as such, fully understood without any need for secrecy. The implementation here is preceded and accompanied by a justification that appeals to political rationality at the same time that the sequence of operations occurs in accordance with this rationalization. In the political act in accordance with the “coup”, on the other hand, legitimisation and rationalization of the act is retrospective, because it is secrecy and surprise which makes it possible in the first place. While the “maxim” violates the law, but keeps still within the limits of political rationality, mingling its logic with the so-called “good” or “real” reason of State, the “coup” violates the law and the general rules that structure the science of government, while it “hits” the rules of the same reason of State, since the authentic and real “reason of State” is here the “coup”.

Hence the political justice eventually contained in the “coup” can be demonstrated only in retrospect, because at the very moment – striking and terrible – of the “coup,” no justice and

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<sup>19</sup> Cf. Gabriel Naudé, *Considérations politiques...*, p. 113 ; *Political considerations...*, pp. 70-71.

not even any rationality are present. In his *Discourses upon the first ten (books) of Titus Livy*, Machiavelli gives us a formula that can help us understand the aporetic nature of the naudénian “coup”: “It is well then, when the deed accuses him, the result should excuse him; and when it is good, as that of Romulus, he will always be excused; for he ought to be reprehended who is violent in order to destroy, and not he who does so for beneficial reasons”<sup>20</sup>.

In contrast with the “maxims” of state, which may be made public before the action, the cardinal rule of the “coups” of State is that they must be kept secret until the end. Thus, with respect to the “master-strokes of State”, Gabriel Naudé writes: “the thunderbolt falls before the noise of it is heard in the skies, *ante ferit quam flamma micet*, prayers are said before the bell is rung for them; the execution precedes the sentence, he receives the blow that thinks he himself is giving it; he suffers who never expected it, and he dies that looked upon himself to be the most secure; all is done in the night and obscurity, among storms and confusion, the goddess Laverna presides, and the first grace requested of her is this,

Make me a saint and just to human sight,  
But wrap my cheats in clouds, and crimes in night”<sup>21</sup>.

In effect, within the secret nature of the “coup”, the secret is not just the *condition* of the act; it is also, paradoxically, a *property* of the act itself. Thus the most important practical secret, which is always exceptional, unpredictable, often connected to the nerves of the circumstances, unrepeatable in its very core, an example devoid of exemplarity, is the secret that is revealed in the very act of the “coup”. But the secret nature of the “coup” is even more complex, not least because there are no “action maxims” that can be recurred to. The very generalization implied in the concept of “maxim” is impossible in a “coup”, because knowledge can only be retained – after the coup, of course – from singular examples. That is why it is impossible to establish a true science of the “coup”, but instead we can only speak at most of a prudential knowledge about the “coup.” The political action, and even more so the action which is executed during the “coup”, since it is unpredictable, rare, closely related to the nerves of the circumstances, somewhat unrepeatable because it is unique, then it escapes rational systematization by definition. Hence its critical status, since it is impossible to define permanent

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<sup>20</sup> Cf. Niccolò Machiavelli, *Discourses upon the first ten (books) of Titus Livy* [1517], I, IX, p.20, in <http://www.constitution.org/mac/discliviy.pdf>. Cf. Niccolò Machiavelli, “Discorsi sopra la prima deca di Tito Livio”, I: 9, in *Opere de Niccolò Machiavelli*, a cura di Ezio Raimondi, Ugo Mursia Editore, Milano 1996, p. 149. «Convien bene che, accusandolo il fato, lo effetto lo scusi; e quando sia buono, come quello di Rómulo, sempre lo scuserà: perché colui che è violento per guastare, non quello che è per racconciare, si debbe riprendere.»

<sup>21</sup> Cf. Gabriel Naudé, *Considérations politiques...* pp. 104-105 ; *Political considerations...* pp. 59-60.

rules of action in a world ruled by the whims of fortune. At best, the process of the “coup” can be described metaphorically and analogically by analyzing historical examples (this is already one of the “methods” of Machiavelli), which is to say, the subsequent narrative reconstructions which are, after the “coup”, the intrinsic logic behind the act or its “effective political truth”.

The “coup”, or the state secret in the sense that Naudé attributes to it, constitutes therefore what is most obscure and unpredictable in politics, but at the same time, it is also what is more resplendent, the brightest thing to arise precisely from that which is dark, sinister and grotesque. This is why the burst of light provided by the “coup” would be impossible without the night, without the impenetrable secret that engendered it, as the cloud engenders lightning, in agreement, moreover, with a metaphor often used by Gabriel Naudé. The “extraordinary caution” that characterizes the “coup d’état” is then the ability to act *in* secret and to act *on* secret, but also in the absence of rules – safe, clear, visible rules – the ability to act and decide amidst the thickest mist, that is to say, “blind”. Therefore, if by chance there is a prudential wisdom regarding the “coup”, not only is that knowledge one that must be kept secret (because it is dangerous in itself and because, somehow, is not voluble to repetition, as the whim and fickleness of fortune), it is also, given its own empirical condition, a self-segregating sort of practical knowledge. Hence its mystery. The “mystery of the State” or a “State secret” contained in any real “coup d’état”.

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## Chronology (Ernst H. Kantorowicz)

1895 Born in Posen (capital then of a Prussian province), May 5.

1914-1918 He served in World War II (France, Russia and Turkey).

1919 He studies economics and history at the universities of Berlin, Munich and Heidelberg.

1921 Under the German cultural *historian* and economist Eberhard Gothein (1853-1923) he wrote his doctoral thesis (till now unpublished) on *Islamic Corporations (Das Wesen der muslimischen Handwerkerverbände*. Dissertation. Heidelberg)

1930-1932 *Honorary professor* (Professor without salary) at the University of Frankfurt-on-the-Main.

1932-1933 *Ordinarius Professor* at the University of Frankfurt-on-the-Main. His tenure was short. With the Nazi’s advent to power and the racial laws of the new German regime, he definitely lost his chair of mediaeval and modern history and was forced into retirement.

1934 He took up a teaching position for a short time at Oxford where he gave lectures at St. John’s College.

1939 He emigrated to the United States of America and joined the history faculty of the University of California at Berkeley.

1949 On 14th June he read a statement on the floor of the university's Academic Senate in which he explains his refusal to sign the loyalty oath required of all University of California employees.

1950 He publishes *The Fundamental Issue: Documents and Marginal Notes on the University of California Loyalty Oath*. He was relieved of his professorship because of his refusal to sign the loyalty oath.

1951 He accepts a professorship at the Institute for Advanced Study and spend the last twelve years of his life in Princeton.

1963 He suffered an aneurism at age 68 and died at his home.

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### **Chronology (Gabriel Naudé)**

1600 Birth of Gabriel Naudé at Paris on February 3.

1620 He enrolls at the University of Padua.

1629 He became librarian to Cardinal di Bagni at Rome.

1633 He receives his doctor degree at Padua.

1641 He became librarian to Cardinal Francesco Barberini

1642 Naudé returns to France.

1643 Opening of Cardinal Mazarin's library to the public.

1652 Naudé arrives at the Swedish court.

1653 Death of Gabriel Naudé at Abbeville.

### **Selected bibliography (Gabriel Naudé)**

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