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Common Past, Divided Truth:

The Truth and Reconciliation Commission in South African Public Opinion

by

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Introduction

„Truth commission has failed." - „Most people believe truth body harmed race relations". These were headlines of South African newspapers, after the newspaper *Business Day* published a public opinion survey on the Truth and Reconciliation Commission (TRC) in July 1998.[1] The survey was like fresh meat dropped in the lions cage of starved Truth Commission critics. The Afrikaans weekly *Rapport* felt confirmed: „The non-refreshing nature of a commission that has striven for two years for so-called truth and reconciliation has fortunately found an end", wrote the newspaper. „Rapport has from the very beginning warned [...] that this commission will not achieve reconciliation. [...] There was less racial tension before the commission than now, after the commission".[2]

Public opinion surveys are always in danger to be superficially and uncritically used for political purposes. The political discourse on public opinion surveys is often as interesting as the findings of the survey results themselves. Results are either embraced as a confirmation of certain policies or if they show negative trends much effort is spent criticising the methodology or the conclusions drawn from the data.

This paper is an attempt to do a little bit more justice to the TRC than judging it on the basis of a single question in a public opinion survey. In fact, survey research on the TRC is says often less about the TRC, than about the respondents. How do ordinary South Africans deal with the TRC process and the apartheid past? What are their feelings on amnesty, compensation and reconciliation? Have South Africans been able to find more common ground in the light of the TRC process? I do not want to be misunderstood. I do not write this paper with the intention to blame South Africans from specific population groups, but I think that a mirror might be helpful to spot the scars of the past that have remained on the face of South African society.

I have entitled this paper 'Common Past, Divided Truth: The South African Truth and Reconciliation Commission and public opinion'. Critical readers may ask, is there indeed a common past in South Africa? Does a common history exist at all? Is history not about remembering and remembering not always a selective process, in which certain events are commemorated and others forgotten? Why talking about a common past, especially in South

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[1] Business Day, 27 July 1998.

Africa? Did apartheid not forcefully entrench difference? What does growing up in the wealthy northern suburbs of Johannesburg, an Afrikaner *dorpie* in the Karoo, the shanty towns of the East Rand and the kraals of Natal have in common? And is historical experience in relation to apartheid repression not divergent among South Africans from different backgrounds? Of course, apartheid has affected everybody, but differently and statistically it were black South Africans who suffered most.

When speaking about a common past I would like to emphasise that although apartheid was experienced differently - all South Africans will remain confronted with the recent history of repression and inhumanity for a long time. Even future generations that never experienced apartheid, nor have any personal responsibility for past injustices, will be confronted with this legacy. Authoritarian regimes might develop sophisticated methods of torturing, killing and making people disappear, but they can never succeed extinguishing their deeds. The experience of human rights violations will continue to live on in the lives of the survivors, their friends, relatives and children. Past atrocities will haunt the consciousness of perpetrators and by-standers for decades and will surely remain a topic of public discourse and moral reasoning in South Africa - even in fifty years time. The apartheid past will not disappear as a common topic of debate. Every South African will be forced to relate in one or the other way to this common past, which transcends personal experience. This is the common past I am speaking about.

Let me turn to the second part of the title: 'Divided Truth'. Do I want to say that there is no truth? Or is this another trendy essay of misunderstood post-modern thought, that makes one feel that normative standards and factual realities have ceased to exist, that the past is only about perception and imagination? Although I concede that what human beings regard as the 'past' is always a cognitive representation - a representation that can be constructed and changed through public myths and historiography - nevertheless I do not want to fall into the trap of post-modern indifference. *Not all interpretations of the past have the same right to be accepted.* Public perceptions are not necessarily proper accounts of reality. Uncritical glorification of the so-called benefits of separate development and images of a 'clean' and always heroic liberation struggle should be challenged. I am speaking about 'divided truth' rather to draw attention to the empirical fact, that public perceptions of the apartheid past continue to differ.

Rapport, 2 August 1998 (translation by the author).

A pluralism of historical perceptions is not inherently bad. Democratic societies are not characterised by a single or imposed account of national history that is beyond rational argument. To the contrary, an active and ongoing discourse about the past and its moral implications is an indicator for a vital democracy. National unity and reconciliation is however impossible on the basis of completely incompatible tales of the apartheid past. Justifications of the apartheid system and past human rights abuses question the basic commitment to the new democracy and its fundamental values entrenched in South Africa's new constitution. Secondly, it is impossible to build interpersonal trust between those who suffered and those who benefited from the apartheid system, when past injustices are ignored, justified or denied. As long as moral judgements about the apartheid past differ fundamentally, and as long as there is no consensus about the commitments that have to be made to alleviate past injustices, South Africa's political culture will remain deeply fragmented across various ethnic and political divisions.

In the following I am going to present some results of a forthcoming bigger study on the public perception of the TRC process that will be published by the Centre for the Study of Reconciliation and Violence. This paper is based on various public opinion surveys from most South African polling and market research institutions. Before turning to the empirical findings I will give an overview on the conducted surveys and make some critical remarks about the benefits and limits of public opinion surveys related to the TRC process.

Quantitative Research on the TRC - Its Benefits and Limits

Already before the Truth and Reconciliation Commission started operating, South African polling institutions asked questions on the issue of past human rights violations. Public opinions on the Truth Commission were surveyed regularly since the proposal to establish such a commission was made by the Minister of Justice in June 1994. Most of these quantitative studies were not exclusively aimed to assess public opinions about the Truth Commission. To date only one quantitative survey has been conducted with predominant TRC focus (Theissen 1997, Theissen & Hamber 1998). Due to financial constraints this survey was however limited to the white population group only. Most surveys touching the topic of the TRC were run in multibus-format. These are surveys run regularly and covering multiple issues, of political or commercial nature.

The methodology of these multibus surveys is of high standard. They usually use area-stratified samples of 2.000 and more respondents from metropolitan, urban and rural areas, from people living in formal and informal settlements. Interviews are conducted face-to-face and in the home language of the respondents.

There are however some problems attached to the analysis of the data of these surveys. As public opinion research on the TRC has largely been conducted in an ad-hoc and unsystematic manner, questions asked on similar topics were worded differently by various polling institutions. This poses some difficulties to provide for reliable trend analysis on the publics' view of the TRC . There has unfortunately been no attempt to ask a coherent set of questions related to the TRC or the apartheid past, before, during and after the public hearings of the TRC. Although all surveys were designed by experienced empirical researches, it was sometimes impossible to prevent flaws in the wording, like loaded questions or unclear response alternatives.[3]

A general limitation of quantitative survey research is that you only get what you ask for. Questions posed may not necessarily reflect the topics that are most relevant to the respondents. The main focus of the public opinion surveys conducted in South Africa on the TRC has been on the impartiality of the truth commission and public opinion about the amnesty process (Idasa 1994; MRA 1996 & 1998; HSRC 1995, 1996; Mark Data 1997; Research Surveys 1996, 1998). Often questions have been asked on, whether the truth commission has been able to promote reconciliation (MRA 1996 & 1998; HSRC 1996; Mark Data 1997; Research Surveys 1998). However, only few questions have asked whether the TRC will succeed or has succeeded in unveiling past human rights abuses (HSRC 1995; Research Surveys 1998). The issue of reparations has not only been marginalised during the TRC process, it has also been largely neglected in public opinion research. Only two surveys asked questions on compensation (Theissen 1997, HSRC 1995). Related topics, such as land restitution and affirmative action have however featured in various surveys.

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[3] A HSRC survey in 1996 asked for example „In dealing with alleged crimes of the past, which of the following possibilities do you prefer?" and gave the following alternatives: 1. Amnesty, 2. A Commission of Truth and Reconciliation, 3. No action by the government. As the amnesty committee is an essential part of the TRC, the alternatives are not distinctive. Does somebody who endorsed „amnesty" now favour a general amnesty, or just the TRC amnesty process. It is left to imagination what respondents might have thought who endorsed the option 'no action by the government'. Does that mean that they are against amnesty and therefore support criminal prosecutions or does it mean rather the opposite: no inquiry into past human rights violations and no prosecutions at all.

There is also scant quantitative empirical research into public perceptions of the apartheid past. Although the transcripts of various TRC hearings provide us with voluminous qualitative material from people who were in mostly directly involved or touched by the past political conflict, we do not know much about the divergent public images of recent South African history in large. I should however mention here the outstanding work of James Gibson and Amanda Gouws (1998) on blame attributions related to past human rights violations, that I will discuss in this paper.

Some surveys have not dealt with the TRC at all, but provide us with deeper knowledge on topics closely related to the TRC. For example, the Community Agency on Social Enquiry (CASE) has conducted surveys on public attitudes towards human rights and socio-economic rights (CASE 1998a, 1998b). More recently, in April 1999, a „Reality Check" survey covering the issues of national reconciliation and trust between racial groups was published in the newspapers belonging to the Independent Newspapers group.

While most quantitative studies provide us with limited information about the response of people directly involved in the TRC process, like survivors, amnesty seekers or ex-combatants, they do however give us a representative perspective of public opinions held by South Africa's main population groups. The results of public opinion surveys will provide us with a better understanding of the impact of the TRC on South African society. This will especially be true if they are combined with findings from qualitative studies like the research done with survivor-groups (Hamber, Mofokeng, Van der Merwe 1998) or case studies on the public interaction and perception of the TRC in Diepkloof, Soweto (Arnold & Dierks 1998) or in Duduza on the East Rand (Van der Merwe, forthcoming).

I have used 'race' as an important category analysing the data of the surveys. This can easily be misunderstood as perpetuating racist classifications used by the apartheid system. I use 'race' as a variable, because the racial classifications of the past have shaped the way the apartheid past and the new South Africa are experienced tremendously. This should not divert attention from the fact that there is often more variance among the opinions and attitudes of people belonging to one category than between people of different background. There are also major differences between and inside various linguistic and cultural subgroups, like English- and Afrikaans speaking whites.

Empirical Findings

In the following I will present results related to four main topics: The first question is whether the TRC did in fact reach the public at all. And whether the TRC process followed differently by white and black South Africans? Secondly, survey results on the public acceptance of the TRC approach are presented. The question how the apartheid past is experienced and reflected is discussed thereafter. Finally, I will touch the question of public attitudes towards the amnesty process. I will unfortunately not be in a position to present you with the whole range of public opinion research on the Truth and Reconciliation Commission. This paper will also not address the question whether the TRC process was sufficient to promote justice, reconciliation and a human rights culture in South Africa. For a more encompassing overview I would like to refer readers to my forthcoming research report (Theissen, forthcoming).

Public Interest in the TRC

Sometimes it was claimed that the TRC process was a 'circus for intellectuals' that would leave most South African untouched. Although one has concede that the priorities of most South Africans are jobs, security, housing and water, and not necessarily the TRC and the apartheid past, it would be wrong, to state that the TRC process was unimportant to most South Africans.

The TRC was a very successful media event. The Commission was present in the morning newspapers on radio and TV, during lunch time and dinner talk. Daily newspapers like the *Business Day* ran about 1,4 Articles on the TRC per each issue for a period of three years (1996-1998). There was extensive broadcasting on the TRC on most South African radio stations. and the TRC often featured daily on the evening news. From the 21st of April 1996 to the 29th of March 1998, the South African Broadcasting Corporation (SABC) aired regularly the Special Report on the TRC every Sunday. For two years Max Du Preez and a team of young journalist reported weekly on the activities of the TRC. Besides reports on the TRC hearings, these broadcasts included interviews with persons involved in the process and documentary footage of the events under investigation.

Although public interest in the TRC process was never directly measured, such data can indirectly be obtained through an analysis of the average ratings of the TRC Special Report. It is obvious that those who switched on their television to watch the lengthy Special Report, were interested in the TRC and the historic events it recaptured. Otherwise people would have switched off their TV or tuned in another channel. Although the data does not provide any information on how the activities of the TRC are perceived, it provides us reliable information whether the TRC process indeed reached ordinary South Africans. The data also shows how public interest in the TRC proceedings developed over time. Findings based on TV viewers are of course not completely representative for all South Africans, as many South Africans have still no access to a television at home. Television is however a very popular medium outside impoverished rural areas.

The television viewing behaviour is continuously monitored electronically for the SABC and the South African Advertising Research Foundation (SAARF) from a representative sample of 2.259 adult South Africans. As only TV owners with electricity at home, are polled African viewers in rural areas, hostels and unserviced informal settlements are underrepresented.

The AMPS-meters measure 'average ratings'. These ratings reflect the percentage of the sampled television viewers, that have switched on a specific channel on their TV. The data is then used to calculate relative reliable estimates how many people from different population groups view specific programmes and advertisements.

Figure 1 records the data of all TRC Special Reports aired on SABC 3 and SABC 1 from 1996 to 1998. The Figure is split into three parts, as the Report was broadcast on different channels and time slots. Firstly, the TRC Special Report was broadcast at 18.45h on the English language channel SABC 3. A channel offering „quality shows" according to the public broadcaster. After January 1997 the Special Report was aired on SABC 1, a channel which features news in African languages and more entertainment. During the first nine months of 1997 the program was aired on SABC 1 at prime time at 20.00h; and in the end, from October 1997 to March 1998, the broadcast was screened on the same channel two hours earlier, at 18.00 h.

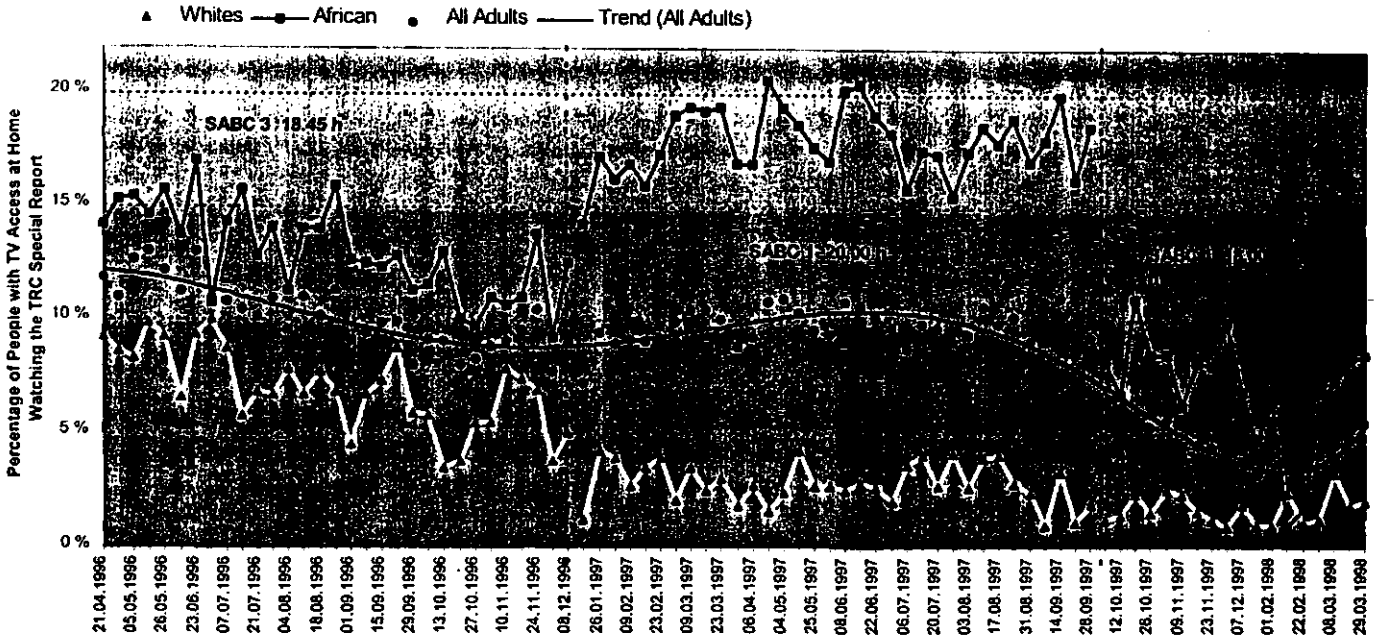
The TRC Special Report often found its way into the Top 10 favourite programmes of the week. During the first year the report was watched by 1.3 to 1.1 million adults per week (see

Table 1). This figure finally dropped to an average of 510.00 people, after the program was finally moved to the 18.00 h slot on SABC 1 at the end of 1997.

The extend of public interest in the TRC process may be best understood, if one compares the TRC Special Report ratings with those of other broadcasts. During the first months of the TRC process white South Africans switched the Special Report nearly as often on, as for the English 20.00 h news. Screened at 20.00h on SABC 1, the Special Report reached ratings among African people similar to their ratings of evening newscasts in African languages.[4] While viewing was evenly distributed between male and female citizens - the average rating was 8,6% for male and 8,8% for female persons - the TRC Special Report was seen more often by elderly people (see Table 1). This age difference must probably be attributed to the fact that elderly people spent their Sunday evenings more often at home as they do engage less in recreational activities outside their domicile. Viewing peaked among Sotho-speaking people. Here the average rating reached 15,2 percent for the whole period between April 1996 and March 1998.

[4] See the weekly AMPS Meters published by the South African Advertising Research Foundation.

Figure 1: Average Ratings of the SABC Special Report on the TRC, 1996-1998



Source: SABC Research Department

Table 1: Average Ratings of the TRC - Special Report, 1996-1998

Period / Station, Timing	Mean Percentage of People Watching the Special Report on the TRC (*Adult Viewers in Million People*)							
	Apr-Dec 1996 SABC 3, 18.45 h		Jan-Sep 1997 SABC 1, 20.00 h		Oct '97 - Mar '98 SABC 1, 18.00 h		Apr '96 - Mar '98 (Whole Period)	
All Adults (+16 years)	10,2 %	*1,16 mil.*	9,6 %	*1,10 mil.*	4,4 %	*0,51 mil.*	8,7 %	*1,00 mil.*
African	13,0 %	*0,67 mil.*	17,9 %	*0,92 mil.*	7,0 %	*0,36 mil.*	13,7 %	*0,71 mil.*
Coloured	10,0 %	*0,17 mil.*	2,4 %	*0,04 mil.*	2,9 %	*0,05 mil.*	5,4 %	*0,09 mil.*
Indian	8,1 %	*0,09 mil.*	3,9 %	*0,04 mil.*	2,4 %	*0,03 mil.*	5,1 %	*0,06 mil.*
White	7,0 %	*0,24 mil.*	2,8 %	*0,10 mil.*	1,7 %	*0,06 mil.*	4,1 %	*0,14 mil.*
16-24 years	7,7 %	*0,27 mil.*	7,6 %	*0,26 mil.*	3,5 %	*0,12 mil.*	6,7 %	*0,23 mil.*
25-34 years	8,8 %	*0,21 mil*	9,5 %	*0,23 mil.*	4,0 %	*0,10 mil.*	8,4 %	*0,20 mil.*
35-49 years	11,4 %	*0,30 mil*	9,8 %	*0,26 mil.*	4,6 %	*0,12 mil.*	9,3 %	*0,24 mil.*
+ 50 years	12,9 %	*0,38 mil.*	12,0 %	*0,35 mil.*	5,7 %	*0,17 mil.*	11,0 %	*0,33 mil.*

Source: SABC Research Department

White, Coloured and Indian interest in the TRC proceedings remained constantly lower than that of African viewers. This trend was reinforced, when the decision was taken to screen the Special Report on SABC 1. The program was now screened parallel to the English 20.00 h news on SABC 3. Average figures for whites dropped significantly from seven to 2,8 percent, where they largely remained until September 1997 (see Figure 1 and Table 1).

Among Africans average ratings increased to about 16 to 21 percent, as the program was now screened during prime time on SABC 1, the favourite TV channel of black South Africans. While one may congratulate the SABC for moving the Special Report to prime time, the decision increased the already unevenly distributed viewing patterns between African, Coloured, Indian and White South Africans. The TRC's aim to educate all South Africans about past human rights violations through the media was now more difficult to reach.

It should be said, that the higher average ratings among of African viewers (see Figure 1) reflect in part different media consumption patterns between black and white South Africans, which are generally held. While average ratings among white South Africans seldom exceed a rate of 13 percent, the most popular programmes reach 22 and more percent among Africans.

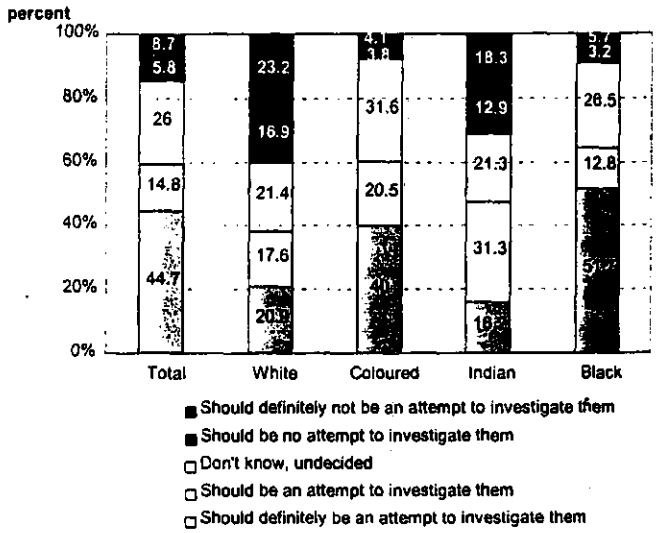
Although public interest in the TRC dropped from 12,5 percent to 9,5 percent during 1996, the Special Report could maintain a very big and stable audience over time, especially among black South Africans. This is clearly a sign that the TRC went to the heart of many South Africans. Only the non-African minorities preferred to switch off their television, after

following the process closely in the beginning. The TRC-Special Report will nevertheless be remembered as was one of the most successful non-entertaining programs ever screened on South African television. The classes of the 'biggest public history lesson' of the country were indeed packed, when they were screened to South Africans at home.

Public Acceptance of the TRC Approach

Already before the TRC was starting to work, public opinion on whether past human rights violations should be investigated or not was split along historical cleavages. A first survey, conducted in August 1994 by IDASA showed that 60% of all South Africans were in favour of "a Commission to investigate crimes that occurred under the previous government" (Figure 2). However, support varied strongly between the different population groups. While 65% of all Africans supported the establishment of a TRC, only 39% of white South Africans were in favour of it, while 40% opposed.

Figure 2: Should there be a Commission to investigate crimes that occurred under the previous government? (August 1994)



Source: IDASA, August 1994

A later survey conducted by the HSRC in May 1995 confirmed these patterns of opinion. Forty-three percent of all South Africans were in favour of the establishment of a TRC, with only 27% opposed to it. But while the majority of black South Africans supported the establishment of a TRC, around 53% of all white South Africans rejected it. (see Table 2).

Table 2: Are you in favour of the establishment of a TRC? (All South Africans, May 1995)

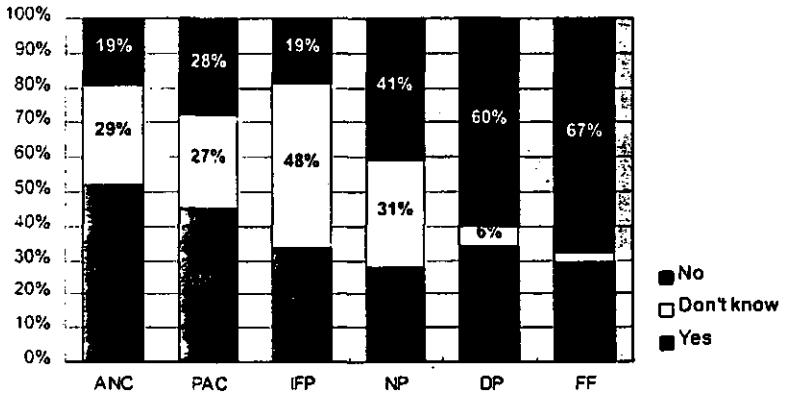
	white (N=445)	asian (N=158)	coloured (N=219)	black (N=1407)	*total (N=2229)*
yes	35 %	31 %	25 %	48 %	*43 %*
no	53 %	28 %	31 %	20 %	*27 %*
don't know	12 %	40 %	44 %	32 %	*30 %*
	100 %	99 %	101 %	100 %	*100 %*

Source: HSRC, May 1995

Support for a TRC was especially strong among supporters of the ANC and lowest among supporters of the DP and the Afrikaner Freedom Front. (see Figure 3).

The rejection of the TRC was significant higher among Afrikaans-speaking whites (59%) compared to English-speaking whites (48%). White students were the only group within the white community to favour the establishment of a TRC, with 53% supporting the TRC and 35% opposing it.

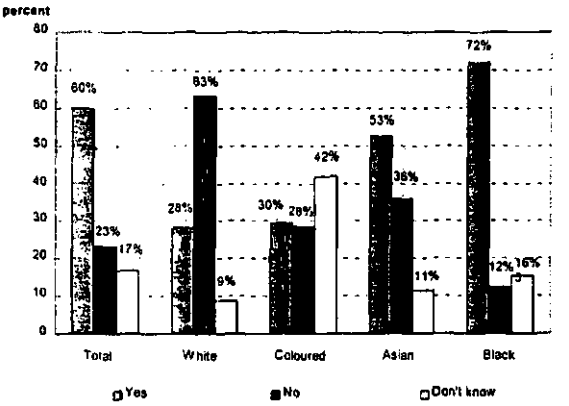
Figure 3: Are you in favour of the establishment of the Truth Commission?



Source: HSRC, May 1995

Nearly two out of three white South Africans viewed the establishment of a TRC with mistrust. Sixty three percent doubted whether the TRC would be able to find out what really happened with regard to human rights violations (Figure 4). The expectations of black South Africans were quite different. Seventy-two percent were confident that the TRC would be able to accomplish this task.

Figure 4. Do you think the TRC will be able to find out what really happened with human rights violations? (May 1995)



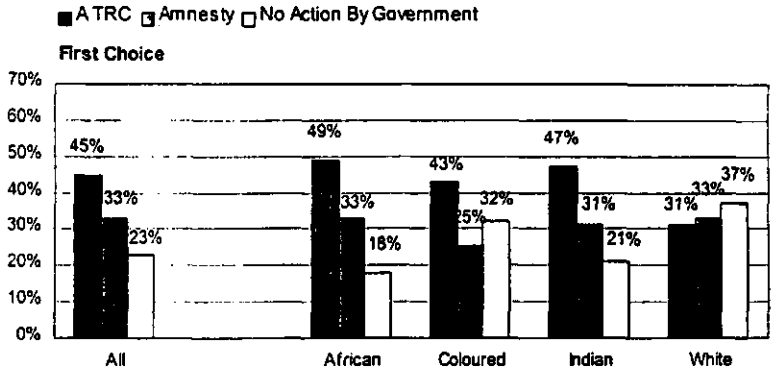
Source: HSRC, May 1995

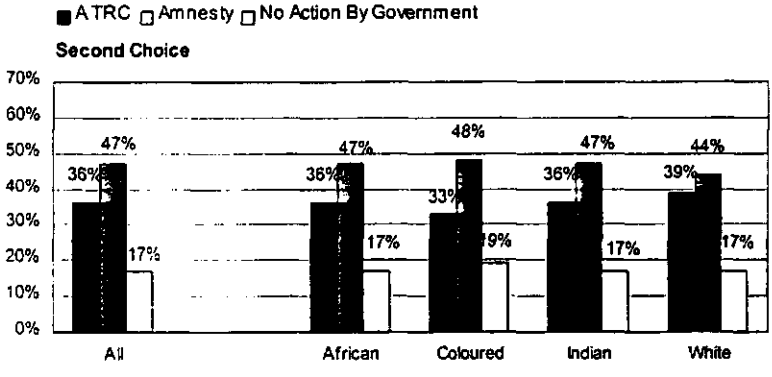
Results from a survey conducted in June 1996 confirm that the Truth and Reconciliation Commission was the first choice of most South Africans. 'Amnesty' or 'no action by the government' ranked second and third (see Figure 5.1).

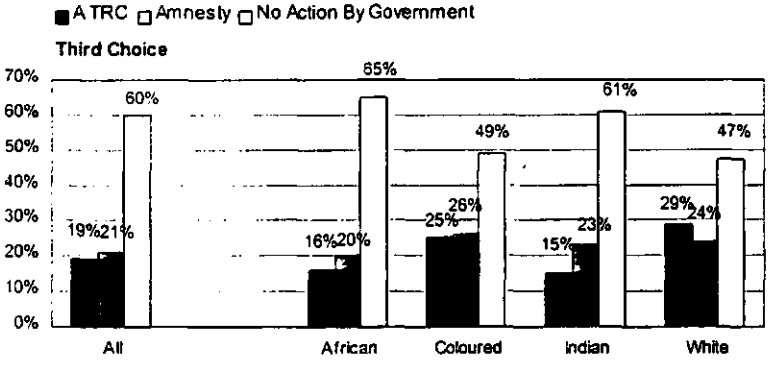
It must be stressed that the response alternatives given by the July 1996 HSRC-survey are unclear. Firstly, the TRC process also entails amnesty for past political crimes. Secondly responses like 'no action by the government' must not necessarily reflect the belief that impunity should continue. Respondents could have had in mind that the ordinary course of criminal justice should prevail. Although the granting of amnesty was less popular than the TRC, there is some agreement among all population groups that amnesty should not be ruled out. One out of three respondents mentioned amnesty as first choice and nearly every second respondent (47 percent) as a second choice (see Figure 5.1 and 5.2). More recent survey data, however, demonstrates considerable disagreement across the South African society, on which conditions amnesty may be granted and who should benefit from it. I will come back to this later.

Figures 5.1-3:

In Dealing With Alleged Crimes of the Past, Which of the Following Possibilities do you Prefer?







N = 2136

Source: HSRC, June 1996

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The option 'no action of the government', probably interpreted by most respondents as a 'no' to criminal and other investigations into past human rights violations, was chosen by 37 percent of white South Africans, followed by support for amnesty (33 percent) and the TRC (31 percent). White opinion was considerably split on this issue. It should be noted that forty-seven percent of white South Africans ranked 'no action by the government' as last. Resistance against a 'forgive and forget' approach to past atrocities is strongest among African respondents. Two out of three black respondents (65 percent) ranked it as the least preferred solution to the legacy of past atrocities (see Figure 5.3). The choices of coloured people and South Africans of Asian origin reflect in general the response patterns of their African fellow citizens.

There was relative consensus among all South Africans that the TRC hearings should be held in public (HSRC 1995). Seventy percent of all African respondents, and every second white respondent supported this view. Only about 14 percent of all respondents preferred in May 1995 that the TRC should operate behind close doors.

Experiences under Apartheid and Perceptions of the Apartheid Past

The magnitude of pain and injury caused by apartheid goes beyond the many stories told to the Truth Commission. Apartheid was a everyday experience and the injuries caused were more complex than those which felt under the narrow definitions of gross human rights violation, that were the focus of the TRC. In the second quarter of 1996 James Gibson and Amanda Gouws (1997) asked a representative sample of South Africans to record the different injuries and restrictions they experienced under apartheid (Table 3).

The assault of apartheid was experienced predominately by the black population, especially by African and Coloured people. Nearly one out four Coloured South Africans had to move their residence because of apartheid laws, about one out of six African respondents reported being assaulted by the police and one out of ten African interviewees said they had been detained by the authorities. Apartheid repression was a common feature in the life of many non-white South Africans.

Table 3: Injuries experienced during the apartheid era

Here is a list of things that happened to people under apartheid. Please tell me which, if any, of these experiences you have had.

	Percentage reporting			
Injuries from apartheid	African	Coloured	Indian	White
Required to move my residence	15,9 %	24,2 %	18,6 %	1,4 %
Lost my job because of apartheid	16,3 %	11,3 %	4,5 %	1,8 %
Was assaulted by the police	16,6 %	11,3 %	3,3 %	1,6 %
Was detained by the authorities	10,2 %	7,7 %	1,9 %	0,6 %
Was imprisoned by the authorities	6,8 %	5,6 %	0,4 %	0,6 %
Was psychological harmed by the authorities	18,5 %	12,5 %	12,3 %	3,7 %
Was denied access to education of my choice	39,3 %	24,6 %	24,2 %	1,4 %
Was unable to associate with people of different race and colour	47,3 %	37,1 %	35,7 %	14,5 %
None of the above	36,9 %	48,4 %	53,7 %	82,3 %
Profited from the system	1,7 %	5,2 %	4,5 %	18,9 %

From: Gibson & Gouws (1997), April-June 1996

Further, about one quarter of Coloured and Indian respondents, and 39 percent of all African interviewees reported to have been denied access to education. Loss of job and psychological harm were also frequently mentioned by black respondents. Among white South Africans only the restrictions placed on social life and psychological harm were reported by over two percent. The prevention of social interaction, was however mainly felt as a harm by non-white South Africans. Only 14,5 % of all white respondents mentioned this as a restriction. Either white South Africans did not experience social interaction as restricted, or they were just less interested in sharing their time with people from different racial and cultural backgrounds.

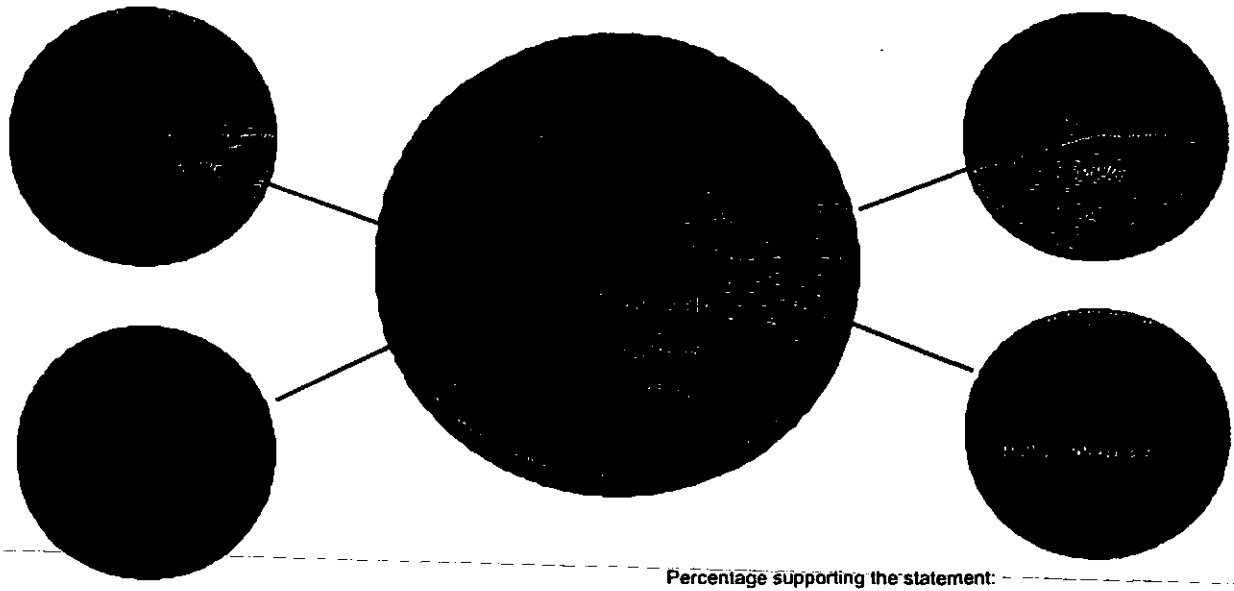
About four out of five (82 %) white South Africans did not report any physical, psychological and social harm experienced under apartheid. There are also significant proportions of African, Coloured and Indian South Africans who do not report any injury.

At the same time only few (18,9 %) white South Africans reported to have profited from the apartheid system. *Only a small section of white South Africans believes that they have indeed been beneficiaries of the apartheid order.* This perception contributes to the 'white' resistance against redistribution measures. (see Figure 6).

Figure 6:

Support for Redistribution

Respondents were classified as being 'for' redistribution if they said yes to more than half of the statements below



Percentage supporting the statement:

	All	African	Coloured	Indian	White
People who were forced off their land should get their land back or get compensation for their loss.	84 %	93 %	89 %	82 %	48 %
Workers on farms should be given their own land on the farm.	72 %	88 %	71 %	59 %	9 %
Government must ensure that all people have adequate housing, even if people cannot afford to pay for it.	57 %	62 %	66 %	73 %	27 %
Services like water should be provided free for poor people.	65 %	72 %	65 %	67 %	38 %
Businesses should pay more taxes to help the poor.	53 %	62 %	64 %	64 %	16 %
Wealthy suburbs should subsidise services for poorer areas.	49 %	55 %	46 %	29 %	14 %

Source: Reality Check, November 1998

Many white South Africans are at the same time inclined to regard themselves as the victims of the new democratic order. Nearly half (45 %) of all white respondents claim that life under apartheid was better, although only few of them had to make major sacrifices under the new order. Only 14 percent claim the opposite (Table 4).

Table 4: How would you judge your life under apartheid compared to now?

	We are interested in your experiences under the old system of apartheid. In general, how would you judge your life under apartheid compared with now?					
	a lot better (+4)	a little better (+2)	about the same don't know (0)	a little worse (-2)	a lot worse (-4)	mean
African	6,9 %	18,6%	22,0 %	9,5 %	43,0 %	- 1,26
Coloured	13,8 %	20,7 %	26,8 %	13,4 %	25,2 %	- 0,31
Indians	14,2 %	20,9 %	28,4 %	14,6 %	19,0 %	- 0,07
Whites	25,2 %	19,8 %	39,7 %	9,6 %	4,3 %	+ 1,04

Source: Gibson & Gouws (1997), April-June 1996

While Coloured and Indian South Africans are spilt whether life was better under the old system or new system of government, most African respondents articulate that life under apartheid was worse. 43 percent say that life was a lot worse. The attitude towards the apartheid past correlates strongly with attitudes towards the new political system and its institutions, including the TRC. Those who feel that life under apartheid was bad, are more in favour of the new democracy and its institutions. Although economic considerations are highly relevant whether people consider life under the apartheid past better or worse, the response to the statement says also much about the general attitudes towards the past political system. It needs not to be said that the enjoyment of political rights are a significant factor in determining the citizens' perceptions of quality of life. This is especially reflected in the response of the African population towards the statement. Unfortunately the liberation of South African from authoritarian minority rule is not seen as such a contribution towards the quality of life, that it can neutralise negative perceptions of the new democratic order of many white South Africans. The discourse of the good old days of apartheid may increasingly isolate white South Africans from their African compatriots. Many black people will rightly ask, how can they dare to ignore the injustices done to many of us? How can we reconcile with people, who seem only concerned about their loss of privilege, but not about the suffering others experienced? Why do white South Africans not admit to the privileges they

enjoyed? And why do many of them consider themselves now as the 'victims', although most of them continue to be better off than all other South Africans in comparative terms? For sure, the different perception of the apartheid past of white and black South Africans will slow down reconciliation.

The TRC legislation did not differentiate whether past political crimes were committed by the liberation movements or the apartheid regime. It was therefore criticised that the TRC could unintentionally further moral indifference: The fact that crimes committed on both sides should be investigated and indemnified could, for example, support the notion of the apartheid repression as a war between two similar parties, were both sides did their wrongs. This narrative ignores the very fact that political crimes were committed on the one side by a illegitimate government that disregarded basic human rights to most of its citizens, and on the other side by a liberation movement which only embarked on an armed struggle after peaceful attempts to change the political situation in South Africa had failed.

The perception that there is no moral difference between committing acts in the course of a liberation struggle and crimes to suppress the black liberation movements is still very popular among white South Africans. When we asked white respondents in a telephone survey in May 1996 "is there a moral difference between somebody who committed an act as a freedom fighter and somebody who committed a crime in order to defend the former political system", 81 percent responded with 'no'. Eleven percent felt that crimes committed to defend the apartheid system were more justified and only eight percent said that those acts committed during the freedom struggle were more justified on moral grounds (Theissen 1997:66).

The equalising of apartheid repression with the deeds committed during the armed liberation struggle might explain, why more and more African respondents started to hold the view that the TRC should investigate only the abuses of the apartheid regime. While this view was shared by 23 percent of all African respondents in 1994, this figure increased to 49 percent in 1996. White support for the TRC approach, however, remained relatively stable. In 1994 seventy-six percent preferred that the crimes of both sides should be investigated, in 1996 this percentage had slightly dropped to 70 percent (Table 5).[5]

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[5] The decrease in support for the TRC's approach of investigating human rights violations of both sides, may in part be attributed to the different wording of the questions. The question in the IDASA survey proposed both alternatives, while the HSRC survey offered only one statement, to which people had to agree or disagree. As respondents have a general tendency to be 'nice' to the interviewer and agree more to the statements than they would disagree if they would be confronted with a inverse worded statement, the response pattern to the 1996

Table 5: Attitudes towards the investigation of crimes of the apartheid government and the liberation movements

IDASA, 1994 [a]	The Truth Commission should investigate...			
	Only crimes in support of the former government (+3)	Have not thought about it (0)	Crimes committed by both, the liberation movements and the former government (-3)	Mean
All	18 %	24 %	58 %	- 1,2
African	23 %	24 %	53 %	- 0,9
Coloured	7 %	29 %	64 %	- 1,7
Indian	2 %	31 %	67 %	- 2,0
White	2 %	23 %	76 %	- 2,2

HSRC, June 1996	*The commission of Truth and Reconciliation should investigate apartheid related abuses of human rights, but not those of the liberation movements*					
	Strongly agree (+4)	agree (+2)	Don't know (0)	disagree (-2)	strongly disagree (-4)	mean
All	14 %	27 %	19 %	26 %	14 %	+ 0,0
African	18 %	31 %	19 %	25 %	7 %	+ 0,6
Coloured	4 %	25 %	28 %	28 %	15 %	- 0,5
Indian	3 %	22 %	36 %	19 %	21 %	- 0,7
White	3 %	13 %	13 %	29 %	41 %	- 1,8

[a] (IDASA 1994) *Some people say such a commission should only investigate those crimes committed in support of the former government, others say it should investigate all crimes committed by both the former liberation forces and supporters of the former government. With which do you agree or haven't you had a chance to think about that?*

Public Opinion about the TRC-Amnesty Procedures

In May 1996 Market Research Africa asked South Africans, whether they agree that *„once a person has told the Commission about the crime or crimes they committed they should be given amnesty and not prosecuted"*. Although full disclosure is only one of the criteria that the Amnesty Committee has to consider in its decision making, it is the essential precondition for granting amnesty. As most victims of gross human rights violations are black, one would expect that opposition to amnesty is especially strong among African

survey would probably have been slightly different, if the statement had been worded 'the TRC should investigate political crimes of both, the liberation movements and the former apartheid government'.

respondents. Discontent with the amnesty procedures of the TRC was articulated strongly by family members of prominent slain activists. Understandably they wanted justice to be done. They argued that perpetrators of gross human rights violations should not be honoured with impunity and that victims should not loose their right to lay civil claims against them. The Biko, Mxenge and Ribeiro families therefore challenged the amnesty provisions of the National Unity and Reconciliation Act before the Constitutional Court. The Court upheld the TRC-legislation, although some of its sections conflict with current developments in conventional and customary international law (Dugard 1997).

Contrary to these expectations African respondents were more willing to grant amnesty to perpetrators of human rights violations (41 percent support, mean: + 0,2) than Coloured, Indian and White respondents, when they were asked about their opinion in May 1996 (Table 6, first statement). The later disagreed overwhelmingly with the statement that people should be granted amnesty (means between -0,5 and - 0,8). In general, the public was split on the amnesty issue (mean: - 0,1). The most impoverished (Less than R499 monthly income) were most willing to grant amnesty to people who testified (44 % support for amnesty, mean + 0,3) while the wealthy (more than R 5000 Rand income) were overwhelmingly opposed to amnesty (50 % against amnesty, mean -0,7). Support for amnesty was strongest among provinces with predominantly rural black inhabitants - Mpumalanga and Northern Province showed 54 percent support (mean +0,9) - and lowest in the Western Cape and KwaZulu Natal. In both provinces respondents were overwhelmingly against amnesty (mean - 0,6). This can be explained by the high percentage of non-African inhabitants in the Western Cape and the ongoing political violence in KwaZulu Natal.

Table 6: Attitudes towards Amnesty

MRA , May 1996	*Once a person has told the Commission about the crime or crimes they committed they should be given amnesty and not prosecuted*					
	strongly agree (+4)	tend to agree (+2)	neither don't know (0)	tend to disagree (-2)	strongly disagree (-4)	mean
All	17 %	19 %	23 %	22 %	19 %	- 0,1
African	22 %	19 %	23 %	16 %	20 %	+ 0,2
Coloured	5 %	23 %	21 %	40 %	12 %	- 0,6
Indian	10 %	18 %	11 %	41 %	19 %	- 0,8
White	11 %	19 %	25 %	27 %	18 %	- 0,5
All English-speakers	7 %	18 %	24 %	35 %	16 %	- 0,7
All Afrikaans-speakers	11 %	21 %	22 %	28 %	18 %	- 0,4
Income <R 499	28 %	16 %	26 %	10 %	21 %	+ 0,4
Income R500-R1999	18 %	20 %	23 %	20 %	19 %	+ 0,0
Income R 2000-R4999	15 %	20 %	22 %	25 %	16 %	- 0,2
Income > R 5000	9 %	17 %	24 %	31 %	19 %	- 0,7

Research Surveys, October 1996, only black and white respondents	*Do you think that [people who may have done evil things in the past] should be given amnesty if they come clean and offer to testify to the Truth Commission?*			
	yes (+3)	don't know (0)	no (-3)	mean
All	48 %	24 %	28 %	+0,6
African	49 %	24 %	27 %	+0,6
White	39 %	27 %	35 %	+0,1
White / Afrikaans	41 %	27 %	32 %	+0,3
White / English	37 %	26 %	37 %	+0,0
Income < R6000	48 %	24 %	28%	+0,6
Income > R6000	40 %	24 %	37 %	+0,1
Metro	48 %	20 %	32 %	+0,5
Small Urban	53 %	22 %	30 %	+0,8
Rural	47 %	30 %	23 %	+0,7
Respondents in KZN	38 %	36 %	25%	+0,4

After the first amnesty hearings were held by the TRC in June 1996, support for the amnesty process of the TRC increased. Five month later, in October 1996, forty-nine percent of all African respondents and 39 percent of all white respondents were willing to grant amnesty to perpetrators 'that have come clean and offered to testify before the Truth Commission' (see Table 6, second statement). The public could now see that perpetrators would not 'get off' easily at the TRC. There would be no pardon without appearing in front of running TV cameras. The increased support for the TRC amnesty procedures may of course in part be due to the differently worded statement, which suggested that the perpetrator did not

only have tell the truth, but had also to 'come clean'. This was probably interpreted by most respondents as some form of sincere admission of guilt and regret. The personalities of the first applicants might also have influenced public opinion. The TRC was directed by law to hear amnesty applications from prisoners first. Justice - understood as criminal punishment - was already enacted upon them, this process was rather about pardoning people that were already punished, than granting impunity. With few exceptions most prisoners applying for amnesty also belonged to the liberation movements. One may therefore assume that many supporters of the liberation movements felt that these applicants are indeed entitled to get amnesty and should be released from prison as fast as possible.

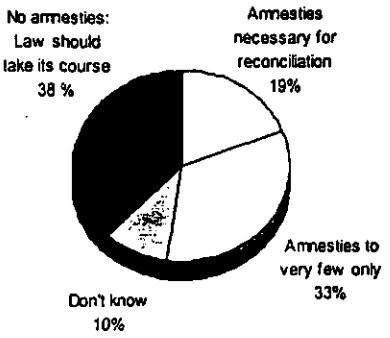
Besides these possible factors explaining the support for the TRC amnesty process the intriguing question remains: Why is the amnesty process more supported by African respondents (mean: + 0,6; October 1996) than all other minority groups, like white Afrikaners (mean + 0,3) which were more closely aligned to the apartheid state and might therefore consider to benefit from the amnesty provisions of the TRC-Act?

Probably the acceptance of the TRC amnesty process can only be understood properly by referring to the concept of *ubuntu*. Attached to this concept is the belief that individuals who harmed society may be reintegrated into the community, especially if they have shown humanity, are willing to restore and serve again the collectivity.

The notion of *ubuntu* may of course be exploited by politicians, 'nation builders' and intellectuals to sell political compromise as indigenous virtue. As justice will be sacrificed for most victims of apartheid, *ubuntu* may be misused as an ideology to make the poor and powerless accept their fate. Such an interpretation however would not do justice to importance of *ubuntu* in South African political culture. It is definitely wrong to claim that *ubuntu* is an imported concept, not rooted in African cultures. The fact that the African, non-metropolitan poor are most willing to grant amnesty supports this interpretation. If traditional African values like *ubuntu* still enjoy high support, then in particular in this population group.

The prevailing culture of *ubuntu* does not necessarily mean unqualified support for amnesty. Although more than half of all South Africans think that amnesty may be granted in certain instances, amnesty is not very popular. Amnesty is only regarded as an exception, that might be considered for specific cases. This is confirmed by the response to a MarkData survey conducted in June 1997. Respondents were asked the following question:

Figure 7: Amnesty or Punishment?



Source: MarkData, June 1997

„The TRC is deciding whether or not to grant amnesty - that is freedom from prosecution or release from prison - to people who confess to things they have done and express regret about their deeds. Do you feel that amnesties are necessary to achieve reconciliation, amnesties should only be given in a very few cases, or no amnesties should be given and the people, if found guilty in a normal court, should be punished?"

Although the statement suggested that only those perpetrators who show remorse should be granted amnesty - a precondition not specified in the TRC-Act - nearly four out of ten South Africans do not like the idea of amnesty at all. (Figure 7). Only 19 percent of all respondents claim that amnesties are necessary for reconciliation. According to every third South African amnesty should be restricted to few people, and a considerable percentage of all respondents (38 percent) favour criminal prosecutions over any amnesty process.

Blaming Phillip - Perceptions of Culpability and Attitudes towards Amnesty

The most interesting insights into public attitudes towards amnesty can be derived from the research conducted by the James Gibson and Amanda Gouws (1998). They included an experimental design into the second wave of a representative national panel study. Each respondent was confronted with a story about Phillip, who had killed opponents during the past political conflict in South Africa. But not everybody got the same story. There were in total 16 different versions of the story. The stories were manipulated in order to find out under which conditions South Africans would blame Phillip. Gibson and Gouws manipulated the actor (in half of all stories Phillip was a member of the armed wing of the MK, in the remaining he was a member of the security branch of the police), the persons that were killed (either people who had been involved in the struggle about apartheid or people who had not been involved), whether he was following orders or was in command, and whether his actions were motivated by hatred against his opponents or not. In total this lead to the 16 different

versions of the story which were randomly assigned to African, Coloured, Indian and White respondents.

Version 1 of the story about Phillip read as follows:

Phillip was a member of the Security Branch of the South African police. He was a senior official in the organisation, he gave orders that others had to follow. As a result of his actions, people who were not directly involved in the struggle over apartheid were killed. Phillip says that his actions were motivated by hatred towards those he killed.

Version 16 read:

Phillip was a member of MK, the ANC's military wing. He was not a senior official in the organisation and therefore had to take orders from others higher up in the organisation. As a result of his actions, people who were directly involved in the struggle over apartheid were killed. Phillip says that his actions were motivated by the belief that what he was doing was necessary and justified by the struggle.

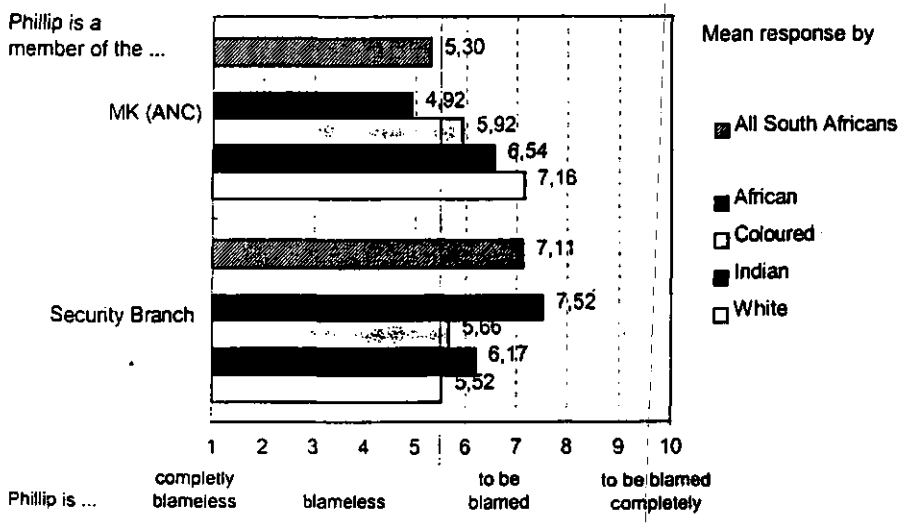
Afterwards respondents were asked, whether they would „blame Phillip personally for what happened in this story" on a ten point scale. Extreme responses (1 and 10) were categorised as completely blameless or complete blame, while the remainders (2-5 and 6-9) were categorised as blameless and blame respectively. Each interviewee was then asked what should be done with Phillip. Should he be punished, forgiven, or granted amnesty? Should Phillip's victims be allowed to sue him in court?

The results of the experiment are shown in Table 7. There are no big differences between African, Coloured, Indian and White South Africans in the response to all 16 versions of the Phillip story. In average all population groups tend to attribute the same blame to Phillip. Coloureds respondents are only slightly less inclined to blame Phillip (mean: 5,80) than African (mean: 6,18), White (mean: 6,29) and Indian (mean: 6,37) respondents. This picture changes however dramatically when the actor manipulation is taken into account.

Table 7: Human Rights Violations and Attribution of Blame

Phillip is ...	Completely Blameless (1)	Blameless (2-5)	To be blamed (6-9)	Completely to be blamed (10)	Mean
All Vignettes					
All South Africans	15.4 %	28.4 %	27.2 %	29.0 %	6.18
African	17.1 %	27.0 %	24.3 %	31.6 %	6.18
White	5.9 %	37.8 %	43.6 %	12.8 %	6.29
Coloured	17.1 %	27.4 %	29.1 %	26.5 %	5.80
Asian	6.5 %	37.0 %	33.8 %	22.7 %	6.37
Actor: MK (ANC)					
All South Africans	21.5 %	34.4 %	22.8 %	21.3 %	5.30
African	25.6 %	36.0 %	18.3 %	20.0 %	4.92
White	1.1 %	27.3 %	53.4 %	18.2 %	7.16
Coloured	14.5 %	29.0 %	24.2 %	32.3 %	5.92
Asian	7.1 %	33.3 %	32.1 %	27.4 %	6.54
Actor: Security Force					
All South Africans	8.9 %	22.1 %	31.8 %	37.1 %	7.11
African	8.0 %	17.3 %	30.7 %	44.0 %	7.52
White	10.0 %	47.0 %	35.0 %	8.0 %	5.52
Coloured	20.0 %	25.5 %	34.5 %	20.0 %	5.66
Asian	5.7 %	41.4 %	35.7 %	17.1 %	6.17

Figure 8: Actor and Attribution of Blame Across the South African Society



N = 1237

Source: Gibson & Gouws (1998), Nov-Dec 1997

In the lower half of Table 7 the responses to the stories in which Phillip is presented as a MK and a Security Branch policeman are analysed separately. The general response is that a member of the ANC liberation forces should be blamed less (mean: 5,3) than a Security Branch officers (mean: 7,11). South Africans are however not completely uncritical of the ANC's armed struggle. Even among African respondents 48 percent attribute some blame on Phillip for his actions. On general population level one might assume that people clearly differentiate between the acts committed during an armed resistance struggle against a illegitimate regime, and the deeds committed by apartheid forces. A closer look reveals, however, that this opinion is not at all shared by all population groups. *There is no consensus that the deeds of the armed resistance and the repression of the apartheid regime have to be judged differently.* While 62 percent of all African respondents say that Phillip as a member of the ANC armed wing is not to be blamed for his actions (mean: 4,92), only 28 percent of white respondents share this view (mean: 7,16). The opposite pattern emerges when Phillip is a member of the Security Branch of the South African police. Only 25 percent of African respondents feel that Phillip should not be blamed for his actions (mean: 7,52), while 57 percent of white respondents do not attribute blame to him (mean: 5,52).

The attribution of blame for human rights violations is highly polarised in the South African society. While African South Africans are inclined to blame MK members less for their deeds than members of the Security Branch, most white South Africans still regard the killings of the Security Branch less blameworthy as than those of the armed liberation force.

Let us turn to the question of amnesty, forgiveness and punishment. After the story was read to the respondents, each interviewee was asked separately whether they would forgive Phillip, grant him amnesty, punish him, or allow his victims to sue him in court. By asking every respondent these questions separately, Gibson and Gouws took into account, that human beings usually differentiate between forgiveness and amnesty. While forgiveness has a more moral connotation and refers to a personal act of mercy that can only take place between a victim and a perpetrator, amnesty is per definition an act of mercy by the state. Amnesty does not extinct guilt, nor does it encompass forgiveness. Strictly speaking it only means that the state is refraining from the execution of criminal punishment. Furthermore Gibson and Gouws distinguished between the granting of amnesty in respect to criminal

liability and the granting of amnesty in respect to civil liability, as they asked separately whether Phillip should be granted amnesty and whether the victims should be allowed to sue Phillip in court.

The willingness to grant amnesty to Phillip and forgive him depends strongly from the blame they attribute to him (Figure 9). As the attribution of blame is again highly dependent on the actor - whether Phillip is a member of MK or the Security Branch - white and black South Africans tend to disagree with amnesties granted to perpetrators from the former opposition camp. In other words: *The consensus who should benefit from amnesty and who not, is relatively fragile.*

Other important conclusions can be drawn from the results presented in Figure 9:

1. *The willingness to forgive is clearly less strong than the acceptance that the state may grant amnesty to a perpetrator.* Although 51 percent of all respondents, who feel that Phillip is to be blamed for his actions, are willing to grant amnesty to him - the willingness of those who blame Phillip is significant lower (42 percent).

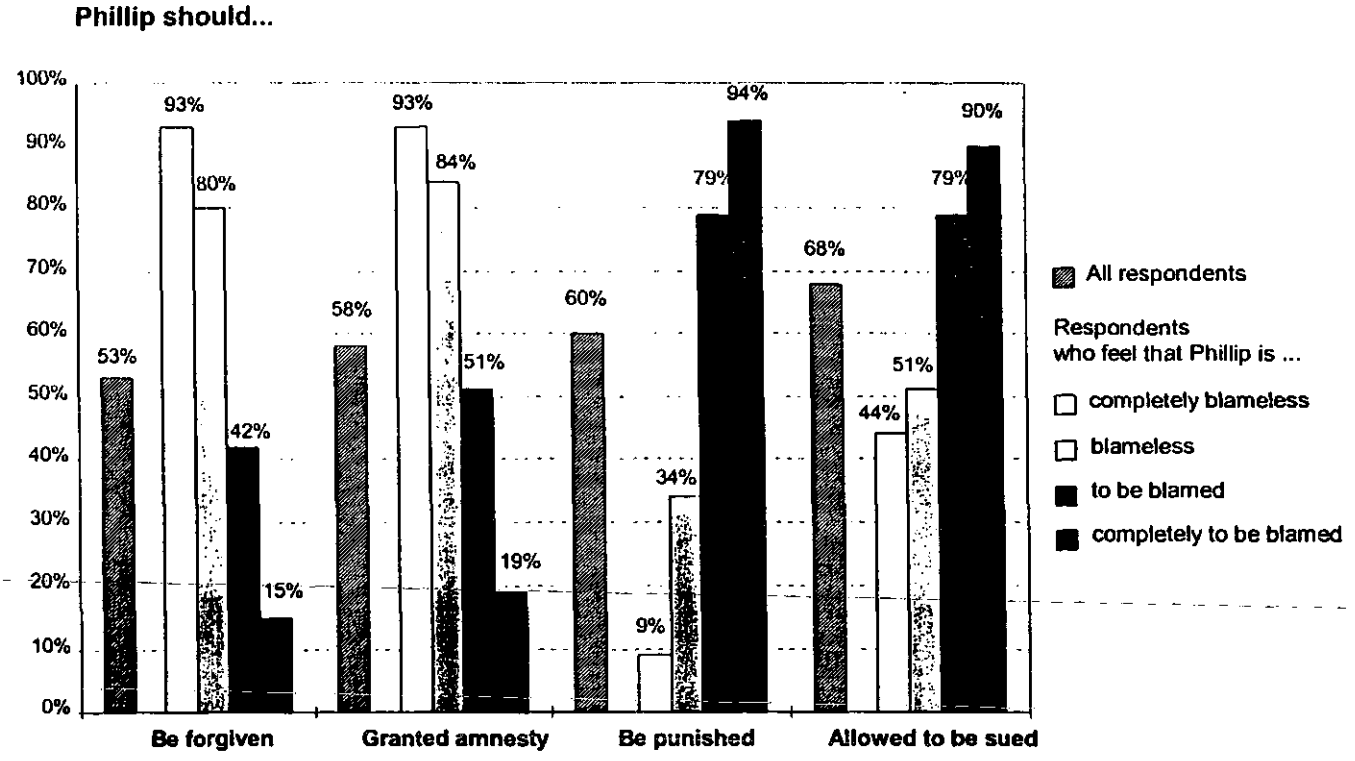
2. *Punishment and Amnesty are not seen as two options which rule each other out. Mercy is widely accepted, impunity not.* On first sight it might appear contradictory that of those respondents who attribute blame to Phillip, 51 percent are willing to grant amnesty to him, and 79 percent feel that Phillip should be punished. This means that many respondents feel that both, punishment *and* amnesty, are appropriate for Phillip. In other words: The South African public is more inclined to accept amnesty to perpetrators who have already been formally sentenced and punished than granting amnesty without any punishment. While the first type of amnesty is an act of mercy, as the indemnified person has already been found guilty and started to serve his sentence, the second type of amnesty is impunity. Here the perpetrator was never formally sentenced, and was granted amnesty without any punishment.

3. *The public feels that victims and their family members should be allowed to sue perpetrators for damages.* More than two thirds of all respondents (68 percent) share this feeling. *While criminal punishment may be spared, restorative justice must be done.* Interestingly, this public sentiment depends less on the degree of blame attributed to Phillip. Still 44 percent of those who claim that Phillip is completely blameless, feel that the victims and their families should be allowed to sue him in court. By implication public

consensus in respect to civil liability is less polarised across racial and political cleavages in the South African society. Although many respondents are willing to grant amnesty in respect to criminal liability (58 percent), there is hardly public support for amnesty in respect to civil liability. The overwhelming sentiment is: *Justice is not sacrificed, because perpetrators are not punished - justice is sacrificed, because victims are not restituted.*

The South African state indemnified successful amnesty applicants from criminal liability and civil liability. Despite this, the South African state did not find it necessary to provide an effective remedy to victims of gross human rights violations to date. With the exception of small interim reparations, most victims have not received any form of compensation. This stands in contrast to an amnesty process which is already ongoing for about three years. The recommendations of the TRC's Reparation and Rehabilitation Committee are as also well known since October 1997. Here the TRC-Act and the current state practise is clearly at odds with public opinion and international human rights law. It remains to be seen whether this problem will be addressed by the new government.

Figure 9: Blame and Attitudes towards Amnesty, Forgiveness and Punishment.



Source: Gibson & Gouws (1998), Nov / Dec 1997

Summary

Although the apartheid past was experienced differently by South Africans from divergent cultural backgrounds, all South Africans will have to relate to the common history of apartheid. Historic perceptions might be different, but not all of them have the same right to be accepted. The glorification and justification of the apartheid past is problematic, as it questions the commitment to the new democratic order and may impede reconciliation across former political and cultural cleavages.

Although public interest in the TRC process was strong, it differed considerable between white and black South Africans. The average ratings of the TRC Special Report show that the TRC went to the heart of most black South Africans. White interest in the TRC process dropped however significantly over time.

The TRC was especially welcomed by African respondents. They were also more confident that the TRC would be able to find out what really happened. White South Africans followed the TRC process rather with mistrust.

While most non-white South Africans consider themselves as victims of the apartheid past, only few of their white fellow citizens share this feeling. At the same time most white South Africans do not consider themselves as beneficiaries of apartheid. This perception contributes to the 'white' resistance against redistribution measures. Although most white South Africans have not lost their privileged position in South African society, many feel that they are the 'victims' of the new dispensation. The perception that 'things were better under apartheid' contributes to a uncritical glorification of the apartheid past.

Although amnesty in individual cases is supported by most South Africans, there is considerable disagreement who should benefit from such amnesty. There is no consensus. to which extent the ANC and the former government should be blamed for past human rights.

In general South Africans are less inclined to free perpetrators from civil liability than from criminal punishment. Justice is not sacrificed, because perpetrators are not punished - justice is sacrificed, the victims and their families are not restituted. It remains to be seen whether the South Africans state will respond adequately to this challenge and implement speedily the recommended reparation policy of the TRC.

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