

"America's Best Political Newsletter" Out of Bounds Magazine

counterpunch

edited by alexander cockburn and jeffrey st.clair

The Case of Spain

A Forgotten Genocide

By VICENTE NAVARRO

A social movement has been growing in Spain, breaking the 30-year pact of silence on the enormous atrocities and genocide carried out during and after the fascist coup led by General Franco. The coup took place in 1936 with the active support of the Catholic Church and the Spanish Army, and made possible by the assistance of Hitler and Mussolini and the cowardice of the western democracies, including the U.S., which at that time did not dare to offend Hitler and Mussolini by sending arms to the democratically elected Spanish government. The coup was resisted, however, by the majority of Spain's population, which is why it took three years for the fascists to succeed. They won by imposing extremely repressive measures on the population. Terror became an explicit policy of the new regime. General Franco and other generals spoke frequently of the need to kill everyone who had supported the Popular Front, the alliance of left-wing and center parties that had won by large majorities in the last elections in Spain. As part of that repression, more than 200,000 men and women were executed by the fascist regime, and another 200,000 died in the Army's concentration camps and in the villages, subjected to hunger, disease, and other circumstances. And 114,266 people simply disappeared. They were killed by the Army and the fascist party, la Falange, and their bodies were abandoned or buried without being identified. These bodies were never found.

When democracy returned in 1978, an informal pact of silence was made – an agreement to cover over the enormous repression that had existed under the fascist dictator. The democratic transition took place under conditions that were highly favorable to the conservative forces that had controlled Francoist Spain. It became obvious to the leadership of the former fascist state, led by King Juan Carlos (appointed by General Franco), and Suarez, the head of the fascist movement (Movimiento Nacional), that the fascist regime could not continue as a dictatorship. It was a corrupt and highly unpopular apparatus, facing the largest labor agitation in Europe. In 1976, a critical year after the death of the dictator (the day he died, the country ran out of champagne), 2,085 workdays per 1,000 workers were lost to

strikes (the average in Europe was 595 days). The dictator died in his bed, but the dictatorship died in the streets. The level of social agitation reached such a point that Franco's appointed monarchy was in trouble, and the state leadership was forced to open itself up and establish a limited democracy, under the watchful eye of the Army (and the Church). The left was strong enough to force that opening, but it was not strong enough to break with the old state. The Amnesty Law was passed in 1977, which protected those who had committed politically motivated crimes (a law that was of much greater benefit to the right-wing than to the left-wing forces). The repression during the Franco years was enormous. Even in his bed just before he died (1975), Franco was signing death warrants for political prisoners.

This pact of silence continued until recently, when the grandchildren of those who had disappeared wanted to find out where they were buried. The young started asking questions. The right wing did not want people to ask questions. The Church, the Army, the Royal House, the conservative media (i.e., the majority of the media) said it was better for the country to forget the past. To look at the past, they said, would simply open old wounds – assuming, wrongly, that these wounds had ever closed. The leadership of the left-wing parties – the socialist and communists – had remained silent for all those years out of fear. They were afraid of antagonizing powerful forces, including the King. The Queen had actually defended Franco in a recent interview, denying that he was a bloody dictator. He was, she said, a soft, authoritarian figure, like a father to her husband, the King. And the King has repeatedly said that he would not allow any criticism of General Franco among his entourage.

The grandchildren of the disappeared, however, did not feel any commitment to this rule of silence. They started moving along the roadsides and valleys looking for the bodies of their disappeared love ones. More and more people joined them. And it soon became clear that there was an enormous popular sympathy for them. People helped them find the disappeared ones. Village by village, people began to speak about what they had never dared say: where the disappeared had been buried and abandoned. They even started identifying those who had done the killing. It soon became a popular movement, known as the "families and the friends of the disappeared ones," forcing the socialist government to pass the Historical Memory Law. For the first time – 30 years after democracy was reestablished in Spain – the silence was broken. The law offered assistance to groups looking for the bodies of those who had disappeared. But, it did not make the state responsible for finding and burying them, as the U.N. Human Rights Commission repeatedly requested; the socialist governments ignored these requests. Eventually, the case of the "Spanish disappeared" gained international attention when several newspapers, including the *Guardian* in the U.K. and the *New York Times* in the U.S., wrote articles about it.

Many international and Spanish commentators also criticized several judges, including Judge Garzon, for trying to take the Argentinean and Chilean dictators to court over the disappeared in those countries while not doing anything about the disappeared at home, in Spain (where the numbers and the cruelty were even greater). Judge Garzon was asked repeatedly, why don't you judge the violations of human rights that took place in your own country rather than in Argentina and Chile? The answer he and others gave was that the Amnesty Law of 1977 had closed that opportunity. But, the Spanish government has signed on to an international law that makes "*crimes against humanity*" a type of violation for which the opportunity for judgment in court cannot be closed. And the case of the disappeared was clearly a

crime against humanity, as the U.N. Human Rights Commission had declared. The Amnesty Law was a poor excuse not to do anything. Finally, Judge Garzon found enough courage to call for a trial of the fascist leadership, instructing all the authorities to collaborate in finding the disappeared ones.

It was a bombshell! Within a few weeks, an enormous opposition had mobilized against him and against the case. This mobilization was led by Attorney General Zaragoza, appointed by the socialist government, who wanted to stop Garzon on the spot. The Amnesty Law had to be respected, he said, because it was the basis of "national reconciliation" between the winners and losers in the civil war. "Reconciliation" was a farce, however. It was not reconciliation but a forced acceptance by the losers of the power held by the winners of the Spanish Civil War. And the socialist government was still afraid to confront the Army and the Church (among other powerful groups), which had played a key role in repressing the democratic forces. The Church, for example, was responsible for taking babies and children away from mothers ("*red* mothers," as they were called by the fascist forces, including the religious orders) who were jailed, exiled, or assassinated, and giving the children (without parents' or families' permission) to families close to the fascist regime who wanted children or to religious institutions as recruits for their orders. All of these children were given new names and did not know their true ancestry. As Dr. Vallejo Najera, the ideologue of the Spanish Army, indicated, this state policy was "necessary to purify the Spanish race," stopping the contamination of children with the pathological values of their *red* parents. Many of these parents were in the Army's concentration camps, where prisoners were the subjects of biological and psychological experiments. These camps were supervised by the German Gestapo, which later developed and expanded such studies in the Nazi concentration camps.

Two years ago, a Catalan public television channel produced a documentary on children who had been stolen from their "red" mothers. It received a number of international awards. In Spain, it has been shown only in Catalonia, the Basque Country, and Andalusia (at 1 a.m. in the morning). Aznar (Bush's friend) forbade its airing on Spanish television, and under the Zapatero government, it has been shown only once (in a brief, shortened version) on public television.

Fear continues to exist in Spain. And this fear explains why, two weeks ago, Garzon, under enormous pressure, withdrew the case. So, Spain remains the only country where genocide and crimes against humanity remain without sanction. The pact of silence continues. But for how long? At this very moment, there are young people still trying to find their grandparents and working to mobilize people. We will see who will win in the movement to recover the bodies of the disappeared and the history of Spain.

The Spanish establishment, including Zapatero's government, does not want this public trial of General Franco and his comrades-in-arms in the genocide. The trial would have had an enormous impact, threatening the basis underlying the Monarchy and the way the transition from dictatorship to democracy has taken place. This explains the huge mobilization to stop any such trials. But the grandchildren of the disappeared have enormous popular sympathy. Finally, people are losing their fear and are uncovering and discovering the bodies of the disappeared ones, and in so doing they are rediscovering their own history – buried, too, for so many years. We will see what happens. The story has not ended yet.

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