

## “Democratic Development and Reckoning with the Past: The Case of Spain in Comparative Context”

*A Seminar co-sponsored by the History and the Politics of Reconciliation Program  
Of the Carnegie Council on Ethics and International Affairs  
And the Development Circle at the School of Public Affairs  
Of the University of Maryland*

What is the relationship between how a society reckons with an extremely difficult past, involving violence that affected large parts of the population, and the development of democracy? Are there any cases which can tell us whether stable democracy is more likely to emerge when countries reckon immediately and aggressively with injustices, through trials for human rights violators and truth-telling mechanisms such as truth commissions, or through truth-telling mechanisms alone combined with wide-spread amnesties—or, conversely, when the choice is made to focus on present problems for the sake of the future, without acknowledging and accounting for past violence? How can the range of mechanisms available today (trials, public fora for truth-telling, lustration to bar members from older regimes from serving in the new ones, reparations, development programs for those left impoverished by old injustices, educational, cultural and public commemorative programs) be used to promote democracy—if they can in fact do so? And if so, when—while the generation which experienced the violence is still alive, during the lifetime of the second generation, or even later? What is the role of classroom history education in these processes?

Carolyn Boyd, a historian of modern Spain, and David Crocker, a political philosopher specializing in reconciliation, democratization and developmental ethics, discussed these questions as they relate to Spain and other case studies in a forum dedicated to problems of development and democratization.

### *The Politics of Memory in Spain Since the Transition to Democracy*

Those who question the value of truth-telling and retributive justice processes in the aftermath of atrocities, particularly civil wars, often cite the case of Spain. Spain has long been thought of as a country whose citizens seemed nearly universally to accept silence about an extremely destructive civil war in the service of peace. When Spain emerged from dictatorship after the death of Franco and built what has proven to be a durable and successful democracy, the lesson of Spain appeared to be even clearer: willed forgetting about the past for the sake of the society's present and future is preferable to the risks of reckoning with the past, especially when to do so would be to risk splitting the country once again into the descendants of one side versus those of the other.

Yet in recent years there has been mounting evidence that the Spanish public is increasingly choosing active engagement with the past in a variety of sectors, and some

scholars are beginning to show that there was never total silence in Spain about history. There is also a recent tendency among younger Spaniards especially to politicize the past and to criticize the elites who negotiated the transition to and consolidation of democracy for their “silencing of the truth,” although transition governments and the Socialists in fact chose, not silence, but a refusal to adopt an “official” memory of the war and dictatorship. In reply, scholars and some of the protagonists in that period say that since the death of Franco, democracy has provided the freedom for the publication of historical accounts, memoirs, novels, and other works on the civil war and its aftermath. Which forms does collective memory about the civil war take in Spain today, and how can we assess the vector of Spanish reckoning with the past in light of Spain’s successful transition to a modern European democracy?

In her presentation, Carolyn Boyd set Spain’s road to modern democracy against the changing backdrop of how history, especially the enormously destructive civil war (1936-1939), has been treated since 1977, when post-Franco Spain began in earnest the changes that would make it into a full democracy strongly oriented towards Europe.

Fear of a return to civil war conditioned the transition; its slogan was “Nunca más!”, “never again.” The danger of violence was not at all imaginary: between 1975 and 1980 there were 460 political deaths. The overriding concern with maintaining peace, stability and Spain’s economic gains since 1960 strengthened both the right-wing political and military forces, so that the left was forced to curb the mobilization that had begun after the death of Franco in 1975. There was a widely-held belief that democracy needed to be built on “reconciliation,” on “peace among Spaniards. The civil war was represented as violence among brothers, and it was said that “todos fuimos culpables,” “we all were guilty.” Full amnesty was granted, both for acts of political violence and acts of violence by those who were restoring order, and this was portrayed as a wiping clean of the slate. Thus, the development of democracy was intimately connected to a certain relationship to the past: it was just not one of public accounting, as South Africa’s has been.

There was also a conscious decision made by the political elite to forge a new Spanish identity that was European, peaceful and pluralistic. This would replace the old Spain that “could not live with itself,” the character constantly invoked by Franco as a defense for his strong-handed rule. Spain’s problematic stance vis-à-vis Europe had a long history, as Boyd discussed in depth in her book *Historia Patria: Politics, History and National Identity in Spain, 1975-1975*. Spanish conservatives had long defined themselves against liberal Europe, and had vehemently championed a nationally- and religiously-based identity as opposed to the secular, more international identity reformers were calling for from the late nineteenth century on. The creation of a modern Spanish identity was challenged by many problems, including the image of “black Spain,” the Spain of the Inquisition, of reactionary Catholicism, and the Spain which once ruled the seas as a great maritime, colonial and trading power but lost its colonies without a struggle.

The turn towards Europe was crucial for Spaniards’ conception of themselves. It involved a break with the past, and necessitated not only the will on Spain’s part to modernize and

internationalize, but also the ability to convince Europe that it was a true, stable democracy, not an unstable entity divided by politics, region and ethnicity in need of a strongman to hold it together.

The cost of the course the transition took, however, was the moral equalization of the two sides, and the lack of recognition for the suffering of victims of the Franquist regime, both during and after the war. Silence had been both an official and an unofficial policy: the Franquist regime had imposed silence on the society for thirty years, and people were perhaps ashamed of this record. Despite the political changes, the establishment of a popularly elected legislature in 1977, the creation of a new constitution guaranteeing basic rights to all Spaniards in 1978, there was no sharp break with the past and many areas of continuity with the old regime: for example, there were no changes in post-civil war street names and other public symbols, national monuments to Franco were left intact, and towns were given the right to decide for themselves whom and what to commemorate and how. At the fiftieth anniversary commemoration of the outbreak of the civil war, in 1986, the memory of all who had fought for liberty and democracy in Spain was recognized, as well as the sacrifice of those who had a “different vision” from democracy. Essentially, the past was not to be used as a political weapon in the new Spain.

In the area of historiography and history education, there was an outpouring of scholarship when many archives were opened. School history textbooks, in which during Franco’s rule the civil war was mentioned in one paragraph focusing on church burnings, the evils of the Republicans and the need to restore order, were revised by the Socialists in the 1980s and 1990s. A major educational reform was launched in 1991. Four years of secondary school (the mandatory ESO, for students 12-16) were made obligatory, with history a part of the social studies curriculum that was tested on the *bachillerato*, the examination at the end of high school by which students could qualify for university. One year of history, of the nineteenth and twentieth centuries, became mandatory, and the standards required teachers to discuss the “negative effects” of the civil war and dictatorship. Recent history—almost universally an area of greater potential controversy than the distant past—was stressed, as well as civics, democracy and tolerance as overtly political values. In the spirit of internationalism, Spanish history was placed within the context of European history. The autonomous regions—Galicia, Catalonia and the Basque country—were allowed to determine 35-40 percent of the curriculum themselves (and some chose barely to mention Spain, as opposed to their own region), with the rest set by the central government.

However, the program of memory came under attack after the 1996 victory by the right. The Partido Popular (PP) wanted to present an alternative narrative of the past, one in which democratic development was interrupted by left-wing parties in the 1920s and ‘30s. In 1997, an ambitious (re)reform of the history curriculum was launched: generally, there was a renewed emphasis on the history of Spain as opposed to Europe, and on the more distant (and less contentious) past. The autonomous regions were granted less freedom than before. The new standards for finishing high school and qualifying for university are very demanding, and the government clearly hopes that the recent past will

be neglected. The PP had to retreat from this program under fierce criticism but it finally prevailed, and the reforms were instituted in academic year 2002-3.

Yet despite the subtle but continuing political battle over history and the changing fortunes of the secondary school history curriculum, interest in Spain's difficult recent history is growing among young people. Forty-five percent of the population is too young to remember Franco, and the civil war is even more distant. But young people are increasingly interested in learning about their grandparents' lives. Perhaps it is because the civil war and the danger of its renewal are now so remote that there is resistance to the old moral equivalence in the long-accepted national narrative. There is a public desire for moral and symbolic recognition of the suffering of the victims of Franquist violence (which is in fact not the greatest number), often in the form of a decent burial rather than for accounting in the form of reparations or trials. Graves are being exhumed, victims reburied and the State has demonstrated its commitment to the moral recognition of victims in various ways. In 2002, the Spanish parliament declared the 1936 rebellion illegal but also reaffirmed the 1977 amnesty. The past is no longer consigned to public silence nor to a single narrative, but Spaniards continue to avoid using the past as a political weapon.

#### *Democratic Development and the Past*

David Crocker has long been interested in the case of Spain and has followed it closely, together with the aftermath of conflict in Central America, the Southern Cone of Latin America and the former Yugoslavia. He accepted the common story of Spain as the proof of amnesty's and amnesia's viability until he became aware of the growth of literature on the civil war in Spain, which began as soon as Franco died and has never decreased. (In the 1950s and '60s, publication about the civil war was restricted to apologists for the Franco regime, and to foreigners.) An important study for public understanding of the past was Santos Julia's 1999 *Victimas de la guerra civil* (Madrid, Temas de Hoy), which provides a synthesis of all the recent research for the general public, but regional case studies were underway earlier, and one scholarly research group on the civil war dates from 1962, when they first met outside Spain, in Munich. They felt that there was a need to understand, rather than to forget or assign culpability for, the events of the civil war in order to ensure that they would not be repeated. Historical research was taking place, particularly after 1977, despite the potential dangers of demonization of each side by the other, which had assumed eliminationist proportions during the civil war when it was felt that Spain could not contain the two opposing sides and continue to exist. As new archives become accessible, a more precise understanding of the Franquist terror, imprisonments, etc. is becoming available, and increasingly sophisticated studies are being published, often in a comparative framework.

As Plato observed, the work of the philosopher is to show when things that look similar are really different, and when things that look different are really similar. The broad problem of reckoning with major human rights violations exists in many or most countries. The process of reckoning in each country, however, is conditioned by the different types of transition that have taken (or are taking) place—how, from what to

what, which kind of economic situation exists at the conflict's end. Yet common goals exist, although, significantly, they cannot all be achieved at the same time.

One important goal is that of truth. In Spain, as in the former Yugoslavia, historians have been in the forefront of this struggle. In contemporary Yugoslavia, historians feel that the task of uncovering historical truth about the recent, violent past should belong to them, not to a truth commission.

Another goal is accountability through some form of retributive justice. A comparison between three countries demonstrates the difficulties of this goal: in Argentina, about one hundred of the worst offenders were tried just after the end of the Dirty War, but almost all were later amnestied. In Spain, legal punishment is probably not an option, since most perpetrators were dead or dying by the time the political conditions which might have allowed trials were achieved. In Chile, punishment was out of the question at the time of the transition because of the nature and demands of the transition itself; now, twelve years later, some of the top perpetrators may be tried, although Pinochet may escape because of age and senility.

Both reconciliation and democratization are goals of reckoning with the past. A way of looking at the past that is at the same time forward-looking needs to be found, with an attempt to balance accountability for the past with potential damage to an embryonic democracy. In South Africa, the negotiations which led to the transition permitted elections in exchange for amnesties, and the African National Congress in effect traded amnesties for truth. Bishop Desmond Tutu, a major moral figure in the new leadership, opposed all retributive punishment, seeing it as part of an unending cycle of vengeance. Yet Tutu himself recently admitted that in some cases punishment would be appropriate. Is political and societal reconciliation endangered by trial and punishment? By too much trial and punishment, or by the wrong kind? Argentina, for example, may be an example of too much trial and punishment, since the trials in the early part of the transition led to a backlash and a blanket amnesty.

There seem to be three kinds of political reconciliation: the thinnest is the *cessation of conflict and non-lethal coexistence*. The thickest, or most robust, is that envisioned by Tutu, based on ideals of *social harmony* and the African concept of *ubuntu* (frequently summarized as a combination of compassion and appreciation of the humanity of others). Unlike in South Africa, reconciliation in the Spanish context does not imply *perdón*, the concept of forgiveness; forgiveness is difficult to translate into public policy, and it is too easy to ask for forgiveness without solid evidence of change. However, the work of historians in uncovering the past so that it could gradually be made accessible to a wider audience has been going on in Spain for longer than was previously thought.

Crocker suggests that a middle ground of reconciliation, one which might arguably have been reached in Spain today as regards the past, be defined as *democratic reciprocity*, the ability to debate the most difficult issues in order to have policies most citizens can accept. Eventually, democratic reciprocity is necessary for far more issues than just those related to contested history, but this area, which can at first destabilize a country and later

at least continue to undermine social trust, is an important test of citizens' ability to debate and expression disagreement over without political paralysis or a return to violence.

For example, did Chile's Truth Commission contribute to a level of reconciliation beyond that of simple co-existence? The membership of the Commission represented a diverse and broad spectrum of politics and were respected for their commitment to human rights. Their report named units, institutions and battalions, but not individuals (based on the philosophy that only courts, not a Commission, could establish individual guilt)—significantly, however, an important part of the Commission's mandate was personalizing the victims whose cases they documented. The findings of the Commission were widely accepted. However, Chile still lacks a historians' program which is a vital and active as Spain's, and which could contribute to a stronger culture of democratic reciprocity, and hence democracy.

Crucially, for all of us who are interested in the role secondary school history programs and textbooks play in long-term reconciliation, it could be hypothesized that the issue of history textbooks may be one of finding an account of a difficult history that most citizens can accept, and thus contributing to the middle stage of reconciliation, which goes beyond non-lethal co-existence but is not Utopian in its aims. This is what the Carnegie Council's History Education and Reconciliation comparative research project hopes to illuminate.

### *Discussion*

Question: Is there a way to approach history education, especially to stimulate debate about difficult narratives, other than through textbooks, the degree of whose influence on how students and the public come to view history is questionable?

Answer [Carolyn Boyd]: The Socialist program in Spain, which shaped the first major educational reform in the 1990s, included the introduction of more progressive pedagogy. History-teaching in Spain had been very conservative and wedded to textbooks. The reforms gave more choices to teachers and allowed the use of many different texts. Students were expected to do more analysis and less memorization. However, the new Rightist program eliminated choices and the focus on analysis, by requiring that all of Spanish history be covered in one year followed by a test for admission to university. The pressure of teaching for the test greatly limits what teachers can do in the classroom, including how much time they give to discussions about the most contested past from the 1930s until Franco's death.

[David Crocker]: Democracy would seem to demand that pedagogy about the past include the study of literary texts, classroom debates, and other projects where students are somehow encouraged to deliberate together.

Question: How about the use of alternative media in classrooms where reckoning with the past is an issue, films, for example? And is Federico García Lorca's [the great

Spanish poet and dramatist, reviled by the Franquistas both for his political stance and his homosexuality and executed by the Falangists during the civil war] work allowed in Spanish classrooms today?

Answer [David Crocker]: I always use alternative media in all my classes where reckoning with the past is being discussed. I find [Chilean writer] Ariel Dorfman's play "Death and the Maiden", and the film that was made from his play, among the best statements about victims' memories and the struggle to account for the past. As for García Lorca, when I was in Madrid, I was taken to see García Lorca's statue in the Plaza de Victoria, and the statue, at least, is still an emblem of the contested past: each day, the Left puts a red kerchief on the neck of the statue, and someone from the Right comes later to take it off.

[Carolyn Boyd]: García Lorca has been fully incorporated into the Spanish canon for a long time, at least since the death of Franco, if not before, when he was more ignored in favor of writers of the Golden Age than reviled. The manner of his death was certainly covered up during Franco's lifetime. (As in historical studies, the writers of the "recent past," the nineteenth and twentieth centuries, were generally the most controversial for the uses of an authoritarian or perhaps even conservative government, as all or most of them were guilty of sympathy for liberty and democracy.) He's also covered extensively, if not over-covered, in popular culture, for example in the huge number of documentaries which have been made about his life. García Lorca is no longer the slightest bit controversial in Spain!

*Links:*

Carolyn Boyd: [http://wwics.si.edu/index.cfm?fuseaction=sf.profile&person\\_id=1714](http://wwics.si.edu/index.cfm?fuseaction=sf.profile&person_id=1714)

David Crocker: <http://www.puaf.umd.edu/faculty/people/crocker.html>

(If we put David's article from EIA 13 up and link to it for my case study, could we do the same here?)

Institute for Philosophy and Public Policy, University of Maryland:

<http://www.puaf.umd.edu/IPPP/>

Large portal on efforts to recover the memory of the Spanish civil war run by ARMH (Asociación Española para la recuperación de al memoria histórica), with primary documents, information on the disappeared, exhumation of mass graves, etc., in Spanish only:

<http://www.memoriahistorica.org/>

There are important links between historical reckoning in Chile and Spain, especially as the international case against former Chilean dictator Augusto Pinochet was pursued by a Spanish judge, Baltasar Garzón (this was initially made possible by the fact that Spanish citizens were among those disappeared during the Dirty War in Chile.) Information and links on the Chilean Truth Commission (the Rettig Commission) and the Chilean

experience of reckoning with the past, including the Pinochet case, collected by Digital Freedom Network, which promotes human rights activism and education around the world, primarily through the use of internet technology, can be found at:

<http://www.dfn.org/focus/chile/rettig.htm>

### *Print Resources*

Carolyn Boyd's study of the formation of modern Spain through general education, history education and attitudes towards history is *Historia Patria: Politics, History, and National Identity in Spain, 1875-1975* (Princeton: Princeton University Press, 1997). Professor Boyd also has an article in an issue of the journal *History and Memory* (14, 1/2, 2002), which is entirely devoted to memory and Spain. All ten articles are extremely useful and include regional studies of collective memory and the war in Aragon and Galicia. Professor Boyd's article is a study of public commemorative practices, "The Second Battle of Covadonga: The Politics of Commemoration in Modern Spain"; other well-known scholars of Spanish history in the collection include Paloma Aguilar, whose article, co-written with Carsten Humlebæk, is entitled "Collective Memory and National Identity in the Spanish Democracy: The Legacy of Francoism and the Civil War." Paloma Aguilar's important study of democracy and the Spanish Civil War, *Memory and Amnesia: The Role of the Civil War in Spain's Transition to Democracy*, has been translated and is published in the United States by Berghan Books (2002).

David Crocker has written a number of seminal articles on problems of history, political reconciliation and democratic development. The choices faced by societies reckoning with mass violence are discussed in "Reckoning with Past Wrongs: A Normative Framework." *Ethics and International Affairs* 13 (1999): 43-64. A more recent study which includes an analysis of democratization is his "Punishment, Reconciliation, and Democratic Deliberation" in *Buffalo Criminal Law Review*, Vol. 5: 2002, pp. 509-549.