

Raising the Specter of “Argentinization”: The Temptation of Spanish Exceptionalism

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We are reaching the end of an era. While the principle of national sovereignty is eroded on one front by globalized capital markets, the expansion of international law is doing the same on the other. No country is fully in control of its own economy anymore; and while dealing with serious crimes used to be largely the responsibility of sovereign states, it no longer is—thanks in large part to the groundbreaking work of crusading judges, human rights organizations, and international bodies like the Criminal Tribunals for Rwanda and the former Yugoslavia, as well as, of course, the International Criminal Court (ICC). The threat to national sovereignty from global capital is primarily lamented by the Left; the expanding reach of international law, on the other hand, tends to raise hackles on the Right. When in the spring of 2010 the Spanish judge Baltasar Garzón was charged with prevarication for opening an investigation of alleged crimes against humanity perpetrated by representatives of the Franco regime, University of Chicago Law Professor Eric Posner celebrated what he saw as the demise of universal jurisdiction—the principle by which “a domestic court can try anyone, including foreigners, who commit serious international crimes such as torture and genocide anywhere in the world” (17). To Posner, Garzón’s legal trouble in Spain signaled “the end of a failed experiment.” The irony was all too obvious: Garzón—who in 1998 wrote legal history by indicting Augusto Pinochet, arguing that the provisions of international law overruled the amnesty granted to the former dictator in Chile—ran into trouble once he tried to bypass his own country’s amnesty laws. “Supporters of [universal jurisdiction],” Posner wrote,

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turned a blind eye to the diverse and often incompatible notions of justice that exist across countries. . . . Whether an amnesty should be issued so that a transition can be made to democracy (as in Chile or as in Spain), or exceptions to some rules should be made for the sake of national security are not questions for a foreign judge. (17)

Posner is representative of a particular strand of conservative legal opinion in the United States. In Spain itself, however, the resistance to Garzón's work is by no means limited to the conservative camp. In fact, opinions on the virtues of international law and universal jurisdiction are much more divided in Spain than the country's pioneering role in both areas would seem to indicate. To be sure, international human rights law has strong grassroots support among particular sectors of the Left; and over the past dozen years, proponents of the so-called recovery of historical memory have adamantly invoked international treaties to remind the Spanish state of its obligations with regard to the thousands of unmarked mass graves that continue to litter the countryside. Pointing to the examples of Chile, Argentina, or South Africa, they argue that Spain's peaceful transition to democracy in the late 1970s—with its almost exclusive focus on political compromise and stability at the expense of legal or ethical considerations—was shamefully oblivious to justice, truth, and memory. The resistance from the Right to this reading of Spanish history has been predictably strong; but prominent representatives of the Spanish Center-Left, too, reject the idea that international law, universal jurisdiction, and foreign examples can be invoked to critique or revisit the legal and political foundations of the Spanish transition. In what follows I will take a closer look at this resistance from the Left, as part of a more general argument about the ways in which foreign examples and analogies have been mobilized as moral tropes in the heated debates around Spanish historical memory. As we will see, over the past dozen years the public discussion about what happened between 1936 and 1975 has shifted from questions of *fact* toward issues of *narrative*, *morality*, and *decorum*. How should Spaniards tell the stories of the violence perpetrated by, and on, thousands of fellow citizens? And what are the proper ways to speak about, and to judge, past injustice and suffering? The implications of these questions are not limited to the legal and political realm but extend to literature and film as well.

Argentine Specters

Since the late 1990s, the Spanish media have been party to scores of polemics about “la memoria histórica” (historical memory), the shortcut phrase that has come to designate a cluster of questions surrounding the

political, social, cultural, and legal fall-out of half a century’s worth of civil conflict and violent repression. One of the most virulent of these public debates took place among some twenty participants in print and online media between April and July of 2010. The question at hand was whether the origins, and therefore the legitimacy, of post-Franco Spanish democracy can or should be historically linked either to the Second Republic or to the resistance to the Franco regime as it developed from the 1950s onward. Among those on the one side were Javier Cercas, Almudena Grandes and Josep Fontana, who maintained that the roots of present-day Spanish democracy go back to the 1930s. Among those disagreeing were Santos Juliá, Joaquín Leguina, and Gregorio Marañón, who argued that the forward-looking spirit of reconciliation that made the transition possible came out of a *rejection* or *overcoming* not only of Francoism but also of the 1930s Left—which was, they claimed, marked by the same violent desire to exterminate its political enemies as the Nationalist side.¹ Leguina, for instance, suggested that while “la inmensa mayoría de la derecha española renegó de la democracia durante la República y, desde luego, durante la guerra, la izquierda, en gran parte, hizo lo mismo” (the immense majority of the Spanish Right rejected democracy during the Republic and, of course, during the War, the Left, for the most part, did the same). Cercas, in reply, branded that claim *una puñetera mentira* (a bloody lie), arguing that revolutionary groups on the Left were still defending a democratically elected government, and that the fundamental differences between the violence on either side are a long-established historical fact. Grandes, for her part, accused Leguina of betraying his own progressive political past as a pay-back for “un puestecito” (a nice little job) arranged for him by Esperanza Aguirre.

One of the few actual historians to participate in this debate was Santos Juliá, whose contribution, “Duelo por la República Española,” proved one of the most provocative. Published in *El País* on June 25th, the piece opens by invoking Republican President Manuel Azaña’s repugnance in the face of the killings perpetrated on the Loyalist side—acts of violence, Juliá adds, that were casually condoned by many, and only truly lamented by “un puñado de republicanos y . . . algunos socialistas” (“Duelo” 31) (a handful of Republicans and . . . some Socialists). Confirming Leguina’s point, Juliá states that the Republic was too tainted by a revolutionary Left bent on exterminating its enemies to be considered a foundation for Spain’s current democracy. In fact, he argues, if the number of violent deaths on the Republican side was lower than those on the Nationalist side, it was only because its territory shrunk over time, while that of the Nationalists grew. For Juliá, the *real* foundation of Spain’s current democracy was laid by those from both sides who, after the war, began by assigning the Civil War and its violence to the past, not allowing it to determine the future. Juliá ends his essay on a note of alarm. This very vision that made Spain’s democracy

possible, he warns, is itself about to be assigned to “el basurero de la historia” (the dungheap of history), in light of “la creciente argentinización de nuestra mirada al pasado y la demanda de justicia transicional 35 años después de la muerte de Franco” (“Duelo” 31) (the increasing Argentinization of the way we look at the past and the demand for transitional justice thirty-five years after Franco’s death).

Juliá has often made the case for a sharp distinction between rigorous, objective, fact-based accounts of the past (which he calls “history”) and interested, moralizing or politicized readings of that past (defined as mere “memory”).² Going by these definitions, this particular op-ed essay would belong to the latter category. After all, the points Juliá makes are ethical and political as much as they are purely historical: rather than stick to telling us what happened in 1936 and after, Juliá mounts a pragmatic political-judicial argument about the *proper relation* of the past to the present, clearly advocating for a specific attitude vis-à-vis the Civil War and its aftermath while rejecting other alternatives. Singling out Azaña as only one of a handful of Republicans who were truly upset by the killings on their side, for instance, serves primarily to condemn the depravity of those who were not; it also serves to establish a basic moral equivalency between the Republican and the Nationalist side. What is more, Juliá implicitly seems to associate those who favor an “Argentine” way of looking back with the morally reprehensible attitude of those Republicans who did *not* follow Azaña’s lead. The choice of words here is unfortunate but telling. The notion of “Argentinization” establishes an implicit hierarchy between Spain’s and Argentina’s ways of dealing with their respective dictatorial pasts, with Spain—the reconciliatory Spain of the 1970s, 1980s, and 1990s, that is—coming out as the preferable option.

Juliá does not bother to explain in further detail what he means by Argentinization, a term that in the Spanish context has been most frequently used to refer to negative developments in the economic sphere in reference to the 2001 Argentine banking crisis.³ Juliá’s negative invocation of Argentina is surprising insofar as the example of Southern-Cone countries has been invoked primarily by the memory movement and human rights organizations to *criticize* what happened, or failed to happen, in Spain between 1975 and 2000. In a sense, raising the specter of Argentinization allows Juliá to invert the political momentum of this analogy, conjuring up the threat of a degenerative Latin-Americanization of Spain right when it had almost succeeded in fully becoming European.

Not surprisingly, Juliá’s piece sparked outrage, particularly from the Left. Miguel Ángel Rodríguez Arias, Professor of Criminal Law, wondered on the website *Rebelión* why stick an Argentine label on what is simply the proper application of international law. We may just as well speak of Germanization or Frenchification, in reference to two of the many countries who have *not* refused to deal with crimes against humanity in legal terms,

even if those crimes took place many decades ago. “De hecho,” Rodríguez Arias wrote,

con mucha más razón cabría denunciar aquí la evidente pretensión de “españollear” el genocidio de Franco en el doble sentido, además, del constante intento de orillar, por todos los medios, la normal vigencia de leyes universales que nunca antes habíamos contestado—para casos fuera de España, claro—y abordar los crímenes franquistas como si se tratase de delitos ordinarios de los que el Estado español pudiese disponer a mejor conveniencia y no de crímenes que por su inhumana naturaleza desbordan la jurisdicción nacional y conciernen a la jurisdicción de todos los Estados del planeta, agreden a todo ser humano en tanto que tal. (n.p.)

(In fact, here it would make more sense to denounce the clear attempt to “Spanify” Franco’s genocide—in the double sense, moreover, of constantly trying to skirt, in whatever way possible, the normal validity of international laws that we had never contested before—for cases outside of Spain, of course—and of approaching Francoist crimes as if they were ordinary offenses about which the Spanish State could decide whatever it finds most convenient and not crimes that, because of their inhumane character, transcend national jurisdiction and are of concern to all of the world’s States, and that constitute an aggression to every human being as such.)

Juliá’s strained resistance to legal logic, Rodríguez Arias concludes, drives him in the direction of a Spanish exceptionalism strangely reminiscent of the Franco era.⁴

Juliá was not the only participant in this 2010 debate to reference the international context with the goal of casting doubt on the “recovery of historical memory” as a self-evidently laudable goal. Three days earlier, also in *El País*, the philosopher Fernando Savater had published “Recuerdos envenenados,” a short note praising a new book by the U.S. political scientist David Rieff. *Against Remembrance*, published in 2011 by the University of Melbourne Press, draws on Rieff’s experience in the former Yugoslavia to warn against the tendency of collective memory to make “history itself seem like nothing so much as an arsenal full of the weapons needed to keep wars going or peace tenuous and cold” (Rieff viii). “La Historia,” Savater summarized Rieff’s argument,

Se ocupa de los sucesos como algo pasado, es decir que ya no está, mientras que la memoria colectiva conmemora el pasado como aún presente—para bien o para mal—y como razón fundamental de las empresas actuales; . . . la memoria colectiva selecciona, sacraliza y mitifica de acuerdo con el narcisismo del grupo y sus ambiciones del momento. (Savater n.p.)

(History occupies itself with happenings as past, something that is no longer, while collective memory commemorates the past as if still present—for good or bad—and as a fundamental reason of present undertakings; . . . collective memory selects, sacralizes, mythifies in accordance with group narcissism and its ambitions of the moment.)

Savater's endorsement of Rieff's position echoed Juliá's negative definition of "memory" as subjective, interested, and potentially dangerous. It is also safe to assume that the tendencies that Rieff criticizes closely resemble what Juliá refers to when he speaks of the "Argentinization" of Spain's relationship to its past.

The notes from Juliá and Savater, then, stake out a clear intellectual and political position with regard to two fundamental questions facing democracies today: What stance should a society and its cultural and political leadership adopt vis-à-vis a recent violent past, the memories of that past, and the victims of violence? And to what extent should this position be guided by moral, political or legal norms that transcend the boundaries of cultural and national communities, even if they conflict with more pragmatic domestic interests?

As said, in Spain the groups calling for a revision of the Transition, the recognition of victims of Francoism, the exhumation of mass graves, and even the institution of a Truth Commission have supported their claims by invoking international law and approaches to transitional justice in Chile, Argentina, South Africa, and elsewhere. By contrast, Juliá and Savater (via Rieff) point to foreign cases like Argentina and Yugoslavia as examples *not* to follow. If the first position can be said to privilege legal or ethical principles and a kind of universalist humanism, Juliá's and Savater's take on the ethical, judicial, and political issues associated with Spain's twentieth-century past and tend toward the pragmatic and particularist—if not, as noted, exceptionalist. International law is all well and good, they seem to say; but whether it is applicable to post-dictatorial Spain remains to be seen.

On the face of it, this anti-universalist position is indeed a curious one to adopt for two prominent intellectuals whose profile over the past thirty years has otherwise been markedly modern, liberal, and anti-particularist. (Both, for instance, have long been quite critical of Catalan and Basque nationalism.) And this is not the only tension at play here. Juliá's and Savater's opposition to the memory movement invites curious bedfellows—

among those praising Juliá’s piece in *El País* was Pío Moa—and tempts them into awkward positions (Moa). Juliá’s forceful and insistent claims about the fundamental disinterestedness of academic historiography, for example, come across as simplistic and outdated (Faber, “Debate” 177–80). Savater’s endorsement of Rieff, in turn, seems to embrace an uncharacteristically cavalier attitude about a society’s position vis-à-vis acts of extreme violence. “La memoria de los crímenes puede estar justificada” (the memory of the crimes can be justified), he writes, “en tanto viven quienes los cometieron, pero más allá de la desaparición de estos se convierte en una carga culpabilizadora que busca nuevos chivos expiatorios y fomenta discordias o atropellos” (Savater) (as long as those who committed them are alive, but after their deaths it turns into a burden of culpability that seeks new scapegoats and foments discord or abuse). Is Savater, via Rieff, really proposing that crimes only be remembered as long as their perpetrators are alive? How does this position square with the generally accepted notion that humanity is morally obliged to remember the crimes of the Holocaust, even when almost all of its architects have died? Or to give an example closer to home: is Savater suggesting that we should stop commemorating, say, the attacks of 9/11 or the crimes committed by a member of ETA who happens to have passed away?

Although the intensity of the historical memory debate in Spain is remarkable, Spain is not the only country to grapple with the relation between past and present, or to find itself reflecting on, and redefining, the *propriety* of particular representations of the past. As Andreas Huyssen pointed out in the mid-1990s, in both modernity and postmodernity the relation between present and past is inherently problematic, and “the current obsession with memory is . . . a sign of the crisis of that structure of temporality that marked the age of modernity with its celebration of the new as utopian, as radically and irreducibly other” (6). Jo Labanyi, adopting a similarly broad cultural-historical viewpoint, has suggested we should “move away from the assumption that modernity requires a rupture with the past” (91). “Any model of modernity based on the capitalist idea of compulsory obsolescence,” she writes,

has no place for memory. However, if we view modernity not in terms of capitalist development but as a particular set of attitudes toward the relationship of present to past, it becomes possible to elaborate a conception of modernity that, while it accepts the importance of moving on and continues to believe in the possibility of creating a better future, is also respectful of the need to acknowledge the past. (91)

Both Labanyi and Huyssen reject the familiar complaint that we live in an amnesia-ridden time, as well as the idea that modern or postmodern life amounts to a black-and-white choice between memory and amnesia. For

both, as for Joan Ramon Resina, our current obsession with memory is related to the disappearance of utopian thinking and the belief in historical agency (Resina, “Faltos” 27).

One byproduct of these cultural trends is a particular kind of nostalgia; another is what one could call a *moralization* of history. If modernity typically constructed the differential between present and past in *material* terms (technological advancement, standard of living, economic growth, etc.), by now this differential is increasingly conceived in *moral or ethical* terms. As a result, the relation of present generations to those of the past tends to be expressed in terms of moral obligation: an obligation, for instance, to condemn or to honor those who went before us, to *judge* their struggles, their suffering, their courage, cowardice, or cruelty.

I believe this trend is what Tony Judt refers to when he argues that our ever-growing taste for memorialization—“museums, shrines, inscriptions, ‘heritage sites,’ even historical theme parks” (*Reappraisals* 3)—barely serves to mask the fact that the past, even the recent past, is increasingly “ignored and untaught” and that, if it is remembered, it is only remembered selectively, in modes that are either “nostalgio-triumphalist” or “opportunities for the acknowledgment and recollection of selective suffering” and the “occasion for the teaching of a certain sort of political lesson” (*Reappraisals* 2–4). For Judt, these developments are worrying; he believes there are certain risks associated with “indulging to excess the cult of commemoration” and “displacing perpetrators with victims as the focus of attention. On the one hand there is no limit in principle to the memories and experiences worthy of recall. On the other hand, to memorialize the past in edifices and museums is also a way to contain and even neglect it—leaving the responsibility of memory to others” (Judt, *Postwar* 829).

The shift in focus to victims and rights when speaking about the past has occurred in Spain as well. In fact, it has been an essential part of a general change in the way the generations of the present construe their relation with those of the past—not only in terms of moral or legal obligation, but also in terms of legacy and genealogy. This change has occurred among sectors of civil society as much as among the intellectual elites, historians included. Juliá described it well in an essay for the *Revista de Occidente*. The architects of the transition, he writes, thought of themselves as building a new Spain based on a willful break with the past, a *refusal* to be guided by its legacy:

Aquellos jóvenes . . . optaron por echar la guerra al olvido en un sentido muy preciso: la consideraron como historia, como un pasado clausurado, algo que había afectado a sus padres, pero de lo que era preciso librarse si se quería desbrozar el único camino que podía reconducir a la democracia, a la libertad. . . . La guerra era sencillamente historia,

objeto de conocimiento, no de memoria; su herencia no era bien venida. (“Bajo el imperio” 14)

(Those young people . . . opted for forgetting the war in a very precise sense: they considered it as history, as a closed past, something that had affected their parents, but which was necessary to free oneself from, if one wished to clear the underbrush from the only road that could lead back to democracy, to liberty. . . . The war was simply history, an object of knowledge, not of memory; its inheritance was not welcome.)

The generation of the grandchildren of those who lived through the war and Francoism, by contrast, has come to see this willful break as either immoral—a forsaking of their duties toward their ancestors—or simply as impossible: the past, they argue, always has a bearing on the present, whether we want it to or not; it has to be dealt with, worked through.

In fact, the question of the relationship between present and past shows some interesting overlap with the question of the applicability of international law within a particular national space: at play in both is a complex dialectic of the universal and the particular. What Santos Juliá disapprovingly refers to as the *judicialization* of historiography, for instance—historians’s increasing tendency, that is, to see themselves as moral judges of the past (“Bajo el imperio” 17)—assumes a certain universality of moral norms across time periods that can be seen as a corollary to the kind of universal jurisdiction of which Garzón is the poster child. Like the principle of universal jurisdiction, an ethically infused historiography rejects the idea that historical or local circumstances are too complex or idiosyncratic to warrant a universal application of ethical or legal norms. The reading of Spanish history that informed the democratic transition—Juliá’s “echar al olvido” (purposefully forget) of the war and the dictatorship, the willful refusal of its historical legacy—rejects this universality insofar as it refuses to accept the existence of any moral continuity between the Spain of the Civil War and the dictatorship, on the one hand, and post-Franco Spain on the other. But Juliá’s reading of the Spanish Transition also rejects universality in *geographical* terms. In its refusal to accept analogies between the Franco regime and the regimes of, say, Hitler, Pinochet, or Videla, it dismisses any suggestion of historical or moral continuity between Spain and the rest of the world. The memory movement, on the other hand, has done its best to *emphasize* this continuity. Why should it be normal for Spain to preserve statues of Franco when Germany would never dream of erecting one to Hitler? (José Pedreño, qtd. in Armengou and Belis, *Memòria 5’18’*).

What complicates the whole issue of collective memory in Spain, of course, is the fact that memories of the Civil War and Francoism, by their very nature, call into question the existence of the collective entity that is

supposed to do the remembering—that is, the Spanish people. It is undeniable that memories of the Civil War continue to be divisive, pitting the Right against the Left, the religious against the secularists, Monarchists against Republicans, and Catalan and Basque nationalists against Castilian centrists. The Right, as well as the Center-Left that Juliá represents, have repeatedly pointed to the dangers of fanning the flames of civil discord by translating a conflictive past into present-day politics. One of Juliá's principal arguments against the celebration of partisan, particularist *memory* as against the totalizing objectivity of *history* is that the Spanish Civil War's treasure trove of conflicting memories threatens the social and political stability of present-day Spain. "Por mucho que los historiadores, sociólogos o antropólogos establezcan diferencias entre las distintas formas de violencia" (However much historians, sociologists and anthropologists establish differences among different forms of violence), he wrote in the *Revista de Occidente*, "es imposible calificar jurídicamente de distinta manera el mismo delito. Por eso, las guerras civiles sólo pueden terminar en una amnistía general" ("Bajo el imperio" 19) (it is juridically impossible to assess the same crime in a different way. It is for this reason that civil wars can only end in a general amnesty). Trying to bypass or revisit this principle is not just wrong but dangerous. "En la medida en que la memoria desplace a la historia" (To the extent that memory displaces history), he said in a recent documentary, "estamos sembrando el camino de nuevos enfrentamientos" (Baltasar 29' 18'') (we are sowing the road of new conflicts).

How justified are these concerns? The British historian Helen Graham believes this kind of fear-mongering is itself a legacy of the dictatorship: "The whole notion that Spain as a country has to agree on one specific version of the past," she argues, "is part of the Francoist legacy. The idea that if we all don't have a single view of the past it's going to be chaos come again, we're going to have another civil war, and we're all going to hell in a bucket—that's in itself also a *Franco effect*" (Faber and Fernández). Joan Ramon Resina, for his part, has pointed out the futility of avoidance. Conflicting memories and demands for legal or moral accountability cannot be skirted by axiomatically assuming the indivisibility of the national collective as a given: "Si el Estado-Nación es el único marco analítico legítimo, el asunto de la responsabilidad colectiva se disuelve teniendo en cuenta que el Estado—razonablemente—no puede disculparse a sí mismo, porque no puede cumplir simultáneamente los papeles de culpable y de víctima" (33) (If the nation-state is the only legitimate analytical framework, the question of collective responsibility dissolves given that the State cannot reasonably exculpate itself, because it cannot simultaneously take on the role of guilty party and victim).

The Spanish Civil War as a Morality Tale

The transition to democracy was driven by the refusal to accept the history of the Civil War and Francoism as a moral legacy for post-Franco Spain (beyond the notion of “never again,” that is, or the view of the war as a “collective mistake”): a clear break with the allegorized, Manichean narratives of the past that had marked both Francoist and Republican readings of the war (Juliá, “Bajo el imperio” 12). Interestingly, no such break ever occurred in the rest of the West. Abroad, the war in Spain has always been a morality tale: an endless trove of heroes, martyrs, and dramatic lessons to be learned. In that sense, little has changed since Hemingway’s *For Whom the Bell Tolls* (1940), Malraux’s *L’Espoir* (1937), or Orwell’s *Homage to Catalonia* (1938). Ken Loach’s film *Land and Freedom* (1995), loosely based on Orwell’s account, is moralistic and melodramatic; Guillermo del Toro’s *Laberinto del Fauno* (2006) features a set of heroic Spanish anti-fascist guerrillas straight out of Hemingway, whose virtue is as evident as the villainy of the Francoist officer who tries to root them out. In most of these popular-media representations of the Spanish war, history and politics have been put at the service of melodrama.

In post-Franco Spain, translating the Civil War into a clear-cut moral narrative was more complicated. If Loach’s *Land and Freedom* dramatizes the impact of specific political conflicts on individuals’ lives and history, Spanish films from the same time period like Fernando Trueba’s *Belle Époque* (1992) and *La niña de tus ojos* (1998) or Carlos Saura’s *¡Ay, Carmela!* (1990) resort to a mix of farce and nostalgia in their representation of the past, while sidestepping any serious engagement with the Civil War as a historical and political event. Politics and history become mere backdrops to flippant stories in which Spanishness as embodied by the Republic is reduced to a kind of intuitive humanism that, while genuine, is also endearingly naïve and a bit silly. The three films also imply that the trouble starts when Spaniards begin to take politics too seriously. In *La niña de tus ojos*—in which a Spanish film crew, in Nazi Germany to work on a co-production, are appalled at the persecution of Jews and manage to save one of them—even Spanish fascists are endearing. The message is clear: Franco was no Hitler. The Civil War is an episode of a sad and silly past, a useful setting far enough removed to drive home a general, feel-good political point with no direct implications for the present.

All this changed around the turn of the century. The barrage of non-academic, politicized narratives about the Republic, the Civil War, and Francoism produced since then from both Left and Right—books, documentaries, debates, reportage, public events—has been bent on reframing and *re-moralizing* the hegemonic narrative of the war and the dictatorship, and emphasizing the way in which the past bears on the

present. Three historical-moral tropes have dominated this trend: World War II, the Cold War, and the dirty wars in the Southern Cone.

The Cold War has been the preferred moral trope on the Right. The international revival of anti-Communism in the wake of the fall of the Berlin Wall has allowed a group of conservative Spanish publicists to resuscitate some of the basic tenets of late Francoism: that an irresponsibly revolutionary Left caused the Civil War, that the Republic was *not* defending democracy, and that Stalin wanted to turn Spain into a Soviet satellite. On the Left, two different moralizing tacks have emerged. The first is reconciliatory in nature. It affirms the national unity of all Spaniards, regardless of their politics, by emphasizing empathy and hagiography over moral or judicial judgment—and by privileging a shared national identity over political differences. The second is combative. It privileges critique and moral denunciation over forgiveness or reconciliation, and affirms the irreconcilability of political conflict. As a result, it ends up questioning the possibility of a culturally or politically unified Spain—or at least making that possibility contingent on a thorough reconsideration of the past. Both tendencies mobilize the Holocaust as moral-historical trope; the second also invokes Chile and Argentina.

An example of the first trend on the Left is the documentary *Exilio* (focused on the hundreds of thousands of Republican exiles), nationally televised in September of 2002. Carefully skirting divisive topics, it tells the story of the exiles with a non-partisan sense of Spanish pride, appealing to the spectators' compassion and admiration regardless of their politics. While the documentary emphasizes the exiles' suffering, most of it is attributed to circumstances or to other nations. The film also underscores the exiles' disinterested heroism, particularly in their fight against Nazi Germany, while glossing over the sharp political divisions within the exile community (Naharro-Calderón 113). The image of the Spaniards as brave heroes of World War II—ruthless in their fight against Nazism and yet surprisingly tolerant toward their fascist countrymen—is also central to Cercas's best-selling novel *Soldados de Salamina*, which similarly trivializes political convictions.

On the opposite end we find a series of Catalan documentaries produced by Montse Armengou and Ricard Belis about the war and Francoism. The revelation in *Els nens perduts del franquisme* (2002) that the Francoist State had not only granted itself custody over thousands of Republican children but that some were illegally adopted by Francoist families, immediately associated Franco's Spain with Videla's Argentina. In *Les fosses del silenci* (2003), which deals with the grassroots attempts to unearth mass graves from the Civil War, an indignant older woman states:

Yo no oigo a nadie decir que se olviden del Holocausto, que se olviden del tren de la muerte que iba camino de Auschwitz, que se olviden de los que Pinochet, de una manera u otra, eliminó. Y sin embargo, en España hubo que correr un tupido velo, olvidar a todos nuestros familiares, olvidar las penas, las angustias, y todo lo demás. Aquí, no sé por qué, hay que olvidarlo todo. Y borrón y cuenta nueva. (Armengou and Belis)

(I hear no one say that the Holocaust should be forgotten, that they should forget the death train that headed toward Auschwitz, that they forget those who Pinochet eliminated in one way or another. And nevertheless, in Spain one had to draw a thick veil over the past, forget all our relatives, forget the sorrows, the anguish, and everything else. I don't know why here one must forget everything. And wipe the slate clean.)

In *Exilio* and *Soldados de Salamina*, placing the Civil War in the context of World War II served to shift the focus away from Spain's internal political divisions—in which adjudicating right and wrong remains highly contentious—and to call attention to the heroic participation of Spaniards in the fight against Nazism, that is, against absolute evil. In *Les fosses*, by contrast, whose English-language version is entitled *The Spanish Holocaust*, the opposite occurs: the Second World War is drawn into Spain, in order to bring the moral dimensions of the Spanish conflict into sharper focus. By calling the mass killings perpetrated by the Nationalists a holocaust, the filmmakers are identifying Franco directly with Hitler. And once that analogy is made, the whole process of the Spanish Transition—in which, after all, there was nothing comparable to the Nuremberg trials—is immediately called into question.

While *Exilio* invites its audience to identify with the witnesses as *Spaniards*, overcoming the political conflicts of the past and present, the Catalan films leverage the inherent drama and sentimentality of their subject matter to inspire outrage and political action not only against the Spaniards responsible for the victims' suffering but also against the supposedly democratic Spain that condemned them to years of silence. Gina Herrmann has argued, in fact, that Armengou's and Belis's films use the generic conventions of the political documentary to *make up for* the lack of judicial reckoning with the Franco regime. But with what purpose? Cercas is invested in the goal of national reconciliation. The narrative justice that he aims for is of the *restorative* kind. It is not clear whether the Catalan films aim for restorative justice or, rather, for some sort of *retributive* reckoning. “Even though a number of the testimonial speakers briefly reflect on their ability to ‘pardon,’” Herrmann notes, “the documentaries never broach a discourse of national reconciliation” (205).

Fictional Normativities

The debate among historians about the relative virtues of “history” and “memory” generally skirts the role of narrative fiction. Yet novels and fiction films have been an important part of the Spanish *moda de la memoria* (memory craze), and fiction writers have taken an active role in the public debates on the Republic, the war, Francoism, and the Transition. What is the role of fiction when it comes to redefining the relation between past and present? Historians, journalists, and documentary filmmakers can be held to ethical, epistemological, or political standards. But how about novelists? On the one hand, contemporary Spanish novelists have massively associated themselves with the memory movement, and many have injected their texts with copious doses of twentieth-century history, priding themselves in public on the amount of serious research done for their stories (Gómez López-Quiñones 23). On the other, they continue to reserve the right to make things up.

Given the extreme political sensitivity of the issues at hand, novelists’ creative license has sparked tensions. Cercas’s *Soldados de Salamina*, for example, elicited two main points of critique: that the ample space it grants to its fascist protagonist ends up establishing a kind of equivalence between the Right and the Left; and that its clever mix of fact and fiction purposely *mystifies* historical truth, precisely at a moment when the truth is what Spain is trying to retrieve. A more interesting polemic about the responsibility of the novelist took place in 2001 over Antonio Muñoz Molina’s novel *Sefarad*. A series of exilic episodes combining Spanish with non-Spanish characters, the book moves seamlessly from the Spanish Civil War into the Holocaust. Soon after the novel’s appearance, the Austrian novelist and Hispanist Erich Hackl wrote a scathing piece in which he stated that Muñoz Molina’s incursion into central-European history was marked by sloppiness, ignorance, arrogance and insensitivity (Hackl, “Industrias”). Among other things, Hackl noted that Muñoz Molina consistently misspells the name of the concentration camp at Bergen-Belsen, that he miscalculates the age and education of one of his historical characters, Viktor Klemperer, and that his treatment of Jean Améry is riddled with inaccuracies and inconsistencies. Hackl also objected to the way in which Muñoz Molina established a moral equivalency between Fascism and Communism—an especially odious thing to do for a Spaniard, given the roles played by both ideologies in Spanish history. For Hackl, Muñoz Molina is an opportunist who takes his historical characters hostage to make them serve his own revisionist agenda (“Industrias”). In his defense, Muñoz Molina wrote that he certainly sees a distinction between Fascism and Communism, although he will never identify progressivism with Stalinism: “Mis héroes,” he writes, “son los demócratas que perdieron la guerra civil española, los que lucharon en la

resistencia francesa contra los nazis, los que sobrevivieron a los campos de exterminio para descubrir, en muchos casos, que las organizaciones comunistas a las que se mantuvieron leales durante tantos años los consideraban traidores” (“Caso”) (My heroes are the democrats that lost the Spanish Civil War, those who fought in the French resistance against the Nazis, those who survived the concentration camps to discover, in many cases, that the communist organizations to which they stayed loyal during so many years considered them traitors). Although Muñoz Molina accepts the idea that the author of a historical novel has an ethical responsibility, he also defends his literary privilege, the need to achieve an *aesthetic effect*, and the right to deploy invented characters—such as the figure of the Isaac Salama, a Sephardic Jew—alongside the historical ones. Hackl’s response to this last point was perhaps most interesting. “El hecho de que yo haya tomado a Isaac Salama como personaje real y no como invención o unificación, como afirma Muñoz Molina, de varios fragmentos de vidas,” he writes, “va en detrimento del autor; dudando entre ambas posibilidades, me decidí por la primera confiando en su respeto a lo que la escritora Christa Wolf llamó el tabú de Auschwitz como objeto de la literatura escrita por generaciones posteriores: el precepto de no novelar historias del Holocausto mezclándolas con testimonios de los sobrevivientes” (“Responsabilidad”) (The fact that mistook the character of Isaac Salama for a real person and not as an invention or composite of various life fragments, as Muñoz Molina states, reflects badly on the author; doubting between the two possibilities I chose the first one because I trusted that Muñoz Molina would have respected what the writer Christa Wolf has called the taboo on Auschwitz as a topic in literature written by subsequent generations: the precept not to novelize Holocaust stories by mixing them with real survivors’ testimonies).

To be sure, we could dismiss the Austrian’s critique as territorial behavior, a Central-European slap on the hand—*how dare a Spaniard write about the Holocaust?* But we could also ask a different question: why has the Spanish Civil War not generated the kinds of discursive taboos or representational ethics that the Holocaust did? Why does the aesthetic treatment of the Spanish conflict have such a high tolerance for triviality? It’s not as if the topic has not been controversial—though on the other hand this controversy might precisely be our clue: one could argue that the Spanish Civil War never generated the kind of moral-historical *consensus* that the Holocaust did.

For the past seventy years, in fact, any mention of the Spanish Civil War has invariably served as a cue for a repetitive kind of polemical dance in which intellectuals work themselves into a lather, accusing each other of bias, cynicism, opportunism, ideological blindness, and bad faith. Research on the war has made great strides, but the nature of these disputes has changed very little. Two reasons may be adduced to explain this persistence. First, the Spanish Civil War occupies a central place in the historical

memory of many different communities across the world, with strong emotional and political investments in particular representations. Second, since there has never been consensus regarding the war's general narrative framework, its story lacks *moral closure*.⁵ Both factors can be traced back to specific historical circumstances—the 1930s alliance between antifascism and communism; the war's rapid internationalization; World War II and the Cold War; and the long life of the Franco regime. All this helps explain why the historical memory of the Spanish Civil War never turned into the universal moral trope that the Holocaust became. In a way, this lack of international consensus around Spanish history has served as a protective shield, allowing the political elites of 1970s Spain to orchestrate a transition to democracy as if Nuremberg never happened. Developments over the past fifteen years or so have been slowly but steadily eroding that protection.

Indeed, the increasingly insistent attempts to moralize and universalize the narrative of the Spanish Civil War and the Franco regime through analogies with the Holocaust and the Southern Cone are also having an effect on its cultural representations, where, as we saw in Hackl's scolding of Muñoz Molina, even novelists are faced with a new kind of *normativity* in terms of responsibility and decorum. To be sure, Spain's collective interest in historical memory over the past dozen years has sparked an interesting blending of genres. While novelists, journalists, and witnessing citizens have increasingly entered historians' territory, self-styled "historians" such as Pío Moa or César Vidal claim that their heavily skewed readings of the twentieth century are fully supported by historical "fact." As Antonio Gómez López-Quiñones points out: "Nunca la ficción ha parecido tan historiográfica y la historiografía tan ficcional" (16) (Never before has fiction seemed so historiographic and historiography so fictional). But this blurring of generic categories has, in turn, given rise to professional anxieties, defensive attitudes, and renewed appeals to normativity. Germán Labrador argues, for example, that the central place of novelistic fiction in the "memory movement" is encouraging the translation, if not conflation, of *literary* into *civic* values. As a result, "las elecciones que atañen al género literario—el tono o la voz, o las fuentes documentales de una ficción—son, en régimen de memoria histórica, tomas de decisión éticas y políticas: nadie escribiría una comedia de enredo ambientada en Auschwitz" (124) (the choices concerning a literary genre—the tone or voice, or the documentary sources of a fiction—are, within the system of historical memory, ethical and political decisions: no one would write a comedy of intrigue with Auschwitz as background).

The rise of historical memory, in other words, has spawned a new kind of literary-political commitment. Labrador points to younger novelists' attempts to establish a literary ethics to govern the fictional treatment of recent Spanish history. Isaac Rosa, for instance, has strongly criticized what he sees as opportunistic and irresponsible fictionalizations of the war, in

which history is reduced to “una realidad de telecomedia” (n.p.) (a sitcom reality) that destroys the ethical potential of historical memory by appealing to “una repugnante nostalgia” (n.p.) (a disgusting nostalgia). Based on Rosa’s critique, Labrador infers a growing consensus on a representational ethics for fictional representations of history, built on the centrality of historical rigor and archival research (Labrador 125).

In his epilogue to *Postwar*, Tony Judt argues that, for today’s Europe, the status of the Holocaust as moral trope has now extended to the collective imperative to *come clean about complicity with evil*: Acknowledgement of collective guilt has become a more or less explicit condition for membership in the European Union (EU) (*Postwar* 803). Had Spain been applying for the EU now, it may well have been asked, like Serbia and Turkey, to first come to terms with its past by establishing a truth commission, investigating Francoist crimes against humanity, or persecuting members of the regime’s political elite. Spain escaped this newly imposed ethical threshold by joining the European Community as early as 1986. Still, the legal and cultural effects of these international trends are impossible to avoid altogether. One way to understand the developments I have described here is to see them as Spain’s slow but steady coming to terms with the *normalization* of its history—or, to put this more precisely, with the reading of its history in comparative terms. In this process, the legacy of an old, Castile-centric exceptionalism that can be detected in some of the more forceful defenses of the Spanish transition are bound to bite the dust.

Notes

1. For a more detailed discussion the debate see Faber, Sánchez León and Izquierdo Martín.
2. History is disinterested; it concerns itself with “buscar la verdad . . . de [un] pasado inmodificable” (searching for the truth . . . of an unmodifiable past); history “busca conocer, comprender, interpretar o explicar y actúa bajo la exigencia de totalidad y objetividad” (seeks to know, comprehend, interpret or explain and acts under the exigency of totality and objectivity), while *memory* is about “legitimar, rehabilitar, honrar, condenar y actúa siempre de manera selectiva y subjetiva” (Juliá, “Presentación” 17) (legitimizing, rehabilitating, honoring, condemning, and always operates selectively and subjectively). See also Faber, “Debate” (177–80).
3. See for instance Alsedo. The notion of “Argentinization” in relation to historical memory was also used by Florencio Domínguez in an op-ed about the misinterpretation of Spain’s amnesty laws: “La distorsión sobre el sentido de la amnistía obedece, posiblemente, a una argentinización del análisis de nuestra historia reciente, a la confusión de nuestra transición, amnistía incluida, con las leyes de impunidad aprobadas entre 1986 y 1989 en Argentina en medio de presiones del ejército y levantamientos de carapintadas. Esa óptica argentina se ha extendido también a algunos organismos internacionales como el Comité de Derechos Humanos de la ONU que, en octubre del año 2008, emitió un informe

recomendando a España derogar la ley de Amnistía de 1977 y crear una comisión de expertos independientes ‘encargada de restablecer la verdad histórica sobre las violaciones de los derechos humanos cometidas durante la guerra civil y la dictadura’” (Dominguez) (The distortion about the meaning of amnesty is probably due to a kind of Argentinization of the analysis of our recent history, to the confusion of our transition, including amnesty, with the laws of impunity approved between 1986 and 1989 in Argentina in the midst of pressures by the army and the uprisings of *carapintadas*. That Argentinian lens has also extended to some international organizations such as the United Nations’s Committee on Human Rights which, in October of 2008, issued a report recommending that Spain rescind the Amnesty Law of 1977 and create a commission of independent experts ‘charged with re-establishing historical truth regarding the violation of human rights during the Civil War and the dictatorship’”).

4. “Vamos que lo del exhorto a no ‘argentinizar’ la transición, o la justicia española, y dejar sin aplicar tales instrumentos internacionales incontestables atendiendo a nuestras magníficas circunstancias patrias, es lo del *Spain is different* de toda la vida,—perdón de toda la vida no, de la dictadura” (Rodríguez Arias) (So, that petition not to ‘Argentinize’ the Transition, or Spanish justice, and failing to apply such uncontestable international instruments, in the name of our magnificent circumstances, is the life-long notion that *Spain is different*—pardon me, not lifelong, but [from the time of] the dictatorship).
5. I am grateful to my colleague Steve Volk for suggesting this phrase.

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