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Exhuming Spain's Violent History: Forensics, DNA, and Rewriting the Past

A dissertation submitted in partial satisfaction of the requirement for the degree Doctor of  
Philosophy in Sociology

by

Nicole Aimeé Iturriaga

2018

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## ABSTRACT OF THE DISSERTATION

Exhuming Spain's Violent History: Forensics, DNA and Rewriting the Past

by

Nicole Aimeé Iturriaga

Doctor of Philosophy in Sociology

University of California, Los Angeles, 2018

Professor Abigail Cope Saguy, Co-Chair

Professor Gail Kligman, Co-Chair

Scholars have argued that the state has the power not only to decide who lives and who dies, but also has multiple “modalities of power deployment over the production and management of the dead,” known as necropower.<sup>1</sup> However, the emergence of a forensics-based human rights social movement raises larger questions about how activists in post-conflict states are using forensic science to seize this nexus of state necropower. My research thus focuses on understanding: *How are human rights activists using forensics and DNA testing to reframe histories of violence? How are these human rights activists using various mechanisms (globalized conceptions of human rights, transnational activist networks, international law, pedagogy, performance, embodiment) to further their goals of restoring identity, memory, and*

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<sup>1</sup> Wilson, Richard Ashby. *Necropolitics: mass graves and exhumations in the age of human rights*. 3-4. University of Pennsylvania Press, 2015.



*justice within a globalized context?* This study seeks to explore these questions through a case study of the silencing of the past in Spain.

Chapter 2, *Human Rights Forensics, A Global Movement Born in Death*, focuses on the work of the Argentine Forensic Anthropology Team (EAAF) and the Grandmothers of the Plaza de Mayo, who initiated and globalized this movement in response to the violent military regime that terrorized Argentina from 1976-1983 and left at least 30,000 people missing. It draws from a variety of data sources, including historical secondary literature, legal cases, and interviews with the leaders of the EAAF and the Grandmothers of the Plaza de Mayo, as well as two months of observational data collected in Argentina in 2015. This chapter builds the groundwork of how forensics-based human rights transnational movement began, flourished, and spread. It shows that the Argentinean example may be one of the only fully successful cases of activists seizing control of a dominant narrative of state terror.

I further analyze the impact of the EAAF and the Grandmothers' globalization of this movement in an in-depth case study of Spain's most prolific human rights forensic organization—the Association for the Recovery of Historical Memory (ARMH). My analyses draw on a 15-month participant observation of the ARMH, over 230 in-depth interviews, and a discourse analysis of visitors' guest books from ARMH exhumations. I approach the case study through an in-depth analysis of three key dimensions: *Performance*, *Pedagogy*, and *International Connections*. I argue that these three dimensions illustrate the complex, overlapping, and sometimes-contradictory tactics that ARMH activists use in their reframing of Spain's violent past. Chapters 4-6 thus represent the core of the research, with each chapter directly corresponding to each of these dimensions.

In sum, I find that, by basing their claims in science, human rights activists transform perceptions of them from prejudiced activists with political goals into objective experts. Using science, international protocols, and tropes of modernity; activists depoliticize their version of state terror. I illustrate how, by using this ‘depoliticized approach,’ human rights activists successfully seize necropower from the state, meaningfully change how people understand and remember past violence, mold transitional justice efforts, reconstitute the identities of missing persons, and facilitate important death rituals for victims’ families.

The dissertation of Nicole Aimee Iturriaga is approved.

Hannah Louise Landecker

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Gail Kligman, Committee Co-Chair

Abigail Cope Saguy, Committee Co-Chair

University of California, Los Angeles

2018

*—Para los sobrevivientes y luchadores contra el terrorismo del estado*

&

*—For my parents*

# TABLE OF CONTENTS

ACRONYMS .....	IX
LIST OF TABLES .....	X
ACKNOWLEDGEMENTS.....	XI
CV.....	XV
<b>EMPLOYMENT .....</b>	<b>XV</b>
<b>EDUCATION .....</b>	<b>XV</b>
<b>PUBLICATIONS.....</b>	<b>XV</b>
<b>AWARDS.....</b>	<b>XV</b>
<b>CHAPTER 1: INTRODUCTION .....</b>	<b>2</b>
<i>Necropower: Control the Memory, Control History.....</i>	<i>6</i>
<i>'Political Lives of the Dead' .....</i>	<i>8</i>
<i>Collective Memory.....</i>	<i>10</i>
<i>Social Movements and Performativity.....</i>	<i>13</i>
DATA AND METHODS .....	16
CHAPTER OUTLINE .....	20
<b>CHAPTER 2: HUMAN RIGHTS FORENSICS, A GLOBAL MOVEMENT BORN IN DEATH .....</b>	<b>24</b>
ARGENTINA'S DIRTY WAR .....	24
<i>The Rise of the Grandmothers.....</i>	<i>28</i>
<i>The Rise of the EAAF.....</i>	<i>31</i>
THE GRANDMOTHERS, DNA, AND THE CONTESTING OF "HISTORY" .....	36
<i>Scientific Advancements, Forensic Truths, and "Restituting" Identity, Changing History.....</i>	<i>37</i>
<i>Genetic Identity, Memory Work, and the Continued Search for the Living Disappeared.....</i>	<i>45</i>
<i>Impact of the Grandmother's Negotiation of Necropower.....</i>	<i>54</i>
GLOBALIZING THE FIGHT.....	56
<b>CHAPTER 3: SPAIN'S VIOLENT &amp; REPRESSIVE PAST, A PRIMER.....</b>	<b>60</b>
<i>The Spanish Civil War .....</i>	<i>60</i>
<i>The Coup d'état of 1936 .....</i>	<i>61</i>
<i>Francoism .....</i>	<i>67</i>
<i>Shaming the Defeated, Franco Repression .....</i>	<i>69</i>
<i>Creating the Dominant Narrative.....</i>	<i>72</i>
<i>Post Franco, Transition, and Changing Legal Regimes.....</i>	<i>76</i>
<i>Spanish Legal Structure .....</i>	<i>77</i>
<i>The Rise of the ARMH.....</i>	<i>80</i>
<b>CHAPTER FOUR: BREAKING THE SILENCE, BREAKING THE FEAR: THE ROLE OF PERFORMATIVE TACTICS .....</b>	<b>83</b>
FINDINGS .....	87
EXCAVATIONS: RIPPING OPEN THE GROUND AND PERFORMED 'FEARLESSNESS' .....	88
<i>Asking for Help; Tacit Mechanisms that Provoke Conversations about the Past .....</i>	<i>92</i>
<i>Breaking the Silence &amp; Storytelling .....</i>	<i>96</i>
HOMAGE AND REBURIAL CEREMONIES.....	100
<i>Performing the Dignification of the Defeated.....</i>	<i>102</i>
<i>Homage to the Unidentified.....</i>	<i>110</i>
MEMORY EVENTS.....	119
<b>CHAPTER 5: PEDAGOGY AND CLASSES AT THE FOOT OF THE GRAVE.....</b>	<b>126</b>

CLASSES AT THE FOOT OF THE GRAVE .....	128
<i>Introducing Moral Claims</i> .....	132
THE GRAVE SPEAKS.....	134
<i>The Bones ‘Speak’ Their Truth</i> .....	135
EMBODIED OBJECTS, EMBODIED LOSS .....	137
<i>Breaking the silence and advocating for accountability</i> .....	138
<i>The Public’s Emotional and Political Responses to the Forensic Lessons</i> .....	142
<i>Democratizing Collective Historical Memory</i> .....	145
<b>CHAPTER SIX: INTERNATIONAL CONNECTIONS .....</b>	<b>148</b>
<i>Transnational Advocacy Networks</i> .....	149
<i>Spanish Activism via Argentina</i> .....	152
<i>The Cemetery of Guadalajara</i> .....	157
<b>EFFECTS OF TRANSNATIONAL INTERVENTIONS.....</b>	<b>160</b>
<i>Critiquing the State</i> .....	162
<i>Ambivalence about Argentina’s Intervention in Spanish Politics</i> .....	168
<i>The New International Brigades; How the ARMH Integrate Transnational Actors into Existing Tactics</i> .....	170
<b><i>TRANSNATIONAL RELATIONSHIPS, INTERNATIONAL COLLECTIVE MEMORY, AND PERFORMANCE</i> .....</b>	<b>174</b>
<i>Transnational Media Diffusion Strategies</i> .....	182
<i>The Continued Impact of Argentina’s Intervention</i> .....	185
CONCLUSION.....	189
<b>CHAPTER 7: CONCLUSION .....</b>	<b>192</b>
<b>METHODOLOGICAL APPENDIX.....</b>	<b>204</b>

## **Acronyms**

**ARMH-** Association for the Recovery of Historical Memory

**EAAF-** The Argentinean Forensic Anthropology Team

**The Grandmothers-** The Grandmothers of the Plaza de Mayo

## **List of Tables**

**Table 1.** Interviewees with Activists in Argentina and Spain Pg. 209

**Table 2.** Interviewees with Non-Activist Spaniards Pg. 209



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<sup>1</sup> The majority of the photographs in this research were taken by the author.

project and finish it. Your patience is seemingly never-ending, and I am forever indebted to you. I am as dually grateful to my other advisor and mentor, Gail Kligman. Again, you were with me every step of the way through my graduate school career. I will never be able to fully articulate the impact you have had on shaping my intellectual life nor how thankful I am that I got to study under you. I look forward to many more years of listening to your brilliance and hoping some of it gleans onto me. Thank you, Gail and Abby, for everything. I will try and make you proud.

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I remember looking at my mother's bound dissertation and saying, "you would have to be nuts to write a dissertation." I know now that this to be unequivocally true. That being said, I would like to thank both Dr. Rodolfo Iturriaga and Dr. Judith Iturriaga for their guidance, love, and never-ending support, especially these last few years. I would not be here without it. I am who I am because of you and I hope that I have made you proud.

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- Department of Sociology UCLA Excellence in Teaching, 2011-2012
- UCLA Sociology Department Graduate Fellowship, 2010-2015
- Graduate Research Summer Mentorship, 2012
- Graduate Research Summer Mentorship, 2011
- Glaser Education Foundation Academic Scholarship, 2009

ANTIGONE: Ismene, I am going to bury him. Will you come?

ISMENE: Bury him! You have just said the new law forbids it.

ANTIGONE: He is my brother...And I will bury him; and if I must die, I shall lie down with him in death...It is the dead not the living, who make the longest demands: We die forever...

—Sophocles

## **Chapter 1: Introduction**

The view from the graveyard provided a striking panoramic scene of the Galician countryside, bright green and rolling into the horizon. Cows bells and the whistling of the high grass provided a pastoral soundtrack to the day. The village below looked as though time had not passed through this part of Spain. In many ways, at least for the victims of the Spanish Civil War and the Franco regime, time has stood still, their painful stories waiting to be revealed.

Along the side of the small village church that shades much of the cemetery, a small group of forensic anthropologists, archeologists, and volunteers huddled around a shallow hole in the ground. Working in the grave is a mix of Spaniards and Argentineans representing two of the most prolific human rights forensic teams in the world, the Spanish Association for the Recovery of Historical Memory (ARMH), and the Argentine Forensic Anthropology Team (EAAF).

Slowly they have removed 2-3 feet of dirt, revealing the skeleton of a man who had been shot to death by the Spanish civil guard in 1949. The victim had been a ‘maqui,’ or a guerilla fighter who survived the brutal Spanish Civil War (1936-1939) only to find himself hunted by the fascist winning side. Like other Maquis, he survived for ten years hiding in the mountains and safe houses in the surrounding rural villages. Though dangerous, he would sometimes visit his family, including his only son, then run off to the mountain trails behind his house before the police could know he was there. His life ended at the age of 34 when a civil guard infiltrated his guerrilla cadre. Three Maquis were killed in a gun battle, their deaths detailed in the Francist military records (Lugo 1949). They were then buried without caskets in an unmarked grave in the civil part of a cemetery near where they were assassinated.

The other two men in the grave had been previously exhumed in 2012. Due to some confusion, the identity of the third man was unknown, so a molar had been taken during that



original exhumation for DNA testing. Unfortunately, at that time the ARMH, the civil society organization responsible for the exhumation, lost all of its state funding. A new conservative government had recently come into power and decided it was no longer interested in helping to remove the 140,000-114,000<sup>1</sup> victims of enforced disappearance and arbitrary execution from the civil war and the Franco regime. Hence, the ARMH could no longer afford the DNA testing, which cost around 500€ per sample.

All that changed, when in early 2015, the EAAF stepped in and offered to support the ARMH by providing DNA testing services for free. Thus, the ARMH was able to run the sample and identify the man. As luck would have it, the leaders of the EAAF were in town when the ARMH had planned to conduct the exhumation and invited them to participate.

Over the last 30 years, the transnational forensics-based human rights social movement has created, and disseminated, a new tactic for both holding perpetrators of human rights abuses accountable, as well as challenging how post-conflict societies understand and remember their past. Like a phoenix, the forensics-based human rights movement was born out of the ashes of Argentina's last violent military regime that terrorized the country from 1976-1983. During its reign, they enforcedly 'disappeared' over 30,000 leftists and stole 500 living children, who were adopted by members of the regime under false identities. According to the United Nations' official definition, enforced disappearances are "the arrest, detention, abduction or any other form of deprivation of liberty by agents of the state... followed by a refusal to acknowledge... the fate or whereabouts of the disappeared" (Disappearance 2006). This movement has propelled

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<sup>1</sup> The exact numbers vary depending on what organization is giving the number. The exact number is unknowable due to the continuing refusal to declassify both Church and state archives.

activists, worldwide, to search for justice, accountability, and for the ‘truth’ of what happened through scientific technologies and the promise of accuracy.

In many post-conflict countries, such as Spain, the fight for accurate accounting and collective memory can be contentious, with the state often controlling the narrative. As such, it has been difficult for human rights activists, families of the victims, and post-conflict societies as a whole, to be able to obtain the full ‘truth’ of what happened, including the destinies of those who were enforcedly disappeared during instances of state terror, war, and genocide (Ashplant, Dawson and Roper 2000, Banjeglav 2013). The emergence of new technologies and scientific interventions has provided those seeking the truth the rare chance to demand, and sometimes achieve, answers and accountability. However, the development and promulgation of the transnational forensics-based human rights social movement and its impact raise larger questions about *how* activists in post-conflict states are using forensic science to seize this state power, also known as necropower. Necropower is the state’s power over the production and management of the dead, which includes power over collective memory and historical accounting of the past (Mbembe 2003).

This research consequently intersects the study of post-conflict transitions, memory politics, and a growing, yet powerful, transnational forensics-based human rights social movement. In this thesis, I argue that human rights activists are using forensic science—such as exhumations and DNA testing—to challenge official collective memories of violence, thereby seizing and democratizing state power over historical remembrances of state terror. I further unpack how activists use various mechanisms (globalized conceptions of human rights, transnational activist networks, international law, pedagogy, performance, embodiment), to

further their goals of exposing the ‘truth’ of the past, as well as restoring memory, identity, and justice within a globalized context.

However, the transnational network of human rights forensics is not a monolithic block with identical goals and outcomes, but is rather, constrained and tied to various national and legal realities that determine the kind of interventions and outcomes of each case. Thus, I approach this topic through an in-depth ethnographic case study of Spain’s most famous human rights forensic organization, the Association for the Recovery of Historical Memory (ARMH). I have chosen Spain, because unlike other cases of transnational forensics-based human rights activism in post-conflict societies, such as in Argentina, Guatemala, or Bosnia Herzegovina, the violence is not of the recent past. Instead, Spain represents an intriguing and somewhat neglected example of how social movements and improvements in technology and forensic science have provided the long-suffering victims of the Spanish Civil War and the Franco regime a new opportunity to seize ownership of the collective memory of the violence eighty years after the war and forty years after the democratic transition. Spain is thus a compelling case of how transnational networks and the diffusion of forensic science can lead to the demand for and achievement of some types of transitional justice. Additionally, this research provides a comprehensive exploration of the on-the-ground effects that transnational human rights advocacy, networks, and forensics-based human rights can have on a post-conflict state that has refused to confront its violent history.

Over the course of the study, I focus on three distinct dimensions (Performance, Pedagogy, and International Connections) of the ARMH’s work to reframe the collective memory of violence that marked the Spanish Civil War (1936-1939) and the Franco regime (1939-1975). These three dimensions illustrate the complex, overlapping, and sometimes

contradictory tactics that ARMH activists use in their reframing of Spain's violent past. Accordingly, the case study is broken into three substantive chapters focusing on in-depth analysis of these three key dimensions. Through these chapters, I show that by grounding their claims in science, human rights activists have presented themselves as credible and impartial scientists, rather than as partisan and biased activists. In other words, they draw on science, international protocols, and tropes of modernity to depoliticize their account of state terror. This work reveals that human rights activists, using what I call a "depoliticized approach," can meaningfully change dominant narratives of violence, shape transitional justice efforts, and reconstitute the identities of missing persons. Additionally, I show that this transnational movement's sovereignty and legitimacy, has risen—in some cases—above that of the nation-state.

*Necropower: Control the Memory, Control History*

My research grounds itself primarily in the literature of necropolitics. This theory is a derivative of Foucault's original argument that governments use "numerous and diverse techniques for achieving the subjugations of bodies and the control of populations," also known as biopolitics (Foucault 1977:140). Biopolitics then is how modern governments control their populations by subjugating their citizens' bodies. Mbembe (2003) maintained, however, that biopolitics does not fully capture how states still use the threat of *violent death* to maintain control over their populations. Rather, he argues, that states develop through, "the reproduction of death, including its meaning and representation, as the counterpart to life," (Mbembe 2003:16). Thus, the meaning of death in society becomes clarified by who does the killing and who are the targets for death.

Biopolitics and necropolitics are consequently intertwined concepts, both illustrating how governments justify protecting the lives of some via the deaths of others (Braidotti 2007, Wright 2011). I, like other scholars (González-Ruibal and Ortiz 2015, Robben 2015), contend that necropolitics and necropower extend to include historical narratives and collective memories, which explain the roles and importance of the dead for society. It should be noted that while Mbembe was referring to *all* the dead in society, this thesis focuses only on how Spanish society and the international community understand and remember the dead bodies produced from the mass violence of the Spanish Civil War and the Franco regime.

A large sociological and anthropological literature shows that the death of a human being provokes both social and moral obligations that are conveyed through culturally specified funeral practices (Hertz 2017, Robben 2017). As such, what a society does with its dead is illustrative of the stratification of the citizenry within the social order (Robben 2017). Moreover, how dead bodies are then interpreted by the state also reflects and embodies stratification between the citizenry (Wright 2011:709). This can be most clearly demonstrated by looking at how societies bury and glorify their political, cultural, and religious leaders when they die, in comparison to how they bury their indigent or criminal dead. The variations between these groups reflect important societally prescribed stratification of the importance of that person's life.

As in other instances of state terror, Francoist Spain used enforced disappearances, arbitrary executions, and unmarked graves to sow terror and repress any resistance to its power during both the civil war and the subsequent regime. These practices also served to render the 'disappeared,' and those who were known to have been killed but were buried in undisclosed graves, completely invisible. When a state disappears someone, does not mark graves, or denies families the right to mourn, the dead no longer have identities. They are denied their funeral rites

or any future memories—they are just gone (Gelonch-Solé 2013, Robben 2001). Moreover, governments can use the specter of these missing citizens to transform them into enemies of the state who were deserving of their fate (Disappearance 2006, Robben 2017). State-backed enforced disappearances thereby also illustrate how state necropower can condemn enemy dead to an “in between space” of existence, never being able to socially, culturally, or religiously transition from living citizen to the classified dead and properly mourned.

*‘Political Lives of the Dead’*

For the surviving families and societies, enforced disappearance is considered a long-lasting form of torture—creating enforced oblivion, incomplete mourning and terror. The latter maintains a social trauma that afflicts all citizens (Gelonch-Solé 2013, Robben 2001, Robins 2010). Research in Holocaust Studies (See Hirsch 2008, Kellermann 2001), on the former Yugoslavia (See Wagner 2008), and on Latin America (See Lessa and Druliolee 2011, Sanford 2003) has shown that perpetual grief, interrupted mourning, and post-memory, following enforced disappearance traumatizes those who experience it in their families. Previous work on Spain has also shown that this trauma can become inherited through generations of the descendants of the disappeared (Renshaw 2010a). As such, many of the relatives searching for their loved ones in Spain are the grandchildren of the victims without a direct relationship in life, creating something called post-memory, or the embodied sense of historical connection (Renshaw 2010b).

As such, the ‘disappeared’ or the ‘missing,’ as a social category, have political power that is derived from their ambiguous state. Scholars have reasoned that the disappeared have the agency to ‘haunt,’ inspire, or create social and political reckonings because the dead can become

symbolic political vehicles, which are open to use by various actors (Gelonch-Solé 2013, Verdery 1999). Indeed, the idea that the dead continue to influence the political actions of the living is a prominent and defining aspect of many of the human rights groups formed by the relatives of the disappeared in Argentina and Spain (Bosco 2004, Druliolle 2013, Renshaw 2011, Rubin 2015). However, due to the rise of forensics-based human rights, the formerly disappeared now have even more political power, whether it be from mass graves of genocide and ethnic cleansings of the former Yugoslavia, Rwanda, or Cambodia (Hinton 2005, Koff 2007, Wagner 2008) or the exhumation and reburial of former Soviet era political and cultural figures (Gal 1991, Verdery 1999). As such, dead bodies have never been more active in national politics than today.

Increasingly anthropologists and sociologists have been researching the various facets of the commemorative, symbolic, political, judicial, and scientific processes, or necropolitics, related to the unearthing of mass graves from past and present violence (Binford 1996, Cassia 2005, Ferrándiz 2013, Sanford 2003). Katherine Verdery (1999) focuses at length on the political lives that some dead bodies have in Eastern Europe and the former Soviet Union. She argues that scholars need to be aware of how particular corpses can be manipulated and used within wider international and national contexts, especially in “reassessing or rewriting the past and creating or retrieving memory” (3). However, as Ferrándiz (2013) wisely points out, in the case of Spain, “the exhumed skeletons are, as a collective body, increasingly claiming visibility and prominence within the broader category of victims of the Civil War and Francoist repression” (2, Juliá 1999, Vinyes 2002).

Another key underlying aspect of the political lives of the dead is the idea of inherent human dignity. It has been argued in the literature, and in international law, that the dead have

intrinsic self-worth, which demands respect from the living (Rubin 2015). German and Israeli courts have both decreed that the dead have dignity and are therefore guaranteed certain legal rights (McCrudden 2008:707-08). This idea is not particularly new or radical, as Hugo Grotius argued in the 15<sup>th</sup> century that enemy soldiers deserved proper burials due to their basic human dignity (See also Grotius 2005[1625], McCrudden 2008). This argument in favor of respecting war dead has provided the foundation for the modern international legal order (McCrudden 2008, Rubin 2015). As such, the dead continue to have dignity and are accordingly able to make claims upon the state, such as the basic right to a proper burial. Moreover, as enforced disappearances are also considered a crime against humanity, there are no statute of limitations. As such, the victims of these crimes can also potentially forever demand justice, making them even more powerful figures in society (Rosenblatt 2015, Rubin 2015).

### *Collective Memory*

How the past is remembered, represented, and understood within a society is deeply connected to collective, often national identities and solidarity, which are influenced by cultural norms around emotion, storytelling, and the passing of time (Gamson 2018). Collective memory of the past includes events that may not have been directly experienced and are often controlled by state and political elites. Thus, the creation and maintenance of collective memory should be thought of as a fluid, constantly changing, and messy process (Bodnar 1992).

One aspect of this fluidity is that counter-narratives regularly challenge dominant memories of the past, which can then destabilize, subvert, or replace them (Banjeglav 2013:8). However, the social actors who are putting forth these counter-narratives need to be considered legitimate, and not oriented by revenge or corrupt purposes, in order to be successful



at supplanting the dominant history (Olick and Robbins 1998). This negotiation over the ownership of historical and collective memory can be particularly difficult in societies that have faced political violence, war, or genocide (Ashplant et al. 2000, Banjeglav 2013, Kligman and Verdery 2011).

In societies that have suffered from state terror and violence, the political power of the dead extends to the shared collective memory of the violent past. Effectively, how a society remembers its past—especially a violent one—often depends on how the dead have, or more tellingly, *have not* been re-incorporated back into society (Anderson 2011, Davis 2005, Nelson 2003). While collective memory is generally already a fluid and messy process (Bodnar 1992), in societies that have suffered from state terror and violence, collective memory is more often characterized by a contentious balance of vying narratives and the state’s desire to maintain stability (Humphrey 2012, Resina 2000, Schmidt 1997). As such, societies dealing with the hangover of state terror and enforced disappearance, the need to address the issue of the disappeared, their meaning, and whether or not to re-assimilate them into the new social order is often a major issue in creating the collective memory of the violent past (Ferrándiz 2017, Robben 2005b).

The creation and globalization of forensics-based human rights have introduced the opportunity for many grieving families and societies to be able to recover and rebury the dead. Both scholars and human rights activists have argued that exhumations and identifications are necessary for closure for the living survivors, important death rituals for the dead, and the continuation of a healthy politic (Robben 2000). The forensics-based human rights movement has been able to capitalize on this grief and the very basic and human need to bury one’s kin to force a conversation about the past. Moreover, through their use of seemingly ‘unbiased’ science

they can refute state accounts of the violence and reframe, if not entirely rewrite, the collective understanding of the past.

The forensics-based human rights social movement in its thirty-five-year history has seen activists push the bounds of forensic anthropology and genetic testing to new levels and successes in human rights advocacy, transitional justice, and historical memory campaigns (Rosenblatt 2015, Wilson 2015). One of the main benefits of this previous work is that activists, both historically and currently, have successfully side-stepped de-legitimization strategies used to discredit their agenda, due to the perceived ‘unbiased’ nature of forensic science. For example, once activists’ present scientific evidence, such as DNA identifications with 99.9% accuracy or forensic proof of torture, it can be difficult for rivals to reasonably contend that the activists’ version of events is false or tainted by politics (See: Bouvard 1994, Sanford 2003, Wagner 2008).

The collective memory scholarship has focused almost entirely on memorials and commemorations for wars (Wagner-Pacifici and Schwartz 1991), atrocities (Hughes 2003), victims of disease (Gamson 2018), and historical figures (Schwartz 1991). However, this limits the scope of understanding the roles and actions that non-state actors, like civil society organizations and human rights activists have in the reshaping of how memories of political violence and human rights atrocities are remembered. By looking at the case of ARMH activists, in Spain, I aim to reveal how their practices, at the micro-interactional level use de-politicized science as an entrée into offering up a reframed narrative of violence, critiques against the state, and introduce a human rights agenda that might otherwise be ignored, especially in more polarized societies, such as Spain.

### *Social Movements and Performativity*

As the ARMH is a part of two social movements, the historical memory movement in Spain and the transnational forensics-based human rights movement, I look to the social movements literature to help guide my understanding of some of their movement tactics, such as performativity. One of the central concerns in social movements research is understanding how movements use different tactics to bring about change within the state or state related political spheres (McAdam, Tarrow and Tilly 2003, Tilly 2008), or to provoke cultural changes (Melucci 1985, Pichardo 1997). Most of the empirical research on collective action analyzes movements that want to change formal institutions and have clearly defined demands.

However, Taylor and contemporaries (Taylor and Van Dyke 2004, Taylor, Kimport, Van Dyke et al. 2009) have advanced a new framework, which allows for the analysis of the wide variety of movement tactics and goals that exist in the world of social movements. According to this framework, social movement tactics have three fundamental features: social movement actors are *contesting* an existing social order; they are *intentionally* challenging this social order and are not simply responding to other motivations; and a *collective identity* binds these movement actors together (Bruce 2013). Using this framework, previous research like Rupp and Taylor (2003) posited that drag performers challenge the gender binary via their performances, whereas Bernstein and De la Cruz (2009) illustrated how Hapa activists were able to contest the idea that each person has one race only by asserting multiracial identities. The ARMH fits within this framework as they are contesting the existing social order of the Spanish state's necropolitics. They are intentionally challenging this social order predominantly through forensic interventions, such as exhuming mass graves of victims from the Spanish Civil War and the

Franco regime, and they are bound by a collective identity of being connected by a belief in international human rights and being the scientific narrators of Spain's true history.

An additional strength of this framework is that it allows for a more nuanced analysis of movement tactics, including that of performativity. A performance, in social movements scholarship, refers to a one-time event, like a protest march. While the term 'performative' is used to indicate an action, often repetitive, that expresses or embodies and establishes the significance of a given concept. Philosopher Judith Butler (1999) used the idea of performativity to argue that gender is not a steady identity, but rather "stylized repetition of acts," which encompass "bodily gestures, movements, and enactments of various kinds"(Butler 2006:519). These stylized repetitious acts are what create the performative actions that then become recognized as a gender identity. West and Zimmerman (1987) similarly argued that when people do not follow these culturally determined behaviors and actions, they can be socially sanctioned.

The application of performance theory to social movements, and the study of tactics, has mostly been relegated to the study of dramaturgical aspects of protest events (Alexander, Giesen and Mast 2006, Enford and Hunt 1995, Tilly 2008). However, others (Butler and Athanasiou 2013, King 1996) have argued that performative actions used by social movement organizations (SMO) can actually be the materialization and embodiment of the change the SMO is seeking. Key examples of this would be during the Civil Rights Movement when African-Americans used performative actions, such as integrating whites-only lunch counters or the whites-only section of a public bus, to actualize their right to occupy those spaces and claim their rights as humans and citizens. Other examples can be seen in the actions of Saudi activists who encouraged women with legal driver's licenses from other countries to disobey the law prohibiting women

from driving their cars, as a way to manifest the desired change to Saudi culture and law (Tsujiigami 2018).

In this research, I apply the theoretical framework of performativity to develop a deeper understanding of the ARMH's social movement tactics as they attempt to seize and democratize the centralized Spanish state's necropower over the historical remembrances of the Spanish Civil War and the Franco regime. As will be discussed in more detail, the Spanish state had nearly 40 years of total and repressive control over how the war and regime were understood. This collective memory was enforced through terror and has thus left a long lasting inter-generational trauma, which still manifests itself through silence. The democratic transition in the 1970's correspondingly maintained this silence through a series of policies called the 'pact of forgetting' (pacto del olvido), as they encouraged censorship and the goal of preventing further political polarization (Davis 2005). Scholars have argued that the transition also changed the dominant narrative so that culpability for the violence was collectively shared (Aguilar 2002). This framing maintained the marginalization of the victims of the Civil War and Franco regime, thereby institutionalizing a new form of sanitized silencing of the victims' suffering. This new narrative was internalized by Spanish society until the early 2000s when it was broken by Emilio Silva, a journalist and sociologist, when he organized the first scientific exhumation of victims of the Civil War, including his grandfather. This was then directly followed by the advent of the ARMH by Emilio Silva (Encarnación 2014).

As such, for the ARMH to get anywhere close to their goals of successfully reframing the dominant collective memory of the past violence, it is imperative to understand their use of interactional tactics that enact the breaking of this lingering and powerful silence. These performative tactics often intersect their technical work, which allows ARMH activists to engage

Spaniards who have stumbled upon their work. As such, this research also aims to illustrate how movement actors who are using available tools (science, performative ‘fearlessness’, storytelling, pedagogy, and physical remains) to bolster their claim of being legitimate narrators of history.

### **Data and Methods**

My analysis draws on a mixed methods approach, which focuses on two countries, Argentina and Spain. My discussion of Argentina draws on two months of interviews and observations in Argentina in 2015 and four interviews with key experts there working with the Argentine Forensic Anthropology Team, known by their Spanish acronym EAAF, and the Grandmothers of the Plaza de Mayo. I also completed a historical analysis of the secondary literature of the movement beginning in post-conflict Argentina.

The bulk of my research focused on Spain. I conducted 15 months of participant observations in 2015, 2016-2017 with the Association for the Recovery of Historical Memory (ARMH). The ARMH, is the most well-known organization in research on Spain, due in large part to their continued dedication to exhumations and public memory acts, which keep its name continuously in the press. During my fieldwork, the ARMH only had four full-time employees based in a university laboratory in Ponferrada, Spain. However, they also have a Madrid office that is run by volunteers and has agreements with local universities, where students can get course credit for helping do historical and archival research for the association. In general, the ARMH has evolved into an organization that is dedicated to researching and conducting forensic exhumations of victims, as well as advancing educational initiatives, theatrical performances, conferences, press releases, proposals for new laws, legal complaints, and social media campaigns.

As such, the ARMH has two different wings of their organization. The first being the technical and scientific side, which attempts to stay as de-politicized as possible so as to protect the perceived ‘unbiased’ nature of their technical interventions. It was explained to me during an interview with more than one ARMH leader that technicians, such as the lead archeologist, should never be the ones making direct political claims. Rather, it should only be the president or the vice president, which precludes a technician from ever holding one of the political positions in the association.

The other wing of the ARMH is explicitly political and engages in making and negotiating political demands. Mostly this political work is done by the president and the vice president, as well as the social media accounts of the ARMH. The explicit political rhetoric and vocalized demands are usually only observed in provocative memory events such as the ARMH’s anniversary celebrations, the international day of the disappeared (August 31), or when the president or vice president are being interviewed about particular laws, legal complaints, or issues relating to Spain’s historical memory. However, the ARMH, unlike other historical memory groups operating in Spain, does not go so far as to associate with a particular political party that could potentially create political changes, nor does it champion anything other than a belief in meaningful transitional justice efforts that reflect current international human rights standards. Given the contested nature of Spain’s history, the ARMH attempts to forward its interests in a neutral, scientifically grounded way appearing non-partisan in so doing.

My ethnographic fieldwork consisted of observing the daily operations of the ARMH’s laboratory in Ponferrada, attending all feasible public events, as well as observing and *fully* participating in searches and exhumations of mass graves. The multi-sited approach to participant observation encouraged the decision to follow the association’s work, which enabled

me to be embedded in all of their work, and to gain access to all those interacting with the association (Marcus 2009). Additionally, the multi-sited ethnographic approach, allowed me to observe many different regions of Spain including, Galicia, Castilla-Leon, La Mancha, and Cadiz. Given the political significance of regionalism in Spain, this approach offered the opportunity to view the association's work and impact across a variety of regions and reception by locals. I selected the ARMH because it was the originator of the movement in Spain and the most active and recognized organization conducting exhumations during the time period I was conducting fieldwork.

I obtained access by contacting the association, who welcomed me to work alongside them during the times I requested. In exchange, I did volunteer work, such as organizing and digitizing documents, as well as translating various items such as records, guest books, and reports. While in the field, I took extensive field notes in a field notebook. On occasion, I would also record public events on my tape recorder or gain access to the association's official documenter's videos of public events, to further crosscheck and add details to the full field notes. Full field notes were written for each observation and then hand coded.

I also did a content analysis of the visitor guest books, where visitors to the exhumations write their comments and feelings about each of the observed exhumations. I reviewed and coded entries by hand, specifically for mentions of artifacts, bones, signs of violence, the classes, history, and science.

In addition, I conducted 200 informal interviews with non-activist Spaniards who were either in attendance at mass grave exhumations or other memory events. I also recruited 15 activists working within the ARMH and 15 non-activists to do formal and recorded interviews. I used respondent-driven sampling to recruit the formal interviews of both the activists and non-



activists. The non-activists were all recruited where the ARMH laboratory is located in the north west Castilla-Leon region of Spain. All but one of the interviewees were aware that the ARMH had a laboratory in their town.

For all the interviews, I designed and followed a semi-structured interview guide, which differed slightly depending on whether or not the respondent was an activist or non-activist. The activist interview guide covered more about the participant's personal experiences working in human rights. However, I designed both interview guides to focus on the respondents' opinions about the history of political violence in Spain, human rights in general, the memory movement in Spain, the role of exhumations and DNA on human rights, and whether the respondents thought the dominant historical narrative about the past violence was changing and why. The interviews ranged from 30-120 minutes. I conducted the formal interviews in private offices and homes (all of which I recorded, transcribed, and coded). The interviews were conducted and transcribed in Spanish. During the data analysis and coding process, I translated the key parts of the interviews. I coded all of the interviews using the qualitative software HyperResearch. Respondents could choose to be identified by their real name—the preferred option of public figures—or a pseudonym of my choosing. When using real names, I use first and last names; the pseudonyms are only first names. Although the main figures of the association have agreed to being named, I have opted to identify them only by their work titles. When quoting interviews, I have removed all non-essential utterances such as “umm” or “uh-huhs” for clarity.

I conducted the informal interviews in public spaces including graveside during searches and exhumations, in theaters, cafes, and houses. I realized rather quickly that in these public spaces, even with the promise of confidentiality, the use of a recorder was limiting in terms of access and responses. While that privacy and recording are useful in obtaining more accurate

data, I believe that in this case, the open, informal nature of my informal interviews with the respondents was actually a better way to access the respondent's' true beliefs on the subject. I also believe that it is possible that at times, respondents, when there were larger public groups, could have engaged in self-censorship. However, this was rare, as the majority of the time I was one-on-one with a respondent. I, as a foreign woman with no direct connection to Spain or the violence, served to assuage many of my respondents' fear about my own views of the past. Rather, many respondents often took on a teacher like role with me in explaining both the history of the violence and their current opinions. My informal interviews functioned more like informal conversations which, when appropriate, I would write while the informants were speaking. Otherwise, I would wait—often no longer than ten minutes—to reconstruct the conversation in my field notes. These interviews were coded by hand. Nonetheless, I was able, in some cases, to record these informal interviews. The recorded interviews were transcribed and coded. I have removed all identifiable information from the informal interviews to protect the privacy of the respondents.

## **Chapter Outline**

**Chapter 2**, *Human Rights Forensics, a Global Movement Born in Death*, outlines how forensic science became an integral part of human rights investigations, as well as how human rights activists have historically used these scientific interventions to reframe dominant narratives of violence in post-conflict situations. I focus on the work of the Argentine Forensic Anthropology Team (EAAF) and the Grandmothers of the Plaza de Mayo, who initiated and globalized this movement. Chapter 2, in subsection *Genetic Identity, Memory Work, and the Continued Search for the Living Disappeared*, additionally problematizes the unforeseen

challenges that these organizations can face when they reify genetic kinship ties over other types of familial connections. I draw from a variety of data sources such as: historical data, legal cases, and interviews with the leaders of the EAAF and the Grandmothers of the Plaza de Mayo, as well as observational data collected in Argentina in 2015.

**Chapter 3**, *Spain's Violent & Repressive Past, a Primer*, introduces the case study with an historical overview of the Spanish Civil War, the Franco regime, the regime's dominant narrative about the violence, the 1975 democratic transition, and the rise of the ARMH. Chapter 3 also contextualizes the ARMH and its use of forensic science within the larger changes and advances in global human rights and international law, which influenced the ARMH's emergence in 2000.

I approach the Spanish case study through an in-depth analysis of three key dimensions: *Performance*, *Pedagogy*, and *International Connections*, all of which emerged as important themes during fieldwork. I argue that these three dimensions illustrate the complex, overlapping, and sometimes-contradictory tactics that ARMH activists use in their reframing of Spain's violent past. Chapters 4-6 thus represent the core of the research, with each chapter directly corresponding to each of these dimensions. During the Franco regime (1939-1975), silence and the acquiescence to Franco's rule helped many Spaniards survive the repression of the regime. However, the democratic transition (1975-1978) also institutionalized silence and maintained the status quo under the guise that it protected Spain from political instability. Consequently, for many Spaniards—even today—disrupting this silence can be difficult.

**Chapter 4**, *Breaking the Silence, Breaking the Fear: The Role of Performative Tactics*, accordingly focuses on how ARMH activists break this silence through performative tactics such as the searching for and exhuming of mass graves and public memory acts, for instance reburial

ceremonies for recovered victims. I first review how these actions take place using key observational and interview data. I then analyze how these performances work to shatter the fear of speaking about the past, forcing the acknowledgement of the violence and its victims and promotes the ARMH's "de-politicized" and science-driven narrative of Spain's violent history.

**Chapter 5, *Pedagogy and Classes at the Foot of the Grave***, dissects ARMH activists' pedagogical interventions. I focus on the "history and forensics classes" that the ARMH's lead archeologist offers to locals visiting mass grave exhumations. I argue that ARMH activists use pedagogy to introduce a reframed historical account of the violence through the lens of forensic science. I contend that this tactic is a powerful tool because it continues to rupture the repressive silence, reframes the victims as actual victims of unjustified state terror rather than as communists deserving of violent deaths, illuminates the failures of the democratic transition, and—like other forms of testimony—places the responsibility for seeking justice onto the witnesses who are listening to the classes. By using this tactic, ARMH activists present themselves as legitimate practitioners of knowledge—telling the stories of and from the graves through science and modernism, even though their message is inherently political.

**Chapter 6, *International Connections***, concludes the Spanish case study by investigating the ARMH's international connections and how these have impacted the movement and its goals of reframing the dominant narrative of violence in Spain. I focus the chapter on the exceptional nature of the exhumations in Guadalajara, which were a product of the Argentine led universal jurisdiction case investigating Franco era crimes against humanity. I also illustrate the intersecting mechanisms at work during these exhumations, which allow transnational influences to be incorporated in already existing ARMH movement tactics. Additionally, I explore the

distinctive consequences created by these transnational relationships between the ARMH and the international community.

**Chapter 7** then summarizes the research, outlines its contributions, and makes suggestions for future research.

## **Chapter 2: Human Rights Forensics, a Global Movement Born in Death**

To understand how Spain is using forensics-based human rights, as a movement tactic, it is first necessary to understand the birth of the original movement. This chapter shows how the Argentine Forensic Anthropology Team (EAAF) and the Grandmothers of the Plaza de Mayo, to achieve their goals of justice and identification of the missing, created the tactic of using the impartiality of science to put the violence of the past on full display. I further show how, using what I call a ‘de-politicized’ science-forward approach, both of these groups let the science ‘speak for itself,’ emphasizing the rights and needs of the families of the victims, rather than politics. Moreover, I illustrate how both groups have been successfully globalizing the de-politicized approach to international human rights.

As I show below, a history of violence in Argentina led to the rise of forensic science and its becoming an integral part of modern human rights investigations. We will further see how human rights activists have used these interventions to reframe dominant narratives of violence in post-conflict situations. I focus on the rise and work of the Argentine Forensic Anthropology Team (EAAF) and the Grandmothers of the Plaza de Mayo, as they began, and globalized forensics focused human rights investigations.

### **Argentina’s Dirty War**

Argentina, like many countries in Latin America, has had a long history of political volatility with only short bursts of stability, which gave rise to various military regimes. The 1970s were an especially explosive time in Argentine history. After the short lived third term of Juan Peron, a previous Argentine president who had returned to Argentina in 1973 after political exile in Spain, Peron’s third wife, Isabel, took over the presidency. President Isabel Peron accorded increasing power to right-wing paramilitary groups in an attempt to achieve social

order (Feitlowitz 1998). At this time in Argentina, there was increasingly violent hostility between the political factions in the country, both left and right, who were claiming a connection to “Peronism.” There were many militant leftist groups operating in Argentina at this time who were also engaging in a variety of political actions including bombing and kidnapping for ransom campaigns.

President Isabel Peron, however was not seen as an effective leader and on March 24, 1976 a military coup, led by General Videla, overthrew her government. Argentina, with this development, joined a cohort of brutal military regimes in the region including Brazil, Chile, Paraguay, and Uruguay, who worked together to root out the threat of Marxism in the southern cone. This collaboration was called “operation condor” and received substantial financial, logistical, and on the ground support from the United States (McSherry 2012). These regimes used the violence of leftist militant groups to rationalize the eradication of all threats to conservative political and religious ideologies (McSherry 2012). Recent declassified documents have shown that right-wing governments and supporters in Europe also participated in Operation Condor by giving information about exiles living in their countries. In some cases, this led to the direct assassinations of these exiles (2016).

The Argentine military junta’s guiding ideology, which justified the ruthless violence that followed their takeover of power, was the belief in both the domino theory and germ theory. Domino theory was the thought that once communism became established in one country all the surrounding countries would also fall, like dominos. Germ theory, on the other hand, medicalized the differences in political ideologies, and argued that Marxism, or communist thought, was a contagious and lethal disease, from which society could only be protected if it was violently removed or cleansed like a disease (Feitlowitz 1998, Rosenblatt 2015). These were

the predominant theories that circulated during the Cold War era and were used by the United States, among other nations, as a reason for extreme, and often militarized, responses to the perceived threat of communism (McSherry 2012). A document later released by the Argentine junta explained this perspective using a biological metaphor:

The social body of the country is contaminated by an illness that is corroding its entrails [which] produces antibodies. These antibodies must not be considered in the same way as the [original] microbe. As the government controls and destroys the guerilla, the action of the antibody will disappear... This is just the natural reaction of a sick body (Feitlowitz 1998:33).

The Argentine junta believed that the state, as a patriarchal entity ordained by God, could not allow leftist subversion to ruin Argentine Christian and capitalistic moral standards. Thus, the junta discursively dehumanized ‘subversives’ or leftists, as contaminated and evil, as well as anyone who thought otherwise, or attempted to challenge this narrative (Feitlowitz 2011).

General Saint Jean, Governor of the Province of Buenos Aires during the regime made this very clear when he said, “First, we will kill all the subversives, then we will kill their collaborators, then...their sympathizers, then...those who remain indifferent, and finally we will kill the timid” (Ortega 2007: 154-55).

During the military junta in Argentina (1976-1983) up to 30,000 people, including an estimated 5,000 children, disappeared in the leftist purge. The prisoners were brutalized, tortured, and humiliated before they were executed (Bouvard 1994, Feitlowitz 1998, Gandsman 2009a, Gandsman 2009b). As the war against leftist subversion was fought on the familial level, the military focused on trying to destroy family units to expunge the threat of Marxism in Argentine society (CONDEP 1984, Smith 2016).

Pregnant prisoners, including those who became pregnant due to rape while in custody, were also tortured. However, as an added humiliation and form of institutionalized forced surrogacy, potential adopters, mostly people associated with the regime, would come and visit



pregnant prisoners to choose which child they wanted based on the mother's skin color, eye color, and social background. Many times, women were induced or forced to undergo cesareans to speed up the birth, as well as to ensure that the births occurred in the middle of the night to reduce the chance of witnesses (Arditti 1999, Bouvard 1994). Some of Argentina's clandestine prisons had maternity wards specifically constructed for pregnant prisoners. The women gave birth in squalid conditions, blindfolded and shackled, sometimes with the help of a nurse, midwife, or doctor. Once a child was born, the mother was executed, sometimes drugged, taken to the navy airfield, flown over the ocean, and thrown out alive into the water. Military officers upon the birth would swiftly take the newborn, give it false papers, and hand them over to a military family or to other members of the right-wing elite for adoption (Bouvard 1994, Feitlowitz 1998).

The work of Vallejo Nájera, Spain's leading intellectual behind the anti-Marxist fascist philosophy during the Franco regime, motivated the regime to steal the children of subversives (Vinyes, Armengou and Belis 2003). Vallejo Najera studied with Nazi psychologists, who greatly influenced his views. While director of the Bureau of Psychological Investigations, he conducted studies on prisoners in Spanish concentration camps to determine the connection between the individual psyche and Marxist beliefs. His theories were the basis of the Franco government's policy to remove the children of Marxist subversives so as to prevent the pollution and deterioration of another generation (Navarro 2008). He, like the later Argentine regime, argued that "Marxism affects the biotype" and that it was necessary to remove the children to prevent the spread of Marxism to protect the Spanish Race (Nájera 1937, Penchaszadeh 2015).

In Argentina, babies and pre-verbal children were viewed as socially redeemable, thereby presenting an opportunity to purify the nation, as well as to create a new generation that would

reflect the ideological and religious orientations of the regime (Feitlowitz 1998). The junta is believed to have stolen up to 500 children during their rule (Arditti 1999). Numerous accounts have taken up the issue of Argentina's stolen children, including the Oscar winning 1985 movie "The Official Story," about an Argentine woman looking into the origins of her adopted daughter.

### *The Rise of the Grandmothers*

Due to the increased intensity of state violence and the rate of disappearance of young people, many parents of the disappeared leftists and students started questioning where their children had been taken (Rosenblatt 2015). As the vice president of the Grandmothers, Rosa, explained:

We had only one child, a daughter, the military dictators took her in 1978, she was 8 months pregnant...After she disappeared, I exclusively dedicated my time to try find my daughter and my granddaughter. After her disappearance, I did not turn myself into a revolutionary, I did not stay home, I began to inquire what happened. I just wanted to find her...

However, the parents of the missing, the majority of whom were mothers, were confronted with stonewalling and denial from state and police officials who often suggested that their children—left-wing extremists—had voluntarily left the country without informing their parents (Rosenblatt 2015). These parents, in response to the mass disappearances of their children and lack of sufficient answers from state authorities, began to protest weekly in a square that was located directly in front of the presidential palace, known as the Plaza de Mayo.

The plaza, facing from the front of the palace toward the square, has a large white slender four-sided pyramid with a statue of the goddess Victory on top of it, which commemorates the May 25, 1810 Argentinean rebellion for independence against Spain. Surrounding the pyramid is a small commemorative garden that is fenced off in a circular

pattern. The plaza ground is made of red brick and the plaza is filled with little barricaded gardens. Women were predominately protesting because men, at this time were the primary breadwinners, and men were thought to be more likely to become targets of state repression in comparison with their wives.

The mothers, who became known as the Mothers of the Plaza de Mayo, silently protested holding posters with the images of their missing children and grandchildren (if known) while also wearing white head scarves embroidered with the names of their missing children. Their use of the white headscarves, which originally were made of cloth diapers, helped to reinforce their movement as one motivated by the biological love of a mother (Bouvard 1994, Jelin and Kaufman 2000). However, the military junta, due to its patriarchal belief that older women were non-political, did not respond to the mothers' movement until they began to gain international attention (Arditti 1999, Craske 1999).

In 1977, the Mothers of the Plaza de Mayo had a split within the organization and the Grandmothers of the Plaza de Mayo were born. The Grandmothers focused their attention and resources solely on finding their missing grandchildren, as opposed to finding their missing children; they started their own individual protests in the same Plaza de Mayo. The Grandmothers knew they their biological children had survived the violence either because their grandchildren were taken as infants or via testimonies from survivors of clandestine prisons. Later, due to the forensic evidence produced by the work of the Argentine Forensic Anthropology Team (the EAAF), it was confirmed that their daughters had given birth before their deaths.

In 1979 the military junta passed a "presumption of death by disappearance" law, which declared that anyone who had gone missing between November 6, 1974 and September 6, 1979

would be officially declared dead. Families of the missing could also receive monetary reparations. Around this time the first exhumations of unnamed graves began. However, these exhumations were not scientific, and some have argued, intentionally destructive to make future justice efforts and accurate identifications impossible (Rosenblatt 2015)(Rosenblatt 2014). Additionally, family members in order to receive a body had to sign a declaration of death that often listed cause of death as killed in an armed struggle with military forces. Thus, “each signed declaration was an affirmation of the dictatorship’s narrative of a civil war against subversives” as opposed to victims of unjustified state terror (Rosenblatt 2015:96).

In the early-1980s, before the fall of the regime, the Grandmothers movement in Argentina began soliciting advice from international forensic experts to help in their search for their missing grandchildren. The Grandmothers felt that only truly “scientifically sound exhumations could provide evidence for eventual trial against the torturers, murders, rapists, and kidnapers,” even though at this time the Generals were still in power (Rosenblatt 2015:4). Many (Feitlowitz 2011, Robben 2005a, Rosenblatt 2015) have credited the Grandmothers constant activism and engagement with international human rights organizations and press for creating intense pressure on the regime helping to encourage its collapse.

After the junta’s resounding defeat in the Falkland War with Great Britain, it was forced to resign in 1983, and elections were held later that year. Although the military leaders granted themselves and regime members legal protection through amnesty, they had little power over the transition process (Jelin and Kaufman 2000, Sikkink and Walling 2007). The newly elected president, Alfonsín, revoked amnesty, tried the generals, and created the National Commission on the Disappearance of Persons, which produced the detailed report “Nunca Mas,” or Never Again, which described the vicious crimes of the regime (CONDEP 1984). The military,

however did not appreciate these attempts at justice and historical memory and began to loudly protest in the late 1980s.

Argentina's legal structure, during the first years of democracy, oscillated between transitional justice and amnesty, with activists playing instrumental roles in the construction and reconstruction of the law. Additionally, human rights activists were key in the promotion of the use of blood testing, such as DNA, in recovering the identities of the disappeared and constructing a more comprehensive account of the country's problematic political past.

### *The Rise of the EAAF*

In 1984 President Alfonsín invited international forensic experts to Argentina to help with the forensic needs of the transition, including exhumations and identifications. Originally Eric Stover, then director of American Association for the Advancement of Science, was asked to assist in forensic exhumations, but he, in turn, asked the American Association for the Advancement of Science to handle the forensics. Clyde Snow, a forensic anthropologist who was well known for identifying the remains of Dr. Josef Mengele in Brazil, led the team.

In 1985, two years after the fall of the regime, Dr. Clyde Snow assembled a team of international scholars to participate in the National Commission on the Disappeared (CONDEP 1984), who were to meet with human rights activists, judges, and morgue workers; and then give recommendations on how the state should proceed to exhume and identify the disappeared. After one of Snow's talks, a man approached Dr. Snow asking whether it was possible for an infant's bones to evaporate in a coffin. The missing infant had allegedly died with her family in a shoot-out with the police. Dr. Snow decided to further investigate and assembled a team to assist. The team consisted of nervous anthropology and medical students living in Buenos Aires. This

original group went on to form one of the most important and influential human rights focused forensic anthropology teams in the world, as known as the Argentine Forensic Anthropology Team, or the EAAF, which is their Spanish acronym (Joyce 1992, Rosenblatt 2015).

Dr. Snow and the fledgling EAAF embarked by exhuming of local graveyards that were known to hold unnamed graves, as well as exhuming some of the few disappeared militants whose remains had been returned to their families<sup>2</sup>. The first exhumation was of the family of the man who approached Dr. Snow at the commission. The exhumation was of his daughter, her husband, and their three children. The military security forces had explained the deaths as resulting from a chaotic shoot out with the two adults who were “militant” leftists. However, the forensic evidence proved that the family had been summarily executed at close range. There was also another anomaly; the family’s sixth-month old baby’s coffin only contained the remains of a human foot surrounded by baby clothing, but not a baby. The state forensic officer assigned to the case told the family that the baby “was so tender that she dissolved like water” (Joyce 1992, Rosenblatt 2015). The team, in contradiction to this assertion, was able to show that there had been no evidence of body decomposition found on the clothing or the pacifier in the coffin, suggesting that there had never been a body in the coffin and that the human foot was from an adult that had decomposed elsewhere. The team continued to conduct exhumations finding female remains that showed signs of pelvic scarring related to childbirth but no fetal remains. These findings heavily suggested that the child had been born and taken alive. Later, the Grandmothers used these cases and the forensic evidence gathered from exhumations to argue, loudly and convincingly, that their grandchildren were alive and somewhere waiting to be found.

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<sup>2</sup> They exhumed the returned remains of militants to see if the official death record matched the true cause of death.

Another case investigated by Dr. Snow and the team was the that of Estella Carlotto, the current president of the Grandmothers, whose daughter, Laura was a leftist militant who disappeared in 1977. Estella, after searching and demanding information about the whereabouts of her daughter, was eventually called to come pick up Laura's severely disfigured body at the morgue where it had been dumped (Ludueña 2013). In this way, the Carlottos' were lucky; they actually had a body and an answer to the question of their daughter's destiny. Laura was also one of the first to be exhumed by Dr. Snow and the EAAF at the request of Estella. The government's account of Laura's death was that she died in a shootout at a roadblock, a commonly cited cause of death during this time. However, Dr. Snow's examination of Laura's body forensically showed: 1) that Laura had been shot in the in the back of the head within 30 centimeter distance, suggesting an execution-style death; 2) it was clear that before her incarceration she had taken care of her teeth, but that her teeth health had recently declined, thereby suggesting long-term internment; and 3) even though Laura's body had been severely disfigured in an attempt to hide the fact that she had been pregnant, her remains showed signs of pelvic scarring suggesting a high probability that she had given birth before her death at age 23 (Ludueña 2013, Rosenblatt 2015).

Snow, driven to understand what happened to the disappeared began searching to see if the answer lay in municipal cemeteries. Snow decided to conduct a statistical report of all unidentified bodies buried in municipal graves. The report showed a 3-fold increase of unidentified indigent graves in cemeteries near military detention centers during the years of the regime. Furthermore, the report revealed that the "indigent" dead during this time period were on average between 18-35 years of age, with the majority having been killed by gunshot wounds. During the regime, there was a 50% increase in cause of death being listed as death by gunshot.

Dr. Snow's use of forensics and statistics, his foreigner status—as well as not having any ties to the American government or military—helped establish his work, and the work of the Argentine forensic team as being credible and trustworthy (Joyce 1992, Rosenblatt 2015).

After these discoveries, the work of Dr. Snow, and the burgeoning forensic team gained acceptance as reliable and moved towards building their credibility and influence. Dr. Snow's role in this cannot be underestimated, as his testimony and presentation of forensic evidence at the trial of the nine military junta generals allowed the Argentine public and judiciary to see the power of forensics and its ability to scientifically identify both the cause of death and the actual individual identity of the remains.

However, their work became restrained when President Alfonsín in 1986, due to the threat of another military coup, created a series of laws called “due obedience” and “full stop” to maintain stability. This new legal structure overturned the convictions of the generals, returned blanket amnesty, and suspended all memory efforts. The next President, Carlos Menem, maintained this cultural and legal silence (Arditti 1999, Bouvard 1994, Lessa 2011).

The amnesty and impunity laws absolved the regime from everything other than “rape, theft, and falsification of civil status,” meaning the falsification of identification papers (Joyce 1992:279). Due, in part, to these legal restrictions, the EAAF developed a “family-centric model” of forensic investigations, which included working closely with victim's family organizations and placing a high value on identification and reburial, which they framed as a basic human right (Rosenblatt 2015).

The EAAF, by taking a family-centric model, took what I call, a de-politicized approach to human rights. The EAAF, unlike other activist groups, does not discuss, engage, or condone the politics that led to the mass killings they investigate, nor with the politics of transitional



governments. Rather, the EAAF focuses on the scientific evidence of its work and the rights of the families of the victims to recover and reburial their dead family members. The de-politicized tactic protects the science as politically neutral. The EAAF has taken great pains to present itself comprised of scientists, as opposed to activists, who have been driven to help the voiceless via the promise of unbiased scientific answers.

The EAAF, by taking the politics out of the equation, allows the science to speak for itself. For example, in the case of Laura Carlotto, the fact that she had been shot in the back of the head within a 30cm distance, directly contradicted the government's version of her death. If the EAAF had been associated with leftist politics, supporters of the regime could have discounted these findings as being faked with the motivation to smear the regime's reputation. Additionally, the EAAF by not associating itself directly with politics does not mean it is not aware of the political situation or doesn't have political leanings. Rather, this approach allows the bones and the scientific facts associated with exhumations to speak for themselves, often with very real political consequences.

The EAAF has developed or has helped to develop the majority of the international humanitarian protocols for exhuming victims of mass killings, thereby institutionalizing working closely with family members, as well as the importance of restituting individual identities and the family's right to recover their loved ones remains. These protocols differ somewhat from protocols that are a part of judicial investigations. The EAAF has actively spread and reproduced this model, including the de-politicized tactic, worldwide. Its constant engagement, work and development of other international forensic teams solidify its role as one of the most important and influential forensic teams working in human rights, as well as indelibly changing the very nature of global human rights investigations.

## **The Grandmothers, DNA, and the Contesting of “History”**

The Grandmothers, in their search for their grandchildren, were the first human rights activists to use forensic science and genetic testing to challenge the outcomes of state terror and impunity. Their movement tactics have been successfully replicated throughout the world, and they have tirelessly worked to globalize their movement.

Like the EAAF the Grandmothers have taken a de-politicized approach to their movement, unlike some of the other Argentine Mothers’ groups that emerged at the same time (See Fundación de Las Madres de la Plaza de Mayo). However, unlike the EAAF, the Grandmothers have always framed their movement as being grounded in the biological need of mothers to care for their children, including the need to know what became of their children when they disappeared, to give them a proper burial, and to care for their biological grandchildren.

The Grandmothers’ tactic of framing their movement in terms of biological kinship has been extremely valuable and effective. After the democratic transition, the Grandmothers needed to convince Argentine society, the judiciary, and the larger government that their claims were both legitimate and worthy of attention and support. Therefore, the Grandmothers had to tap into something already existing in Argentine society; they turned to the cultural power of family and blood. The Grandmothers, by framing their fight as grounded in the basic need for mothers to be with their children and grandchildren—as opposed to the politics that led to their children’s deaths and grandchildren’s kidnapping—helped depoliticize their efforts, make their movement more efficient, and garner support from the larger society.

Although this has been a successful movement tactic, the fixation on genetic families

produces an existential dilemma, which implicitly suggests that an individual cannot know one's self without knowing his or her biological families. This paradox provokes various dilemmas and unexpected consequences, which may ultimately undermine the Grandmother's goals of finding their grandchildren. Below, I explore this paradox and how it has shaped the Grandmothers' activist tactics including fighting amnesty through loopholes, forensic science, and genetic kinship testing, as well as the challenging and changing of domestic and international law surrounding adoption and the right to biological identity. This is important for understanding the Spanish cases study, because it is these are the basic movement tactics and framework that Spanish activists have been using and evolving to their needs.

#### *Scientific Advancements, Forensic Truths, and "Restituting" Identity, Changing History*

While the Grandmothers are more commonly associated with DNA testing than exhumations, they were the first to use forensic evidence brought forth by exhumations to demand and receive legal justice for human rights abuses in Argentina. Once the Grandmothers had forensic evidence of murder and the stealing of live infants, they were able to file criminal proceedings. This was possible because Argentine citizens have the right to initiate criminal legal investigations, as well as to intervene at every stage of an investigation if they are the victims of a crime or are the surviving family members. Additionally, Argentinians have the right to seek legal advice or bring in a lawyer, who will act as a private prosecutor. A private prosecutor represents the interests of the victim or his or her family, while a public prosecutor represents the interests of the state (Michel and Sikkink 2013, Roffarello, Roffarello, Trajtenberg et al. 2011). Private prosecutors can be quite powerful and have the right to introduce criminal complaints, to access all case files, to participate in hearings and trials including the introduction

of evidence and questioning of witnesses, and the right to appeal any decision that can end an investigation or prosecution (Michel and Sikkink 2013, Roffarello et al. 2011). As such, Grandmother-led private prosecutions, in combination with forensic and genetic science, became extremely powerful tools in the fight for justice and truth.

An example of this was when the government of President Alfonsín requested the extradition of General Carlos Guillermo Suárez Mason using evidence from Dr. Snow's forensic report about the case of Laura Carlotta including evidence gleaned from her mortal remains, such as cause of death and the evidence of Laura giving live birth. General Suárez Mason was a military officer who, under the regime, was responsible for controlling one of the five military zones in Buenos Aires, Argentina. As such, he was directly responsible for the operations that the military conducted under his zone, including the extrajudicial disappearance, torture, and murders of around 5,000 people. However, the official extradition request only cited the murder of 43 people and the kidnapping of 23 others including newborn babies, like the baby of Laura Carlotta (1987). General Suárez Mason was successfully extradited from San Francisco, California, and was put on trial with the rest of the Generals in Argentina in 1989. However, when President Alfonsín re-established amnesty in 1990 Suárez was released and returned to California. Yet, the Grandmothers persisted, and used the forensic evidence provided by the EAAF to prove that a live birth and subsequent disappearance of child had occurred. As Argentine amnesty did not cover the kidnapping of children, Suárez was extradited again in 1995 and prosecuted on the charge of kidnapping the children of the disappeared among other crimes against humanity not covered by President Menem's amnesty law. He was convicted and died in jail in 2005 (Sikkink 2011).

As the case of General Suárez Mason shows, the legal prosecution against the enforced

disappearance, torture, and murder of alleged leftist subversives in Argentina was almost made impossible by the amnesty laws. However, the Grandmother's use of the EAAF's forensic interventions provided a new avenue to seek their missing grandchildren, as well as to obtain some form of legal justice for the murder of their children.

It should be noted that during the 1980s, due to the success of the Spanish democratic transition from fascist rule in the 1970s, many academics and transition scholars argued that to maintain stability during democratic transitions it was important to not dwell on past atrocities. As such, the Grandmothers, through the constant legal battles against impunity and the search for their grandchildren, chipped away at the dominant refrain of both transition scholars. Additionally, the Grandmother's continued fight also began to diminish the power of the holdovers from the regime and its supporters who suggested that the disappeared were deserving of their fate and that if, the living disappeared children existed at all, they were better off living with military families. The Grandmothers in their continued legal and social presence in Argentine society thwarted the idea that it was best to leave the past in the past.

The Grandmother's fight became truly revolutionary for both genetic science and human rights when genetic blood testing became a reality. In addition to the evidence being collected by the EAAF, the Grandmothers began searching for a way to scientifically prove biological kinship through blood testing. At this time, DNA testing had not yet been invented, however there were other blood tests that were being developed by American scientists. Rosa, the vice president of the grandmothers, explained

The first group of forensic scientists that came after the fall of the military regime came from the USA...we have worked with forensic scientists, all of our findings has been accomplished with the help of scientists, their help has been crucial for our success.

In 1984, Mary-Claire King and Cristian Orego, both geneticists and delegation members of a U.S. team of forensic experts invited by President Alfonsín to Argentina to help with exhumations and identifications, began to utilize genetic testing by taking blood samples from each grandparent to test against their potential grandchildren. Every human child inherits two copies of each gene, also known as alleles, one from the mother and one from the father. Thus, logically, each parent also inherits one allele from his or her parents, so their child's alleles will also have copies from their grandparent's alleles (Owens, Harvey-Blankenship and King 2002). Thus, if a suspected living disappeared child's alleles matched the alleles of the grandparents, then he or she might be the stolen child they were looking for. Additionally, to obtain higher levels of accuracy, the geneticists had to compare the alleles within the general Argentinian population to determine how many different alleles existed, so as to reduce the probability of a coincidental match. They used the Human Leukocyte Antigens (HLA) genes, which have the most varied pattern in human genetics, to also reduce false positives (Harvey-Blankenship, Pham and Shigenkane 2010)

In 1984, HLA testing led to the first case of a stolen child, Paula (after a long custody battle) being transferred to her biological grandparents. Up until this point, the transitional government, like the military junta before it, had denied the existence of the living disappeared children. However, in 1987 the Grandmothers—using the seemingly indisputable evidence provided by HLA blood testing—were successful in forcing the newly democratic government to admit to the existence of stolen children. The “restitution” of Paula's biological identity was the first time *ever* that human rights activists had successfully used blood testing to refute and re-narrate the history of state terror.

Through the successful litigation of Paula's case, the Grandmother's petitioned the

Alfonsín government to create and fund a blood bank, which could be tested against every case of a suspected disappeared child. In 1987, the government agreed to store, run, and fund The National Genetic Data Bank, until 2050 (Arditti 1999). The government capitulated to this request, as it could no longer deny that the kidnapping of infants had occurred, due to the indisputable scientific evidence being presented from the HLA testing. This data bank no longer runs HLA testing, as DNA testing, which became available in 1989, has become the preferred and more scientifically accurate method of genetic testing.

During the late 1980s and 1990s, the Grandmothers were successful, through basic detective work and DNA testing, in locating and reuniting over 50 missing grandchildren with their biological families, with some winning long and contentious custody battles (Arditti 1999; Gandsman 2009a; Gandsman 2009b; King 2011). However, these battles were arduous, as families with stolen children worked hard to avoid detection and legal prosecution. Moreover, these children, in the 1980s and '90s were minors, making it very difficult for the Grandmothers to gain access to them. Not to mention that the members of the judicial system had been in place or had been appointed by the regime, making legal stonewalling and obstruction a regular occurrence (Arditti 1999, Rosenblatt 2015).

The Grandmothers thus focused on attacking the various social structures that maintained impunity for crimes not covered by amnesty, such as kidnapping. In the 1980s and before, adoptions in Argentina were always closed, meaning that all knowledge of the origins of child were hidden or destroyed, especially in the cases of children stolen by the regime. As such, the Grandmothers fight to “restitute” the identities of the living disappeared during the 1980s and 1990s often hinged on battling Argentine adoption law. In 1986 the Grandmother’s began their challenge to Argentina’s closed adoption system, because it maintained secrecy about the origins

of the children, thereby possibly also maintaining the illegal adoptions perpetuated by the regime (Arditti 1999). They argued that it was unfair to all adopted children from this time period because they would never know if they were a child of the disappeared or a regular adoptee, thereby causing immense psychological distress (Arditti 1999).

The Grandmothers, while fighting their way through the Argentine system, also decided to challenge the way the international community viewed biological identity by framing it as a human right. In 1985, the Argentine government, which worked closely with the Grandmothers, presented a draft to the United Nations Working Group on the Convention on the Rights of the Child that focused on a child's right to biological identity and potential life with his or her family of origin. In November 1989, The Convention on the Rights of the Child was adopted by the general Assembly, and in September 1990 obtained the necessary ratifications to make it become a part of international law. Article 8, which was directly developed by the Grandmothers and the Argentine Ministry of Foreign Affairs, states:

1. State Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

As of today, 194 states have ratified the treaty, with the United States and Somalia being the only countries that have not (UNICEF. and Rights 1991). The 1989 convention changed the way the international community viewed the identity of children. This convention is also being used in the ongoing Universal Jurisdiction case that is also investigating cases of stolen children during



the Franco regime.

Argentina ratified the convention in October 1990. Once the government had ratified the convention, the Grandmothers got to work. On one hand, they used the ratification to push the government to adhere to it. On the other, they began educating both the public on the right to identity, as well as educating legal professionals to help them challenge the adoption system. As the Grandmothers continued to face amnesty and legal stonewalling, they turned to the international community to hold Argentina accountable to the stipulations of the convention. The right to identity became the foundation of the Grandmother's legal and social arguments against amnesty and the dominant narrative of the violence.

Due to their efforts, the Menem government in 1991 created the National Commission for the Right to Identity (Comisión Nacional por el Derecho a la Identidad de las Personas or CONDAI), which works, "to impel the search for the disappeared children and to determine the whereabouts of children kidnapped and disappeared of known identity and of children born while the mother was illegally detained, and to fulfill the commitment made by the state when it ratified the Convention on the Rights of the Child" (1992:20-22). This commission, like the national genetic database, does not solely investigate crimes that occurred during the military regime, but all cases of missing children. At this point, the Grandmothers movement became entirely focused on the legal right to biological identity, which they had more or less invented, as a legal justification to challenge impunity as well as to gain information about their grandchildren.

Their continued legal challenges, in conjunction with the new international legal framework of "the right to identity," led to the annulment of full adoptions in 1991. A full adoption, according to Argentine law, means total legal loss of biological identity and total legal

inclusion into the adoptive family (Arditti 1999:151). This new legal framework also led to the drafting and passing of new domestic adoption legislation, which took into account the right to biological identity and was approved by the House of Representatives in 1994 and by the Senate in 1997. Due to these changes, any found missing children of the disappeared must legally take the name given to them upon birth; the names they have been living with are considered illegal and therefore invalid. They may, nevertheless, choose both or a combination of names.

Additionally, the adopted families are always investigated in their role of acquiring their adopted children to ascertain whether or not they should be tried for human rights abuses. All cases of the living disappeared having their identities “restituted,” as the Grandmothers call it; these are certified through DNA testing and comparison of the suspected missing child’s DNA against the National Genetic Data Bank.

The Grandmothers ensured that the adopted families of disappeared children were investigated for their role in obtaining the children and how much they knew about their child’s background. The Grandmothers’ have argued that this is necessary as those responsible for human rights abuses should face justice, as well as to fill in the historical record of how they ended up with a stolen child. However, others have pointed out that this might prevent potential stolen children from seeking out their biological families, as a form of protecting their adopted parents from potential life sentences.

In 2003, Nestor Kirchner was elected as the President of Argentina. President Kirchner (2003-2007) embraced the cause of human rights from the very start of his presidency. Notably he ratified the UN Convention on the Non-Applicability of Statutory Limitations to War Crimes against Humanity, which forbids statutes of limitation for crimes against humanity. Additionally, in August 2003 Kirchner led the congress to vote to nullify the amnesty laws, opening the way

for human rights prosecutions. However, these changes led to a national debate and to intervention by the Supreme Court. In 2005, the Supreme Court ruled that the amnesty laws were unconstitutional. The Court also ruled that President Alfonsín's 1989 pardons of the military junta members were also unconstitutional. As of this writing, 818 have been convicted of crimes against humanity and there are 754 defendants, mostly ex-military officials, currently on trial in Argentine courts (Politi and Londoño 2017). In May 2013, General Videla, the original leader of the junta, died in prison while serving a life sentence for murder (Reyes 2013, Rosenblatt 2015).

### *Genetic Identity, Memory Work, and the Continued Search for the Living Disappeared*

The Grandmothers, encouraged by these changes to the amnesty laws, continued to search for and identify their missing, who by the late 90s into the early 2000s had become adults. Once the Grandmothers had reframed their movement to being about the right to biological identity, they also reframed their movement tactics. One of the most important tactics has been to keep a continual presence in Argentine society by constantly advertising in newspapers, radio, television advertisements and social media, urging the Argentine public who had doubts about their biological identity to have their DNA tested (Gandsman 2009a, Gandsman 2009b). In doing this, the Grandmothers continue to force the conversation about how the past should be remembered and taught.

One of the most enduring images of the Grandmothers is of their demonstration at the Plaza de Mayo. The Grandmothers, as noted before, began by silently marching every Thursday in the main plaza in front of the presidential palace, The Casa Rosada. The Mothers and Grandmothers have become so closely associated with this square that it has been decorated with head scarves painted on the ground surrounding the pyramid (see photo 1). At other times, there have been painted body outlines to symbolize the disappeared in this part of the square (Bosco

2004).



(Photo 1)

As in the past, the Grandmothers and Mothers still convene on Thursdays at 3:30pm and silently march in a circle around the square, donning head scarves embroidered with the names of their missing children, while others carry black and white photographs of their missing children. The Mothers' splinter groups march, albeit slightly separated, so as to delineate the groups. At the marches I observed there were more spectators than marchers, and more affiliates of the groups than actual Grandmothers and Mothers, which illuminates the fact that many of the activists are aging, with many of them passing on.

The Grandmothers have also created an infrastructure of memory spaces that they run, including their offices, and the "House of Identity" museum, located in the former clandestine prison, formerly the Navy Mechanical School, known by its Spanish acronym ESMA. The Navy School is located on the outskirts of Buenos Aires and near the Rio Platt, where many victims were taken from the prison and thrown alive from airplanes to their deaths. Today, ESMA has been converted into a memory museum with many of the main human rights organizations having control of one or more of the buildings. The Grandmothers and the other victims'

organizations running this museum have created a physical location of memory and education that has ensured that their challenge and version of the violence has become institutionalized. The ESMA museum is often visited by foreign tourists and foreign leaders, but also by Argentine school groups, thus ensuring that future generations are exposed to the history of the past written by the victims and not the perpetrators.

The entrance to the museum is decorated with paintings related to the disappeared with some of the images alluding to the missing children. One such painting consisted of a woman in headscarf holding a shroud in the shape of the country like a baby, with the words “Shelter of life and history” written above the image. Her clothing is covered in pictures of ESMA, people being executed, and a march of faceless people holding a sign that says “HIJOS,” or “Children” (see photo 2).



(Photo 2)

After the entrance gate stands the main school building, which is an imposing colonial building with four white columns, the navy ensign affixed above. In between the two main columns there are two signs, one with black and white photographs of some of the people who

died here, with writing saying “A project. A future that is present, here, and forever.” The other stating that this is a “space for the construction of collective memory.” Inside the main building there is a wide-open space with wooden floors that looks as though it could have been a gymnasium. However, upon closer inspection of the large windows covering the entire back wall there are small translucent black and white photos of the disappeared who presumably died here are imprinted on the windows; their faces watching all those who enter the building.

The ESMA complex is large, sprawling and surprisingly beautiful with lots of trees and foliage. The Grandmother’s “House of Identity” is located near the back and is accessible through a somewhat long walk through the campus. The House of Identity is a two-story white building with brick columns and a rounded door. Inside to the right there is a white wall that has a basic description of the Grandmother’s work and has a moveable numerical ticker of how many grandchildren they have found thus far. At the bottom, it states “Visitors of this house: your help and permission are needed to find all of our missing and so no other child is left with their identity stolen.” The other main entrance wall has a photo of the various grandmothers with the wording “Only a collective fight could break the silence of the dictatorship. So, understood the twelve mothers who founded the Grandmothers of Plaza de Mayo.”

The various rooms of the museum contain exhibits that explain and detail some of the memory work of the Grandmothers such as a newspaper they put out. Additionally, some of the rooms focused on their “Theater of Identity,” which is an annual theater project where local playwrights and actors stage shows depicting issues surrounding the violence, the Grandmothers, and biological and social identity. Other rooms contain artwork that has been done over the years commemorating the work of the Grandmothers. Much of the artwork focuses on images of the Grandmothers themselves, but some also focused on DNA testing and the search for biological

identity. One such image included a person whose head was a microscope staring down at a plate, which turned into a double helix, the words “Search,” “Justice,” and “Courage” written around the person. Other rooms are filled, floor to ceiling, with only candid photographs of the missing themselves during happier times. During my private tour, given by an informant and activist with the Grandmothers, I saw one of the last photos taken of the guide’s mother, who at the time of her disappearance was nearly 8 months pregnant. The museum also dedicated large rooms to the images and stories of found stolen children. These images included the stolen children with their captors, their “restitution” press conferences, and their new lives with their biological families.

Near the back of the museum are two rooms dedicated to the extensive use and history of DNA and the Grandmothers search for their grandchildren. In these two rooms posters explain the history of the Grandmothers, the truth commission, the advent of the EAAF, blood testing to determine grandparent/grandchild relationships, and the national DNA database. The information surrounding the science is presented at various levels, with some of the posters explaining issues in more technical terms, while others seemingly directed at younger audiences where things are explained with cartoon drawings. Additionally, these rooms also highlighted the larger framing of the Grandmothers movement, which is the reification of biological identity as being the only true way of knowing one’s personal self.

The displays that have been clearly geared to children are reflective of the fact that the Grandmothers have been making local school presentations for the better part of three decades and that the museum operators encourage schools to take their classes to the museum. The school visits originally began as a way to bring the information to appropriate aged children who could possibly be their missing grandchildren in the hopes that they would reveal themselves via

questions or through the reactions of their parents. Today, the Grandmothers continued work with school-aged children reflects their belief that all of Argentine society should be taught the true history of the dictatorship and the violence, so as to prevent it from happening again. Again, Rosa the vice president, explains, “Human rights is related to the education of children, we have an obligation to teach them what happened in this country both at home and in school. We have an agreement with the Ministry of Education of Argentina, which collects a lot of material from us and brings it to different provinces of the country. Our task is to expose the facts.”

The museum displays also highlight how much forensic interventions, such as exhumations and genetic testing, have shaped their movement. On the wall explaining the historical intersection of the Grandmothers and scientists, the last poster read:

The Grandmothers Approach to Human Rights Science:

In the search for our grandchildren, the Grandmothers have been able to reach human rights through science. The Grandmothers have provided a model that makes it possible to imagine a different relationship between society and science, which has continued to redeem science as a new kind of association.

It is clear from the displays in the room and across the museum that the Grandmothers are cognizant of their intertwined relationship with the advent and globalization of human rights forensics and genetic testing.

However, the museum and the Grandmothers’ other interventions such as publicity, events, and changes of law, go further than the science has enabled. DNA testing is a limited science in that it can only tell one thing: is there a genetic relationship between two blood samples or not. The Grandmothers, in their fight to find their grandchildren and to prove that these were actually their grandchildren, had to fully and unapologetically embrace the logic that blood relations are the most important relationship in identity and family creation. The Grandmothers go on to conflate genetic relationships as being the sole key to personal identity



and destiny. They argue that a person can never truly know himself or herself without knowing their genetic background.

The Grandmothers' framing of genetic identity and kinship ties has led to some intriguing and unexpected consequences. One was the fight for compulsory DNA testing of adults suspected of being a child of the disappeared. As the Grandmothers refocused their energies around identity and genetic kinship, there have been cases where suspected children of the disappeared did not want to know the truth about their origins and refused to provide DNA samples (Gandsman 2009a). It has been argued that these adults refused in part because, if their DNA did match a disappeared person or persons, their adopted parents could face serious legal implications, especially after the revocation of amnesty (Gandsman 2009b, Rosenblatt 2015). These cases led to a Supreme Court decision in August 2009, which ruled that suspected children of the disappeared could not be forced to submit to DNA blood tests. At the same time, the Supreme Court stated that the police could use less invasive ways of obtaining DNA samples, such as seizing personal items that could be tested, as the police had a legal duty to investigate the crime of kidnapping. In November 2009, the Argentine Congress amended Article 218, which then enabled Judges to be able to order non-invasive DNA samples, meaning the least intrusive method to obtain DNA samples (E.G. taking hair found on a brush), to ensure that the extraction is done in a way to prevent re-victimization. The law did not provide any legal recourse for people who did not want to provide a sample or wanted their privacy to be protected (King 2011: 544). Proponents of Article 218 acknowledge that compulsory testing is a violation of the privacy rights of those who do not want to participate. In spite of this, human rights activists argue that the importance of having knowledge—not to mention an official historical record—of the crimes and events of the dictatorship supersedes an individual's right to privacy

(King 2011: 546).

It has been argued that the impact on the found missing grandchildren, while initially experienced as shocking, psychologically disorienting, and painful, can actually be a “liberating” experience. As their upbringings often included concealment and lies about their true identities, and in some cases, violence (Argento 2008, Penchaszadeh 2015). However, the impact almost certainly depends on the circumstances of the case. Many of the found missing grandchildren have identified with their biological parents’ political values and have become activists for social justice and human rights. For example, many have joined H.I.J.O.S. (the acronym in Spanish meaning sons/daughters) a political organization made up of found children or working as volunteers for the Grandmothers. These found grandchildren have become another arm of human rights activists who are working to rewrite not only the official story of the regime, but also the official story of their own lives.

During my visit to the Grandmother’s “House of Identity” museum at the former clandestine prison ESMA, I interviewed an activist who lost both of her parents during the purge. Her mother was eight months pregnant at the time of her disappearance. While we were discussing the found disappeared she told me a story about a woman who was an artist and a leftist even though she had been raised by a very far-right military couple. Eventually the woman found out her real identity and went to meet her biological grandmother. At this meeting, her grandmother informed her that her biological mother had also been an artist and showed her some of her mother’s paintings. They were identical. On the one hand, it is a beautiful story of connection to the lost parent. On the other, it is a story of genetic determinism, which suggests a real lack of individual agency, and the influence of social factors, in life choices and interests. This story also seems to be suggesting that all of us are motivated by our genetics, rather than

free will or social factors, which, as some scholars have noted (Gandsman 2009b, Rosenblatt 2015) is potentially problematic.

The most famous identification in Argentina happened in August of 2014 and was the recovered grandson (# 114) of the President of the Grandmothers, Estela Carlotto. Ignacio Guido Montoya Carlotto had doubts about his identity due to a lack of physical resemblance to his parents, as well as a lack of shared common interests, and asked if he had been adopted. When he learned that he had been adopted, he contacted the Grandmothers and submitted himself for a DNA test. Soon after his DNA was processed at the National DNA Bank it was discovered that he matched a disappeared man, Wilmar Montoya who went missing in 1976 and whose remains had been identified by the EAAF in 2009, a result of their investigations into clandestine graves. Ignacio's DNA also matched Estella and her deceased husband's DNA, as no DNA from Laura had ever been put into the DNA database. Not only had Ignacio been identified, but it also solved the mystery as to who was the biological father of Laura's baby.

Due to the law, Ignacio's last names were immediately changed from Hurban, his adopted name, to Montoya Carlotto, as it would have been if his parents had survived. Additionally, Ignacio, to honor his mother who, according to survivor testimony had actually named him Guido at birth, decided to become Ignacio Guido Montoya Carlotto (Penchaszadeh 2015). Although, Ignacio publicly announced that he had a wonderful childhood and relationship with his adopted parents, they are currently under investigation about how they obtained him. Scholars have credited Ignacio's very positive attitude about his "restitution" for making the issue immensely popular in Argentina, with his case leading to hundreds of young adults calling CONADI with doubts about their identity. Additionally, "Ignacio is one of the most popular celebrities in Argentina today" (Penchaszadeh 2015:211). As Ignacio was already a well-known

musician in the country before knowing his true identity, his popularity and story is still followed by the media in Argentina (AFP 2018).

Thus, the Grandmothers have been using a variety of tactics such as public memory acts, created an infrastructure of memory and changed domestic and international laws, including using compulsory DNA testing to find their missing grandchildren, but also, and perhaps more importantly, to rewrite the official historical record surrounding the past violence. Their argument that the right to the truth, the right to know one's true biological identity, is at its core, is an attempt to undue the state's use of necropower (Ferrándiz and Robben 2015: 55). The Junta, when they disappeared citizens and illegally kidnapped and adopted out the missing's children, were attempting to cleanse "the country of contaminating political and cultural forces, represented as cancers and viruses" (Ferrándiz and Robben 2015: 55). The Grandmothers, by forcing DNA testing on unwilling individuals, are also attempting to force out the truth about what happened to their children, as well as reclaim the lives, psychologies, and personal stories of their missing grandchildren who were stolen by the state. The Grandmother's work on this also forces the collective Argentine conscience to continually acknowledge the past, as the ongoing search and genetic identification of missing grandchildren consistently makes the national and international news. Additionally, the Argentine legislature and judiciary have increasingly embraced the Grandmothers' version of history, their emphasis on the right to identity, and the need for transparency in regard to human rights violations of the regime.

### *Impact of the Grandmother's Negotiation of Necropower*

It is clear that the Grandmothers, through their activism and their use of forensic and genetic science, have successfully challenged and rewritten the dominant narrative of violence in

Argentina. The Grandmothers and their President, Estella Carlotto are well respected and have won numerous awards both domestically and internationally and are often invited to speak and participate in international human rights conventions and talks. For example, in 2015, Estella Carlotto, gave the Argentine delegation’s response to the United Nations Working Group on Enforced or Involuntary Disappearances annual report before the United Nations Council for Human Rights. In May 2015, then President Cristina Fernandez Kirshner revealed the new \$100 peso, which honored the Grandmothers. President Fernandez, at the unveiling, said, “This is a tribute we want to do that comes from the nation.” On one side of the bill shows a profile image of a Grandmother with the emblematic white scarf. The other side features the double helix of a DNA molecule in the middle, with a protest and peace dove on one side and the silhouette of a headscarf on the other (see image 4) (2015).



(Photo 3)

The Grandmothers and their many accolades, including having their movement commemorated on the national currency, is indicative of their undeniable impact on the construction of collective memory in Argentina. I contend that the Grandmothers and the EAAF are a successful case—and possibly the only truly successful case in the world—where human

rights workers have used forensics and genetic technologies to contest and rewrite their country's collective history of political violence. I do not suggest that everyone in Argentina agrees with the narrative put forth by these groups, nor do I argue that these organizations are the sole authors of this now dominant narrative. However, I do argue that through the combined forensic efforts of the EAAF and the activism of the Grandmothers, they were able to successfully deny the regime's claims, and gain legal justice for many of the victims of the regime and reconstitute the identities of 129 (as of this writing) stolen children. These actions, I contend, worked—and continue to work—to maintain the ongoing historical narrative put forth by the Grandmothers and the EAAF. An example of their continued impact occurred in May 2017, when the newly appointed Argentine Supreme Court justices from the new conservative government tried to change the law, so that military officials serving sentences for crimes against humanity could have each year served count as two, therefore allowing them to get out of prison faster. The Grandmothers, among other human rights organizations, mobilized protests as large as 100,000 people and Congress voided the proposed revised law (Press 2017).

### **Globalizing the Fight**

The Grandmothers movement—in their fight for justice, truth, and restitution of identity—set up the building blocks of human rights activism for movements to come. However, they were not complacent observers watching their movement tactics become globalized. The Grandmothers have worked hard to ensure that their movement tactics and reification of genetic identity have been reproduced in other situations where families are dealing with the ramifications of state terror. The Grandmothers have developed both direct and indirect relationships and transnational advocacy networks with other organizations to fight for the truth

through forensic and genetic interventions.

The Mothers and Grandmothers approach of silent protest, as well as their physical presentation of the head scarves have been replicated by many other mothers' groups across the globe including: Chernobyl, Mexico, Guatemala, Bosnia, etc., to name a few (Arditti 1999, Rosenblatt 2015). Additionally, some mothers' groups have adopted the very simple title of "The Mothers," which linguistically ties these groups together, as well as solidifies their type of protest as being connected to the emotional and familial bonds of motherhood. The Mothers and Grandmothers in 1994 organized an international conference for these various groups in the hopes of building solidarity between the movements, which also helped to spread movement tactics (Rosenblatt 2015). When the war broke out in the former Yugoslavia, the Mothers and Grandmothers sent food and supplies.

In Latin America, the Grandmothers have had a longstanding relationship with other victims' organizations. Before the Mothers and the Grandmothers split into different organizations they helped to start the Latin American Federation of Families of the Detained-Disappeared (FEDEFAM), which now includes members from: Argentina, Bolivia, Brazil, Colombia, Chile, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Paraguay, Peru, and Uruguay. The Grandmothers and the Mothers Linea Fundadora have continued connections to the group who work closely with the United Nations and United Nations Working Group on Enforced or Involuntary Disappearances. In the case of 43 missing students in Mexico, the Grandmothers have also provided support to the students' families by participating in joint presentations, as well as making internationally covered statements of support of the movement and EAAF's ongoing forensic investigation into the students' disappearance. Additionally, they are involved with ProBusqueda, an organization in El Salvador that uses genetic testing to

identify children stolen and illegally adopted during the civil war (Rosenblatt 2015:116).

The Grandmothers, with this de-politicized and biological kinship focused framing, have developed a very useful movement tactic for human rights activists working in post-conflict situations, as it side-steps the politics of the violence and of the transitional periods. This de-politicized but biologically-centered approach, also taps into cross-cultural beliefs surrounding familial responsibilities to both the dead and the living. The Grandmothers, in combination with the work of the EAAF, have globalized the concept that the relatives—even in cases such as Spain where the relatives of the victims are distant—have the right and the obligation, to search and bury their dead family members with “dignity.” This research defines a dignified burial as anything other than how the murderers decided to dispose of their victims and are in accordance with the wishes of victim’s families.

Grandmothers have thus lent their assistance to similar victim’s organizations to provide both moral and legal support thereby helping increase the visibility of the individual cases and organizations. One recent example is with Argentina’s ongoing legal case using universal jurisdiction, to investigate human rights abuses during the Franco regime in Spain. Universal jurisdiction allows, any state power to prosecute and adjudicate ‘core international crimes,’ such as crimes against humanity, war crimes, genocide,” without having any personal, national, or territorial interest or connection to the crime in question (Langer 2011: 1). Argentine activists opened the universal jurisdiction case against Spain in 2010 and the case is ongoing and will be discussed at length in chapter six. The Grandmothers, among a dozen other Argentine human rights organizations, as well as the Spanish Association for the Recovery of Historical Memory (ARMH), are listed as co-plaintiffs (Junquera 2013). The EAAF also has an ongoing relationship with the ARMH, as the EAAF, beginning in 2015, run the ARMH’s entire DNA testing analysis.



Thus, the Grandmothers and the EAAF, through their continued activism have generated and propelled a new human rights movement focused around the promise of scientific rigor and accuracy to contest and rewrite histories of state terror. Additionally, both groups have continued to drive the evolution of these interventions at all levels of society and in all parts of the globe. The continued work of the EAAF will be discussed in more detail in the last section of this research study. What it has accomplished is the creation of a globalized effort on the part of human rights workers and organizations to search for the truth and the “restitution” of the disappeared through the use of forensic science, genetic technologies, and memory work.

In the following chapters I explore, via an in-depth case study analysis, how human rights activists in Spain are using aspects of the Argentine model of the forensics-based human rights movement, such as relying on de-politicized forensic science, moral claims about the rights of victims’ families to recovering their dead and transitional justice, to reframe the collective memory of the past. This case study will investigate, through the analysis of three key dimensions (*Performance, Pedagogy, and International Connections*) how activists with the Association for the Recovery of Historical Memory (ARMH), while situated within their own historical and cultural contexts, are similarly fighting to seize ownership of the collective memory of the violence while also demanding different forms of justice. I begin with a historical overview of the history of violence in Spain, the democratic transition, and what led to the rise of the ARMH.

### **Chapter 3: Spain's Violent & Repressive Past, a Primer**

#### *The Spanish Civil War*

In the aftermath of the First World War, Spain was suffering from a severe economic depression. In September of 1923, Captain General Miguel Primo de Rivera commanded a military coup d'état, overthrew the government, and became dictator. In 1930, Primo de Rivera, after failing to revive the Spanish economy, resigned. In April of 1931 Spain held national elections, which were won by the leftist Popular Front, that called their new government the "Second Republic" after a short lived democratic First Republic in the 1870s. The new government focused on decreasing the size of the army, land reform, and working to remove the influence of the church on the state. Nevertheless, Spain suffered from instability in the form of including peasant up risings, bank robberies from revolutionaries, torture by authorities, hundreds of political killings by both the right and left, and general strikes. Even after the elections, the turmoil continued, with hundreds dying in political violence. (Hochschild 2016)

Social and political instability were exacerbated by the great depression as a result of which many people suffered from job loss, strikes, political violence, inflation, homelessness, and hunger. In other Western European countries economic misery was also fueling the rise of a dangerous strain of right-wing nationalism that led violent purges of both political rivals and local scapegoats. In 1934, Adolf Hitler led the "Night of the Long Knives," gunning down rivals and solidifying his hold on power. During the same year Italy's dictator, Benito Mussolini, similarly safeguarded his grip on power by terrorizing and purging any resistance to his rule. In 1935 Mussolini invaded Ethiopia, one of the few remaining un-colonized regions in Africa and gained control of the country in mid-1936. (Hochschild 2016)

However, in February of 1936, Spain seemed to be bucking the fascist trend by voting in the Popular Front, an alliance made up of leftist, communist, and socialist parties that narrowly

defeated the right-wing challengers who were heavily backed by the wealthy industrialists, landowners, and the Catholic Church. This was an unexpected triumph in a country that still lagged behind the majority of Western Europe. The new government promised rapid and overarching changes including decreasing the military's budget to provide programs for the poor. However, stock markets fell as leftists and peasants occupied both factories and large estates, while others jubilantly burned churches (Hochschild 2016, Preston 2012).

Like Argentina, Spain had a long history of military coups d'états and political instability, thus the leaders of the Second Republic, in an attempt to learn from history, assigned right-wing generals to far away posts. One such general, General Francisco Franco who had successfully suppressed a miners' revolt in 1934, was sent to the Canary Islands, while others went to Morocco, as well as other Spanish outposts in Africa. Unfortunately for the Second Republic, these faraway positions allowed the conspirators to be able to plan their overthrow without suspicion (Hochschild 2016).

### *The Coup d'état of 1936*

In spite of the Second Republic's efforts to prevent a governmental overthrow, the right-wing generals began planning their rebellion immediately. They organized their uprising to be executed with a "scorched-earth ferocity" that had rarely been seen inside of Europe since the Middle Ages and was often saved for colonial takeovers (Hochschild 2016: 26). The rebelling military used the code word "Covadonga," which referred to a key eighth-century battle in the fight to take Spain away from Muslim rule. The generals used this word because they believed that the Second Republic, like the Muslims of an earlier century, represented a dangerous and foreign enemy, from which Spain needed to be protected from at all costs. Democracy, for the

cabal of generals leading the revolt, was extremely threatening, as they were convinced that democracy would cause a Spanish version of the Russian Revolution. Those participating in the uprising thus called themselves “Nacionales,” which according to Paul Preston connotes the idea of “only true Spaniards,” rather than how it translates into English as ‘the nationalists’ (Hochschild 2016: 26, Preston 2007:26).

The generals also strategically used their exiled positions in Spanish Africa and surrounding colonies to recruit additional fighters. In Morocco, for example, the generals were able to enlist Arab fighters for the rebellion, who were manipulated into fighting for Spanish fascists by being told that they were waging war against those who wanted to destroy Islam. As such the generals had 40,000 experienced troops waiting to enter Spain. However, the air force and the navy stayed loyal to the Republic. Those who remained loyal to the democracy within the army were shot, including seven generals and an admiral.

While not originally the leader of the revolt, General Franco soon began to take charge. Franco was widely seen as the “army’s most competent general... [He was] ambitious and puritanical, an architect of the elite Spanish Foreign Legion...driven by a fierce belief that he was destined to save Spain from a deadly conspiracy of Bolsheviks, Freemasons, and Jews” (Hochschild 2016: 26). Franco was able to enlist the help of Benito Mussolini and Adolf Hitler who happily obliged by sending troops, weapons, naval and air support, which helped the Nationalists to maintain military supremacy from the start of the conflict. In the war that followed Hitler was able to test 27 different models of Nazi aircraft and aviation maneuvers long before he used in them in global conflict.

On July 17, 1936 the Spanish Civil War began with hundreds of army officers, who were commanding tens of thousands of troops, taking control of Spanish Morocco, the surrounding

areas, and Spanish islands. Franco, with support from Hitler and Mussolini, was able to transport his loyal troops onto mainland Spain to begin the attack on the southern front. Franco's intent was for all military posts to rise up throughout the country, to ensure the swift takeover of the government. As soon as the army sent the word, officers across Spain began to round up any officials, and later any supporters of the Second Republic. In the south, the Nationalists began a full-blown assault, invading from the Moroccan south entry point. Parts of Spain, such as the North West Galician region fell immediately, while other parts held off the coup through fierce fighting. The first several months of fighting created an oddly shaped Spain where the Republic maintained control of Spain's three largest cities Madrid, Barcelona, and Valencia, thus squashing the rebellion's hope of a quick takeover. Within ten weeks of the Coup, Franco was solidly in control of the rebellion, with his major rivals having either been assassinated, imprisoned, or killed in mysterious and fortuitous airplane crashes.

The Nationalists designed their military campaign to be as violent, brutal, and terror inducing as possible. The violence had a dual agenda. It was intended to encourage full capitulation to the take-over but was also meant to "clean" the country of the Marxist scourge. General Emilio Mola, the coup's original leader, avowed:

It is necessary to spread terror. We have to create the impression of mastery [by] eliminating without scruples or hesitation all those who do not think as we do... Anyone who helps or hides a Communist or a supporter of the Popular Front will be shot. (Hochschild 2016: 31-32).

Given millions of Spaniards voted for the Popular Front, this was a terrifying threat and eventual reality for hundreds of thousands of Spanish civilians whose only crime was voting for the legal political party of their choosing (Hochschild 2016: 31-32).

The massacres occurred everywhere even where the Nationalists met with scant resistance to their take-over. Anything deemed progressive was considered suspect, whether one

was a Freemason, learning Esperanto, teaching in a Montessori school, teaching peasants how to read, joining a Rotary club, or being a vegetarian. The violence was always ruthless and often indiscriminate. In the town of Granada, some 5,000 were massacred including one of the most famous missing Spaniards, famed playwright and poet, Federico García Lorca. (Hochschild 2016, Preston 2007)

Almost all Republican mayors and politicians (who could not escape), union members and leaders, as well as an extraordinary number of local teachers, were rounded up, held in makeshift prisons, and then summarily executed. Many were killed in nighttime firing squads, while others were tortured before being shot, stabbed, or thrown from buildings or bridges. In many cases the victims of these extra-judicial killings were buried in unmarked mass graves. Almost none of the victims were buried in consecrated ground and most were buried face down as an added insult.

The Nationalists had particular vengeance for women of the left who were thus subjected to intense gendered and sexual violence during and after the war. General Gonzalo Queipo de Llano famously broadcast that the women of Madrid would be viciously raped by Moorish troops and that “kicking their legs about and struggling won’t save them.” Nationalist troops wrote on walls, “Your women will give birth to Fascists.” In Seville, soldiers raped and murdered a truck full of women prisoners, “threw their bodies down a well, and then paraded through a nearby town, their rifles draped with the murdered women’s underwear” (Hochschild 2016: 38). It is assumed that the majority of female victims of the extrajudicial killings were raped before their deaths (See (Goldenberg 1996) for rape used a tool of genocide in Nazi Germany, and (Snyder, Gabbard, May et al. 2006) in Bosnia ).

In addition to the rapes, Republican women, not just those that were killed, were often subjected to intense gendered violence. The Nationalists would shave the heads of Republican women, force-feed them castor oil, and then parade them through town—many times nude or partially nude—to be jeered at by the locals as they defecated on themselves. The Nationalists continued this kind of gendered violence in the aftermath of the Civil War and into the early years of the Franco regime.

The killings were often followed by extreme repression including imprisonment, torture, gendered violence and humiliation. An estimated 140-120,000 civilians lost their lives in extra-judicial killings; their remains are located in unmarked and mass graves throughout Spain (Renshaw 2011). Additionally, in response to the escalating violence against civilians, around 440,000 Republicans or Republican sympathizers went into exile. At the end of the war the Nationalists even aerielly assaulted the fleeing refugees as they were trying to cross the Pyrenees (Hochschild 2016). Many of the refugees fled into France, which after the Nazi invasion, became another location of deep suffering, with many Spanish refugees being placed in concentration and labor camps. Franco, in an agreement with the Nazi government, sent an additional estimated 10,000 Republican prisoners to Nazi concentration camps with around six-to-seven thousand perishing in the death camp Mauthausen-Gusen before the end of the Second World War (Hochschild 2016).

In the Republican controlled parts of Spain, the news of the rapes and mass killings led to retaliatory mass killings of those who supported the Fascist take-over, mostly businessmen, landowners, and shopkeepers. The victims of these killings also included the murders of clergy, who, for the most part, were thrilled at the idea of a Catholic regime taking over Spain. Moreover, leftist radicals also dug up the remains of priests and nuns to mock the churches'

promise of an eternal life. In total around 7,000 clergy members lost their life during this period with an estimated 49,000 civilians killed in retaliation for Nationalist killings. Once they gained power, the Nationalists, used this violence of the left to insist that the war, the dictatorship, and the corresponding repression were both in the best interest of the country and a legitimate response to “red” terror (Preston 2007).

From the beginning of the uprising, the Republicans were woefully undermanned, under armed, and plagued with in fighting from the warring factions that composed the Republic. The Republic, like the Nationalists, did receive some outside help, most notably from Soviet Russia, which provided outdated weaponry and some on-the ground tactical support, but also from the famed International Brigades, volunteer military units made up of citizens of 53 nations. Their numbers have been estimated to have been as large as 32,000-35,000, with an additional 10,000 non-combatant volunteers (Thomas 2001). George Orwell was probably the most famous Brigadier and wrote the book “Homage to Catalonia” about his experiences in the Spanish Civil War. However, that assistance was no match for the weaponry and financial aid provided to the Nationalist side by Adolf Hitler, Benito Mussolini, and American Torkild Rieber, a Texaco executive, who also provided key intelligence and much needed petroleum (Hochschild 2016).

The Republicans tried to negotiate with the Nationalists, but Franco demanded unconditional surrender. By 1939, the Nationalists had taken the remaining Republican holdouts and controlled all of Spain. With the fall of Madrid at the end of March of that year, the United States and Europe recognized General Franco as the dictator of the country and the war ended. In total, the war claimed the lives of 500,000 Spaniards, with only one-fifth having died in battle; the rest were taken by air raids, disease, and execution (Jackson 2004, Phillips Jr and Phillips 2010, Thomas 2001).



## *Francoism*

Franco's regime wielded enormous and centralized power over the country in an attempt to create a "true" Spanish identity, which exemplified the qualities of discipline, personal sacrifice, religiosity, and patriotism (Jackson 2004). Any threat to this identity was brutally repressed. The Nationalists, during the regime became known as the Falangists, as the Falangist party was the only political party allowed during the regime. They also had an explicit goal of "destroying the entire heritage of the 18<sup>th</sup>-century Enlightenment, of secular and materialist philosophies, of the French Revolution and all forms of Marxist and anarchist thought" (Jackson, 2004: 274). Additionally, they believed, like the later Argentinean military regime, that Marxism was an infectious disease to which children and women were especially susceptible (Jackson 2004, Phillips Jr and Phillips 2010, Thomas 2001, Vinyes et al. 2003). Anything deemed Marxist or progressive was seen not only as inferior, but also as dangerous to society as a whole.

The Franco regime focused on framing Republicanism as a contagious germ, whose spread was to be contained to protect the body politic of Spain, thus justifying the killing of Republican fighters and sympathizers alike. Moreover, this logic also reinforced the idea of the biological transmission of Republican or progressive ideals from Republican parents to their children, making the institutionalization of Franco repression a multi-generational affair (See Gal and Kligman 2000 for further discussion on the impact of nationalism).

The Falangists, in their attempt to rid Spain of Marxism, aimed to create a unified, "pure," society that strictly observed the Catholic faith (Arias 2008). Additionally, in pushing for a unified Spain, Franco outlawed all non-Spanish dialects and exerted extreme repression in areas such as the Basque speaking region in the North and the Catalan speaking region in the

East (Jackson 2004, Phillips Jr and Phillips 2010, Thomas 2001, Vinyes et al. 2003).

As noted earlier, Franco's preoccupation with Spanish purity has been credited to the Spanish psychiatrist, Antonio Vallejo Nájera, Spain's leading fascist thinker (Vinyes, Armengou and Belis 2003). Vallejo Nájera, a Nazi trained psychologist, was appointed as the army's Chief Psychiatrist, a professor at the University of Madrid, who later founded and directed the Bureau of Psychological Investigations. As director of the institution, he performed medical tests on prisoners in Spain's concentration camps with the intent of trying to understand how best to destroy Marxism. His theories were the basis of the Franco government's policy to remove the children of Marxist subversives from their parents, so as to prevent the pollution and deterioration of another generation (Navarro 2008). His theories were later used by the military regime in Argentina as the basis for their baby stealing campaign (Rosenblatt 2015).

Franco initially implemented this policy of removal at the end of the Civil War when thousands of men, women—some of whom were pregnant—and children were interned in Spanish concentration camps (Vinyes et al. 2003). These pregnant Republican prisoners were subjected to torture, rape, humiliation, and some were even executed after having given birth. At the end of the war the women's prison in Madrid held almost 14,000 women, with many being raped and impregnated in prison. A series of laws passed in 1940 legalized the separation of children from their parents. An estimated 30,000 children, along with others who were incarcerated with their living parents, were affected by these laws and removed from the prisons to be placed in religious organizations or in families who supported the regime (Arias 2008, Vinyes et al. 2003). Those responsible for the fate of these children—the Nationalists—argued that the removal of children from their parents' care was a noble and God-oriented cause (and in the best interests of the children and society). Many of the female children taken from the prisons

were placed in religious organizations run by nuns whose religious ideology viewed females as more corruptible, and therefore, in greater need of religious influence. Many of these young women renounced their parents and became nuns to pay for the sins of their families (Vinyes et al. 2003).

In this way, the fascist state policed the bodies of two generations of women. The first generation was subjected to control through physical abuse, torture, and in many cases death, as well as through their children being forcibly taken from them. The second generation were forcibly removed, denied relationships with their biological families, and indoctrinated. Many of the girls removed were placed in convents and, in consequence of religious practices, were required to remain celibate and therefore denied the opportunity to reproduce. Thus, these girls were rendered sterile (Arias 2008, Vinyes et al. 2003).

However, the regime did not limit their suspicions to just the women of the left, but rather that *all* women needed to be strictly controlled. Like other fundamentalist movements, Francoism was determined to undue any and all gains in gender equality. Coeducation was banned, with one prominent fascist believing it be a Jewish conspiracy. Women were considered to be the dependents of their fathers or husbands, and thus needed the permission of their fathers or husbands to own property, apply for a job, open a bank account, or take a trip away from home. Women were also not allowed to wear pants or attend university. Additionally, husbands had the right to murder their wives if they were found to be committing adultery (Hochschild 2016: 346).

### *Shaming the Defeated, Franco Repression*

During his initial years in power, Franco was relentless in punishing and repressing the

defeated Republicans. In 1939, he passed the *Law of Political Responsibilities*, which provided the legal justification for the trials of thousands to take place in military tribunals. The regime preferred military tribunals, as they offered the least amount of legal protection for the accused and often only lasted a few minutes. Through these trials an estimated 400,000 people were convicted of crimes against the state and sent to camps, prisons, or forced labor interments to do infrastructure construction throughout the country. The official numbers of those imprisoned do not include the 90,000 plus people in “militarized penal colonies” who were forced to work on a variety of local and state projects, such as building dams or canals used to irrigate the land on large estates whose owners had supported Franco (Hochschild 2016: 345).

Franco was known to sign sheaves of death sentences over lunch or coffee without reading the details. He would, however, ensure that the death sentence was vicious—often death by garrote—and that the executions would receive press coverage to ensure added humiliation, pain, and terror to the victim’s families (Preston 2002: 42). At least 20,000 more were executed after the war in following trials in military kangaroo courts, with possibly hundreds of thousands more dying while in prison, mostly of neglect and disease. For example, in 1941, in Cordova, 502 inmates died in one day due to a lack of water (Hochschild 2016: 345). The remains of the victims were often buried in local civil cemeteries in mass graves with no markers. Some victims, if they confessed, would be buried in Catholic cemeteries after their executions.

Franco’s repression was the most severe and widespread immediately following the war and into the late 1940s—perhaps in response to an ongoing militant insurgency of Republican fighters mostly living in the mountains. However, the use of illegal detention, enforced disappearances, and torture remained constant up until the end of the regime. Moreover, the last few years of the dictatorship saw an accentuation of repression and violence due to increased

militant actions by separatist groups such as ETA (Euskadi Ta Askatasuna, or Basque Homeland and Liberty) in the Basque country.

In addition to official executions, thousands more were victims of enforced disappearances. In other circumstances of disappearances, such as in Argentina, the fate of the disappeared was not immediately known. In Spain, however, everyone knew that those who were taken were probably killed, but they did not always know exactly what happened to them nor the whereabouts of the remains. Although these killings were “secret,” their purpose was to instill terror and was often done in full view of the local townspeople. Additionally, the regime banned all commemoration and mourning, including wearing mourning clothes, for those who died on the Republican side during the war, as well as those extra-judicially executed and buried in mass graves (Renshaw 2011). Any kind of mourning, such as placing flowers on unmarked graves, was done secretly (Preston 2012). Scholars have argued that this total prohibition on mourning denied the victims’ families the ability to practice very important cultural and religious death rituals, a particularly cruel form of psychic violence against the defeated population of Spain (Renshaw 2011: 66).

Additional humiliation and misery were suffered by many of the widows of the extra-judicially killed, who were often denied a death certificate, thereby making it impossible for them to remarry. Widows unable to remarry found themselves in an even worse financial situation within the extremely repressive and patriarchal society that limited the rights and work options of women (Hochschild 2016: 345). Many of these women scraped by through domestic labor, selling items and food along the roads, through the secret charity of others, and the coercive actions of others (Renshaw 2011).

However, most of the repression the Republican sympathizers and family members of

dead Republican fighters suffered was the Franco regime's institutionalization of stigmatization and discrimination. The regime, to ensure that the Republicans suffered in all aspects, enacted a series of economic policies to effectively create second-class citizens. The institutionalization of surveillance, bolstered by legislation that essentially criminalized Republicans, included the creation of "certificates of political and religious reliability," which denied politically suspect persons and families access to work or travel (Davis 2005, Preston 2002: 44). Denunciations were common, and priests would take notes as to who was attending mass and who was not (Hochschild 2016: 345).

The regime seized the property and assets of Republican families, crushed unions, declared strikes as acts of state sabotage, and purged "leftist" professions (Davis 2005). Furthermore, war widows and orphans, or those wounded on the Nationalist side, received pensions or jobs, while their Republican counterparts received nothing. These economic policies left the majority of Republican families impoverished and without the ability to escape abject poverty. The regime also subjected the Republicans to an intense and vicious propaganda campaign, which portrayed the defeated as, "bloodthirsty traitors against Spain" (Davis 2005: 862). The regime utilized the media, state events, rituals, and symbols, as well as the educational system to maintain the demonization of the Republicans. The Right also labeled Republican sympathizers as "Rojos" or "Reds," which became a common form of "othering"—often racialized in nature, which worked to label and repress both Republicans and their offspring.

### *Creating the Dominant Narrative*

Franco, like many other Fascist leaders, strategically used propaganda, symbols, rituals, and festivals to ensure his version of historical memory surrounding the war and the regime

remained the prevailing narrative. Reflecting a true passion for pageantry, during an ornate ceremony Franco became the “Generalissimo” of the Nationalist armed forces and head of state. He then began to refer to himself, via his propaganda machine, as the “Caudillo” or “leader by the grace of God.” Later he also named himself Captain-General, which was a rank that was previously only held by Spanish Monarchs (Hochschild 2016: 37).

Starting immediately after the war, Franco declared the year 1939 to be enshrined as the “Year of Victory” in the official Spanish Calendar. Additionally, Franco made all national holidays—excluding saint feast days—victory festivals, which were used to rally loyalty for the regime and reestablish that the Republicans were inhuman communists deserving neither forgiveness nor compassion (Preston 2002, Renshaw 2011). Fascist propaganda was an everyday occurrence. The Falangist hymn, “Face to the Sun” was heard every night on the radio and at all public events. All school-aged children at the start of their school day were required to do military formations, raise the Spanish flag, pray, sing the hymn, and then go to class. The process would then be repeated at the end of every day.

The Fascist state also had total control over news and entertainment media, ensuring that the Spanish people received a filtered perspective on ongoing political, economic, and social events in the country and abroad. Additionally, the regime ensured that school-aged children were only exposed to the regime’s account of events by controlling the content in schoolbooks, which although revised over time, ensured their account of the war to be the only narrative, even going so far as to rename the war “The Crusade” or “The War for Liberation.” Moreover, the state was intent on imbuing the ‘true’ national character of their victory by mandating sex segregated classes and manuals to teach boys to be “aggressive, violent, imperialist” and girls to be submissive homemakers who kept the “home ready for virile Falangist warriors” (Hochschild

2016:38). Republicans and their descendants were either vilified or ignored in the official accounts, depending on the era, but were always characterized as an ongoing potential threat to the regime and to the nation, a common form of purposeful othering used to maintain support of the repressive governmental rule and actions against enemy citizens (See Italy, Nazi Germany De Grazia 1992, Irvine 1996).

Spanish public buildings, in almost every town became locations of Francoist historical memory acts, as scrolls naming the Nationalist war dead were often attached to them. Many of these commemorations still remain on public buildings. Additionally, *all* Spanish churches put on its walls the name of the Falangist leader, Jose Antonio Primo de Rivera, a martyr of the Right, as he was executed by the Second Republic for illegal possession of guns in November 1936. Moreover, some churches also affixed the names of local Nationalist dead inscribed on crosses or have stained glass windows with the Falangist flag. No Republicans have ever been recognized in these ways.

The largest, and most discussed Francoist monument to the dead is located at the Valle de los Caidos (Valley of the Fallen), which is an enormous mausoleum where nearly 30,000 Spaniards are buried. It contains a 262-meter-long basilica, a monastery, and a 150-meter-high cross that is as wide as a two-lane highway, and took nearly twenty years to build (Preston 2002: 44). Approximately 20,000 Republican prisoners—who had been sentenced to reeducation via labor—built the Valley of the Fallen. Many of these prisoners were injured or killed during its construction. The style of the monument emphasized the regime's passion to restore Spain's imperial strength and its desire to eliminate any lingering remnants of enlightenment thinking even architecturally (Preston 2002).

Jose Antonio Primo de Rivera was the first to be buried at the Valley of the Fallen



reaffirming the space as one for those who fought and died valiantly in the face of “Red” terror. Originally, only those who had died on the Nationalist side were interred at the site, but by 1959 it was open to those who had fought and fallen on the Republican side as long as they were Spanish (meaning no International Brigadiers) and Catholic. The later requirement was almost always impossible to prove due to poor record keeping or lack of interest by the Catholic church. The regime exhumed both mass graves and formal burial sites from the Civil War, transferring close to 70,000 remains to the monument. The regime then reinterred these remains alongside Primo de Rivera, and eventually, Francisco Franco himself.

Intriguingly, in the 1960s the regime conducted exhumations of Republican mass graves with the intent to rebury them at the monument. These exhumations were done without the permission and often without the knowledge of the surviving family members. Some scholars have argued that this was done as a way to acknowledge the Republicans effort while controlling how they would be remembered (Rubin 2015). However, I argue that these exhumations are just another example of how the fascist state was exerting its necropower, as it was wielding full control over the production and maintenance of the dead, as well as also how they were being incorporated into the larger identity and narrative of the purpose of the state’s existence. The internment of Republican remains alongside the founder of the fascist party and General Franco, is currently a point of contention in Spanish memory politics. Many victims’ families’ organizations have demanded the exhumation and return of their loved ones interred at the monument, insisting that their loved ones should not have to spend eternity with their murderers (Rubin 2015).

### *Post Franco, Transition, and Changing Legal Regimes*

Franco had begun the process of opening up Spanish society in 1960s to the rest of the world, which increased tourism and introduced more progressive social trends in popular culture (Renshaw 2011). In spite of some of these changes, the regime still maintained total control via repression and violence. The last execution was conducted in 1974. Thus, when Franco died in 1975 after almost forty years of rule, silence, censorship, and authoritarianism had become deeply engrained in Spanish political culture, making it nearly impossible to publicly raise issues regarding the violence of the past.

In 1973 the Basque separatist group ETA assassinated Carrero Blanco, the right-wing hard liner chosen to succeed Franco as the head of the military. As such, when Franco died in 1975 there was nobody who could succeed him. Consequently, Spain began a democratic transition in 1975 and ended in 1978 when the new constitution was completed. As the regime had constantly argued that the Civil War could be reignited at any moment, many Spaniards acted on this assumption during the transition to democracy (Aguilar 2002). Thus, Spanish political elites, “via the legal and institutional mechanisms of the old regime” orchestrated the democratic transition while attempting to ensure that another Civil War was impossible (Encarnación 2008: 60).

As part of that effort, the transitional government enacted the amnesty laws of 1977; they were brokered by leaders in both the conservative and leftist parties. *The Amnesty law of 1977* (de España 1977) asserted that the atrocities that had occurred during the Civil War and the Franco regime were to be forgiven and forgotten (Aguilar 2002). Many have called these various laws and policies the ‘pact of forgetting’ (pacto del olvido), as they promoted censorship with the goal of building tolerance and preventing further political polarization in the country. This

framing of the transition continued the marginalization of the victims of the Civil War and Franco regime, and institutionalized a new form of sanitized silencing of the victims' suffering. In this case, sanitized silencing suggests that the transition intended to purposively erase and denigrate the histories of violence suffered by the victims, by ignoring it until it was forgotten. Moreover, this sanitization essentially also allowed for the continuation of Franco era established stratified system, with the victors maintaining structural and cultural power over the defeated, to continue on. It has been argued that Spanish population internalized the 'pact of forgetting' until the early 2000s (Aguilar 2002, Encarnación 2008, Phillips Jr and Phillips 2010).

In December of 1978, the transitional government ratified the current constitution, which defined the Spanish state as a parliamentary monarchy, with the King retaining the title of Head of State; however, the majority of state power is divided between the central government (Legislative, Executive, and Judicial branches), autonomous regions (e.g. Basque Country, Cataluña, etc.), and municipal governments (specific cities) (Cabrero 2014). Democratic governance has been maintained since then, with the most serious challenge to it having been a failed military coup attempt in 1981.

### *Spanish Legal Structure*

To understand the potential impact of these changing policies on activist behavior it is imperative to understand the legal apparatus in which activists are engaging. In Spain, judges are able to investigate crimes. Thus, there is an investigating judge who gathers evidence and decides whether a case should be brought to trial. The investigating judge, however, does not try the case; rather a panel of three judges does so. Furthermore, judges have the ability to initiate investigations based on their own motions. Spanish citizens also have the constitutional right to

begin criminal legal proceedings via a ‘private,’ or people’s prosecution, which means an individual citizen or representative of an individual, can initiate criminal court proceedings. This is possible even when the person initiating the case has not been directly affected by the crime. Additionally, organizations or public interest groups can also initiate criminal proceedings on behalf of alleged victims, which is how every single universal jurisdiction case in Spain to date has begun (Wadsworth 2012: 3-4). These international cases have also served as inspiration for national actors in Spain who are fighting to repeal the amnesty laws.

Judge Baltazar Garzón opened the door to major legal challenges to the amnesty and silence laws when he used universal jurisdiction in 1998 to issue arrest warrants for Argentine generals and for the ex-dictator of Chile, Augusto Pinochet. Pinochet had been receiving medical treatment in England when he was indicted for the disappearance of over 3,000 people, including several Spanish citizens who were killed during the military coup d’état in 1973 and the military regime that followed (Encarnación 2007, Langer 2011, Sikkink 2011). Mass demonstrations demanding the extradition of General Pinochet were held throughout Spain, and the case was extensively covered both by Spanish and international news outlets (Davis 2005, Encarnación 2014: 140).<sup>3</sup>

Judge Garzón was able to use the international law of universal jurisdiction because the Spanish government had included it under Article 23.4 of Fundamental Law of the Judiciary (Ley Organica del Poder Judicial) in 1985. This article granted Spanish courts the ability to take on cases related to the crimes of genocide, piracy, and terrorism (Wilson 1999). Another aspect

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<sup>3</sup> General Pinochet was eventually allowed to return from England to Chile in March 2000, after it was allegedly established that he was suffering from dementia and was unable to physically withstand extradition. He went on to live for another six years. He died peacefully in his bed surrounded by his family.

of Article 23.4 was a residual clause that included jurisdiction over any crime that violated international treaties or conventions that Spain has ratified. Spanish courts have interpreted this residual clause to include crimes related to torture, crimes against humanity, and severe violations of the Geneva Convention (Wadsworth 2012). In 1998, Garzon expanded the charges to incorporate human rights violations of Chilean and Argentine citizens (Wilson 1999). This international incident sparked controversy both in Spain and abroad. Many found it hypocritical that Spain was condemning the acts of Pinochet and Argentina while continuing to ignore the crimes committed under Franco (Encarnación 2007).

These international cases have inspired Spaniards to direct their outrage over human rights atrocities towards their own government, thereby ending a decades' - long era of silence. Since the turn of the millennium, Spaniards have begun to challenge the heritage of silence and process the violence of the Franco regime (Aguilar 2008). In 2008, Judge Garzón was the first to acknowledge and denounce the illegal appropriation of Republican children from concentration camps and prisons at the end of the Civil War (Encarnación 2007, Encarnación 2008). With growing attention to the plight of the kidnapped children, stories began to trickle out about children stolen at birth from the late 1940s through the early 1990s. Now, many of these stories have begun to circulate nationally in the news media. Additionally, many organizations have been created to facilitate the reunification of biological families impacted by this scandal. Moreover, due to increasing pressure from victims' advocacy groups and the courts, the Spanish government promised to create and run a national DNA database and testing center to help potential victims and their families reunite (Junquera 2013). However, no DNA database has been promised to help facilitate the identification of the remains found in mass graves across the country. The few organizations in Spain conducting exhumations have to finance their own DNA

testing of remains, which is prohibitively expensive.

### *The Rise of the ARMH*

The Pact of Forgetting began its slow fade from symbolic and institutional power in the 1990s. During this period, academics, artists, journalists, entertainers, and everyday Spaniards began to somewhat broach the taboo topic of the past violence. As just discussed, Judge Baltazar Garzón in 1998, indicted the former Chilean dictator Augusto Pinochet. The indictment of General Pinochet led some in Spain, among other countries, to question the irony that Spain was all too willing to prosecute another country's war criminal without having ever addressed their own history of gross human rights violations during the Civil War and the Franco regime.

In September 2000, journalist and sociologist Emilio Silva published an article entitled: "My Grandfather, too, was a Desaparecido [Disappeared Person]." Silva, at the bottom of the article, placed his personal phone number, which was later used by a physical anthropologist who wanted to help locate the remains of his grandfather (Renshaw 2011). In October 2000, Emilio Silva, among a team of forensic investigators, located the mass grave containing his grandfather, Emilio Silva Faba, and the twelve others buried with him, all of whom had been murdered and buried by fascist forces in 1936. This marked the first time that an exhumation of Civil War era dead had been exhumed in a scientific manner and in accordance with international protocols for post-conflict exhumations.

In December 2000, Emilio Silva, along with Santiago Macias, due to immense interest from fellow Republican dead descendants, founded the Association for the Recovery of Historical. Shortly thereafter, similar organizations and local chapters of the ARMH began to form around Spain. The ARMH, along with these other groups, have become a loose network,

made up primarily of volunteers, who have been exhuming and commemorating Spain's missing. Additionally, scholars commonly discuss these groups (Forum for Memory, ARANZADI, local ARMH groups, Platform Against Impunity for the Crimes of Francoism), as being the main actors making up the Spanish historical memory movement.

The ARMH, among others, became so prolific in their work, that in 2006 the Socialist government declared that year to be the "Year of Historical Memory." In 2007, the government passed the "Law of Historical Memory" (de España 2007). While important, the law was limited in many ways. Notably, it did not revoke the 1977 amnesty law and maintained that exhumations were private and individual efforts. However, the law did allocate limited state funds to be available for civil society organizations to conduct exhumations, thus paving the way for a large wave of exhumations to that occurred between 2007-2011 (Ferrándiz 2013).

In 2011, the Socialist government was defeated by new conservative government. The new government then ended all funding for exhumations of Civil War and Franco-era dead. The ARMH barely survived the cuts and has since relied on private donations, both domestic and international, and human rights awards. However, the ARMH, thanks in much part to the ongoing Argentine universal jurisdiction case, has received enormous amount of press and donations, which have bolstered their efforts. The importance of transnational advocacy networks and influence will be discussed later on.

As just detailed the Franco regime had 40 years to institutionalize its collective memory of the past, and to institutionalize fear. The democratic transition also maintained this fear by demanding continued silence about the past. The next chapter analyzes how the ARMH uses different performative tactics to introduce to their fellow Spaniards their reframed collective memory of Spain's violent past, the failures of the democratic transition, and current failings of

the centralized state's necropolitics, in ways that reflects and confronts this long history of terrified silence.



## **Chapter Four: Breaking the Silence, Breaking the Fear: The Role of Performative Tactics**

The September morning air was crisp and cool; the mist in the old cemetery slowly lifting in the fall sun light. The sounds of an excavator tore through both the earth and the tranquility of the morning. ARMH members and volunteers stood around watching as the excavator removed the topsoil, ripping all plant life and creating the beginnings of a trench. The subsequent trenches were about two feet apart and dug in a vertical manner. As the excavator removed layers of dirt, the lead archeologist and the rest of the team, including volunteers, watched for changes in soil color, bone fragments, or other human artifacts. They were searching for two men who had been executed in the immediate post-war era. The son of one of the victims waited nearby.

The ARMH activists in their jackets and sweaters that blazed “ARMH” stood out against the terrain. Nearby, leaning along the wall of the old cemetery, their many tools—metal detectors, shovels, hoes, picks, and lots of plastic boxes that held smaller digging and archeological tools—waited to be used. While some of the activists were watching the trenches, others were putting up the ARMH’s official sign, which explains the association’s mission, as well as the science behind their work. The poster is large, over six feet tall, and has pictures of the victims in life, as well as activists scientifically exhuming mass graves and analyzing human remains. The poster and the activists who stood near it hoped to spread the message of their work, promote talking about the past, as well as getting any new information from townspeople that could be useful in the search.

The old cemetery where the exhumation took place lies on the famous Camino de Santiago—a long hiking trail that begins in France and was traditionally the route of a Catholic pilgrimage. It is also on one of the main trails that leads people into the local town. Due to these roads, there is a lot of foot traffic from both pilgrims and townspeople. As the activists waited for

the dead to emerge, the town began its morning routine. Like any new distraction in a small town, the sight of a large excavator ripping open the old civil cemetery drew a lot of attention. By the mid-morning there was a large group of older men and women from the village standing around watching the work.

As soon as anyone approached to ask what was going on, ARMH activists and volunteers engage them. Initially after finding out what they were doing, many villagers go silent, but then stay and watch. As they observe, curiosity takes over and they begin to ask questions about the process. The activists and volunteers, happy to engage, then explain the basics of the international protocols they were following, about what tools they are using, or why the lead archeologist was staring so intently into the large holes being made by the excavator. One group of older women, on their way to market, remarked “It’s just like on TV with those detective shows!” As this excavation occurred over a couple of days, many of these villagers regularly returned to visit, checking on the progress of the work, and socializing.

As such, there is always a group of people hanging out near the metal barriers that separated the technical work from the public. It was here that the locals recount their own memories, or the stories they heard from their parents or grandparents, about the war, the violence, and the transition, facilitating a space for public storytelling. The older villagers sigh deeply and ruminate over the pain and suffering caused by the war, many said they believed the families had the right to rebury their loved ones. As one elderly man, gesturing to the victim’s family who was watching the excavation nearby, remarked, “They have suffered enough.”

Others, like one married couple in their sixties who had read about the ARMH’s work in the newspaper, spoke about the repressive silence of the past. The husband said, “It was total silence.” A man nearby who was listening, interjected saying, “It was a terrified silence. To

“speak would risk everything.” The three went on, suggesting the democratic transition was just a continuation of the regime, because it maintained the silence. Like many others, they agreed it was incredible to see the ARMH’s work and hoped the victims’ families could finally reburial their dead.

This story illustrates how the performative aspects of technical forensic of the ARMH work to help to break the silence about the past and give those watching permission to do the same. As we will see in this chapter, these ritualized acts create a public space for the expression of grief, a way to dignify victims of violence, and ultimately facilitate a direct and public critique of the state.

### *Performative Social Movement Tactics*

To understand the ARMH as a social movement with successful outcomes it is first necessary to put the movement into historical and cultural context. As suggested by the above vignette, the pervasive fear that was created by the violence and repression of both the war and the regime, as well as the continued state silencing promoted by the democratic transition, has made talking about the past still very difficult. As such, ARMH activists are constantly using a variety of performative actions to provoke Spaniards into following their lead into fearlessly addressing the past. As mentioned in the introduction, the scholarship on social movements and performativity suggests that social movement tactics, such as African-Americans sitting at a white-only lunch counter, actualize the desired changes being pushed for by the social movement (Bruce 2013, Butler and Athanasiou 2013, King 1996). How social movement actors engage with the social world also display for others the meaning of their social situation and how they intend to change it (Bruce 2013). As such, Spaniards having nuanced conversations about the

past violence, the regime, the transition, and how all of this is reflected in the current government, is itself a successful movement outcome, as it is creating the change that the ARMH is seeking.

As in the opening story, ARMH excavation sites can be converted into temporary public places for the exchange of oral testimonies, or storytelling, about the past. Since Spain did not engage in any kind of truth and reconciliation type of interventions, some scholars have argued that there is a vacuum for this kind of intervention (Phelps 2014). Truth commissions are defined as “temporary, autonomous, and victim-centered commissions of inquiry authorized by a government or intergovernmental body to investigate a pattern of severe violence in the state over a period of time,” which are seen as a universal aspect of peacebuilding with almost every “emerging state from authoritarian rule or civil war” considering the establishment of a truth commission (Nauenberg 2015: 654). I posit that these public storytelling spaces, in some ways, work to fill the void of truth commissions, and help the ARMH actualize aspects of their larger movement goals, such as reframing the collective memory of the past violence.

Moreover, Spaniards, by talking about what happened during the war and regime in their immediate villages brings a personalized awareness of the past, as opposed to an abstract understanding of what happened. Moreover, these conversations minimize the validity of the official and state backed version of events. Storytelling also works to share the responsibility for restoring justice (Herman 2015:210). Other scholars have similarly argued that “people need to have the truth of their and their family members’ lives acknowledged by both their neighbors and by those in power,” which requires the, “telling, listening, acknowledgement, and concrete manifestations of the acknowledgement” (Phelps 2014: 842). Hence, while individual stories, even if they seem small and insignificant historically, can—especially when combined with the

scientific evidence found and presented from mass grave exhumations—nakedly expose a “...larger history of structural violence and political opportunism” (Phelps 2014; 843). Restoring justice to post-conflict societies can only begin if people can share their stories and talk about the past.

## Findings

I first begin my analysis in, *Excavations: Ripping Open the Ground and Performed 'Fearlessness,'* which unpacks how excavations act as the beginning of many social interactions between the ARMH and villagers. ARMH activists at these technical interventions are able to introduce their claims of being an organization dedicated to the rights of the families and the power of science approach, which can later help villagers be able to endorse the ARMH's work without risking being seen as 'red' sympathizers.

In, *Asking for Help; Tacit Mechanisms that Provoke Conversations about the Past,* I further explore how interacting with villagers in a courageous way, and sometimes, by encouraging villagers to assist in locating mass graves, ARMH activists encourage the breaking of silence and fear by emboldening villagers to talk about the past. Moreover, in *Breaking the Silence & Storytelling,* I illustrate how during these interactions activists are performing the breaking of silence and fear, which creates a model of behavior for villagers to follow. As such, the performed courage of activists and the physical space of the technical work of the ARMH combine to make a temporary safe public space to tell stories about the past.

In the *Homage and Reburial Ceremonies* and *Memory Events* subsections, I analyze the more theatrical performative tactics of the ARMH. In these sections, I evaluate the how these events encourage more storytelling and historical descriptions of the violence. I argue that these events create the opportunity for Spaniards to discuss the 'true' history of the violence, often

backed by the ARMH's forensic evidence. Additionally, I demonstrate how these events are, in some ways, provide a form of truth and reconciliation at the local village level.

### **Excavations: Ripping Open the Ground and Performed 'Fearlessness'**

To be able to exhume a mass grave, one must first know where it is. The majority of the extra-judicial killings happened during the war, meaning that there is no record of the location of the graves or who is buried within them. This is in contrast to the executions that occurred during the first few years of the regime, which were documented in detail by the military often including the names of the executed, manner of death, as well as autopsy reports, and the location of the remains. The historians of the ARMH spend months researching everything about the circumstances of the disappearance including historical archival research, reviewing historical maps, and gathering any pertinent information from the victims' living relatives about the circumstances of their loved ones' disappearance. When the association has a good sense of where the grave should be located they send out the team to begin an excavation.

The team, however, still frequently faces many challenges while searching for graves in the field. For one, as the violence occurred over 80 years ago, the terrain has often changed topographically. For example, the construction of a highway or extensions added to cemeteries make locating graves difficult or even impossible. As such, the search for a grave can be an energy, time, and resource intensive endeavor. Consequently, although excavations serve the primary purpose of locating a grave that will later be exhumed by the forensic team, they also serve as the first of many entries into the social and public world of the local communities where the graves are located.

All excavations begin in the same ritualized way; the lead archeologist maps out the confines of the land that the association has official permission to excavate. This includes the photographing and measuring of the site. After this, the team will dig a trench with shovels. However sometimes an excavator is used. The team members then use backhoes to sift through the removed dirt searching for any human remains, artefacts, or changes in soil color. If anyone sees something in the trench, the archeologist will jump down with a small spade and will look more closely.

Team members, during both the excavations and exhumations, wear a variety of clothing appropriate for the changing natural elements and outdoor labor. Many of the jackets, sweaters, and shirts have “ARMH” or the ARMH logo displayed clearly on the back, front, or the pockets. Additionally, as a majority of these excavations occur near the sides of roads or highways, the team is required to wear reflective bright neon green vests, rendering them quite visible. Moreover, team members throughout the excavation and exhumation process have a lot of tools on hand. In many ways, ARMH team members’ use of tools and clothing, though functional, also serve as scientific props that help break the silence of the past. Albeit, this performance is not very subtle as the team is literally, at times, standing on the side of the road in neon outfits with a bulldozer ripping the ground open looking for victims of state violence.

As the graves were often near roadways, there is regular foot traffic passing by the excavation site. Villagers, in areas where the ARMH is working, almost always know the stories of the violence, as well as the general locations of the graves littering their towns. Thus, when the locals see digging near or at the location of a known gravesite, they usually know what the people digging are looking for. Still, villagers will approach the team to talk or ask what they are doing. The ARMH’s historian or a volunteer will greet them, and try to engage them, especially

if the individual is older, about what he or she knows about the grave, its location, and the people buried in it.

After confirming that the team is indeed searching for a grave, villagers tend to have a wide variety of reactions. Some, like an elderly man, who after it was explained to him and those around him what the ARMH was doing, responded with a deep and pained sigh, “What a shame this was. I just don’t want another war.”

Yet, some villagers responded with immediate hostility, only to slowly come around. In one such instance, I was informally interviewing a waitress in her thirties who started off the conversation by saying she was completely opposed to exhumations and the work of the ARMH, saying “I don’t know why they are opening up old wounds.” Later she off handedly said that her grandfather had been disappeared in the coup, because he had been the Republican mayor of a neighboring village. As we continued talking, she began to soften her stance on the ARMH and recovery of remains. By the end of the conversation, she had changed her stance, stating she thought all the families had the right to scientific exhumations, because the exhumations were not tainted with politics, but rather, “were about helping families move forward.” She did not, however, want to find her grandfather. She was concerned that her family would find it distasteful, or potentially shameful to try and find him.

This woman, like many of the citizens of local villages to whom I spoke seemed to feel the need to publicly distance herself from the Civil War and her Republican grandfather, at least initially. However, after being given protection from the ARMH’s claims of being about the rights of the families and the power of science approach, the waitress and others were able to endorse the ARMH’s work without being at risk of being seen as ‘red’ sympathizers.



In a similar story, the ARMH vice president recalled at one exhumation, a man from the village where they were working came to the gravesite to confront the team about the nature of their work. After the activists explained that their work was dedicated to supporting victims' families to recover their loved ones using international forensic science protocols, the man began to change his mind. He started to show up at the gravesite every day, listened to other local people talking, and hung around with the ever-present group of villagers watching the exhumation. Eventually, he became directly involved in ARMH's work by volunteering to participate in the hard-physical labor of digging trenches. In this case, the repeated interactions with the ARMH and seeing other villagers socializing helped facilitate his embrace of the ARMH's work, to the point that he became physically invested in it.

The team's technical work follows the script of traditional archaeology and international mass grave exhumation protocols. The reliance on protocols helps to reinforce the ARMH's position that they are archeologists and scientists first and foremost, which helps to protect the validity of their later findings. Villagers walking by almost always ask about how the work is being performed to which they will get lengthy explanations about the international protocols and technical work. Like the group of older women in the opening vignette said, this strict following of protocols, helps to liken the work of the ARMH's to technicians searching for a crime scene, not all that different from detective shows, which seemingly makes their work more relatable and less politically risky to be associated with, at least initially. Moreover, by following protocols and professionally going about their work suggests a level of comfort with what they are doing. The ARMH workers are not going out about their work in an anxious manner, rather they calmly 'perform' fearlessness by just doing their work as if it were normal. As one of the ARMH leaders explained,

People are silent because of fear. One way to resist the continued impunity and fascism in this country is to show [the people] that we are not afraid, and they should not be either. It's incredible what a simple example of that can do.

This model of behavior, as explained by the ARMH leader, then in turn helps to normalize the space, allowing for a discussion about the past violence. Later in chapter five, I explain how once they've found a grave the team will use this performative fearlessness to create a space that is safe enough for visitors to stay and listen to an impromptu 'class' led by ARMH leaders. These classes allow ARMH leaders to switch their tactics into being focused on pedagogy and teaching the 'true' history of Spain via forensic science and letting the embodied remains and the victims personal objects 'speak' their truth.

#### *Asking for Help; Tacit Mechanisms that Provoke Conversations about the Past*

As noted, sometimes it is very difficult to locate a grave. When this happens, the ARMH will attempt to get villagers to participate in their search, often first starting by talking with village elders and getting their testimonies about the past. As the ARMH puts a lot of research into their searches before going into the field, they often already have a person of contact in the town. When they are searching for more information they will try to draw on this person's networks to find and talk to the elders. However, sometimes they send volunteers to go into the local village and just start asking people.

As discussed in chapter 3, for the entirety of the dictatorship, any kind of public mourning was illegal and punishable by violence and/or death. Furthermore, it was as equally dangerous for anyone, regardless of political affiliation, to talk about the violence in any way other than in a boastful manner. As the visitors in the vignette said, 'it was total and terrified

silence.’ Additionally, after the military coup attempt of 1981, families of victims of extrajudicial killings were too afraid to continue exhuming and reburying their kin (Renshaw 2011, Rubin 2015). Thus, going into any village to publicly ask people about their knowledge of the violence is a bold act, especially in areas where the repression was intense and long lasting, such as in the North Western region of Spain where the majority of the ARMH’s interventions take place.

In one instance, volunteers, myself included, were sent into the neighboring village (with a population of about 50) that was very supportive of the Nationalists and later of the Franco regime, to gather as much information about the grave as possible. One elderly man in a motorized wheel chair said he didn’t believe in the exhumations and thought “the past should be left in the past.” However, he did continue talking to me and went on to tell the stories about the violence that he heard growing up and where he thought the ARMH should look. In this village, the majority of the people I encountered seemed hostile to the idea of exhumations, as they thought they would only awaken old vendettas. However, after that was said, many would then go on to tell the stories they heard and where they thought the grave was located.

However, others in the same village, were more open to the ARMH’s work and presence. One group, three women and one man, all in their early 50’s, said they had read about the ARMH’s work in the newspaper. As one of the women said, she had been told the stories as a child, which was that the ‘reds’ had been rounded up, driven up the mountain, and then thrown off the bend, so we should be looking there, as opposed to where the team was searching. The group of friends then discussed how they thought the exhumations were a good thing and that the families had the right to find their missing relatives. They did not think the ARMH’s technical work was political because it was about helping people bury their relatives. As the man put it, “It’s important for families. I don’t think it’s a problem.”

As previously mentioned the regime violently enforced silence and repression to maintain its power. Likewise, those who had been branded ‘reds’ were considered enemies of the state until the end of the regime, though some would argue that this stigma has carried over until today. As such, sometimes the village ‘red’ is not interested in speaking with ARMH volunteers. That is until it is proven to be safe. In one case, a man whose family suffered terribly during and after the war for their leftist politics, refused to speak to ARMH affiliated international volunteers, saying “Leave the past in the past! Just leave them alone already.” It wasn’t until the ARMH sent their contact person, who was a neighbor and leftist, did the man give his testimony to the Spanish members of the team. In this circumstance, the elderly man, even though he did want to help, was terrified of strangers asking questions about the past. As one of Spaniards explained, “For some the war is not over. It is still happening for them.” And yet, he was eventually convinced that he would be unharmed if he discussed the past and ended up helping the team. The fact that this man could be convinced to speak at all is illustrative of slow, but definite progress.

In other cases, village elders, even those who had participated in the killing, could be convinced to help find a grave. An example of this occurred when the team had been looking for a mass grave of at least 25 people, thought to be located in a large field alongside a highway that connected two small villages in the Northwest of Spain. Villagers call the area the “Valley of the Dead.” An older man in his late 90s who lived in one of the neighboring towns had heard of the ARMH’s work and wanted to help. He had been a soldier in the Nationalist army and had helped bury some of the dead. He said that he wanted to help the elderly son of one of the victims find the remains of his father. For him it wasn’t about politics, but about helping a son find his father. When he arrived, he showed the historian the location of various other graves that he knew

existed, many of which were located across the road from the excavation site. He said that where the association was looking was a waste of time. Almost two weeks later, the team discovered he was right. The ARMH never found the large grave they were looking for but did discover two smaller graves on the other side of the road containing the remains of six people. As they did not have permission to look at all the locations where the ex-solider had pointed out, there still may be more graves lining that particular freeway.

Throughout my time in the field, every single excavation/ exhumation I observed included some form of gathering testimonies from people living near the gravesite. This testimony collecting technique has a hit or miss result, in regard to actually finding the grave. However, that does not mean it is not accomplishing something important. The testimony gathering interactions between the villagers and ARMH volunteers, who are unafraid and searching for answers, encourages the villagers to openly think and talk about the past violence of not only Spain's past, but also the violence that occurred in their village. Before the ARMH's existence such interactions were inconceivable. As such, when ARMH volunteers enter a village and fearlessly start asking anyone they encounter what they know about the past, in some ways, it demystifies the terror. It also provides local citizens the opportunity to broach the topic publicly. More often than not, villagers who spoke with volunteers would later make their way down to the actual excavation site to see it for themselves, promoting even more interactions and discussions about the past. By getting the locals to participate in helping in the search or by telling stories, they have made the locals a part of the new history of Spain.

### *Breaking the Silence & Storytelling*

As with testimony collecting, interacting with villagers who are casually passing by provides an opportunity for ARMH activists to perform fearlessness while breaking the silence about the past. Moreover, unlike the testimony gathering, interacting casually with townspeople at the actual excavation site creates a *physical* space for some of the consequences of breaking this silence, such as storytelling, to come into fruition.

Technical fieldwork, especially excavations, often provide a physical gathering space for townspeople to witness the work of the ARMH. As the ARMH is invested in reframing the collective memory of the past, there are always volunteers, team members, or visiting researchers who are interested in talking with anyone who visits. This openness to listening, not to mention the copious amount of free time technical work provides, helps facilitate the engagement in cathartic storytelling. As such, townspeople who stay and watch the technical work, will often organically, with very little prompting, start to recall what they know about the violence. Moreover, as the perpetrators were granted amnesty during the transition, and no truth and reconciliation processes have occurred in Spain, informal storytelling at ARMH technical field sites also sometimes provided storytellers the opportunity to discuss the various culpable actors responsible for the violence.

At one excavation, in the Castilla-Leon province, on a rural patch of highway, a rainstorm caused all but four paid team members to huddle under a canopy. While the storm raged, the locals, as well as some relatives of the victims, recounted stories they had been told by their parents and grandparents. The stories focused on the people in their village, or in some cases their own relatives, who had been randomly selected by the fascists to die or had fought in the war and eventually succumbed to the fascist forces. The stories also touched on the

repression that followed the war, such as one disturbing story of a woman who watched her husband's murder, then had her property seized, jeopardizing her economic survival. The storyteller implied—but did not explicitly say—that she had been a victim of sexual violence and then, to economically survive, had to prostitute herself to the same men who had killed her husband. For some in the group, it was the first time they had ever spoken about these stories outside of the safety of their homes.

During one exhumation in another part of the Northwest, many relatives of local victims came down to visit the work and talk with ARMH members. One man, in his late 60s or 70s came every day to speak with whomever would listen. At one point, a group gathered around him as he explained how some of his family members and others had been executed and thrown down the local well. The perpetrators were his neighbors. He went on to explain how his mother had been imprisoned as a teenager along with her mother. The women of his family had had their heads shaven, were force fed castor oil, and paraded around the town as they vomited. His story also hinted at sexual violence. One of the days he visited, the local priest accompanied him. He announced very loudly that this priest was okay, “no como el otro” or “Not like the other one.” Apparently, the priest of the village during the regime was vicious and had used his power to take both property and lives from those deemed “reds” in the village. Discussing the Catholic Church's involvement in the violence, especially in front of a priest, would have been absolutely impossible before the inception of the ARMH in 2000. Even in this instance, some listeners looked a little nervous until the priest nodded and said, “That man was shameless and not a true man of God.”

However, it should be noted that there were times when passive performative fearlessness was not enough. In these cases, activists engaged in assertive, yet respectful, performances of

fearlessness when confronted by someone unassuaged by their appeals to the rights of the family, the science of their intervention, or their apparent lack of fear of fascist pushback. An example of this came from a story from Blanca, an activist who participated in the Guadalajara exhumations. She recalled that one day in the first few weeks of the first exhumation in 2016 she saw a woman in her late 70's approaching the grave. She was wearing a fur coat, big earrings, and looked "very well put together." Following behind the woman were two female relatives of the victims, their heads down as though they were scared and ashamed. As the three got closer, one of victims' relatives, Bernedita, tried to warn Blanca by making face signals. The well-dressed woman then directly approached Blanca and coldly demanded to know what they were doing. Blanca explained that they were attempting to remove the bodies of "assassinated Franco repression victims." The woman then spit out, "I think this is ghastly. What you are doing is indecent. You have to know that the other side were just as murderous." She went on saying, "In fact, I have a brother who the reds murdered. They buried him somewhere and no one knows where." Blanca responded that if the woman wanted to give her all the information on her brother that the ARMH would very much like to help her find him, because they do not only search for one side, "if he is in a mass grave we will look for him." The woman declined and continued saying, "No, the only thing that you are doing here is removing shit, literal shit." Blanca responded saying, "No, they were not shit. They were victims, they were human beings who were murdered, and maybe you don't agree, but what we are talking about here is human rights and the rights of the families." The woman got very angry with Blanca and eventually stormed off, yelling to all those listening, "You are removing shit!" However, in our interview Blanca, explained why she thought this interaction had been important, saying,

During the entire time, Berendita [one of the women walking behind the well-dressed woman] was walking behind this woman, she had her head down. As she



was listening to me talk about the valor of the victims and that they had been assassinated, murdered—that by the time the other woman left, Berendita’s head was up, completely up. It gave me the sensation that this was first time that Bernedita could lift her head up in front of this woman—listen, they knew each other. This was a wealthy woman from the same village who had relatives implicated in the violence. So of course, she always had her head down in front of her! Bernedita *had* to keep her head down in front of people that spoke like that, in front of the winners. So, when Bernedita saw for the first time, someone dignifying her relatives and someone standing up to these people, while also standing firm about what *actually* happened in the past, it felt like I was watching someone who has lived their entire life with their head down and then had the chance to rise their head up. To have the strength to look directly at the people who never had to live their lives in fear for what happened. She did that. She watched that woman leave. And I believe, no, I know that she never dropped her head for this woman again or for anyone who thinks like her.

In fact, at the second exhumation about a year and half later in 2017, Berendita continued to come and visit the team. She would regularly bring homemade pastries and coffee to keep everyone warm. She no longer exhibited fear and willingly spoke to the local and international press about her and her family’s experiences. As Blanca argued, it seemed that Berendita lost her fear through watching someone stand up against the bullies of Francoism.

As such, the performative ‘fearlessness’ by activists and the physical space of the technical work of the ARMH combine to make a temporary safe public space to tell stories about the past. Public spaces have long been credited as important for the facilitation of political discourse, critiquing the state, and helping to maintain participatory democracies (Habermas and de Launay 1978, Robin Azevedo 2016). As such, these storytelling sessions do more than provide an emotional catharsis for those speaking; although the power of that catharsis should not be underestimated. Storytelling creates a location for Spanish citizens to discuss the brutality of past state terror and the political realities of that violence. It is one thing to abstractly know that these atrocities happened, it is entirely different to listen to story after story about the truly horrific violence that occurred in your town, to your neighbors. Furthermore, the fact that these stories are being told during the search or actual exhumation of the murdered remains of the

victims makes the stories that much more real, that much more salient. The very act of public storytelling also works to democratize the ownership of collective memory of the past. The state no longer has the power to scare people into silence. Rather, these storytelling sessions actually bolster the ARMH's reframed narrative of the past, as the majority of these stories acknowledge the unjustified brutality of the past.

### **Homage and Reburial Ceremonies**

The most performative and emotive events that the ARMH arranges are homages and reburials for the recovered and identified victims of the war and the regime. ARMH leaders argue that the reburial and homage ceremonies are *the* most important aspect of their work because the ceremonies offer the families a long overdue chance to participate in important death rituals, such as a dignified burial for the victims. These events also provide survivors and relatives a public venue to display their suffering, as well as their survival and resistance to the fascist violence and the sanitized “democratic” silence.

The return and reincorporation of the dead via exhumations creates complex sociocultural events within towns' that have suffered violence (Robin Azevedo 2016). Again, it has long been argued that having a public space allows for the spreading of information, debating, taking positions, and ultimately critiquing the powers that control society. Public spaces, such as homage and reburial events, “therefore represent a political space where mediation occurs between society and the State, leading precisely to the formation of public opinion, and participatory democracy” (Robin Azevedo 2016: 44-45) Moreover, these events are also a performance of an ‘irruption of memory,’ or a public event that awakens the larger public to a political past that is still part of the lived experience of a majority of the population (Wilde 1999:

475). As such, homage and reburial ceremonies force the community and larger society to view the consequence of the violence, which is still a ‘present in the lived experience’ of the victims of the fascist violence during the war and during the regime, while simultaneously making a public demand for transitional justice efforts on the part of state and political elites. One aspect of this irruption of memory is that events create a public arena to perform the reincorporation of the dead into the larger citizenry, as well as dignifying the dead.

One aspect of dignifying the dead involves restituting the dead with their names and identities. Thus, the first step involves establishing their identities, thereby ending the uncertainty of their ‘missing’ status. Once an identity is associated with remains, the remains can then be re-integrated back into the society as a recognized member (Duterme 2016: 7-8). Some have argued that re-associating the dead with their names reaffirms the missing person’s existence—a triumph over the perpetrators efforts to obliterate their victims (Duterme 2016: 7-8).

I posit that a similar dignification process also occurs even when the remains cannot be identified via DNA or through other scientific means. In these instances, depending on the town and the situation, a collective dignification of all of a town’s missing can also re-incorporate them back into the local citizenry. Delivering eulogies, public grieving, mourning and the act of burying even some of the bodies can act as proxies for the remaining unaccounted for missing. I am not arguing that this is the same kind of emotional closure as having identified specific identifiable remains. However, I do argue that it can be a different form of dignifying the dead.

As such, the process of dignifying remains—identified or not—during a large public event, embodies the human remains with a type of political capital. Verdery (1999) argues that due to their political power, bodies can provide an ultimate truth that is more formidable than even victims’ testimonies, which can broaden human rights organizations’ ability to successfully

reframe dominant narratives of violence and seize state necropower (Robin Azevedo 2016:44-45, Verdery 1999). Therefore, reburial and homage ceremonies offer an interesting perspective in how such homage and reburial rites not only create a public space to grieve and mourn, but also to critique established power, such as the state (See Kligman 1998 on lament and critique of a repressive regime).

### *Performing the Dignification of the Defeated*

The homages are optional, but many families take the association up on the offer to provide one. Homage events vary in how and where they are conducted, but most begin with an official statement, or performance that is open to the public, whether it be in a town hall or a community theater. The events often include public statements about the violence that occurred, the technical work that was done to retrieve the remains, and sometimes a statement from the relatives of the victims about what it means to them to have their loved ones back. After the homage, there is a reburial ceremony. On rare occasions, there is a Catholic mass and then the actual reburial. The association also helps provide a receptacle for the remains if needed. All of the homages that I have observed occurred in small villages or towns in Castilla-Leon or in the Galician region of Spain.

Through the homage and reburial ceremonies, the ARMH has another platform for distributing their counter-narrative of the violence of the war, the regime, and the more symbolic violence of the democratic transition. These events do not rely as heavily on the de-politicized science approach, but rather, focus on the emotive and personal details of the dead and their living relatives. This is not to say that the science is entirely missing, rather that the de-politicized science that led to finding and identifying remains is noted at key moments, which

work to distance the ARMH from more explicit political sentiments that are being voiced.

According to the leaders of the ARMH, they are only there to offer help to the families, so the families can have the kind of homage and reburial ceremony they want. They thereby place the responsibility for any voiced political claims or arguments during these events, on the family and invited performers'—not the ARMH.

An example of this kind of homage and reburial ceremony occurred in a small town located in the Galician region of Spain. The town is well known for its summer music festivals on the riverbank. Stone-faced churches and buildings line the town's cobble street roads, all of which sits within a small valley surrounded by beautiful green mountains and hills. On the main roadway, there is a community theater that is next to the town hall. Across the street are restaurants with open air seating catering to the tourists making their way through the Camino de Santiago.

The homage event that occurred in early August 2016 was for all the victims of repression (at least 60) for the citizens of this Galician town, but especially for two victims who were killed in October of 1948 and then were re-buried after the event. They were a mother and son who had been executed for having housed armed guerrilla fighters who had killed a Civil Guard during an encounter earlier that same month. The Civil Guard's retribution was swift and brutal. The mother's death orphaned her remaining six children. The mother and son were buried together inside the cemetery without caskets or grave markers, in a space between other graves. The same family had lost another adult child who had been sent, as punishment for fighting on the Republican side, to the Nazi death camp, Mauthausen-Gusen, where he perished.

One of the orphaned children, Maria, got into contact with the association in 2014 and the exhumation occurred in October 2015. In this case, as soon as the forensic archeologist could

determine the sex of the remains, it was possible to identify the bodies. After the anthropological examination was completed, Maria, the association, and the local mayor organized the homage event. However, as Maria is a religious woman, she also wanted a Catholic mass for her brother and mother before the reburial ceremony. The Catholic mass was arranged by the mayor as the priest was initially uninterested in providing one for “reds,” illustrating the long lasting division between the Spanish Catholic Church, which was complicit in the violence of the regime, and the demise of the Second Republic (Hochschild 2016).

The ceremony for the victims of repression was held in the community theater of the town, which is located next to the city hall. The theater is large, seating at least 150 people, on the combined upper and lower levels. The stage is small, but has an ornate white façade, which wraps around and above the main stage. Before the theater opened, attendees and the local press gathered on the sidewalk. The press mostly interviewed the victims’ families about what it was like to be there, as well as Emilio Silva, the president of the association. His grandfather had been a resident of this same town before the fascists took him about 30 minutes away to where he was killed and thrown into a mass grave with 12 other people.

Once the doors opened the theater began to fill rapidly with mourners. It became clear that there would not be enough seating for the number of people. In the end, the seats, on both levels were full; others had to stand in the back and along the sides of the theater. Due to the number of people and the lack of ventilation, it became quite warm inside the auditorium. However, in spite of the stifling heat, not one person left before the event was over.

The homage was the most impressive and performance-oriented one that I observed. It began with the entire city council of the town, including the mayor, sitting at a long table on the stage. The remains were then brought onto the stage by two ARMH team members and placed

on a small table near the city council. After this, various important people from the ARMH, including the president of the association, welcomed the audience to the homage ceremony. Later the mayor, a member of the conservative party, gave a speech about the importance of remembering the violence of the past instead of silencing it. He spoke eloquently and emotionally, recalling that the same person who held his job in 1936 was murdered and thrown in a ditch. Interestingly, the murdered mayor's family was also in attendance. After pronouncing, "Never Again," the mayor stood up, went over to the small caskets and held a very long moment of silence. The people I was standing next to, somewhat jokingly remarked that he was definitely going to lose his next election for being so supportive of the 'reds.' Many also later commented on the actions of the mayor as being shocking and good for future reconciliation goals.

However, in many ways, the mayor's speech and actions epitomized the performed reincorporation of the dead back into the citizenry of both the town and the country. In his speech and moment of silence, the mayor emphatically endorsed the ARMH's counter-narrative of the violence. Through his discourse and actions, he publicly declared that the mother and son had actually been victims of state terror and not criminals deserving of their deaths. Furthermore, he unequivocally denounced the long silence imposed by the state and attempted to give revered remembrance to the victims and their family. The city council through their presence and silence seemed to be condoning the mayor's perspective and approach to the past. This aspect of the homage holds a lot symbolic importance for the legitimacy of the ARMH and the counter-narrative it presented, especially because the mayor was associated with the conservative ruling party, who have been obstructionist in regard to any transitional justice efforts.

The homage continued with readings, presentations by team leaders including the forensic archeologist, the president of the association, and the association's secretary. The

forensic archeologist's speech focused on how the ARMH conducts its technical work, how they follow international protocols, what the challenges of this work are, including the lack of state support, lack of a national DNA database, and the resounding fear that still remains in rural Spain. When he was finished, he invited Maria to the podium and handed her the forensic report. The handing off of the report served to symbolize, much like a birth certificate, or a death certificate, the end of the identification process. These two individuals were now officially and publicly recognized, both by the state (the mayor and city council), and by scientific study (the forensic report), they had been officially identified, and their remains were re-associated with their names.

After the handoff of the forensic reports, a renowned poet, Carlos Mestre, gave a rousing reading of a poem called the "Tailor's Daughter," a piece dedicated to those who suffered from the repression in the town. The poetry reading was intense and theatrical. He was captivating as he read, at times pausing to look directly at the family of the victims. His poem told a story about the anniversary of the coup d'état, comets flying through space, the passing of time, the fear that leads to silence, and little stories about those who had been killed by the fascists. Near the end he read,

Sixty-four years after the fascist uprising, the grandson of Emilio Silva...will find his grandfather's grave in a ditch at the entrance of a town...According to the gospel of Nathan Zach, when God said for the first time, 'let there be light,' what he meant to say was that he didn't want to be in the darkness any longer...  
When he finished, he went over to Maria and gave her a hug and kiss on the cheek. She, like many others, was crying.

The last speaker was Maria, the daughter and sister of the victims. She began by saying "With this act, I can finally close the pain that I have been facing for more than 60 years... I have dreamed thousands of times of this moment, and finally, I can make my loved ones' rest in



peace...” She thanked the association for finding her mother. She also thanked the mayor for being there, acknowledging her family, and for helping to organize the event. She thanked her ‘new family’ of the historical memory movement for also supporting her. She said that she was going to read a letter that she had written to her mother and began with, “This may be a little difficult for me, thank you to the killer of my mother for my reading skills.” She continued on saying,

My dearest mother, you live in the corners of my heart. You have never left me. I am waiting to give you and my brother a hug. You were never killed in our hearts. When they hurt us, it is because they don’t have a mother. When they are cold to us, it is because they don’t have a mother... Oh dearest mother, how much I needed you. How much I have dreamed with you. I look at the moon and think of you. I see the roundness of the moon and think of you, of your face. I remember all things, the socks you made. How could I remember all these things with only 10 years of age? It has cost me a lot to remember you, mom. I talk with the moon and tell her how much I want to see you. And yet, how happy I am knowing that I am not alone, because you are always by my side.

When she finished her letter, the crowd applauded loudly.

The final act of the homage ceremony began when the ARMH historian and Maria’s daughter took the boxes containing the remains and walked them out of the theater. As the caskets were walked out, music filled the theater, and the audience rose to its feet applauding, and sang along. “Canto a Libertad Labordeta” is played at every memory event that I observed.<sup>4</sup> The lyrics speak of those who have been fighting for freedom that has yet to be achieved, as well as how those who survive the battle have to keep fighting for those who have fallen. The chorus states “There will be a day, when we will look up and see a land that is free.” It is a very moving and emotive song, especially when sung by over 150 people. During the song, people held their

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<sup>4</sup> The song was originally composed by José Antonio Labordeta in 1975, the same year that Franco died, and the democratic transition began.

arms in the one fisted Republican salute, others waved the Republican flag, and others simply yelled “Viva la Republica!”

In the context of an homage event, the song also became an opportunity for those in the audience to participate and voice their shared grief and solidarity with the family, as many of those in the audience, particularly at this event, were victims or direct descendants of violence and repression. At this moment, the audience, as they sang along, seemed to be engaging in a collective and almost religious act of grief. Yet unlike singing a hymn at a religious funeral, the audience was not singing about the promise of heaven. Rather, they were lifting their voices for in the hope that tomorrow will bring justice and freedom. Additionally, considering that many in the audience were relatives of the un-discovered disappeared, it was also, as one person told me, the hope ‘that one day maybe they too could find their missing relatives and bury them with dignity like those being buried [after the ceremony].’

From the theater, the audience and the family walked the remains up to the church on the top of the hill where the cemetery was located. The family had asked for a Catholic funeral mass for the two victims. The renowned poet, Carlos Mestre and I were the only two associated with the ARMH that attended the mass. The rest of the ARMH, as well as all the people who came to the homage, waited outside for the mass to end. This was not meant to be disrespectful per se, it was more of a reflection that many associated with this historical memory movement still hold resentment against the Catholic Church’s role and complicity in both the violence and the regime. Moreover, the priest presiding over the funerary mass did not seem particularly thrilled to be officiating. He gave an extremely mundane, borderline hostile, funeral service saying things like, “I presume they were nice enough people. Though I didn’t know them. Either way, they were both children of God.” He did not go out of his way to be warm or even particularly

understanding of the events that led to the premature deaths of those receiving the final sacrament. In this case, while it was clear that he was uncomfortable, the priest still performed his ecclesiastical role, and that was all the family had desired: that their loved ones receive a Catholic funeral. However, the priest declined to go to the graveyard to bless the grave, citing stomach pains. He pointed out that the cemetery was already consecrated ground and didn't need any additional blessings.

As I was one of two people associated with the ARMH in the church, I ended up helping the great grandchildren/nieces of the victims carry the flowers and the remains to the gravesite. The crowd waiting outside of the church followed behind. Once we arrived at the gravesite, ironically the same cemetery in which the victims had originally been buried, the remains were passed off to a cemetery worker standing in the grave. Once the remains were placed in the open ground, the family threw flowers into the grave one-by-one. After this was completed, the male ARMH team members took turns burying the caskets. When the graves were covered, the vice president placed a grave marker with the names of the victims on top of the grave. The association had provided the grave marker.

After this, everyone walked back down to the town center to drive to the restaurant where a multi-course meal was enjoyed. At the end of the dinner, Maria gave a speech thanking the association for its work and specifically for finding her mother after all these years. She remarked that in many ways, the association had become like another family to her and one that she will be forever indebted to.

The homage and reburial ceremony provided the space for the dead to acquire their identities publicly re-associated with their remains. The reincorporation and dignifying of the dead as citizens, as well as victims and not criminals, who are deserving of revered

remembrance, was officiated by the current local government. In Spain, unlike in other post-conflict situations, the direct descendants of the victims are not entitled to government restitution or even a truth commission. Thus, the city council and mayor's presence are probably as close as anyone will ever get to state recognition of their suffering. Additionally, the mayor's full embrace of the ARMH's re-framing of the narrative of violence represents a symbolic and tangible victory for the ARMH. Although this victory of seizing and successfully reframing the state's necropower over the historical narrative occurred at the local level, it did occur in Galicia, a historically powerful stronghold of fascism that is still heavily conservative.

The homage and reburial ceremony also allowed for a very public critiquing of the state's necropolitics. The ceremony, although focused on the unjust and untimely murders of the two victims at the hands of the state, also focused on all the others who suffered from repression in the region. All of the speakers, including the mayor, spoke of the centralized state's failings to address the past and how this has perpetuated the suffering of the victims' families. The event was very much a rallying call for further political mobilization to maintain pressure on the state to adopt the ARMH's counter-narrative, which was based on scientific evidence, historical research, and reflects the international community's standards on basic human rights. Although the science was not the primary focus of the event, the audience was reminded that those being reburied that day had been found, exhumed, and identified via scientific and historical methods, highlighting the importance of the science to the larger historical memory movement.

### *Homage to the Unidentified*

Not all the homage and reburial ceremonies take place in the presence of identified remains. This would seem to run counter to the promise of the forensics-based human rights

movement and of science's ability to reconstitute the identities of the dead. However, it is not always possible to identify the remains, due to the quality or deterioration of the bones, the lack of a DNA database, or a combination of these two. In some cases, the bones are too damaged by the acidity or humidity in the ground to be able to successfully employ DNA testing. An example of this occurred with the remains of nine men, which had been exhumed from a village outside of the city of Leon. The remains had been tested against DNA samples of the relatives, but it was impossible to conclusively identify any of the bodies, due to a combination of human error and poor conservation of the remains. However, in spite of the failure to identify the bones, the town's victims' families decided to proceed with the reburial and homage ceremony.

As with the previous example, this homage and reburial ceremony began in a public space, namely the town lecture hall. During this part of the event, there were speakers who gave presentations about the violence in this particular region and the village, as well as a technical presentation given by the ARMH's lead archeologist. The lead archeologist gave his standard speech, which reviews how the ARMH investigates each case, starting with the victims' families who ask the ARMH to investigate, the historical research that is conducted, and then a quick review of the technical process of how they search for and exhume the graves. This speech also explored the various challenges such as changes in the land, lack of state support or a national DNA database, and the fear that still silences the voices of many Spaniards living in small villages. At the end of his speech, the archeologist explained to the audience that none of the bodies that were going to be re-interred later that day had been successfully identified in the last round of DNA testing. He further asked those in the audience who were relatives to come up to the designated area to re-do the DNA swabs.

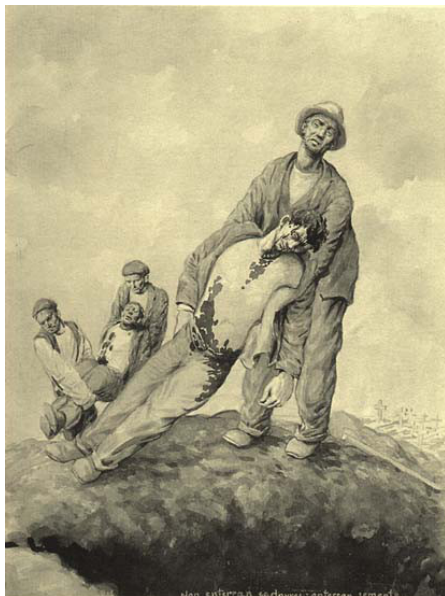
Additionally, due to the request of the Argentine Forensic Anthropology Team (EAAF) who run the ARMH's DNA testing for free, the association needed to get the relatives to write down their genealogical trees. Due to the type of DNA testing performed by the EAAF, the preferred relatives were ones who were connected to the victim via a matrilineal line. While the actual execution of this process was chaotic due to a lack of organization on the association's part, eventually they were able to obtain samples from everyone. Unfortunately, the second round of DNA testing also proved to be inconclusive and these nine bodies will probably never be officially identified unless the science improves.

After the lectures were over, the official homage event began with the vice president of the ARMH holding a press conference at the local town hall. The town hall, like almost every town and city in the Northwest of Spain, was located in the center, in front of the main plaza. The town hall building, and most of the town, was made out of red brick and stone, giving it a very burnt red look. To get to the town hall conference room, you had to go up one of two staircases, which wrapped around the front of the building. The main hall was actually quite small, likely due to the small population of the town. In the end, the room was not large enough to accommodate the crowd, resulting in many people standing either along the walls or overflowing into the hallway (see photo 4).



(Photo 4)

At the press conference, members and volunteers of the association—myself included—among relatives of the dead brought in plastic boxes containing the remains of the missing that the association had exhumed three years before. As we entered the hall, everyone waiting inside stood to their feet and began applauding fervently. The vice president of the ARMH was the first to speak at the press conference. During his speech, he commended the victims for fighting for their beliefs in democracy. He also discussed the killings as something that should be addressed by the centralized Spanish state in the pursuit of legal justice for the victims and their families. At one point, he referenced the painting that was pasted on the side of each box containing the remains when he said, “no entierran cuperos, estan enterrando semillas,” or “they are not burying bodies, they are burying seeds.” The painting depicts a group of men burying two others who had been killed presumably by fascists (see photo 5). The imagery of burying seeds suggests that the bodies will not just disappear in the ground, but rather will grow into a new life of resistance. It is a very common refrain in the movement.



(Photo 5. Painting by Castela Na Rede, “Non Enterran Cadavres, Enterran Semente”)

After the speeches at the town hall had ended, a woman approached the remains. She wanted to touch the boxes. When she approached she realized that there were no names identifying who was in each box. She asked the vice president, “Where are the names? How do you know who is who?” He responded, “They are not identified. We could not get a conclusive DNA identification on any of them.” She nodded slowly, and looked disappointed, but said she understood, “It’s been a long time.” He mentioned, trying to give a glimmer of hope, that the bodies could, maybe, one day be identified if the technology got better. He expanded, saying that each box contained a sealed bone sample for future testing, just in case.

The group then walked from the City Hall to the local cemetery. The remains were transported by the association’s van and then handed to family members to bring into the graveyard. The cemetery was located on top of a small hill overlooking the Spanish countryside, which was bright and full of yellow wheat and red poppies. The cemetery, like the rest of the town, was made of brick and stone, and about the size of a soccer field. The communal tomb was located in the middle of the graveyard and had many red, yellow, and purple Republican flags



decorating the site. The tomb was the central focus of where the rest of the ceremony took place.

During the reburial ceremony, many of the family members of the victims gave speeches reinforcing the analogy to seeds, as well as the idea that the earth holds more than just memories. One such speech, given by a relative of one of the victims, discussed how exhumations help to recover not just the dead, but also their identity and dignity. He also went on to say that after almost 80 years, nine out of the 77 of the town's missing, were finally home. He ended his speech by demanding that we should never forget what happened. Later, another man, and a son of one of the victims, talked about the searing loss of his father. He ended his speech with "Padre, descanza en paz, tu hijo no se olvida," or "Father, rest in peace, your son does not forget you." Even though he didn't know if one of the 9 recovered remains was actually his father, he was still able to give his father a eulogy. In some ways, not having the identities confirmed, allowed for all of the victims' families to participate in the re-burial as though they were commemorating their lost loved ones, and as there was no way to say they weren't doing so.

After the speeches, two young people, roughly in their mid-to-late teens played the instrumental music to the song "Huesos," or "Bones," a very popular song at these types of events. The song starts with the lyrics, "they could be, at first glance, only bones, ramshackle bones buried at the edge of the road." The song continues, saying that the bones are, in fact, evidence of a story, "a desperate, exhausted history of premediated terror" that can only be told by the bones themselves. Furthermore, the song argues that the bones need to be brought to the "pure air of the living," as they are waiting to be hugged, kissed, and be given a real goodbye. The song, like many of the funerary speeches that day, reinforced the idea that the bones are embodied with the humanity of the people that once inhabited them, including the desire for vindication and the tender care of their families who have been searching for them. Moreover,

this kind of rhetoric highlights the concept that the dead retain an emotional connection with the living and that the living have a continued responsibility to find and care for their dead (See Kligman 1988). The focus is on the bones, which can only be found through the process of exhumations. Exhumations are thus the instrument through which the bones of the dead can be brought back “to the pure air, so they can live,” again.

Later two female relatives of the victims, and prominent activists read every single name of the dead from the town and their personal descriptions, such as age, occupation, whether they were married or had children, their political affiliation, whether they had been tortured, and how they were killed. After some names, the reader would include, “they also killed his children,” as, in some cases, entire families were executed together. After each name and personal history, they rang a bell. The remaining speeches focused on the 9 remains, as being symbolic of the entire 77. As these families had waited almost 80 years to participate in public death rituals, it seemed less important that the bodies were identified, than it was to have a reburial at all. In this respect, the importance of restituting the identities of the disappeared was ostensibly less important than having a collective rite of mourning.

After almost two hours of speeches, musical interludes, and the planting of two trees on either side of the tomb—again to symbolize the seeds and vitality of the dead—the remains were placed in a tomb. The tomb was covered with a large black marble slab that had all of the names of the disappeared and the phrase “solo el olvido es muerte y su ultimo deseo fue que se le recordara” or “only the forgotten are dead, and your ultimate wish is to be remembered.” After all the remains were interred and the slab placed on top, the crowd yelled “viva!” (the Republican rallying cry) and had a “family” photo taken of all of the relatives of the dead in front of the tomb. It should be noted that this reburial was done without any religious death rites. This

may have to do, again, with the fact that Republicans were mostly against the Catholic Church, and the relatives still remember the church's role in the violence and repression.

As with the previous re-internment ceremony, the ARMH was able to present historical and technical accounts of their work that reinforced their re-framed narrative of the past. This reframing portrays the violence and repression of the war and the regime as being both unjust and an attack on human rights. Furthermore, it reframes transition era politics, which maintained a petrified silence and gave amnesty to perpetrators, as being a continuation of Francoism, which perpetuated the suffering of the victims. Moreover, these public events create the opportunity for those who have been helped by the association's scientific efforts to make political statements. Intriguingly, even those working with the ARMH took the opportunity to make political demands. The ARMH can seemingly get away with making these explicit proclamations as these events have been framed as something that the families requested, and which reflect the beliefs and desires of the families. The ARMH leaders who participated in making these statements also stayed away from demanding anything outside of the realm of international human rights standards.

The role and importance of forensic science, such as exhumations, was also highlighted at both homage and re-internment ceremonies, with almost identical speeches by the forensic archeologist. His speech covered the basics of the technical work and its challenges, but in the second example he was unable to provide any forensic reports to the relatives, as no one had been identified. However, at both events, the role of science was mentioned in ways that distinguished the ARMH from the politics and statements being expressed by the relatives and the more political wing of ARMH affiliates. The ARMH, even when venturing towards political rhetoric and critiques of the state, maintained distance from anything that would stray from the

international human rights community's agenda.

Additionally, in both examples, the dead similarly went through a process of 'dignification' and re-incorporation as lost family members are citizens of the town, and as defenders of Spain's original democracy. Although, dignification often refers to identified remains, in the case of these unidentified remains, I posit that a process of dignification still occurred. The ceremony included eulogies for specific members of the deceased by their relatives and each of the names of the dead were recited as though they were being buried that day. The symbolic dignification of all of the missing seemed to be the more important aspect of this reburial ceremony. The uttering of a name, especially when couched within public death rituals, reaffirms the presence of the person, emphasizes the individual, and the impact of his or her loss. As there are still 68 missing from the town that have yet to be found and exhumed, it is possible that future forensic work will one day discover the remaining bodies, which may lead to identifications and future reburial ceremonies.

In both examples, there was a collective expression of grief, not only of the direct family members, but of the town itself. People from both towns came to witness these events and to witness their former neighbors being mourned and buried. The importance of having witnesses to the public display of grief should not be underestimated. These towns, especially in this region of Spain, suffered extreme repression during and after the war. These commemorative acts not only created a public space in a Habermasian way, in that it allowed actors to take positions and critique established power, but they also performed the role, in many ways, of mini truth commissions. At both homage and reburial events, personal testimonies of the violence, the manner of death and repression, were retold in a form that placed the victims' and their families as the main focus and narrators of the past violence. The families were finally able to speak to a

large audience about their grief and publicly perform long awaited death rituals, which also speaks to the enduring, and in this case, perpetual torture that enforced disappearance creates. Perhaps the deep emotionality of publicly expressed long lasting grief is what makes these events resonant and powerful. Moreover, as ARMH activists point out, none of these homage and reburial ceremonies would be able to occur in same poignant way if it were not for forensics-based human rights.

### **Memory Events**

The third aspect of the ARMH's performative tactics is their use of events dedicated to marking memory. These events include the International Day of the Disappeared (August 31), as well as various lectures and anniversary events that they put on. In this section I will only focus on the 15<sup>th</sup> anniversary of the association's founding because is a clear example that illustrates the ARMH's engagement with more provocative approaches to forcing a conversation with local Spaniards about the past.

Public memory events, unlike homage and reburial ceremonies, do not explicitly refer to any victims in particular, rather they focus on the victims in a more general manner. Additionally, these events are completely open to the public and held in public spaces, such as main square plazas or in front of significant historical buildings. And, like the commemorative events, public memory actions do create a space for expressing the ARMH's reframed narrative of the past and a forum in which to critique the established powers.

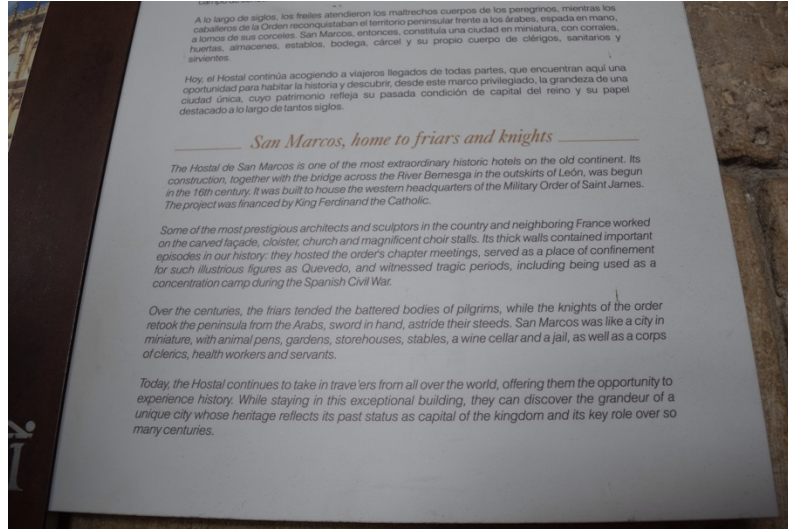
The anniversary for the association was held in the city of Leon. The main event was held in the evening at a large theater. However, the day's events began early in the morning and centered around a public space. In Leon, there is a beautiful historical building called San

Marcos. It was originally a monastery but has been repurposed throughout the centuries (See Photo 6). During the Civil War and immediate post-war era, the building became a concentration camp, with thousands of prisoners having perished either due to execution or maltreatment. Every time we drove down the main highway to get to Leon, team members would point out that the sides of the road contained hundreds of mass graves.

However, now San Marcos is a five-star hotel that caters to high-end foreigners and those who want a nice break from the Camino de Santiago. The hotel has done little to explain the building's past as a concentration camp and it wasn't until 2014 that they were forced to explain the building's history. A German tourist, when he found out that he had inadvertently stayed at a former death camp, became extremely upset. As such, he went on Trip Adviser and expressed his indignation, which eventually led to a legal settlement between him and the hotel. The hotel agreed to put an information poster explaining the building's past use (see Photo 7) and gave an undisclosed financial settlement to the German tourist. The tourist then donated the money to the association (Hedgecoe 2014).



(Photo 6. San Marcos)



(Photo 7. Sign inside of the San Marcos Hotel)

The building of San Marcos has a beautiful façade and in front there is a large plaza that has a statue of a ‘pilgrim’ who is walking the El Camino, holding the traditional walking stick and wearing the seashell associated with the pilgrims. On the morning of the anniversary, the main memory act was to write, in white chalk, the names of the former prisoners held in San Marcos on the cement of the plaza. Each volunteer had a stack of papers listing the names of ex-prisoners in alphabetical order. The majority of the volunteers were tasked with writing the names. During the middle of the day, there was another event where historical and technical presentations were given.

As these events are intended to be provocative, people passing by would stop and ask what we were doing. An elderly woman said that she did not appreciate the names being written on the plaza saying, “Why can’t they just rest in peace? Everyone suffered! It was a civil war, families against families, sons against fathers!” She continued, saying that she had relatives buried in ditches and did not want to find them. When pressed why she didn’t want to recuperate her family’s missing, she replied that she didn’t want to disturb them, nor did she need them back. I suggested that for some it is very important to recover their missing relatives. She said

that was fine, but that those families should have to pay for the recoveries. After I explained to her that the association was privately funded and did not receive any state money, she seemed more open to their work and less hostile. She wished us all luck and said goodbye nicely. Others were much more hostile. A few older women when they found out what we were doing did not want to talk and huffed off, throwing their hands in the air. Others, once they asked what we were doing, would say “thank you” and walk away.

Some of those who passed by were very pleased with the project. One man in his sixties rode up on a bicycle and asked what I was doing. I explained the project and asked what he thought about it. He responded, “This is stupendous!” When he found out that I was an American graduate student doing a thesis on the subject he remarked, “Just like Hemmingway! A new generation of international brigadiers! Keep working!” He rode off with his arm in the Republican salute.

I became extremely focused on writing the names on the ground and at one point was the only person still doing it. I realized that there was a group of people watching my work and when I looked up to see it was one of the families from the reburial of the nine unidentified bodies. In their group was an older man, who had lost his father to the fascists. The older man called me “guapa,” or “beautiful” and joked that they should be paying me for all my hard work. He then grabbed my hand and very sincerely thanked me for working so hard. He said, “It is so important that we remember their names.”

At one point during the day, an older man came by and started a conversation with the vice president of the association. The man loudly declared that he wanted us all to know what had really happened at San Marcos. He told the vice president, and all standing around him, that a member of his family had been imprisoned there. The vice president offered to look for his



relative's name, which he refused to give. But after understanding the association's intentions for the day he eventually obliged and offered the name. I ended up sitting on a bench next to the older man while scanning for the name on the lists of names that I had. When I found it, I asked if he was related, as I had missed most of the previous conversation. He looked me in the eyes and said, "my father." I instinctively put my hand on his shoulder for a moment, then offered him a piece of chalk. He took the chalk and went and wrote his father's name in the growing sea of white lines marking up the plaza.

As the official evening event got closer and more people came to the plaza, more people began to look for their loved one's names. One woman in a green dress came up to me to ask if I could find her father's name. For whatever reason, we could not find it and she immediately started crying. Eventually, we agreed it did not matter that his name was not on our list, that she should just write his name down anyway. Others, once they found a name they were looking for would grab chalk and write it down. The plaza swelled with people fluttering around looking for space to write down names.

The actual event that celebrated the 15<sup>th</sup> anniversary of the association was held inside a large theater across the street from the plaza. The event included a wide variety of theatrical performances, including a reading from the play, "The Blue Triangle," which focused on the 10,000 Spaniards sent to the German death camp Mauthausen-Gusen. There were also readings of Federico Garcia Lorca poems, which is heavily symbolic, as Lorca is Spain's most famous disappeared person from the Civil War. Additionally, there were several musical performances, during which old photographs of the missing, as well as people looking at mass grave exhumations, were displayed. After all the performances were over the entire four-person team and the president were brought on stage and the audience gave them a standing ovation. Again,

the song, *Canto a Libertad Labordeta*, played in the theater, to which the entire audience sang along, some waving Republican flags and doing the one fisted salute.

After the event was over, a group of 20 or so close affiliates of the association went to a bar to drink a beer and eat tapas. In attendance was the director of the EAAF and one of their key forensic anthropologists. After the gathering ended, we all walked back to the cars and began the trip back home. As we passed by San Marcos plaza we could see that the city had street sweeping machines hosing away all the names that had been written just hours before.

ARMH memory actions, like their other performative tactics, are meant to provoke Spaniards to discuss and reflect on their collective history of violence, which works to actualize their movement's goals about changing the collective memory of the violence. Unlike the actions in the field or during the homage and reburial events, memory actions are less focused on specific and localized events of violence. Rather, memory actions are more about confronting the larger societal silence and apathy to the past. In the case of Leon, writing thousands of names in a public plaza was meant to spark a reaction from people passing by, as well as from tourists especially those staying at the San Marcos Hotel. Unlike the other performative actions of the ARMH, the memory event in Leon was more about forcing a confrontation with locals about their shared past in front of a historically symbolic building, rather than about performing de-politicized science or dignifying the dead. However, like the other events, the memory event in Leon also provided a public space for people to discuss the past, as well as critique the state's necropolitics. Moreover, the state's reaction, such as washing down the plaza as soon as it was possible, also put the state's ideological views on full display.

In the next chapter, I explore another performative action by the ARMH, which are classes given to people visiting ARMH mass grave exhumations. I focus on how ARMH

activists use pedagogy and scientific framing to introduce their reframed narrative of violence as a form of education. In this way they can approach the teaching of their reframed collective memory of the past, as well as make various moral and political claims about their work and the importance of human rights in Spain.

## Chapter 5: Pedagogy and Classes at the Foot of the Grave

The people of this small village, located in southern Spain, surround what looks like a construction site (see photo 8). They stand silently and solemnly. They are listening to a forensic archeologist from the ARMH, explaining the association's presence in the town, what they are doing, how they are doing it. They are listening to what the association calls, 'a class at the foot of the grave.'



(Photo 8. A Class at the Foot of the Grave)

As just discussed, fear and silence about the past are still a lived reality in many parts of Spain, even after the decline of the 'pact of forgetting,' particularly in small towns. Correspondingly, the ARMH has to be very delicate with how they approach the topic of the Civil War and Franco regime. Like others in the forensics-based human rights social movement, ARMH activists have to be seen as legitimate sources of information, and not political agitators bent on destabilizing the democracy. By using the de-politicized approach to their human rights activism, ARMH activists are able to side-step de-legitimization strategies used to discredit their agenda, due to the perceived 'unbiased' nature of forensic science. Moreover, ARMH activists

frame their work as being about educating fellow Spaniards about the “true” history of Spain, and so a matter of education and pedagogy and not about politics.

During their exhumations, ARMH leaders often give impromptu forensic and history classes to visitors who come to see their work. These classes operate as a medium for the ARMH to deliver their narrative of the past. The class structure and content are the same as the presentations that they give to school and university groups that visit their laboratory. However, in those cases, instead of using the bodies of the exhumation, they lay out a previously exhumed and unidentified skeleton for the students to look at. Additionally, they will also exhibit personal objects from other exhumations.

While teaching these classes, the ARMH activists never directly make political statements, but they do present a reframed account of the violence, as well as political ideas about transitional justice, memory politics, and how to move the country forward. They do this by first teaching the basics of forensic anthropology, the protocols they are following, and how science can provide undeniable facts about the lives and deaths of the victims in the grave. Once they have grounded their legitimacy in science, they then add in an appeal to the rights of the families of the ‘disappeared,’ or those who have been victims of enforced disappearance. This moral appeal argues that families have the right to get their loved ones back, and that they have the right, like anyone else, to bury their relatives. They then make a transitional justice appeal about the state’s responsibility to help its citizens receive recognition and justice for their suffering. They also let the both the bodies and the personal objects tell their truths, which work to bolster their reframing of the past.

## **Classes at the Foot of the Grave**

The ARMH actively seeks the presence of locals at their exhumations with the goal of encountering more witnesses who can help locate a grave or fill in additional details about the violence. The ARMH is hopeful that more victims' families may be interested in searching for missing relatives and will come to exhumations to make the initial contact. To make this happen, the ARMH will contact newspapers about their upcoming work with special attention dedicated to the individuals who are in the grave and the location of the search, so people will know where to go. Most visitors will have heard about the ARMH's work through the newspaper. The newspaper, especially in smaller towns, is the key media used to communicate the Association's work and purpose across age groups as opposed to other mediums, such as social media or word of mouth.

To find the exhumation, visitors often do not have to go far to look, as ARMH exhumations normally take place off of main roadways or in civil parts of local cemeteries, wherever the mass graves are located. Depending on when the locals arrive, the team can be in a variety of excavation or exhumation stages. However, in order to protect the grave and the workers from the elements, ARMH workers put up tarps, canopies and physical markers near the grave, such as red and white tape, which help both to delineate the grave's margins and also to create a boundary line to where visitors can approach.

The team is aware that visitors may be nervous upon approaching, due to Spain's past history of repression, fear, and silence, not to mention that human remains will be clearly displayed. As such, the team try its best to create an open and welcoming atmosphere at the gravesite by performing fearlessness. They do this by greeting every person who visits and engaging with them at a personal level. It should be noted that visitors very rarely come alone

and are often accompanied by friends or family members. The ARMH can have from one to upwards of 90 people visiting a grave at any given time. The team's engagement facilitates connection and reduces the sometimes overwhelming emotions that can appear when one is viewing a mass grave for the first time. As one of the team members explained, one of the most important goals of creating an open environment is that everyone, even those who are against their work, feel welcome to approach and interact. As previously argued in chapter four, this performance of fearlessness also helps visitors to actualize fearlessness as well.

Visitors often approach slowly, with many staying a good distance away from the grave until encouraged to approach. I have observed a variety of emotional reactions of locals approaching a grave for the first time, ranging from stoic silence and gasps to hands over mouths, and often, intense curiosity that inspires the visitor to lean in closer to the grave. As one older man who was visiting said, "Que horror, que horror, [what a horror, what a horror]...I can see exactly how they were thrown in. Time stopped when they buried them." This description is accurate, in that when viewing a mass grave, at least in regard to well preserved skeletonized remains, it is quite easy to imagine how the bodies were interred. If the bodies were not previously disturbed they have stayed in the exact positions they were thrown in, and are sometimes still wearing various articles of clothing or accessories they had when they were killed, such as wedding rings, shoes, belts, hair combs, etc.

Once a critical mass of people, mostly locals living near the gravesite, has arrived at the grave, ARMH leaders begins an impromptu class. The class, in spite of its spontaneity, almost always follows the same script beginning with a crash course in forensics. ARMH leaders, often the lead archeologist, as they do in most of their public events, start by explaining that the team is following international protocols created by the United Nations on how to exhume mass grave

victims, grounding their work within the international human rights norms and discourse. They then explain that through forensic anthropology, in combination with extensive historical research, it is possible to know certain facts, such as who is in the grave, their sex, and age ranges at the time of death. They sometimes they will explain the existence of perimortem injuries or injuries occurring at or near time of death. The forensic archeologist or other trained class leader then explains how forensic anthropology differentiates female and male skeletons by looking for various osteological differences, like the width of the pelvis or the back notch of a cranium. If there are female and male skeletons in the grave, they demonstrate these differences with the bodies that are there.

They then weave in the known history of the victims and how they died, which uses the research of the ARMH's in-house historian and oral testimonies from relatives and locals. In certain cases, they edit out some of the more gruesome details, such as testimonies of intense torture including castration or rape, so as not to overwhelm the visitors. However, sometimes those listening, especially if they are from the local village, will lean towards whoever is close and fill in the missing details.

The class leader then segues into explaining the work happening in the grave by pointing out what stage of the excavation (the removal of dirt on and around the remains), or the exhumation (the removal of the bones from the gravesite) that the team is in. For example, they sometimes point out a specific team member and explain the various tools they are using, the parts of the body they are working on, which areas of the corpse are more difficult to excavate, and the importance of the painstaking nature of the work. The class leader then describes how the bones will be catalogued and wrapped in newspaper, put in boxes, and transported to their laboratory for further analysis. They clarify that a volunteer forensic anthropologist will later



analyze the remains following international protocols, after which they will hopefully have an identification of the victim. The class leader explains that restituting a body to its biological identity is an internationally recognized human right and is one of the most important aspects of their work.

The class leader further clarifies that sometimes identifications can be procured from forensic anthropology and archival work alone, such as one case where the victims were a mother and son. Once the sex of the bodies was determined the bodies had their identifications. Other times, victims can only be identified through DNA testing. They explain that for many years the ARMH had to pay to run DNA tests because there is no national DNA database, state support, and not one Spanish genetic laboratory offered to do the work pro-bono. Due to this, the ARMH could not perform genetic testing until, as the lead archeologist said, “the Argentine Forensic Anthropology Team (EAAF), one of the most important and influential teams in the world” took over the ARMH’s DNA testing needs for free, because “they believe in the work of the ARMH.”

The leaders’ focus on explaining the technical nature of the work and the ARMH’s international connections and support solidifies and legitimizes their claim that they are an internationally recognized science-based organization and are not outwardly motivated by politics. Additionally, this focus reinforces the ARMH’s authenticity as educators whose job is to inform the people about their work in “recovering Spain’s true history.” Furthermore, the ARMH is alerting those listening to the fact that a renowned international human rights organization believes and trusts the ARMH with the goals of bringing international human rights norms and scientific methods to Spain. Once this credibility and grounding have been established, ARMH activists can more easily navigate the reframing of the dominant history of the past. They do this

by transitioning the class into describing how families contact the association to find and exhume their missing loved one.

### *Introducing Moral Claims*

The leader will explain that to gain access to the association's expertise, victims' relatives must first make a formal request, where they give official permission to the association to search and exhume, if possible, the body of their relative. Once the ARMH have the request, they begin the historical archival work, which includes requesting official documents from the government such as military records. This can be a long process, as some regional governments are opposed to this work and engage in stonewalling. When it can be determined where the person was killed, the association will search to locate the grave or speak with locals about the grave's location.

The class leader reminds the classes that the association's main goal is helping families of the victims of state terror recover their relatives and bury them according to the families' cultural and religious beliefs. Although they will also search for all missing bodies, including those who died on the Nationalist side, if a family requests their help. As they tell every class, "the most important part of our work is the re-interment. We do this work, so that the families and *not* the killers get to decide how the victims are buried." The leader continues by stating that the association does not believe the families should pay for any of the associated costs of the search and recovery of their relatives, but rather the state should be responsible. However, "as the state is not paying, we [ARMH] have taken over their responsibility." They explain that the ARMH does not make any of the reburial decisions, as this right only belongs to the families, "a right that has been denied to them for 80 years." However, they do offer to do an homage event, as detailed in the previous chapter, before a reburial if the family is interested. The ARMH always

defer to the family's wishes on the details of both the homage and reburial to ensure that the family is supported in every way possible. The ARMH has even provided headstones for later cemetery burials.

The leaders' focus on the moral imperative of the rights of families has long been the stance of the ARMH and something they have been criticized for. However, the tactic of focusing on the families, their suffering, and the very human need to honor the dead rather than the politics that led to their relative's deaths is a useful tactic, as it neutralizes opposition to their work. The critique of the state is also tempered, as they are suggesting that the state should be responsible for helping victims move forward and not demanding that the state be overthrown, pay reparations, or even apologize. However, this is not to say that the classes are completely de-politicized. As pointed out by team members in interviews, the politics are always there making it unnecessary to be explicit about it. As one principal leader high up in the association said,

Everyone who comes to see the graves knows that this was political violence. Everyone knows at least that. Why is it necessary to hammer the point and potentially run off curious people who are afraid of being associated with 'red' politics?

This comment suggests that the ARMH leadership is strategically de-politicizing their work in the hopes of reaching more people and therefore having a larger societal impact. Also, in so doing, the ARMH is quietly helping to change the discourse of collective memory.

Additionally, this part of the class frames their work as being a-political, as they are working at the request of victims' families, conservative or liberal. They are a venue for the will and agency of victims' families, not a political organization with explicit political goals. ARMH leaders' emphasis on the victims' families also places scientific exhumations as *the* method for families and communities to gain much needed closure for wounds that never healed, as opposed to a political act motivated by revenge or the desire to destabilize the country. Their framing also

connects the association's work to the larger international human rights claims, such as the claims made by the EAAF, Human Rights Watch, and Amnesty International, that all families have the right to recover their missing loved ones and that the victims of enforced disappearance have the right to be repatriated with their identities.

### **The Grave Speaks**

The classes, especially if there are skeletons bearing marks of violence, are already successful in reframing the historical narrative, because the skeletons do most of the talking. The idea that objects have agency, can 'talk,' or 'have a voice of their own,' is something that science and technology studies have been arguing since the 1980s, and is called actor network theory (Latour 1987). According to this view, objects are not simply acted upon, but can influence action directly, as this power is distributed among actors, or actants, human and non-human alike (Akrich and Latour 1992, Griswold, Mangione and McDonnell 2013). These actors affect behavior via how humans and non-humans interact with each other. For example, non-human actors whether a border control policy (De León 2015) or an art museum layout (Griswold et al. 2013) can change how humans (like migrants or museum visitors) respond to them, thus creating new ways of interpreting and classifying the world (Griswold et al. 2013:347).

I argue that the ARMH through their pedagogical explaining of their technical work at mass grave exhumations sets into motion a specific kind of interaction between the visitors and the non-human actors found in the grave, specifically human remains and personal objects. Thus, these classes, including the historical and forensic facts taught to the visitors, work *with* the objects in the grave, to give the past a 'voice' that stabilizes and empowers the ARMH's counter-narrative of the past. As such, it is not necessary to beleaguer the point that these were violent

and unjustified deaths when you have the physical remains of a person who was clearly shot execution style and buried in a ditch alongside the highway. Furthermore, starting the second part of the class with the presentation of evidence of violence it signals the beginning of a clearer criticism of the Spanish state and seizure of its sovereignty over the collective memory of the past.

### *The Bones 'Speak' Their Truth*

After the discussion of the technical work, the class leader moves the classes' attention to any objects found in the grave, usually starting with bullets, bullet casings, or the clear presence of bullet wounds in the remains. The course leader begins by pointing to the bullets, normally at this point being passed around and touched by visitors, and declares that these objects, "are clear signs that a crime has taken place, but" pausing for effect, "it is impossible for any of the families to receive justice due to the amnesty law of 1977." They continue by saying that the Spanish state, as a further insult, has ensured that the educational system and government continue to ignore the past. When the lead archeologist is teaching, he draws from his personal experience and tells the group that not once during his education, including when he earned his degrees in forensic archeology and history, did he learn about the Civil War, the dictatorship, or the fact that "Spain is second only to Cambodia in terms of how many mass graves exist in the country."

The leader will then point out that the law requires that the Civil Guard be called anytime there is evidence of a crime having taken place. Thus, the ARMH will always submit a report to the Civil Guard about what was found, which often results in the Civil Guard visiting the graves to further document what was at the site. However, due to the amnesty laws they are unable to

investigate. This is a form of political theater that sometimes causes tension, as the Civil Guard during the war and dictatorship were responsible for many of the killings and disappearances. Not surprisingly, they can be quite unsympathetic, if not downright hostile to the association.

The course leader then directs the focus to signs of violence on the bodies, such as bullet holes or perimortem fractures and explains how it is scientifically possible to discern the difference between entry and exit wounds, although sometimes visible holes can be caused by other sources (See photos 9 and 10). Through my observations I noticed that visitors are often drawn to clear signs of violence, such as a bullet wound to the skull or a chest cavity filled with bullets. Visitors often try to get physically close to the skeletal remains to see the wounds and ask for explanations about what they are looking at, for which they will receive a technical answer if one can be given.



(Photos 9 and 10 Craniums with Clear Bullet Wounds)

In my informal interviews with visitors many would mention that bones with signs of violence spoke the “true” history of Spain. At one exhumation, a local woman in her late sixties came to see the grave with her sister after reading about the exhumation in the local newspaper. She explained, “I had to see it for myself. After all the stories I had heard growing up...I just had

to see for myself what was done to these boys. I had to know.” The woman continued saying that what she saw was more violent than she had expected due to the bullet wounds in their skulls. She maintained that in spite of this she was glad she came, because she wanted the dead to know that they were being met with kindness and that hopefully they could be returned to their families. She asserted that she thought all Spaniards should be required to see the graves, as she felt that the bones spoke more loudly and honestly than any politician.

Many of the visitors I spoke with also cited skeletons with signs of violence as being one of the more important aspects of visiting the exhumation and tended to write about it in the visitor’s book. In one book a woman wrote:

I was so impressed to see the skeleton and the cranium with the little bullet hole. What feelings of emotion were running through my body, and the tears forming in my eyes! I hope that the families can finally receive the news that their loved ones have been found.

Another man wrote, “It is unbelievably impressive to see the bullet wound in the head. Your work is a moment of light for those who were impoverished by the darkness of a bullet.”

### **Embodied Objects, Embodied Loss**

For many visitors, family members, and team members, personal objects also become ‘embodied’ with the imagined lives of the dead. Embodiment is the idea that a feeling or concept, or in this case the dead, can become visible and tangible. Scholars have shown that human remains have the capacity to trigger emotional responses, as objects of mourning, from both relatives and witnesses alike (Renshaw 2011:460).

However, sometimes those viewing mass graves do not emotionally connect or feel impacted by the human remains (Cassia 2005). For some, personal objects or clothing can create a feeling of intense connection, as the personhood of the deceased becomes powerfully

represented through the physical objects (Crossland 2013). Personal belongings accordingly can conjure emotional and embodied moments, which facilitate relationships among the living and dead. These connections transform the objects into becoming a part of a tangible reality, allowing them to be easily imagined as having been used in life (Renshaw 2010a:457). Wagner (2008) similarly argues that personal objects found in graves in Bosnia Herzegovina, recall a life, a person, and a story.

I contend that the objects and remains found in ARMH led exhumations are so powerful because they embody the lives of the dead that emphasize and amplify the ‘story’ the activists are already telling. The activists also act as necessary translators for the objects, as the forensic and historical information help to give meaning to the objects’ agency. The classes then use these embodied objects to encourage those in attendance to humanize the vacant skeletons, so they can be seen as humans, as victims, who died in a moment of state terror. Additionally, the classes help to reinforce that these people are worthy of being remembered and cared for, as opposed to forgotten, which, according to the ARMH, has been the state’s perspective for 80 years.

### *Breaking the silence and advocating for accountability*

After discussing signs of violence, the class leader then calls attention to a personal object in the grave. Throughout the course of my fieldwork almost every grave exhumed contained personal objects belonging to the victims. The most common objects to survive 80 years in the ground are metal objects (such as: rings, clasps, buckles, etc.) or shoes, as they were either made out of rubber or leather, which takes longer to degrade.

During one exhumation of four people (2 couples), the course leader pointed out the wedding ring, the hair comb and red earring still resting on the cranium of a 23-year-old female



victim (see photo 11), who according to locals' testimonies, was eight months pregnant at the time of her death. After pointing out her personal objects, he asked the group "what kind of threat was this woman to the state that could have justified her execution? How can it be that the government also says that this woman and her relatives would be unable to receive any kind of legal justice for her murder? Or that her story, among the over 120,000 stories of the disappeared, should never be told?" At a different class, he displayed the remains of a black leather shoe that had degraded enough to reveal the foot bones of a 15-17-year-old boy who died alongside his father (see photo 12). Again, he, asked the class how this violence, this silence, and this impunity were justifiable?



(Photos 11 and 12)

In my interviews, personal objects were frequently mentioned as being one of the most impressive and moving parts of the class. One woman, who attended the class with the boy's shoe, began crying when it was pointed out. Later on, she explained, while holding onto her 10-year son who she brought with her to the exhumation, that she was overcome when she saw the shoe because "those were the shoes that boy died in."

Team members also noted personal objects as being one of the more difficult and provocative elements of their work. During one interview, a female activist explained how at her first exhumation she was surprised that she wasn't feeling anything. She explained that it wasn't until she saw a pair of shoes where the heels had been worn down in a similar way to how her boots wear down that she began to feel the impact of the work. As she said, "it wasn't until that moment that I understood them [the remains] to be humans who had lives. This person had been walking—in the same way that I walk—they were having a life and then it was over, taken from them for no reason." She had to leave the area where she was working due to being completely overwhelmed by her emotions of grief until she could compose herself. Then she went back to work. Another team member so emotionally affected by the pregnant victim with the red earring, later incorporated the image of the earring into a tattoo, thereby turning his body into a permanent homage and locus for further "teaching moments."

This connection to the individual victim through personal objects was not limited to visitors or team members, but also affected the relatives of the victims. The families of the victims are often deeply involved in searching for their loved ones, including staying graveside during exhumations. At one exhumation that occurred in a small village in Galicia the association was exhuming two bodies. One of the bodies was discovered still wearing detailed blue and green art deco cufflinks. The victim had been a local tailor who had been interrogated by the Civil Guard about his knowledge of the rebels living in the surrounding hills. His final moments of life were brutally violent, as his skeleton had many torture induced pre-mortem fractures.

During an interview with one of the grandsons, he explained that while he had not known his grandfather or his family's full history up until this point, he was grateful to have been able

to, along with his cousin, have the opportunity to “meet his grandfather” and learn his family’s history through the story of his bones. It was important to him, as a sign of respect, that their grandfather’s body be removed from his clandestine grave. He maintained that the cufflinks were beyond meaningful saying, “What a beautiful remembrance to have. What a beautiful way to connect to him... I can’t wait to take them home with me. That way we will always have him with us.” For the grandson, the cufflinks embodied the life of his grandfather and were a way to feel a deep emotional connection to him.

Personal objects are able to humanize the victims because they facilitate a material connection to the past; they tell the story of the life that was lost in a very clear and simple way. If a skeleton is still wearing a pair of shoes with soles made out of tires, it is easy to see the life of a poor yet clever peasant who made shoes that would last. A wedding ring speaks to the existence of a spouse, possibly children, a home life left behind. A pair of earrings or a hair comb tells the story of a woman and the kind of fashion style she preferred. These objects sketch out the basic outlines of a life, of a person.

This embodiment of the objects is intensified when they have been presented in combination with the basic historical and forensic facts about the victims, such as their age, sex, or the discovery of fetal remains. This combination allows the personal objects to embody not only the imagined life of the dead and what was lost with them, but also the horror and cruelty of state terror. Additionally, as these moments of embodiment are being revealed, the witnesses are also looking at a hole in the ground containing the skeletonized remains of murder victims whose violent deaths are easily imagined, thus making their last moments of life all the more real and terrifying. As such, the ARMH activists draw on the power, agency, and translated voice of the recovered remains and objects. This voice of the embodied-action oriented objects then stabilizes

and strengthens the counter-narrative of history. As the visitors look at the objects, the latter are transformed into the embodied dead, thereby intensifying the visitors' emotional connection to them and the narrative explaining their existence. This approach is an extremely effective one-two-punch that leaves visitors with a visceral and affective experience of the past violence.

### *The Public's Emotional and Political Responses to the Forensic Lessons*

At the end of every class, the class leader asks if anyone has any questions, opening up a question and answer session. The visitors, the majority of the time, have a standard range of questions, starting with, what will happen next? How do you DNA test bones? What happens if you can't identify them? These questions are answered relatively easily with a quick run-down of the next proximate technical steps, a review of the anthropological and genetic tests to come, how they are done, and what happens when someone is identified or not. If the remains are identified the ARMH will try to plan for the reburial in accordance with the family's wishes. If identification is not possible the remains will usually stay in the laboratory until the day they can be identified. However, visitors often use the question and answer sessions to process emotions or express political opinions. In many cases the first emotion expressed by visitors is gratitude.

After one class at the exhumation of four victims who had been killed in 1949 in a shoot-out with the Civil Guard, local town members used the question and answer session to express both gratitude and contrition for the past. It should be noted that unlike many of the other exhumations I attended, these victims of state violence had not been disappeared, nor were they citizens of the village where they were buried. Rather they had been living in the mountains ten years after the civil war as guerrilla fighters battling the regime. Their deaths and autopsies were fully documented, and they were also buried in individual caskets in the civil part of the

cemetery. However, according to local legend each of the victims had been buried in red caskets, as they were “reds.” Additionally, many of the elders who attended the exhumation were the children of those who had been responsible for the violence that led to the deaths of the four individuals.

At the end of the class a local woman, an elder from the village who had attended every day of the exhumation, raised her hand to speak. She turned to the victims’ relatives, which included the daughter of one of the victims, and said,

I want to thank the team for their tremendous work. I want to thank them for allowing us to close this painful chapter in our town. It is very emotional to see this. And to the families, I want to say I am sorry for what was done to yours. They were not bad like they said, and neither are we. We are sorry for what happened here and hope that you will now have peace.

She later then went over and hugged each of them. Others from the town followed her lead and also approached the families to offer similar sentiments and hugs. One of the relatives responded to the outpouring of support by announcing, through his tears, his gratitude to both the team and the town for allowing them the opportunity to retrieve the remains of their loved ones and for “helping us close this wound in our family.”

In this case, the class worked to facilitate the reframing of the state created narrative of violence. The state narrative was that this violence was necessary to take down a violent communist guerrilla threat. However, after the class, the narrative was reframed into one of unjustified and brutal state terror. Moreover, the class gave a public venue to the children—on both sides of the violence—to facilitate a mixture of connection, atonement, and the beginnings of closure. The majority of the villagers of this town were very affected by the violence that had occurred. During my informal interviews, locals expressed how the exhumation gave them an opportunity to express both their sadness and feelings of guilt over the past, as well as in many ways, relief that this chapter had finally come to an end. For some town members, this

opportunity was extremely important, as they wanted to apologize, ask forgiveness, and show the relatives their humanity; they wanted to be seen as distinct from their parents. The families of the victims were overwhelmed by this show of support and felt grateful that they had been able to participate, with one female family member happily taking pictures with the villagers and team members for her family photo albums.

In other circumstances visitors used the Q&A sessions to make explicit political statements and connections, in which the technical side of the ARMH does not officially engage in. During one exhumation in the south of Spain, where the class size ranged upwards of 90 people, all but one of the responses was politically-oriented speech. The first man to speak started by saying he wanted to recognize the work the team had done, as a family member of a victim. He continued by saying that this village had always been filled with humble working people, as proven by what was found in the grave (here he was referring to the fact that one of the victims was wearing shoes made out of old tires). He pointed out that this village had no attacks against churches, as in some other towns, nor had anyone been extra-judicially killed or taken prisoner under the Second Republic. He said that the fascists who had carried out the violence in this town had done so out of undeserving revenge. He wanted to recognize the work of the team and asked everyone listening to applaud the work that had been done to recover the remains of the victims. The entire crowd applauded, including the team members. In this case, the villager, after viewing the bodies and listening to the class, was reasserting the ARMH narrative that these were unjustified killings and that the exhumation had revealed humble and innocent victims of the state.

Later during the same Q&A session, a well-known Civil War historian asked to speak. He was also a repression victim—his physical body testified to the brutality of the regime—he

was on crutches due to a childhood battle with polio, because as a child of “reds” he had been denied access to vaccines. He began by thanking the team for their work in finding four more of the lost. He then launched into the history of how many were killed in this region of Spain, how many graves are still unopened, the importance of remembering what happened in the past, and remembering them as victims of fascist state terror. He went on to say,

Each Spaniard needs to see these [exhumations] to be *informed*. We need to be informed about what we are looking at [pointing to the grave], there are four cadavers, the remains of four people who were assassinated...

The people of Spain need to see this clearly, so that they understand what happened... it is not valuable to hear or see our history *decaffeinated!*

He ended his speech by repeating the common refrain of many global memory movements,

“nunca mas!” or “Never again.” The class leader, after the historian was done, introduced him to the group as a prominent scholar who had helped create a list of the missing in the Andalusia region, which had been helping the association locate many victims.

In this case, the question and answer session became an extension of the class, as the well-respected historian led it, which helped to reinforce the ARMH’s pedagogical and scientific legitimacy and their counter-narrative of the violence. Additionally, as the ARMH have positioned themselves as scientists, and were being received as such, they distanced themselves from the politics of the dead and the visitors. Rather, the ARMH is helping, as the historian said, to inform Spain of its real history in a ‘caffeinated way,’ or a less sanitized way. It is then up to the visitors, or the witnesses, to decide what they think is the real history of Spain. Moreover, it is the visitors who are making the political statements, and not the ARMH.

### *Democratizing Collective Historical Memory*

Not all question and answer sessions were supportive of breaking away from the status quo. At one exhumation, a retired judge was in attendance. During the question and answer

session, the judge began by first thanking the team for its work. He then asked a question about the efficacy of justice and whether or not the Spanish state was actually obligated to do anything under international law. The judge maintained that the amnesty law was just because it had maintained peace during the democratic transition, and to hold judges accountable for failing to help victims' families was an unfair critique. At this point, some of the other 20 people in class began to murmur disapprovingly. It should be noted that something as simple as disapproving public murmurs would have been impossible only a few years ago, as this was a powerful man during the regime.

As the judge continued to argue against the need to change any of the judicial structures, even contesting the need for judges to have any part in exhumation efforts, a woman standing near him interrupted him. She asked him, while gesturing to the remains, how he could say these institutional silences could be just? The class quickly became a group discussion over the role of the judiciary, and what needs to change—or doesn't—to achieve justice. The judge eventually capitulated, agreeing that families have the right to retrieve their dead and that this is important for healthy democracies to respect. This discussion continued and covered the role of the Spanish state, the politics of the democratic transition, as well as how the victims should be remembered, including a brief dialogue over defining the victims as civilians or “rebels” who died in battle—with some scoffing at the idea that they were “rebels.” The conversation ended by everyone agreeing that this was the time for Spain to finally acknowledge its violent past. What was particularly poignant about this moment was that this negotiation of history occurred directly in front of the exposed remains of six victims of state terror.

I asked about this exchange later in a discussion with team members. One suggested that this conversation was emblematic of all of Spanish society. He said,



Here you have the institution, the judge, who is interested in maintaining the status quo and is not interested in investigating or pursuing justice. Then you have the local people who are listening to the judge, most scared to say anything, with the exception of small, but vocal, group of people, most of whom have been directly impacted by the violence. Then you have the left and the academics (the ARMH), and they just stayed silent.

However, while this may be an accurate interpretation of the failings of the various actors in the historical memory movement, the fact that some of the locals felt that they could disagree and engage in a *public* debate with a person of institutional power is a sign of progress. Additionally, by not participating in the debate, ARMH leaders maintained their explicit de-politicized stance while conducting technical work. They present and frame this aspect of their work as being the pedagogical medium of Spain's true history, not its political leaders.

This debate is a reflection of the impact of these classes. Locals, after listening to the classes, felt empowered enough to push back and have a meaningful debate, using much of the information learned from the class to back up their arguments. Although some stayed silent, they were also watching and were provided with a valuable model of how to have these kinds of discussions, as well as to what breaking the silence without fear looks like. Additionally, those silently watching also witnessed that there were no serious or dangerous repercussions for breaking the silence. All of this works to reframe how history and memory can be understood and expressed by citizens, as a more democratic process.

In the last substantive chapter of this research, I focus on the ARMH's international connections and how these have affected the movement, its goals, and successes in reframing the dominant narrative of violence in Spain and internationally. I specifically look at the ongoing Argentine-led universal jurisdiction case investigating Franco era crimes against humanity and the effect that it has had on Spain's ongoing battle over how to remember and approach the past.

I also explore how the ARMH combines their use of performative tactics, pedagogy, while also incorporating transnational actors and influences.

## **Chapter Six: International Connections**

Ascensión Mendieta Ibarra was 13 years old when she opened the door to the fascist forces that took her father, Timoteo Mendieta Alcalá—president of a local union. He was condemned to death and subsequently executed on November 16, 1939. He was buried in a mass grave with 23 other men. He left behind his wife and seven children. In November 2013, Argentine investigative Judge Maria Servini de Cubría took testimony from Ascensión, along with other victims, about her father's disappearance. By March 2013, armed with Ascensión's testimony as well as that of over 150 other families, the judge began a long process of demanding accountability for crimes against humanity, including enforced disappearance, arbitrary detention, enforced disappearance, torture, and the stealing of babies. For the first time ever, victims of the Spanish Civil War and the Franco regime had finally found a court of law that was willing to listen and demand justice.

As part of his work, Judge Servini de Cubría officially requested—in 2014—the exhumation of Ascensión's father, Timoteo Mendieta Alcalá, who was believed to be buried in a mass grave located in plot 2, court No. 4 of the civil cemetery of Guadalajara Spain. After some legal wrangling with the Spanish judiciary, the exhumation permission order was granted in late 2015. For the first time in Spanish history, Spain was compelled by a foreign judge to exhume a victim of the Franco regime. The exhumation of Timoteo Mendieta Alcalá occurred in January 2016.

This story demonstrates the central role that Argentina—and the international community more generally—has played in political struggles over Spain’s painful past. This chapter explores the transnational relationships that the civil society organization, the Association for the Recovery of Historical Memory (ARMH) has with the international human rights community and how these relationships have affected their work and goals. Specifically, I focus on the exceptional nature of the exhumations of Timoteo Mendieta Alcalá, the intersecting mechanisms at work during these exhumations that allow transnational influences to be incorporated in ARMH movement tactics, and the distinctive consequences brought by these transnational relationships between the ARMH and the international community.

### *Transnational Advocacy Networks*

Transnational advocacy networks (TANs), like the ones connecting Spanish and Argentine human rights activists, are informal groups of actors that are linked across countries and are bound together by shared values, common discourse, and dense exchanges of service and information (Khagram, Riker and Sikkink 2002, Tarrow 2001, Tarrow 2005). Previous scholarship has shown that one of the primary goals of transnational collective action is to create, implement, monitor, and strengthen international norms (Khagram et al. 2002: 4). As such, TANs constitute an emerging and powerful force that has been transforming global practices, especially in human rights (Keck and Sikkink 1998, Risse-Kappen, Ropp and Sikkink 1999). However, as Tarrow 2001) notes, TANs, though operating independently across national borders, should not be considered different from social movements or international non-governmental organizations (INGOS). Rather, they are made up of a wide variety of actors that encompass social movements, civil society organizations, INGOs, and state actors.

Other scholars have argued that Argentine participation in pre-existing human rights TANs has led to the successful exchange of information, such as the spread of activist expertise and tactics, engagement in advocacy, and direct action towards fighting for the rights of victims of enforced disappearance and helping them gain access to human rights forensics (Arditti, Brennan and Cavrak 1980, Bouvard 1994, Michel and Sikkink 2013, Sikkink and Walling 2007, Waylen 1994). Examples of their influence can be seen in the Grandmothers of the Plaza de Mayo's writing parts of the UN Convention on the Rights of the Child, the EAAF's setting up of forensics labs in Guatemala, Cyprus, Bosnia and helping the ARMH with their DNA testing (Rosenblatt 2015).

Argentine human rights activists, through TANs, have also shaped international law by, for instance creating new and powerful international legal regimes (Dembour 2006, Goodale and Merry 2007, Michel and Sikkink 2013). These legal regimes have expanded the concept of human rights from being only about protection from state oppression to include collective rights, well-being, and survival (Merry 2006, Messer 1993, Sarat and Kearns 1995). Sikkink (2011), though focused on how state officials are held accountable domestically for human rights abuses, demonstrates that human rights prosecutions have become part of domestic and legal regimes through global diffusion. She shows that this is the case because human rights prosecutions have successfully reinforced existing legal precedents, which hold individuals criminally responsible for their actions, and can be introduced and enforced globally by international law, tribunals, and utilization of universal jurisdiction. Sikkink further reveals that the work of Argentine activists, who spread their ideas through transnational networks, contributed to the "bottom-up diffusion" of this new global legal regime. This norm, in which states use international law to hold human rights abusers accountable, has continued to develop due to TANs between Spain and Argentina.

A key aspect of understanding how TANs are connecting Spain and Argentina, is the legal concept of universal jurisdiction. Under ‘universal jurisdiction,’ any state can claim the authority to prosecute and adjudicate ‘core international crimes,’ such as crimes against humanity, war crimes, genocide,” without having any personal, national, or territorial interest or connection to the crime in question (Langer 2011,pg: 1). In contrast to international criminal tribunals and courts held in one site, universal jurisdiction is decentralized. Thus, universal jurisdiction is a form of legal pluralism, or the idea of having two or more laws or legal systems that coexist within a population or social setting. This dual legal system may help to challenge the sovereignty of the laws of individual nation-states in cases where the state is not interested in persecuting certain crimes, such as any crimes related to the Civil War or the Franco regime in Spain (Michaels 2009). Human rights TANs have drawn on universal jurisdiction to send experts to participate in cases happening across the globe, such as in Spain, which has further expanded its influence (Michel and Sikkink 2013, Sikkink 2011).

While this literature is expansive, it is often broad and focused on macro-level consequences. This research attempts to fill a gap in the literature by providing a clearer understanding of how transnational advocacy can shape and impact activism at the local level. Moreover, this research illustrates how these impacts are also distinctive and varied, and does not lead to uniform patterns of effects, as sometimes suggested in the literature. Thus, this chapter allows for a more precise understanding of how various mechanisms work to shape the outcomes of international interventions in human rights.

### *Spanish Activism via Argentina*

In Spain, activists have been attempting to capitalize on these developments in human rights and international law to hold officials of Franco's regime accountable for grave crimes. Spanish activists first challenged the impunity created by the democratic transition's amnesty laws of 1977 in domestic courts. As discussed in chapter 3, in 2007 the Spanish parliament passed the Law of Historical Memory, which recognized victims on both sides of the war, formally condemned the Franco regime, gave some financial support to civil society organizations to conduct exhumations, and ordered the removal of all Francoist symbols. However, the law did not revoke the 1977 amnesty law and maintained that exhumations were private and individual efforts. Inspired by the Law of Historical Memory, activists filed criminal charges so that Spanish courts would investigate the crimes of the war and the regime. This was possible, because Spanish citizens have the constitutional right to begin criminal legal proceedings via a 'private,' or people's prosecution, allowing individual citizens or their representatives to initiate criminal court proceedings. Additionally, judges are also able to investigate crimes. Judge Baltazar Garzón was the first judge in Spain to take up the cause of Franco victims (Burbidge 2011)

Following charges filed by activists, Judge Garzón conducted a preliminary inquiry in November 2008. The court then reported its main findings—that during the civil war and the Franco regime, there had been a clear plan of systematic extermination of civilians and political opponents, which amounted to crimes against humanity (Burbidge 2011). The decision named high ranking officials, including General Franco, as responsible. Judge Garzón also ordered that lower courts continue to search for the missing and investigate other low-ranking officials and perpetrators of the violence (Burbidge 2011).

However, on December 2, 2008 these decisions were overturned by the Spanish Supreme Court, claiming Judge Garzón lacked jurisdiction and that the suspects could no longer be criminally liable because they were dead. The Supreme Court also fully dismissed the case due to the amnesty law of 1977 and statutory limitations (2008: 67-68). Further, they ordered the lower courts not to investigate cases of enforced disappearances and arbitrary executions that occurred during the war and dictatorships beyond basic record keeping. Since 2012, hundreds of criminal suits have been dismissed due to the 1977 amnesty law (2008:68). Not long after his investigation into Franco era crimes, Judge Garzón was investigated for corruption and illegal wiretapping. The Supreme Court cleared him of the corruption charges but found him guilty of illegally wiretapping suspects and subsequently stripped him of his ability to be a judge (Rubin 2015). Many have argued that this was a retaliatory punishment for attempting to upset the status quo about the Francoist past.

Still, Spanish human rights activists refused to give up and, in early 2009, appealed to the European Court of Human Rights, located in Strasbourg France, to seek redress. In March 2012, however, the court declared the case inadmissible because the plaintiffs did not bring it to the court in 1979 after the regime transitioned and therefore the statute of limitations had lapsed so that the court would not investigate (2008: 68-69). The court did not take into account that in 1979 these families were still too terrified to come forward, nor was it common knowledge or practice to use this court.

While Spanish activists faced setbacks addressing these crimes in Europe, Spanish political refugees in Argentina had greater success. In October 2010, Darío Rivas and Inés García, whose parents were murdered and buried in unmarked graves, brought their case to the Argentine courts. Both of these activists had become Argentine citizens during their exile. They

were able to bring their case because Argentine citizens, much like in Spain, have the right to initiate criminal legal investigations, as well as to intervene at every stage of an investigation if they are the victims of a crime or are the surviving family members. Darío Rivas and Inés García were able to pursue their case in Argentina since the state had fully embraced the legal concept of universal jurisdiction, due to the state's constitution, ratification of many international treaties, and recent experience with state terror. In their complaint they demanded the investigation of cases of crimes against humanity, genocide, enforced disappearance, and the kidnapping of children of political opponents during the war and the regime (Ryan 2017: 70).

On October 14, 2010 the Argentine investigative Judge Maria Servini de Cubría asked Spanish authorities to confirm whether or not the same case was being investigated in Spanish courts. Initially, the Argentine court threw out the case, when the General Prosecutor in Spain claimed in May 2011 that they were investigating the same crimes. However, further investigation revealed that Spanish authorities had misrepresented the situation, which in turn, pressured the Argentine court to revisit the case. Judge Servini de Cubría then began taking testimony from victims. By March 2013, over 150 families approached the Judge with testimonies. Some of the families also requested that the judge extradite members of the regime for crimes against humanity (Ryan 2017: 299).

The Spanish government, in response to Judge Servini de Cubría's actions, began to protest that the case was jeopardizing relations between Argentina and Spain and threatened to issue a formal complaint with the Argentine embassy (Ryan 2017: 299). Consequently, in March of 2013, victims found that they could no longer go to the Argentine consulate in Madrid to record testimonies. Judge Servini de Cubría, in response, ordered Argentine consulates worldwide to record Franco victims' testimonies, thus expanding the reach of the case. She also



publicly chided the Spanish state for their obstructionist behavior. In early December 2013, she began cross-examining witnesses and experts in Argentina. She then put out an Interpol extradition request for four former Spanish officials. Spain denied these extraditions; two of the men were already dead. In 2014, Judge Servini de Cubría issued another extradition request for human rights violations against an additional 20 former Spanish officials, including two ex-government ministers of the Franco regime. On March 13, 2015 Spain declined to extradite these officials, again citing the expiration of the statute of limitations, as these crimes allegedly happened in the 1970s, and were past the state's ability to prosecute (Ryan 2017: 299).

During the time of the second extradition requests, in 2014, Judge Servini de Cubría also officially requested the exhumation of Ascensión's father, Timoteo Mendieta Alcalá, who was believed to be buried in a mass grave located in plot 2, court yard # 4 of the civil cemetery of Guadalajara, Spain. Despite the detailed request provided, the Spanish judiciary's initial response denied the request stating that it was too uncertain to know where the body was located. However, a second request restating the precise archival work, convinced the Spanish judiciary to approve the exhumation. Thus, for the first time in Spanish history, Spain was compelled by a foreign judge to exhume a victim of the Franco regime. The first exhumation of Timoteo Mendieta Alcalá occurred in January 2016 (Badcock 2016).

To understand why there were two exhumations to find Timoteo Mendieta Alcalá, it is important to have a little historical context. When the Second Republic fell in March 1939, the Nationalists immediately busied themselves rounding up Republican sympathizers, teachers, union members, and those who had been denounced as having leftist sympathies. As such, when the Nationalists took over this part of Spain, the city of Guadalajara became the location for the main prison for many of the surrounding villages. Timoteo Mendieta Alcalá was the leader of a

local union, and like thousands of others, was held in a prison, possibly tortured, put through a quick military tribunal, and then executed. As the Franco regime considered their work perfectly legal, they documented everything, including where their victims were buried. The regime kept files on each of the prisoners, which included trial notes, confessions, and execution notices. An estimated 50,000 were executed in this immediate post-war era with the majority being buried in municipal cemeteries in unmarked mass graves, like the ones in Guadalajara (Hochschild 2016). Later cemetery workers wrote down the names, ages, the date of execution and burial, and the location of the grave. This is how it was determined where to look for Timoteo Mendieta Alcalá.

As previously noted, the first exhumation occurred in plot 2 because in 1939 the cemetery workers had written in the official log that Timoteo had been the first body to be buried in that grave. However, after the exhumation in 2016, extensive DNA testing conducted by the Argentine Forensic Anthropology Team (EAAF) determined that he was not actually in the grave. It was considered that perhaps this was a case of where Timoteo was not biologically related to his children. As such, the alleged body of Timoteo Mendieta Alcalá was tested again against other relatives, such as known biological cousins. These tests also proved to be negative. ARMH activists, after reviewing the cemetery logs, found that plot 1 and four other individual graves also contained the bodies of men who had been executed the same day as Timoteo Mendieta Alcalá. They then used this evidence to appeal for a second exhumation order, which they received from Judge Servini de Cubría and the Spanish Judiciary in late 2016. The second exhumation in the search of Timoteo was then performed in May 2017.

As such, the Argentine universal jurisdiction case is an excellent example of the power of human rights TANs and how they are continuing to push the boundaries of international law. Moreover, this example also illustrates how human rights TANs between Spain and Argentina

are also attempting to implement, monitor, and strengthen international norms about human rights, transitional justice, and the importance of accurate historical memory in post-conflict state. In what follows I describe the variety of impacts that the Guadalajara exhumations have had at the local level in Spain. Additionally, I illustrate how these exhumations emphasize the role and importance of human rights TANs in the fight to recover Spain's historical memory.

### *The Cemetery of Guadalajara*

To get to the locations of the mass graves in the Guadalajara municipal cemetery, it is first necessary to pass through a good portion of the cemetery. At the entrance of the cemetery the first thing you see is a commanding monument to those who died for the Nationalist cause, those loyal to right-wing military coup d'état, which overthrew the democratically elected government of Spain or the 'Second Republic.' The monument is a large grey marble installation with an imposing crucifix and a sign that says, "You have God and You Guard Spain." Underneath the cross another sign reads, "Present!" The local government uses tax payer money to maintain the monument (see photo 13).



(Photo 13. Franco era monument to Nationalist dead)

After walking past this monument, one must continue through the cemetery to get to the two areas where there are mass graves. The larger mass grave of an estimated 800+ people was destroyed in the 1980s to expand the Catholic cemetery. The bodies in the mass grave were removed, comingled, and then placed in an ossuary. As such, it will never be possible to identify their remains. In this area there is a small strip of grass that marks the Republican dead with little plaques that say things like, “Died for Liberty and Democracy” or “Father We Will Never Forget You.”

The second location of mass graves is closer to the original boundaries of the Catholic cemetery, alongside the wall of the larger cemetery. During the late 1930s and early 1940s this area was the civil part of the cemetery, which held the remains of suicides and unbaptized babies. It was also said to have been a rubbish dump. To gain access to this area, you have to walk up a small set of stairs that pass through what used to be a dividing wall between consecrated ground, meaning it had been blessed by the Catholic Church and was where people who were going to heaven should be buried, and unconsecrated burial grounds, reserved for those who had committed mortal sins like suicide, were not Catholic, or infants who died before being baptized. After you climb the stairs you enter a small plaza-like area that is enclosed within the main cemetery’s boundary walls. There is a large fountain and small statue in the middle of the courtyard. In the back corner, where the cemetery walls meet, there is a small house that contains gardening supplies for the cemetery workers.

Along this back wall of the cemetery lies at least 16 plots that are marked with singular tombs, some which have names affixed to them; others lie in disrepair (see photo 14). The families of the deceased pay for all upkeep for these graves, in contrast with the monument and mausoleum for the Nationalist dead that is paid for by local taxes. As such some of the mass

grave plots have no up-keep whatsoever, due to fear of association, or the living relatives have been unable to pay.

The 16 plots that line the wall, during the time of executions, were dug down to about 20 feet and filled with the bodies of those executed. It is estimated that over 350 people are buried in these graves. The numbers of the victims correspond to the cemetery log and military files. Around the middle of the wall are visible pockmarks from bullet holes, some still holding the metal fragments of bullets (see photo 15). Due to these marks, it is assumed that some of the victims were executed directly in front of their graves and then thrown in. Oral testimonies from witnesses have also suggested that at least some of the prisoners dug their own graves.

The mass graves in Guadalajara have previously received some attention from other historical memory civil society organizations. These organizations have put on memory events in the area of the destroyed mass grave to try and call attention to the violence and the suffering of the families. However, the Argentinean universal jurisdiction case has brought considerable domestic and international attention to the violence that occurred in the city of Guadalajara, the suffering of the families, and the continued obstruction of the Spanish government against memory efforts.



(Photo 14. Mass grave plots along the wall of the old civil cemetery)



(Photo 15. Bullet holes in the walls in Guadalajara Cemetery)

### **Effects of Transnational Interventions**

As the Argentinean judge selected the ARMH to conduct the exhumation, the effect of this international intervention led to a variety of consequences that reflect the nature of the ARMH and how it uses forensics-based human rights. As shown in the previous chapters, the ARMH uses different tactics to fight for its movement's goals, including performance and pedagogy. These tactics are also used at the Guadalajara exhumations. However, the exhumations themselves are always distinguished from other ARMH exhumations due to their

exceptional status as being the first exhumations mandated by a foreign judge. Specifically, the Guadalajara exhumations are reflective of the consequences of international transnational advocacy and its networks.

As with other locations in Spain, activists who participated in both exhumations described how they felt fear and silence in Guadalajara when they first started their work at the cemetery in 2016. The activists encountered this issue during the first exhumation in 2016 when the ARMH attempted to involve the families of the other victims in plot # 2 to take their DNA samples, so as to help them recover their loved ones. The association worked with a local memory association to contact the living relatives of the other victims and invite them to the exhumation. This initially proved difficult. For example, one family was vehemently opposed to exhumation of any of the remains. However, after interacting with the ARMH and begrudgingly witnessing the first exhumation, they eventually changed their minds. In fact, the family became avid supporters of the cause and vocal for the rights of the families of the victims. One of the grandchildren also became very active and has been trying to find a way to get the ‘convictions’ of her grandfather and the other executed prisoners removed from their records. Moreover, the second exhumation led to the identification of her grandfather who was then reburied in 2018. Neither this identification and reburial, nor the activist involvement of the granddaughter, would have been possible if it had not been for the Argentinean universal jurisdiction case.

As previously argued in chapter four, ARMH interventions are often purposefully used to break the silence and fear of the past. Activists have argued that by just ‘performing’ their lack of fear has helped to break the power of Francoist silencing and repression. Furthermore, these ‘fearless’ actions also help to empower the ARMH’s reframed narrative of the violence. In Guadalajara, other than one previously discussed example of attempted bullying by a

conservative woman, there were no issues about fear and silence by the time the second exhumation took place.

In the previously observed exhumations, I always noted a sense of fear and silence that was pervasive in the interactions with the locals who came to visit. However, this exhumation was different. In all of my informal interviews with visitors, I was surprised to find a lack of fear while discussing the past or critiquing the state. The lack of fear may be due to the fact that many of these visitors were city dwellers and descendants of other city dwellers, as opposed to villagers who had directly experienced repression. It may have also reflected that many of these visitors did not have victims in their family lines. However, I posit that the lack of fear may also be a reflection of the groundwork created by the first exhumation, in which activists performed fearlessness and standing up against someone who tried to condemn their work. Additionally, during the first exhumation the victims' families received an outpouring of national and international support. This support was demonstrated in a lot of positive domestic and international media coverage, as well as many people coming to visit or sending messages to the ARMH to express their support of the families. None of this would have been possible if it were not for the Argentinean intervention into Spanish memory politics.

### *Critiquing the State*

As with other ARMH forensic interventions, the technical fieldwork site created a public space where visitors could engage in both political speech and critique of the controlling powers of Spain. This exhumation, however, is entirely unique in how often visitors organically start to critique the state while socializing near the gravesite. Although critiquing the state is not explicitly connected to transnational advocacy or networks, in this case, the exhumation in its



very essence is a reflection of the influence of international interventions—as a foreign state is involved from the start. As such, the international nature of the exhumation may have allowed for a clearer sense of the Spanish state’s failings for the average visitor at the exhumation.

Most of the people I interviewed criticized the current government, pointing to their lack of support for the exhumations as proof of corruption. As one woman in her fifties, dressed in a floral cardigan and jeans, said, “This government is not a democracy; it is a continuance of the dictatorship.” Her husband agreed stating that, “If the transition had returned to the original Second Republic constitution instead of creating a new one, then things would have been very different and better.” For this man, Spain would have been better off if it had returned to the constitution of the 1936 democracy, rather than rebuild the entire constitution.

Intriguingly, almost all of my informal interviewees stated that their government was not actually democratic, but rather, a continuation of the regime. To make this point, many linked and critiqued the current political structure and leaders as being illustrative of how little has changed in Spain since the time of Franco. For example, one woman who arrived with her husband and two sons explained,

This is not really a democracy. And to have a prime minister like Rajoy saying that the government will never give money to support these efforts is evidence of that. This is not a finished story in Spain. If we were over it, then there wouldn’t be a problem of supporting and doing exhumations. But it is still a problem, because we are not dealing with our past.

For many, Prime Minister Rajoy and the current ruling government of Spain are emblematic of the larger tradition of ignoring the past, while also simultaneously degenerating the victims.

Similarly, others connected the maintenance of Francoism to those in the ruling right-wing Popular Party (PP). As one older woman, whose grandmother had been subjected to incarceration and gendered violence and had lost family members to the violence said:

The families, we remember, we guard everything within ourselves. It is they [the PP] who want to erase everything. But we remember everything. They keep trying to say that we are the bad ones and that all we want is money, like the spokesperson for PP. They are without shame. We are the good ones here and they are just shameless.

Another man argued that the “PP is worse than the fascists, because they pretend they are not.”

Many also mentioned the hypocrisy of the right-wing Aznar government in the early 2000s, when Spain paid to exhume and repatriate the bodies of nationals who fought in the Blue Division alongside Hitler on the Eastern Front. Yet, as noted above, Prime Minister Rajoy publicly announced that the government will never give money to exhume the victims of the Spanish civil war victims of extrajudicial killings and repression. The fact that the Spanish government was willing to use tax payer money to repatriate bodies buried on foreign soil while fighting for Hitler but had to be compelled by a foreign judge to exhume some of the victims of the regime, made the hypocrisy of the PP particularly salient for the visitors.

Another man in his fifties, whose great uncle is buried in a mass grave somewhere in Zaragoza, argued,

In Spain it’s always one step forward and two steps back. Take the socialists, they tried to change things with their historical memory law. But it was flawed because it made memory privatized, it put all the responsibility on the individual and not on the government for taking responsibility for the actions of the past. According to this view, the bad memory politics of Spain are not just association with the conservative government, but rather a problem with the state. Regardless of who was in power, the state has always been unwilling to take responsibility for its past, which is, of course, how they ended up with relying on international courts to help them force the issue.

Nevertheless, some informants said their ability to speak their mind about the government and to have scientific exhumations of the missing is a sign that things have changed dramatically since the democratic transition and even within the last 20 years. These informants still maintained that much work had to be done to further change the culture and the political

structure. Despite the critical view of the current government and whether it is actually democratic, many also expressed hope that this particular exhumation, due to its connection to the Argentinean universal jurisdiction trial, would help to wake up their fellow Spaniards to face the past. As one woman explained “exhumations bring change, even if it is slow. It is important that the people see these things, to see the violence, because it is here, completely naked for everyone to see.” Others voiced similar sentiments, as one woman exclaimed while watching the removal of the first body, “See that! One has been recovered so far, and that is one less in the ground. That is a victory.” Across all interviews, respondents agreed that exhumations, and in particular the exhumations at Guadalajara due to their transnational nature, were important to the country. They were important because they brought international attention to the ‘truth’ of the past and the continued plight of the families of the missing.

Surprisingly, everyone in Guadalajara said that exhumations were important for the future of Spain. This was a stark difference from previous exhumations in local villages, where many expressed their concern that these interventions would bring more violence and destabilize the government, or that these wounds should stay closed. In fact, visitors in Guadalajara consistently mocked the idea that the wounds of the past were ever closed. As one man in his 30’s expressed, “It is insane for anyone to say that the past is in the past, or that we shouldn’t be opening old wounds, because they were never closed to begin with. If they were, then this wouldn’t be such a big story.” However, as this same man said, “things are changing, and these exhumations are pushing people to talk and push for change more than ever before.” Informants often credited exhumations as being the medium for change because, they argued, they showed the ‘truth’ of the past. This seemed to reinforce the ARMH’s framing and argument of both the need for forensic science and their version of the past. However, the heterogeneity of political

belief, again, may be reflective of a selection effect. The majority of those coming to visit the exhumation had made the decision to visit and were not just villagers stumbling upon an exhumation on the way to the market.

That said, not everyone had specifically come to the graveyard for the exhumation. In Spain, especially for older generations, the culture still supports the idea that graveyards and plots should be well maintained. To do otherwise is shameful. Thus, townspeople were constantly wandering by to check on their loved ones' graves, which provided continual interaction with people to whom I could talk about the past and their opinions on the work of the association. In one of my interviews with a local woman in her late 70's who was tending her husband's grave, she mentioned she had also witnessed the exhumation from the year before. She did not want to come up to see the exhumation but said that even though it had all happened so long ago, she really hoped that Ascension, the 91-year-old woman who made her case to the Argentinean judge who mandated the exhumation, would be able to find her father. She was glad that Ascension had found a way to make it happen even if it meant having to go to Argentina. As she said, "Can you imagine? To go all that way [Argentina] to be able to find your father? What a fighter." For this woman, the simplicity and humanity of Ascension's fight to get her father back is what made the exhumation compelling.

Others with whom I spoke with felt that the case of Guadalajara, unlike other exhumations, was also able to shine a very bright light on the Spanish state's dedication to repressing the 'defeated,' even 40 years after the transition. Many informants mentioned the ongoing battles with the city government over the exhumations, including the fight over the identified remains from the first exhumation. In 2016, all the exhumed bodies underwent DNA testing. As mentioned earlier, the ARMH had attempted to find as many relatives of the dead as

possible, so as to be able to identify the remains and return them to their families. Over half of the remains were positively identified and their families notified.

One of the bodies identified was that of a man whose son had regularly attended the first exhumation and then at the end showed up with a burlap bag. The lead archeologist had asked him why he had the bag and the son responded, “so I can finally take my father home with me.” He was eventually convinced to wait for the DNA testing to come through. However, the local government of Guadalajara did not want the remains of this man’s father, or any of the other identified remains to be removed from the university lab where they were being stored in Madrid. They reasoned that the judge’s order was *only* for the exhumation of Timoteo Mendieta Alcalá and therefore all the other bodies had to be returned to where they had been exhumed. Effectively, the local government of Guadalajara wanted to make a modern mass grave and continue to prohibit the relatives from burying their dead. Eventually, after a lot of bad press and pressure from civil society groups, the local government backed down and agreed to allow the remaining families to take custody of their loved ones’ bones and artefacts. It should be noted that the larger centralized state did nothing in support of the families’ rights to get their loved ones back. The man with the burlap bag’s father was identified by DNA and on May 19, 2018 was given back to his family in during an homage ceremony conducted by the ARMH.

This reluctance to return the identified remains of repression victims illuminates the government’s commitment to maintaining the stratified system set up by the Franco regime, which prioritized the winners—the nationalists—and maintains the defeated—the republicans—in a status that is forever scorned as traitors to the nations. The local government’s behavior also shows how the sanitized silencing of the democratic transition’s pact of forgetting. The sanitized silencing of the transition argued that it was necessary to suppress the stories and pain of the

repressed to keep the peace. However, the local government of Guadalajara, among countless others, also used this silencing to preserve the power structure of the Franco regime, which has helped to empower the continued stigmatization of the defeated. Essentially, it leaves the state in power over both the body politic and the historical narrative of the past. As such, the exhumations and eventual reburial of any of the bodies is a significant victory over the state's continued and determined refusal to reincorporate the "enemy dead" back into the citizenry, as well as revisit how the past should be remembered and acknowledged.

### *Ambivalence about Argentina's Intervention in Spanish Politics*

Not surprisingly, the visitors had a great deal to say about Argentina being the catalyst of this particular exhumation. People expressed a wide range of emotions were expressed when discussing a foreign judge's role in the exhumation, let alone a judge from a former colony. One woman in her 30's said she was "very angry" that this case was brought by an Argentinean judge and did not happen via the Spanish system. She said, "This is a reflection of how taboo the past still is, people are still afraid to talk." Another man agreed saying, "The fact that this [the exhumation] had to be ordered by Argentina is a reflection of just how bad things are here in Spain." One woman in her 60s who has been unable to exhume her relative out of another plot in the cemetery agreed, arguing that the historical memory law was worthless in actually helping families. She continued, saying, "The only reason this exhumation is happening is because of the judge in Argentina. Think about that. If it was up to our local government, they would have stayed there forever." Many others similarly felt that if it had not been for the actions of Judge Servini de Cubría, the bodies from plots 1 and 2 would still be buried as their murderers had

intended, lost in oblivion. This is also illustrative of how many families the Argentine case has helped who would otherwise still be waiting to recover their loved ones.

Others were more pointed in their critique of the Argentinean intervention. Enrique, who was in his mid 30's came almost every day to help in the work. He had a great grandfather and a great uncle buried in two of the plots. During a formal interview, he was more critical of the state, saying,

To me Argentina's involvement is shameful, because it is a reflection of how our government has dealt with the past. Whether it be the amnesty Law, the Law of Historical Memory, these were actually only just used as political weapons. They were not used for the purpose they should have been, which in this case, would be acting in accordance with international human rights. They have simply been used as a political weapon to throw in the face of victims and gain more votes. Thus, for Enrique, Argentina stepping in is a reflection of the Spanish state's continued failure to use its own political structure to end the marginalization of the defeated. Consequently, Argentina's intervention is shameful, not only because Spaniards have to rely on another country's help, but also because Spain's own government has been unable to evolve past Franco era thinking.

However, others attempted to contextualize the role of Argentina within the political landscape of Spain and changing international human rights standards. During a formal interview with Ricardo, who had a family member buried in one of the plots, and regularly showed up to help the exhumation, he said,

Fortunately, this kind of thing [universal jurisdiction] exists...if it didn't exist, then what would you do? If this hadn't happened before, with Garzón and the attempted prosecution of Pinochet then we would have ended up in the same vicious cycle. Spain is an example of prolonged repression, which has been agreed to between the repressors, so as to reach a transition agreement. In many cases, the law of silence ends up just reinforcing the same repression. If there are no external agents that are able to act, there is no way out of this vicious cycle. And impunity, if not stopped, encourages repetition.

For Ricardo, the fight against impunity is a global one. As he also pointed out, this global responsibility was ironically started by Spain, when Judge Garzón, in his attempt to hold Pinochet accountable, created the legal precedent, and now, Argentina has picked up the fight to help the Spaniards who have been thwarted by their government. Ricardo was also articulating how important transnational connections and the upholding of international human rights can be.

Similarly, in my other conversations with relatives of the victims who were visiting the exhumation, the role of Argentina was seen as a practical choice. An older woman and a relative of one of the victims in plot 3, said “The Argentine intervention is good because it has made things happen. We have to use all our available resources. It is an injustice that we cannot get our loved ones back, they are ours.”

Across the informants, there was a mix of anger and gratitude about Argentina’s role in Spain’s ongoing battle over its violent past. For those who did not have a direct connection to the violence, it seemed astonishing that it was necessary for activists to go to South America to get a semblance of justice. In many ways, Argentina’s intervention has worked to illuminate the state’s actual interests in maintaining the status quo of sanitized silence and its perpetual oblivion and repression of Franco victims. For the families of the victims, Spain’s inaction was not surprising, but still deeply disappointing. They were grateful, however, that they had options to force Spain to comply.

### *The New International Brigades; How the ARMH Integrate Transnational Actors into Existing Tactics*

In both exhumations, foreign forensic anthropologists worked concurrently with the exhumation process to help speed up the anthropological analysis of the remains. The



involvement of foreign forensic experts also helped bring more attention to the case, while ensuring that the work conducted would be admissible in the Argentine courts. At the second exhumation, a team of forensic experts from the United Kingdom flew in to help with the immediate anthropological analysis. It was decided that, due to Ascension's advanced age (91 at the time of the second exhumation), the analysis of the remains and DNA sampling of the bones should be done concurrently with the exhumation so as to increase the odds of her surviving to witness the results. Consequently, the DNA analysis was done at a much faster rate than after the first exhumation. Additionally, as they were foreign experts, they were also incorporated into the 'pedagogical' work of the ARMH.

Although there were constant visitors, the ARMH leadership did not run classes for every large group of attendees as they did in the majority of their other exhumations. The full 'classes' were held for very specific guests, including the Norwegian Electrical Union that has monetarily supported the association for years and on the two days when memory events were planned at or near the cemetery.

However, the majority of the time the ARMH team did engage with visitors by giving some version of a technical class. Hence, the forensics and history classes at Guadalajara that did occur were different than the other classes I observed. The reason for this was simple: they had more to show, which allowed the classes to be done in parts, or for the special groups, in full. In the case of Guadalajara, the classes started with an explanation of how these killings were the result of post-war repression and therefore had been thoroughly documented. The copy of the cemetery record book was passed around to show visitors the number of victims and how they were catalogued. The class also became more of a tour of the cemetery. A volunteer ballistics

aficionado explained the various Mauser bullets he found in the ground and discussed the various bullet holes and fragments stuck in the cemetery wall.

Many visitors, including the ‘special’ groups, were taken to the location—originally an autopsy room at the cemetery—where the British forensic team was working. In this space, there were two rooms that could be separated by closing the doors in addition to a main entry space. The lead forensic expert worked in the main entry hall, reconstructing skulls, while the other three worked on cleaning and articulating the remains while also cataloguing any peri- and post-mortem injuries, as well as making judgements on the sex of the remains and age at the time of death.

During their visit, two of the four experts who were bilingual, do the talking. In their classes, the forensic experts would go into greater detail explaining how forensic anthropology tells the stories of the bones, or what happened during their lives. For example, for one group, the lead forensic anthropologist explained how a male victim in his mid-20’s had been shot at point-blank range in the back of the head and how the bullet traveled through his cranium—the trajectory of the bullet was demonstrated with red coffee stirrers. He then commented on how, as a child, the man had at least one high fever, as told by the rings that showed up on his teeth. The other anthropologists explained how they could tell sex and age by pointing out to markers (pelvic width and cranial notches) on remains they were working on. Again, the ARMH’s lead archeologist normally did this kind of technical explanation. However, in this case, the ARMH seamlessly transferred the responsibilities for teaching the validity and importance of the technical work to the international volunteers. This aspect of the ARMH’s pedagogical tactic is how it justifies its de-politicized stance of the results of its technical work and the veracity of its reframed narrative of the violence. By integrating the British forensic experts into teaching

visitors how to understand the stories that the bones are telling, the ARMH was also bolstering the legitimacy of the ARMH's version of the violent past.

During one class led by the forensics experts, they demonstrated exactly how one of the victims had been executed by acting it out amongst themselves. They placed one of the older male experts on his knees, while the female expert placed her fingers in a cocked position (to simulate a gun) at the back of his head. She then demonstrated the exact angle and proximity they believed the executioner used on his victim. Then, the experts showed the actual injuries on the body to further demonstrate their findings. In another instance, they showed the scapula of a man who had been previously shot in the back, possibly during the civil war, and whose wound had been healing at the time of his execution. As one of the experts said, "That's some terrible luck."

The forensic experts also told those listening that they had been finding a lot of evidence of torture and would point out that many of the men's ribs were broken on both sides, suggesting severe beatings with hard objects. Others had broken or shattered arm and leg bones that had just started to heal, suggesting that they had occurred while the men had been imprisoned. This information was new for many, as torture, for some unknown reason, had never really been associated with these detentions. Most thought the men had just been detained and then summarily executed, rather than having been terribly brutalized before being killed. The news about the victims having been tortured before their deaths was also surprising to many of the ARMH activists. Echoing Dr. Clyde Snow in Argentina, the forensic experts said, "The bones don't lie."

Several people said they found forensic experts' explanations were more upsetting than seeing the bodies in the actual grave. As one visitor said,

Having someone show you, this is the pathology of a person, this is what their bones tell us about what they suffered through at the time of their internment and then say, ‘this is where the entry wound was, and this is the position they were executed in,’ just definitely humanized the bones into becoming a person.

As such the international forensic volunteers brought a level of expertise and impartiality that was important for many of the visitors to see the true brutality of the Franco regime. For others, the participation of foreigners, including me, signified two things: 1) the beginning of the new international brigades, or a new version of international volunteers who are trying to help fight for democracy in Spain, and 2) the shameful that Spaniards won’t do this for themselves. As one activist said, “No offense, but this should be Spaniards who are here. It should be Spaniards who are doing all of this. I find it so very sad and pathetic that we have to rely on foreigners to get this done.”

### *Transnational Relationships, International Collective Memory, and Performance*

In addition to the influence that Argentina had on the exhumations, another transnational relationship became apparent, and that was with Norway. In the last decade the ARMH had developed and cultivated a relationship with a Norwegian electrical union which has donated a considerable sum of money every year to it. The relationship with the Norwegian trade union<sup>5</sup> is important because it speaks to the existence of a European community, not explicitly human rights activists, which is dedicated to supporting international human rights. This relationship with the Norwegian union and the ARMH illustrates an interesting variation of TANs that exist

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<sup>5</sup> European trade unions are well known for actively participating in transnational advocacy among progressive causes.

and are working to influence the spread and strengthening of international human rights norms. Additionally, the collaboration with the ARMH and the Norwegian union also suggests that the ARMH has been successful at challenging the Spanish state's official narrative of the past violence, while also spreading and reinforcing their reframed collective memory at an international level.

When asked how this relationship with the ARMH formed, the leader of the union explained to me that it had to do with the union's historical relationship to fellow unionists during the Spanish Civil War. During the war, they had supported fellow Spanish unionists and had even attempted to get them out of Spain. He said their contributions to the ARMH were in honor of that bond, as well as that between those who work in unions, and the democratic ideals that they, as members of the European Economic Area, want to protect and uphold.

During the second exhumation in Guadalajara, a contingent from the Norwegian Electrical Union came to visit. Its members were treated to a full-scale class led by the vice president, the ARMH's ballistic aficionado, the lead archeologist, and the British forensic experts. They spent many hours with the team, talked with relatives of the victims, and ate lunch with everyone near the grave site. During my informal interviews, many of the Norwegians similarly connected their support of the ARMH to their belief in unions and democracy. One man in his early 30's said,

We are here as a union and we have this philosophy where we are not just thinking of ourselves; we have to help other unions around Europe and in our country. We support the association because we feel that it is important to support our democratic ideals and the rights that we as people have. For many of the Norwegians, their union's monetary support of the ARMH was a reflection of their dedication to their belief in unions and democracy.

The majority of the Norwegians also voiced their dismay that promotion of fascism, including the giant monument to the fascist dead at the entrance of the cemetery, could exist in modern and mainland Europe. As one man said,

This fascist monument is shocking. I think something like this—you don't see something like this in Norway. This would not be acceptable. It would not be acceptable because we believe in equality and fairness among people. Many referred back to Norway's history with the Nazis and how important it had been for them to confront their past. As one young woman said, "Seeing this kind of inspires me to get more involved in fighting more for our democracy and what our parents and grandparents fought for us to have." Another member, a man in his sixties, said that he was glad that he had been able to see the work of the ARMH because his father had fought in the Spanish Civil War in the international brigades as a young man before fighting in the Second World War. Through tears, he said that he was glad to know that he had been able to help, even if it was in some small way to continue the fight against fascism as a testament to his father.

Interestingly, the majority of Spanish visitors to the Guadalajara exhumation also consistently compared the state of Spain's memory politics with that of Germany. One couple in their mid-30's arrived with their young son, who after seeing the hole in the ground, wanted to know where the dinosaurs were. The wife was a German national and the couple expressed how different it was in Germany versus Spain. As the husband said, "In Germany they don't shy away from the past. We should do that here, so we do not end up reliving it." Others similarly compared Germany's memory work, including creating museums, while also fully addressing their past, as something that Spain should emulate with common refrains being "The Germans did it right," or "Look at Germany." Again, this was a major difference between the other observed exhumations, where I have no record of anyone referring to Germany as being the ideal model of how to handle the violent past. I believe this may be reflective of the fact that many of

the visitors to the Guadalajara exhumation lived in Madrid, had traveled outside of Spain, been exposed to more foreigners also living in Madrid and on the whole, had received more education than people living in more rural areas of Spain.

Like many of their Spanish counterparts who had no familial connection to the violence, the majority of Norwegians expressed their amazement at what they were witnessing. According to one young woman in her 20's, who is an outside lineperson meaning she works on high power electrical lines, said "This work is really inspiring. I think it is really sad that the Spanish government doesn't support it. It is their job to do this. I think it is really good that Argentina is helping." Like others, this Norwegian woman also brought in a critique of the Spanish state for failing to uphold its responsibilities to confront the past and take care of the victims of its past state terror.

Others pointed out the paradox that it is Argentina pushing for justice, as one middle-aged man said, "It is ironic that it is Argentina, because they used to be a violent military regime and even went to war over the Falkland Islands; they were the bad guys and now they are good guys!" Thus, for some, the ability to give money and visit the work of the ARMH was inspirational, as well as a reminder that fascism is not just a problem for history books.

Still, it seemed that for many of the Norwegians it was completely incomprehensible that the Catholic Church had been so involved in the regime. During their class discussion with the lead archeologist, one man asked, "Well, can't the Church intercede on behalf of the families? Surely they can help." This comment was met with a pregnant silence, and the ARMH official photographer jumped in to explain that actually the Catholic Church had been complicit in the violence. He pointed out that according to the local legend there was a priest who had been directly involved in the executions of the Guadalajara prisoners, and had been the person to give

the second shot to the head to ensure that prisoners were in fact dead. He was also buried in a different part of the same cemetery with an ornate grave marker. The Norwegians were appalled by this story, with one man in his sixties saying, “It is so surprising to learn this. It is surreal to think that someone who should have mercy would be going around killing people with the second shot. It is quite ironic.” They were then taken to see the priest’s grave and to see where the larger mass grave had been.

Across almost all of my informal interviews with the Norwegians, they mentioned how important it was for people worldwide to know the ‘truth’ about what happened in Spain. As one man said, “It is very emotional to see this. It is so much more impactful in person. My hope is that something like this will never happen again. It is important to know the history. This is a part of Europe. We have to give this lesson to the next generation.” The Norwegians believed the ‘truth’ of the ARMH’s narrative and what they saw at the exhumation more than they did the centralized state’s version of the past. Many also felt that this history of Spain belonged to Europe, which should be taught as an integral part of preventing another round of fascism in Europe and the world (Albright 2018).

After lunch, the Norwegians went across the street to escape the heat of the day and get a drink. They later reappeared at the gravesite, each holding a red rose. The leader of the union said that they wanted to pay their respects to their fellow union members and human beings before they left. He thanked the ARMH and its volunteers for their tireless work to restore the humanity of the missing. He then asked members of the public to bow their heads in a moment of silence. The visiting Spaniards, including many associated with the ARMH and journalists seemed stunned at what was happening. The union leader then walked, very carefully, along the edge of the grave, which at this point was a deep hole, and placed a red rose up against the wall



behind it. Again, he paused and gave what looked like a silent prayer, then walked back to the group. One by one, the rest, about 15, went and left roses (see photo 16 and 17). After the last rose was placed everyone applauded with some wiping tears from their eyes. One of the journalists covering the exhumation turned to me and said, “Finally, they got a funeral.” Later it was announced that the Norwegian Electrical Union had donated over 6,000 Euros to the ARMH so that they could continue their work.



(Photo 16. A Norwegian Union Member placing a Rose at the gravesite)



(Photo 17. View from inside the grave with roses perched above)

The Norwegian Electrical Union and its relationship with the ARMH is thus another example of the importance of transnational advocacy networks that support the norms and practices, which uphold the importance of human rights. The relationship between the Norwegians and the ARMH gives further international recognition and approval of the ARMH's narrative of the history of violence in Spain. If the union did not believe the ARMH's narrative, they would not support nor their money to them. Furthermore, this relationship provides an example of how TANs are able to subvert the Spanish state's version of events, as well as spread and reinforce a reframed international collective memory about Spain's violent past.

Interestingly, the presence of the Norwegians also seemed to provoke a certain kind of respect from some of the neutral observers of the exhumation. For example, one of the cemetery workers was a middle-aged man who would often hang around the exhumation but would refuse

to really engage with anyone from the association. He came off as odd and many remarked on what he was doing, why he was there, and why he never said anything. During the Norwegians visit, I acted as translator, as it was deemed easier to translate the Spanish into English. Near the end of the day when some of the Norwegians wanted to see where the other mass grave had been, this man tagged along. After we visited the area and were on our way back, the cemetery worker pulled me aside and asked if he could speak with me. The group continued walking as we stopped to talk. He looked at me and said, “Could you tell the ARMH how important their work is and how much it is appreciated? They really are doing such a tremendous thing.” I said, “Of course, but wouldn’t you prefer to tell them yourself?” He nervously signaled with a shake of his head no and then walked away. I later told the head photographer, who was taken aback and henceforth engaged the worker by name, encouraging him to join in our activities. By the end of the exhumation he was on a first name basis with almost everyone. I think that my foreign researcher status, as well as acting a translator and go-between, made me seem more accessible and possibly trust worthier, facilitating this interaction.

In addition to the performative aspect of the ‘funeral,’ the ARMH also put on two different memory events. One was held in the local theater that was about 10 minutes away from the cemetery. Many of the honored guests from the event, including Ascension, first met at the exhumation to see the technical work, where they got a quick version of the class, then they went to the theater.

The event was held at the municipal theater and had over 100 people in attendance. It began with the usual presentation of the technical work by the lead archeologist. A panel discussion with the archeologist, the president of the ARMH, and some prominent journalists covering the universal jurisdiction case followed this. After the discussion about the importance

and influence of the case with Argentina, Carlos Mestre, the renowned poet who has worked with the ARMH before, gave a stirring reading dedicated to Ascension and her tireless work to find her father. After this, they recognized the volunteers with special attention to the, “new international brigades” who were helping Spain to recover her memory. After the event, people had drinks in the lobby.

The second ARMH memory event occurred on the last day of the exhumation. The association announced the event on their social media and contacted the families of the victims. In the end, a crowd of about 45 gathered at the gravesite. The lead archeologist gave a shortened version of his forensics and history class, explaining their work, the science they use, and why it is all necessary to both teach the ‘true’ history of Spain and also to help the families recover their loved ones. More attention was paid, however, to the role of the lawyers, some of whom were in attendance, for helping the families take their case to Argentina. The majority of those in attendance were related to the victims who had been buried in plot 1 and 2. After the class ended, various family members, including Ascension, expressed their gratitude to the ARMH for their work, and how everyone must continue to fight for recuperation of memory and dignity. After it ended, people clapped with some yelling, “Viva la Republica!”

### *Transnational Media Diffusion Strategies*

Due to the historic and transnational nature of the Guadalajara exhumations, the ARMH received a lot of news coverage, both international and domestic. Throughout both of the exhumations, the ARMH leadership conducted countless interviews that were then broadcast through a variety of news media across the world (Badcock 2017, Dowsett 2016, Frayer 2016, Neuman 2017). While the press coverage was inevitable, it would be inaccurate to say that the

ARMH did not capitalize on the opportunity presented by the media. Rather, the ARMH strategically used the Guadalajara exhumations to spread and reinforce the importance of their work and goals, while also introducing their reframed narrative of the collective memory of the past violence in Spain. They then reposted all the media coverage to their social media accounts, further diffusing the media exposure. After one popular Spanish news program covered the first exhumation, the ARMH's website crashed due to all the online visitors.

Moreover, the exceptional and transnational nature of the Guadalajara exhumations also provided a stage for other human rights organizations and groups to similarly benefit. For example, many documentary filmmakers covering the topic of universal jurisdiction, and others focusing on the historical memory movement came to film both exhumations. During the second exhumation, a documentary film crew from Amnesty International Spain, came to film the work. Part of this delegation included members from the Madrid office of Amnesty who also filmed little videos with the lead archeologist to put on their social media (Spain 2017a, Spain 2017b). The videos were posted alongside calls for more attention to the exhumation, the importance of the universal jurisdiction case, and the continued suffering of Spaniards at the hands of the state.

Coverage from Amnesty International and the international press demonstrate how transnational advocacy networks use technology, like social media and the Internet, to expand and solidify the ideas and importance of human rights practices. Moreover, the ARMH, Amnesty International, and the universal jurisdiction case benefit from the media coverage, as it spreads the idea of international human rights law, the need for international accountability, and the very belief that global human rights are important and worth fighting for. Additionally, the media coverage gives a global platform to activists who can clearly argue their case and put pressure on the Spanish state.

The ARMH has also used Ascension as the face of the victims to gain sympathy and support for their cause. Ascension is a little old lady, who speaks clearly and eloquently about the pain and suffering of losing her father to state terror. It would be politically risky to tell her she should not be able to find her father before she dies, which she has said many times to the camera, is her final wish. Interestingly, during the majority of interviews that Ascension conducted during her father's exhumations, she did not mention the politics that led to her father's death. Rather, she focused solely on the desire to find and respectfully bury her father before her own death. That is not to suggest that she is a completely de-politicized activist, as she does not mince her words on her political beliefs or her critiques of the state. She, like the ARMH, just did not do it during the exhumation process, because to do so would associate the exhumation itself with politics, potentially de-legitimizing it.

Ascension is well aware of her role. She is a savvy activist and has done countless media interviews with some of the most popular and well-watched Spanish news shows, where she has used the platform to advance her goals in fighting for the rights of the victims. Many people spoke of Ascension as a 'luchadora' or a fighter, as a hero, and an example for others. She has won numerous human rights awards in Spain, further putting her name and cause in the news. Most recently she and her Argentine lawyer, Ana Messuti, won the Historical Memory Award, given to them by the left-wing, United Left Party. They were awarded this prize because, "They are two women who developed a fundamental role in the Argentine lawsuit in the defense of historical memory in our country, so that we may have justice, truth, and reparation." Her case has brought a lot of attention to the few surviving direct descendants of the Republican dead, as well as the long lasting and torturous effect that enforced disappearance and state terror has on

families. Her image has also become part of political cartoons and street graffiti in Madrid (see photo 18).



(Photo 18. Graffiti in Madrid that says, “Dignity is always a fight. The fight is always dignity”)

### *The Continued Impact of Argentina’s Intervention*

Although it may take years to fully appreciate the variety of ways the Argentine universal jurisdiction case has impacted Spain there have been some immediate changes. Due to this case, there have been over 105 people have been exhumed from mass graves and many of these have been successfully identified. The reburial of these individuals is ongoing. Additionally, the Argentine universal jurisdiction case has also led to changes in how some of the regional governments of Spain understand past violence.

It should be noted that the regional governments (Basque and Catalan) that were the most inspired by the Argentine universal jurisdiction case are located in areas that historically suffered during the war and under the Franco regime, have clear regional political identities that are often secessionist in nature, and tend to be more critical of the centralized Spanish government. As such, their mobilization after the universal jurisdiction case, may reflect the fact that until the

Argentine case became a reality these regions lacked the opportunity structure to address the past violence. The impact of this new transnational opportunity structure is illustrative of how transnational interventions and advocacy can empower certain actors to build new political and legal regimes that present a different collective memory of the past that runs counter to the centralized state's version.

In 2013, in the immediate aftermath the Spanish state's obstruction of Judge Servini de Cubría's investigation, the Basque parliament moved into action. The Basque parliament passed a law that gave its support to the Argentine case (Ryan 2017:300-01). The law also claimed the 1936 coup was illegal and condemned the regime's repression of the Basque and Catalan cultures and regions. Moreover, the Basque parliament denounced the amnesty law of 1977. On November 29, 2013 representatives of the Basque government went to Buenos Aires and met with Judge Servini de Cubria, as well as the Mothers and Grandmothers of the Plaza de Mayo.

Around the same time, in November 2013, the local parliament of Navarra, which is an autonomous community and province in northern Spain and part of the larger Basque region, backed the Floral Law of Historical Memory, which attempts to fix the perceived imperfections of the Law of Historical Memory. Under this law, the Navarra regional government assumed the cost of exhumations, not only in its territory, but also beyond, if a Navarran citizen requested one. Moreover, the law provides extensive technical, psychological, and economic support to help the families of the missing. It also gives financial support to build a DNA bank to help with the identification process. Additionally, a space has been reserved in the Pamplona cemetery for the unidentified remains of victims, while honors provided to the Francoists have been removed. Importantly, the law also rescinded all judicial sentences and convictions issued by Francoist courts in the region. The Navarran government as ordered school history to be revised to convey



a more balanced history of the past. The Floral Law of Historical Memory also pledged to erect a monument in any European death camp where a Navarran citizen perished as a way of combating collective amnesia about Spaniards who were banished to Nazi concentration camps at the end of the civil war (Ryan 2017:300-01).

Before the more recent developments in Catalunya there had also been a movement to similarly address the past violence.<sup>6</sup> In October of 2013, the left-wing Esquerra Republicana de Catalunya approached Judge Servini de Cubria to investigate the murder of the ex-president of the Generalitat, or Catalan parliament, Lluís Companys. The judge initiated an investigation later that same year. In Asturias, another region in the North West of Spain, the parliament voted to condemn the legacy of Franco and the repression of Republicans. The parliament correspondingly pledged to set up mechanisms for truth and reconciliation in the region. They also encouraged their citizens to continue denouncing abuses to Judge De Cubría in Buenos Aires (Ryan 2017: 300-01).

Additionally, other regional governments—again in areas that suffered from repression—are similarly attempting to either participate or support the Argentine universal jurisdiction case. This seems to suggest that at one level the transnational interference has been successful at helping civil society groups and regional and local governments gain a foothold in pushing against the status quo.

While the actual legal consequences for the Spanish state may seem minimal in comparison to other countries that have been faced with judicial trials such as the International

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<sup>6</sup> In late 2017 the Catalan region voted to officially secede from Spain. In response, the state revoked their regional sovereignty and held snap elections in December, which diminished the secessionists power, but did not completely remove their prominence in the regional parliament. The Spanish government then arrested a majority of the major secessionists politicians, with the previous leader, Carles Puigdemont, fleeing to Belgium in exile.

Criminal Tribunal for the Former Yugoslavia, the attempts by Judge Servini de Cubría to hold Spain accountable have had important ramifications. For example, the more than 20 men who were indicted by Judge Servini de Cubría in 2014 many never be able to leave Spain again or risk being extradited to Argentina. Much like Pinochet, the ex-dictator of Chile in the late 1990s, these men have effectively been placed under country arrest. Furthermore, as the bodies from these exhumations are buried they will be discussed in the media and the country will have to continue to face its past. The Argentine universal jurisdiction case against Spain has thus become an example of how the world can participate in demanding justice for victims in other countries.

In a broader sense, the Argentine universal jurisdiction case against Franco era crimes seems to provide a potential path for other countries similarly facing state obstruction and amnesty policies. As such, the Argentine investigation and universal jurisdiction trial has created and reinforced the legal precedent for other cases in states elsewhere to move forward.

International entities such as the United Nations, Amnesty International, and the European Union have increasingly condemned Spain for not addressing the crimes of the civil war and the Franco regime. Though these institutions have not attempted to do anything substantial, such as imposing sanctions, the very critique of the Spanish's states handling of the past is suggestive of the fact that neighboring countries do not believe the Spanish government's narrative and do not condone how it has handled its violent past. I posit that this is also a reflection of the work done by the ARMH, the Spanish historical memory movement, and the Argentine universal jurisdiction case, which have labored hard to spread a reframed collective memory of violence in Spain. Moreover, the use of international law and transnational advocacy networks have helped to support the idea that crimes against humanity do not have an expiration date on adjudication, or that justice is limited to the country in question's legal system.

Importantly, for future activism, the Spanish case very clearly emboldens civil society activists to continue their grassroots work, even when other courts have denied them the opportunity to obtain justice.

However small these gains may seem, it is imperative to point out that for the families of the victims in Spain, they are monumental. In regard to the exhumations in Guadalajara, in early June 2017, the DNA analysis came back with the exciting news that the last person buried in plot 1 indeed had been Timoteo Mendieta Alcalá. He was later reburied on July 2, 2017, surrounded by hundreds of mourners waving Republican flags; the Spanish press attentively covering the funeral. The renowned poet Carlos Mestre read a long and moving poem dedicated to Timoteo and his daughter. As they buried his casket draped in a republican flag, his daughter Ascension threw Republican colored purple, yellow, and red carnations onto his grave, sobbing, “My beloved father, here you are finally. What a shame! My God, what a shame!” She looked around and said, “Thank you all for coming on this sad day.” Someone in the back yelled, “Thank you for fighting!” The funeral ended with a string quartet leading the group of mourners into singing, “Canto a la Libertdad.” Since the funeral, Ascension, much like other grandmothers and mothers involved in movements around the world, has continued to fight for all the assassinated in the Guadalajara cemetery and the rest of Spain to be exhumed, identified, and reburied by their families.

### **Conclusion**

In this chapter I used the exhumations in Guadalajara, which were a product of the Argentinean universal jurisdiction case, to explore the on-the-ground effects of transnational advocacy and networks between the Association for the Recovery of Historical Memory, Argentina, Norway, and other international actors. Specifically, I showed that transnational

advocacy and networks touched every aspect of these exhumations, as a foreign state, and activists were involved from the start. As such, visitors often had a clear sense of the Spanish state's failings, as well as the sense of anger and shame that Spaniards felt because they had to rely on a foreign government to produce results in their fight to recover the remains of their loved ones and bury them properly.

This chapter has also shown how the ARMH was able to incorporate foreign volunteers, such as the British forensic experts, into previous ARMH tactics, such as pedagogy and 'teaching' the validity and importance of the technical work to visitors. By integrating the British forensic experts, the ARMH was able to bolster the legitimacy of its version of the violent past because foreigners with no vested interest in the outcome of their work were convinced of its veracity based in forensic science. The ARMH's continued support from the Norwegian electrical union similarly highlights the sense that there is an international community that is invested in the ARMH's reframed narrative violence. These relationships provide concrete examples of how TANs and international actors can work together to subvert the Spanish state's version of events as well as spread and reinforce a reframed international collective memory about Spain's violent past.

This chapter also reviewed the materialized consequences brought about by the transnational relationships between the ARMH and the international community. The Argentinean universal jurisdiction case seemed to provide the missing key opportunity structure for certain Spanish regional governments to mobilize in countering the Spanish government's insistence in ignoring the past.

As such, the Guadalajara exhumations offer a telling example of how transnational advocacy and networks can continue to push the boundaries of international law and practices.

Further, this example demonstrates how human rights TANDs are attempting to implement, monitor, and strengthen international norms about human rights, transitional justice, and the importance of historical memory, even in cases where the violence occurred over 80 years ago. These examples also show how international human rights advocates are attempting and sometimes succeeding in circumventing governments which would prefer to keep the past buried.

## Chapter 7: Conclusion

Back in the Galician graveyard, the body of the one remaining Maqui had almost been entirely exhumed. All that remained was the man's cranium and cervical vertebrae (the neck), one of the most delicate parts to remove from the earth. At the end of the day, the forensic leaders of the Association of the Recovery of Historical Memory and the Argentine Forensic Anthropology Team lifted out the cranium and cervical vertebrae together. This joint action also symbolically solidified the important relationship between the two organizations in the transnational forensics-based human rights movement.

The body of the last Maqui was returned to his family later that year (2015), who decided to cremate the remains and hold a private ceremony to spread the ashes. They invited the ARMH team to help scatter his ashes on the trail that ran behind the family home that leads into the mountains. It was the same trail where the son of the victim last remembers seeing his father walking off into the mountains. For the son, scattering his father's ashes on that trail was both a testament to his father's fight against fascism and to the long-lasting legacy of Francoist repression.

This ethnography set out to understand how human rights activists are using forensic science, such as exhumations and DNA testing, to challenge dominant collective memories of violence, thereby seizing and democratizing state necropower over historical remembrances of terror. Specifically, I examined the case of Spain and the work of the Association for the Recovery of Historical Memory (ARMH) to demonstrate how transnational networks and the diffusion of forensics-based human rights tactics can lead to the demand for transitional justice and the reframing of collective memories of state terror, even in cases where the violence occurred in the distant past.

To understand how ARMH activists have used the tactics of the forensics-based human rights movement, it is first necessary to know the origins of the movement. Thus, in chapter two, I detailed how the movement began in post-conflict Argentina. I reviewed the state terror of the military junta that ruled Argentina from 1976-1983, which left 30,000 Argentineans missing and around 500 children of the disappeared living under false identities. I described how during the democratic transition, the newly formed Argentine Forensic Anthropology Team (EAAF), alongside the Grandmothers of the Plaza de Mayo, a powerful mothers organization, used forensic anthropology, and later genetic blood testing, to reveal the truth of the regime's cruel violence, from brutal killings to the stealing of children. This chapter then demonstrated how these two organizations went on to develop and refine the tactic of combining 'unbiased' scientific findings with universal norms about families' rights to bury their dead, or for children to know their biological identities to demand justice and reframe the history of state terror in post-conflict societies.

In chapter two, I established how the EAAF and the Grandmothers then spread the forensics-based human rights approach and have sought to ensure that all post-conflict countries have access to 'unbiased' science to ensure that the truth of the past can be known. More importantly to this research, I showed how these two organizations have also directly supported the work of the ARMH. Examples of the transnational support between Argentina and Spain include the EAAF running the ARMH's DNA testing for free, the Grandmothers support of the Argentinean universal jurisdiction case investigating Franco era human rights violations by being listed as co-plaintiffs.

I then introduced the in-depth Spanish case study, reviewing the pertinent historical background needed to understand the Spanish case. Hence, in chapter three, I reviewed the

violence that occurred during the Spanish Civil War and of the Franco regime, stressing how the regime controlled the collective memory of the past through violence and repression of the defeated. I then covered how the democratic transition, through its ‘pact of forgetting,’ implemented a form of sanitized silencing, which further institutionalized the regime’s stratified system of victors and the defeated, effectively guaranteeing the silencing of the victims. I also illustrated how this pattern of silence and fear began to unravel in 1998, when Judge Baltazar Garzon used universal jurisdiction to indict the ex-dictator of Chile, Augusto Pinochet, for human rights abuses. This action led to the founding of the Association of the Recovery of Historical Memory in 2000, and the beginning of Spain’s participation in the transnational forensics-based human rights social movement.

In chapter four, I argued that in consequence of the history of repression and terror and the enduring fear it had engendered, Spaniards, especially in more rural areas, are still rendered silent about the past. As such, ARMH activists, whose ultimate movement goals are to reframe the dominant collective memory of the violence, must first break this silence. Thus, I demonstrated how ARMH activists use a variety of performative tactics that actualize the breaking of silence in a fearless manner, some of these tactics being more provocative than others.

For example, in the sections *Excavations: Ripping Open the Ground and Performed ‘Fearlessness’ and Asking for Help; Tacit Mechanisms that Provoke Conversations about the Past*, I illustrated that ARMH activists use their technical excavation fieldwork as a venue for performative fearlessness. They do this by conducting their work and interacting with villagers in a fearless way, and sometimes, by encouraging locals to help them locate the mass graves they are looking for. These performative actions together promote the breaking of silence and fear by



encouraging villagers to talk about the past. I also demonstrated how ARMH activists, due to the nature of their technical excavation work, are also able to create a safe public space that facilitates storytelling among townspeople. Through these performative tactics, the ARMH are able to actualize the change they are trying to create—the breaking of the silence about the past.

In the *Homage and Reburial Ceremonies* and *Memory Events*, I also explored how the ARMH's more theatrical performative tactics such as homage events and reburial ceremonies for the recovered dead, as well as memory events, like the ARMH's 20<sup>th</sup> anniversary celebration, similarly promote storytelling and recounting of the historical violence. These events allow for the coming together of people to discuss the 'true' history of Spain, which is usually backed up by the forensic findings of the ARMH's technical work. As these events are often held in theaters or public town halls and can include public officials, they take on a more formal feel, like that of a truth commission. Accordingly, these events are, in some ways, filling an important void in promoting truth and reconciliation, at least in these local villages.

In sum, chapter four argued that the performative actions of the ARMH serve to break the repressive fear-based silence that has lasted over 80 years. It is impossible to change the dominant collective memory of the past violence if people are too terrified to talk about it. Furthermore, if silence prevails, then many of the testimonies about the violence, as well information about the location of mass graves, will be lost forever. By starting their work at the interactional level via performative fearlessness, ARMH activists are able to slowly start the process of chipping away at the state's grasp on how the past should be remembered.

In chapter 5, I introduced how the ARMH uses de-politicized forensic science to reframe the violence of the past. To that end, I examined the strategies that ARMH activists use— during their impromptu classes at mass grave exhumations—to introduce Spaniards to the ARMH's

reframed history of the violence of the Civil War, the Franco Regime, and the democratic transition. Specifically, I showed how during these classes, de-politicized forensic science acts as the foundation of the ARMH's legitimacy, which then enables the ARMH to introduce moral and judicial claims about Spain's past and future. I further demonstrated how the legitimacy and impact of this reframed narrative is bolstered by the agency and embodiment of the remains and personal objects exposed in the graves. This tactic works to reclaim the dead as fellow citizens deserving of proper burial and care, as opposed to communists deserving of brutal deaths and social disdain. I also illustrated how these strategies work in tandem to guide visitors to understand the past in a new way, democratizing the ownership of Spain's historical narrative as the listeners get to decide what the truth is.

This chapter also elucidated that without the forensic explanations presented by the bones and the signs of violence that appear on them, the skeletons would be speaking a foreign language to the majority of the visitors. By positioning themselves as scientific experts, ARMH activists become the official voices of the stories that the bones are telling. One could argue that every translation reflects the bias of the translator and certainly in this case, the story being told has a particular agenda. However, the power of this movement tactic is that it specifically grounds itself in the perceived 'unbiased' nature of science, its methods and protocols, and the perception that there are certain anthropological facts that cannot be contested.

My findings also illustrate that by combining the actor network theory and embodiment literatures, we can develop a more complete understanding of why the ARMH's reframing of the past is so powerful. They draw on the power, agency, and translated voice of the recovered remains and objects. This voice of the embodied-action oriented objects then stabilizes and strengthens the counter-narrative of history. As the visitors look at the objects, the latter are

transformed into the embodied dead, thereby intensifying the visitors' emotional connection to them and the narrative explaining their existence. I have demonstrated that this is an extremely effective one-two-punch that leaves visitors with a visceral and affective experience of the past violence.

As such, chapters four and five exemplify how ARMH movement tactics build upon each other. For example, by using performative fearlessness at technical excavations, ARMH activists encourage the breaking of the silence and the engagement of storytelling by local townspeople. Later, when these excavations turn into exhumations, often happening within days of each other, the ARMH is able to build on these previous interactions to invite visitors to attend their 'classes at the foot of the grave,' where they are able to explain the science guiding their work and what they are finding in the graves. As the visitors listen to the classes, the embodiment and agency of the remains and personal objects help to strengthen the ARMH's reframed narrative of the past.

In the final substantive chapter of the study, I conclude the case study by looking at the international connections that the ARMH has with other international actors and movements, and how they are using these relationships to circumvent the Spanish state's hold on the collective memory of the past violence. Specifically, I used the exceptional status of the two exhumations in Guadalajara, one of the outcomes of the Argentine universal jurisdiction case investigating Franco-era crimes against humanity, to illustrate a more precise understanding of the mechanisms that work to shape the actual on the ground outcomes of transnational advocacy and networks in human rights.

In chapter six, I demonstrated that the Guadalajara exhumations, due to their association with international human rights efforts, created a space that promoted more intense and nuanced critiquing of the Spanish state and its necropolitics by Spaniards who came to witness them.

Moreover, the ARMH was able to successfully incorporate transnational actors participating in these exhumations into their existing tactics of performative fearlessness and pedagogy. Additionally, I argued that the ARMH, among other human rights organizations, was able to capitalize on the extraordinary nature of the exhumations by using media coverage to further diffuse the idea of international human rights law, the need for international accountability, that global human rights are important and worth fighting for, which also creates a global platform for activists to argue their case and put pressure on the Spanish state.

### *Contributions*

This research has illustrated how the ARMH, a non-state social movement actor, is using a variety of mechanisms such as performance, pedagogy, and international networks to reframe the collective memory of the Spanish Civil War, the Franco regime, and the democratic transition, as well as introducing claims about the rights of victims' families and the need for further transitional justice in Spain. Primarily, this research has developed our understanding of how human rights activists are actually using a variety of tools, such as performativity, transnational relationships, and de-politicized forensic science on the front lines, which work jointly to side-step de-legitimization strategies from political rivals and to bolster the veracity of their claims.

These findings add nuance to the literatures on necropower and necropolitics. Previous research has pointed to the role that necropolitics play in post-conflict countries and exhumation efforts (Robben 2015, Wilson 2015). However, my research provides an example in which civil society actors, as opposed to state actors, are outwardly working to stake their claim on rewriting historical narratives. By grounding the majority of their movement's claims in de-politicized

science, in combination with other tactics, the ARMH continue to push forward and further develop the tactics of the transnational forensics-based human rights movement. Additionally, ARMH activists are using these tactics to democratize the collective memory of the past, which seems to suggest that necropolitics is more elastic than originally theorized.

This research also contributes broadly to the literature on social movements and collective memory by problematizing the complexity and fluidity of the process by which social movements introduce reframed collective memories of past violence in a post-conflict society. My thesis has demonstrated reframing collective memories of past political violence can be aided by performative actions that actualize the changes the social movement is intending to provoke. Much like other activists, such as actors in the Civil Rights Movement, ARMH activists are enacting the change they want to see in Spanish society by performing it. As such, this research connects and expands a multi-faceted understanding of how social movement actors are using performativity, de-politicized discourse, and international connections to challenge the state's control and necropower over the collective memory of past state terror.

Intriguingly, this case offers an example of science still being regarded as a legitimate and untainted source of information (Antonio and Brulle 2011, Carmichael, Brulle and Huxster 2017). Considering how science is viewed in other instances, such as in contemporary US debates about climate change or evolution, this research provides an interesting perspective on how science can still intersect with politically sensitive aspects of society, be framed as yielding irrefutable answers, and maintain its de-politicized 'objective' status.

Previous research has shown that global human rights activists have been successful at holding states' accountable for human rights treaties they have ratified (Sikkink 2011). However, this research provides another theoretical vantage point for understanding how global human

rights can circumvent state sovereignty on the handling of past state terror. Spain's democratic transition was hailed as the model for states transitioning from autocratic to democratic rule, as it maintained both political and civil stability, even though it ignored past atrocities and continued the oppressive silencing of its victims. Yet, this research suggests that human rights activists have been able to sidestep institutional barriers by participating in the transnational forensics-based human rights social movement and other human rights transnational advocacy networks. Once exhumations, identifications, and forensic analyses begin, as shown in chapter two, it can become difficult, if not impossible, for the state to continue to fully ignore the work and demands of human rights activists. Although in Spain the centralized state has, more or less, continued to ignore the pleas of human rights organizations, regional governments have begun to take up the fight for justice for the victims of the past violence of the civil war and the Franco regime. This fight has yielded a number of changes, for example, changing historical curricula in schools may potentially have a long-lasting impact on changing how future Spaniards understand their collective past.

### *Limitations and Future Research*

As in any research project, this research has its limitations. As I have argued, the ARMH movement is trying to reframe the collective memory of violence. However, to know if these activists were successful over time, it is necessary to revisit the sites of the ARMH's interventions such as exhumations, classes, or memory events, to interview people there, especially those who interacted with ARMH activists. Future research studies should investigate whether the ARMH's reframing of the past violence gained traction in these towns or whether the state-encouraged silence and narrative has regained its hold. As the battle over historical

narrative and necropower does not have a finite deadline or objective, it will be fascinating to see how human rights activists in Spain—and around the world—continue to navigate necropower and necropolitics in post-conflict states through scientific interventions.

Even since the time of my fieldwork, the world of Spanish forensics-based human rights has changed. At the time of this writing, many regional governments such as those in the Basque region, the Catalan region, and parts of Andalucía have decided to take over the responsibility of performing exhumations of Civil War and Franco era dead. They are coordinating with universities, such as the Basque group ARANZADI that operates out of the University of San Sebastian or creating and paying for their own regional teams. Further research should explore if these other teams are using similar tactics as the ARMH to reframe the narrative or if they are solely focused on the recovery of the remains. Further research should examine whether these regional governments are using their findings to challenge the central state's version of the past. If so, this would suggest that reframing of violence can embrace a bottom-up approach, starting with civil society organizations and then embraced by regional governments, which have more resources to fully reframe the narrative at a national level.

As for the ARMH, it has, in many ways, been left behind by these changes. In the last year, due to the association's lack of financial support and political in-fighting, their technical work has basically ceased. The ARMH seems to be converting itself into an advocacy organization focused on calling for more changes in the memory laws throughout the country. Only time will tell what will become of the ARMH and its movement. They have bounced back from similar challenges before.

Finally, future research should look to see how human rights activists are working together and separately to seize necropower from the state within the globalized network of

human rights forensics (Mbembe 2003, Wright 2011). As the forensics-based human rights movement is not a monolithic block with identical goals and outcomes, but rather, is constrained and tied to different national and legal realities, I suspect that the kind of interventions and outcomes of each case will vary.

Additional research should also be conducted to understand why forensic science is still considered more legitimate or politically neutral. Future research is also needed on the continued impact of forensics-based human rights framing in post-conflict societies to see if this framing maintains its power in the future.

Unfortunately, Argentinean and Spanish activists are not alone in their fight against impunity and for remembering the ‘true’ past of state terror. Every day the news speaks of new atrocities such as mass killings in Syria, genocide in Myanmar, and discoveries of clandestine mass graves in Iraq. The search for the disappeared and historical truth during episodes of violence and state terror is a familiar plague that has followed humanity into the 21<sup>st</sup> century.

However, there is a bright spot. As this research has demonstrated, human rights activists now have a powerful tool (forensics-based human rights) to help victims’ families recover not only their loved ones, but also the truth about their violent deaths, and sometimes, even justice.

The Spanish case speaks not only to the power of state terror, but, importantly, also to the power of forensics-based human rights. Though the violence suffered during the Spanish Civil War and Franco regime ended generations ago, the intergenerational trauma created did not. Forensics-based human rights have consequently provided activists the tools to help victims’ families recover and properly bury their relatives. While closure may only ever be a hope, these families at least have gained a little control over how their loved ones are remembered and cared for in death.



This tool has also afforded human rights activists around the world the opportunity to expose the often-brutal historical truths of what happened during military regimes, civil wars, and genocide. The power of forensics-based human rights is that it can provide indisputable answers to the question of ‘what happened?’ and often in a way that is difficult to ignore, even for state authorities. As this research has shown, well-trained forensic human rights activists can provide the evidence that unmask state terror; in so doing, they are able to successfully challenge dominant but distorted historical narratives of past violence. Through forensic-based interventions, dedicated human rights activists such as the members of the ARMH fracture the fear that has silenced historical memory, thereby shattering state-imposed silence about it. Their work contributes not only to recovering the past, however painful, but also the dignity of the disappeared.

## Methodological Appendix

### INTERVIEW GUIDE:

#### Civil War & Dictatorship

I understand that this topic is very complicated and that there are many sides. I am trying to understand, as a foreigner, all sides of this issue.

1. Could you help me understand how you see the war?
  - a. Did you have family members engaged in the war?
  - b. Did your town have a political leaning?
2. Did you hear any stories when you were growing up about the violence? (What stories about the war did you hear?)
  - a. If so, could you tell me what you heard?
3. Could you help me understand what the dictatorship was like?
  - a. What was it like for you and your family during the Franco years?
  - b. What stories did you hear about the dictatorship?
4. How do you feel about the transition, amnesty, etc.?
5. There seems to be a lot hesitation about talking about these things, why do you think that is?

Yo entiendo que este tema es muy complicado y que hay muchos lados y opiniones. Estoy probando a entender, como una extranjera, todos los lados.

1. Podrías ayudarme como tu entiendes la guerra civil?
  - a. Tuviste familiares quien estaban en la guerra?
  - b. Hizo tu pueblo tenia una tendencia política?
2. Has escuchado historias sobre la guerra o la violencia cuando eras joven?
  - a. Así sí, podrías decirme que escuchabas?
3. Podrías ayudarme a entender como era la dictadura?
  - a. Para ti y para tu familia?
  - b. Has escuchado historias sobre la dictadura o la represión?
4. Como sientes sobre la transición? Amnistía?
5. Parece ser que hay mucho hesitación sobre hablando sobre estas cosas, por qué crees que es?

#### Memory Movement

6. How do feel about the historical memory movement?
7. Did you have any feelings about exhumations before one happened in your town?
  - a. If so, could you explain what they were?
  - b. What did you think would happen?
8. Did your opinions change after the exhumation?
  - a. If so, could explain how?
9. Did you visit the exhumation when it was happening?
  - a. If so, could you explain why you went?
  - b. What did you think when you saw it?
10. What are your opinions of exhumations now?
11. What do you think is the impact of exhumations?
  - a. On victim's families?

- b. On your town?
  - c. On society at large?
12. Have you been following the case in Argentina (the exhumation in Guadalajara)?
- a. What do you think about that?
13. Would you say that things are changing in Spain in regards to the past?

#### La Memoria Histórica

1. Como sientes sobre los desaparecidos?
2. Haz tenido pensamientos sobre exhumaciones antes era uno en tu pueblo?
  - a. Puedes explicar los pensamientos?
  - b. Que crees que pasaría?
3. Has cambiado tus opiniones después de la exhumación?
  - a. Sí, podrías explicar?
4. Has visitado la exhumación cuando fue pasando?
5. Y que son tus pensamientos sobre exhumaciones ahora?
6. Que crees es el impacto de las exhumaciones?
  - a. Para las familiares de las victimas?
  - b. Para tu pueblo?
  - c. Para España?
7. Has estado siguiendo el caso de Argentina y la exhumación en Guadalajara?
  - a. Que parecen?
8. Crees que cosas en España están cambiando lo que en respecto del pasado?
9. Como sientes sobre el movimiento de la memoria histórica?

#### Concluding

14. Is there is anything you think I should know?
15. Age
16. Profession

Hay algo mas que tu piensas que yo debería saber?

### ADDITIONAL GUIDE FOR ACTIVISTS

#### Historia de su vida personal

17. Podría contarme Ud. acerca de la historia de su vida, si no le es difícil, o le incomoda.
18. Como es para Ud. el estar aquí en este momento?

#### Activismo

1. Que significan los derechos humanos para Usted?
2. Como se ha involucrado en el activismo de los derechos humanos?
3. Tiene Ud. intenciones de trabajar en derechos humanos, o cualquier otra área de trabajo?.
4. Que significado tiene para Usted el estar involucrado en esto?
5. Hay asuntos que lo han motivado personalmente ?
6. Cual es el objetivo principal, o gol de su organización
7. Cuantas personas trabajan, o están involucradas en su organización ? Cuales son las áreas de trabajo de estas personas?

8. Que hace Ud. en esta organización?
  - a. Por favor describa su trabajo
9. Piensa Usted que es un líder?
10. Como se financia su organización?
  - a. Becas, o asistencia Internacional? Explique la relación, o role de otras organizaciones que proveen financiamiento a la suya?
11. Sabe el publico acerca del trabajo que su organización hace, o promueve?
12. Como interacciona, o se comunica con la prensa?
  - a. Como sabe el publico acerca de su organización?
  - b. Como recibe las noticias su organización?
13. Tiene su organización presencia en la Internet, o social media ( Twitter, Facebook,etc.).
  - a. Que tópicos son comúnmente publicados y porque lo hacen?
14. Trabaja Ud. para esta organización, o hace trabajos voluntarios en otras organizaciones?
15. Piensa Usted que es un activista? O cual es su principal motivación?

### **Si es un científico forense**

1. Que piensa Ud., acerca del rol de la ciencia forense en el activísimo de los derechos humanos?
2. Ha trabajado Ud., fuera de su ciudad, o país haciendo trabajos relacionados con la ciencia forense y los derechos humanos?
  - a. Si lo ha hecho, donde y en que capacidad?
3. Utiliza su organización técnicas de ADN? ¿Cómo se realiza este proceso?
4. Si los tests son hechos por alguna entidad fuera de su organización, explique porque y como se formo esta relación.
  - a. Son los test hechos a no costo, o tienen ellos algún costo?
5. Que piensa Ud., acerca del incremento de la utilización del ADN. en los otros casos de crímenes de los derechos humanos, tales como México, Bosnia, España, etc.?
6. Que piensa Ud., del rol de la ciencia forense y de las exhumaciones de los restos? Hay alguna diferencia entre ambas ?
7. Ha participado en exhumaciones?
  - a. Si lo ha hecho, por favor describa el proceso, su rol y el rol de los otros miembros de su organización.
8. Que piensa Ud., acerca del impacto que las exhumaciones tienen en los familiares de las victimas y en la sociedad?
9. Que piensa Ud., es el impacto de las identificaciones de ADN para las familiares en la sociedad?
10. Tiene Usted contacto directo con los familiares?
  - a. Si lo tiene, en que capacidad? Por favor explique en detalle si este contacto tiene un impacto en usted.
11. Cree Ud., que todos los países que tengan desaparecidos deben tener acceso a exámenes de ADN?
  - a. Sí lo es, porque cree Ud. esto es importante?

### Otras Preguntas

1. Cual es el significado que tiene la relación de parentesco para usted? Es esto lo mas importante para las metas de su organización? Sí lo es, porque?
2. Que significa para Ud., la identificación de los desaparecidos? Como impacta esto a su organización?
3. Tiene algún significado para Ud., la recuperación de la memoria en los casos de identificación de desaparecidos? Como impacta esto a su organización?
4. Los huesos de los desaparecidos tienen significado para ti?

### **Activismo Internacional**

1. Ha estado Ud., en otros países trabajando en estos aspectos? Si lo ha hecho, en cuales y cual fue e propósito de éstos?
2. Que rol considera Ud., su organización tiene en la comunidad Internacional dedicada a los Derechos Humanos ?
3. Cree Ud., que la comunidad internacional de los científicos forenses tiene una obligación de ayudar a los derechos humanos?
  - a. Si la hay , por favor explica y en que capacidad?
4. Ha trabajado Ud., con otras Organizaciones Internacionales ? Si lo ha hecho, cuales y propósito de esos trabajos.
5. Ha participado Ud., o su organización, en conferencias Internacional? Si lo ha hecho, cual fue el énfasis de esas presentaciones?
6. Ha trabajado con otros científicos forenses?
7. Como cree que estas conexiones se hacen ? Hace su organización este tipo de conexiones, o son la otras organizaciones las que hacen las conexiones?
8. Han visitado otros científicos forenses a su laboratorio, o participado en su trabajo?
9. Ha visitado Ud., otro laboratorio/ o ha participado en otras organizaciones de trabajo?
  - a. si ha participado, que ha hecho?
10. Ha participado en la creación de la estandarización de los protocolos internaciones?
  - a. Si lo ha hecho, en que capacidad?
11. Ha participado enseñando los protocolos de genética forense en otros países u otros organizaciones?
12. Ha aprendido nuevos protocolos/ o nuevas técnicas de investigación de las visitas internaciones?
13. Diría Ud., que hay una red de científicos forenses? En caso de afirmativo, cual es el nivel de comunicación, o cooperación que existe? Hay enlaces fuertes o débiles?
14. Ha Ud., o su organización participado en algún caso legal a nivel Internacional? Si ha participado, cual fue el caso y cual fue el objetivo central de este? Cual fue su rol?
15. Ha Ud., o su organización participado en la formulación de leyes Internacionales , tratados, o resoluciones?

### **Activismo y la ley**

1. Es posible que su organización ha influenciado las leyes nacionales, leyes del estado, o locales? Sí lo es, como fue posible el obtenerlo?
2. Tiene Usted experiencia formulando leyes? Si lo es, como lo ha hecho?
3. Cual fue el sistema legal que utilizó su organización?
4. Cual es la importancia de la ley en la lucha por los derechos humanos?

Acuerdas Casa Sola cuando el juez estaba hablando? Podrías decir algo de este tema y de los problemas de silencio y la memoria histórica en España?

**Demografía**

- 0) Edad
- 1) Sexo: Masculino, Femenino
- 2) Estado Civil: soltero?, casado?
- 3) Nivel de educación: Universitaria, grado obtenido, Técnico, laboral,

**Table 1. Interviewees with Activists in Argentina and Spain (N=18)**

<b>Name</b>	<b>Gender</b>	<b>Age</b>	<b>Occupation</b>	<b>Affiliation</b>
Luis Fondebrider	Male	54	Forensic Anthropologist	EAAF
Rosa Tarlovsky de Roisinblit	Female	93	Medical Doctor	Grandmothers
Luna	Female	38	Archivist	Grandmothers
Marco Gonzalez	Male	36	Vice President of ARMH	ARMH
Alejandro Rodriguez	Male	33	Historian	ARMH
Rene Pacheco	Male	33	Archeologist	ARMH
Nuria	Female	33	Auxiliary Archeologist	ARMH
Diego	Male	52	Retired Miner and Engineer	ARMH
Blanca	Female	43	Historian	ARMH
Camila	Female	50	Secretary	ARMH
Valentina	Female	46	Artist	ARMH
Jimena	Female	49	Sales	ARMH
Emilia	Female	38	Writer	ARMH
Alejandra	Female	50	Writer	ARMH
Martin	Male	35	Librarian	ARMH

**Table 2. Interviewees with Non-Activist Spaniards (N=15)**

<b>Name</b>	<b>Gender</b>	<b>Age</b>	<b>Occupation</b>
Agustina	Female	62	Medical Doctor
Ricardo	Male	46	Professional
Enrique	Male	35	Scientist
Maria José	Female	72	Retired Sales
Gabriela	Female	38	Sales
Victoria	Female	58	Home maker
Daniela	Female	35	Teacher
Martina	Female	65	Teacher
Emiliano	Male	76	Retired Professional
Tomas	Male	73	Retired Professional
Juan José	Male	48	Declined to state
Felipe	Male	45	Teacher
Vicente	Male	35	Sales
Bianca	Female	78	Retired Professional
Adriana	Female	43	unemployed

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