



EXHUMATION OF THE FRANCO REGIME

Let us recover the 'Valle de Cuelgamuros' for the sake of democracy

PODEMOS.

Index

What is to be done with Cuelgamuros?	5
The issue here is not about reconciliation, rather about justice	7
What can be done with Franco and Primo de Rivera?	8
<i>A valley without the fallen</i>	9
From a fascist memorial to a place for democratic memory	10

What is to be done with Cuelgamuros?

On July 18, 1936, a civic-military coup deposed the legitimate authorities of the Second Republic. The uprising, supported by Nazi Germany and fascist Italy, had as its purpose the extermination of all those persons and social, political and cultural groups opposed to the national-Catholic ideology that inspired the coup's plotters.

The uprising gave rise to a dictatorship that systematically violated the most basic human rights of hundreds of thousands of people for more than forty years: huddled into mass graves; murdered, repressed, tortured and imprisoned on political, religious or LGTBi grounds; thousands of deportees to concentration camps and exiled; babies stolen from their mothers; girls taken to preventoriums, and an endless etcetera.

Crimes against humanity that are never brought before justice and that are perpetuated up to the present in our country with victims and relatives who have had their fundamental rights disregarded, such as the right to truth, justice, reparation and the guarantees of non-repetition. A culture of impunity sustained in the absence of justice, which also violates the right to the truth of the whole society, without addressing the gender dimension of reparations for these crimes, since women were doubly victims: due to their ideological condition and their gender.

Throughout the almost forty years that the dictatorship lasted, the most symbolic and politically important work of the Franco regime was the so-called "Valley of the Fallen", not solely because it became the megalomaniac tomb of the dictator, but also due to its standing as a memorial to fascism. In the decree of April 1, 1940, which would start the monumental project of the Valley, it was already said that its purpose was "to perpetuate the memory of those who fell in our glorious crusade." A clear sanctuary of the dictatorship that has lasted forty years into democracy. Now, with the approval in Congress of Royal Decree Law 10/2018, of August 24, which modifies Law 52/2007, of December 26, permission has been granted to exhume the body of the dictator, and thus opens the possibility not only of removing Franco from the current Valley of the Fallen, but also of ending the impunity enjoyed by Francoism in our democracy. If we simply remove Franco from the Valley, we run the risk that this can be symbolically even more powerful without him, so it is

essential to undertake an endeavour that totally breaks the symbolic power of this fascist memorial, as has been done in other countries in our environment with this type of monuments.

It is incompatible to have a mausoleum to a dictator in a democracy, furthermore when this maintained with public money and where thousands of victims are buried against the will and knowledge of their relatives. A place of repression that in the present forms part of a touristic route such as the so-called “imperial route”, which generates a culture of trivialisation of the dictatorship and breaches the right to the truth of those who visit it. International justice considers that crimes against humanity are imprescriptible and unenforceable. We must denounce what it means that there are still closed graves; people with their lost, missing or stolen identity; tortured people who live with their torturers; former ministers who signed death warrants; relatives of the condemned who live with those ex-ministers ... and a long and inadmissible etcetera.

As noted in the expert report entitled *From a Valley of tears to a Valley of memories*:

It is evident that the Valley of the Fallen is an enclave where several memories coexist, hitherto governed by the shadow of the dictator and under cover of the most rancid national-Catholicism, that of the union of the sword and the cross. And it is also evident that the thousands of dead buried there deserve respect, but respect does not mean a dissolution of memories under the same “reconciling” memorial. [...] To explain, periodise, identify, dignify and act must be set as priorities. And these priorities involve the identifying and treating of the different memories or the various memorial elements separately.

Therefore, in Podemos we understand that it is essential to go beyond the exhumation of Francisco Franco: it is necessary to present a comprehensive proposal about the Valley in accordance with the international precepts of democratic memory and that it becomes a first step to end once and for all with a situation that the reports of the United Nations qualify as a state of unacceptable impunity from a perspective of international human rights law.

The issue here is not about reconciliation, rather about justice

ately, the terms *harmony* and *reconciliation* are commonly heard as an alibi to justify not touching the Valley, leaving it as it is and not *opening* more wounds. Our intention could not be more opposed to opening wounds, as we hold the steadfast volition to work so that they are closed once and for all. Yet, a place erected under the will of a dictator to “unite Spaniards” and since then used as a place of worship for his figure and Franco cannot be a place of reconciliation, moreover the opposite. As noted rightly in the Congress of Deputies, Fabián Salvioli, special rapporteur of the United Nations for the promotion of truth, justice, reparation and guarantees of non-repetition: “A reconversion of the Valley is necessary, since the asymmetric message that continues to protect the Valley of the Fallen continues to re-victimise the victims of the crimes against humanity of the dictatorship.”

When human rights violations have taken place and the State has been an accomplice, and when a transitional justice system has not been applied in a democracy, society ceases to trust the State. Reconciliation is the recovery of trust on the part of society in a State that failed to fulfil its duty as guarantor of rights. Therefore, in Podemos we believe that the only possible reconciliation is to guarantee the right to justice.

The current Valley of the Fallen represents the murder, repression and barbarism of a dictatorship, it is a place of cult to fascism that anachronistically survives in a democracy and that symbolises a hideous exception in Europe that must come to an end and, for this reason, we advocate its reconversion into a space for memory.

What can be done with Franco and Primo de Rivera?

At Podemos, we defend that the transfer of the remains of Franco must be a transparent intervention, showing how the State confronts this anomaly through a democratic action; that is, to make it clear that it is a democratic system that ends the mausoleum of a dictator. Likewise, we also consider that the State must have prepared options and devices that prevent the new locations of the dictator's body from becoming a pilgrimage point of the Franco regime, as is currently the case with the remains of fascist Benito Mussolini in the municipality of Predappio, where they have rested since 1957. Therefore, the new location of the corpse of Franco requires, on the part of the competent Administration, to implement a specific management plan to eliminate at the root any possibility of creating a new place of worship for the Franco regime.

During these months Franco's exhumation has monopolised debates and this has made José Antonio Primo de Rivera become invisible, who, as is known, is not a simple "victim of the Civil War". In this regard, we take as our own the words that are included in the report *'From a Valley of Tears to a Valley of Memories'*:

Francisco himself established a martyring hierarchy by giving him a space under the great dome in front of the altar. This fact, in itself, apart from the will of the dictator to please the Falange movement, meant that the site should respond to the ritualisation, commemoration and permanent remembrance of the Falange as part of the official memory of the dictatorship. This ritualism, prolonged in time and in a democratic period by some nostalgic people, must be eliminated. Therefore, the proposal is also for the family to take charge of deciding in which private grave they prefer to bury him.

And as we pointed out earlier when referring to Franco's body, it must be avoided that the new site for the remains of Primo de Rivera has the chance to become a place of fascist worship. We have to remember that his exhumation is included in the non-law proposal passed by Congress last year and in the report of the Committee of Experts created by Zapatero in 2011 about the future of the Valley, and which serves as the basis for the current process. For all these reasons, we understand that there are no excuses to exhume José Antonio Primo de Rivera del Valle's body.

A valley without the fallen

At Podemos we believe that the Government of Spain must take all appropriate measures to remove any obstacle that prevents the full and effective recognition of the right to justice and the consequent reparation of the victims (and their families) who suffered serious breaches of human rights during the Franco dictatorship and that are currently buried in the Valle de Cuelgamuros.

Not all bodies found in the Valley are the same, meaning we insist on their identification and distinction into at least three groups:

- Those who were reprisals of the Franco dictatorship and transferred, without their families' knowledge or consent, the mass graves where they were left to their fate (it is estimated that this could amount to 12,000). In this case, it is essential that the State assume the judicialization of the exhumation processes in order that the Police and the Institute of Legal Medicine protect the exhumations of the bodies of the reprisal victims, which means that they will deal with the individual identification of the corpses (that is, corpse by corpse, without breaking the chain of custody), a question that must be assumed by the State.
- The so-called "fallen" during the Civil War, who must be identified, exhumed and handed over to their families. In case the relatives are not found or if they do not take charge of the bodies, we propose the construction of a ceremonial in the Valle de Cuelgamuros without any type of funeral hierarchy.
- Those who died in the construction of the Valle de Cuelgamuros during the days of forced labour. These bodies have to be identified, exhumed and handed over to their families. In case the relatives are not found or if they do not take charge of the bodies, we propose their funeral in a ceremonial in the Valley, where how they died and how the construction of the Valley of the Fallen was carried out is remembered.

From a fascist memorial to a place for democratic memory

At Podemos, we give our backing to a project that contemplates the shift in meaning and public management of the Valle de Cuelgamuros in order to reconvert it into a place for democratic and anti-fascist memory.

Facing the goal of transforming the space into a memorial centre, we understand that it is necessary to reassign meaning to the Valley whilst preserving its aesthetic design, but undertaking a series of actions that totally break the symbolic power of this, a work in which artists, urban planners and architects to break it physically, which does not mean much less destroy it. To achieve this, the following is key:

That the space be devoid of fascist symbology both inside and outside, including the union of the cross and the sword. This cross, currently characteristic of the Valley, could be demolished and its heavy waste used to create another monument of dignity and respect for the victims.

It is essential to demystify the space and its total recovery, including the basilica. To do this, the agreements of 1979 between the Spanish State and the Holy See must be reviewed, which granted the control of the basilica to the clergy. This would not entail removing and eliminating the religious symbology that is currently in place, moreover giving National Heritage total control over the space.

For the proposal of reconversion of the Valley in a space for democratic memory, we support the opening of an international public contest that always counts on the participation and opinion of the associations and the memorialist movements, as well as the victims, avoiding in this way the double victimisation of which some international organisations warn us, as recently recalled, in the parliamentary headquarters, the special rapporteur of the United Nations for the promotion of truth, justice, reparation and guarantees of non-repetition.

All this must be contemplated in an integral action plan that includes the two axes: space and victims. In addition to the relevant political will, this project must be accompanied by a budget allocation, the Administration must assume responsibility for this budgetary allocation from the Heritage Department, and of a strategic action plan in the field of communication regarding tourism and education, where the reformulation of this symbolic, iconic and unique place in a Memorial Park is introduced. A space that is articulated with other places of European memory and whose objective is to explain what happened there and what the dictatorship was, as well as to place this place within the European framework of fascism and Nazism, so that it is also a tool for raising awareness regarding the seriousness of the current rise of fascism in Europe.

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