



HISPANIA NOVA

Revista de Historia Contemporánea

<http://hispanianova.rediris.es>

SEPARATA

Nº 7 - Año 2007

E-mail: hispanianova@geo.uned.es

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ISSN: 1138-7319 - Depósito legal: M-9472-1998

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***LOS LÍMITES DE LA CUANTIFICACIÓN:
REPRESIÓN FRANQUISTA Y LA METODOLOGÍA
HISTÓRICA***

***THE LIMITS OF QUANTIFICATION:
FRANCOIST REPRESSION AND HISTORICAL
METHODOLOGY***

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■ Michael RICHARDS, *The limits of quantification: Francoist repression and historial methodology.*

RESUMEN

Este artículo es una crítica acerca de la cuantificación en el estudio de la historia de la represión en el régimen franquista, durante y después de la guerra civil española. El texto se centra en los límites del método cuantitativo cuando los problemas de la cronología, de la localización, de la legalidad, y de la reconstrucción histórica no se tratan de forma sistemática. La utilización del concepto “exterminio”, se argumenta, tiene un significado tanto cualitativo como cuantitativo, y puede ser aplicado, en el caso español, a la destrucción total de una cultura democrática así como a la destrucción física entre los grupos sociales, representantes principales de la modernidad.

Palabras clave: represión, cuantificación, exterminio, cultura, memoria, mito, revisionismo.

ABSTRACT

This article is a critique of quantification in the history of Francoist repression during and after the Spanish civil war. It focuses on the limits of quantitative method when the problems of chronology, location, legalism, and historical reconstruction generally are not systematically addressed. The notion of ‘extermination’, it is argued, has meaning in a qualitative as well as a quantitative sense and can be applied, in the Spanish case, to the destruction of an entire democratic culture as well as physical destruction amongst social groups which were the principal representatives of modernity.

Key words: repression, quantification, extermination, culture, memory, myth, revisionism.

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THE LIMITS OF QUANTIFICATION: FRANCOIST REPRESSION AND HISTORICAL METHODOLOGY

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«... si el odio y el miedo han tomado tanta parte en la incubación de este desastre, habría que disipar el miedo y habría que sobresanar el odio, porque por mucho que se maten los españoles unos contra otros, todavía quedarían bastantes que tendrían necesidad de resignarse – si este es el vocablo – a seguir viviendo juntos, si ha de continuar viviendo la nación...».

Manuel AZAÑA, *Discurso en el ayuntamiento de Barcelona*, 18 July 1938¹.

«... Ya va siendo hora de que hechos cuya evocación ha sido hasta ahora polémica y que incluso se han utilizado como arma arrojadiza, se conviertan en hechos históricos, es decir, documentados, admitidos e insertos en la totalidad histórica...».

Manuel TUÑÓN DE LARA, 1985.²

1. Francoist repression: myths, revisionism and history

The point of departure of this essay consists of three considerations. First, the resurgence of collective memories of civil war in Spain since the late 1990s suggests that Manuel Azaña's wartime recognition of the need for some kind of *convivencia* (living together) has been substantially complicated by decades of dictatorial government: some of the psychological wounds of the war have not been allowed to heal. Second, this need to remember represents a challenge to historians whose task is made problematic by so-called "revisionists" who have sought to reduce both collective memories and elements of the historiography of the war to "myths". And third, that Tuñón de Lara's ideal of "la totalidad histórica" represents an invitation to explain and understand the past and that this understanding demands a conceptual and historical framework which might take account of the multifaceted nature of the politics, structures, and lived experience of the conflict and its aftermath. All of these considerations reflect directly or indirectly upon the question of quantification summed up in a contention of Alan Mintz who argued in 1984 that the quantifiable aspects of a destructive social event are insufficient in measuring its catastrophic

¹ AZAÑA, M., *Los españoles en Guerra*. Barcelona, Crítica, 1977, p. 122-123.

² TUÑÓN DE LARA, M. [et al.], *La Guerra civil española 50 años después*. Barcelona, Labor, 1985, p. 433.

status. The catastrophe, as Mintz sees it, inheres instead in the event's "power to shatter existing paradigms of meaning"³. Violent acts, the level of consequent trauma and the inability to forget are therefore all cultural phenomena and need to be considered as such in writing the history of the Spanish war and post-war.

While violent deaths in Republican Spain could usually be recorded and collated and the victims commemorated, those killed by the Nationalist forces or by the subsequent Franco regime were often not recorded and could not be publicly remembered during the post-war era⁴. As in other civil war cases, the state granted an exclusive right to patriotic sentiments, public self-justification, a sense of community and of sacrifice, to the victors, not only in the 1940s but throughout its lifetime until the early 1970s. Republican war sacrifices and personal losses in its cause were denied expression, representation and public ritualization: this essentially represented a continuation of the war through symbolic violence. Since the late 1990s, faced with the loss of biological memory, there have arisen a number of popular movements to recover and identify the mortal remains of some of the victims of the repression as part of the recuperation of Republican collective memory⁵. For historians – working on the past through a rigorous, even 'scientific' method - the question is how to achieve the necessary critical distance from a period whose contested meanings are still part of contemporary political and public debates and of inherited memories and trauma: how do historians operate from a vantage point between memory and history when recollections are still alive?

After twenty years of propaganda, by the 1960s, the Franco regime had begun to champion what it called "history" – implying some level of codified, professional practice with "scientific legitimacy", in line with its drive to push forward the modernization of society through foreign capital and mass consumerism and the "forgetting" of past conflicts. With no democracy, the officially-sponsored historical accounts inevitably failed to address society's collective historical consciousness. Empirical method was nonetheless hoisted in self justification, although access to "the truth" was strictly limited to regime insiders and the way "facts" were scripted and ordered continued to be determined by propagandists⁶.

The original discussion of quantitative approaches to the Francoist repression and the war in Spain was initiated from a source close to the regime, the ex-military officer Ramón Salas Larrazábal, in his 1977 book *Pérdidas de la guerra civil*⁷. Between 1942 and 1977 there had been no published study, quantitative or otherwise, into the human losses, in both

³ MINTZ, A., *Hurban: Responses to Catastrophe in Hebrew Literature*. New York, 1984, p.x, cited in GRAY, P. & OLIVER, K. (Eds.), *The Memory of Catastrophe*. Manchester, Manchester University Press, 2004, p. 7.

⁴ MINISTERIO DE JUSTICIA, *Causa general: La dominación roja en España. Avance de la información instruída por el Ministerio público*. Madrid, Ministerio de Justicia, 1943. The 4th edition of this last appeared unchanged in 1961 through the Dirección General de Información. See also MONTERO MONTERO, A., *Historia de la persecución religiosa en España, 1936-1939*. Madrid, Biblioteca de Autores Cristianos, 1960.

⁵ See, eg, SILVA, E. & MACÍAS, S., *Las fosas de Franco: los republicanos que el dictador dejó en las cunetas*. Madrid, Temas de Hoy, 2003.

⁶ Eg, SALAS LARRAZÁBAL, R., *Los datos exactos de la guerra civil española*. Madrid, Rioduero, 1980.

⁷ SALAS LARRAZÁBAL, R., *Pérdidas de la guerra*. Barcelona, Planeta, 1977.

wartime zones and in the aftermath of the war⁸ and so the notion of a rough equivalence in the number of victims on both sides could be constructed relatively easily, especially since it coincided with the 1960s official narrative of the war as a “fratricidal conflict”. The idea that all Spaniards had somehow been equally guilty of allowing politics to descend into a bloodbath, it was argued, might help dissolve old divisions. In this context, Salas set out in the 1970s to quantify the total losses of the war, and to show the number killed through what were implicitly seen as similar repressive processes in both zones. By examining the civil registries of Spain’s 50 provinces, Salas was even able to claim that the Republic had been responsible for more civil war political killings than the Nationalists. This conclusion suited the era which witnessed the dictatorship’s demise and the beginning of the transition to democracy, which took place without any explicit challenge to the pre-1960s official discourse about responsibility for the war and the violence.

Many of the methodological problems of the quantitative approach which were to become a central part of historiographical debate from the mid-1980s were evident in the work of Salas and form the basis of this essay. In spite of more than two decades of careful, considered and rigorous research into the repression, these problems can resurface and, if not dealt with, debilitate historical study of the repression. While Alan Mintz’s argument alluded to at the beginning points to the cultural limitations of quantitative methodology very clearly, the value of “counting bodies” becomes even more questionable when such a method is attempted with no reference to the political or social interpretative framework which Tuñón de Lara referred to.

Physical suffering is naturally an essential element in catastrophic events and processes, but in order to understand Spain’s war, the conflict needs to be accounted for historically, within a specific context bounded by time and space⁹. This may also facilitate a more accurate assessment of the post-war effects of repression in terms of political behavior, social relationships and socio-psychological disruption within affected communities. This way of proceeding, in other words, permits an understanding of subsequent attempts at cultural reconstruction and reproduction. It may also assist in determining the meaning of the concept “extermination” which has been widely employed to describe Francoist violence¹⁰.

Although material evidence is obviously essential, the historical problem of the repression cannot be reduced to locating sources and merely recounting tales from the archives. This criticism has been made in the case of Spain by a whole generation of

⁸ VILLAR SALINAS, J., *Repercusiones demográficas de la última guerra civil española*. Madrid, Sob. de la Suc. de M. Minuesa de los Ríos, 1942.

⁹ For an account which focuses on ideological, cultural and economic links between violence and autarky in the context of a polarized society and of total victory and defeat, rather than quantification, as such, see RICHARDS, M., *A Time of Silence: Civil War and the Culture of Repression in Franco’s Spain, 1936-1945*. Cambridge, Cambridge University Press, 1998 [Spanish translation, *Un tiempo de silencio: la guerra civil y la cultura de la represión en la España de Franco, 1936-1945*. Barcelona, Crítica, 1999].

¹⁰ Most of the terms employed in describing the violence of the civil war, including ‘purging’, ‘purification’, ‘terror’ and even ‘genocide’, have remained undefined by scholars. Although not focused particularly on Spain, GONZÁLEZ CALLEJA, E., “Sobre el concepto de represión” en GÁLVEZ, S. (Coord.), *Generaciones y memoria de la represión franquista. Un balance de los movimientos por la memoria*. Dossier monográfico *Hispania Nova. Revista de Historia Contemporánea*, nº 6, (2006) [<http://hispanianova.rediris.es/6/dossier/6d022.pdf>], provides some useful guidance on the term ‘repression’.

historians in a series of rigorously-researched regional studies produced since the mid 1980s. While demonstrating that quantification is an important and necessary part of historiographical advance, they make clear how limitations are placed on quantitative method because it reduces the history of repression to “body counting”, a great weakness given the nature of Spanish archival holdings which were created through a long and often devastating process of “purging” by state authorities. As in all history, “scientific” quantification is shaped by the inherent deficiencies and fragmentary nature of the source material¹¹. As more documental traces of the past are sought out by historians, it is easy to forget about the limitations; significant qualitative elements and “social facts”, related, for example, to collective rationale and perceptions and the role of memory and trauma, can be under-valued in the search for “data”.¹² As Julián Casanova has commented, violence had no direct relationship to quantity and other facets of the violence -social exclusion and rejection and the fear felt by the families - have been given recent expression in the process of unearthing the human remains of some of the civil war victims¹³.

The repression can therefore be measured in qualitative terms. Dismissal from a place of work because of political antecedents or through failure to obtain a certificate of adherence to the Movimiento, became known colloquially as “muerte civil” and placed families in a highly precarious, marginal situation where great privations and hunger were suffered. This is born out in the statistics for fatal disease and epidemic and deaths in prisons in the early 1940s. The broadening of the meaning of “repression” should not detract attention, however, from the intentional process of physical destruction of “enemies” whose “crimes” were defined more often than not on the basis of political ideas. The Francoist repression, therefore, during and after the civil war, bears useful comparison – not simply in quantitative terms, but in conceptual, political and cultural terms - with the terror employed during the regimes of Fascism in Italy and Nazism in Germany.

The challenge of mediating between memory and history is made more difficult by the rise of self-styled revisionists who deliberately obscure the complexity of the past because of an obsession with ideological-ethical control over the history of the epic social and political conflicts of the 1930s. In the process of attacking the basis of the anti-fascism of the 1930s they confuse historical rigour with flag-waving and threaten the pluralist historiographical consensus which has developed alongside democratisation.

The “revisionism” is related to a broader European delusion, related to the end of the Cold War, which is worth briefly discussing. In Germany, Ernst Nolte argued highly controversially as long ago as 1987 (in preparation for German reunification) that Nazism had been provoked by “Asiatic” barbarism as exemplified in Stalinist Communism¹⁴. A sense of a mission to save Western civilisation and prevent Europe from becoming an “appendage

¹¹ For claims to ‘scientific’ method, see SALAS LARRAZÁBAL, *Pérdidas de la...*

¹² SOLÉ i SABATÉ, J. M^a, *La repressió franquista a Catalunya (1938-1953)*. Barcelona, Edicions 62, 1985.

¹³ See also FERNÁNDEZ DE MATA, I., “La memoria y la escucha, la ruptura del mundo y el conflicto de memorias” en GÁLVEZ, S. (Coord.), *Generaciones y memoria de la represión franquista. Un balance de los movimientos por la memoria*. Dossier monográfico *Hispania Nova. Revista de Historia Contemporánea*, nº 6, (2006) [<http://hispanianova.rediris.es/6/dossier/6d021.pdf>].

¹⁴ See NOLTE, E., *Der europäische Bürgerkrieg 1917-1945: Nationalsozialismus und Bolschewismus*. Frankfurt, Propylaen, 1987.

of Asia” pervaded his argument. In a similar vein, Andreas Hillgruber, lamented the expulsion of Germans from East-Central Europe at the end of the Second World War and introduced the idea of a *war on two fronts*, a legitimate one in the West to get rid of Hitler and a bestial, illegitimate and ideological one in the East waged by Communism¹⁵. In Italy, Renzo de Felice’s revisionism rested on the dubious assumption that post-1945 Italian society was dominated culturally by Communism - the “Leftist Vulgate” - or, at least, by fellow-traveling, weak-willed liberals. De Felice became the undeniable figurehead of “Anti-Anti-Fascist orthodoxy”, his work constituting a sustained assault on the myth of resistance to Fascism upon which, he would claim, Italy’s post-war civic self-identity had been sacrificed¹⁶. Though it is true that anti-dictatorship ‘counter-myths’ became institutionalized in some quarters in Italy, this was hardly an uncontested or wholly successful process and, for obvious reasons, does not apply to post-war Spain. The anti-Fascist ‘myths’ could hardly compete with the cultural force, for example, of conservatism, religion and the market, which all contributed to suppressing public memory.

Like Nolte, de Felice saw the years 1943-45 in Italy as a national episode in a broader civil war between western values and patriotism on one side, and Communism, on the other. Italy “lost” this “civil war” because the “ethical impulse” associated with Fascism was destroyed, creating a vacuum which was partly filled by the influence of the world power system of international Communism. (This power originated in the aftermath of the First World War. According to Nolte, in 1922 Mussolini had spared Italians “Stalin’s perfect totalitarianism” by bringing about his Fascist revolution¹⁷). Italy therefore fought a *war on two fronts*, both equally important. One of these was against the incursions of Nazism through the Republic of Salò, the other was against Bolshevism.

The Spanish connection became evident in 1998 with publication, in Italy, of a volume, with the de Felicean title *Due fronti*, consisting of two relatively short personal memoirs by Italian volunteers, one on each side, who fought in Spain in the 1930s¹⁸. The book was introduced by the Italian diplomat and historian, Sergio Romano, (one time ambassador to NATO and to the Soviet Union). Coincidentally, a remarkably similar book of the memoir-diary type, focusing on foreign volunteers who fought in Spain, was published in Britain under the editorship of Robert Stradling¹⁹. Both Romano and Stradling argue, in a by now familiar key, that had the Spanish Second Republic won the war, it would probably have become a Soviet satellite²⁰. They also suggest that “Sovietization” would have been a much

¹⁵ HILLGRUBER, A., *Zweierlei Untergang: Die Zerschlagung des Deutschen Reiches und das Ende des europäischen Judentums*. Berlin, Siedler, 1986.

¹⁶ KNOX, M., “The Fascist Regime, Its Foreign Policy and Its Wars: An Anti-Anti-Fascist Orthodoxy?” in *Contemporary European History*, n° 4, (1995), p. 347-365.

¹⁷ NOLTE, E., “Between Myth and Revisionism? The Third Reich in the Perspective of the 1980s” in KOCH, H. W. (Ed.), *Aspects of the Third Reich*. Basingstoke, Macmillan, 1985, p. 25, citing approvingly SETTEMBRINI, D., *Il Fascismo controrivoluzione imperfetta*. Florence, Sansoni, 1978.

¹⁸ ROMANO, S., *Due fronti: la grande polemica sulla guerra di Spagna*. Florence, Libri Liberal, 1998. [Spanish edition: RUIZ PORTELLA, J. (Ed), *La guerra civil: ¿dos o tres Españas?* Barcelona, Ediciones Àltera, 1999].

¹⁹ STRADLING, R. (Ed), *Brother Against Brother: Experiences of a British Volunteer in the Spanish Civil War*. Stroud, Sutton, 1998.

²⁰ More recently, see PAYNE, S., *The Spanish Civil War, the Soviet Union and Communism*. New Haven, Yale University Press, 2004.

worse fate for Spaniards than rule by Franco who was never fascist and hardly even a dictator²¹. These revisionist arguments and images have recently resurfaced in a series of meretricious publications in response to attempts in Spain to assert the claims and recuperate memories of the Republic and the victims of the war²². The key image created by such works is of a series of false binaries, portraying the historiography of the civil war and post-war as deeply divided and myth-ridden. In reality, the historiography of the war and the repression does not have a polarised character; the reality is one of cumulative advance through nuanced debate and careful consideration of methods²³. This historiographical progress has been particularly noteworthy in the case of the Francoist repression, where quantification has been supplemented by studies which have deepened our understanding of the war immeasurably in a variety of ways.

The limits of the quantifying approach are exemplified, however, in a recent book about the repression in Madrid after the civil war which differs markedly from this last approach. In *Franco's Justice*, Julius Ruiz claims that "the desire to quantify the numbers executed in Nationalist Spain after July 1936" constitutes "the outstanding characteristic of post-Franco historiography"²⁴. Implying that the nature and effects of Francoism can be measured according to the debate over quantification, Ruiz concludes that Francoism was essentially unlike Italian Fascism and German Nazism. Although his legalistic study is ostensibly (and problematically) about Madrid, the argument in the concluding section of the book is clearly applied to the whole of Spain, claiming that, since the violence of the Axis powers "was rarely mediated through judicial process", Francoist repression was something different. Whether this makes the repression in Spain "better" or "worse" is a moot point. The assertion that "the institutionalised repressive framework created by 1939 (in Spain) was intended to punish, reform, and purge, but not to physically exterminate", suggests that we are intended to view the violence of the Spanish embryonic dictatorship as something other than "fascist" or "totalitarian" and it is therefore worthwhile taking Ruiz's study as the basis for a relatively extensive reassessment of historical methodology in relation to the repression, especially in light of the recent, self-styled "revisionist" approach²⁵.

Ruiz's account does not provide working definitions of "purging" and "exterminating" and distinctions between many of his central terms are not made clear throughout the text. The suggestion that the Franco regime did not set out to eliminate physically an entire

²¹ One classic 'straw-man' claim made in the 'revisionist' crusade to stamp out 'myths' suggested that to speak of Francoist 'extermination' is to equate the Spanish dictatorship with 'Auschwitz'. STRADLING, review of RICHARDS, M., "Time of Silence" in *Social History*, vol. 26, nº 1, (2001), p. 109.

²² MOA, P., *El derrumbe de la segunda república y la guerra civil*. Madrid, Encuentro, 2001, p. 109-123 and 387-407; MOA, P., *Los mitos de la guerra civil*. Madrid, Esfera, 2003.

²³ See CASANOVA, J., "Una dictadura de cuarenta años" in CASANOVA, J. (Coord.), *Morir, matar, sobrevivir: La violencia en la dictadura de Franco*. Barcelona, Crítica, 2002, p. 43-44; and TUSELL, J., "El revisionismo histórico español", *El País*, 8 July 2004.

²⁴ RUIZ, J., *Franco's Justice: Repression in Madrid after the Spanish Civil War*. Oxford, Oxford University Press, 2005, p.12.

²⁵ RUIZ, J., *Franco's Justice...*, p. 228. A possible clue to Ruiz's understanding of Francoist 'legalism' is suggested on p. 23, where the Spanish dictatorship's purge is loosely compared to France's post-Liberation purge of French collaborators of Nazism in 1944-1945. Is the subliminal association of

section of society defined politically or ethnically, is open to debate, especially since a particular set of ideas (related to liberalism and democracy) was effectively destroyed for two decades or more. It is relevant to remember that the generally more extreme term “genocide” has been legitimately employed to refer to cultural destruction²⁶. There are numerous further problems with the argument as explained in Ruiz’s study, however, not least that much of the evidence he draws together –and many of his simple assertions (using, for example, terms such as “cleansing” or “decontamination”)- contradict the far-reaching claims of his conclusion²⁷. It is largely his willingness to focus on quantification and legalism to the exclusion of virtually all other approaches, particularly in his attacks on the work of other historians, and in spite of the increasingly limited returns of quantification in terms of broad understanding, which threatens in his book to obscure the fundamentally destructive nature of Franco’s war and his regime in the 1940s. This reduced frame of analysis distorts the relationship of Spain’s war and dictatorship to Fascism and Nazism and is fundamentally at odds with the most authoritative studies of the subject, most of which receive only cursory attention in *Franco’s Justice*.

The publication in 1999 of *Víctimas de la guerra civil*, a volume co-ordinated by Santos Juliá on the subject of civil war violence (both republican and Nationalist-Francoist), was extremely timely and important, because it synthesised the findings of the path-breaking regional research which had begun in the early 1980s²⁸. The book summarised the existing research on the numbers killed on both sides and was, therefore, immensely useful. But it also -often quite brilliantly - placed the killing within a political, social and cultural context, again, building on the collective advances made since the 1980s. *Víctimas* confirmed how Francoist civil war repression was considerably more extensive than the violence of the Republican zone. Inevitably, the book requires some up-dating because only half of the provinces of Spain had been exhaustively investigated by the time of publication and subsequent studies mean that the minimum number calculated of those killed by the Nationalists needs to be raised quite substantially²⁹. More importantly, the framework of analysis was developed, furthering our understanding of how the violence came about and the forms that it took and confirming that the two processes of violence –Nationalist and

Spanish republicans with ‘collaborators’ (of Soviet Communism?) as innocent as he suggests or is there a link here with the ‘war on two fronts’ argument?

²⁶ HARFF, B. & GURR, T. R., “Toward Empirical Theory of Genocides and Politicides: Identification and Measurement of Cases since 1945” in *International Studies Quarterly*, vol. 32, nº 3, (1988), pp. 359-371.

²⁷ See, eg, much of the long introduction to RUIZ, *Franco’s Justice...*, and also pp. 52, 96, 99, 165, 170 and 173.

²⁸ JULIÁ, S. (Coord.), *Víctimas de la guerra civil*. Madrid, Temas de Hoy, 1999.

²⁹ See, eg, ESPINOSA MAESTRE, F., *La columna de la muerte. El avance del ejército franquista de Sevilla a Badajoz*. Barcelona, Crítica, 2003; DOMÍNGUEZ PÉREZ, A., *El verano que trajo un largo invierno: la represión política-social durante el primer franquismo en Cádiz (1936-1945)*. Cádiz, Quorum, 2004; LAMELA GARCÍA, L., *A Coruña, 1936. Memoria convulsa de una represión*. La Coruña, Edición do Castro, 2002; MARTÍN JIMÉNEZ, I., *La guerra civil en Valladolid (1936-1939). Amaneceres ensangrentados*. Valladolid, Ámbito, 2000; PALOMARES IBÁÑEZ, J. M^a, *La guerra civil en Palencia. La eliminación de los contrarios*. Palencia, Cálamo, 2002; RILOVA PÉREZ, I., *Guerra civil y violencia política en Burgos (1936-1939)*. Burgos, Dossolés, 2001; CASTRO, L., *Capital de la cruzada: Burgos durante la guerra civil*. Barcelona, Crítica, 2006; VEGA SOMBRÍA, S., *De la esperanza a la persecución. La represión franquista en la provincia de Segovia*. Barcelona, Crítica, 2005.

Republican- were quite different in many ways. It demonstrated that exterminatory processes took place in both civil war zones –something students of the history of the war have long known– but also that the processes had quite different origins, contexts, motivations and features³⁰. One “revisionist” critic suggested that *Víctimas* represented a “courageous revisionism”, as though the book was somehow inconsistent or at odds with the historiographical consensus about civil war violence as established in the numerous regional studies which preceded it³¹. But if *Víctimas de la guerra civil* can be called “courageous” in any sense, it is most definitely not because it is “revisionist” but because it set out to present a sophisticated and historicised account of the civil war brutality and its victims to the broadest possible public readership, a highly significant achievement given contemporary tensions over public memory.

In the light of the insights offered in the synthesis edited by Juliá and of the poverty of the “revisionist” challenge, it is possible to identify at least five fundamental problems with the approach adopted by Julius Ruiz in *Franco’s Justice* and these methodological problems will form, in turn, the five remaining sections of this essay: the chronology (or periodisation) chosen, the spatial or geographic focus, the lack of an interpretative framework, the problem of Francoist “legalism”, and the meaning of “extermination”.

2. Time and the repression: the problem of chronology

Given that the Franco years extended from 1936 until 1975, it is not surprising that periodization constitutes one of the greatest difficulties for the historian of post-war Spain. In the specific case of violent mass repression most historians agree that the focus needs to be on the period from 1936 until 1945 or the end of the 1940s. The civil war was omnipresent and addressing the immediate post-war years historically, taking account of the great complexity, only makes sense if the years 1936-39 are included in the analysis, whether the object of study is ostensibly a place that fell to the Nationalist forces at the end of the period of formal warfare or not. For this reason, the great majority of accounts aim to provide some overview of at least the period from 1936 to 1945, drawing as close to the “totalidad histórica” advocated by Tuñón de Lara as possible.³² In seeking to condense the findings of all relevant

³⁰ See, eg, SÁNCHEZ, J. M^a, *The Spanish Civil War as a Religious Tragedy*. Indiana, University of Notre Dame Press, 1987.

³¹ For the bizarre ‘revisionism’ claim, see STRADLING, R., review of RICHARDS, M., “Time of Silence...”, p. 109.

³² See, eg, ORTIZ HERAS, M., *Violencia política en la II República y el primer franquismo: Albacete, 1936-1950*. Madrid: Siglo XXI, 1996; SOLÉ i SABATÉ, J., *La repressió franquista...*; GABARDA CEBELLÁN, V., *Els afusellaments al país Valencià, (1938-1956)*. Valencia, Edicions Alfons El Magnaním, 1996; COBO ROMERO, F., *La guerra civil y la represión franquista en la provincial de Jaén, (1936-1950)*. Jaén, Diputación Provincial, 1993; MORENTE VALERO, F., *La escuela y el Estado Nuevo: La depuración del magisterio nacional, (1936-1943)*. Valladolid, Ámbito, 1997; BARRULL PELEGRÍ, J., *Violència política i ruptura social a Espanya, 1936-1945*. Lleida, Universitat de Lleida, 1994; CASANOVA, J., CENARRO, À. CIFUENTES, J., SALOMÓN, M^a P. & MALUENDA, M^a P., *El pasado oculto. Fascismo y violencia en Aragón (1936-1939)*. Madrid, Siglo XXI, 1992; BARRANQUERO TEXEIRA, E., *Málaga entre la guerra y la posguerra*. Málaga, Arguval, 1994; MOLINERO, C, SALA, M. & SOBREQÜÉS, J., *Una inmensa prisión: Los campos de concentración y las prisiones durante la guerra civil y el franquismo*. Barcelona, Crítica, 2003; GRANJA FERNÁNDEZ, P. de la, *Represión durante la guerra civil y la posguerra en la provincia de Zamora: de los consejos*

investigations into a general synthesis, the authors of *Víctimas de la guerra* offered as complete a chronology of the violence of the civil war as possible and, crucially, of the years of the construction of the Francoist “New State” up to 1944. This continuity between war and post-war is essential to the methodology. It also covered, as thoroughly as current research at the time permitted, the entire geographic area of conflict (see section 3 below)³³.

The idea that there was no essential continuity between the Nationalist “liberation” and “purification” of territory throughout the war and what happened after 1 April 1939 is difficult to sustain³⁴. As implied by the word “after” in his sub-title, Ruiz’s recent study of Madrid is problematic on this account since it reduces “Franco’s Justice” to the strictly post-civil war period –that is, after 1 April 1939. That this is a fundamental problem seems to be confirmed by the author’s own criticism of other historians - with no apparent ironic intention - for relying on a “static conception of the repressive process”. The lack of specific dates in *Franco’s Justice*, in effect, allows the civil war to be ignored when it is convenient and to be brought back in again when the argument demands. This strategy does not compensate for the conceptual weakness of erecting such a rigid temporal frontier between “war” and “post-war”.

This simple point becomes more obvious when we consider how the towns, cities and provinces of Spain fell at different moments throughout the period from July 1936 to April 1939. The experience in each was often remarkably similar no matter what the military position, political background or social context. An important question arises from this: what do we mean by “the post-war era” and “post-war repression” when (i) the conflict ended long before April 1939 –in some instances almost three years before– and construction of the occupiers’ system of authority began immediately to be put in place; and (ii) when in many areas there had been no war at all but rather an organized process of killing of certain identifiable sections of society? Francisco Espinosa seems to sum up this point very well: “parece ya hora de que quede claro que lo que llamamos guerra, en numerosos lugares de España y en provincias como Cádiz, Sevilla, Huelva o partes de Córdoba o Badajoz, consistió de entrada simplemente en eliminar cierto número de gente y en traspasar a otras manos el poder político perdido en el 31”³⁵.

In Valladolid, as in many places, there was no war front, as such, and so the very high number of dead following just a few days of street fighting can be explained by the plan to establish a machinery of terror which would destroy the political left both physically and paralyse its activities through fear³⁶. Very much the same can be said of other parts of central

de guerra al Tribunal de Responsabilidades Políticas en el partido judicial de Puebla de Sanabria (1936-1945). Zamora, Instituto de Estudios Zamoranos Florián de Ocampo, 2002.

³³ JULIÁ, S., “De «guerra contra el invasor» a «guerra fratricida»” in JULIÁ, S. (Coord.), *Víctimas de la guerra civil*. Madrid, Temas de Hoy, 1999, p. 53.

³⁴ This point has even been made by ‘revisionists’ when convenient, whether they have researched the question or not, in criticizing, for example, a study whose very purpose was to argue that the post-war reality could only be understood if it was viewed in relation to the experience of the civil war. See S STRADLING, R., review of RICHARDS, M., “Time of Silence...”, p.109.

³⁵ ESPINOSA MAESTRE, F., *La justicia de Queipo: Violencia selectiva y terror fascista en la II División en 1936*. Sevilla, Edition of the author, 2000, p. 23.

³⁶ MARTÍN JIMÉNEZ, I., *La guerra civil en Valladolid...*, p.182.

Spain, like Segovia³⁷ and Cáceres,³⁸ but also other regions, in both the north and the south, such as La Rioja³⁹ and Aragón⁴⁰. In Huelva, a further example where memories of the war are still immersed in fear, the word “guerra” only ever meant thorough political repression because there was hardly any fighting and the violence took a form far worse than anything Fascist Italy or Nazi Germany ever aimed at political enemies⁴¹. In Aragón, as far as the available sources show, some 8500 men and women were killed during the period 1936-1946 –middle class republicans, liberals, left-of-centre political functionaries, trade union organisers, industrial and urban manual workers, rural proletarians, peasants and professionals. Some 940 of them were to be executed after the formal end of the civil war but the vast majority died in the first months of the war in areas where, again, there had been no war. It can hardly seem surprising that the historians of the war and repression in this region have concluded that their object of study is “fascism”⁴².

The failure of the rebels forces to take Madrid in November 1936 signified the end of the phase of conflict which could be seen as combining a reactionary military coup and a planned “purification” of social and political enemies, in the context of fascist hegemony in much of Europe and with the military assistance of forces sent by Mussolini and Hitler. November 1936 could therefore be seen as the beginning of the long campaign of attrition through which Franco and his Nationalists would plunge the country into a war of conquest which would become the foundation of the “New State”. The purging of social “undesirables” in the south west of Spain, particularly in August 1936, can be mentioned later when turning to the question of extermination, but there was more killing to come during 1937 and 1938, in Málaga and Asturias, for example, before the final violent throes of the purifying process during the period from 1939 to 1945. April 1939 did not signal the beginning of peace as far as Franco and the regime were concerned: a communiqué sent by military governors to Civil Guard posts in June 1939 insisted that “the war may have terminated, but the campaign has not”⁴³.

Given these realities, the superficial contrast which Ruiz makes between repression in Navarra, on the one hand, and Barcelona, on the other, in order to argue that Francoist repression lessened as the regime became more established, reveals very little⁴⁴. No war context or social background is provided. Navarra was a largely rural province which fell

³⁷ VEGA SOMBRÍA, S., *De la esperanza...*

³⁸ CHAVES PALACIOS, J., *La represión en la provincia de Cáceres durante la guerra civil (1936-1939)*. Cáceres, Universidad de Extremadura, 1995, p. 32-36.

³⁹ During the first days of the rebellion in Logroño, there were 30 executions on average per day. Some 2000 were executed in total although there had been no war: HERNÁNDEZ GARCÍA, *La represión en La Rioja*. 3 vols., Logroño, Ed. Hernández García, 1984, vol. 1., pp. 25 and 28-29.

⁴⁰ CASANOVA, J., CENARRO, Á. CIFUENTES, J., SALOMÓN, M^a P. & MALUENDA, M^a P., *El pasado oculto...*, pp. 42-66, 91-115, 135-150 and 175-192.

⁴¹ ESPINOSA MAESTRE, *La guerra civil en...*, p. 16.

⁴² CASANOVA, J., CENARRO, Á. CIFUENTES, J., SALOMÓN, M^a P. & MALUENDA, M^a P., *El pasado oculto...*, p. 221.

⁴³ ESPINOSA MAESTRE, F., *La columna de la muerte...*, p. 261, note 578.

⁴⁴ RUIZ, J., *Franco's Justice...*, p.18. It is apparent from much of the rest of the book that Ruiz believes there was no social element to the repression and thus, presumably, has no need to provide such a context.

straight away to the rebels in July 1936 with very little fighting. The repression was extremely brutal and bloody, resulting in 2789 killings⁴⁵. There were plenty of helpless potential victims from the lower orders of society and the violence was systematic and thorough and organized along the lines laid down by General Mola for whom Pamplona was a stronghold⁴⁶. Moreover, the killing was systematized: it was not the result of the heat of battle. In many places where there had been no fighting there was also a period of some weeks after occupation before the execution of sentences⁴⁷. Barcelona, of course, was quite different to Navarra. The vast urban metropolis which had been the centre of the revolution during the second half of 1936 did not fall until the end of January 1939, with an enormous but fleeing population, mostly women, old men and children because younger men had volunteered for the front or been purged by elements of the Republican state in Catalonia or been conscripted. The population had received some warning of what was about to happen and began to leave *en masse* or took refuge in the enormity of the city and the relative anonymity of the proletarian barrios. Simplistic comparative quantification does not get us very far. The quantitative differences cannot be accounted for merely by “judicial processes”. On the contrary, both the testimony of victims and families and the requirements of context strengthen the claims of a *qualitative* and historicised approach to the repression.

Largely ignoring the civil war period, when much of the violence on a mass scale takes place, makes it possible to argue that Francoist violence was not “exterminatory” and that the regime was therefore distinct from the dictatorships of Mussolini and Hitler. But it is little more than sleight of hand virtually to divorce General Franco and his regime from the thousands of executions of republicans during the civil war, killings which took place with no legal process at all and often in places where there had been no war. Many historians will doubtless persist in describing this process, begun on 18 July 1936, the date from which the dictatorship proudly traced and celebrated its own birth, as a physical *extermination*.

3. Space and the repression: situating violence

Ostensibly about Madrid, Ruiz’s study of the “legal” repression after 1 April 1939 fails to register the urban or regional, cultural and political peculiarities of the city or province. The first chapter covers the occupation of the city; the occupiers, we are told, were acclaimed by the population. There is no real sense of place in this account, however, and the differences between city and province do not figure at all in *Franco’s Justice*.

It could quite legitimately be argued that repression in Madrid (both city and province) are in need of further research, since there is only one other study of the subject, a useful

⁴⁵ ALTAFFAYLLA KULTUR TALDEA, *Navarra, 1936. De la esperanza al terror*. Tafalla, Altaffaylla, 1986 [2nd edition, 2003].

⁴⁶ Mola’s secret instruction to rebels issued in May 1936 is famous enough: «it is necessary to propagate an atmosphere of terror (...) Anybody who openly or secretly defends the Popular Front must be shot». When approached by Indalecio Prieto, shortly after the war had begun, to open negotiations for peace, Mola replied that «this war has to end with the extermination of the enemies of Spain». IRIBARREN, J. M^a, *Con el General Mola*. Zaragoza, Librería General, 1937, p.169. See also RIDRUEJO, D., *Escrito en España*, Buenos Aires, G. del Toro, 1962, pp.93-4; REIG TAPIA, A., *Ideología e historia. Sobre la represión franquista y la guerra civil*. Madrid, Akal, 1984, pp.145-147.

⁴⁷ For delayed application of Mola’s instructions in Valladolid, for example, see MARTÍN JIMÉNEZ, I., *La guerra civil...*, p. 220; HERNÁNDEZ GARCÍA, *La represión en...*, vol.1, pp.25-28.

and illuminating work which examines the repression in one of the capital's many Francoist prisons⁴⁸. Certainly, until quite recently, historians have tended to rely on anecdotal testimony about the global scale of the repression, and the capital has been one of the least researched localities⁴⁹. The use of previously under-utilised archival material represents an advance of some sort, but new sources do not, of themselves, obviate the need for a reasoned methodology. It is problematic, for example, to extrapolate conclusions about the process, nature and extent of the repression throughout Spain from the decidedly untypical case of Madrid.

The city did not succumb to Franco until the end of March 1939, of course, and Francoist repression of the capital could not therefore have occurred before then. Madrid was one of the relatively few places in Spain where there had been no Nationalist or Francoist presence during the formal period of the war and where "post-war" really does mean the period after 1 April 1939. Although the repression imposed by the occupiers often followed a remarkably similar process, the general situation in terms of the wartime experience varied considerably depending on the timing of "liberation". Meaningful comparison therefore requires either a number of places with a relatively similar course of events (thereby limiting the comparison to a few cases) or the incorporation of a much broader chronological and spatial field of analysis, taking in as much of the entire country as possible (thereby establishing the basis for a broader interpretation of the repression). Although implicitly *Franco's Justice* purports to follow both courses, in reality, it follows neither: the bulk of the study is vaguely "about" Madrid while the conclusion is "about" Spain. In the end, there is very little basis to support the claim that it constitutes "a wide-ranging analysis of the post-war repression in Spain".⁵⁰

Historical work which attempted to characterize the Franco regime on a national level was common during the 1970s and 1980s. Most did this from the point of view of a grand political narrative pitched at the level of the state and/or structures of social class determined by the dominant mode of production (perceived relatively uniformly throughout Spain). More recently, the nature of the regime has been broadened to include the social dimension of life during the Franco years, incorporating advances in social and cultural historical practice and largely carried out within regions or narrower localities⁵¹. A generalized and necessary feature of the regional historical accounts of the repression, therefore, has been the setting of

⁴⁸ NÚÑEZ DÍAZ-BALART, M. & ROJAS FRIEND, A., *Consejo de guerra: los fusilamientos en el Madrid de la posguerra (1939-1945)*. Madrid, Compañía Literaria, 1997. Ruiz has little time for this work, but it does at least benefit from a precise method of quantification and avoids inconclusive and seemingly random citations from the files.

⁴⁹ Ruiz critiques Max Gallo, for example, [see GALLO, M., *Historia de la España franquista*. Paris, Ruedo Ibérico, 1971], rather than engage with much of the more recent research. RICHARDS, M., *Time of Silence...*, in a single chapter in which quantification is alluded to, combines the impressions of foreign wartime journalists and British diplomatic staff with the regional findings of historians during the period 1984-1998. Many diplomatic staff had been pro-Franco during the war but were shocked by the scale of the violence they saw around them in the wake of Nationalist occupations. Combining such impressions with rigorous secondary accounts leaves open the possibility that the repression went further than the remaining documentation suggests.

⁵⁰ RUIZ, I., *Franco's Justice...*, p. 27.

⁵¹ See, eg, MIR, C., *Vivir es sobrevivir: justicia, orden y marginación en la Cataluña rural de la posguerra*. Lleida, Editorial Milenio, 2000.

violence within a particular socio-spatial context⁵². The social and political relationships through which the violence emerged can only be comprehended within a given location because prevailing social relationships, cultural traditions, patterns of spatial occupation and meaning, issues of political contention, and the configuration of political forces were very often shaped or determined locally, though within a broader regional political setting and within national or state territory imagined as a “closed” social space by the autarkic Franco regime⁵³. Situating the repression spatially does not, therefore, only have a bearing on civil war violence viewed from a cultural perspective (though this is important and will be discussed briefly below), but is also indispensable in *political* terms and, moreover, simply in terms of laying the basic “scientific” foundations for an empirical study of the question: what were the motives, means and opportunities for violence in a given locality?

The failure to account for the spatial, political and cultural specifics of Madrid (either as province or city) is very striking – and debilitating – in *Franco’s Justice*. This is true to such an extent that it is difficult at times to discern what precisely is meant by “Madrid”. In part, this is because the author’s conclusions move such a long way beyond local considerations and, indeed, beyond the scope of the archival research. But it is also to do with a lack of an appreciation of the nature of the post-war society which is being discussed. Some crucial questions are very noticeably not asked: Who are the ‘*madrileños*’ who were the subjects of the *consejos de guerra* alluded to? What is the identity, in social and cultural terms, of the victims (and, indeed, the perpetrators) of the repression? Whose voices are called upon to explain the violence and how do we interpret what they have to say?

To highlight two well-known cases mentioned by Ruiz, we are told little of Julián Besteiro, the moderate anti-communist Socialist leader, and the 32 year-old poet Miguel Hernández, both of whom died as a result of the repression neither were directly put to death by the regime. The political “crimes” of both, and of all of those others imprisoned during and after the war, is an essential part of the story of the repression. Neither Besteiro nor Hernández could be said to have had “blood on their hands” and yet Ruiz fails to make this point preferring to use the Hernández case to demonstrate the “well-intentioned” punitive strategies of the dictatorship which were shaped by selective “amnesties”⁵⁴. Explaining the repression requires a level of empathy and historical imagination. We need to know what “crime” we are referring to, and something of the practice of the “legal” process and of prison conditions. We need to know more than the fact that Hernández was “reprieved” in June 1940 –(page 78, 11 pages before dying in prison in March 1942)- and we need to know how he died (“typhus” and “tuberculosis” do not appear in the index of *Franco’s Justice*) and the fact that his prison sentence was revised downwards more than two years after his death needs to be commented upon.

What is perhaps more significant here, however, is that neither the Besteiro case nor that of Hernández really demonstrates anything specific or typical about the characteristics of

⁵² See note 31 on the chronological scope of historiography.

⁵³ See EALHAM, C. & RICHARDS, M. (Eds.), *The Splintering of Spain: Cultural History and the Spanish Civil War, 1936-1939*. Cambridge, CUP, 2005. On autarky and repression, see RICHARDS, M., *Time of Silence...*

⁵⁴ For the relationship of the case of Miguel Hernández to analysis of the repression, see MORENO GOMEZ, F. “La represión en la posguerra: La represión física” in JULIÁ, S. (Coord.), *Víctimas de la...*, pp. 291-293.

Madrid which shaped the repression and make it a reasonable case from which to draw generalized conclusions about Francoism and its violence. How do stories from the archives relate to the social and ideological environment of the immediate post-war years? Since virtually all other studies of the wartime and post-war repression have demonstrated that social class was a significant element in the purges, the fact that Ruiz claims to have found little evidence that the post-war executions in Madrid “were based on abstract criteria such as social class”⁵⁵ suggests either a somewhat obscure notion of the essential criteria for defining class categories or that Madrid was highly unusual -something which ought to be explained.

Moreover, examples are taken from both the city of Madrid and from the pueblos dotted around the province of Madrid in the countryside. This is problematic again because we can never be sure whether we are being introduced to events and processes which are taking place in urban or rural communities. The problem is significant because we know that the dynamics of repression, which often fed off of a sense of vengeance, and state-directed terror, in small communities, where social relations were based on direct, “natural” or “primary” contact, were in many respects different from cities where contact was complex and indirect and it was easier to evade the public glare and where the presence of masses of wartime refugees meant that the city was populated largely by itinerants, as a glance at the Madrid wartime newspapers shows.

In part because of political repression elsewhere, the population of urban Madrid had indeed grown vertiginously and chaotically from the autumn of 1936 -Ruiz himself recognizes that between 200000 and 500000 refugees had arrived by October 1936 - and ways needed to be found of providing hygienic shelter or of moving people on to other areas of Republican Spain. As early as mid-December 1936 it was reported that 60000 people – 30,000 children and 30000 elderly – had been evacuated from Madrid in just a single week through an operation of the Comité de Auxilio al Niño, although this was insufficient to deal with the problem⁵⁶. This constitutes the basis of social life in wartime and post-war Madrid, where starvation had become a significant danger by 1940 and a typhus epidemic was to break out in 1941. Whatever the merits of class analysis –abstract or otherwise - it was, according to Ruiz, the “working class areas (which) were more likely to have turned to the Auxilio Azul” in order to meet very material needs and our historical curiosity and imaginations must surely be stimulated by this recognition if we are to avoid discussing repression within a social vacuum. Given the condition of Madrid and its population, the great movement of refugees and those fleeing in fear and the sheer size of urban parishes, it can hardly seem surprising that parish priests’ reports on those being tried for political crimes appeared to be relatively insignificant in Madrid. This was not the case in rural areas and the provinces, or even in urban Barcelona, where priests played a significant ideological role in the repressive procedures. Finally, it is difficult to conclude that discussion of the repression of Freemasonry tells us very much about Madrid, as such, since many of the cases appear to have arisen elsewhere and Freemasons’ lodges were considerably more numerous in the south of Spain.

⁵⁵ RUIZ, J., *Franco’s Justice...*, p. 228.

⁵⁶ Eg, *El Socialista*, 15 December 1936, p. 2; 9 January 1937, p. 2; 26 March 1937, p.3; 29 March 1937, p.3.

The strenuously proclaimed “objectivity” of *Franco’s Justice*, seems to be reinforced by the author’s focus on the juridical domain, an area typically predicated on a strictly evidentiary understanding of reality. The methodology appears intuitive and the conclusions appear to emerge naturally, but there is a fundamental naiveté to this “realistic” way of proceeding. Given the problems of source material and the complex demands of more obviously subjective views, some level of informed imaginative reconstruction, not least in spatial terms, would seem valuable. This, as we have already seen, is also the case with the continuum between war and post-war. Arguably, the felt effects of violence, as described in the testimony of victims and eye-witnesses, have a place in a more empathetic understanding of the repression.

4. Interpreting the repression: a framework of understanding

Quantification of the violence as an exclusive, even primary, aim in writing the history of the civil war tends towards a judgemental view of the past. Benedetto Croce produced the plainest critique of the judgmental principle in history in his 1938 work *History as the Story of Liberty*: “Those who, on the plea of narrating history, bustle about as judges, condemning here and giving absolution there, because they think that this is the office of history... are generally recognized as devoid of historical sense”⁵⁷. The distinctions, for historians, between the actions of the competing belligerent forces of the Spanish civil war can have nothing to do with ethics or moral positions⁵⁸. This does not preclude an empathetic sense and even acknowledgement of a sense of injustice, in the context of other factors contemporary with the violent act, because such recognition would be an intrinsic part of thinking historically.

The vantage point of historians, viewing events from a distance, is quite different from the place occupied by the protagonists of the past, however much - as in the case of Manuel Azaña - they were called upon to make public sense of the tragedy unfolding before their eyes. Appalled by the violence on both sides, the declarations of the President of the Republic in July 1938 concerning the eventual and inevitable need for some kind of *modus vivendi* were based on both a moral and a pragmatic premise. Azaña realised that appalling acts were being committed on both sides, but he was at the same time both convinced of the justification of the Republic’s cause and knew that there would have been no war without the intervention of the Axis powers. His statements were also made under the pressing weight of the government’s very present and desperate situation during the war⁵⁹. Historians clearly cannot take the position of key participants and contemporary witnesses, but attempts by scholars to achieve “objectivity” by aiming instead at a “happy medium” between the belligerent sides in the war – following the “fratricidal struggle” thesis of politicians during the transition to democracy in the 1970s and much of the 1980s -will inevitably prove sterile. Historians remind us that Spain’s war was brought about by the combined forces of Fascist

⁵⁷ CROCE, B., *History as the Story of Liberty*. English translate, London, Allen and Unwin, 1941, p. 47.

⁵⁸ It is quite erroneously claimed in STRADLING, R., review of RICHARDS, M., “Time of Silence...” that (a) JULÍA, S. (Coord.) *Víctimas de la...*, asserts an ethical equivalence between the violence of both zones, and (b) that RICHARDS, M., *Time of Silence...*, indicated that the violence in the Republican zone was ethically superior to that in the Nationalist zone.

Italy, Nazi Germany and the Army of Africa, not because they are making a moral judgement, but because it is a readily ascertainable point of historical fact (as it was when Azaña publicly decried it). Similarly, any objective viewing of the evidence about the civil war repression would show how there were very substantial divergences between the two processes⁶⁰. This remains the case even for those who would deny the class nature of the conflict. And it remains the case even in the face of attempts to pull the historiography back to the “war between brothers” thesis as a defence against the collective and public expression of Republican memories.

It is the differences of context and cause rather than either ethical equivalence or moral difference between the sides that the authoritative *Víctimas de la guerra* focuses upon, as Santo Juliá writes: “We are not talking here of postulating any parallelism that would equalize responsibilities and share out blame, but simply of stating a fact: in the insurgent zone, repression and death had to do with the construction of a new power; in the loyalist zone, repression and death had to do with the collapse of all power⁶¹. The violence associated with legitimate collective fears and (possibly less justified) cultural phobias and myths, criminality, revolutionary ideals, utopian visions, and the will to destroy, in the Republican zone, on the one hand, and organised counter-revolutionary purging and destruction in the Nationalist zone, on the other, were not equitable in quantitative terms. Neither can they be explained through recourse to the same ideologies, plans, social and economic functions, intentions and strategies. The Left lacked a coherent repressive project, not only in the south of Spain, but throughout the entire wartime territory under its uncertain and conflictive control⁶². Although *Víctimas*, as the most recent synthesis, makes perfectly clear that many more men and women were killed in the repression by the Nationalists-Francoists than by those in the republican zone –contrary to the 1977 Salas Larrazábal account- the central difference between the two zones was not primarily, for most historians, to do with quantification but with the differing nature of political power and the way that power was exercised on each side. Analyses which do not go beyond quantification tell us nothing of the rationale for and function of extreme violence.

There is sufficient consensus amongst historians about the methodological parameters for a typology of civil war violence to be suggested. This would set violent acts and processes within a context of long-term social inequality and living conditions; the nature and mediation of state-society relations over time; popular ideas and culture; shorter term political mobilization, participation and manipulation (particularly since 1931); the politics, strategies, propaganda and mentalities of the war itself; and internationalization of the conflict. The explanatory power of “stories from the archives”, retold without reference to this kind of analytical or conceptual framework, will always be limited. In *Franco’s Justice*, mass

⁵⁹ As well as the 1938 Barcelona speech cited at the beginning, see also AZAÑA, M., “Reprobación de la política de exterminio”, Discurso en la Universidad de Valencia, 18 July 1937 in AZAÑA, M., *Los españoles en...*, pp. 74-75.

⁶⁰ See MORENO GÓMEZ, F., “La represión franquista a partir de los datos de Córdoba”, ARÓSTEGUI, J. (Coord.), *Historia y memoria de la guerra civil*. vol. I, Valladolid, Junta de Castilla y León, 1988, pp. 303-29, cited in ORTIZ HERAS, M., *Violencia política en...*, p. 249.

⁶¹ JULIÁ, S., “De «guerra contra el invasor» a «guerra fratricida»” in JULIÁ, S. (Coord.), *Víctimas de la...*, p. 25.

⁶² See, eg, ESPINOSA MAESTRE, F., *La columna de la muerte...*, p. 253.

violence occurs within a social, cultural, linguistic and even a political vacuum, a problem accentuated by the unwillingness to accept social class as a meaningful category. With its constant shifts from fleeting moral condemnation to legalist justification and back again, Ruiz's account leaves the reader bereft of any conceptual moorings and wondering just what kind of regime this was.

The language of destruction cannot be reduced to mere rhetoric, moreover, but reflected a way of thinking⁶³. Engagement with the language, rather than a fixation with quantification, might have helped elucidate quite what the nature is of the "fascinating insight" provided by a parish priest's 1940 assessment of Manuel Azaña as the man who introduced the "germs of decomposition [disolución] and anarchy into the masses which produced the abominations of blood, robbery, and destruction that we all lament"⁶⁴. It may be that this tells us less about the priest and more about the condition of society in the immediate post-war period, the polarization of social relationships, the regime's ideology and the way it filtered down into society than Ruiz believes. The metaphors of ideologues require historical explanation: The "Red enemy" was no regular army to be confronted in open battle, but "a pathogenic germ that hides itself even in apparently tranquil homes and must be made to come out to exterminate it"⁶⁵. The poet of Franco's Crusade, José María Pemán gave expression to the same feeling and celebrated the fact that "La guerra, con su luz de fusilería, nos ha abierto los ojos a todos. La idea de turno o juego político ha sido sustituida para siempre por la idea de exterminio y de expulsión"⁶⁶.

The confusion is increased by Ruiz's throwaway assertion (p.147) that the repression was "multi-faceted" when, in fact, this can only reasonably be argued in relation to the final forms that repression took – physical, "legal", economic, exclusion from employment, etc. In essence, all of these forms were of a piece, all perfectly consistent with the basic features of a culture of repression within which extermination of liberal, democratic and leftist ideas and their replacement with a prescribed moralism articulated through a Manichean language of "good" and "evil", became possible. The aim was to destroy the parties and organizations which voiced such sentiments, and to create an environment of fear in order to deter any resurgence of such ideas. Francoist repression was only chaotic to the extent that the responsibilities and jurisdiction of legislative acts and coercive bodies overlapped to an alarming degree; in cultural terms, there was no such confusion.

⁶³ See RICHARDS, M., *Time of Silence...*, *passim*; PÉREZ BOWIE, J. A., *El léxico de la muerte durante la guerra civil española*. Salamanca, Universidad de Salamanca, 1983, especially the distinction between the language of the two zones on p.142.

⁶⁴ RUIZ, J., *Franco's Justice...*, p.144.

⁶⁵ GAY, V., *Estampas rojas y caballeros blancos*. Burgos, np, 1937, p. 303. Gay, who was famously a great admirer of Hitler's Germany, also made reference to Mola's exterminatory instructions (pp. 59-60). On the merits of National Socialism: GAY Y FORNER, Vicente, *La revolución nacional-socialista: ambiente, leyes, ideología*. Barcelona, Librería Bosch, 1934.

5. “Justice” and the repression: legalism and quantification

The greatest difficulty is the lack of surviving written sources, particularly for the war years, because much of the repression went on outside the bounds of formal recorded process⁶⁷. The nature of these documentary traces is directly related to the way in which the war, repression and subsequent dictatorship developed. The names of many victims, if they appear anywhere, were usually recorded in the cemetery registers rather than in court records, especially if they were buried in the common graves which have become the principal images of the renewed public memory of the last few years. Thousands were killed simply under the pretext of the “bando de guerra”.

In the city of Zaragoza, there were 2598 executions from July to December 1936 although there had been no clash of competing military forces. This thorough purge can therefore legitimately be considered as *post-war* violence. In August an average of 23 killings per day took place without any judicial process. This systematic daily elimination of enemies has been described appropriately as extermination and cannot be interpreted as mere “punishment”⁶⁸. A further 500 died from the beginning of 1937 until 1 April 1939 and 447 more in the *post-war* era up to 1946. Elsewhere in Aragón, 1492 died in the repression in Huesca and 1030 in Teruel⁶⁹. The purge had been so thorough that there were steadily fewer and fewer potential victims left in areas which had been occupied during much of the war. The gradual reduction in the numbers of those killed over time was, in this sense, inevitable. A similar pattern can be seen in wartime and *post-war* Cáceres. There were many more illegal “paseos” (1170) than there were executions after the “legal” process of *consejos* (375), as there seem to have been also in Lugo: 168 deaths after summary trials and 416 “muertes irregulares”⁷⁰. As Ignacio Martín has written in relation to Valladolid: “Lo que parece fuera de toda duda es la tremenda magnitud de la represión ejercida fuera de todo marco jurídico o institucional”, although the minimum number calculated of executions in *consejos* de guerra in Valladolid between 1936 and 1939 was 394, again, in *post-war* repression, since the area fell almost immediately to the rebels⁷¹. In Segovia, of all the known cases of executions

⁶⁶ PEMÁN, J. M^a, *Arengas y crónicas de Guerra*. Cádiz, Ed. Cerón, 1937, p.13 cited in MORENO GÓMEZ, F., *Córdoba en la posguerra...*, p. 20. See also MARTÍN JIMÉNEZ, I., *La guerra civil en Valladolid...*, p.180.

⁶⁷ MARTÍN JIMÉNEZ, I., *La guerra civil en Valladolid...*, p.181; LAMELA GARCÍA, L., *A Coruña, 1936...*, pp.127-129. 482 deaths from political repression are recorded in the registries of deaths in La Coruña (332 in the city of La Coruña) (p.129) and 77 more in other written sources, making a minimum total of 559. For methodological problems related to the paucity of written records, see also, on Galicia, SOUTO BLANCO, M^a J., *La represión franquista en la provincia de Lugo (1936-1940)*. La Coruña, Ediciós do Castro, 1998, p. 245.

⁶⁸ CASANOVA, J., CENARRO, Á. CIFUENTES, J., SALOMÓN, M^a P. & MALUENDA, M^a P., *El pasado oculto...*, pp. 53-55.

⁶⁹ CASANOVA, J., CENARRO, Á. CIFUENTES, J., SALOMÓN, M^a P. & MALUENDA, M^a P., *El pasado oculto...*, pp.141 and 183.

⁷⁰ CHAVES PALACIOS, J., *La represión en...*, pp. 317-20; SOUTO BLANCO, M^a J., *La represión franquista...*, pp. 251 y 272.

⁷¹ MARTÍN JIMÉNEZ, I., *La guerra civil...*, pp. 226-251 (citation, p.250).

outside of the process of military justice, only 65% were recorded in any official documentation⁷².

The problem with relying on a legalistic understanding of the regime is that its strategy was to obscure state persecution beneath a cloak of legality: what Julio Aróstegui has called “simulacros de justicia”. The famous consejos de Guerra implemented in accordance with the 1890 Code of Military Justice did not become significant in Nationalist Spain until March-April 1937, though the killing had been organised and thorough for eight or nine months by this time, obeying established and well-disseminated military and political plans and an elaborated ideological rationale. Much of the evidence suggests that far from everything changed with the onset of the military tribunals. Multiple cases of those tried for political crimes were heard together in extraordinarily brief proceedings with only formal opportunity for defence⁷³. Complete files of consejos de guerra are difficult to find, although tribunal judgements occasionally compensate for this lack. One of the great problems with Salas Larrazábal’s 1977 work was that he insisted that all killings in the Nationalist zone had eventually been recorded by the 1970s in the civil registries but, in fact, hundreds of these “paseados” –Spain’s “disappeared”- were either never inscribed in the registers, or the cause of death was recorded as “unknown”, or were only included decades later, in large numbers after 1977, often because of family members’ fear of association with enemies of the regime⁷⁴. While Salas records 818 political executions in Cáceres, for example, the research of Julián Chaves has demonstrated that at least 1545 were killed. In the province of Badajoz, 772 of the 6172 registered and killed in the repression of the war and post-war (largely between 1936 and 1945) were recorded after 1977, the last only in 1994⁷⁵. Of the 3040 registered in the repression in Huelva, 2520 were registered outside of the legally prescribed period, 1989 of them during the dictatorship and 552 during the democratic period⁷⁶. Many

⁷² There were between 213 and 240 ‘illegal’ executions in Segovia as well as 145 shot as a result of application of the Código de Justicia Militar. 45 of the 2282 political prisoners in Segovia died while in prison, 17 of these died on 23 May 1938, the recorded cause: ‘muerto en la fuga’. VEGA SOMBRÍA, S., *De la esperanza...*, pp. 275, 280 and 375. This work relies partially, therefore, on oral testimony and community and family memories.

⁷³ MARTÍN JIMÉNEZ, I., *La guerra civil en Valladolid...*; SOLÉ I SABATÉ, J., *La represión franquista...*, pp.102-104; HERNÁNDEZ GARCÍA, *La represión en La Rioja*, vol.1, pp.10-12; CASANOVA, J., CENARRO, Á. CIFUENTES, J., SALOMÓN, M^a P. & MALUENDA, M^a P., *El pasado oculto...*, p. 54.

⁷⁴ Incorporating post-1975 registrations of wartime and post-war deaths through the repression has been an essential part of the methodology since the 1980s, but even this does not tell the whole story. See CHAVES PALACIOS, J., *La represión en...*, pp. 317-320; CASANOVA, J., CENARRO, Á. CIFUENTES, J., SALOMÓN, M^a P. & MALUENDA, M^a P., *El pasado oculto...*, p.241; SALAS LARRAZÁBAL, R., *Pérdidas de la Guerra...*, p.371. Similar situation in Huelva, ESPINOSA MAESTRE, F., *La guerra civil en Huelva*. Huelva, Diputación, 1996, p. 676. In Badajoz, 135 such deaths were registered in 1979, 326 in 1980 and 165 in 1981. The last two were inscribed only in 1994 [ESPINOSA MAESTRE, F., *La columna de la muerte...*, p. 240]. MARTÍN JIMÉNEZ, I., *La guerra civil en Valladolid...*, counts only ‘paseados’ for which some written record can be located and stresses that the number cited must be considered a minimum (p. 182).

⁷⁵ ESPINOSA MAESTRE, F., *La columna de la muerte...*, p. 238. Only one in three (2098) were registered within the legally prescribed period, leaving 3302 recorded at some point during the period 1936-1967.

⁷⁶ ESPINOSA MAESTRE, F., *La columna de la muerte...*, p. 239.

more were recorded as having been “placed in liberty” on the day that they were taken from the prison to face the firing squad⁷⁷.

Contrary to the tone of *Franco's Justice*, the archival material utilized by Julius Ruiz is far from sufficient to tell “the whole story”. The archival record, inevitably always deficient, reinforces this view in relation to Madrid since the documentation does not throw up any precise figure for the number killed. The fragmentary material examined in *Franco's Justice* suggests that there were “at least 3113 post-war executions in Madrid”.⁷⁸ More broadly, Ruiz accepts the figure of 50000 post-war executions (by which we can take him to mean killings after 1 April 1939). This figure is accompanied by a footnote directing readers to a box (not a particular document) in the Presidencia section of the state archive in Alcalá de Henares. The figure appears again, a few pages later, with no further reference, as “the latest estimate”⁷⁹. This seems a decidedly vague procedure in a study which purports to be correcting the work of other historians. Indeed, numbers are sprinkled about the text with some abandon: in a section which appears, in an even-handed way (emphasizing the “happy medium” approach), to be admonishing General Franco for playing down civil war executions in July 1937, it is stated that “local research suggests a figure in excess of 70000”, certainly an extraordinarily high number of extra-judicial killings away from the battle front, but not very meaningful when it is not specified whether this figure refers to the entire war period or only the first year of the war. The footnote on this occasion guides us to *Víctimas de la guerra* (pages 64-65) although, in fact, these pages contain no mention of any wartime or post-war figures for executions⁸⁰. Assuming the figure of 70000 refers to the entire war, it presumably comes from the final calculation of documented killings in just 24 provinces (72527) as assembled at the end of *Víctimas de la guerra*. This fails to include the some 8500 deaths recorded in five other partially researched provinces and the many amendments made since. It also fails to cite the closing sentence of *Víctimas*: “Si en la mitad de las provincias ya se conocen 72527 fusilamientos (guerra y posguerra), habría que pensar en el doble para la totalidad de España”⁸¹.

To an extent, the nature of the repression can be discerned by the level of organization surrounding it and the role of the legal framework provided (although any regime's claim to “legality”, of itself, tells us relatively little). During the civil war and the early 1940s there was clearly a level of disorganization, but this can only be gauged if we are clear about what it is we are measuring. The crux of the matter would seem to be the relationship between state and society. This relationship was determined by authoritarian military government, heavily “fascistized” during the period 1936-45, which, inevitably, possessed a

⁷⁷ See, for example, the archival record of the execution of the young Burgos composer Antonio José Martínez Palacios. RILOVA PÉREZ, I., *Guerra civil y violencia política en Burgos (1936-1939)*. Burgos, Dossoles, 2001, p.165.

⁷⁸ RUIZ, J., *Franco's Justice...*, p.228. See CASANOVA, J., “Una dictadura de cuarenta años” in CASANOVA, J. (Coord.), *Morir, matar, sobrevivir...: «No menos de 50,000 personas fueron ejecutadas en los diez años que siguieron al final oficial de la guerra el primero de abril de 1939, después de haber asesinado ya alrededor de 100000 “rojos” durante la contienda»*, p. 8

⁷⁹ RUIZ, J., *Franco's Justice...*, pp. 7 and 13.

⁸⁰ Although it is ironic that the term ‘exterminio’, that Ruiz (*Franco's Justice...*) is wary of employing in categorizing Francoist repression, does appear on page 65.

legislative framework and a formal judicial process, even if very many cases never reached any court of law. The violent repression of the period between 1936 and 1945 was not the result of chaos and lack of state direction and the point at which this violence became “legal” is not the issue because elements of continuity heavily outweighed changes. This was no different to the nature of state-society relations under Nazism or Fascism. Indeed, at one point Ruiz describes the Francoist machinery as a “military justice behemoth”, recalling the famous characterization of Nazism made by Franz Neumann in the early 1940s. We know from the statements of General Mola, among others, that the violence was planned even before the beginning of the rebellion -which the General’s lieutenant described in August 1936 as “a March on Rome with more blood”⁸² - and we have seen how this led almost immediately to a systematic purge which was gradually perfected during the war.

There is therefore a significant problem with the concept of “legality” in exploring the history of Franco’s military dictatorship. The regime itself always, without fail, traced its own origins to the (illegal) coup against the elected government of the Republic. The statement of Ramón Serrano Suñer, wartime architect of Franco’s “Estado Nuevo” and Minister of Interior in 1940-41, made in his memoir published in the 1980s, that the system of repression amounted to *Justicia al revés* (“Justice in reverse”), referred to the paradoxical situation of a regime which had imposed itself through armed rebellion and then proceeded “legally” to punish thousands of republicans for the “crime” of “military rebellion”. The term “Franco’s Justice”, formerly a somewhat ironic comment made by those who suffered the patent injustices of the system, becomes, in Ruiz’s hands, the basis of an argument which places Francoism within a legalistic continuum. Focusing on the Military Code of 1890 as the basis of military justice, a putative continuity runs, according to the argument, from the period of the formally democratic Restoration state of 1875-1931 throughout the much more popularly legitimated and participatory Second Republic (1931-1939) and on, almost seamlessly, into the civil war and Francoism. Three factors need to be recalled, however: (a) the fundamental weakness and structural authoritarianism of the Restoration system⁸³, (b) the intractable problem of distancing the army from interference in Spanish political life so that the military might accept civil jurisdiction over civil society, and (c) the often close relationship between formally democratic states in crisis and the arrival of dictatorships (see Nazism and Fascism). In any case, it is not clear that Serrano Suñer viewed “Justicia al revés” as representing judicial continuity and the continuity argument sits uncomfortably alongside Ruiz’s notion of “inverted” legality under Franco. The danger is that the notion of legality is taken too seriously without assessing the political, social and procedural reality: it is all too easy to miss Ruiz’s aside (page 18) that the standard of evidence was “appallingly low”.

This was no “rule of law” (or “estado de derecho”), therefore, understood primarily in contrast to the “rule of men”, where the correct application of law was a primordial obligation

⁸¹ See “Apendice. Las cifras. Estado de la cuestión” in JULIÁ, S. (Coord.), *Víctimas de la...*, pp. 410-412.

⁸² CACHO VIU, V., “Los escritos de José María Iribarren, secretario de Mola en 1936” in *Cuadernos de Historia moderna y contemporánea*, nº 5, (1984), pp. 241-250.

⁸³ On the Restoration state, see GONZÁLEZ CALLEJA, E., *La razón de la fuerza. Orden público, subversión y violencia política en la España de la Restauración (1874–1917)*. Madrid, CIS, 1998; and GONZÁLEZ CALLEJA, E., *El máuser y el sufragio. Orden público, subversión y violencia política en la crisis de la Restauración (1917–1931)*. Madrid, CIS, 1999.

of the authorities –something which had been a primary aim of the Second Republic, enshrined in the 1931 Constitution and warmly welcomed by the masses who Azaña called “el pueblo republicano”. Judicial procedures in the wake of the civil war were not publicly legitimated, abiding by pre-established principles. It would be absurd to say that there was a safeguard that the administration of law would be consistent in similar cases, regardless of social class, status, or the degree of power enjoyed by the participants in any given legal process.

In sum, “Franco’s Justice” was a reflection of the prevailing political, social and military order. The real point about *Justicia al revés*, since it dealt with actions going back to October 1934, was that the basis of liberal law, that no crime can be deemed to have been committed if no law is in place at the time of commission (*nullum crimen sine lege*), was demolished, allowing thousands to be tried and convicted for political acts which had been perfectly legal at the time. The machinery of the *Tribunales de Responsabilidades Políticas*, even if it was not applied very efficiently, was a good indicator of who were considered to be enemies and of who was to blame for the war: it was actually about assigning responsibility for the war itself since it focused on “crimes” going back to October 1934 (a favorite ploy of the “revisionists”). Given the confusion between *de jure* and *de facto* “legality”, even in terms of the extremely limited formal “guarantees” of process offered by the Franco system, the question becomes how decrees, laws, and statutes issued under a permanent state of exception, and the consequent written records of legal processes, enforced by the practice of naked violence, should be used as historical sources.

Of course executions fell rapidly from 1942; given the extent of the slaughter in the period from 1936 to 1941, they had a very long way indeed to fall. The ambiguous term “liquidación”, coined initially by Francoists and taken up by the Franco hagiographer Luis Suárez to refer to the winding down of the repressive machine from as early 1940, is therefore fraught with problems. The process, Ruiz says, was “painfully slow” but well intentioned (pp. 89-90), though the intention, as he also says, was clearly to relieve a prison system which could no longer deal with the situation. A wealth of detail about the various partial “amnesties” granted by the regime during the period 1940-1945 is usefully sketched as it is argued that, though this system of “parole” had quite strict limitations, it revealed a desire for reconciliation from as early as 1940. This argument is in direct contradiction to the public declarations of the Caudillo and Ruiz admits that the real effects took some time to register. The final pardon for those convicted of violence did not come until 1969 and the dubious category of “blood crimes” appears to have included men whose only “crime” had been to serve as Socialist local councilors.

The wording of “amnesty” decrees suggest that “liquidation” had little to do with the magnanimity of Franco or the regime and much more with “reasons of public utility (*conveniencia*)”. The authorities were desperate to reduce the prison population because of the threat of epidemics. Using a figure apparently plucked from a state document, Ruiz claims that the number of civil war prisoners fell from the extraordinary figure of nearly 300000 in 1940 “to 4052 by September 1947”⁸⁴. This cannot be correct because the regime’s own public *Anuario Estadístico*, published by the government, shows that on 1 January 1948

⁸⁴ RUIZ, J., *Franco’s Justice...*, pp. 24-25.

there remained more than 38000 detainees (only in prisons), almost 10 times the number suggested and this without counting the Francoist penal labour detachments⁸⁵.

The elevated number of post-war deaths in prison was a corollary of the high number of prisoners from the very first days of the rebellion in July 1936 and the exhaustive process of classification and purging set in train in “liberated” areas. The partial “amnesty” of January 1940 referred only to those serving 12 years or less. The vast majority of prisoners accused of “military rebellion” were sentenced to periods ranging from 12 years and 1 day to the death penalty and remained unaffected by this “reprieve”.⁸⁶ Three concentration camps were established in Valladolid and the newspapers in 1938 produced long lists of prisoners detained who had been “saved” by the rebels. In the cells for political detainees, six individuals occupied the space designed for one⁸⁷. The provincial prison of Valladolid still had 3000 inmates in 1940 and more than 100 prisoners died of disease during the period from December 1940 to June 1942⁸⁸.

In the provincial prison in Huelva, where at least 3040 lost their lives in the repression, many who were awaiting trial, serving political sentences or waiting to be transferred elsewhere, died as a result of the conditions, mainly in 1941 and 1942 but also in 1944. Most of the victims were land workers, though many were miners of the Rio Tinto company. Thirty died in the prison in March 1942 alone⁸⁹. The official records also suggest an extremely elevated number of deaths in society as a result of hunger and disease during the period 1939-1944. In 1941 there were at least 53,307 deaths from diarrhoea and enteritis, 4168 from typhoid fever and 1644 from typhus. Some 25000 per year during this period were registered as dying from tuberculosis, many of them as political prisoners. The deaths of many prisoners were recorded in cemetery records as caused by typhus, influenza, tuberculosis, enteritis, bronchial-pneumonia, etc.⁹⁰ The fragmentary records for the province of Burgos, for example, show that 6 political detainees died in 1936, 16 in 1937, 28 in 1938, 35 in 1939, 60 in 1940, 91 in 1941, 95 in 1942 (including 41 from TB and 31 from “avitaminosis”), and 28 in 1943.⁹¹ Salas Larrazábal calculated that 761 died in Burgos through military trials or “paseados”. Using a broader variety of sources, Isaac Rilova Pérez

⁸⁵ ANUARIO ESTADÍSTICO DE ESPAÑA, vol. 1., Madrid, Instituto Nacional de Estadísticas, 1948, vol.1, p.1052

⁸⁶ ANUARIO ESTADÍSTICO DE ESPAÑA, 1943, p.1100, 1948, vol.1, p.1052.

⁸⁷ MARTÍN JIMÉNEZ, *Guerra civil en Valladolid*, p.196-7.

⁸⁸ PALOMARES IBÁÑEZ, J. M^a, *El primer franquismo en Valladolid*. Valladolid, Universidad de Valladolid, 2002, pp.105, 109-113.

⁸⁹ ESPINOSA MAESTRE, *La guerra civil en Huelva...*, p.676-680.

⁹⁰ Written records have been collated for 4. 714 executed in the whole of greater Valencia and a further 1165 deaths in prison. SALAS LARRAZÁBAL, R., *Pérdidas de la guerra...*, p.371, has 3993 in total, but 6087 deaths related to the repression in Valencia occurring from 1938 to 1956, as recorded in civil registries only [GABARDA, V. A., *Els afusellaments al país Valencià*. Valencia, Edicions Alfons El Magnànim, 1993, pp. 215-216), although it is quite likely that very many more, victims buried in common graves in the central cemetery of the city, went unrecorded in Valencia, Zaragoza and elsewhere. JULIÀ, S. (Coord.), *Víctimas de la guerra...*, does not include deaths in prison.

⁹¹ Cause of death was often listed as the medical cause rather than the immediate physical cause (shooting or garrote vil). See SOUTO BLANCO, M^a J., *La represión franquista...*, pp.244-247: «Son muy extrañas las numerosas defunciones por colapsos sobre todo a partir de 1939 entre adultos

has calculated that at least 293 were executed in Burgos, 386 were “disappeared”, and 359 died in prison: 1038 documented deaths, in sum, and this in an area where there had been no fighting⁹². The ideology and the culture of repression in these areas, where very little social conflict had arisen was the same as in proletarian regions and, in general, the targets of the exterminatory repression, though less numerous, were also the same⁹³.

Executions continued *en masse* in many parts of the country, during the early 1940s, including those areas which had fallen to the Nationalists years before where there had already been a mass purge. In Zaragoza, 447 prisoners were executed in the period from the formal end of the war in April 1939 until 1946. In Badajoz, the majority killed by the Nationalists died in 1936 (4661) but 565 were killed in 1940 (3.5 times more than in 1937), 232 in 1941, more than in any of the years 1937, 1938 or 1939, and 122 in 1942 (more than in 1939 [112]). The killing of a 32 year-old land worker on 19 January 1945 signalled the end of a cycle of executions in Badajoz which had begun in July 1936⁹⁴. It is difficult, therefore, to see 1940 as a “watershed”, particularly since this assertion is based only on a somewhat flawed account of repression in Madrid. The “occasional and well-publicised «amnesties»” belied the repressive reality of “Franco’s mercy”⁹⁵.

Although thousands of people fled Málaga following the “liberation” of the city in early February 1937, the purge was systematic, thorough and extensive: more than 80 documented victims fell to the firing squads on 16 February, the first anniversary of the Popular Front electoral victory in 1936. Some 40 on average were killed each day throughout March and into April, and still some 30 or forty per week in June. The executions would continue in regular batches until 1940⁹⁶. Published lists of the killed give a total of some 2600 between February 1937 and June 1940, but other official records, from cemeteries, prisons, and the civil registry, show that at least another 2100 died in the repression up to April 1939⁹⁷. This produces a total of 4700 recorded killings but the estimated real total of 7000 victims during the city’s first two post-war years (1937-1939), taking in the number of bodies disposed of without being claimed by families and therefore not recorded, has been widely accepted by historians⁹⁸. The repression did not cease on 1 April 1939. There was no reason why it should since April 1939 represented merely a continuation of the situation in Málaga prevailing since February 1937. A further 710 recorded executions took place between April 1939 and December 1942. Sixty-two were killed in November 1939 and 94 in December. There were 125 executions in April 1940, 48 in May, 29 in June and 49 in October. As late as

jóvenes», p.247. There was a substantial increase in deaths from ‘enfermedades del corazón’ in 1937-40. ANUARIO ESTADÍSTICO DE ESPAÑA, 1943, p.1286.

⁹² RILOVA PÉREZ, I., *Guerra civil y...*, p. 271.

⁹³ VEGA SOMBRÍA, S., *De la esperanza...*, p. 274.

⁹⁴ The minimum total deaths in western Badajoz was 6610, including 603 verified killings without established date; the total figure, it has been estimated, could easily be doubled in judging the number killed throughout the province. ESPINOSA MAESTRE, F., *La columna de la muerte*, pp.241, 253, 320-1.

⁹⁵ RICHARDS, M., *Time of Silence...*, p.84; RUIZ, I., *Franco’s Justice...*, p. 227.

⁹⁶ NADAL, A., *La guerra civil en Málaga*. Málaga, Arguval,1988, pp. 217-232.

⁹⁷ BARRANQUERO TEXEIRA, Encarnación, *Málaga entre la guerra y la posguerra*. Málaga, Arguval, 1994, pp.228-229, 265-300.

⁹⁸ “Apendice. Las cifras. Estado de la cuestión” in JULIÁ, S. (Coord.), *Víctimas de la...*, p.411.

May 1942, 21 executions took place. The number of “enemies” left to eliminate was clearly reducing and international pressures would also become significant as the repression tailed off although a further 35 victims were to fall in Málaga in 1943 and 1944 and the last recorded execution took place in May 1948⁹⁹.

6. Conclusions: the repression and “extermination”

A number of conclusions can be drawn from this discussion. First, in historicising the Francoist repression, the period from 18 July 1936 to 1 April 1939 cannot be ignored either in quantitative terms or in discussing the nature of Francoism. As Josep Fontana has argued, the repression was not a consequence of the war, but one of the basic explicative reasons for it.

Second, repression cannot be explained historically without exploration of the socio-spatial and political context from which it emerged. The contributors to the benchmark study, *Víctimas de la guerra civil*, achieve this admirably and do not hesitate to employ the word “exterminio” to describe the repression¹⁰⁰. Most of the research on the repression supports the view that it was the social “carriers” of modernity, or those social groups which became more visible as a result of the Republic’s reforms – women, the young, laic teachers, liberal professionals, the lower classes – who became the main targets of the violence¹⁰¹.

Third, it follows that the language, politics and ideas which surrounded the violence are more essential to historical explanation than presentist ethical or ideological judgements. Analysis of the language of extermination has introduced the term “pathology” into the debate about the Francoist war and early dictatorial years. This usage has occasionally been misunderstood: it is assumed that “pathological” connotes the “madness” or “sick” nature of Francoists, whereas it refers to a cultural reaction based on an interpretation of modernity and democracy which perceives something “sick” about contemporary society¹⁰². The decision to use the term “pathology” or “extermination” (or both), however, is not dependent solely on questions of quantification; the nature and extent of destruction and harm, as Alan

⁹⁹ EIROA SAN FRANCISCO, Matilde, *Viva Franco. Hambre, racionamiento, falangismo. Málaga, 1939-1942*. Málaga, Aprisa, 1995, pp.246-247, 276-287.

¹⁰⁰ See, eg, JULIÁ, S., “De «guerra contra el invasor» a «guerra fratricida»” in JULIÁ, S. (Coord.), *Víctimas de la...*, pp. 25-26, 59, 65, 82, 94, 101, 103. ‘Genocide’ is the term employed on p.85.

¹⁰¹ ESPINOSA MAESTRE, F., *La columna de la muerte...*, p. 244. On purge of teachers in Badajoz, which began within a few weeks of the rebellion and, therefore, as part of a pre-determined plan, see LAMA, J. M^a, *La amargura de la memoria: República y Guerra en Zafra (1931-1936)*. Badajoz, Diputación de Badajoz, 2004. Francisco Morente Valero has studied in depth the question of the repression of teachers during and after the civil war and found that on average between a quarter and a third throughout Spain were ‘purged’, receiving some sort of sanction for alleged political ‘crimes’. MORENTE VALERO, *La escuela y el Estado Nuevo: la depuración del Magisterio Nacional (1936-1943)*. Valladolid, Ámbito, 1997. The determinants of social class can be seen all over Spain, no matter what the nature of regional and local economic structures. See, eg, Segovia, where 71% of victims (judicial and illegal killings) were workers. VEGA SOMBRÍA, S., *De la esperanza...*, pp. 280 and 359-361. On the post-war ‘exterminio’ of many of the poorest landworkers in areas of Jaén (Andalucía) where the class struggle had been most intense in the 1930s, see COBO ROMERO, Francisco, in *Enfrontaments civils*, p.744. On ‘exterminio’, largely of the rural working class, see also EIROA SAN FRANCISCO, M., *Viva Franco...*, pp.244, 250.

¹⁰² RICHARDS, M., *Time of Silence...*, sought to apply the notion of ‘pathology’ – which inevitably, in discussing political systems, cultures and societies, is used metaphorically – as a tool of analysis.

Mintz argued in a different context, needs to be measured also in social, cultural and psychological terms. It was the sections of society which burgeoned as a result of economic and social modernization and, in the 1930s, became very publicly caught in the contradictions between tradition and modernization which bore the brunt of the repression. Young adults figured very highly amongst the victims, particularly where large numbers were killed: Málaga, La Coruña, Valencia, Badajoz and Huelva, where the violence was concentrated on those between 25 and 45 years¹⁰³.

Fourth, the theoretical legal framework of authoritarian or totalitarian regimes also needs to be placed in context and in relation to the actual practice of “justice”. Julius Ruiz, looking at the period 1939-45, argues that “the Francoist violence was characterized by increasing bureaucratization and a decline in its punitive nature”¹⁰⁴. This is hardly a revelation, but it is misleading in explaining the nature of the regime. “Legalism” lends a “scientific” veneer to Ruiz’s study, but “justice”, in Ruiz’s account, remains an almost entirely abstract notion, viewed in isolation from essential historical circumstances, not least the declining numbers of “enemies” left standing by the early 1940s. This is something that quantification, beginning in July 1936, can make clear.

¹⁰³ See NADAL, A., *La guerra civil...*, p.192; EIROA SAN FRANCISCO, M., *Viva Franco...*, p. 248; LAMELA, A *Coruña, 1936...*, , p.130; GABARDA, *Els afusellaments...*, p.215. In Badajoz the most affected group was that aged between 30 and 34 and in Huelva, between 35 and 39. ESPINOSA MAESTRE, F., *La columna de la muerte...*, p.243.

¹⁰⁴ RUIZ, I., *Franco’s Justice...*, pp.227-228.