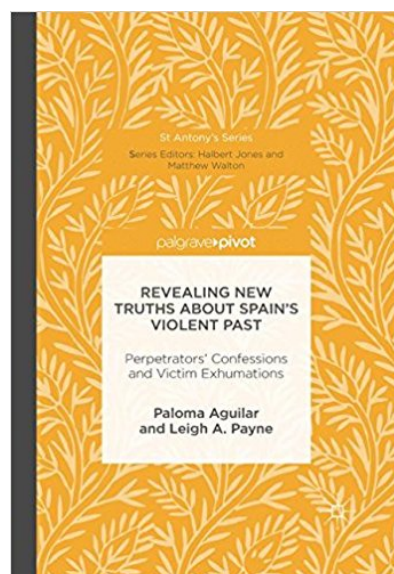


Paloma AGUILAR and Leigh A. PAYNE: *Revealing New Truths about Spain's Violent Past: Perpetrators' Confessions and Victim Exhumations*, Basingstoke. Palgrave Macmillan, 2016, 110 pp. ISBN: 978-1-137-56228¹

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On the benefits of, and difficulties in establishing, contentious coexistence in contemporary Spain

In *Revealing New Truths about Spain's Violent Past: Perpetrators' Confessions and Victim Exhumations*, Paloma Aguilar and Leigh Payne fruitfully bring to bear their combined expertise in issues of transitional justice in Spain and Latin America onto a little-studied aspect of Spain's recent past: the effect of perpetrators' confessions on the development of the movement for the recovery of historical memory and the transition to democracy more generally. The resulting book not only sheds light on a previously neglected aspect of Spain's transition and post-transition reality, but presents an innovative and original analysis that is required reading for anyone interested in the legacies of the civil war and Franco dictatorship in contemporary Spain as well as anyone interested in transitional and post-transitional justice from a comparative perspective. The comparative and theoretical framework within which perpetrators' confessions in Spain are studied is important as much for what it illuminates in the cases discussed in the book as for the way it provides a model for others to take up and use in the future as more attention is paid to perpetrators' confessions, and, perhaps, as more confessions emerge. Clearly written and engaging, this seminal book opens up a new area of study and is thus sure to make a lasting impact.



The central questions of the book build on the thesis of Payne's previous work in her 2008 monograph *Unsettling Accounts: Neither Truth nor Reconciliation in Confessions of State Violence*. In that book, Payne studied how perpetrator confessions in post-dictatorship and post-civil war contexts lead not to settling accounts of the past (as was expected, for example, in the South African Truth and Reconciliation Commission process), but to unsettling them: "rather than settling accounts with the past, therefore, perpetrators' confessions tend to unsettle them by inciting public contention over how that past is presented" (25). This unsettling of accounts, this public contention, in turn, is seen not as something to be feared or avoided in society but as a practice that generates a healthy "contentious coexistence"

¹ Se publicó en castellano bajo el título *de El resurgir del pasado en España: Fosas de víctimas y confesiones de verdugos*, Madrid, Taurus, 2018.

through the public debate about the past that it catalyzes. “Contentious coexistence,” based on a “dialogic notion of democracy” (27) in which antagonism is seen as “an essential characteristic of social life” (27), is thus understood as the mark of a deep and strong democratic practice, one in which debate and disagreement are not evaded but worked through. As Aguilar and Payne explain:

The assumption behind contentious coexistence is that reconciliation is unlikely where societies have been torn apart by violence. Contentious coexistence offers an alternative and more viable pathway to strengthening democratic practice in post-authoritarian and post-conflict contexts. It recognizes profound disagreements over interpretations of past violence that block reconciliation. It allows for debate over foundational matters. It acknowledges the equal participation of victims and their families in generating understanding of the nation’s history. That debate may not deliver a shared understanding about the past, but it can lead to agreement over fundamental principles, such as the importance of ending violence, supporting democracy, and promoting human rights protections. (27)

In light of this, the questions at the heart of *Revealing New Truths about Spain’s Violent Past* are: why have so few perpetrator confessions emerged in Spain and why have they not led to the unsettling of accounts Payne has documented in other national contexts? Why did contentious coexistence not emerge during Spain’s transition to democracy? And, why has it done so only in the new millennium? The main thesis of the book brings to bear on these questions Aguilar’s extensive work on the politics of the transition and post-transition in Spain and proposes that, in Spain, such a healthy unsettling of accounts has been catalyzed not by perpetrators’ confessions but by the most recent wave of exhumations of mass graves begun in 2000 and the movement for the recovery of historical memory within which they have been carried out.

In the first two chapters of the book, “Introduction” and “Unsettling Accounts” the authors present historical and theoretical frames for their study. The next four chapters (“Heroic Historic Confessions,” “Few, Fleeting, and Fugitive Confessions,” “Unsettling the Balance,” and “Preposterous Denial”) are dedicated to analyzing different types of perpetrator confessions that have emerged in Spain, from the time of the civil war up to very recently. Such confessions are mostly from proponents of Francoism but also include confessions of Republican violence. These chapters present very interesting discussions of the different reasons, contingent on the changing historical contexts, for why, even when perpetrators’ confessions did emerge, they did not lead to contentious coexistence in Spain. The seventh chapter, “Unsettling Bones as Unsettling Accounts,” explains why the exhumations of mass graves of Francoist violence in recent years have finally managed to generate such healthy debate and critical engagement with the past throughout society. However, the persistence of entrenched discourses firmly established during the transition that limit contentious coexistence is made clear throughout. The conclusion highlights that political processes are neither linear nor inexorable (89), and thus points to the open-ended and on-going nature of the process of unsettling the settled account of the past established by Spain’s transition to democracy.

The introduction provides a necessary critical overview of Spain's transition, a research area on which Aguilar is one of the leading experts in Spain. The authors effectively argue that the "mythology" (2) of a peaceful and exemplary transition to democracy in Spain has sidelined discussion of certain dimensions of the process that do not fit neatly into that dominant narrative of the time period, such as the violence that did exist at the time and the power asymmetries between the various sides in the complex negotiating process. The chapter provides a nuanced and detailed assessment of the implications of the "pact of silence and oblivion," a pact considered by many as necessary to prevent new outbursts of violence after Franco's death, and which has increasingly come to be seen as central to the dynamics of the transition itself and to the difficulties in breaking with, or unsettling, the "mythology," or settled account, of the era. That settled account was based on several problematic key tenets, such as "the agreement that both sides were [equally] guilty of violence; the consensus to avoid contention; the pact of oblivion as the pathway to peace and democracy" (91). The continued effect of these tenets in eschewing critical debate regarding Francoist violence, and in preventing demands for accountability for such violence, is at the heart of how difficult it has been to unsettle the dominant account of the transition and generate an effective contentious coexistence in Spain. As the authors explain:

Once the democratic regime was stable, the pact of oblivion remained unchanged. There were few challenges to it. The reasons behind this endurance when the threat of democratic collapse was no longer credible were never publicly debated. Over time, it thus become increasingly clear that the pact was based as much on its role in establishing democratic stability as in removing conflictual debate in Spanish society" (13).

Proof of the strength of the dominant narrative of the transition, and the manner in which it "constrains truth, justice and democracy" (17-18) is provided in the detailed analysis in subsequent chapters of how perpetrators' confessions in Spain failed to unsettle it, even when they made public the extent of Francoist repression.

The second chapter of the book provides the theoretical framework for the analysis of the confessions and their relation to the emergence (or lack thereof) of contentious coexistence. Understood as performances and public acts (as opposed to a narrower definition of confession as a private acknowledgement of wrongdoing) the authors explain that perpetrators' confessions necessarily involve five dramatic elements, all of which are necessary to study in order to understand the social and political impact of the performance: "script, actor and acting, stage, timing, and audience" (24). This focus on confessions as performances is very effective and engaging, and the comparative thrust of the chapter, placing the Spanish case in dialogue with other examples of post-dictatorship and post-civil war transitions to democracy, is helpful.

The detailed discussions in subsequent chapters of concrete examples of perpetrators' confessions are illuminating on several counts. In some cases, the authors discuss confessions that have hardly received any attention and are not widely known. Bringing them to light is therefore a valuable contribution in itself and models a practice of paying attention to such texts/performances that may help others uncover new examples. In other cases, where the confessions may have been more widely known (as in well-known declarations of an inten-

tional use of disproportionate violence against Republicans by major Francoist generals during the civil war), the author's detailed discussion of the elements of the performances and the context of their enactment and reception that account for why they did not lead to contentious coexistence is instructive, and, again, models an interpretative practice that can be used on other similar examples of confessions. The inclusion of confessions of Republican violence is a valuable contribution to the study of violence and its legacies in contemporary Spain. It is presented not as a way to create a supposedly "balanced" account of such violence (which would play into the tenet of the dominant transition narrative of an equally shared responsibility for civil war and postwar violence on both sides of the war) but as an acknowledgement that violence did exist on both sides although it responded to very different logics (actively and systematically sponsored from above on the Nationalist side, and mostly spontaneous eruptions that the Republican government tried to quell on the Republican side) and was extremely unequal (deaths due to Nationalist violence during and after the war being at least three times as high as those due to Republican violence). The inclusion of confessions from different time periods ranging from the civil war itself to very recently provides a useful historical perspective to study. Finally, the great variety of types of confessions analyzed and mediums through which they were made public (from public declarations and radio announcements in time of war to published autobiographies, from comments made in documentaries to anecdotes included within published novels, from confessions made in intimate diaries published posthumously to scenes in films) proves the versatility of the interpretative practice modeled by the authors.

Revealing New Truths about Spain's Violent Past provides a very convincing and useful paradigm for understating not only why fewer perpetrators' confessions have emerged in Spain than in other post-dictatorship contexts, but also why, when they have appeared, they have not easily been able to unsettle the various dominant narratives about past violence that were established at different times of Spain's recent past (during the civil war, throughout the Franco regime, and in the transition to democracy). These varying settled accounts have all had a similar effect: inhibiting the emergence of a healthy contentious coexistence. As the authors demonstrate, however, the exhumations of mass graves of Francoist violence in the new millennium, and the social/political/legal/cultural developments that have accompanied them, have finally led to some amount of contentious coexistence that "put[s] political participation, contestation, and expression in practice" (89). This is proof that there are growing "cracks" in the "cemented foundational pact" of the transition (90). Aguilar and Payne's book is a welcome and useful contribution to a growing field of study that hopes to not only bring attention to such "cracks" but provide innovative frameworks to analyze their full significance. The book, no doubt, is a performance onto itself, one which not only explores these cracks, but helps widen them.