323.273(460),,1936/1939"(093.3)

# Inquiring Private and Collective Past Through Documents: Spanish Memories of the War and Dictatorship Between Fiction and Public Policies

Maura Rossi

Università degli Studi di Padova, Padua, Italy

Abstract: A consistent portion of fictional production elaborated in contemporary Spain features the memory of the Spanish Civil War and Francoist dictatorship as a recurring topic. Written by authors who cannot count on a biographical connection with the events they tell about, this kind of narrative displays a recollection of painful events which still appears to be rather traumatized and conflictive. The main focus of this paper is the analysis of a subject which can be recorded in a number of fictional recreations, i. e. the pursuit of personal and collective past through documentary investigations. After evaluating the context in which such 'literature of memory' is elaborated, the argumentation will delve into the conditions of the Spanish archival system, as for what concerns the accessibility of documents which are relevant to the study of the period which goes from 1936 to 1975. Through an analysis of some of Spain's most prominent legislations and politics of memory, the ultimate aim is to verify whether the difficulty of the inquiry for documentary information portrayed in literary texts is a mere fictional exaggeration or is, in fact, a plausible description of the modalities of consultation of records connected with the recent past of Spain.

*Keywords:* Spanish Civil War; Francoism; Spanish Contemporary Literature; Archival Policies; Traumatic Memory

# I. A 'LITERARY' INTRODUCTION

The presence of the Spanish Civil War as a major thematic component of a considerable number of literary works produced in contemporary Spain is selfevident even to those who are not specifically acquainted with the cultural panorama of the country. Indeed, most best sellers elaborated especially in the last decade deal – either directly or indirectly – with the conflict that took place from 1936 to 1939 and with its political and civic consequences, lasting, in varying degrees, at least till 1975. Moreover, the Civil War has proven to be not only a popular and marketable topic for the book industry, but also a stage for literary excellence and experimentation, as shown by the constant presence in recent years of such fiction among the winning titles of some of Spain's most prestigious literary prizes.

Of course, the massive use in fiction of the Civil War is far from being a recent phenomenon: quite intuitively, it has been a rather productive branch of Spanish literature since the very beginning of the conflict, as Maryse Bertrand de Muñoz observes (1982). Developed both by exiled intellectuals and authors who opted for settling in dictatorial Spain, the evocative potential of the Civil War has been variously played upon along the years, surviving the introduction of new writings styles, the creation of new genres and a globalized evolution of literary tastes. However, the nature of such so-called 'literature of memory' is radically changing in the past few years, along with the gradual disappearance of communicative memory.1 Indeed, the fictional reconstruction of the period which goes from 1936 to 1975, formerly mostly testimonial, is now being passed on to the second and third generations, which seem to demonstrate that exercising memory is not necessarily a domain of the witnesses.<sup>2</sup>

The 'explosion' of memory in recent literature is, of course, no coincidence. It is widely assumed that in post-dictatorial Spain the cultural and political memory of the War and subsequent Dictatorship has been an object of both parliamentarian and civic interest since the very restoration of democracy; however, it is mostly since the mid-Nineties, almost twenty years after the transitional period, when the children and grandchildren of the generation which had gone through the conflict started claiming the Transition had failed in its attempt to undertake a proper and definitive integration of the Civil War within the collective mnemonic heritage of the nation. As a consequence, a number of organized civic movements started claiming time had come to break once and for all the supposed 'pact of silence',<sup>3</sup> which, according to many, for the sake of unity and in order to avoid a renewed outburst of rancour and inner opposition, had imposed a lack of firm revision and re-writing of the polarized account of the War established and diffused by Francoism for thirty-five years. Such context of public vindication of the right to elaborate a proper collective and personal grief over the emotional wounds caused by the war-period is the cultural and political *milieu* which has hosted, till nowadays, both the production and the reception of the kind of literature described above.

In the beginning was Javier Cercas's *Soldados de Salamina*, published in 2001, the novel which opened up to a new kind of writing about the War and can be considered a sort of paradigm of the key aspects of the most recent production. Its protagonist is a young journalists who gets to discover a controversial episode dating back to the final stages of the conflict and, like many others, still rather unexplored. The narration develops along with his search for more information and reaches a final point as the inquirer seems to be about to obtain his final answer, only to discover that the meaning of his *recherche* is radically different from what he expected.

Going beyond this particular example, it must be first pointed out that the topic of an ectoplasmatic, of an unknown, yet painful and unsolved background is extensively employed in most recent fiction about the period we are considering. Following an apparent attempt to clarify a past which still appears to be rather blurred when it comes both to private and collective memory, such narratives often display inquiries and investigations – from autobiographical to fully fictional

-, whose ultimate aim is to overcome a deep sense of disorientation and personal *vacuum*. What is forcibly ignored is, generally, a portion of history which was obliterated by the Dictatorship<sup>4</sup> or – as an alternative or in addition to this – a part of one's own familiar past, which was lost along with a deceased relative or consciously secluded by the members of the family itself, following a sort of inner censorship.

In most of the narratives we had the chance to deal with, documents are preferential tools when it comes to casting light upon something which is unknown. However, they hardly ever appear to be accessible, since they are hidden, lost, buried, secreted. It is now worth delving into the state of documentary accessibility in Spain in order to understand whether the intricate pursuit of records portrayed in novels is an accurate description of the conditions of the Spanish archival system or is, instead, a product of literary invention.

# II. TOWARDS THE HISTORICIZATION OF ADMINISTRATIVE DOCUMENTS: AN INCOMPLETE PROCESS

When it comes to reflecting upon the preservation and accessibility in Spain of those documents which are relevant to the study of the recent past of the nation, it is worth considering at first that most papers dating back to the Civil War, were they private or administrative, were in the hands of the dictatorial power before the Transition to democracy. In addition to this, they had been eminently employed as means of exercise of Franco's absolutism; indeed, after being seized during the War and its aftermaths both from public institutions and private citizens, they had been thoroughly catalogued and used as proofs of criminal guilt against the military rebellion.<sup>5</sup>

As Esther Cruces Blanco (2012) points out, state archives, besides being functional to the administration of a given country, are accurate mirrors of the very nature of the power in charge of producing, handling and preserving them. In the case of Spain, the documents from the war-period, fully swallowed up by the repressive system of the Dictatorship. told – and still tell – a story of absolutism, fierce opposition against the enemy, capillary and multishaped elimination of any form of political resistance. For these reasons, as in all those countries – in Europe and outside of it – which went through a totalitarian experience, the management of the enormous amount of archival material Francoism had left behind was to become a tricky task for the policy-makers of the transitional period, who were to establish its destination and political treatment.6

The decision was to integrate most documents referring both to the war-period and to the dictatorial repression within the cultural heritage of the country, officially 'historicizing' them, that is to say turning them from administrative into historical. In practical terms, as most Francoist political, police and civic institutions were being suppressed, the documentary collections formerly depending on their custody were delivered to the control of the Ministry of Culture and, as a consequence, came to be disciplined by the same norms ruling the protection and preservation of the national patrimony. As far as documentary accessibility is concerned, the 1978 Constitution significantly indicated that "[t]he law shall make provision for [...] the access of citizens to administrative files and records, except to the extent that they may concern the security and defence of the State, the investigation of crimes and the privacy of persons" (Constitution, 1978 : 50). Such intended – though still undefined – opening of state archives to public consultation, unconceivable during the Dictatorship, can be directly connected with a renewed intention of enhancing an active participation of citizens "in [the] political, cultural and social life" of the country (*Constitution*, 1978 : 12), as well as promoting academic research, therein included historical, for the "benefit of the general interest" (*Constitution*, 1978 : 25).

As for the first phase of Spanish democracy, what can be inferred from the Constitution is a remarkable initial overture towards a free access policy, apparently regardless of the antiquity of documents and with the sole, broad limitation of potential damage to either personal privacy or State security.

Such tendency was further specified in Article 57 of Ley 16/1985, which establishes that all documents belonging to the historical heritage of Spain should be freely consultable, with the exception of the material relevant to the safety of the nation (classified or not), for which specific authorizations might be granted by the competent authorities, and of ""[d]ocuments containing personal data in the police, juridical, clinical or any other sector that might affect people's safety, honour, personal and familiar intimacy," (Ley 16/1985, 1985 : 20348-49 [our translation]).7 Should the second case apply, Article 57 states that all documents containing sensitive information shall be made public and consultable under the authorization of the subjects therein mentioned or, in any case, twenty-five years after their death or fifty years after the date the document was issued.

Such impediments, despite being perceived as rather legitimate, have never been further specified nor made the object of adequate norms, due to a lack in Spain of a specific legislative interest towards archives containing recent documents. As Alberto Carrillo-Linares (2005) underlines in his analysis of the multiple interpretations of Ley 16/1985, the intrinsically blurred, undefined character of the Articles dedicated to historical archives, together with the impossibility to find within the Spanish legislation specific instructions for the management of controversial cases, has triggered a rather discretional application of the limitations indicated by the Law. As a consequence, it is frequently up to the archivist to decide whether a given document shall be made consultable or not, a situation which normally translates into what is referred to as 'preventive denial'. In other words, access to a given document or, in some occasions, to entire collections is denied not because of a proven danger, but instead under the simple suspicion its consultation may eventually cause damage.

This state of the matter, according to Antonio Niño and Carlos Sanz (2012 : 310), has caused an "involutionary turn" from the renewing spirit of the Transition, as for the right of both citizens and historians to employ State archives when investigating about private and collective past. It is now worth commenting the main restrictions which have been pointed out, in order to inquire why they have gradually turned into vetoes for the consultation of collections referring to the Civil War and Francoism.

# A. THE PROTECTION OF PERSONAL PRIVACY AS AN OBSTACLE FOR DOCUMENTARY ACCESSIBILITY

When repressive archives are deprived of their political value and get to be absorbed within democratic institutions, the most common circumstance that may

arise is a collision of different civil rights. On the one hand, as Antonio González Quintana argues, the "right to truth" (1999: 383) shall be a fundamental feature of newly-established democracies, meaning that it should be granted that citizens are able to know about the crimes that have been committed, in connection both with their family and the collectivity they belong to.<sup>8</sup> Being able to prove having been a victim of political prosecution normally entails being entitled to economic and civic compensations, such as special pensions (for widows, orphans, veterans, ...), labour rehabilitation, restitution of seized properties, amnesty for crimes which are no longer considered as such, correction of police records. In order to understand the centrality the concept of reparation to the victims acquires in post-dictatorial countries, suffice here to remind that in Spain its supposedly incomplete achievement was central to the redaction of the so-called 'Law on historical memory' (properly, Ley 52/2007), issued in 2007.

On the other hand, the end of a totalitarian ruling system implies that the new political order guarantees protection and integrity to victims and perpetrators alike, that is to say it establishes fundamental human, political and civic rights which are to be extended to all components of the society which is being reformed. Far from translating into a legal impunity for the members of the former regime, this principle is the fundamental basis for preventing revenge, latent hatred and rancour to determine justice in a formerly dived political environment.

Now, as is any national context with an increasingly complex administrative and bureaucratic system, the regulation of data protection has been extensively legislated in Spain in the past few years, especially after

the consolidation of electronic devices as units for the massive storage of information. On a general basis, the new norms are applied to newly-produced records, that is to say to documents which are first and foremost administrative. In this direction, a law approved in 1999 inhibited access, processing and dissemination of "any type of information pertaining to identified or identifiable natural persons", additionally indicating as "specially protected data" those referring to a person's ideology, religion, beliefs, trade union affiliation, sexuality, racial origin or health (Ley organica 15/1999, 1999 : 43088 and 43090 respectively). In accordance with a disposition issued in 1992, the same law granted special permissions for solicitors who proved an historical, statistic or scientific aim for their investigations; however, no specific instruction was provided as per what concerns the modalities of concession of such preferential access.

The relevance of specific and restrictive laws like Lev Orgánica 15/1999 is strictly connected with the fact that most individuals mentioned in records from the Civil War and Dictatorship are still alive and, therefore, fully entitled to benefit from the above mentioned dispositions. A signature apposed in the last years of the Dictatorship, a stamp with a person's name on a seventy-year-old document are enough to trigger the procedures which aim at the protection of personal data. The problem, according to Antonio Niño (2005), is that in many occasions data protection is applied to deceased and living subjects alike, to the point that the presence in a given paper of whatsoever generic personal data, be it only a person's name, is sufficient for determining its permanent closure. In other words, the concept of protection of intimacy, guaranteed for historical documents in 1985, has been mischievously

merged with that of protection of identity, which in principle is not meant to be applied retrospectively. This tendency towards both a forced application of data protection to historical documents and an intentional turn into fully operative norms of the exceptions to free access established in 1985 causes numerous documents which should normally be opened up to both historians and generic users to be virtually unavailable for any kind of investigation or inquiry. Moreover, "rather frequently such prevention extends to complete series and even complete collections, hundreds of boxes sometimes, under the sole suspicion that in some paper might hypothetically be contained the kind of damaging data that should be secluded" (Niño, 2005 : 306 [our translation]).

## B. HONOUR: AN UNDEFINED CONCEPT

The already intricate framework we have just outlined is further complicated by the presence of one element which has turned into an object of constant debate in Spain among historians, archivists and the civic associations advocating for a free access policy. We are referring to the concept of 'honour', which, among the other exceptions established in 1985, is perhaps the most difficult one to define. Ley 1/1982 connected it with "events relevant to the private life of a person or family which might affect their reputation or good name" (1982 : 12547 [our translation]). Be as it may, it is easily understood that the notion of honour is intrinsically and strictly chronotopical, meaning it changes according to place and - most interesting in our case - time. As far as contemporary Spain is concerned, what could be meant by 'honour'? Elements of public or private life which were not evaluated as honourable during Francoism – belonging to a clandestine party, participating in strikes, being an atheist, adhering to Communism, etc. – are nowadays judged as acceptable within a democratic order. Even more so, most actions and civic positions which were condemned during the Dictatorship might even be considered in contemporary times as the very basis of the current political regime (as Alberto Carrillo-Linares puts it, "there is no democracy without them", 2005 : 24). At the same time, since the Transition, the former involvement of a given subject in the multiple organisms of the Dictatorship, in the repression, in Francoist police might as well be classified as a piece of information which concerns and affects personal reputation.

In practical terms, documentary accessibility is then bound to be restricted because of an hybrid idea of 'honour', which combines democratic and dictatorial criteria. This peculiarity is not an irrelevant one, as it mirrors at least two distinguishing features of contemporary Spain. On the one hand, since having militated at different degrees alongside with the Republic - or, simply, belonging to the social group of the defeated is in some occasions included in the realm of honour, that the civic and political rehabilitation of the victims is still incomplete. On the other hand, taking into account that ideological and factual proximity with the regime is sometimes considered as relevant to a person's 'good name', that Francoism is somehow condemned by a portion of the citizenship and political milieu, even though, according to a number of civic movements, a definite and mediated distance from it has never been formulated by some of Spain's political forces.9

Once again, the relevance of such reflections when it comes to public archives is but one among many

proofs that Spain has not yet come to terms with its conflictive past. As Carme Molinero (2011) underlines, the redaction and actuation of a specific law disciplining the access to archives containing recent documentation should be a priority for any government ruling democratic Spain. The fact that the elaboration of such much-necessary norm is ever-delayed clearly shows that, almost forty years after the Transition, the last seven decades of Spanish history are still difficult to confront with.

## C. STATE SECURITY AND ARCHIVAL SEALING

So far we have strictly limited ourselves to archives clearly defined and definable as historical, mainly due to the destination indicated for their content during the Transition. At this stage, it will sound as no surprise the consideration that only a portion of documentary heritage connected with the War and dictatorial period is stored in units and institutions directly controlled by the Ministry of Culture. Indeed, a considerable amount of documents and series closely relevant to the study of the 1936-1975 period is still located in administrative and militarized archives among others, those of prisons and police forces and of a number of ministries, e.g. those of Interior and Justice, Defense and Foreign Affairs -, not to mention the uncountable number of private foundations and personal collections.<sup>10</sup> As far as this point of view is involved, Real Decreto 1708/2011, the most recent disposition concerning archival practice in Spain, is limitedly helpful as it formulates no specific policy for recent documents on the basis of their status - officially historical, administrative, militarized -, current collocation and factual availability, though aiming at providing clear instructions for the management of the overwhelming variety of the Spanish archival system.

Among many cases, it is worth analyzing in depth the dispute which has gone on for over a decade about classified records – and, more generally, documents relevant to State security –, contained in most kinds of archives, from historical to strictly confidential, and indicated as limitedly accessible by both the Spanish Constitution and *Ley* 16/1985.

To begin with, the referential norm in Spain for State-secreted material is, surprisingly enough, a disposition which was issued during Francoism and later rectified within the constitutional order. The so-called 'Law on official secrets' (Ley 9/1968), approved in 1968 and modified ten years later, defines the classification of 'top-secret' and 'confidential' ('secreto' and 'reservado'), binding their attribution and subsequent eventual declassification to the institution responsible for the declaration, the Council of Ministries and the Junta de Jefes de Estado Mayor (now turned into the Chief of Defense Staff, Jefe de Estado Mayor de la Defensa). In other words, on the one hand, what is currently inherent to State-secrecy in Spain is established by a disposition conceived in dictatorial times, and, on the other hand, the Parliament and the Ministry of Defense are the main organs in charge of managing official classifications.

For what concerns the first point, it is significant to observe that most classifications established by the regime at different stages of its ruling period are still active nowadays, so a secrecy criterion imposed by a dictatorial power has somehow survived the Transition and almost four decades of democratic establishment. The declassification of papers from the Dictatorship, among which many date back to the Civil War and

even to the early Thirties, when the Republic was founded, has been repeatedly brought up in the Spanish Parliament, even more so after around threehundred historians worldwide signed an official freeaccess petition in July 2013.<sup>11</sup> The fact that records from a long-concluded historical period are still judged as potentially dangerous to State security is considered by many citizens an excuse to prevent free investigation about a varied set of crimes perpetrated before and during Francoism, mostly by the coalition which won the Civil War.

In addition to this, it must also be observed that in the last few years the Spanish Parliament has extended official classifications to an ever-increasing number of new records, covering, among other matters, military operations, foreign affairs, war on terrorism. Such restrictive modifications about the accessibility of documents relevant to State security reached their peak in an agreement signed by most political parties in October 2010, when the Parliament, in a Wikileaks-gate context, granted itself the power to seal a rather extensive number of previously available diplomatic records. As a result, the Spanish State-security policy, made year by year more prohibitive and complex, affects historical investigation - both private and specialized - at least in two directions. One the one hand, as Niño and Sanz summarizes (2012), restrictions are frequently retrospective (even covering records which were previously accessible) 12 and applied with no timelimitations, meaning that the seal imposed to a given record generally has no expiry date. On the other hand, the imposition of classifications or, more generally, limitations to one single document frequently triggers the closure of the whole collection it is contained in,

causing entire archival sections to be declared offlimits.

This controversial position where recent historical records are located, due to which they get to be penalized by a number of limitations but hardly benefit from any disclosure, is currently under the examination of Spanish policy-makers. In 2011 Carme Chacón, the Ministry of Defense of Zapatero's government, elaborated a proposal of declassification of "10.000 records dated between 1936 and 1968" (González, 2011 [our translation]); however, the establishment of the new administration formally paralyzed the procedure, despite the insisting hierarchical recourses issued by some of Spain's more prominent historians.

The structural and legislative deficiencies that deeply affect access to documents referred to State security, even more so if they are classified, are bound to be partially overcome by the definite elaboration of a Law on Transparency, being Spain one of the few Western European countries still lacking one. The approval of the document, which has been discussed in the Spanish Parliament for over one year, is currently the main depository of the expectations of those citizens who advocate for a more fluid and user-friendly functioning of Spain's State archives. In a context where European institutions insist on the role of administrative and archival accessibility in the pursuit of human rights, and countries like Great Britain and Russia increasingly open up their documentary heritage for historical studies, the malfunctioning of the Spanish archival system clearly shows that in Spain a lot still needs to be done to fully provide citizens with the tools they require in order to explore their personal, familiar and collective history.

## **III. AN OPEN CONCLUSION**

Going back to our starting point, the literature connected with historical issues, especially when it does not stream from biographical experience, is frequently looked at with suspicion, sometimes even accused of providing a misleading, distorted and uselessly altered portrayal of reality. Be as it may, as far as we could see, the recurrence of documentary investigations in second and third generation writings about the War and Dictatorship quite accurately mirrors one rather concrete and specific need of Spanish society, namely a more wide-spread access to every resource which may favour the reconstruction of a past which is still fragmented. Even more so, non-testimonial literature turns out to be rather precise when it comes to portraying the Spanish archival system, as it reveals and absorbs its limits within the fictional framework.

Documentary accessibility in post-dictatorial countries, when advocated by the citizenship, is first and foremost a political issue, meaning that it is up to the democratic ruling system to decide how and when archives should be opened up for citizens to consult. The difficulty and obstructionism which marks the whole subject in Spain mirrors the fact that the country still needs to work about a wide range of politics of memory about the War and Dictatorship, both for the sake of citizens, who have the legitimate right to know where they come from, and for the sake of democracy, as a country cannot call itself fully democratic if it hasn't come to terms properly with its own past.

## ENDNOTES

- [1] When we refer to 'communicative memory' we evoke Jan Assmann's definition, according to which "[c]ommunicative memory is non-institutional; it is not supported by any institutions of learning, transmission, and interpretation; it is not cultivated by specialists and is not summoned or celebrated on special occasions; it is not formalized and stabilized by any forms of material symbolization; it lives in everyday interaction and communication and, for this very reason, has only a limited time depth which normally reaches no farther back than eighty years, the time span of three interacting generations" (Assmann, 2008 : 111, see also Assmann, 1995).
- [2] Due to space limitations, we will not expand here about the concept of memory as performed by the children and grandchildren, especially in literature and visual arts. For a deeper insight about whether it is appropriate and productive to use the label 'memory' for non-testimonial elaborations about the past, see Hirsch (2008)
- [3] The concept of a 'pact of silence' (or 'pact of oblivion'), supposedly stipulated by the political parties involved in the Transition, is widely discussed in Spanish sociology and historiography (see, for example, the works of Santos Juliá and Paloma Aguilar Fernández). It is nowadays widely accepted that, as far as politics are concerned, in the late Seventies there took place an intentional downplay about themes connected with the Civil War and dictatorial repression, in order to prevent new inner conflicts from arising; at the same time, in culture, society and in the incipient democratic political discourse the same subjects kept on being extensively discussed, as a prosecution of the questioning wave which had already burst during the final stages of Francoism.
- [4] For example, *La voz dormida* by Dulce Chacón (2002) is about the conditions of Franco's women's prisons; *Ayer no más* by Andrés Trapiello (2012) deals with the presence of mass graves all around the Spanish territory; *Mala gente que camina* by Benjamín Prado (2006) tackles the disappearance of children born to Republican parents in the aftermaths of the Civil War.

- [5] A brief account of such political strategy can be found in Morales Moya and Dardé (2002), whereas González Quintana (2007) provides an analysis of Franco's main repressive institutions working with documentary resources.
- [6] According to archivist Antonio González Quintana (1999), the integration of former repressive archives within democratic institutions is a key-passage for the democracy in construction, as it becomes a litmus test for assessing how a newlyestablished power pretends to deal with the disruptive recent past of the community it is about to rule.
- [7] It is worth pointing out that, prior to 1985, a disposition relevant to the protection of the civil right to honour and personal and familiar intimacy had been issued in 1982. The significant aspect of *Ley Orgánica 1/1982* was that it merely prohibited the dissemination of personal sensitive data, without inhibiting their consultation and accessibility.
- [8] The notion of 'truth', obviously controversial when it comes to the writing and construction of both collective memory and historiography, has been employed here as a reference to the constitution in many post-dictatorial countries of public commissions whose aim was the establishment of an official, reliable and fairly universal report about the most recent past. Just to quote a couple of examples, see the *Comisión Nacional de Verdad y Reconciliación*, established in Chile after Pinochet's downfall, or the South-African post-Apartheid *Truth and Reconciliation Commission*.
- [9] Be it reminded that the main right wing party in Spain, Partido Popular, did not condemn Franco's alzamiento till 2002 (see Cué, 2002). Up to date, acts of vindication of the recognition of the former victims' civil rights or definite condemnation of the perpetrators are still frequent in Spain: suffice here to refer to the controversial exhumation of mass graves, advocated, among others, by judge Baltasar Garzón.
- [10] Note, for example, that a vast variety of administrative documents dating back to Francoism are currently preserved in the Francisco Franco Foundation, headed by the dictator's daughter and subjected to a more restrictive access as compared to State archives.
- [11] The proposal to send an official petition of declassification of documents to the Spanish government was launched in early 2013 on the online forum for academic debate called H-SPAIN. Among the petitioners there appeared "prestigious historians"

such as Jean-Marc Delauny, Ángel Viñas, Helen Graham, Alfonso Botti and Borja de Riquer" (González, 2013).

[12] The agreement established in the Parliament in 2010 abruptly closed the doors of archives and documentary collections which were previously freely available for historical investigation, causing significant impediments in the development of already functioning research projects (see González, 2012).

#### REFERENCES

- P. Aguilar Fernández, Memoria y olvido de la Guerra Civil española, Madrid, Spain: Alianza Editorial, 1996.
- [2] P. Aguilar Fernández, Políticas de la memoria y memorias de la política, Madrid, Spain: Alianza Editorial, 2008.
- [3] J. Assman, "Collective memory and cultural identity", New German Critique, vol. 65, pp. 125-133, Spring-Summer 1995.
- [4] J. Assmann, "Communicative and Cultural Memory", in A. Erll and A. Nünning, eds., A Companion to Cultural Memory Studies, Berlin, Germany: Walter de Gruyter, pp. 109-118, 2008.
- [5] M. Bertrand de Muñoz, La Guerra Civil Española en la novela. Bibliografía comentada (3 volumes), Madrid, Spain: J. Porrúa Turanzas Ed., 1982.
- [6] A. Carrillo-Linares, "Reflexiones y propuestas para una correcta interpretación de la Ley 16/1985 del Patrimonio Histórico Español: sobre el artículo 57 y el acceso a los archivos", *Boletín de la ANABAD*, vol. 55, pp. 11-48, 2005.
- [7] J. Cercas, Soldados de Salamina, Barcelona, Spain: Tusquets, 2001
- [8] D. Chacón, La voz dormida, Madrid, Spain: Santillana, 2002.
- [9] E. Cruces Blanco, "La destrucción y la ocultación de los símbolos: documentos, archivos y mentalidad colectiva", Arch-e, vol. 5, pp. 146-175, 2012.
- [10] C. E. Cué, "El PP condena el golpe de Franco y promete honrar a todas las víctimas de la Guerra Civil", *El País*, 21.11.2002.
- [11] M. González, "Defensa levanta el velo de la historia", El País, 05.12.2011.
- [12] M. González, "Exteriores revisará el acuerdo que declara secretos todos sus documentos", *El País*, 05.06.2012.
- [13] M. González, "Hermetically sealed archives", El País, 21.07.2013.
- [14] A. González Quintana, "Archivos y derechos humanos", Boletín de la ANABAD, vol. 49, pp. 371-389, 1999.

- [15] A. González Quintana, "La política archivística del Gobierno español y la ausencia de gestión del pasado desde el comienzo de la transición", *Hispania Nova*, vol. 7, pp. 715-739, 2007.
- [16] M. Hirsch, "The Generation of Postmemory", *Poetics Today*, vol. 29.1, pp. 103-128, Spring 2008.
- [17] S. Juliá, Historias de las dos Españas, Madrid, Spain: Taurus, 2004
- [18] C. Molinero, "El acceso a los archivos y la investigación histórica", Ayer, vol. 81, pp. 285-297, 2011.
- [19] A. Morales Moya and C. Dardé, "Razón de un Archivo", Ayer, vol. 47, pp. 295-303, 2002.
- [20] A. Niño, "La acción preventiva y el acceso a los archivos históricos", Cuadernos de Historia Contemporánea, vol. 27, pp. 299-307, 2005.
- [21] A. Niño and C. Sanz, "Los archivos, la intimidad de las personas y los secretos de Estado", *Cuadernos de Historia Contemporánea*, vol. 34, pp. 309-342, 2012.
- [22] B. Prado, *Mala gente que camina*, Madrid, Spain: Alfaguara, 2006.
- [23] A. Trapiello, Ayer no más, Barcelona, Spain: Destino, 2012.
- [24] "Constitution" [English translation of the original text in Spanish, made available on the website of the Spanish Congress of Deputies: http://www.congreso.es/portal/page/portal/ Congreso/Congreso/Hist\_Normas/Norm/const\_espa\_texto\_ingles\_ 0.pdf], 1978.
- [25] "Ley 9/1968, de 05 de abril, sobre secretos oficiales", Boletín Oficial de Estado, vol. 84, pp. 5197-5199, 14.05.1982.

- [26] "Ley 48/1978, de 07 de octubre, por la que se modifica la Ley de 05 de abril de 1968, sobre Secretos Oficiales", *Boletín Oficial de Estado*, vol. 243, pp. 23605-23606, 11.10.1982.
- [27] "Ley Orgánica 1/1982, de 05 de mayo, de protección civil del derecho al honor, a la intimidad personal y familiar y a la propia imagen", *Boletín Oficial de Estado*, vol. 115, pp. 2546-2548, 14.05.1982.
- [28] "Ley 16/1985, de 25 de junio, del Patrimonio Histórico Español", *Boletín Oficial de Estado*, vol. 155, pp. 20342-20352, 29.06.1985.
- [29] "Ley 30/1992, de 26 de noviembre, de Régimen Jurídico de las Administraciones Públicas y del Procedimiento Administrativo Común, *Boletín Oficial de Estado*, vol. 287, pp. 40300-40319, 27.11.1992.
- [30] "Ley Orgánica 15/1999, de 13 de diciembre, de Protección de datos de carácter personal", *Boletín Oficial de Estado*, vol. 298, pp. 43088-43099, 14.12.1999.
- [31] "Ley 52/2007, de 26 de diciembre, por la que se reconocen y amplían derechos y se establecen medidas en favor de quieres padecieron persecución o violencia durante la guerra civil y la dictadura", *Boletín Oficial de Estado*, vol. 310, pp. 53410-53416, 27.12.2007.
- [32] "Real Decreto 1708/2011, de 18 de noviembre, por el que se establece el Sistema Español de Archivos y se Regula el Sistema de Archivos de la administración General del Estado y de sus Organismos Públicos y su régimen de acceso", *Boletín Oficial de Estado*, vol. 284, pp. 125573-125592, 25.11.2011.