

Woe to the Vanquished!

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General Franco's troops entered Barcelona on 26 January 1939. Within days, in Burgos on 9 February "with the liberation of the whole of Spain imminent", Franco signed the Law on Political Accountability, the first sally in the vindictive violence upon which the dictatorship was built. That law pronounced upon the "personal political answerability, in legal as well as physical terms" of those who had, since 1 October 1934 "helped create or aggravate the subversion of all order from which Spain suffered" and those who, since 18 July 1936 "may have opposed or still do oppose the National Uprising by concrete deed or grievous passivity".

All of the parties making up the Popular Front, plus "their allies, the separatist organisations" were "outlawed" and would suffer "complete loss of rights of any description plus forfeiture of all assets" which would be transferred "in their entirety to State ownership".

The setting in motion of all this machinery of repression and sequestration caused mayhem among the reds and the vanquished, opening the doors to an arbitrary extra-judicial persecution which in day to day life often took the shape of looting and pillage. By October 1941 some 125, 286 indictments had been drawn up and a further 200,000-odd people felt "the lash of the courts" under this law in the years thereafter. The law was repealed on 13 April 1945 but dozens of indictments then in the pipe-line carried on until 10 November 1963.

The sanctions for which the law provided were very harsh and, under Article 8, might be of three sorts: those "restrictive of activity" whereby persons might be utterly and specifically disbarred from pursuing certain professions; "restrictions upon freedom of residence" entailing confinement or banishment; and "economic" sanctions whereby all or part of one's assets might be forfeit and fines imposed. Leading republicans, political authorities and trade union leaders felt the brunt of this law which inflicted penalties upon thousands already murdered, banished, driven into exile, held captive or "whereabouts unknown". Those affected, plus their families, were convicted by the courts and turned in by neighbours and were ground into the direst poverty.

In accordance with the law, the investigating magistrate was required to "apply urgently to the Mayor, the local Falange chief, the parish priest and the commander of the local Civil Guard post of the town [where he lives or was last domiciled] for reports on the political and social background of alleged culprit prior to and subsequent to 18 July 1936."

In this way the law became part and parcel of a circle of powerful, omnipresent authority figures with boundless powers of coercion and administration which, through the long years of the Francoist peace, was to watch over the business and lives of the citizenry: the mayor, who was also the local chief of the Movimiento, the commander of the local Civil Guard post and the parish priest - the triad of political, military and religious rule.

The Law on Political Accountability offered the Catholic Church, through its parish priests, the opportunity to operate as a para-police detective agency. It was not enough that the church, laden with privileges in the wake of victory, should have recovered its role as the guardian of morality and good behaviour. Parish priests, thanks to this law, also became public detectives inquiring into the past of every local suspected of having "subverted law and order" and, of course, of having "attacked the Church", charges which could be levelled against the alleged culprits and their entire families. Through their reports they endorsed the lawful murder orchestrated by the victors and immersed themselves up their necks in the climate of revenge, envy, hatred and enmity in which the day to day existence of small rural communities was awash in the post-war period.

Hatred, vengeance and grudges fed the vulture-like swooping upon the thousands of jobs left vacant by the victims of murder or reprisal in the state civil service and in the town halls and provincial and local institutions. A very high percentage of these "vacancies" - up to 80% of them - were reserved for the "Crusade's" ex-servicemen, ex-prisoners and relatives of its martyred dead and access to the remainder required a display of unquestioning loyalty to the principles of the victors. And this was one of the main bases of the enduring support for the Franco dictatorship and the "unbreakable loyalty" of all of those who reaped the benefits of its victory.

Thousands of files and reports from the security forces, the clergy and Falangists as well as references and safe-conduct documents unearthed by historians in recent years in dozens or archival collections bear witness to the extent to which a significant segment of the population was implicated in this terror system. Hundreds of thousands had fought on the winning side and they accepted the legitimacy of such a regime forged through a pact of blood and they worshipped Franco for having saved them from revolutionaries and for delivering them "peace and tranquility". But for such civic complicity, the terror would have been reduced to naked force and coercion. Which is worth remembering now - by way of an act of resistance against the silence and the misrepresentation of the facts - some 70 years on from when it all kicked off.

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