

Communication

Return Their Names to Forgotten Bones: Memory Process about Spanish Civil War in Ponferrada (León)

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ABSTRACT: For more than 80 years, Spain has had a human rights problem. Since the 18th of July 1936, when military personnel and fascists staged a coup d'état against the democratic government of the Second Republic, thousands of victims remain missing. We will examine how the victims have been treated by the State and how civil society has led the process of recovering democratic memory. We will focus on its impact in the Bierzo region, in the northwest of the Iberian Peninsula, and its importance in this process. We will also look at how scientific efforts continue to search for missing persons. History, archaeology, physical anthropology, and genetics join forces to repair the victims of the Spanish Civil War and Franco's dictatorship.

Keywords: Human Rights; Democratic Memory; Spanish Civil War; Francoist Dictatorship; Missing Persons; Ponferrada; El Bierzo



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1. Introduction

During the 1930s, Spain experienced a tumultuous period. There were several steps that ended with a fascist political system supported by Hitler and Mussolini. The first one was the end of the Primo de Rivera's dictatorship supported by the monarchy in 1930, which supposed the rejection of the king Alfonso XIII. A few months later, in April 1931, the municipal elections and the victory of the Republicans in most of the cities around the country, determined the end of the monarchy and the proclamation of the Second Republic [1]. But, for the military, Catholics and upper classes the Republic supposed an attack to the privileges. Different politics about the properties of the land, the laicism of the State or the demilitarization of a part of the Spanish Army, caused the rejection to the Republic part of the society. From the beginning, the conservative forces tried to end with the democratic system and was involved in some coup d'état, like in 1932, led by the General Sanjurjo [2]. Finally, after some elections and different Governments during the next years, in July of 1936, another coup d'état starts in the Spanish colonies in the North of Africa. But this new try to end with the democratic system was different. The coup d'état failed in important parts of the country, but was successful in others and this was the beginning of the Spanish Civil War [3].

This new Civil War in Spain—during the XIX century there was another three [4]—had an important consequence: the enormous violence put into practice for both sides in conflict [5]. The fears of both sides led to deep violence processes to eliminate the opposite, but the difference in the treatment of the victims was one of the consequences of the triumph of the revolts. Their victims received honours, plaques in the churches, social benefits to their families, etc. But the Republican victims, the losers of the war, were forgotten and silenced and their families marked as the enemies. They were the anti-Spain for the next decades, until the Dictator, Franco, died in November 1975.

Nevertheless, nowadays, after 80 years, the wounds are still open for hundreds of families all over the country. After 40 years of Franco's Dictatorship and another 40 years of a new democratic system, more than one hundred thousand victims are still missing. There is no consensus within society or even within the political system about what happened during the Spanish Civil War.

Since the year 2000, civil society has been organizing, uncovering and identifying dozens of mass graves across the country. In a region in the Northwest, the social process to recover the memory of the Civil War and Francoism victims

has been growing. Involving social and forensic scientists, this movement has achieved reparations for many families, providing information or recovering the bodies of their relatives.

Nevertheless, more than 20 years after this process began in this region, the most significant sites of Francoist repression there are being forgotten. No one is paying attention to two sites which probably contain the remains of more than 200 victims still buried in the places chosen by their killers. Now, there are projects to find and exhume remains in the former Cemetery of El Carmen and the Montearenas site.

2. The Human Rights Problems in Spain

In October of 2008, Judge Baltasar Garzón began a judicial process to investigate the forced disappearances during the Spanish Civil War. His conclusion was simple: there are still 114,226 missing persons throughout the country due to the repression implemented by the rebels and the Dictatorship. So, what happened with the victims after Franco's death? During the transition to democracy (1975–1982), many families tried to recover the bodies of their relatives. It was a process led by them, without a scientific method to identify all the remains one by one. The widows and children of the victims knew the places, went there, and with their hands freed the bones from the soil [6]. This first attempt to exhume victims, especially in Navarra and La Rioja, ended in 1981. In February, a new coup d'état attempted to end the democratic process in Spain, and, following the words of one of its leaders, the families of the victims were completely silenced.

At the end of the century, the families once again tried to break the silence about their relatives. This new process had a substantial difference from the first one: the principal actors were the grandchildren. Since 1999, there have been several attempts to organize different proposals about the memory of the Civil War and post-war. In Santa Cruz de Moya (Cuenca), an organization was founded to work on the legacy of the Spanish guerrilla warfare against Franco [7]. In the north of the León province, judicial authorities and the University of León exhumed the bones of a dozen victims who were murdered and thrown into a cave [8]. But it was in the region of El Bierzo, also in the León province, where the movement definitely crystallized. In Priaranza del Bierzo in October 2000, the silence about the disappeared persons was broken. A collaborative effort between families and scientists achieved the goal of finding and exhuming the bodies of 14 people who were murdered in September 1936 and buried near the road. A few months later, in response to this achievement, the Association for the Recovery of Historical Memory—ARMH—was born [9].

Since then, this process has transformed into a social movement. There are hundreds of different organizations of families, activists, scientists, etc. The movement is still growing and working to establish a systematic process to find the victims' remains, led by the government. Until now, it has been the organizations that have had to assume the technical process with economic support—mostly from the government. Nevertheless, the movement has achieved several milestones. In 2007, the Spanish Parliament approved Law 52/2007, popularly known as the Historical Memory Law. It was a step forward in recognizing the suffering of the victims and their families, but it did not change anything regarding the discovery of the victims' remains. A few years later, the government approved a protocol of action that established a methodological process to exhume Civil War and Dictatorship victims. The memory of the victims and their families seemed stronger than ever at that moment: the government provided funding; different groups of people conducted exhumations all over the country; universities created research projects about the Civil War; the futile attempt of Judge Garzón; the Argentinian lawsuit... [10].

But the political right won the elections and formed a new government at the end of 2011. The state policy regarding the Civil War and Franco's Dictatorship victims changed. Since then, as the President Rajoy said, *zero euros for the historical memory*, which supposed a real abrogation of the law [11]. The families had to continue the efforts of victim recovery without the economic support of the Government. During those years, only a few organizations could continue with the exhumations, which decreased considerably. The pause continued until 2018. A new government led by the Socialist Party began a new era, restoring economic support, creating a specific Ministry for the victims, relocating Franco's remains [12], and achieving many advances for the victims and their families. Since then, dozens of multidisciplinary teams have been working all around the country to find, exhume, and identify the bodies of the victims [13]. Additionally, there were two developments that helped consolidate the process and the victims' rights. Many regional governments have been approving their own laws, increasing support to the families. And finally, in 2022, a new law was approved by the national government, with the aim of preserving and maintaining the memory of the Civil War and Franco's Dictatorship victims, through truth, justice, reparation, and guarantees of non-recurrence [14].

But there is a question here. Why is the Spanish justice system not working on finding the people who disappeared as a consequence of the Spanish Civil War and the families and organizations are doing it? On 15 October 1977, the Spanish Parliament approved the Amnesty Law, which served to forgive all political crimes since 1936. Marcelino

Camacho, representing the Spanish Communist Party, said during the debate on the law that *we, precisely, the communists, who have so many wounds, who have suffered so much, have already buried our dead and our rancor* [15]. The mass graves exhumed since then contradict what he said, and the justice system in Spain is closed as long as that law is not abolished, as happened in other countries in Latin America or Africa. By maintaining the Amnesty Law, Spain is defaulting on the international treaties about human rights, as stated by the Office of the High Commissioner for Human Rights of the United Nations in 2014 [16].

3. What Happened in El Bierzo?

The Region of El Bierzo is located in the northwest of Spain, in the province of León, bordering Asturias and Galicia. As mentioned earlier, the scientific exhumations of people who suffered enforced disappearances as a consequence of the Spanish Civil War began here in 2000. In this region, and in its capital, Ponferrada, the ARMH team is based, and most of the ongoing work is conducted by this organization. We can clearly distinguish four different phases in the efforts to find victims in this area.

The first phase began in October 2000 and extended until 2007. During this time, the government ignored the victims, and the efforts to find them had to be financially supported by the organization itself. With the help of volunteers, several searches are conducted across El Bierzo every year, attempting to find small graves to continue highlighting the silence and helplessness experienced by the victims and their families. In total, there were 14 attempts to find victims in El Bierzo during those years, with 10 successful cases recovering 34 victims and identifying at least 6 of them [17].

The second period of exhumations in the region was between 2008 and 2012. During these years, ARMH worked with financial support from the Spanish government and created a permanent team that operated throughout the country, especially in El Bierzo. They worked in 24 different locations, successfully recovering 45 victims of fascist repression in 10 cases, most of whom were identified through DNA tests and returned to their families. However, the national context once again influenced the subsequent period, the third one. Between 2013 and 2018, the disappearance of financial support led to a significant decrease in attempts to find victims in El Bierzo. Only 3 exhumations were carried out, resulting in the exhumation, analysis, and identification of just 4 victims during those years [18].

We are currently in the fourth period. Since 2020, two different teams have been working in this area, with the Scientific Association Sputnik Labrego also establishing part of their efforts here. Since then, ARMH has conducted another intervention in the region, recovering one victim. Our team has been working on three other cases, recovering at least 10 victims. This year, another 4 mass graves will be sought. The social movement that started in El Bierzo continues to this day.

4. Ponferrada as a Capital of Repression

The Region of El Bierzo has Ponferrada as its capital. Not only is it the most populated place, but it is also an economic, transport, sports, and cultural center of the region. In the 20th century, during the 1930s, Ponferrada was much smaller than it is now, but it was then that the city began its industrialization process, focused on the coal mining industry. A few years earlier, Ponferrada saw the creation of one of the largest coal mining companies in Spain, the *Minero Siderurgica de Ponferrada*, known by its initials, MSP [19]. As a new economic and industrial center, Ponferrada began to grow, and the economic perspective of most of the population transformed from peasantry to working class [20].

During the Spanish Second Republic (1931–1936), Ponferrada was the place where the largest and most significant labor unions were created, especially connected to the socialist movement. Additionally, the city council was managed by the Socialist Party, and the socialist labor union had more than 3000 members [21]. Nevertheless, in July 1936, the military and fascist coup d'état was successful in the city, and as part of the plan, violence against the opposition began. The violence carried out by the military forces against their political opposition had a simple objective: to institute fear and silence in society, and from that, establish severe control to create consent for the rebels. A few days after the military conquered the region, this process began in two different and parallel ways [22].

One of these ways was by employing their own laws, using military codes to persecute political enemies. To make this possible, they had to consider people loyal to the Republican Government as rebels. As the rebels argued, it was the Republicans who confronted the military forces across the country as part of the revolution they were trying to promote, and as a consequence, the military had to rise with their guns. As they themselves said, it was backwards justice [23]. This process had in Ponferrada one of the three military courts in the León province, with the city hall and the secondary

school being the places where the rebels applied their “justice” [24]. In 1936, 200 people were judged in Ponferrada, 97 of whom were sentenced to death, and finally, 45 were executed. Mayors of different local governments in the region, city councilmen, labor unionists, members of political parties, or people who simply had sympathies for the left or participated in protests ended up facing firing squad. All these people were executed at the walls of the cemetery, and their bodies were buried in different places afterward.

The other type of execution developed by the rebels, with special intensity in 1936, was the use of enforced disappearances to create intense panic in society. The process was typically similar: a group of fascists would go to the homes of significant leftist individuals, arrest them, and take them to the local jail. A few days later, when their families came to bring them food or clothes, the guards would say that their relative was no longer there, having been moved to another location. The families never heard from them again. During the transfer, usually in groups and transported in trucks, they were taken to a remote location, forced to descend into a ditch, and executed in the middle of the night. Their bodies were buried at a site chosen by their killers. Continuing with the example of 1936, in the El Bierzo region, there were officially 240 victims of enforced disappearance [25]. One of these places deeply affects the memory of the population: the place known as Montearenas, near Ponferrada. We cannot know how many people were executed there. The official records mention 35, but testimonies suggest there were more [26].

5. The Case of the Former El Carmen Cemetery

After two decades of victim recovery efforts in the region, there were still two tasks that had not been addressed. And both cases correspond to those epicenters of both typologies of repression employed by the rebels and the Dictatorship. In the case of legalized repression, the shootings in the city were concentrated in the former Cemetery of El Carmen, with the victims buried in two specific areas: in the Catholic zone, in an area designated for charity; and in the civil zone. Documentary investigations reveal that between 1936 and 1951, 92 victims were buried in different contexts in this cemetery. But all of this data becomes complicated when we delve into the study of the cemetery itself [27].

The Carmen Cemetery was established in the mid-19th century, in a town that barely exceeded 3500 inhabitants. However, by the 1950s, the population had grown to more than 23,000 due to the job opportunities provided by coal mining and the national electricity company, which was established in the town in 1944. The town was growing at a rapid pace and, as a result, the cemetery space was becoming insufficient. This is reflected in the communications between the Church—the owner of the cemetery—and the Town Council. By the early 1950s, the walls that delineated the civil space were demolished, and the area that had previously been occupied and where at least 21 victims had been buried was reused for new burials. In the 1960s, the space problems at the Cemetery remained an evident reality. Thus, in 1968, the Town Council inaugurated a new space, now municipally owned. A small part of the families of those buried in the old Carmen Cemetery—whether they were victims or not—moved their remains to the new space. The Cemetery was abandoned for 15 years, and those remains that were not exhumed and relocated were forgotten by the town’s authorities, making the old cemetery and its dead an easy target for vandals and looters. It wasn’t until 1983 that the clearing efforts were undertaken, which supposedly eliminated all human remains left in the old cemetery.

But what happened to the victims? In many cases, not even their own families knew where they had been buried, so they had no option to recover their bodies and bury them elsewhere. Almost 30 years had to pass before the first search for victims of the Civil War and the Dictatorship was conducted in the old Carmen Cemetery in 2016. In a small area of the civil section, the ARMH attempted to locate two people executed in 1942, managing to exhume a victim who did not correspond to either of the two they were trying to recover. This first attempt demonstrated several points: first, that it was still possible to recover victims’ bodies at this site; and second, that the efforts to remove all human remains in 1983 had not been effective, as a significant number of human remains were still buried there. After this initial attempt, there was another hiatus of several years.

Despite holding commemorative events at that location, ARMH never again attempted to exhume and recover the remains of the victims in the town where it was founded. It was not until 2021 that the Ponferrada City Council, together with the scientific association Sputnik Labrego, began to develop and lead a project to recover democratic memory. First, they created a map of locations to document points of interest in the history of the Second Republic and the repression. Then, seeing the results obtained, they proposed leading the search, location, exhumation, and identification of all the victims they could within their municipality. A few months later, the first search was conducted for two people buried outside the old Fuentesnuevas Cemetery—a neighborhood of the town—locating one of them. Following this, the goal was to recover any remains that might still be in the old Carmen Cemetery.

Thus, we began a new process to try to locate those victims who could still be found. The focus was on the area with the highest concentration of recorded victims, the charity section, where 64 victims of repression had been buried, and we believed that 29 of them might still remain there. One of the biggest challenges in deciding where to start the search was the disappearance of the old cemetery maps. Without them, pinpointing the areas referenced in aerial photographs from the 1940s, 50s, and 70s was the most complex task. In September 2023, we conducted the first phase of archaeological intervention, assembling a team of more than 10 people, including archaeologists and forensic anthropologists. Over three weeks, we found evidence of 51 graves, constructed of stone and capable of holding at least two bodies each. However, most of them were empty, often filled with debris from the 1983 works, and we only found the remains of four people. The data provided by the forensic anthropologists did not match any of the data from the documentary research. Thus, at that moment, we decided to review the available historical information again, concluding that the area we were working in was actually the second-class section.

However, upon seeing that human remains continued to appear and realizing that the area we had searched was not the correct one, the City Council decided to continue the work, so we reconsidered the possible areas into which the old Cemetery was divided. We decided to conduct a second intervention, in October 2023, at the boundary between the old civil cemetery, demolished in the 1950s, and the inner Catholic section, to determine if victims were still buried in both areas. During this two-week campaign, we found evidence of many more graves and located the first victim, buried in the old civil cemetery, face down, without a coffin, and showing signs of a violent death. Following this, a third intervention took place in May of this year, 2024. On this occasion, we found another 50 graves, recovering the remains of at least seven more victims. The significant progress is that these were found in both the old civil cemetery and the Catholic section. In the coming months and years, the City Council of Ponferrada and the scientific association Sputnik Labrego will continue to locate and exhume victims of the Civil War and the Dictatorship from the old Carmen Cemetery.

6. As an Epilogue

After several campaigns of documentary and archaeological work to locate victims of the Civil War and the Dictatorship, the time has come to give a definitive identity to these bones. To restore their names. During the first intervention, conducted by our team in 2022 in Fuentesnuevas, we had the active participation of two families who believed their loved ones were the people we were trying to locate. In neither case were the genetic tests positive. However, there is the possibility that a third identity matches the victim found at this location. But here lies one of the biggest problems in the search for the disappeared in Spain: the lack of a national DNA bank that researchers and families can access when necessary. Unlike other countries leading the search for their missing persons, this subcontracting by the State—in all its forms and administrations—to organizations or the families themselves often leaves much identification uncertain and less successful.

The identification processes for the Carmen Cemetery are ongoing, while we await the genetic results from a private laboratory for the victim exhumed in October. If we confirm their identity, we will be one step closer to our goal: to return loved ones to their families. To finally have them leave the place chosen by their murderers and be buried by those who loved them most, even if they are now their grandchildren or great-grandchildren, who never knew them but have continued to bear the trauma suffered by the widows and their children.

Or at least try, since the search for victims and the disappeared itself is an act that helps in the healing of families. Throughout the coming year, 2024, our organization will continue searching for several more graves in various towns in the El Bierzo region. One of these places is another epicenter of repression in Ponferrada, specifically where illegal actions caused dozens of forced disappearances. This entire project, conducted publicly in collaboration with organizations and families, also helps break the silence imposed by the perpetrators. In 2021, a 102-year-old person, a direct witness to two groups of people murdered in Montearenas, who had never spoken before, contacted us, pointing out the locations where two groups of eight people were killed and buried. One more step forward. And one step closer. Science serving society.

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Informed Consent Statement

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Declaration of Competing Interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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12. The Dictator Francisco Franco was buried in the *Valle de los Caídos*—The Valley of the fallen—, a monument built during the Dictatorship to buried the remains of the victims of the Spanish Civil war. The Dictatorship built that place, supposedly, to create a place to be the symbol of the reconciliation of the two sides in conflict. In fact, the place was the most impressive and biggest fascist monument in Europe, and in there, in a privileged place, was buried the remains of Franco and also of the leader of the fascist party—Falange Española—José Antonio Primo de Rivera. Both were moved in the last years, and the bodies of hundreds victims are being identifying with the Govern support. For the Franco's exhumation: Available online: <https://elpais.com/especiales/exhumacion-de-franco/la-exhumacion-paso-a-paso/> (accessed on 17 May 2024). For the José Antonio's exhumation: Available online: <https://elpais.com/espana/2023-04-23/el-gobierno-ejecuta-este-lunes-el-traslado-de-los-restos-de-primo-de-rivera-tras-los-de-franco-queipo-sanjurjo-y-mola.html>. (accessed on 17 May 2024). For the identifications of the victims: Available online: https://www.elconfidencial.com/espana/madrid/2023-07-05/restos-victimas-exhumaciones-valle-cuelgamuros_3690384/ (accessed on 17 May 2024).
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22. In this communication, we only are going to use the repression form that ends with the death of the person who was repressed. The rebels apply much more types, as economic, social segregation, jail, concentration camps, penal labor, etc.
23. This term was created by Franco's brother in law, Ramón Serrano Suñer.
24. To know more about the rebels repression forms, Prada Rodríguez J. *La España masacrada. La represión franquista de guerra y posguerra*; Alianza: Barcelona, Spain, 2010.
25. To understand this concept of officially, our research use the names of victims who was registered in the courts in that moment or after. But, this numbers are really poor, and we are going to prove it with the example of the case that we refer before, in Priaranza del Bierzo. In October of 2000, there were exhumed 14 bodies, and only 2 of them were registered by their relatives a few years after they were executed.
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27. All the information presented here comes from technical reports signed by Dr. Alejandro Rodríguez Gutiérrez, Tania Rial Figueiras, and Dr. Laura González-Garrido, deposited in the Scientific Association Sputnik Labrego Archives and the Ministry of Democratic Memory of the Junta of Castilla and León.