

Spanish historian sued for slander over research on fascist repression

Santiago Guillen, Alejandro López
16 April 2021

In an unprecedented lawsuit, historian Fernando Mikelarena Peña is being taken to court accused of libel and slander for his scholarly research into the fascist repression during the 1936–1939 Spanish Civil War. If successful, it would set a dangerous precedent to silence and suppress academic research on the crimes of fascism in Spain.

The lawsuit is over Mikelarena’s book *Without mercy, political cleansing in Navarre 1936. Responsibilities, collaborators and executioners* (Sin piedad: Limpieza política en Navarra, 1936. Responsables, colaboradores y ejecutores, 2015) and his article, *The culling of Tafalla-Monreal on 21/10/1936* (Saca de Tafalla-Monreal de 21/10/1936) posted last October in *Diario de Noticias de Navarra*. In both texts, Mikelarena deals with a massacre of left-wing prisoners that took place in Navarre, a territory located to the north of Spain, bordering France, in 1936.

That year, General Francisco Franco launched a coup against the elected Popular Front government. The coup failed when the armed working class confronted the army in major urban areas and foiled the coup plotters’ plans. As a result, Spain was divided into two zones, the Popular Front-controlled territory and the fascist, thus initiating the Spanish Civil War that would last until April 1939 with the victory of Franco’s forces. A 40-year dictatorship would ensue, lasting until 1978.

Navarre fell immediately into the hands of the Requetés, an ultra-Catholic regional paramilitary force. In the areas under fascist control, repression against left-wing militants or alleged sympathisers started immediately. Following secret instructions drafted months before by the chief architect of the coup, Emilio Mola, fascists were “to eliminate left-wing elements, communists, anarchists, union members, etc.” Approximately 75,000 were extrajudicially executed behind fascist lines.

In his article and book, Mikelarena deals with the

largest massacre of prisoners by the Requetés in Navarre, the “Saca of Tafalla.” Saca refers to extrajudicial murders during the Spanish Civil War.

On October 18, 1936, Julián Castiella Sánchez, head of the Requetés of Navarrese town Tafalla, died in battle. Three days later, in retaliation, 64 Republican prisoners were taken out of the Tafalla jail by the Requetés and transferred to the Tejeria, where they were shot and buried in a mass grave.

In his research, Mikelarena provides new information on these events, indicating that at that time Jaime del Burgo Torres was temporarily head of Requetés when the massacre happened. Mikelarena points out that there is no certainty that Jaime del Burgo took part in these executions but points out that “it is very striking that no one mentioned the presence of Del Burgo in the events.” Del Burgo would enjoy a successful career in the Francoist state apparatus.

Mikelarena concludes his article by appealing for more research to be done on this massacre, “since it was the most serious repressive event that occurred in Navarre during the political cleansing process recorded in 1936–1937.” He concluded, “There is still something dark as to why there are so many questions, the result of lack of will to clarify.”

Mikelarena’s call, however, has faced the wrath of Jaime del Burgo’s grandson, Arturo del Burgo Azpíroz, who has taken Mikelarena to court over alleged crimes of libel and slander. If successful, this suit will have far-reaching and reactionary consequences, under conditions where Francoism is being promoted by broad layers of the Spanish ruling class.

The Spanish bourgeoisie has systematically sought to cut off workers and youth from an understanding of the crimes of Franco. They relied on the Stalinists and social democrats, who in the dying days of the Franco regime agreed to a “Pact of Forgetting” of fascist crimes,

enshrined in the so-called Amnesty Law of 1977 between the social-democratic Spanish Socialist Party, the Stalinist Communist Party and the Francoite regime. The amnesty blocks all prosecution of fascist repression.

Now, if the lawsuit is successful, researchers will be pressured to not investigate the crimes of fascism for fear of prosecution. It takes place barely two years after the University of Alicante agreed to a request from a fascist lieutenant's son to erase scholarly articles in their database linking his father to fascist repression during the war. The university only backtracked after mass public outcry.

Since 2019, the ruling class has shifted far to the right. In January, Spain's Constitutional Court issued an extraordinary ruling claiming that the Franco regime did not commit crimes against humanity.

The far-right Vox party, which defends the heritage of Francoism, is now the third parliamentary force, with 15 percent of the vote. Benefitting from the relentless promotion of the media and the state apparatus, it publicly defends revisionist pseudo-historiography, falsely blaming "the left" for having started the Spanish Civil War and claiming it was chiefly responsible for extrajudicial executions.

Above all, Del Burgo's lawsuit benefits from the political climate created by the increasing adoption of Vox's programme by the Socialist Party (PSOE)-Podemos government.

This includes the fascistic "herd immunity" policy of letting the COVID-19 virus spread, which has led to over 100,000 deaths and 3.2 million infections; the relentless persecution of migrants; the incarceration of Catalan separatist leaders and rappers; and the repression against youth protests. At the same time, Podemos has downplayed coup threats from sections of the military which are discussing carrying out a Franco-style coup to murder "26 million" leftists.

While the PSOE and Podemos have refused to defend Mikelarena, the historian has received widespread support. Over 330 historians, academics, teachers and graduate students from 52 universities—including universities in the UK, Sweden, and France—have signed a manifesto opposing the lawsuit. It states: "We consider that historical research deserves no other judgment than that of historiography, that is, the rigorous assessment of the critical framework used and weighting of the conclusions drawn."

The manifesto continues, "We defend freedom of research on the darkest periods of contemporary history,

made difficult enough by the concealment and destruction of historical sources by those who for decades held the levers of power. We defend society's right to know how the violence of the rebels was created in 1936 and who was responsible."

Significantly, the manifesto's authors link Mikelarena's case with the international offensive against historical truth, declaring: "It is not an isolated case. In recent days it has been known that the Polish government has convicted two prestigious historians for their research on the Holocaust. This is a dangerous path for intellectual freedom."

The manifesto was referring to the court case that found Professors Barbara Engelking and Jan Grabowski, two of the most renowned historians of the Holocaust in Poland, guilty of defamation and spreading "inaccurate information." These two historians had been sued by a niece of Edward Malinowski, the mayor of a Polish town during World War II. The historians quoted testimony suggesting that the mayor was implicated in a massacre of Jews by German soldiers.

As the WSWS noted on the case, "In trying to pre-empt any serious historical research into the history of Polish anti-Semitism and the Holocaust, the Polish state seeks to both historically whitewash the crimes of the far right and pre-empt the long overdue reckoning with the powerful but tragic history of the working class movement in Poland."

The same can be said about the case against Mikelarena in Spain. It is critical for workers and youth to defend historical truth against attempts to re-legitimize the crimes of fascism.



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