

«The death threats just kept coming, and so did the threats to take my mum to the General Directorate of Security. She was the only member of my family they hadn't arrested, because my sister who was four months pregnant had been detained on the morning of the 17th, and my dad on the evening of the same day, to make them tell them where I lived, which they didn't even know. My dad, aged 51, was beaten and punched and my sister could hear it all from the next office. That's why they threatened to bring in my mum, leaving my three month old baby with my eighty year old grandmother who was crippled and couldn't look after herself; it was awful. During the time they had me upstairs without interrogating me, handcuffed to a radiator, I could hear the blows, screams and moaning of other friends they were torturing in the adjacent offices. I heard them threaten my friend with hanging him outside the window. At one point, I saw him. His jaw was dislocated and he told me that on the first night he lost consciousness due to the torture [...] That night, when they locked me in the cell, they made me take all my clothes off, including my underwear (I had my period and they wouldn't let me use any sanitary towels), and wear some dirty, damp overalls that were open at the front, with no buttons. To take me up to the interrogation, they handcuffed me behind my back (twisting the handcuffs around until I had bruises) and when I asked them to handcuff me in front so that I could cover myself, they insulted me with obscenities, picked me up by the collar of the overall and carried me up to the Brigade offices by my neck.»

**Raquel López Navarro**

«I was detained in La Jonquera until one of the inspectors from the Political and Social Brigade arrived who transferred me, handcuffed and with a knee pressing onto my kidneys, to the cells on Via Laietana in Barcelona. On the journey I was continuously beaten and insulted. They put some small handcuffs on me that made my wrists bleed, to the point at which they had to loosen them as they could see I was losing a lot of blood. I spent eight days at the police station, I think it was from the 24th to the 31st of March, subjected to interrogations and torture. For four days I couldn't empty my bowels and could hardly urinate. When I did manage to,

the urine was bright red. I was continuously beaten on my rib-cage, my back and my buttocks, with wooden sticks, truncheons and metal bars wrapped in fabric. They inflicted some terrible blows on my abdomen and would snuff out their cigarettes on my chest and arms. They gave me electric shocks. Another form of torture was the bath: they'd grab me by the hair and push my head under until I felt I was drowning [...] Once, in prison, the doctor asked me if I had suffered torture. My only response was to lift up my shirt and show him my chest and back, covered in massive bruises and ripped skin. It was put in the records that no indications had been observed that might denote the use of torture in police custody.»

**José Antonio Vidal Castaño**

«In those positions they had me, beating me on the buttocks for hours and hours, no trousers on and getting beaten again and again... Naked yes, except for my underwear. But then they made me lie down on a kind of camp bed, with nothing on. Just a lit candle under my balls: "We're going to burn your balls... We're going to get your wife and what we're doing to you now is nothing compared to what we're going to do to her... And let me tell you one thing — said one of them — look, see — and he opened the window — can you see where the beach is? We'll put a couple of bullets in your head right here, we'll kill you and throw you into the sea and no-one will ever know that you... The most abhorrent insults. What else can I say: "We're going to go and we're going to rape your wife! What we're going to do is..." Just horrendous things. Acts of savagery, yes. And at one point I was made to lean on the wall like this with my hands and my feet were a metre away on the floor, like that, for hours. And they were beating you with one of those sticks. They'd say "Talk!" and every two hours they'd change shift. And off they went again! But first came the torture. One method consisted in laying you onto a table and around you... All of them had been there! And they'd been there for an hour or however long; first one hitting you, then another hitting, another on your feet, your hands...»

**Francisco Téllez Luna**

«The first greeting was a punch before I even got through the door. Then I saw my friend Josep Fuentes naked from the waist up. From his face it was clear that he'd been tortured [...] One day, it was terrible. Until it all came to an end. The Civil Governor of Barcelona turned up, Sánchez Terán (who later claimed he's been a democrat his whole life) and instead of shaking my hand, he shook the torturer's. When I saw that, I knew that it was all over. I didn't care whose hand he shook. He said: "this lad can go now" and that was that. That torture was so intense that it can't be compared with what happened to me in Manresa. That character knew all the key points in the body. He'd stop hitting you in one place and start hitting you in another. He'd play around with a sewing needle. He'd move it between his fingers. They used to stick these needles into one's fingernails and toenails. They cause unbearable pain. Luckily, he never did that to me. But, psychologically, that terrified me more than putting a gun to my head. In Barcelona, the torture methods were much crueller. They had a much worse impact on me. He was a guy who wore civvies. A torture specialist. He had an incredible ability to inflict harm.»

**Joan Sala i Fainé**

«The aftereffects are that I have two damaged ribs and my right thumb is almost useless. I also suffer from various issues and problems with my nervous system, although some of these have lessened over time. What is really frightening is that all that happened half a year after the dictator died...»

**José Antonio Vidal Castaño**

«There was the short one, the one with had a lot of experience with ETA [the Basque separatist organisation], and then there were two young ones. The blond one and the brown-haired one. One played good cop and the other played the bad cop. And then they'd switch. The brown-haired one still lives here in Manresa. And while I was working, and I haven't been working for four years now, I'd see him every year. I worked at the tax office for four years and I'd see him each year when he came to do in his tax returns... and if it turned out that I was to attend to him [...] I refused to do his tax return... Each time, I went to the boss and said I couldn't do this guy's tax return because I did not want to talk to him...»

**Maria Teresa Vilajeliu Roig**

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# THAT HAPPENED TO ME. ON TORTURE AND IMPUNITY (1960-1978)

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27 September 2016 to 8 January 2017

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English

**EL BORN  
CCM**

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The stage for this exhibition is the city of Barcelona. It shows the practice of torture suffered at the hands of government employees during the 1960s and 1970s.

During Franco's time, public order and the regime's defence of the social and political order was equated with repression. The repressive violence organised by the government was a phenomenon that ran throughout the dictatorship's organisation, beginning during the Spanish Civil War until the final stages of the regime, ongoing even during Spain's transition to democracy.

The practice of torture was one of many manifestations of this violence. It was never classified as a crime, nor was there ever a legal context allowing for its investigation or prevention. Its frequent use by members of the police — and in particular by members of the so-called 'Regional Police Information Brigades', which were established as the fascist regime's political police — was systematic, habitual and carried out with impunity during the arrests of political opponents and trade unionists. These acts were carried out in the remit of a governing decree.

The main characters in the ensemble recounting this history are women and men whose human rights were violated for refusing to accept the condition of subjects, for wanting and struggling to gain citizenship rights and to establish democratic freedoms.

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## CONTEXT

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### 1. GROWTH WITHOUT DEMOCRACY

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An idea of the dictatorship that has been widely broadcast is one of a duality, distinguishing between a first stage that was brutally violent and full of misery, and then a second stage that was less severe and more bureaucratic, enabling the Spanish economic 'miracle' as of the 1960s. The image conveyed is one of 'growth without democracy'.

Nevertheless, democracy managed to win through, on the back of protests organised by political, community-based and cultural organisations and trade unions. The social mobilisations that were driven by the public and which campaigned for freedoms during those years were in no way a risk factor or a cause of political instability. On the contrary, they were the surest way to address social inequalities, and to give meaning to economic growth and to the development and exercising of citizenship rights in the new democratic system.

### 2. AGAINST 'SUBVERSION'

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A report by Amnesty International in 1973 highlighted that a significant number of people in Spain were criminalised for their beliefs — both political and religious. This evidence exists despite official attempts to deny it.

The fight against the activities of those the authorities classified as 'subversive' was one of the dictatorship's fundamental objectives throughout the length of its existence.

As a result of pressures from abroad and a new opposition arising within the country in the 1960s, Franco's regime delegated part of its work persecuting forbidden political activities to the military courts. These passed to civil jurisdiction with the creation of the Public Order Court in 1963. Political repression thus became *civil*, but only insofar as it was *demilitarised* to a certain degree.

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### 3. THE ETHICS OF DEMOCRATIC CHANGES

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Democracy was never a foregone conclusion. And neither was it brought about by the SEAT 600, or by tourism. While economic development and structural transformations did play a part, they were not the decisive factors in the creation of widespread freedoms.

The key figures in the transitions towards democracy projects that would topple the dictatorship were the people and organisations that stood up to the regime and tried to create alternatives. Regardless of whether they were successful or not, all of these figures helped forge the ethics of the democratic changes.

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## EARLY MORNING

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### 4. ARRESTS, OR CAPTURES

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Arrests were made under the power of a governing decree. The regime's political police answered directly to the civil governor, the highest civil and political authority. This figure had complete authority regarding public order and was the province's representative in the 'Movimiento Nacional' (the 'Nationalist Movement' — Franco's party, and the only party).

The VI Regional Brigade for Social Research in Barcelona, known as the Socio-Political Brigade, had a network of collaborators and informants embedded in neighbourhoods, apartment buildings, workplaces and social spaces. In addition, it continuously organised police infiltration operations within anti-Franco-regime organisations, some of which gave rise to the detention of persons and groups throughout this period. To maintain public order, the State instruments for social control had instilled in the police force a fundamental piece of dictatorial logic: to protect themselves from the citizenry. Thus, arrests were recast as *captures*, as if State agents were leading a hunt through the space of a city from which all democratic reasoning had been ejected.

### 5. "QUÈ VOLEN AQUESTA GENT?" ("WHAT CAN THESE PEOPLE WANT?")

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According to official reports dated 24 March 1969, following the 'State of exception' decree there were a total of 735 arrests and house arrests across the whole of the country. The majority of those held were of a very young age, men and women who were either students or workers.

In January 1967 the police arrested Rafael Guijarro, a 23-year-old student from Madrid. After interrogating him, the Political and Social Brigade pretended that the young man had died after jumping out of a window to escape. The lack of press coverage of such a dramatic event led the singer/songwriter Maria del Mar Bonet to compose a song with lyrics by the writer Lluís Serrahima, as a homage to the student. Two years later, police brutality claimed another victim. Enrique Ruano, aged 21, a student from Madrid who was a member of the anti-Francoist Frente de Liberación Popular, died in similar circumstances.

## THE PRISON OF THE BODY

### 6. INTERROGATE AND DESTROY

Torture is thought to have value as a means to an end: obtaining information or a confession of guilt. It is a method that goes beyond being a cruel and inhumane means of interrogation, since it is also used on people about whom everything is already known, and on others who have no relevant information.

Physical and psychological abuse is a way of destroying whoever is considered to be the enemy: the harsher the torment, the greater their fear of having to suffer it again. While the action is limited in time and space, for the sufferer the experience lives on much longer.

If as a result of the pain and the threats the torture victim were to betray someone, having done so would eat away at their dignity. By means of its police force the government would have fulfilled a double objective: obtaining information, and destroying the self-esteem of the victim. At the same time, if that person was active in an anti-Franco organisation, they would then be left isolated from both the group and relationships with fellow members.

#### 8. BREAKING THE SENSES

«Describe what they said and did to me? It'd be impossible, it can't be described, there's no way of expressing it. I felt like I was going insane, I wanted to die, I cried out to them to kill me for once and for all, but just to get it over with.»

**Maria del Pilar Alonso Rodríguez** 21 years old, worker-student. She was accused of being connected to the Front Revolucionari Antifeixista i Patriota (Anti-fascist and Patriotic Revolutionary Front), because her partner was one of the five people sentenced to death and executed on 26 September 1975. **Eva Forest**, **Testimonios de lucha y resistencia: Yaserías 75-77**. **Donostia: Hordago, 1979, p. 109**.

«They ripped my nails off. And they left marks, I've still got some on my feet, they were like burns, and they were from the beatings with the wood. And then if your fingers did this and started to twist and you put your hands on the wall because the time comes when you can't stand it any more, and then 'bam, bam, bam'. They beat your hands. And your hands were swollen. And your feet were swollen. And it was like that for hours! All night, pretty much. Your head against the wall, your body back a little to support yourself, and the handcuffs behind you. And have it! Have it! Have it! That's what torture was.»

**Francisco Téllez Luna**

30 years old. Construction worker. Militant for PSUC (socialist party, Partit Socialista Unificat de Catalunya) and for CCOO de Catalunya (trade unionist organisation, Comissions Obreres de Catalunya). Year of arrest: 1975. **Collection of worker biographies from the CCOO de Catalunya's historical archive**.

«They told me they would go to find my parents. They knew my father had been in the POUM (pro-Marxist party, Partit Obrer d'Unificació Marxista), and that he had volunteered in the war in defence of the (Second Spanish) Republic. They knew my whole life story [...] Sometimes the psychological torture was worse than when they were hitting me.»

**Maria Teresa Vilajeliu Roig**

26 years old, worker. Arrested in the Guardia Civil barracks in Manresa, October 1975. Political militancy: Plataformes Anticapitalistes (social and political working organisation). Source: http://www.memoria.cat/presos.

## BUREAUCRACY OF CRUELTY

### 8. METHODS

When it comes to describing the methods used by the police to oppress opponents to the dictatorship, writers on the subject have found influences ranging from the Gestapo police force of Nazi Germany to the CIA and the FBI (from around the end of the 1950s).

The German method was typically based on extreme cruelty during interrogations, with a wide range of techniques used to make prisoners talk. In contrast, the American method put greater emphasis on psychological pressure and intimidation, while limiting the amount and types of force used so as not to leave marks that could evidence the abuses.

However, what happened in reality was that different practices alternated without rhyme or reason, depending on which agent was in charge of the interrogations. A degree of consensus does exist over the fact that the Social Investigation Brigade were more refined in their methods than the Guardia Civil, who were cruder. But this is not to say that one was less severe than the other.

### 9. NO PROTECTION

During the initial years under Franco, torture was a systematic practice used by the government employees in charge of public order. Some people arrested during the 1960s and 1970s say now that they were not tortured, or that it was not so severe. The growing momentum of the opposition movements and the public outcry over human rights breaches perhaps served to curb the abuses in certain situations.

Nevertheless, the fact that they continued to happen is proven by the denouncing of acts of torture performed during the miners' strike in Asturias, which led to one of the first public demonstrations in 1963. This was followed up with a document signed by 1,500 intellectuals in December 1968 and another public event during the spring of 1976. Early in the 1970s, Justicia Democrática — an illegal organisation comprised of judges and prosecutors who favoured democracy — decried “police

acts of torture under a reign of intentional impunity”. Also, in sermons of parish churches in some working class neighbourhoods, the denouncements grew steadily stronger. In the mid-1970s, reports from foreign organisations and diplomatic services coincided in highlighting that torture was still a practice very much in existence in police stations, barracks and prisons.

### 10. A MAP

The abuses could take place anywhere. While being taken to the police station, the jeeps of the Armed Police and the Guardia Civil or the camouflaged vehicles of the Social-Political Brigade could be the setting for the first indiscriminate beatings, getting straight to work.

However, the locations where the torture was most likely to be seen were the police headquarters (in Barcelona the most famous was at Via Laietana no. 43) or the barracks of the Guardia Civil. Once locked in the cells, the arrested individuals were led one by one to another room larger than the cells, where for long hours the agents would try out all sorts of different methods to extract the information they sought.

Beating and tortures were alternated with spells during which the prisoners were left alone in this space, standing and unable to lean on anything, or handcuffed in the most uncomfortable positions imaginable. Otherwise they would be taken back down to the cells to await the next session of beatings and coercion.

## PUBLIC ORDER, GOVERNING POWER

### 11. UNJUST, CRUEL, BUT EFFECTIVE

Arrests based on suspicion alone and the transgression of the maximum detention time were standard practices, especially during the series of ‘states of exception’ Franco’s regime incurred in order to fight political dissidence (in 1956, 1958, 1962, 1967, 1968, 1969, 1970 and 1975), and also during the suspension of article 18 in early 1977. These periods were long months during which the 72-hour limit did not apply, and when the minimal safeguards and procedural rights became irrelevant. This dictatorship within a dictatorship was the setting for the widespread torture of thousands of detainees, acts awarded with absolute impunity by the law, the justification being their effectiveness.

### 12. THE JUDGES: FAITHFUL CIVIL SERVANTS

Just as in other dictatorial regimes, the repression of political dissidents during Franco’s years in power worked like a well-oiled machine, with a great number of parts and complex internal mechanisms, but always with the one sole purpose set by the regime.

In general, the ‘Forces of Public Order’ carried out their tortures with complete impunity. This was due to the absence of real judicial control empowered with the ‘operational autonomy’ that was enjoyed by the police forces. Police torture practised during the summary stage of the procedure was enabled by both the government mandate that justified it and the reticence of the judiciary when faced with breaches of human rights.

## MARKED

### 13. CIVIL DEATH AND LIVES TORN APART

In addition to the physical and psychological scars left by arrests, there were consequences affecting peoples’ relationships and legal status. Their lives would often be torn apart.

For the working classes, non-attendance at the workplace for three consecutive days was classed as a very serious breach of conduct, and according to employment law was cause for dismissal. Once this happened the worker would be blacklisted, their name circulated around the companies, and a new job would be hard to find.

For students, arrest could lead to them being banned from the university district or, in the case of young men, could mean they were forced into 18-24 months of military service, and denied the chance to do the type of military service specially reserved for university students. For rebels of a young age, being sent to a remote destination was one of the most common punishments, with the military outposts in the Sahara Desert the worst of all.

«When I went to do my military service, I had to suffer the repercussions and the stigma of that time[...] They denied me any opportunity for personal development. The only place available was in guard duties. I spent eight months without going back home. It was a case of systematic persecution. Our Captain was well aware of my background. In that situation, you end up psychologically damaged.»

**Rufi Cerdán Heredia**

Aged 18, metal worker. Detained in October 1975. Political activism: the Christian workers' organisation Hermandad Obrera de Acción Católica and the trade union organisation Comissions Obreres. (http://www.memoria.cat/presos)

«So then I gave up football and took up athletics, at Barcelona, in the athletics section of Barça. I must have been 19 or 20 when I gave up football... Because the P.E. teacher at the apprenticeship school of the Maquinista Terrestre i Marítima Company was the national athletics coach, Josep Maria Rojo, who had broken the record for the 3000 and 5000 metres and... well, anyway, after I was arrested for the first time, all that came to an abrupt end...»

**Tomàs Chicharro Manero**

Aged 24, metal worker. An activist with the Front Obrer de Catalunya, the Catalan Workers' Front, in 1965 he joined the Partit Socialista Unificat de Catalunya; he was also a trade union activist with Comissions Obreres de Catalunya. He was detained and imprisoned in the spring of 1962 and again arrested in 1966 and 1967. He went into exile in Paris in 1969. **Collection of worker biographies from the CCOO de Catalunya's historical archive**.

### 14. PUTTING IT BACK TOGETHER

«It really got to me hearing how they tortured fellow prisoners, especially in Barcelona, the cries, the beatings... It also made me nauseous what they said about my vagina, that they'd stick a pistol in it, that they'd kick me till they destroyed me as a woman; seeing how low they'd go to interrogate people... I couldn't sleep for over a month thinking about that situation.»

**Trinidad Herrero Campo**

19 years old, employed. Political militancy: accused of being a member of the anti-fascist Front Revolucionari Antifeixista i Patriota (FRAP). (Eva Forest, Testimonios de lucha y resistencia [Testimonies of fighting and resistance]: Yaserías 75-77. Donostia: Hordago, 1979. **p. 115**)

«The anguish you go through in those moments is so strong that it's hard to forget, even as years go by. [...] There was a period in my life when I couldn't stand being anywhere where there was even the slightest hint of violence. Not even the cinema — I'd have to get up and run out of the showing. It was a fear and a panic born of what I went through with that person who lost control.»

**Joan Sala i Fainé**

25 years old, malworker. Arrested in October 1975 and again in 1976. Political militancy: The Partit Socialista Unificat de Catalunya (PSUC) socialist party and the Comisiones Obreras trade union (http://www.memoria.cat/presos)

«On 1 June 1976, José Antonio Vidal was transferred to Model prison in Barcelona, where he was kept until 12 or 13 July 1976. Inside the prison the moral torture continued. He was subjected to a psychiatric test that classified him as a dangerous subject in the ‘spiral of violence’.»

**J. Alberto Gómez Roda**, “La tortura en España bajo el franquismo. Testimonio de torturas durante la dictadura y la transición a la democracia”, in Pasajes: Revista de pensamiento contemporáneo, 2005, No. 17, pp. 65-66.

## LINKS

### 15. COMMITTED LAWYERS

People who had been arrested could not see a lawyer until it was time to make their statement before the judge on duty. Family and friends had very little information about what was happening, and they could go for days without finding anything out. Lawyers would endeavour to find out about their situation and to get them released without charge, or at the very least, try to avoid pre-trial detention. **As soon as they got out, the typical question was: "Did they treat you okay?"**

### 16. SOLIDARITIES

The so-called ‘Comissions de Solidaritat’ (solidarity commissions) that arose first in Barcelona in 1968 and later in other towns and cities were key to understanding the scope of the police brutality and the scale of the crimes; likewise when it came to giving help to those who had suffered it and to their families, and building support for the political amnesty as one of the claims with the strongest groundings socially.

The mobilisation in defence of human rights and its effects on public opinion encouraged a stance against the police abuses. This was one of the chief ways in which the government’s excessive use of force was eventually at their own expense, costing the regime politically.

### 17. FROM ONE STORM TO ANOTHER

After being taken to the police station and making a statement to the on-duty judge, entering the prison was a certain relief for most detainees. As of that moment, the interrogations, the torture, the mistreatment and the uncertainty about what might happen were over.

The transfer to the prison meant a chance to rest, and for things so simple yet so essential for maintaining one’s self-esteem as washing oneself after days. Above all they were returned to their fellow detainees after a period of isolation, and could renew contact with the world outside through lawyers and family.

## IMPUNITY

### 18. MEMORY WIPES

One of the main claims coming from the opposition to Franco’s regime was for a political amnesty. Finally, the Spanish parliament passed the Amnesty Law on 15 October 1977. However, in its final drafting, amnesty was included for “*crimes and offences that may have been committed by the authorities, civil servants and public order agents motivated or brought about by the investigation and persecution*” of political dissidence.

There was therefore an acceptance of the possibility that the government had committed crimes in its fight against the opposition, but these crimes would not be judged. No member of the Social Research Brigade was removed from service following the instalment of democracy except for one: Antonio Juan Creix, head of the 6th Regional Social-Political Investigation Brigade in Barcelona since 1963; after serving in the Basque Country and Andalusia he was dismissed for administrative reasons towards the end of 1974. The police, the Guardia Civil, the prison staff and the judiciary all remained exactly as they were, with all of their members continuing in their roles in the new constitutional framework.

«23-9-1978 Saturday. It’s been a hectic day [...] There’s a fiesta on in the area overlooking the sea and we went to have a look, we thought we’d have dinner there. I say ‘we thought’ because we had sandwich made by the Poble Sec Neighbourhood Association, and a slice of pastry. Crammed like sardines because it was incredibly crowded. The neighbourhood got the keys to the premises of the ‘Movimiento’ [the Franco regime’s National Movement], although not the use of it, and the neighbours’ association organised a lovely party and loads of people came. They showed us the inside and I was appalled. It was horrible! The basement full of bullet holes and all set up for physical and psychological torture. What awful things had this place witnessed? They could do whatever they wanted with people there, because however much they screamed, no-one would hear them. Then there were the offices with Falangist arrows, flags and emblems, big

portraits of the leaders of the regime and crucifixes. Service certificates and trophies. All dirty and gloomy and truly awful! Will we ever get rid of this! [...] I felt pain. All kinds of feelings came out from deep inside me, memories of thousands of moments we shared, I think about you all the time. I’m sending you a kiss, Mari, we all send you a kiss.» Letter from Toña García to Maria Salvo, 29-9-1978. Maria Salvo collection, Ricard Vinyes Archives.

### 19. REWRITING ON URBAN SPACE

The house with the metal grille gate and the front garden at Carrer Blai no. 34, Barcelona, was once occupied by the district delegation of FET-JONS (the political organisation behind Franco’s government, encompassing the ‘Movimiento Nacional’), and was used as a centre for detentions and torture after the Spanish Civil War ended in 1939.

Prior to the first democratic municipal elections in 1978, the local Poble Sec neighbourhood association organised a celebration there coinciding with Barcelona’s city festival (La Mercè), staking their claim for the site to be used in a social capacity. Toña García described her day at the celebration in a letter to her sister-in-law Maria Salvo; both of them had spent long years in prison. The festivities carried a painful reminder of her past as a woman tortured by the police. Artists Pilar Villuendas and Josep Ramon Gómez — locals from the neighbourhood and committed members of the opposition to Franco — designed a poster to promote the activities. These two documents are testaments to the events.

That reclaiming of the space was solidified in 1991 when a new civic centre for the neighbourhood opened in a building built on the same site. It went on to become a public library, named after Francesc Boix, a Republican communist who survived the Mauthausen concentration and extermination camp, and who was responsible for preserving photographs of the Nazi barbarity.

Nowadays this reading centre appears before us as a rewrite on the stone and flesh of the city. It reminds us that collective memory goes beyond the versions of the past constructed by the state or by any given group. And it evokes the complex pathways of our remembrances.

### 20. IMPUNITY: A BITTER PILL FOR DEMOCRACY?

The common practice of torture employed throughout Franco’s time in power today no longer exists. The Spanish Constitution of 1978 forbids inhumane or degrading treatment, and the Criminal Code has classified torture as a crime. In no way at all does this mean that since that time no one has been tortured or abused by government employees or agents.

The Amnesty Law itself does not prevent the opening of cases for torture, illegal arrests, judicial sentences without safeguards, summary executions or forced disappearances during the dictatorship. Instead it is — with some exceptions — the magistrates’ restrictive interpretations of the law that block the route to justice for these deeds. However, a fundamental aspect is that the democratic state has never questioned the moral discordance between those who committed the torture and those who suffered at their hands. In fact, it has settled upon a doctrine that puts servants and associates of the dictatorship on an equal footing with its opponents. The result is a unique Spanish model of impunity, which has been ratified by the Law of historic memory, passed by the Spanish parliament in 2007.

The unpunishable acts of the past now present us with an *ethical void*. If torture was a structural reality built into the dictatorship, does that mean that its ongoing impunity is a bitter pill that must be swallowed for our democracy? If this is so, what are the political values upheld by this democracy? From an ethical and responsible point of view, it makes sense that we should not allow what was intolerable in our past to end up being forgotten or tolerated again in the present.

## TESTIMONIES

«They put me into a private car and four of them got in with me. As soon as we pulled off, they punched me a couple of times and started insulting me and hitting me and asking me questions about the person they said was my partner. When we got to the General Security Directorate they took me straight up to an office where I spent three whole days under constant interrogation [...] The torture consisted in terrible blows to the feet and buttocks, but that was just at the beginning, when they made me kneel down and bow my head, but later they hit me everywhere. They made me do the “duck”, in other words, walk along while crouching and when I fell over they’d kick me really hard. When I was on the floor they’d hold me by my hair from the nape of my neck and lift me into the air. That was terrible because you feel like you’re going insane: I weigh well over sixty-five kilos, so you can just imagine... In the following days, my hair fell out in clumps [...] While all this was happening, I could hear how they were torturing other people in the adjacent rooms, how they were killing them, just like they were killing me. That’s what they said: “we’re going to kill you and no-one will ever find out and we can do whatever we like to you”. They hit me with a truncheon and sometimes with a stick too, some kind of a blunt handle from some device or other. “We’re going to shove it up your cunt”. It was all so awful, there are no words for it.»

**Maria del Pilar Alonso Rodríguez**

«I refused to sign the statement and they beat me all over, even in the top of my mouth. And they’d beat you up until you lost consciousness, then they’d throw a bucket of water over you and take you down to the cells [...] they know where it hurts and they know which parts can endure it more and give them less problems because of course some people have taken them to court, to the actual Francoist courts and being reported like that was like a hole in the head for them, having to sit there and put on that show in court [...] I once chucked a typewriter in an interrogation, I threw a typewriter at them, like the one I have here, a normal office typewriter, one of those old ones, an Underwood, that was on one of those trolleys, well I lashed out at the typewriter and it and the trolley crashed to the floor and then, of course, the guy went crazy...»

**Ángel Rozas Serrano**

«Yes. Those are the detainees that they then transferred over to Public Order. They gave that guy Fariñas a beating until his testicles were black, I remember because I saw it with my own eyes, you know, so I can speak from experience. But the guy held out. He held out really well, not a peep out of him. So much so, that he became a hero in our eyes.»

**Ángel Abad Silvestre**

«They did the cigarette round on me. They’d put you in the middle of a group of them and start pushing you from one to another and they could give you cigarette burns. They also gave me the foot torture. They’d make you kneel down with bare feet and then they’d use wet towels to hit your toes, so as not to leave a mark. By the end of it, my toes were so swollen I couldn’t put shoes on. They’d be asking you things but you couldn’t say anything.»

**Maria Teresa Feliu**

«And I remember, at the police headquarters, that I was obsessed by one thing: there was not to be one single arrest because of us. And that’s how it was. Of course, that’s how it was in a way that was morally wrong, in my point of view, because at some point they started beating me and I really suffered... this bit back here... for many months I was unable to sleep. They gave me bruises of every colour, until I was black and blue from the truncheon.... on my backside. Punches in the stomach and punches in the head. They beat me and beat me and I still remember with horror what I went through. There were the two Creix brothers. First Vicente and then Juan. And there were other policemen. One of them actually lived in the same building as my parents. Each time they pushed me into the room, he knew that they were beating me because each time he came back in he had the gall to ask me: “have they hit you? It’s because they get nervous, these people get nervous.»

**Maria Rosa Borràs**

«In the second half of the sixties, they didn’t beat up students the way they beat me up. But if I compare it with what the workers got in those years, I got very little. They didn’t snuff out cigarettes on my skin, like they did to my sister-in-law [Maria Rosa Borràs], [...], six or seven years before, but they did say they’d kill me, that they’d cut me up into pieces and feed me to the fishes... things that were not funny but that if you think about it rationally, were difficult to believe.»

**Joaquim Boix Lluçh**

«on the 14th of the month he was taken to the said police station; he was immediately assaulted and dealt a few blows. Some handcuffs were placed around his ankles and he was forced to do what is commonly known as “the stork” for around twenty-five minutes; he was then moved to the cells and was called up at 2 am. He was handcuffed again and forced to remain standing with no support until 8.30 in the morning.»

**A.P.B.**

«I spent the first three days standing, with my hands handcuffed behind me, and unable to lean against anything. Without sleeping. On the third night they let me sit down for a moment until I was just about falling asleep and then they’d ask me things to see if I contradicted myself. I got so many blows on the stomach and liver, the lower abdomen, my back and the back of my neck from small truncheons and kicks in the testicles one after the other without giving me any time to get my breath back. They wanted me to beat up another detainee, a friend of mine, and because I refused, they beat him up in front of me.»

**Juan Carlos Sabater Andreu**

«He also states that, while on police premises, he was subject to repeated physical abuse [...] He was indeed subject to repeated physical abuse while in custody and when he talks about torture he is referring to the fact that he was beaten in practically every part of his body and he remembers how they sat him down on a stool, leaving him with his head covered, unable to reach the floor and with his hands and feet tied. He was subjected to threats about what they’d do then and about his future, and he was clearly told that when he left the police station, he’d end up in prison for life. He says now that as a result of the beating to which he was subjected, his abdomen was full of bruises for a month.»

**Francesc Xavier Garrigatuvi**