

EPILOGUE

Future prospects

This book appears in the autumn of 2004 at a crucial moment in the call for the return of the Catalan documents deposited in Salamanca. Soon decisions that have been called "final" are to be announced by the Spanish government.¹ Hopefully this will not entail a solution merely involving political bartering "to make all parties happy" -as has been suggested- nor a symbolic arrangement based on compromise. The Dignity Commission wishes to underline once more, that we do not consider ourselves to be before a banal case requiring the crutch of artificial "balance". It is rather a case that has transcendental ethical and political implications. If the result is not fully satisfactory, it will be regarded with profound disappointment by those sectors which have been awaiting a solution for sixty-five years. National dignity, historical truth and justice are in jeopardy and whatever decisions are made now will surely affect the climate of political coexistence between Catalans and Spaniards in the future. It is also a moment in which an evaluation must be made of the prospects facing the Dignity Commission, an organisation which so many groups and people helped to create in January 2002.

The Commission has always considered there to be little to discuss regarding the place the documents in question should be housed in the future. If one day they left our country on a journey that should never have been made, it is surely to our country that they must all return today. This may seem a maximalist position to those who regard this question in terms of a classical negotiation based on consensus in which a few sensible gestures would be enough to restore peace. For the Dignity Commission, and for the hundreds of organisations and institutions it represents in Catalonia and Valencia, this is the only acceptable solution at a time when Germany has apologised to the Basques for Gernika, the Vatican to the Jews for the Inquisition and Tony Blair to the Irish for the Great Famine. Although some sources have spoken of the need to return to the Catalans those "more symbolic" documents such as the

¹ There has been talk in Government circles of the need to find a "final solution" to this question since the March 14th victory of the Socialists at the General Elections.

1932 original copy of the Statute of Autonomy of Catalonia or the "Generalitat Government papers" -in reference to the famous 507 batches of documents that are often mentioned as if they accounted for all Catalan documents withheld in Salamanca-² the Dignity Commission believes that the Catalan people want full moral repair. How can one differentiate legally between returnable stolen objects and non-returnable stolen objects? To put it in more explicit terms -as has professor Josep Maria Terricabras on more than one occasion- the case of the Salamanca documents must be defined as if we were dealing with the case of a pick-pocketed wallet: neither the time that has gone by from its robbery nor the use that it may be being put to can justify its on-going retention. In a law-abiding state, stolen goods are returned to their owners in full. The fact that today that wallet may happen to be on show in a museum or stowed in an archive in no way changes matters. But all too often we hear voices that churn out the message that the "wallet" cannot be returned because it is carrying out a scientific and social "service"...

In answer to this, and as regards scientific service, the Dignity Commission is convinced that once the documents are repatriated, this service will continue to be supplied handsomely by our national institutions, particularly the National Archive at Sant Cugat, a most competent body. Our historical heritage cannot be better served than by the return of the documents. Withholding them in Salamanca has contributed nothing to further research into our history. On the contrary, as intended by those who construed the pillage, it has contributed to concealing it and to enhancing the attempts to eliminate our national identity through cultural genocide. The return of these documents, therefore, does not entail any loss of efficiency, as is sometimes alleged. Historical justice would also be a winner.

If the future decision of the Spanish government does not ensure the return of all the documents, the Dignity Commission will continue to call for the documents using all the legal means in its power. We believe that openly proclaiming this intention is the most honest way of proclaiming our determination to exercise a democratic right. We have explained our position to members of the Spanish and Catalan governments at the highest level during

² When it is a known fact that they only account for a small part of the documents and possibly not the most valuable ones.

meetings held in the months of May and June 2004 respectively. No one should, therefore, paint our action as disloyal or unexpected if we are obliged to take legal proceedings.

The Dignity Commission has for almost three years been highlighting the need to exercise the rights of individuals and institutions affected by the spoliation. Legal experts of differing ideological persuasions have been encouraging us in this direction whenever we have sought their advice. We have at all times been assured that we have a "very clear" legal case for devolution. Attempts to make us believe that our claim is disqualified by the fact that the Spanish "Democratic Transition" assumed the Francoist legality -as is suggested in some circles- not only fail to make any sense, but can only be seen as morally offensive, as are all attempts to whitewash the Francoist regime's criminal record. It is in this light that we must judge the claims for the recovery of their archives made by parties and unions such as CNT, ERC, Esquerra Valenciana, PSUC, UGT or CADCI,³ or private individuals such as the heirs of the Cambó, Rovira or Capo families, all of which -along with many others- are assessed today by the Dignity Commission. We believe that the Spanish government would be wrong to opt for an unjust solution that would lead to negative international feedback. This would be the case if today parties affected by fascist pillaging were left no other option than to resort to the international law courts to retrieve their looted documents back sixty-five years later.

Another key question as regards the Dignity Commission's future activity will be the distribution of the book you have in your hands to all those who gave their support to us in the summer of 2002, amongst whom ex-presidents Mario Soares and Francesco Cossiga and Nobel prize-winners Adolfo Pérez Esquivel and Rigoberta Menchú are to be included. We will be sending it to the hundreds of university professors from over 220 universities worldwide who signed our Manifesto in the summer of 2002. If this is your case, we wish to express to you our profound gratitude. We would like you to know that the mark made on Spanish public opinion has been deep. If in October 2002 it was an American journalist who said that the struggle of the Dignity Commission for the return of the archives was "the initiative that has done most to situate the Catalan cause

³ All of which are legal organisations today.

on the map in the last twenty-five years", no doubt your support was vital in bringing this about.

We cannot bring this epilogue to an end without mentioning some of the more positive and pedagogical collateral effects emerging from the Dignity Commission's struggle. It has been a lesson and an honour for us to receive so much support on this campaign; national institutions -the Catalan Parliament and Government- city and town halls, private victims of the pillaging, unions and parties -affected or not- historians of every speciality, archivists and academics from all over the world and thousands of groups and individuals throughout the country have shown us their warmest support. We hope to be able to continue enjoying this support if further efforts are still needed to recover our historical identity. Parallel to this, it has also been a privilege to have had the chance to have come into contact with groups and individuals in Salamanca who also struggle for dignity and the deepening of democracy in their land and who have sometimes suffered for so doing, as is the case of Aníbal Lozano. These folk have joined ranks with us on the path to the recovery of fuller collective and individual freedom and historical memory. We take a pride in the fact that the question of the "Salamanca Papers" has enabled issues to be raised in Salamanca itself, there having been a positive outcome in some sectors of the public opinion and the mass media after a rather shaky start in 2002.

We do not know what the exact future of the Dignity Commission will be as of 2005. If further struggle is necessary, we shall continue to endeavour seeing it as a further step in the recovery of our national dignity.

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Barcelona - Valencia, September 2004