

A Pragma-Dialectical Approach to Memory Politics: Spanish Contemporary Memory Politics, Populism Studies, and Argumentative Dialectics

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Abstract

This paper establishes a dialogue between populism studies, typologies of reconstruction of the past, and argumentative dialectics. The paper analyzes what types of argumentative strategies are employed in the context of the discussions regarding Spanish memory politics and how those strategies can be associated with typologies of re-elaboration of the past (Caramani and Manucci 2019). Building from argumentative dialectics (Van Eemeren and Grootendorst 2004), the paper studies argumentation structures uttered after the endorsement of the 2007 Spanish Historical Memory Law and the proposal of the 2021 Draft Democratic Memory Law. Departing from the distinction between diverse strategies of re-elaboration of the past, namely, heroization and cancellation (Caramani and Manucci 2019), the paper questions if Spanish decision-makers' rhetorical strategies and political decisions in the field of memory politics disclose the adoption of particular types of populist behavior. The paper claims that the argumentative tactics used, in the domain of memory politics, by Spanish left-wing leaders reveal the adoption of a heroization strategy. In contrast, the rhetoric of Spanish right-wing leaders favors a strategy of cancellation. The paper also claims that, in the Spanish case, mainly from 2018 onwards, the adoption by Spanish left-wing leaders of a heroization strategy had two consequences. First, it did not reduce the cultural opportunity structure for right-wing populism. Second, it fostered a cultural opportunity structure for the affirmation of left-wing populism. The paper selected argumentative dialectics as a methodological framework (Van Eemeren and Grootendorst 2004). The paper discusses the scientific significance of analyzing memory politics through the lenses of populism studies.

Keywords

Argumentation; argumentative dialectics; Spain; memory and trauma politics; populism; strategies of reconstruction of the past

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Introduction

This paper establishes a dialogue between populism studies, typologies of re-elaboration of the past, and argumentative dialectics. There is an ongoing discussion in the literature concerning the analysis of collective memory politics, namely, national historical memory bills, adopted by some countries that want to “come to terms” with their pasts (Bell 2009, 4; Edkins 2003; Becker 2014). The paper analyzes what types of argumentative strategies are employed in discussions regarding Spanish memory politics. The paper also addresses how those strategies can be associated with typologies of re-elaboration of the past (Caramani and Manucci 2019).

Building from a pragma-dialectical perspective on argumentation (Van Eemeren and Grootendorst 2004), the paper analyzes the discursive regimes established surrounding the approval of the 2007 Spanish Historical Memory Law (HML) and ensuing legislation, particularly the 2021 Draft Democratic Memory Law (DDML). Departing from the distinction between diverse strategies of re-elaboration of the past, namely, heroization and cancellation (Caramani and Manucci 2019), the paper questions whether Spanish decision-makers’ rhetorical strategies and political decisions in the field of memory politics disclose the adoption of distinct strategies of reconstruction of the past (Caramani and Manucci 2019). The paper argues that the argumentative tactics used in the domain of memory politics by Spanish left-wing leaders reveal the adoption of a heroization strategy. In contrast, the rhetoric of Spanish right-wing leaders favors a strategy of cancellation. The paper also claims that, in the Spanish case, mainly from 2018 onwards, the adoption by Spanish left-wing leaders of a heroization strategy had two consequences. First, contrary to Caramani and Manucci’s hypothesis (2019), it did not reduce the cultural opportunity structure for Spanish right-wing populism. Second, it fostered a cultural opportunity structure for the affirmation of left-wing populism in Spain.

Methodologically, the paper employs Van Eemeren and Grootendorst’s (2004) pragma-dialectical theory on argumentation, namely, the authors’ development of the meta-theoretical principles of functionalization, socialization, externalization, and dialectification.

The paper will encompass six sections. The first section will debate the articulation among memory politics and populism studies. The literature review will be presented in the second section of the paper. The methodological framework of the paper will be exposed in the third section, followed by the analysis of the paper’s core findings. Those findings will allow for the discussion of the paper’s argument. Finally, the scientific relevance

of understanding questions related to memory politics through the lenses of populism studies will be debated in the concluding section.

Memory Politics and Populism Studies

The significance of mnemonical elements in contemporary societies is very much dependent on how societies and political elites manage the presence of the past in contemporary social and political communities (Jedlowski 2001). Memory politics concerns the politicization, within political communities, of mnemonic and traumatic issues and how such politicization is structured by complex power relations that are the source of frequent and intense political contestation (Edkins 2003).

There is a literature gap concerning the role of mnemonic elements in populism studies (Kaya and De Cesari 2020). However, following Caramani and Mannucci (2019, 1159), the “electoral performance” of political parties is frequently dependent “on the type of re-elaborating of countries’ national past and their collective memories.” The authors link what they designate as the “burden of the past” (Caramani and Mannucci 2019, 1159), to the emergence, in Europe, of “right-wing populism.”

The literature gap mentioned above may be explained by the controversial nature of populism (Kaya and De Cesari 2020; Moffitt 2020; Mudde 2017). This paper adopts Hamelers’s (2018, 2172) definition of populism as the establishment of an “antagonist relationship between the people as ‘in-group’ and different forms of opposed ‘out-groups.’” Taguieff (1995, 10–41) claims that populism does not “embody a particular type of regime, nor does it define a particular ideological content.” Instead, the concept should be defined as a “political style suited for various ideological contexts” (Taguieff 1995, 10–41). Consequently, a populist “orientation” or “political style” may be found in both democratic and authoritarian regimes and can be contextual, which means that faced with a particular political challenge, a political party may adopt a populist “style” while maintaining a moderate attitude regarding other public issues (Taguieff 1995, 10–41).

In the arena of memory politics, a populist “political style” may be identified when “cultural opportunity structures” emerge and conduct political decision-makers to define “what is taboo or socially acceptable based on the re-elaboration of the past” (Caramani and Mannucci 2019, 1161). The authors (Caramani and Mannucci 2019, 1159) argue that how states and their decision-makers reconstruct collective memories create “cultural opportunity structures” that “open up or close down the space for right-wing populist parties.” Caramani and Mannucci (2019) present a typology comprising four

types of re-elaboration of the past: culpabilization, victimization, heroization, and cancellation. Culpabilization occurs when states assume “the burden of guilt for the fascist regime and its perpetrations” (Caramani and Manucci 2019). The strategy of heroization emerges when states take “full merit for opposing and defeating fascist regimes and uphold liberal values” (Caramani and Manucci 2019, 1164). Victimization corresponds to a scenario where “a country fabricates victimhood of ‘external’ fascist regimes and denies responsibility” (Caramani and Manucci 2019, 1164). Finally, cancellation occurs when “the country’s role is not problematized and little public debate takes place” (Caramani and Manucci 2019, 1164). When Caramani and Mannucci (2019) presented their typology of four types of strategies of re-elaboration of the past, they represented those strategies as national and not as being developed by single political movements. However, and for the purposes of this paper, to study how countries discuss their politics of the past, it is academically significant to address how competing political movements develop opposing narratives that coincide with Caramani and Mannucci’s (2019) typology of strategies of re-elaboration of the past. Having said this, it should be clear that if and until the DDML is approved, the Spanish national strategy of re-elaboration of the past is cancellation.

The authors posit that strategies of culpabilization and heroization can reduce “cultural opportunity structures for right-wing populism,” since a state whose “narratives” are defined in disapproval or in “opposition to illiberal regimes is unlikely to accept right-wing populism” (Caramani and Manucci 2019, 1166). Conversely, strategies of cancellation and victimization open a window of opportunity for right-wing populism because, particularly in the case of cancellation, “country whose narrative does not include a mention of its past role does not stigmatize right-wing populism” (Caramani and Manucci 2019, 1166).

What Caramani and Manucci (2019, 1159) designate as a “cultural opportunity structure” for the re-elaboration of the past emerged in Spain in the late 1990s when a media campaign developed a “memory boom” with the launching of films, books, and documentaries denouncing Franco’s legacy (Manucci 2020b, 54). Such a “memory boom” was accompanied by an unprecedented civic mobilization to locate mass graves from the civil war (Manucci 2020, 54). Such a civic environment led to the end of the “Pact of Forgetting” (*Pacto del Olvido*), established after Franco’s death and conducted to the adoption, in 2007, of the Historical Memory Law (HML) (Manucci 2020b, 54).

Literature Review

The literature that has emerged regarding Spanish memory politics can be divided into two distinct groups: literature that considers the cultural and legal dimensions of Spanish memory politics, and literature that analyzes Spanish memory politics as a political and discursive artifact. This paper will briefly develop the latter.

Literature that analyzes the Spanish HML and ensuing legislation as a political and discursive artifact is in the process of attaining a significant degree of maturity. However, the frequent allegation that there is a need to distinguish between the historical facts and the cognitive memory and narratives regarding the Spanish Civil War and the broader period of Franco's dictatorship demonstrates the persistence of divergences about how to scientifically discuss Spanish twentieth-century memory (Aguilar and Humlebaek 2002; Farran and Amago 2010; Keene 2007; Labanyi 2008; Resina 2017).

Most literature highlights the controversies and ideological quarrels that have surrounded the debate about the retrieval of Spanish historical memory, as well as the discussions about how such debate is articulated with the consolidation of Spanish democracy as well as with the emergence of a generation of younger Spaniards with no recollection of Franco's dictatorship (Aguilar and Humlebaek 2002; Farran and Amago 2010; Keene 2007; Labanyi 2008; Resina 2017). Aguilar and Humlebaek (2002, 121) argue that the complexity of Spanish memory politics is related with the need to openly discuss "the complicities of part of the national community with the dictatorship." Resina (2017) introduced the concept of "latency" to understand the prolonged denial of historical memory after Franco's death and the affirmation of a democratic Spain.

The literature that studies the debate about the meaning and consequences associated with the approval of the Spanish HML from a discursive perspective demonstrates how such debate is heavily influenced by ideological polarization (Paricio 2017). The literature has identified media narratives regarding the Spanish HML (Vizuete 2020) and has discussed Spanish media's role in either fueling or obscuring the debate about the need for a bill to retrieve Spanish memory (Farran and Amago 2010; Labanyi 2008).

As previously mentioned, literature that analyzes the Spanish HML and subsequent legislation as a political and discursive phenomenon is in the process of attaining a significant degree of maturity. The analysis of Spanish memory politics through the establishment of articulations between argumentative analysis and populism studies is, however, still underdeveloped. As for the literature regarding Spain's memory politics and populism studies, the

analysis is mainly focused on Vox (Berentson 2021; Booth and Baert 2018). Spanish moderate parties, like the Spanish Socialist Worker's Party (Partido Socialista Obrero Español) (PSOE) and Popular Party (Partido Popular) (PP), are not usually approached by the literature devoted to populism studies (for an exception regarding the PP, see Lallana 2017).

Methodology

Argumentation theory is particularly suited to analyzing mnemonical contexts, where political, social, and historical contestation are intense (Van Eemeren et al. 1993). The pragma-dialectical perspective on argumentation (Van Eemeren and Grootendorst 2004) claims that the analysis of speech acts should be guided by specific “meta-theoretical principles,” specifically, functionalization, socialization, externalization, and dialectification (Van Eemeren et al. 1996, 5).

The principle of functionalization claims that the analysis of speech acts should recognize the “disagreement space” that a specific argument aims to manage and “resolve” (Van Eemeren et al. 1996, 6). Such “disagreement space” originates from “what is at stake” in the process of dialectic argumentation (Van Eemeren et al. 1996, 6). The principle of socialization represents the “dialogical” dimension of argumentation which, frequently, comprises the communication between agents with disparate standpoints (Van Eemeren et al. 1996, 6). Externalization is a “meta-theoretical principle” (Van Eemeren and Grootendorst 2004, 52) which discloses the agency and drives of speech-utterers, holding them “accountable” concerning “things they have said in a particular context (Van Eemeren et al. 1996, 7). Externalization permits categorizing the “commitments” assumed by speech-utterers and regarding which they may be responsible (Van Eemeren et al. 1996, 7). Lastly, dialectification concerns the prescriptive dimension of dialectical argumentation, which allows theorists to judge how specific arguments subsidize the settling of differing viewpoints (Van Eemeren et al. 1996, 8). Consequently, the signaling of fallacious rhetorical arguments (Van Eemeren et al. 1996, 9) is essential.

Findings

The fourth section will be dedicated to studying the 2007 Spanish HML, the 2021 DDML, related political discourses, and legislative documents. The argumentative analysis will be made by studying six legislative documents (two laws, one draft law, and three royal decrees), two opinion articles, and twenty-two newspaper articles. The legislative documents, opinion articles,

and newspaper articles are directly related to the Spanish HML and the DDML. The newspaper articles comprise a representative sample of Spanish and international media associated with diverse ideological orientations. Such a representative sample was achieved by selecting newspapers associated with both center-left/left-wing standpoints (*El País*, *elDiario.es*, and *El Huffington Post*) and center-right / right-wing perspectives (*ABC*, *Libertad Digital*, and *El Mundo*). Other selection criteria were regional diversity (*El Periódico de Catalunya* and *Noticias de Navarra*) and impact on public opinion (*El País*, *ABC*, and *El Mundo*). Documents range from 2007 to 2021. Methodologically, the article employed qualitative content analysis of distinct textual and discursive elements (Mayring 2004, 10). Findings will be analyzed addressing the four elements of Van Eemeren and Grootendorst's (2004, 52) argumentation theory.

In the field of functionalization, the discursive categories chosen were the questions sparking disagreement among speech-utterers and the goals of argumentation (Van Eemeren et al. 2007, 4). The analysis of selected documents reveals that concerning the contentious question of Spanish memory politics, the disagreement that followed the approval of the 2007 Spanish HML and the proposal of the 2021 DDML was focused on three issues.

The first question sparking disagreement concerns the goals of Spanish memory politics. Political and civil society agents, particularly left-wing parties such as PSOE and Podemos, posit that "Spanish democracy and the living generations" should honor "those who suffered from injustices and attacks on behalf of political, ideological or religious beliefs" during the periods of the Spanish Civil War and Franco's dictatorship (*Ley 52/2007*). Right-wing political movements, namely, PP and Vox, argue that the LHM derives from an ideological "biased" perspective of history based on "hate" and on the need to promote a new "official truth" (Vox pide 2019, para. 2–3).

The second contentious issue surrounding Spanish memory politics regards the question of freedom of expression and reunion. This contentious issue is concerned with the proposal made by PSOE in 2020 of a new law of historical memory: the DDML (Junquera 2021; Perera 2021). Such draft law, which is waiting for parliamentary approval, is considered by some as an attack on freedom of speech and association, since it comprises limits to the existence of foundations and associations honoring the memory of Franco and considered to be a form of glorifying Franco's dictatorship as well as a form of violence against the victims of Franco's regime (Junquera 2021; Perera 2021). However, the Spanish General Council of the Judiciary (*Consejo General del Poder*

Judicial) posits that to glorify Franco's memory does not necessarily constitute a humiliation of its victims and that to prohibit all forms of honoring Franco may entail a violation of the ensured constitutional rights of free expression and association (Perera 2021). Against such an interpretation, some voices claim that "[a] democracy should not feel pride in honoring and funding genocides torturers and...assassins" (Estal 2019, para. 2).

A third question that fuels disagreement is the articulation among public spaces, memory, and democracy. Such an articulation allows understanding left-wing parties' firm decision to withdraw the body of Franco from the Valley of the Fallen (Valle de Los Caídos), as well as the decision of PP, Ciudadanos, and Vox to remove from Madrid's urban spaces the memory of personalities such as Francisco Largo Caballero and Indalecio Prieto (Fundación Pablo Iglesias 2020). La Fundación Pablo Iglesias (2020) claimed that the decision to eliminate Madrid's urban memorials honoring Francisco Largo Caballero and Indalecio Prieto constitutes forms of historical revisionism, as well as an attack on democratic memory. Several Spanish historians accused right-wing parties, namely, Vox, of spreading "fake news" about Spanish twentieth-century history (Morales 2020). The Spanish Prime Minister Pedro Sánchez argued that the exhumation of Franco's remains ended with "the glorification of the figure of a dictator in a public space" (Marcos 2019, para.1). However, Vox claimed that displacing Franco's remains attacked family values and ideological freedom (Vox pide 2019, para. 3).

The study of selected documents allows recognizing that "what is at stake" in the discussion about the Spanish memory and trauma politics are three main elements.

The first element concerns the consequences associated with the revoking of the 1977 Amnesty Law, which embodied the spirit of the historical period of Spanish democratic transition (*Ley 46/1977*). Members of the PP frequently reify the idea that the 1977 Amnesty Law instituted a transition political peaceful environment through which Spain could look to the future (Tolosa 2020). However, the Spanish HML argues that its goal is to preserve the spirit of reconciliation symbolized by the 1977 Amnesty Law (*Ley 52/2007*).

A second factor at stake concerns the appropriation of Spanish anti-dictatorship historical memory by left-wing forces, namely by PSOE, translated in the decision to exhume Franco's remains from the Valle de Los Caídos (Marcos 2019). José Luis Zapatero stated that the exhumation of Franco's remains "has great significance for our democracy. [t]oday our democracy is more perfect" (Spain Transfers 2019, para.7). Pedro Sánchez claimed that the day of the exhumation was "one of the most exciting moments of his political career"

(Marcos 2019). The appropriation of Spanish anti-dictatorship historical memory by left-wing forces was heavily criticized when in the context of the eightieth anniversary of the death of the Spanish poet Antonio Machado, PSOE publicly argued that the leaders of PP and Ciudadanos should not be allowed to invoke the memory of the poet, since they were supposedly against Franco's exhumation (Almirón 2019). The objective of both PSOE and Podemos is, following the strategy of heroization, to create a new narrative about Francoist Spain that fully stigmatizes the period of Franco's dictatorship (Booth and Baert 2018). Such an objective explains the need to repeal the 1977 Amnesty Law, which embodies the spirit of the *Pacto del Olvido* (Manucci 2020b).

A final element at stake regards the attempt to legitimate the Spanish LHM and subsequent legislation employing arguments about what is considered internationally appropriate in terms of memory politics (Richart 2020). To validate modifications to the Spanish HML, the Sánchez-led government claimed that approving the new DDML was a necessary "effort" to "homologate" Spanish democracy before the international community (Richart 2020, para. 27). To justify changes to the status of the Valle de Los Caídos, Sánchez stated that such a memorial was a historical "anomaly" not admissible in full-blown European democracies (Marcos 2019). In his words, the Valle de Los Caídos "was more than an anachronism and an anomaly, it was an offense to Spanish Democracy" (Marcos 2019, para. 3).

In what concerns the meta-theoretical principle of externalization, the selected dialectical category was public commitment. The analysis of the corpus of selected documents demonstrates that public commitments regarding legislation on historical memory vary according to the ideological nature of the parties occupying power. The HML committed public officials to institute policies focused on promoting Spanish history and fostering democratic memory (*Ley 52/2007*). However, when Mariano Rajoy presided over the Spanish government, the phrase "zero euros to historical memory" became famous. It represented the PP's refusal to allocate monetary funds to the LHM (Baquero 2018, para. 2). From June 2018 onwards, although, when Pedro Sánchez became Spain's prime minister, everything changed (Pedro Sánchez 2020). From 2018 until 2021, several measures were implemented or proposed to execute the LHM and legitimate the proposal for a new DDML (Pedro Sánchez 2020; Junquera 2021). Such draft law (*Proyecto de Ley de Memoria Democrática* 2021) establishes governmental commitments in six main fields, particularly:

- i. the reform of educational curricula at undergraduate and graduate levels to highlight the importance of democratic historical memory (*Proyecto de Ley de Memoria Democrática* 2021; Ramirez 2019);
- ii. the search, location, and recuperation of the bodies of the missing persons (*Desaparecidos*) of the Spanish Civil War and Franco's dictatorship and the collection of DNA evidence that will help to institute the National DNA Bank of Civil War and Dictatorship victims (Gil 2020; Ramirez 2019; Richart 2020; *Proyecto de Ley de Memoria Democrática* 2021);
- iii. the creation of a new Judicial Department to investigate war crimes, human rights violations as well as violations of international humanitarian law that occurred during the dictatorship (*Proyecto de Ley de Memoria Democrática* 2021; *Real Decreto* 373/2020; Richart 2020);
- iv. the prohibition of acts and symbols that may be considered as an exaltation of Francoist Spain or the figure of the dictator (Gil 2020; *Proyecto de Ley de Memoria Democrática* 2021);
- v. the annulment of “convictions” and “sanctions” established by “Francoist courts,” but without the “possibility of claiming compensation” (Junquera 2012, para.7; *Proyecto de Ley de Memoria Democrática* 2021);
- vi. the institution of monetary fines to cases involving dishonors or the physical destruction and displacement of mass graves and symbolical places of historical memory (Gil 2020; *Proyecto de Ley de Memoria Democrática* 2021; Richart 2020).

The Sánchez-led government's need to adopt such measures is partially clarified by the PSOE necessity to strengthen its alliance with other left-wing parties, namely, with Podemos, which frequently claimed that the Spanish transition from Franco's dictatorship to democracy was a sham and that an effective break with the Francoist past was needed (Booth and Baert 2018; Sela 2019). One of the goals of Spanish left-wing parties, namely, Podemos and PSOE, is to recuperate the heroism associated with the Second Spanish Republic, which explains the adoption by both parties of a strategy of heroization (Booth and Baert 2018; Caramani and Manucci 2019).

The principle of socialization will be discussed, addressing the communicational context where the debates about Spanish historical memory are being uttered (Van Eemeren and Grootendorst 2009).

Four main narratives, identified by Vizuete (2020, 27), can be addressed as constituting the communicational context within which the debate about Spanish historical memory is being developed.

The first narrative is a revisionist narrative that is opposed to the Spanish HML (Vizuete 2020, 27). It is characteristic of nationalist right-wing conservative groups sympathetic to Franco's regime (Vizuete, 2020). Historical revisionism is employed to defeat the "political correctness" of left-wing parties and movements that condemn Franco's dictatorship acclamation (Vizuete 2020, 27). Following Vizuete (2020, 27), such "political correctness" has allowed left-wing parties to win the "cultural war" on historical memory. Vox is currently the political party that best embodies this first narrative (Vizuete 2020, 27). The role of Vox in Spanish politics is noteworthy. Its electoral success from 2018 onwards terminated the belief in Spanish exceptionality regarding the spread in Europe of radical right-wing parties (Berentson 2021). Following Berentson (2021, 38), one of the reasons that explain Vox's electoral success is the fact that it was the first political party since Franco's death to employ the same narratives about "Spanish identity and national origins to mobilize the imagined community of people that Franco created and that believed in his conception of the nation." In this context, the fact that Vox follows a strategy of cancellation regarding the reconstruction of the Spanish past should come as no surprise since, as Manucci (2020a, 3) argues, "[c]ountries which did not deal with the fascist past in a profound and responsible manner are therefore supposed to constitute a fertile ground for right-wing populism to thrive."

A second narrative opposes the HML but does not employ a revisionist perspective (Vizuete 2020). It is typical of right-wing political movements, which Vizuete (2020, 27) describes as being "aware of the need to abandon the historical stigmas associated with right-wing parties," that do not demonstrate any type of nostalgia regarding Francoist Spain and that are not willing to let left-wing parties win the cultural war that characterizes the contemporary debate about historical memory in Spain. The main argument of parties like PP is that the Law on Historical Memory, "far from healing," will only be employed to "exacerbate" the Spanish political debate without tackling the real issues that worry the Spanish people (Vizuete 2020, 27). Pablo Casado has recognized that any discussion about Franco's dictatorship "benefits the extremes," namely, Podemos and Vox, and hurts PP (Aduriz 2021). In an article in the newspaper *Libertad Digital*, a newspaper often associated with the People's Party, it was written that "Sánchez and Iglesias walk Franco again, intensify right-left ideological struggles, resurrect the ghosts of the past as a political engine since it seems that in our country the '*frentismo*' continues to give votes to the left" (Richart 2020, para.3). In fact, following Lallana (2017), the PP's position regarding Francoist Spain is dubious, since the party does not explicitly condemn Franco's dictatorship and often ignores its victims.

The third narrative is a nonideological historiographic narrative concerning historical memory (Vizuete 2020, 27). Such a narrative rejects ideological polarization and focuses on disclosing the complexity behind historical facts (Vizuete 2020, 27). In a fallacious argumentative maneuver, Vox frequently claims that history belongs to historians, which apparently could mean the adoption by Vox of a historiographic narrative (Carvajal 2019). However, and according to Vizuete (2020, 27), Vox's real narrative on historical memory is highly ideological and corresponds to a revisionist narrative opposed to the HML.

The final narrative adopts a critical discourse regarding Franco's regime and favors legislation on historical memory (Vizuete 2020, 28). Such a narrative is characteristic of Spanish left-wing movements and parties (Vizuete 2020, 28). However, Spanish left-wing political movements are broad and diverse (Vizuete 2020, 28). As Vizuete (2020, 28) claims, the Spanish left is not "monolithic," but "plural" as well as "conflictive," and such a plural character mirrors disparate perspectives about the concept of historical memory. From the outside, the left-wing interpretation of historical memory seems hegemonic and as having won the "cultural battle" about the meaning of Spanish twentieth-century historical memory (Vizuete 2020, 28). However, such a narrative comprises distinct views about the concept of historical memory (Vizuete, 2020, 28). The existence of those distinct views might explain the slow implementation of the HML during the mandate of José Luis Zapatero (Goldaráz 2018). In 2018, the former Spanish prime minister recognized that it is hard to build a "collective memory," particularly since, in his perspective, Spain did not know how to "overcome its darkest periods" (Goldaráz 2018, para. 5–6).

Within a communicational context where four distinct narratives fiercely compete, counterarguments are a fundamental element of dialectical argumentation produced about the concept and legislation on Spanish historical memory (Van Eemeren et al. 1996). Regarding counterargumentation, the study of selected documents shows that left-wing parties that have supported the 2007 HML and endorsed the 2021 DDML have developed efforts to counter-argue three core beliefs:

- i. the belief that legislation on historical memory is, as the PP claims, a "*revanche*," an effort to divide Spanish citizens, and an attempt to "resurrect old wounds" (Pichel 2019, para. 26). In Zapatero's words, "when justice is served, there is no place for vengeance" (Goldaráz 2018, para. 7);

- ii. the idea that historical memory legislation is a “liberticide” legislation and not an attempt to restore dignity to the victims of Francoist Spain (Tolosa 2020, para. 1);
- iii. the belief that it is possible to look at history from an apolitical perspective.

Following the wordings of the HML, memory is a fundamental element of political identity and citizenship (*Ley 52/2007*; *Real Decreto 1791/2008*). Against Vox’s claim that history belongs to historians (Carvajal 2019), Sánchez counterargues that “Spain is a product of forgiveness, but it cannot be a product of oblivion” (Marcos 2019, para. 1).

The argumentative tactics used by speech-utterers involved in the debate about the Law on Historical Memory and ensuing legislation to legitimate their standpoints were addressed through the element of dialectification (Van Eemeren and Grootendorst 1984). Following Van Eemeren and Grootendorst, argumentation should be considered an effort to settle a divergence of standpoints according to principles of reasonableness (Van Eemeren and Grootendorst 2004, 53). However, reasonableness is frequently hindered by “rhetorical effectiveness,” which explains the significance of identifying fallacious rhetorical moves (Van Eemeren and Garssen 2008, 10–11). Van Eemeren and Houtlosser (2006, 381) claim that fallacious rhetorical arguments should be understood as a “derailment of strategic argumentation.” It is necessary to understand the communicational context of dialectical argumentation to identify fallacious rhetorical moves (Van Eemeren and Houtlosser 2006, 387). Regarding Spanish memory politics, such communication context is characterized by acute ideological polarization (Pichel 2019). Severe ideological polarization favors the use of fallacious rhetorical moves, since these types of moves have a considerable potential of persuasiveness (Van Eemeren and Houtlosser 2006, 387). The study of selected documents on the Spanish HML and subsequent legislation allows us to identify four genres of fallacious moves and one type of what Van Eemeren and Houtlosser (2006, 289) designates as a “*tu quoque* fallacy.”

The first fallacious rhetorical move concerns the use of verbal threats (Van Eemeren and Houtlosser 2006). When the statue of Francisco Largo Caballero was vandalized by right-wing extremists in Madrid, Vox tweeted: “[r]epeal the Law of Historical Memory. First notification,” which was a clear threat against the chief legislation regarding Spanish memory politics (Vox amenaza 2020, para.1).

Another recurrent fallacious rhetorical move employed in the discussion about Spanish memory politics concerns the utterance of dubious claims, associated

with what historian Gutmaro Gómez Bravo designates as “discourses of anger,” and the spreading of “fake news” about Spanish twentieth-century history (Morales 2020). Accusations of genocide are adduced by right-wing and left-wing voices against one another (Estal 2018; Rubio 2020). In an article entitled “Historical Memory: A Menace to European Peace” (*Memoria histórica: amenaza para la paz en Europa*), the right-wing historian Ángel Rubio (2020, 49) accused the governmental authorities of the Second Spanish Republic of having committed genocide against Spanish Catholics. Another doubtful but frequent argument is the claim, voiced namely by Vox members, that the Law on Historical Memory was a “*coup*” against the Spanish monarchy (Vox pide 2019). Rafael Hernando, a former spokesperson of PP, uttered another dubious claim when he accused the families of the victims of Francoist Spain of only having remembered their missing parents when the Spanish government allocated monetary resources to search and find the *Desaparecidos*: “some had remembered their father only when there were grants to find him” (Rafael Hernando 2013, para. 1).

The third type of fallacious move, which is a consequence of a highly ideological polarized communicational context, is simplification. To characterize the debate about the Spanish LHM as being reduced to only two sides—those who defend the bill as a “necessary step to honor the victims of ‘*franquismo*’” and those who accuse the bill of “reopening wounds” (Pichel 2019, para. 26) – ignores the existence of a more complex argumentative context with several powerful narratives (Vizuete 2020). The perspective of the “two Spains” – “left-wing Spain and right-wing Spain, progressist Spain and conservative Spain, catholic Spain and anti-clerical Spain...winners and the losers...the red Spain and blue Spain” (Pichel 2019, para. 37) – is fallacious, since it intends to simplify a highly complex and fragmented social, political, and discursive reality (Vizuete 2020).

A fourth type of fallacious rhetorical move is victimization, which is a narrative predominantly employed by Vox leaders, namely, when they argue that to debate Spanish historical memory is to impose a new “official truth” sustained by hate and by the need to suppress “ideological freedom” (Vox pide 2019, para. 2–3).

Finally, a “*tu quoque* fallacy” consists of a claim inconsistent with previous arguments uttered by a particular speech-utterer (Van Eemeren and Houtlosser 2006, 389). When Vox states that history belongs to historians (Carvajal 2019), a discursive inconsistency with the party’s previous argumentative strategies can be identified. In question are argumentative moves employed by Vox to legitimate the removal of Madrid’s urban memorials to politicians

linked to the Spanish Second Republic (Tolosa 2020). Some voices critical of Vox's perspectives on history claim that a political movement that employs historical arguments and political revisionism to legitimate its political decisions cannot consistently claim that history belongs solely to historians (Carvajal 2019; Morales 2020). However, there is a purpose behind Vox's argumentative strategy (Van Eemeren and Houtlosser 2006). Vox's arguments about the apolitical nature of history can be interpreted as a "dialectical means" to endow its political rhetoric about Spanish memory politics with a higher degree of reasonableness than his audiences are used to without compromising its goal of repealing the LHM (Van Eemeren and Houtlosser 2006, 388; Vox amenaza 2020).

Spanish Historical Memory and Typologies of Re-elaboration of the Past

Building from the above-mentioned findings, this paper questions if Spanish decision-makers' rhetorical strategies in the field of memory politics disclose the adoption of distinct strategies of reconstruction of the past (Caramani and Manucci 2019). The paper argues that the argumentative policies used, in the domain of mnemonic politics, by Spanish left-wing leaders reveal the adoption of a heroization strategy. In contrast, the rhetoric of Spanish right-wing leaders favors a strategy of cancellation. The paper also claims that, particularly from 2018 onwards, the adoption by Spanish left-wing leaders of a heroization strategy had two consequences. First, and contrary to Caramani and Manucci's hypothesis (2019), it did not reduce the cultural opportunity structure for right-wing populism. Second, it fostered a cultural opportunity structure for the affirmation of left-wing populism. The ensuing discussion develops the paper's argument.

Firstly, and regarding the meta-theoretical principle of functionalization, several elements reveal the adoption, particularly by PSOE leaders, of what Caramani and Manucci (2019) designate as a strategy of heroization, namely:

- i. the normalization of the belief that Spanish democracy is more "perfect" if it demonstrates that it has morally defeated the fascist regime and is now able to sustain democratic values (Spain Transfers 2019);
- ii. the need to honor "those who suffered from injustices and attacks on behalf of political, ideological or religious beliefs" during the periods of the Spanish Civil War and Franco's dictatorship (*Ley* 52/2007);
- iii. the establishment of an articulation between the maturity of Spanish democracy and the decision to exhume Franco's remains

from the Valle de Los Caídos (*Proyecto de Ley de Memoria Democrática* 2021);

- iv. the designation of the Valle de Los Caídos, as a historical incongruity not admissible in full-blown European democracies (Marcos 2019);
- v. the establishment by PSOE leaders of an association between the approval of the proposed DDML and the necessary “effort” to “homologate” Spanish democracy before the international community (Richart 2020, para. 27).

In what concerns the meta-theoretical principle of externalization, the strategy of heroization (Caramani and Manucci, 2019) is present in the main commitments established in the DDML, particularly:

- i. the reform of educational curricula to highlight the importance of democratic historical memory (Ramírez 2019);
- ii. the retrieval of the remains of victims and *Desaparecidos* of Francoist Spain (Gil 2020; Ramírez 2019; Richart 2020);
- iii. the institution of monetary fines to cases involving dishonors or the physical destruction of mass graves and symbolical places of historical memory (Gil 2020; *Proyecto de Ley de Memoria Democrática* 2021; Richart 2020).

Third, regarding the meta-theoretical principle of socialization, the strategy of heroization (Caramani and Manucci 2019) is mirrored in

- i. the adoption by Spanish left-wing movements and parties of a critical narrative regarding Franco’s regime, which transforms legislation on historical memory into an instrument demonstrating the moral victory of democracy and the final defeat of Francoism (Vizuete 2020, 28);
- ii. the need to represent historic memory legislation as a question of justice (Goldaráz 2018, para. 7);

Finally, and concerning the meta-theoretical principle of dialectification, the use by some left-wing parties, namely, PSOE, of a rhetorical strategy of simplification whereby the debate about the Spanish LHM is reduced to only two sides (Pichel 2019, para. 26) is a way to stigmatize right-wing parties (Caramani and Manucci 2019).

The adoption by Spanish left-wing leaders of a heroization strategy had, mainly from 2018 onwards, two consequences: it did not reduce the cultural opportunity structure for Spanish right-wing populism, and it fostered a cultural opportunity structure for the affirmation of left-wing populism in Spain.

Regarding the first consequence, findings demonstrate that Spanish right-wing parties, namely Vox and PP, have adopted and reified a strategy of their own: what Caramani and Manucci (2019) conceptualize as a strategy of cancellation. Such strategy is visible in several elements, namely:

- i. the representation, by right-wing political movements, of the LHM as deriving from an ideological “biased” perspective of history based on “hate” (Pichel 2019; Vox pide 2019, para. 2–3) (meta-theoretical principle of functionalization);
- ii. the reification of the idea that the 1977 Amnesty Law instituted a peaceful transition political environment through which Spain could look to the future (Tolosa 2020), delegitimizing the need for more laws on historical memory (meta-theoretical principle of functionalization);
- iii. the decision, by right-wing parties, of removing from Madrid’s urban landscape memorials honoring the memory of left-wing politicians active during the Spanish Second Republic (Fundación Pablo Iglesias 2020) (meta-theoretical principle of functionalization);
- iv. the refusal, during Rajoy’s government, of allocating financial resources for the implementation of the LHM (Baquero 2018, para. 2) (meta-theoretical principle of externalization);
- v. the adoption of narratives (revisionist and nonrevisionist) that strongly oppose the adoption of further legislation on historical memory (Vizuet 2020) (meta-theoretical principle of socialization);
- vi. the normalization of the claim that the LHM will only be employed to “exacerbate” the Spanish political debate without tackling the real issues that worry the Spanish people (Pichel 2019; Vizuet 2020, 27) (meta-theoretical principle of socialization);
- vii. the claim by Vox leaders that history belongs to historians (Carvajal 2019) (meta-theoretical principle of socialization);
- viii. the use of fallacious rhetorical arguments to demean narratives favoring the adoption of legislation on historical memory, namely, verbal threats, argumentative fallacies, and dubious claims (Rafael Hernando 2013; Rubio 2020; Vox amenaza 2020) (meta-theoretical principle of dialectification).

Regarding the second consequence, this paper claims that the adoption by Spanish left-wing leaders of a heroization strategy fostered a cultural opportunity structure to affirm left-wing populism. Such affirmation was materialized in the adoption, namely, by PSOE leaders of what Mudde and Kaltwasser (2013) designate as forms of exclusionary populism, specifically exclusionary political

populism (political participation and public contestation) and exclusionary symbolic populism (“we” versus “them”). Recalling Hameleers’s (2018, 2172) definition of populism as the establishment of an “antagonist relationship between the people as ‘in-group’ and different forms of opposed ‘out-groups,’” the DDML can be considered as illustrating forms of political and symbolical exclusionary populism. The following elements are significant:

- i. the reform of educational curricula to empower the significance of democratic memory and the moral defeat of Francoism (Ramirez 2019) (exclusionary symbolic populism);
- ii. the prohibition of acts that may be considered as an exaltation of Francoist Spain or the figure of the dictator stigmatizing right-wing parties (Estal 2019, para. 2; Gil 2020) (exclusionary political populism);
- iii. the institution of limits to the existence of foundations and associations honoring the memory of Franco, and considered to be a form of glorifying Franco’s dictatorship (Perera 2021; *Proyecto de Ley de Memoria Democrática* 2021) (exclusionary political populism);
- iv. the appropriation of Spanish anti-dictatorship historical memory by left-wing forces, namely, by PSOE, mirrored in the decision to exhume Franco’s remains from the Valle de Los Caídos (Marcos 2019) or in the claim that leaders of PP and Ciudadanos should not be allowed to invoke the memory of cultural figures like the poet Antonio Machado (Almirón 2019) (exclusionary symbolic populism);
- v. the adoption of an argumentative regime based on the symbolic stigmatization of right-wing parties which transforms the political debate about Spanish twentieth-century memory into a “cultural war” (Almirón 2019; Vizuete 2020) (exclusionary symbolic populism).

With these measures, the Sánchez-led government is trying to achieve three key goals: First, to define memory and its re-elaboration as a new domain of competition and ideological polarization among Spanish political parties (Caramani and Manucci 2019). Second, to define “what is taboo or socially acceptable” regarding Spanish memory politics and, in the process, creating an ideological and cultural narrative backed by strict bills that curtail freedom of expression and association (Caramani and Mannucci 2019, 1161; Junquera 2021; Perera 2021). Third, to develop a narrative of culpabilization of right-wing political parties by shifting “the burden of guilt for the fascist regime and its perpetrations” (Caramani and Manucci, 2019) to political movements

that wish to maintain cancellation as the Spanish collective strategy of re-elaboration of the past.

Conclusion

This paper analyzed what argumentative strategies are employed in discussions regarding contemporary Spanish memory politics and how those strategies can be associated with typologies of re-elaboration of the past (Caramani and Manucci 2019). The paper argued that the argumentative strategies employed in the field of memory politics by Spanish left-wing leaders reveal the adoption of a heroization strategy. In contrast, the rhetoric of Spanish right-wing leaders favors a strategy of cancellation. The paper also claimed that, in the Spanish case, the adoption by Spanish left-wing leaders of a heroization strategy had, mainly from 2018 onwards, two consequences. First, it did not reduce the cultural opportunity structure for right-wing populism. Second, it fostered a cultural opportunity structure for the affirmation of left-wing populism.

The academic and policy significance of understanding questions associated with memory politics through the lenses of populism studies is related to three elements.

The first element concerns the relationship among memory politics, populism, and the evolution of party systems. The structure of European countries' party systems is fast evolving (Manucci 2020b). As the Spanish case suggests, memory politics may contribute to such an evolution, namely, empowering the electoral success of radical right-wing parties and fueling historical revisionism (Berentson 2021). Ideological polarization and political antagonism that following former Spanish Prime Minister Zapatero characterize the contemporary Spanish political environment (Contreras 2020, para. 4) have prevented dialogue among Spanish parties and the development of a consensual reading about the meaning of Spain's twentieth-century history (Soroka and Krawatzek 2019).

Understanding questions related to memory politics through the lenses of populism studies also allows addressing the future of liberal democracies. The approval by liberal democracies of bills that ban specific "statements" about a nation's past constitutes a strategy to normalize and impose "national narratives" (Koposov 2020, 107). As Koposov (2020, 164) argues, the "norm-shaping memory laws are furthering the retreat of liberalism across Europe." The attempts by Spanish right-wing parties to construct a new narrative about Spain's twentieth-century history may have been one of the factors that contributed to the empowerment of Spanish right-wing populism.

Finally, establishing a relationship between memory politics and populism studies demonstrates the importance of multiplying case studies focused on specific countries and their social, political, and ideological idiosyncrasies. The element of ideological polarization (Contreras 2020) differentiates the Spanish case from other European countries with a totalitarian past.

Further studies should map how strategies of reconstruction of the past in several countries empower or weaken conditions of possibility for the emergence of populist discourses and practices.

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