

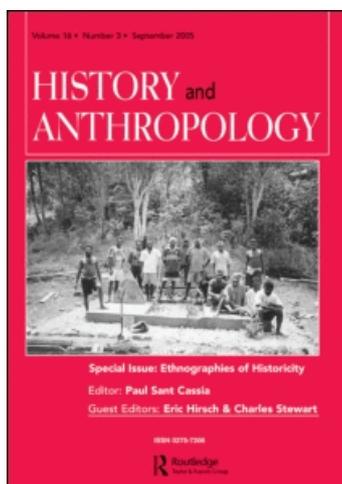
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Unearthing the Truth: The Politics of Exhumations in Cyprus and Spain

Iosif Kovras

Contrary to the experience of other countries with memories of clandestine violence and “missing persons”, where the mobilisation of the (civil) society towards “truth recovery” was immediate and pivotal, the societies of Cyprus and Spain remained silent for a remarkably long period of time. This article aspires to explain the reasons why both Cypriot communities and the Spanish society did not manage, until recently, to comprehensively address—not to mention resolve—the problem of “missing persons”. The recent emergence of the “politics of exhumations” in these two countries, which highlight issues related to truth recovery and collective memory, renders the attempt to respond to the question of why these processes are taking place only today even more stimulating.

Keywords: Truth Recovery; Exhumations; Historical Memory; Cyprus; Spain; Contentious Politics

In Spain, the dead are more alive than the dead of any other country in the world.

Federico Garcia Lorca

Introduction

The recent exhumations of mass graves in Cyprus and Spain present some puzzling questions and significantly challenge the theoretical assumptions of the literature on truth recovery. On the one hand, Cyprus has been a divided island since 1974, with no official settlement of the conflict, while a founding ideological tenet of both communities is the “selective memory” of their traumatised past (Papadakis 1993). On the other

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extreme, Spain achieved a political settlement since the death of the dictator Franco (1975) which was established upon the “institutionalised pact of oblivion” concerning the civil war, delineated in the dictum “forgive and forget” (Preston 1996). Despite these contextual differences, over the last years, both countries are experiencing a radical breakthrough through exhumations of mass graves from the Spanish civil war (1936–1939) and the two waves of violence in Cyprus, that is the bicomunal hostilities (1963–1964) and the subsequent Turkish invasion (1974). Contrary to the experience of other countries with similar memories of clandestine violence and “missing persons”, like Argentina, Guatemala and Chile, where the mobilisation of civil society towards recovering the truth (bodies of the victims) was essential and followed immediately after the transition, the societies in Cyprus and Spain remained silent or selectively vocal for a remarkably long period.

Some puzzling questions unavoidably arise:

- (1) Why have these processes remained dormant for so long?
- (2) Which conditions explain the recent demand for truth-recovery and the subsequent emergence of the “politics of exhumations”?
- (3) When is a society emerging from a conflict ready to face its violent past and what is the source of “truth-seeking”?

The central objectives of this article are to highlight these questions by emphasising on the limitations of the relevant literature to address the questions at hand and, then, to provide certain hypotheses to unwrap this puzzle.

The article is divided in four sections. In the first section a brief historical overview of the two cases at hand is provided. The second section focuses on the question why the demand for truth was minimal for such a long period of time. This section’s objective is to “unveil” the rationale behind the construction of the “pact of oblivion” and the “selective memory” over the past, in Spain and Cyprus respectively, which subsequently did not permit inconvenient truths about the past to be acknowledged. The third section of this paper provides a critical review of the literature on truth recovery and transitional justice, underlining the limited analytical insights offered to provide a coherent explanation to the questions at hand. Simultaneously, an argument is put forward to overcome this limitation by incorporating analytical tools from the literature of “contentious politics”. The last section, framed in terms of contentious politics, presents an array of possible factors that triggered or facilitated the recent demand for truth recovery. An argument will be put forward that similar factors—although of different gravity in each case—paved the way for the exhumations, in specific, and truth recovery, more generally.

Spain and Cyprus in Context

Almost 70 years after the conclusion of the Spanish civil war (1936–1939), the debate over “dealing with the past” has never been more heated. Reflecting this debate, one of the central questions that divides contemporary Spain, revolves around the possibility of exhuming the remains of Federico Garcia Lorca, the famous poet and playwright

who was executed during the Spanish civil war and left in an unmarked mass grave (Gibson 1979). The recent wave of exhumations that have taken place throughout Spain made the prospect of tracing the remains of Lorca more possible.¹ However this prospect invigorated a heated debate between the family of Lorca (opposing the exhumation and re-burial because they want him to rest in peace) and some leading intellectuals who insist that the execution of the poet symbolises a repressive era and as such his exhumation will not only symbolically expose this repression but most importantly will detach the country from this legacy (Tremlett 2003: 17). The debate has been heated because it epitomises one of the central dilemmas dividing present-day Spanish society: should the country put forward a process of “unearthing” the truth and historical memory related to the civil war or should the society continue to live under the rubric of “forgive and forget”, in view of an impending societal backlash? This is the typical dilemma that societies emerging from conflict face. However, it is remarkable that it took almost seven decades for the Spanish society to even put this question on the agenda. Consequently, these processes of exhumations gave rise to more fundamental debates about the past, collective memory and truth recovery.

Lorca has been merely one among the approximately 200,000 casualties of the Spanish civil war, many of whom were executed away from the battlefields and left buried in unmarked mass graves (Salvado 2005: 188). The number of civilians lying in such graves is estimated to be approximately 30,000 (Davis 2005: 861). The legacy of the civil war had such a traumatic impact on the society, that even today the topic is reluctantly discussed. Besides, the fundamental tenet of the transition to democracy was the “gentlemen’s agreement” between the moderate segments of both the Franco regime and the opposition, to “forgive and forget” the crimes committed—by both camps during the civil war—as was exemplified in the “*pacto del olvido*” (pact of forgetting) (Aguilar 2005), but this “institutionalised pact of silence” concerning the violent past has recently been challenged.

Although both camps involved in the civil war adopted terrorist tactics that tarnished the social fabric,² there is a remarkable unevenness in the official acknowledgement of the suffering caused by the civil war. Immediately after the conclusion of the war, the victims of the winning side received official reparations and their suffering was publicly acknowledged, while the “*rojos*” victims and their needs were never addressed. An illustrative example of this “uneven acknowledgement” was the denial of the Aznar government to finance the exhumations of the mass graves throughout Spain containing the remains of those executed during the civil war, whereas almost concurrently assumed the cost of exhuming and repatriating the remains of the members of “*Division Azul*” (Blue Division) that fought during World War II alongside the Nazis in Russia (Tremlett 2004: 4).

Only 70 years after the end of the civil war and 30 years after the transition to democracy did Spaniards express vigorous interest in exhuming the remains of those buried in unmarked graves and more generally debating the “past” related to the civil war. These processes of grave-digging were initiated by a social movement (Association for the Recovery of Historical Memory—ARMH), formed in 2000, with the very specific objective of unearthing the remains of the victims lying in unmarked graves but also the more

ambitious goal of generating a public debate over the past and “recovering historical memory” (Ferrandiz 2006: 8). The work of the association has been very efficient and by 2005 more than 300 mass graves had already been re-opened and many individuals have been identified and properly buried (Tremlett 2006: 23). Simultaneously, at the level of collective/social memory, a wave of re-remembering and breaking the “pact of silence” was launched. This vigorous interest over the past was translated in best-selling books, documentaries, artistic exhibitions with primary themes the civil war and the stories of those who remained silent for so long (Black 2008: 230).³

Eventually, the mobilisation of civil society and the revival of public interest in issues orbiting around the civil war succeeded in inserting the debate into the political arena since, in October 2007, the Socialist government passed the “Law on Historical Memory”, which satisfies most of the demands of the petitioners. The most important provisions of this law consist of the declaration of the military tribunals that condemned innocent people to death as illegitimate; financing the process of exhuming mass graves by state funds; banning of public symbols that commemorate Franco and his allies and turning the “Valley of the Fallen” into a monument to all casualties of the war;⁴ and finally opening-up archives of the military (Crawford 2007: 26).

Almost simultaneously, similar processes of exhumation of mass graves and more generally efforts towards recovering truth and historical memory, were underway in another country of the Mediterranean. In Cyprus, during the two “waves” of the conflict, that is the bicomunal hostilities (1963–1964) and the military coup against the President of Cyprus (1974) which was followed by the Turkish invasion, approximately 2000 persons have been declared “missing” from both communities (Sant Cassia 2006a: 195). Taking into consideration the relatively small population of the island (792,600), this situation practically affects a significant number of families on both communities. The problem of “missing persons” constitutes one of the most emotionally charged issues of the “Cyprus conflict”. Despite the humanitarian texture of the issue; the fact that the Cyprus conflict has remained in a “frozen” status for more than 30 years; and the rigorous involvement of the UN—with the establishment of the bicomunal “Committee for the Missing Persons” (CMP) in 1981—until very recently, there was not even a single grave dug because of the lack of bicomunal trust and cooperation. Paradoxically, three months after the failed referenda for the reunification of the island (2004) at a time when bicomunal trust has reached a nadir, a bicomunal agreement was reached which strengthened the role of the CMP and rekindled the hope that some missing persons would eventually be exhumed and properly buried. In fact, over the last years the CMP has managed to exhume 412 individuals, and identify 85 victims (CMP 2008).

Subsequently, a quite perplexing puzzle is underway. In a UN survey in 2007 both Greek Cypriot and Turkish Cypriot communities (GC and TC) expressed their positive stance—91% and 74% respectively—towards the operation of the CMP (UNFICYP 2007). This begs the question of why no development on resolving the problem of the “missing persons” took place before. Similarly, how the most stagnant issue (“missing persons”), in Cyprus over the last decades, transformed into the most successful bicomunal project immediately after the failed referenda (2004), amid the morbid

environment of mutual distrust and non-cooperation, remains a mystery (Kaymak 2007). This is particularly so taking into consideration that there was valid information that a number of unmarked and common war graves existed at cemeteries within the jurisdiction of the GC community (Hazou 2006; Paraschos 2000: 2).

Spain, presents some equally stimulating puzzles. Although, “digging the past” before the death of Franco (1975) was not a realistic alternative/expectation, such an activity did not follow the transition to democracy. Of course, the literature elucidates the reasons why Spanish society consented to the “pact of oblivion” and to some extent provides a convincing explanation to this question. However, there is no sufficient explanation as to why this “pact” is fundamentally questioned today, after so many decades, and most importantly why this challenge is put forward by a grassroots movement? Furthermore, how should someone explain the fact that during the 14 consecutive years of socialist government in Spain (1982–1996)—which supposedly possessed a more accommodating profile on issues related to the civil war—did nothing to acknowledge the past, while it was only under the rightist government of Aznar that the first step was taken towards condemning the Franco rebellion against the Republic as illegitimate (Ferrandiz 2006: 10)?

Thus, the two case-studies act as “*agents provocateurs*”, since there is no convincing theoretical explanation why these societies delayed so noticeably in “unearthing” their (buried) past. Contrary to other countries’ experiences of clandestine nature of the crimes committed (death squads, disappeared, mass graves), such as Guatemala and Argentina, and the subsequent demand for truth emerging from civil society, the societies in Spain and in Cyprus did not manage to comprehensively unwrap the problem at any time before.

Cultures of Victimhood and Inconvenient Truths

The time is ripe to outline the conditions that prohibited any noteworthy development for so long. An inclusive response would be that the official discourse/representation of the past was so well-established in both cases that it did not permit “inconvenient truths”.

“*La Transición*” to democracy, in Spain, was established on the widespread consensus to forget the past and focus on the future and the upcoming economic development (Preston 1996: 2). Any attempt to comprehensively address the legacy of the civil war, either through retributive measures or through an official acknowledgement of the suffering of the losers, would have upset a significant segment of the military that remained powerful and therefore would have set a serious threat to the nascent democracy. In essence, although there was an even distribution of shame and pain between winners and losers, for many years following the termination of the civil war there was a remarkably uneven distribution of acknowledgement of suffering of the “*rojos*” victims. Even left wing parties perceived the families looking for the remains of their relatives as an obstacle to the highest priority—the restoration of democracy—and therefore any truth was thoroughly buried. This was also reflected in the refusal of the socialist government to sanction any official commemoration of the fiftieth

anniversary of the Civil War in 1986. Another indication reasserting the existence of this societal consensus is that “in none of the four elections held between 1977 and 1986 did parties of the extreme left or right gain more than 3 per cent of the vote”, denoting the popular will to avoid any course of action that could derail the path towards stability and democracy (Preston 1990: 41). Indeed, Spaniards are still very proud of the surprisingly successful transition to democracy. Furthermore, the prevalent feeling of “shame” concerning the past misdeeds, pervading all layers of the Spanish society, considerably restrained any effort to “exhume the past” (Aguilar 2005: 149; Tremlett 2006: 19). Finally, the extremely prolonged duration of the Francoist authoritarian regime weakened the influence and cohesion of civil society which might partly explain why any truth recovery process emerging from the “bottom” was impossible before (Encarnación 2001: 62).

The social representation of victim groups as “moral beacons” and the subsequent instrumental exploitation of their suffering to construct “cultures of victimhood” constitute central features of most societies emerging from communal violence (Smyth 2007: 76). It is worth mentioning how the number 1619—denoting the number of GC missing persons—became an emblematic case of “victimhood” for the GC community, as illustrated in the seminal work of Paul Sant Cassia. The most striking illustration of the manipulation of the issue is that over the period 1981–1999 although the names appeared on the list of missing persons were sometimes different, the overall number/symbol remained intact, 1619 (Sant Cassia 2007: 51). The case of the GC missing persons became a central political symbol of the “culture of victimhood”, which was very difficult to renegotiate (Demetriou 2006: 303). The TC official discourse on the topic is considerably different, since they originally perceived their “missing” to be dead and martyrs who sacrificed their lives for the nation, while the vast majority of the TCs went missing during the bicomunal incidents of violence in 1963–1964. Despite these differences, the TC official discourse has equally employed the number “803”—denoting the forcibly disappeared—for propagandistic reasons. As Sant Cassia stresses “the case of the Missing has been used as a mirror of the barbarism of the Other, a means whereby each side has constructed an image of victimhood for dubious propaganda purposes, and a justification of the maintenance of an unyielding stance in negotiations” (2006b: 116). Someone can also point to the fact that the case of missing persons has attracted much international sympathy for the GC cause and the “blame game” against Turkey, and subsequently became a very convenient policy tool to be discarded (Stephen 1997: 47).

Apart from this legitimising function of the issue of missing persons, namely the exploitation of the issue in order to reassert the social representation of GCs as “victims”, there is another even more thorny aspect that leads to an alternative explanation to the question why—at least in the south—the demand for “truth” was minimal all these years. As previously mentioned, almost at the same time that the Spanish society was signing the “pact of oblivion”, the GC community has been constructing its own “veil of silence” surrounding the military coup that overthrew the legitimate government and—to a large extent—triggered the Turkish invasion.

The same (pragmatist) rationale dictated the decision to “forget the past” related to these events in both Cyprus and Spain.

More specifically, the GC community reached a subtle consensus to “remember” the trauma caused by the Turkish invasion (missing persons, displaced, occupied territories) and to “forget”/“bury” behind this “grant narrative” the more divisive legacy of intra-communal violence related to the military coup. This societal decision is perfectly depicted in the renowned phrase of Makarios that he was ready “to offer an olive branch” to those involved in the coup (*Time* 1974). By opening up this chapter of intra-communal (vertical) violence would have subsequently opened the “Pandora’s box” of all sorts of disturbing questions related to the atrocities committed by the “coupists” against members of the same ethnic group (leftists) but also the same sort of questions would have resulted in a revisionist debate concerning the activities of EOKA (the Greek paramilitary group) during the “national struggle”. Subsequently, opening this box would have seriously de-legitimised the official discourse of “victimhood” that preached the monopoly of suffering reserved for the members of the “in-group” and the view of paramilitary groups, EOKA B and TMT (the Turkish group), as saviours (Kaymak 2007: 77).⁵ Eventually, a truth recovery would have disrupted the “discourse of self-righteousness” (Papadakis 1993).

Therefore, from a more refined point of view, if we shift the focus of analysis from “horizontal” (inter-communal) violence toward “vertical” (intra-communal) violence within the GC community, we will find many similarities with the Spanish case.⁶ In both cases, there was a consensus that the new polity (Republic of Cyprus and Spanish Democracy) should be founded on the “silence” related to the past, translated in blanket amnesty, while the suffering of the victims of internal violence (predominantly from the Left) was never acknowledged. Furthermore, the parties of the Left never forcefully demanded a public acknowledgement of this suffering—although for different reasons in the two cases—and only recently, when the two Leftist parties—AKEL (the Progressive Party of the working people of Cyprus) and PSOE (*Partido Socialista Obrero Español*, the Spanish Socialist Party)—seized power has such a demand become more articulate. Finally, the demand over the recovery of historical memory has emerged almost concurrently in the two societies.

Any public truth recovery process, taking place in a post-conflict setting—especially when instigated by grass-roots associations put forward an “alternative version of the past” that seeks to accommodate/acknowledge the suffering of the victim groups (Brewer 2004). In essence, truth recovery processes challenge the Manichean views that inform the collective identities in post-conflict contexts and as such it was extremely difficult to challenge these well-established symbols before.

Only recently have “uneasy” questions begun to be addressed publicly in both societies: how many were the casualties of the coup (1974)? What is the precise number of missing persons as a result of the violence that accompanied the coup? Is it “treason” or an obligation of the state to commemorate those dead soldiers of the “National Guard” who served their military service during the days that the coup lasted? In Spain, too, for the first time disturbing questions come to the fore: should the Catholic Church make a public apology for backing Franco’s crusade against “communists”

during the civil war? What happened to those children who were stolen from their families by the Francoist regime, so as to be raised according to the values of the regime?

So, the question that naturally emerges is “why are these questions emerging today?” Before proceeding to that part, though, it might be worth briefly diverting our attention to what the literature has to say on the questions at hand. Does the literature on truth recovery and transitional justice provide an adequate analytical framework so as to provide a theoretical explanation to the conditions that facilitated the final outcome?

“Tackling the Past”: A Survey of the Literature

There is a consensus that a society emerging from conflict in its effort to “deal with the violent past” should respond to two crucial questions. The most fundamental one revolves around the decision of “remembering” or “forgetting” the past (Forsberg 2003: 68). This question is pivotal, because—to a large extent—it determines the response to the second question, related to the selection of the most appropriate policy tools to address the violent “past” (Popkin and Roht-Arriaza 1995), namely, a potential decision to “remember” the past will be accompanied by policies of accountability and acknowledgement, such as trials, truth commissions, lustration and material reparations to the victims. On the contrary, a societal decision to “let bygones be bygones” will be translated into “amnesia” and “blanket amnesties”.

The focus of this review shifts on the first question (remembering or forgetting?) because it has always been a subject of debate by human societies emerging from “collective traumas” (Cohen 2001).⁷ The response to this question is vital for any society emerging from conflict since to a large extent determines the fundamental tenets upon which the new “social contract” will be established, such as the values that bind the society together, social memories and collective identities. The central divide that cuts across the relevant literature, is between “Realist” and “Idealist” responses to the question at hand.

“Idealists”

“Idealists” insist that tackling the past is a moral imperative, and they frame this imperative in terms of “right of the victims to know the truth”. The justification of this right is founded on both deontological and consequentialist grounds. The “right to truth” constitutes a fundamental emerging principle of International Law (Mendez 2006: 117). It is not a mere coincidence that over the last decades, NGOs tend to frame their discourse in terms of “truth as a human right” (De Brito *et al.* 2001: 29). The concept of public acknowledgement of the undeserved suffering of the victims is non-negotiable and occupies a central position in the literature (Biggar 2003: 3; Hayner 2002). Any concession related to the public acknowledgement of the suffering of the victims, is perceived as “impunity” (Mendez 2001: 32).

The conception of “public acknowledgement” has been critical in order to justify the right of the victims to know the truth in consequentialist terms too. To be sure, truth

recovery is seen as both a moral imperative and the best means to achieve peace, stability and reconciliation for the nascent polity (Kiss 2001). The rationale behind this instrumental argument is that the establishment of truth and justice as acknowledgment of the suffering of the victims will educate the citizenry and prevent the reoccurrence of the atrocious acts in the future.

Despite the fact that framing truth recovery process in terms of “rights” has been the prevailing view over the last decade—especially after the establishment of the ICC, the two *ad hoc* international tribunals for Rwanda and former Yugoslavia and the numerous rulings recognising the “right to truth”—some scholars remain sceptical about the feasibility of this endeavour. More precisely, those adopting a “realist” attitude, validly ask: “if, in fact, a justice process is necessary for peace, then how do we explain the numerous cases in which peace has been consolidated but no justice of any kind has been pursued?” (Mendeloff 2004: 368). The cases of Mozambique and Spain reaffirm this argument (Snyder and Vinjamury 2004: 6). Furthermore, Mendeloff underscores that “armed with the knowledge of the genocide committed against them, is it really surprising that Tutsi have carried out bloody reprisals against Hutus in Rwanda? Are we to believe that more truth, rather than less, will moderate Tutsi animosity? Some societies that have chosen amnesia rather than truth-seeking in the aftermath of violent conflict have avoided the kind of bloodletting that has wrecked Rwanda” (2004: 371). Indeed, “Idealist” responses cannot explain how the societies of Spain and Cyprus, although they never underwent a truth recovery process and more generally a comprehensive management of their past—contrary to the assertions provided by “Idealists”—not only achieved remarkable social, political and economic progress, but also became significant members of the most prestigious international clubs. So, let me now turn to the other strand of the literature to examine whether it provides more insightful analytical tools.

“Realists”

The central argument put forward by realists underlines the “causal relationship” between truth recovery and destabilisation of societal peace. There seems to be a consensus in the literature that negotiated transitions are particularly fragile (Licklider 1995). Therefore in the aftermath of an ethnic or civil conflict, a rigorous accounting of the past violations of human rights may provoke a violent backlash by the “spoilers” who perceive any truth recovery process to be a threat and unjust scapegoating (Newman 2002; Vinjamuri and Snyder 2004: 353).

This is not to say that “Realists” oppose any accounting of the past. Rather, the essence of their argument is that the decision over the management of the past should be based on the “political judgment” of the idiosyncratic conditions surrounding a given society emerging from a conflict and, as such, it is only when these circumstances are favourable that a rigorous truth recovery process should take place (Nino 1991: 2622; Zalaquett 1991: 1429). The key variables in any such decision are, first and foremost, the relative strength of the groups in the post-conflict balance of power; the duration and the intensity of the conflict, which is closely associated with the level of

Table 1. Idealists vs realists

	Idealists	Realists
Point of reference	Individual	Society
Priority	Justice	Peace/stability
Truth	(a) An end in itself (justice) (b) Means to an end (promoting/ strengthening reconciliation and peace)	Triggering instability

divisive memories; and finally the nature of the settlement (outright victory, negotiated agreement, settlement imposed by the international community) (De Brito *et al.* 2001: 13; Huntington 1995; Lie *et al.* 2007: 9; Zalaquett 1995).

Table 1, summarises the main tenets of both idealist and realist perspectives on truth recovery. The major points of divergence between these two approaches are the distinct objectives they set and the different point of reference. “Idealists”, by framing truth recovery as a “*sine qua non*” precondition for any transition, prioritise justice and the right of the individual. By contrast, “Realists” set as first and non-negotiable priority the societal peace and stability, which subsequently indicates that they put the society at the epicentre of their analysis. The other significant point of deviation is that scholars of the latter viewpoint insist that the decision over whether to remember or forget is a “political decision”, which has to take into consideration the societal context of the transition. Subsequently, they are “flexible” enough to adopt policies like “collective amnesia” and amnesties if the pursuit of truth and justice endangers the overarching objective of societal stability (Mendeloff 2004).

Therefore, according to this consequentialist rationale, sometimes it is better to “forget”, first because in the vast majority of civil wars both government and opposition forces have committed atrocities (Huntington 1995); second, because many people and groups share the guilt for the atrocities committed; additionally sometimes amnesty and selective amnesia is a solid twin-foundation upon which to establish the new democratic polity (Lanegran 2005: 113); because there is a pragmatic necessity to re-integrate the perpetrators in order to reconstruct the bureaucracy and the society at large; while finally, someone might point to the Orwellian notion that “the past” constitutes a politically charged concept *per se* and therefore the struggle over it will always be divisive.

Consequently, “realists” argue that truth recovery “can take root only in a society that is sufficiently stable and reconciled [...] the first responsibility of an incoming democratic government is therefore to preserve its still-fragile regime from any test likely to produce a resurgence of civil violence” (Feher 1999: 326). However, here creeps the central paradox of any truth recovery initiative from the realist perspective: “where and when it is easier to bury the past is where and when it is less important to do so. On the contrary, where these ‘past accounts’ are of greater weight and of more recent origin and involve a wider spectrum of persons it is more difficult and dangerous to collect them” (O’Donnell and Schmitter 1995: 58). This assertion seems to be reaffirmed by the Spanish transition when the quest for dealing with the past was vital but

at the same time out of question, so long as the intensity of violence and the subsequent divisive memories of the civil war forbade any consideration of comprehensively delving into the past. In the same vein, this (realist) rationale dictated the decision of Archbishop Makarios, in 1974, to follow the “olive branch” policy, by granting a blanket amnesty to those involved in the military coup against the Republic of Cyprus. That decision institutionalised the amnesia covering the intra-communal aspect of the most turbulent period for the island and even today remains a “taboo topic” of public enquiry (Papadakis 1993). As many supporters of that decision insist, any policy of accountability would have brought the GC community at the brink of a renewed civil war. Therefore, the only realistic alternative was to “let bygones be bygones”.

Thus, it seems that the explanatory value of this—latter—strand of the literature could be of more use in explaining the lack of demand for truth and the recovery of historical memory in the cases at hand. However, a more thorough view would reveal that in reality the analytical tools provided by the established literature are quite limited, so long as they can neither provide a convincing explanation to the question why these processes are taking place today (what changed?), nor to the intellectually more stimulating question of when a society emerging from conflict is eventually “ready” to “delve into its painful past”. Therefore, the literature is well suited in predicting that post-conflict societies where there is either a tacit consensus at the elite level to “tackle the past” (South Africa) or where the transition is caused by the complete collapse of the former regime (East Germany) or, finally, cases where there is an proactive involvement of the international community (Bosnia, Rwanda), truth recovery mechanisms will ensue. But how are we to explain cases such as Cyprus and Spain, where there is neither vigorous foreign involvement, nor elite consensus towards recovering the truth about the violent past? To be sure, when and by which social forces should we expect a demand for truth in instances where the “silence” over the past is “institutionalised” (Spain) or when the founding tenet of the collective identity is that of “selective remembering” of the past and subsequently the demand for truth recovery is minimal at the elite level? Which is the threshold that a society should reach in order to evade the threat of instability and start “facing the past”? How these claims eventually enter the contemporary political debates in Cyprus and Spain? These are pressing questions that cannot be convincingly accommodated within the theoretical “paradigm”. Taking into consideration the centrality of non-state groups in these processes, I suggest that borrowing certain insights from the literature of contentious politics might help us elucidate the “opportunities” offered to these groups.

Why Contentious Politics?

The cases of exhumations of mass graves in Cyprus and Spain are chosen as representative examples of post-conflict “truth recovery”. The architects of these processes should be perceived as truth seekers *par excellence*. As Marie Smyth aptly remarks “truth tellers ... are a threat to politicians because they have the power to disrupt hegemonic versions of truth, which are often implicated in the ‘war by other means’” (2007: 175). This passage reveals that the central feature of any truth-seeking initiative in the

aftermath of a violent conflict—when Manichean views prevail—which is challenging the official/dominant discourse. However, challenging the authorities is perhaps the most recognisable characteristic of *contentious politics* too (Tarrow 1998:2). More precisely, the literature of contentious politics emphasises the strategies employed by non-state groups lacking institutional, material or logistic resources in their effort to promote their cause which—usually—fundamentally challenges the authorities (McAdam *et al.* 1997: 143; Tarrow 1996; Tilly 1984). Consequently, I suggest that inserting the analytical perspective of contentious politics into the truth recovery and transitional justice literature will enrich our analytical toolkit in order to respond to the questions at hand, because it elevates the role of non-state actors, which is downplayed by both “schools” of the established literature.

In order to explain why these processes occur only today, we should be able to elucidate which conditions facilitated the fruition of the long-term struggle of certain social groups, associations or even individual citizens. Therefore it is of vital significance to assess the structural and transitory conditions exploited, from the domestic and international environment that facilitated the fruition of the efforts of these players. For all these reasons, I suggest that using the analytical insights provided by the literature of “contentious politics” will enrich our understanding of truth recovery processes in post-conflict societies.

Hence, taking into consideration that there is “no magic moment or “readiness” for truth recovery, but rather that the conditions are constructed rather than spontaneously occurring” (Smyth 2007: 3), the remaining piece will focus on the factors that facilitated the recent emergence of the “politics of exhumations”, in Spain and Cyprus.

Unearthing the Truth

During my fieldwork in Cyprus, in the summer of 2008, reading the GC daily press was a convincing indication that the GC society is indeed a society struggling to “come to terms with its past”—although with a significant delay of several decades. Almost on a daily basis, there were announcements of funerals of identified missing persons from 1974—denoting the progress made by the CMP. Additionally, the prospect of revising history school text-books triggered an intense public debate in which the old (ideological) “fault lines” re-emerged. Equally, summer is a very interesting period for a researcher to be in Cyprus because of the various commemorations and rituals that usually take place during July and August on both sides of the divide. However, the summer of 2008 was also marked by the arrest by the International Criminal Tribunal of the former Yugoslavia of the former Bosnian Serb leader, Radovan Karadzic. That event unavoidably provoked a debate in the GC community as to why truth concerning the past atrocities, against both “in-group” and “out-group”, was never publicly acknowledged in Cyprus. In a strikingly similar way, another foreign event, namely the request for extradition of General Pinochet from London to Spain (October 1998), had an equivalent impact on setting in motion a heated debate concerning the utility of “*pacto del olvido*” in the contemporary Spanish society. Drawing parallels between this development and their own experience was inevitable and as such, during that period,

many Spaniards have been wondering why they let their own dictator die as a free man on his bed. Subsequently, the precedent of the case of Pinochet acted as a catalyst for bringing about inconvenient questions about the legitimacy of the “pact of oblivion” in contemporary Spain, and most significantly convinced a segment of the Spanish society that the time is ripe to start challenging this pact (Encarnación 2008).

Another significant development denoting this reinvigorated interest for the recovery of historical memory, in the GC community, was the establishment of a parliamentary committee named as *Fakelos tis Kyprou* (the Cyprus File), in 1999.⁸ The committee’s central objective has been to compile data, material and interviews related to that turbulent period and eventually establish an authoritative historical record of the events related to the coup of 1974. An analogous parliamentary committee had been established in Spain several years ago and recently resulted in the establishment of the “Law on Historical Memory” (*The Economist* 2007). Hence, the question arises as to which factors can explain this recent shift toward debating the past and demanding the truth.

The most significant factor for this “shift”, in Spain, was the transformation of the primary victims’ association (ARMH) into a strong social movement that seriously challenged the prevalent discourse (“oblivion” over the civil war) by framing their demand in terms of Human Rights (Davis 2005; Ferrandiz 2006). At the other extreme in Cyprus until very recently the associations of the relatives of victims—in both communities—were used as political instruments. It was only after the provocative efforts of a handful of relatives who began digging alone in search of the locations of mass graves or after the action brought against the state for negligence that a considerable change on the approach by the political elite was instigated (Sant Cassia 2007; Yakinthou 2008). To be sure, although that original policy change should be located at the “elite level”, the task of recovering the truth about the past, generally, and the missing persons, in particular, should be attributed to various grassroots initiatives. How did these grassroots initiatives manage to promote their activities in Cyprus and Spain, though?

Taking into consideration the scarcity of the resources available to these grassroots initiatives to pursue their objectives, the concept of “Political Opportunity Structure”, put forward by Charles Tilly and Sidney Tarrow, provides us with a new analytical tool illuminating the centrality of opportunities and assessing how efficiently they were employed by contentious groups (McAdam *et al.* 1997; Tilly 1978). The evaluation of opportunities and constraints might assist the effort to explain the tactics employed by the players at the grassroots and subsequently the final outcome. Also, by recruiting the analytical toolkit of contentious politics, we are better-suited in evaluating the central role of institutions and political systems in creating opportunities for these groups (Klandermans 1996).

Although similar factors seem to have influenced the final outcome in the two societies at hand, the explanatory value of each of these factors significantly differs in each case. More specifically, although in both cases the concept of “opportunities” is important to explain the recent demand for truth, in Cyprus “opportunities” were generated by decisions or developments, that took place at the elite level, which, in turn, acted as

a window of opportunity for grassroots actors to become vocal and more efficient. On the contrary, in Spain the “opportunities” were primarily created by the grassroots movement, which managed to insert the previously unacceptable claim of recovering historical memory on the political agenda.

The shift in “Political Opportunity Structure” in favour of petitioners, occurred after the rise to power of the Socialist Party (2004) in Spain and after an innovative approach—emphasising the need to achieve a breakthrough—endorsed by the team designated for the missing persons in the GC ministry of foreign affairs, that significantly facilitated the efforts put forward by these grassroots groups. In Spain, the opportunity was offered by the central electoral strategy of the socialist party (PSOE) “to garner political capital by highly publicised reversals of Aznar’s policies” (Black 2008: 231). Adopting the effort of ARMH to reinstate “historical memory”—a demand which was obstinately opposed by Aznar government—was one of these tactics. Besides, the grandfather of the Socialist Prime Minister, José Luis Rodríguez Zapatero, was a Captain of the Republican army and was executed by the rebels in the early days of the civil war (Crawford 2007). Therefore, his personal incentive in promoting a policy of acknowledging the past should not be underestimated. Despite the fact that the “demand” by ARMH was fully tangible since 2000, the “turning point” was the electoral victory of PSOE, in 2004, which successfully inserted their demand into the political debates. In similar terms in Cyprus, “a group of courageous young officials in the Ministry of Foreign Affairs and the GC participants to the CMP had . . . patiently tried to convince the foreign minister and various other highly-placed politicians and officials that exhumations and proper identifications of the collective burials would remove any ambiguity about those individuals whose fates were particularly unclear” (Sant Cassia 2007: 195). This team managed to influence the final decision to initiate unilateral exhumations of mass graves within the jurisdiction of the Republic of Cyprus, which was the most pivotal factor in the resumption of the work of the CMP and the establishment of mutual trust between the two communities on the issue of missing persons.

Furthermore, in both cases the role of international institutions was pivotal. More explicitly, the ARMH after several years of—unsuccessfully—lobbying the Aznar government for official backing of their efforts, successfully accosted the UN Working Group on Enforced or Involuntary Disappearances. It was only after the embarrassing situation where, in 2002, Spain for the first time was included in the UN’s list of countries having “forcibly disappeared” persons, that the Aznar government made concessions to the ARMH’s demands and more generally paved the way for the promotion of the demand for truth recovery over the next few years (Davis 2005: 858; Graham 2004: 325). Similarly, certain pivotal rulings issued by the European Court of Human Rights (ECHR), with the most momentous case of *Varnavas a.o. v. Turkey* and the Fourth Inter-state Application of the Republic of Cyprus against the Republic of Turkey, which were subsequently followed by consecutive resolutions of the Council of Europe’s Committee of Ministers put significant (legal and political) pressure on Turkey to contribute to a pro-active solution to the problem (Yakinthou 2008: 22). Certain scholars qualify this development along with the prospective Turkish accession to the EU as the two events with the most catalytic impact on circumventing

Turkish intransigence and creating a “political incentive” to resolve the issue (Yakinthou 2008: 22).⁹

The second concept borrowed from contentious politics literature, that is “Resource Mobilisation”, emphasises on the resources available to the group—not exogenously created—and most importantly the “collective vehicles, informal as well as formal, through which people mobilise and engage in collective action” (McAdam *et al.* 1997). In accordance with this line of argumentation, these social movements acquired a new influential ally—that is the media—that not only projected their demands in a global audience, but also prepared an audience, which was more receptive to their requests and most importantly set the stage for a comprehensive societal debate. In both cases, the role of media was pivotal to overcome the fear of speaking about “inconvenient truths” that could re-open old wounds. Therefore, like a snowball effect, after the first exhumations more and more people wanted to spell out their own story. More precisely, in Cyprus, two investigative journalists, Sevgül Uludağ and Andreas Paraschos, from the TC and GC communities respectively, began publishing stories about the fate of certain missing persons from each community. Shortly afterwards, they were inundated with new calls from people willing to tell their own stories that remained hidden for decades. A related process was observed in Spain, when the first exhumation (2000) of the grandfather of Emilio Silva—a journalist himself—attained “a sudden media interest” that contributed to the establishment of the ARMH with the purpose of accommodating the growing demand coming from individuals throughout Spain who wanted to trace the remains of their relatives and triggered a long delayed public debate (Ferrandiz 2006: 8).

Finally, as Mario Diani illustrated, “Social Movement Organizations are not isolated actors. Rather, they tend to interact with other organizations, even when they are not able to develop any sort of regular coordination” (2002: 2). This emphasis on the “linkages of social movements to other groups” (McCarthy and Zald 1977: 1216) might help to explain how the polarisation of the Spanish society provided the opportunity for several social movements and organisations—such as trade unions—with diverse demands and causes to coalesce and strengthen their voice by organising into umbrella organisations (Short 2002). In the same vein, in Cyprus, the “open checkpoints” policy (2003) created an unprecedented window of opportunity for all sorts of bi-communal activities that were not available before, and this can explain the burgeoning bi-communal grassroots initiatives, most of which share common orientation (pro-reconciliation and reunification). Frequently, these groups support each other and as such they have established an “umbrella structure” which enhanced their influence. While in Cyprus, I was informed about the creation of the first bicomunal initiative comprised of the relatives of missing from both sides of the divide.¹⁰ This was the product of long-term interaction between relatives of missing persons who shared their experiences in bicomunal events and decided to establish their own platform that will significantly deviate from the orthodoxy of the “official” relatives’ associations. Activities organised by this group are always supported by other platforms—with which they share common ideological orientation, conducive to recovery of historical memory.¹¹ So, paradoxically, in Cyprus the demand for truth does not

emanate from an “official” victims’ association—as in the case of Spain, Argentina and Guatemala—but the task of truth recovery has been shouldered by various civil society groups and individuals that their interest are not limited to the issue of missing persons.

Conclusion: The Politics of Exhumations as Truth-Recovery?

The case of missing persons and more generally dead bodies—as the cases of Spain and Cyprus reveal—constitute emotionally charged topics which very frequently become exploited out of political expediency, like reinvigorating propaganda, symbolic functioning, or even bargaining in negotiations. In a context of conflict as the case of Cyprus also indicates, dead bodies are always symbols that can be manipulated. As John Lederach aptly mentions “the graves are held present in people’s minds because they represent the sacrifice, the loss, the trauma, the deep pains of years and generations of conflict” (1998: 177). In such cases, “unearthing” the truth, as expressed through the struggle to identify the fate/remains of those missing, frequently challenges predominant representations of the past and is accompanied by an intense societal debate contributing to the emergence of “politics of exhumations”. Therefore, the “politics of exhumations” set exigent moral and political dilemmas to those societies undertaking such processes. Ironically, Federico Garcia Lorca, well before his own execution wrote that “In Spain, the dead are more alive than the dead of any other country in the world”, a quote which perfectly portrays his own post-mortem legacy of the Spanish civil war in contemporary Spain.

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Notes

- [1] A recent decision of a National Court Judge (Baltasar Garzon), on 19 October 2008, ordering the exhumation of the grave thought to contain Lorca’s remains, seems to give an end to this long-standing controversy.
- [2] For more information on the patterns of violence employed by the two camps during the civil war, see Jackson (1965: chap. 16) and Preston (2006: chap. 4).
- [3] The Academy Award winner film of Guillermo Del Toro, *Pan’s Labyrinth* (2006); the documentary, *La Guerrilla de La Memoria*, by Montxo Armendáriz and Javier Corcuera (2001); and the bestselling book by Javier Cercas, *Soldiers of Salamis* (2003), could be recruited as illustrative examples of this wave of re-remembering the “civil war”.
- [4] “Valle de los Caídos” (“Valley of the Fallen”) constitutes perhaps the most renowned monument of the Francoist legacy. The “Valley” contains the grave of Franco, along with approximately 40,000 victims of the civil war—predominantly coming from the Nationalist side. The construction of the monument lasted for almost two decades and it has always been the subject of debates because it was built by *ca* 20,000 Republican prisoners used as forced

labour. For all these reasons, the Valley of the fallen is perceived to be the primary symbol of the Francoist domination.

- [5] More precisely, a significant number of the victims were casualties of this “intra-group” conflict. For example, even EOKA—the anti-colonialist movement in late 1950s—has targeted members of the GC community, predominantly leftist (Papadakis 1998: 151). As Markides mentions “Assassination attempts were made against 230 Greek-Cypriots ... about 23 per cent of all those killed during the four years of the ‘Emergency’ came from the ranks of Greek Cypriot traitors” (1977: 19). Additionally, various sources verify the fact that during the bi-communal hostilities (1964–1967) there were civilian casualties of the intra-group conflict and not of “out-group” attacks (Attalides 1979: 91; Crawshaw 1978: 200–157). Subsequently any comprehensive truth recovery would have challenged both the popular perception of these organisations as saviours and the—embedded to the collective identity—“culture of victimhood”, which preaches the monopoly of suffering for the in-group.
- [6] I am very grateful to Yiannis Papadakis for bringing to my attention this point.
- [7] One such historical example is the Athenian Democracy emerging from the oligarchic coup and the civil war of 404 BC, where the society—after a heated debate—consented to a law forbidding individual citizens to “remember”, as the best means to achieve reconciliation (Cohen 2001).
- [8] More information about the workings of the committee can be found at: http://www.parliament.cy/parliamentGR/003_04_23.htm
- [9] While the impact of these rulings is of paramount importance, it should be noted that so long as the decision for the resumption of the activities of the CMP (August 2004) was taken well before either the case of Varnava or the resolutions of the European Council, the “turning point” should be regarded the decision of the Ministry of Foreign Affairs of the Republic of Cyprus to put forward unilateral exhumations (2000). That was a more important development in convincing the “Other” side on the new—“humanitarian”—approach of the topic, while the decisions of the ECHR facilitated further this effort that was already on track.
- [10] The Bi-Communal Initiative of Relatives of Missing Persons, Victims of Massacre and War.
- [11] Indicative examples of such organisations are the “Association for the Historical Dialogue and Research”, “Stop the War Coalition”, “Hands Across the Divide” and “Dance for Peace”, and there are many others that gradually mobilise in between the divide and create the space for a post-modern civil society.

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