

MASS GRAVE EXHUMATION SITES AS AGONISTIC FORA: A COMPARATIVE STUDY OF SPAIN, POLAND AND BOSNIA

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1. INTRODUCTION: MASS GRAVES AS *MEMORY FORA*

This paper directly results from the H2020 project *Unsettling Remembering and Social Cohesion in Transnational Europe* (UNREST), which deals with the cultural legacies of war in Europe. Informed by a theoretical framework initially expressed in Anna Cento Bull and Hans Lauge Hansen's article "On Agonistic Memory" (2016), this project analyses the plots that dominate the remembrance of Europe's long twentieth century on the basis of museum narratives and contemporary mass grave exhumations. Within UNREST's framework, mass grave exhumations and war museums are conceived of as standing on opposite poles of memory building processes with regard to Europe's violent past. The highly unsettling cases of contemporary exhumations of mass graves, on the one hand, expose the bare violence inscribed upon corpses and skeletons, which has to be traumatically absorbed by the affected communities (hot memory). War museums, on the other hand, are the (unstable) result of highly elaborated memory politics (cold memory). Moreover, the mass graves discussed here define the external red lines of the musealised patrimony of Europe's violent past.¹

In this article, we will highlight the most important findings on the back of our study of mass grave exhumations in Spain, Poland and Bosnia, relating to respectively the Spanish Civil War (1936-1939), the Second World War and its

¹ For UNREST's research done on war museums see Berger et al. (2018), Cercel (2018), Cento Bull et al. (2018) and Parish et al. (2018).

aftermath (1940-1956) and the Yugoslav Wars of Dissolution in the 1990s: Our analysis intends to examine and finetune the map of memory modes in the frameworks of remembering Europe's unsettling twentieth century.

Anna Cento Bull and Hans Lauge Hansen (2016) differentiate two main memory modes when it comes to remembering the twentieth century's main conflicts in Europe. The *antagonistic mode* turns historical events into foundational myths of the community of belonging. This monologic and unreflexive mode manipulates the past into a story of 'us' versus 'them' and 'good' versus 'evil'. Contrariwise, the *cosmopolitan mode* de-contextualizes and de-politicizes the past in order to transcend this kind of historical particularism. In this dialogic mode of remembrance, good and evil are abstract categories which are used to elicit compassion for human suffering. Whereas the cosmopolitan mode is the dominant framework for pro-European heritage professionals and intellectuals, Eurosceptic neo-nationalist movements have developed counter-memories in a fervently antagonistic mode, using them to construct rigid identity boundaries. Cento Bull and Hansen question the limitations of the two hegemonic memorial frames, antagonism and cosmopolitan, and the inability of these frames to prevent current social conflict in Europe. That is why they suggest a third mode of remembering, the *agonistic mode*, inspired by philosopher Chantal Mouffe's interpretation of agonism. According to Cento Bull and Hansen, the agonistic mode of remembrance is both reflexive and dialogic and allows for a kind of Bakhtinian radical multi-perspectivity that includes the voice of the perpetrators (the Other). It acknowledges the civic and political passions that lie at the basis of democratic debates. Moreover, it exposes the constructive nature of social remembrance and intends to contextualize past conflicts.

The primary focus of our research is on the memorial plots emerging around the exhumations of mass graves. Mass grave exhumations are particularly troubling, delicate, dynamic and contradictory memoryscapes (Philips and Reyes 2011). Unburials related to wars and crimes against humanity have become a crucial tool ("truth, justice and reparation") in transnational Human Right practices. In the last few decades, the memory work at these memoryscapes is influenced by the so-called *forensic turn*, a global human right process where technical protocols for deciphering the dead body in crime scenes occupy a central stage and may displace other forms of approaching the legacies of the violent past (Ferrándiz and Robben 2015).

The findings in this article are based on ethnographic fieldwork and archival research on historical and contemporary mass grave exhumations in the three cases mentioned above, carried out in 2016 and 2017. The fieldwork also included on-site workshops where three types of stakeholders were present: (a) representatives of victim's associations; (b) members of technical teams; (c) representatives of institutions engaged in public memory policies. The results presented here are based on the reports written for each case study by UNREST researchers Francisco Ferrándiz, Marije Hristova, Admir Jugo, Zoé de Kerangat, María Laura Martín-Chiappe y Miriam Saqqa (Ferrándiz and Hristova 2016; Hristova 2017; Jugo 2017; Ferrándiz et al. 2018).

In this paper we will argue that exhumation sites should be understood as *potential* agonistic fora, attracting a wide array of different stakeholders, emotions and counter-hegemonic memory discourses. To account for the complexity of the memorial cultures that accompany the unburials, we propose a dynamic approach to understanding and identifying different memory modes existing in the field, and show the importance of ethnographic engagement with stakeholders in the field in memory research. In this fashion, the analysis of the memory work at play during mass grave exhumations contributes to a better understanding of the main features, the limits, and also the transactions of the different memory frames at work in Europe in relation to twentieth century conflicts.

Centó Bull and Hansen's theoretical argument for agonistic memory as a third memory mode is based on rather "contained" memory spaces that have a clear *a priori* design, such as museums, monuments, novels or movies. Our fieldwork challenges this model to the extent that the mass grave exhumation propels a whole range of memory narratives and discourses simultaneously. That is, when it comes to identifying Centó Bull and Hansen's three memory modes, we have found that there is a substantial difference between the way they work in such relatively "contained" spaces and the way they function in historically significant and multidimensional memoryscapes as complex as the exhumation of mass graves, which mobilize a wide array of memory actors and entrepreneurs, all the way from the intimate experiences of relatives to the major courts of law.

Our analysis of the mass grave exhumation sites draws on diverse academic milieus: the growing scholarly debate in social anthropology, the archaeology of conflict, forensic science, history, memory studies and media/cultural studies about the meaning of the exhumation of unmarked graves related to mass violence and genocide in the contemporary world (Crossland 2013; Ferrándiz 2013, 2014, 2019; Ferrándiz and Robben 2015; Luckhurst 2015; Wagner 2008). With that, we also interrogate the function of mass grave exhumations as an increasingly important, if problematic and controversial, tool for the pursuit of both human rights and the entitlement to reparations in post-conflict situations, in terms of transitional justice. In turn, exhumations may also often operate to deepen fractures between memory communities and agents. Although the three cases selected have some similarities (contemporary exhumations as a tool of transitional justice), the comparative approach allows us to highlight the different ways in which exhumations elicit memory discourses within Europe. In each case, the memory discourses elicited vary depending on the nature of the killings, as well as on the conditions under which the exhumations took place: international judicial umbrella in the Balkans (Wagner 2008; Jugo and Wagner 2017), administrative subcontracting system in Spain (Ferrándiz 2013, 2019), and institutionalised memory politics in Poland (Hristova and Żychlińska in process).

2. CASE STUDY I: SPANISH *INTERTWINED* MEMORY MODES

For Spain we mainly focus on the recent exhumations of Civil War mass graves that have been taking place in the country since the year 2000. These 21st-century exhumations are mostly related to the unmarked graves resulting from the repressive violence against civilians behind the front lines, committed by paramilitary troops linked to the Nationalist army led by General Francisco Franco. The Spanish Civil War, caused by a military coup against the Republican government on 18 July 1936, lasted for almost three years, leaving around five hundred thousand Spaniards dead, with some three hundred thousand killed in combat and up to two hundred thousand civilians executed in the rearguard³.

Our analysis of mass grave exhumations in Spain is based on three case studies. The first one refers to the unburials that took place in the municipality of Casa de Don Pedro (Badajoz) in 1978⁴ during the Transition to democracy, thus occurring before the recent exhumation cycle. In the second case, we revisited research materials from an early 21st-century exhumation, the one that took place in 2004 in Villamayor de los Montes (Burgos). The third one refers to a famous exhumation that took place in the cemetery of Guadalajara in 2016 and 2017⁵. In all, these examples show how the cosmopolitan memory mode (that became widespread worldwide only after the fall of the Berlin Wall), was not available in early 1978, so it did not affect the digging, and was only progressively adopted in 21st-century memorial political cultures, although it did come to dominate them. Yet, within a broad cosmopolitan frame, it is possible to detect traces of agonism as described by Cento Bull and Hansen. What follows is a summary of the main findings regarding the complexity (and dynamism) of the memory cultures that emerged in Spain in connection to these unburials.

The exhumations of executed Republican civilians during the Transition only had regional and local impact –only being covered by a few national magazines (Aguilar and Ferrándiz 2016)–, as we can see in the case of Casas de Don Pedro, and were not influenced by global memory processes. During these years, the relationship with the Civil War was cast in a pre-cosmopolitan reconciliatory paradigm that came to be –and still is– the main political and symbolic capital of the Transition. Some influential historians such as Santos Juliá expressed this hegemonic and mostly top-down memorial pattern as a conscious and well-designed “throwing into oblivion” of the dirty laundry of the past, in the name of national reconciliation and the possibility of building a collective future where democracy would prevail (Juliá 2003). Oftentimes, memorial initiatives with a critical potential towards the main paradigm –such as certain films and

³ These figures are estimates, as there are still disagreements amongst historians, some regions are understudied, and many data are still missing or difficult to access (Rodrigo 2008; Ferrándiz 2013, 2014).

⁴ Thanks to Zoé de Kerangat for elaborating this part of the report.

⁵ Thanks to Laura Martín-Chiappe and Miriam Saqqa for elaborating this part of the report, alongside the authors of this paper.

exhumations– were “contained” or kept out of public debate or visibility, with measures going as far as censorship and marginalization in the political agendas (De Kerangat 2017; Mateo Leivas and De Kerangat 2018). Exhumations were mostly framed in terms of “dignification” and “proper burial” of bodies “buried out of place”, and ceremonials and commemorations had, with variations depending on the region and the specific cases, just as much religious as political content (Serrano-Moreno 2016; Aguilar 2019).

In contrast, the political and memorial culture related to 21st century exhumations in Spain is challenging, in a very explicit way, the mainstream success story of the Spanish Transition to democracy. As such, the bodies currently retrieved from the graves were abandoned to their fate even after the Transition, and their re-emergence denounces the total impunity of the crimes of Francoism, established mainly through the 1977 Amnesty Law. Thus, concepts such as “Transition Culture,” “Regime of 78” or “Pact of Oblivion” have come to be derogatory terms used in the contemporary memory frameworks associated with Civil War mass grave unburials. The still dominant narratives of the peaceful Transition as a successful path to reconciliation are increasingly contested, as the bodies exhumed from mass graves grow in number and the extent of the paramilitary repression of civilians becomes more visible. This new memorial context opens up (some) space for substantial counter-hegemonic memory claims.

These counter-hegemonic claims are voiced through the use of the vocabulary of the expanding global Human Rights cultures, and particularly that of the *forensic turn*, where forensic protocols, narratives and aesthetics become a main point of access to the traumatic past. Another important background to understand the alternative versions of the past arising in the 21st century is the generation gap. The last wave of exhumations, which started in the year 2000, was mostly led by the grandchildren of those defeated in the war. Yet, far from being homogeneous, the contemporary “historical memory” social movement has to be understood as an ongoing, uneven and even contradictory process where there are multiple political and memorial sensibilities, and where the different memory modes exposed by Cento Bull and Hansen (2016) oftentimes appear entangled or in relational ensembles.

An important result of our research is that, while we can detect the presence of the three memorial modes under discussion, the general discourse of the representatives of the memory associations and public institutions in Spain has increasingly adopted a predominantly cosmopolitan tone, vernacularized and modulated to adapt to Spain’s memorial patterns (Wilson 2006; Cowan 2006; Baer and Sznajder 2015). The adoption of many elements of cosmopolitanism, marginal at the turn of the century, has been uneven and progressive, and did not intensify until after 2008, when Judge Baltasar Garzón unsuccessfully tried to legally challenge the impunity of Francoism, framing Francoist crimes under the umbrella of international law and crimes against humanity (Ferrándiz and Silva 2016).

Under the influence of Garzón's judicial initiative, memorial discourses related to exhumations and their associated commemorative practices have increasingly made ample use of the global 'language of rights' (human rights and international law), holding the transitional triad 'truth, justice and reparation' (and later, 'guarantees of non-repetition') as its main normative reference.

Spain's current memorial process has resulted in a rather fragmented and at times confrontational field, where divergences about the scope, modalities and political symbolism of the unburials, and even their very convenience, abound. Although all civic memorial Associations are influenced by the cosmopolitan paradigm, some blend it with more antagonistic approaches, while others may at times play with modes of remembrance and political action more readily associated with the agonistic mode. Thus, one crucial point raised by the study of the exhumations in Spain is that oftentimes the antagonistic, cosmopolitan and agonistic elements, as described by Cento Bull and Hansen (2016), appear largely entangled in different configurations. For example, the two main Associations in Spain are *Foro por la Memoria* (Foro) and *Asociación para la Recuperación de la Memoria Histórica* (ARMH). We can classify *Foro por la Memoria* (Foro) as a memorial Association with some antagonistic features. While clearly influenced by cosmopolitanism, the importance of victimhood politics and global human rights discourses, Foro is simultaneously anchored in an antagonistic 'us versus them' logic expressed through a monologic and unreflexive discourse emphasizing good (antifascists, communists) and bad (fascists) as moral categories, categorizing those buried in mass graves more as "heroes" who fought the fascists than as innocent victims. Although the ARMH shows a more consistent cosmopolitan pattern, focussing more on the suffering of the individual victims, and more driven by humanitarian considerations, many of its members declare themselves antifascists (an antagonistic trait) and, as we will see below, often times use agonistic tactics.

In fact, besides these ideological differences, the Spanish memory movement on the whole has a number of agonistic features. In general, it has developed a conscious and self-reflexive denouncement of the hegemonic historical narrative produced during the transition to democracy, and has pushed general awareness about the concocted character of memory –as in the public debate between 'memorialists' and historians (Juliá 2011; Espinosa Maestre 2015). To make matters even more complex in terms of the transactions between different memory modes, the potentially agonistic traits in the mostly cosmopolitan Spanish historical memory movement are sometimes expressed in an antagonistic language that denounces the price paid for the transition to democracy: impunity for the crimes committed by Franco's regime. Therefore, in the Spanish case it is important to notice that the 'language of rights,' rather than only triggering a cosmopolitan apolitical memorial frame through its focus on victimhood, has also led to substantial politicization processes.

In memorial struggles in this context, the presence of Francoist perpetrators is also complex (Aguilar and Payne 2017). Apart from the total impunity granted by the 1977 Amnesty Law, those still alive (or more often their relatives or nostalgic supporters) have sought protection from public exposure and accusations by resorting to the ‘right to honour.’ Their public voice has been predominantly negationist, defensive and even defiant. On the other hand, even cosmopolitan-oriented well-known activists such as Emilio Silva (leader of ARMH) often declare that the only dialogue with perpetrators in Spain should take place in court, in the framework of criminal trials. Yet, in order to understand the ways in which historical memory movements frame victims and perpetrators in Spain, it is crucial to take into account the broader field of victimhood politics in the country, where there exists some competition between the memories of the different types of victims (ranging from Francoist repression, to the ‘martyrs’ of the Catholic Church, victims of ETA’s terrorism and the jihadist train attacks in 2004, to those from the ‘dirty war’ against terrorism during the transition to democracy) all wanting to access public opinion, gain visibility, legitimacy and prestige, and exercise influence over the political sphere (Gatti and Mahlke 2017). This competition *between* the different fields of victims –in which we can recognize occasional agonistic overtones– overlaps with some *internal* antagonistic struggles between memory agents of the same field (Montoto 2018).

As a consequence of these constant transactions and feedback between memory modes, our research shows the need to develop the *dynamics* behind Cento Bull and Hansen’s memory modes when it comes to temporality (diachronic) and scale (synchronic), in order to further enrich and develop frameworks of agonistic remembrance. In the field, we find that different memory agents tend to modulate various memory strategies and plots, depending on the situation. In our research we found that the memory frameworks do not only change and develop in multiple directions over time, but that they also coexist simultaneously, not only in the broader memory field but at times even in the “voice” of one memory agent and in the relationships and tensions between different memory agents. Depending on which scale we focus the analysis –at the site, in the media, in the parliament, etc. –, the memory discourses that are surrounding the exhumations may change and modulate the memory modes they employ.

The example of ARMH is revealing. Although they mainly employ a cosmopolitan memory framework, some of their memorial interventions may be interpreted as agonistic *tactics* as they challenge the hegemonic memory narrative established during the Spanish Transition to Democracy. Since it may help deepen our understanding of the forms that agonism can take in the public sphere, we provide two examples of these potentially agonistic interventions or “agonistic commando operations”. First, during Christmas 2017, ARMH challenged the hegemonic memorial status quo by demanding that the names of the Madrid inhabitants killed in concentrations camps be read aloud outside an exhibition on

Auschwitz then running in Madrid, and also in the regional parliament. The right wing party in power, Partido Popular, refused, mainly because all of the Spanish concentration camp victims were exiled Republicans. This refusal meant, however, that the Partido Popular stood to lose the political capital they had gained by bringing the Holocaust exhibition to Madrid. Second, events in the Guadalajara cemetery: due to a lack of State funding and legal support, ARMH asked the Argentinian judicial system for legal support, which they received, and they also managed to get the 2016-2017 exhumation financed by a Norwegian trade union. When the City Council sent ARMH a bill with funerary taxes for moving bodies in the cemetery, ARMH refused to pay, preferring to fight it in court. This gave them an opportunity to make a simple but effective statement: the political right currently in power does not only block funding for these exhumations, but it also tries to charge those who dare to attempt them, thus prolonging the impunity of Francoist crimes. Their intent to ridicule the Spanish State with these initiatives can be understood as agonistic (in a relational way), as all these operations, widely aired in the press, clearly show(ed) major cracks in the Spanish institutional and political model, creating spaces for politicization and counter-hegemony.

Thus, ARMH's form of cosmopolitanism does not equate to depoliticization, nor to individualization of the victims. While their focus is mainly on returning human remains to the families, a crucial theme in ARMH's political struggles is to dismantle the "regime of 1978" and the alleged cover up of Francoist crimes. Moreover, the politicization brought about by the movement for historical memory and particularly the ARMH can be clearly seen in the way that Mouffe's agonism is evident in the political actions of a new party, *Podemos*, formed in 2014, which is partially rooted in the memorialist movement and heavily influenced by Mouffe and Laclau*. Given the example of *Podemos* and its direct link to Mouffe on the one hand and the ARMH on the other, we suggest that Spain could even be studied as a laboratory of agonism in practice.

3. CASE STUDY II: POLAND'S MEMORY MODES *IN DISGUISE*

In Poland we face a quite different panorama than in the Spanish case. Here, post-communist memory politics have been highly institutionalized, as exhumations have been carried out and supported by state institutions. However, our case studies –the 1990s exhumations related to the Katyń massacre, the 2001 partial exhumation of the mass grave in Jedwabne and the 2017 exhumations of the Cursed Soldiers at the Ł-section of the Powązki Military Cemetery– also show some interesting parallels, particularly in the way that different memory modes are employed to challenge hegemonic frameworks of remembrance, especially the

* See for example the book *Construir pueblo: Hegemonía y la radicalización de la democracia* [*Building a People: Hegemony and the Radicalization of Democracy*], co-authored by Chantal Mouffe and one of *Podemos*' founders and main ideologists, Íñigo Errejón (2015).

transition to democracy. In general lines, the Polish case studies show a movement from European-dominated cosmopolitan frameworks of remembrance towards the populist antagonistic memory mode we are currently seeing. In present-day Poland, antagonism is directly geared against pro-European cosmopolitanism, exemplifying to a certain extent the worrisome rise of antagonistic populism described by Cento Bull and Hansen, to which the agonistic mode should offer an alternative.

In Poland, the memory struggles mostly refer to the fifty year-period running from 1939 to 1989, including both, the Nazi and Soviet occupations as well as the important geopolitical shift of Poland's western borders. After the fall of communism in 1989, the country was severely divided as to the best way to deal with its troubled past. This discussion was heavily influenced by the country's possible entry into the European Union and the NATO. That is why memory politics during the first fifteen years after communism (1989-2004) were dominated by the West's insistence that the former communist Eastern-European members should demonstrate their commitment to "constructive" relations with Russia and their ability to come to terms with their less honourable past. In general, the Polish memory politics of the period running up to the country's entry into the European Union can be regarded as "cosmopolitan" and pro-European. The cosmopolitan mode is particularly present in the memorialization of the mass graves related to the Katyń massacre. Here we can observe a focus shift from the perpetrators towards the victims: in the 1990s a memorial complex was created at Katyń which remembers both Polish and Soviet victims of Stalinist terror. Moreover, the Katyń Family Federation's focus on truth, justice and reparation is clearly in line with the overall cosmopolitan memory framework of the 1990s (Sanford 2005; Cienciala, Lebedeva, and Materski 2007; Ètkind et al. 2012).

The case of Jedwabne, the 2001 forensic investigation into the massacre of Jedwabne's Jewish population in 1941, shows that the cosmopolitan climate of the early 2000s seemed right to accommodate a civic and democratic debate around the uncomfortable truth about the Polish involvement in the local pogrom. The partial exhumation, carried out by the then only recently established Polish Institute of National Remembrance (IPN), stands out from the other case studies as it was geared towards the identification of the perpetrators instead of the identification and dignification of the victims (Machcewicz and Persak 2002; Machcewicz 2005; Wolentarska-Ochman 2006). The focus on the (Polish) perpetrators in the Jedwabne case created a space for reflection on the way evil can emerge in society, and the forensic research helped the research team to understand the context of the crimes, thus adding a special agonistic dimension to this specific case. The public debate on Jedwabne, under the heading of "Oczyszczanie pamięci" (Cleansing the memory), caused an outburst of emotions in Polish society, including in the local and international Jewish community (Rosenblatt 2015). We could say that the exhumations caused an agonistic

correction to the victim-oriented cosmopolitan hegemonic framework.⁷

After 2004, when Poland joined the European Union, the country lived through a change in direction with regards to memory politics, as it felt freer to develop its own voice. The transition to democracy –modelled on the Spanish Transition– had been dominated by the idea of compromise and consensus, which was pursued by drawing a thick line (*gruba kreska*) separating the present from the immediate past. From that point forward, the main critique of the memory politics of the Polish transition comes from the Law and Justice Party (PiS), led by the Kaczyński brothers. According to them, the politics of *gruba kreska* blurred the difference between victim and perpetrator, as well as dishonouring the dissidents and independence fighters, while enabling apparatchiks to benefit economically from the transition (Koczanowicz 2008). After 2004 the Polish-Soviet relations started to surface in and dominate the memory debates. Different stakeholders started to denounce the collective “amnesia” that had surrounded topics such as the 1940-1941 deportations of Polish citizens, the Katyń massacre and the lack of Soviet aid during the Warsaw Uprising (Witeska-Mlynarczyk 2014). Whereas during the 1990s the most intense debates centred on the Polish-Jewish and Polish-German relations, the Polish-Soviet relations only started to occupy the memory agenda after 2004.

These new antagonistic traits also influenced the remembrance of Jedwabne and Katyń. Regarding the Jedwabne program, Polish perpetratorship is now again doubted or blatantly denied even by the highest officials. Ever since the election in 2016 of Poland’s right-wing president, Andrzej Duda, calls to complete the exhumations in Jedwabne have intensified. The replacement of the IPN’s directors and main investigators made the institute doubt its own investigations carried out in the early 2000s, as well as its recognition of the Polish guilt in the pogrom in Jedwabne (“Kandydat Na Prezesa IPN Pytany o Jedwabne. ‘Nie Wiem, Co Się Tam Wydarzyło’” 2016). The Katyń massacre has been officially defined as “genocide” and the case has been presented to the European Court of Human Rights. The IPN also raised questions about competence, scientific scrutiny and documentation practices during the 1990 excavations in Kharkiv and Miednoye which were carried out by The Council for the Protection of Struggle and Martyrdom Sites (ROPWiM). Importantly, in this case, the framework of justice and human rights is used in an antagonistic way, being portrayed as a kind of zero-sum game of memory competition regarding what is allowed to count as genocide (Étkind et al. 2012; Ministry of Foreign Affairs of the Republic of Poland 2015). The Katyn Family Federation, however, resists the nationalist appropriation by PiS. They strongly oppose the idea of further exhumations to identify the

⁷ Similarly, Anna Cento Bull et al. (2018) understand the way in which Jedwabne is portrayed at the Polin Museum of the History of Polish Jews as an opportunity of agonism. The exhibition at Polin clearly states that the perpetrators in Jedwabne were Polish and not Germans and includes in its general narrative contrasting viewpoints and attitudes on the pogroms that were carried out in Poland.

individual bodies, or even the idea of repatriating them to Polish soil.

Following this antagonistic turn in Polish memory politics, the current exhumations carried out under auspices of the Polish Institute for Remembrance (IPN) regard the crimes of communism in Stalinist Poland. The search for the disappeared anti-communist resistance fighters from the immediate post-war period forms the basis for the creation of the myth of the Cursed Soldiers.⁵ The exhumations are used to create a black and white history of Polish “heroes” who fought for the freedom of Poland and who should be the inspiration for modern and future Poland, based on the ideals of Catholicism and patriotism. The fact that some of these anti-communist “heroes” also committed massacres is being omitted in the current version of the past (Kobielska 2016; Peters 2016). The official narrative disseminated by the IPN also obliterates the fact that the Ł plot at the Powązki Military Cemetery also contains the human remains of ordinary criminals, Nazi criminals and German soldiers and fails to mention how their remains will be dealt with after possible identification. Such antagonistic memory politics have been particularly reinforced since the victory of PiS in the Polish parliamentary elections of 2015.

Tellingly, while the exhumation at the Powązki Military Cemetery had already started well before 2015, the message is conveyed that the crimes of communism had been completely silenced until PiS came to office in 2015. As such, the current exhumations do not only aim to forward the history and memory of the Cursed Soldiers, which corresponds to the 1940s and 1950s, but they are also used to tell the stories of the post-mortem “lives” of their remains, drawing a line from their death in the period 1944-1956 to 2015. This narrative obscures all vernacular memory practices of the late communist period and the Cursed Soldiers’ rehabilitation in the early 1990s. Besides, PiS dresses its memory mode as one of counter-hegemony, while it is actually hegemonic, at least in Poland.

However, Powązki cemetery can be seen as a *potential* agonistic space when looking at its inherent multiperspectivity. The cemetery contains the graves of both Polish anti-communist and anti-Nazi heroes, but also the graves of Polish communist leaders, such as Bolesław Bierut and Władysław Gomułka. Moreover, the Ł plot was reused in the 1980s to accommodate the graves of, among others, some of the military judges involved in the sentences against the Cursed Soldiers that were buried in unmarked common graves at the exact same spot (Wichowska 2016). The removal of those later graves in negotiation with the relatives of the military deceased can be seen as an agonistic *moment*, in which the voices of the relatives of the different “opposing” groups were heard and respected.

⁵ “Cursed Soldiers” is a collective concept which was coined in the 1990s and refers to different groups of resistance fighters who kept on fighting for a free Poland, independent from communist rule after 1945. During the last decade, the Cursed Soldiers have been reinforced as a new foundational myth of right-wing Poland.

In the Powązki case, the aesthetics and tropes of the Human Rights paradigm that go hand-in-hand with the *forensic turn* are used within a general antagonistic framework. As such, DNA identification being one of IPN's main objectives shows an interesting paradox. While the relatives' voice is almost absent in the memory discourse surrounding the Cursed Soldiers, mainly because many of them were unmarried young men, the IPN embraces the language of trauma and closure related to their disappearance and the need to return the bodies to their families. However, we could say that to a certain extent we are facing cosmopolitanism which is actually a form of antagonism *in disguise*, since the exhumations are mainly being carried out, not to return to bodies to the relatives, but to return the lost heroes to the Polish nation. Moreover, the absence of relatives in many of the cases stands in strong contrast to the important political, religious and emotional mobilization of volunteers during the exhumations, fulfilling their "patriotic duty".

The opposition of the relatives of Witold Pilecki to the antagonistic narrative promoted by IPN adds to this paradox. Pilecki is one of the main heroic characters among the Cursed Soldiers and his family is very visible in the Polish media as a cosmopolitan counter-memory voice, as they strongly oppose Pilecki being equated to other more dubitable anti-communist guerrilla fighters. To oppose these kinds of appropriations, they actively try to connect to memory agents abroad to construct a worldwide narrative of Pilecki as a cosmopolitan "hero". The visit of Krzysztof Kosior, great grandson of Pilecki, to the exhumation site at Powązki in May 2017 can be seen as an "agonistic commando operation" on a very small scale. To a certain extent, Kosior undermined the hegemonic discourse of antagonism simply by showing his willingness to enter into dialogue.

When we look at the question of scale, we can see how cosmopolitan memory and antagonistic memory can each take counter-hegemonic positions. PiS' antagonistic version of the past is directly opposed to the hegemonic cosmopolitan European narrative. That is why, despite the current hegemonic position of PiS in Poland, the memory of the Cursed Soldiers is presented in the fashion of a counter memory narrative. Yet, Pilecki's relatives, in turn, make use of cosmopolitan memory plots to resist the current hegemonic antagonistic frameworks. At the same time, when thinking about the most potentially prosperous ground allowing for the appearance of agonistic moments, the case of Poland shows that cosmopolitan hegemonic discourses allowed for agonism to appear during the partial exhumations in Jedwabne, whereas the current antagonistic memory politics silence possible diverging views through the judicialization of history, as seen for instance in the 2018 Polish law which incriminates certain expressions related to the death camps on Polish soil.

4. CASE STUDY III: BOSNIA'S *PARALLEL* MEMORY MODES*

* This section is based on conclusions presented in the UNREST reports on Bosnia by Admir Jugo (2017), on the global report on exhumations in Spain, Poland and Bosnia by Ferrándiz, Hristova, de

The situation in the Balkans offers still another locally specific combination of memorial modes in tension, in this case heavily influenced both by the dramatic implosion of the former Yugoslavia and by the constitution of the ad-hoc, UN sponsored, International Criminal Tribunal for the former Yugoslavia (ICTY, 1993-2017) after the end of the war, a transnational judicial structure devoted to the prosecution of war criminals and the recollection of evidence for incrimination. The formation of the ICTY was by all means a major breakthrough in International Humanitarian Law, and heavily affected the dynamics of the post-conflict developments in the region. As summarized by Jugo (Ferrándiz et al. 2018):

War in Bosnia and Herzegovina broke out on March 1st 1992 and included several factions, with battles waged between the Army of the Republic of Bosnia and Herzegovina (*Armija RBiH* or ABiH) and the Army of Republika Srpska (*Vojska Republike Srpske* or VRS), and between ABiH and the Croatian Defense Council (*Hrvatsko vijeće obrane* or HVO). As front lines shifted, so did alliances: when the Washington Agreement was signed in 1994, ABiH and HVO united in their fight against the VRS and retook swaths of territory controlled by the Republika Srpska (RS) forces. The war in Bosnia and Herzegovina was finally brought to a standstill in November 1995 through the General Framework Agreement for Peace in Bosnia and Herzegovina (more commonly known as Dayton Peace Agreement), officially signed on 14 December 1995.

During the post-war period, exhumations and ceremonials associated with mass graves became a crucial tool both in the international legal processes pursued by the ICTY as well as in the configuration of memory politics throughout the region. To come to terms with this very complex situation in relation to UNREST's interest in the analysis of the memorial cultures emerging around exhumations, we chose to make an in-depth study of three emblematic unburial processes (Jugo in Ferrándiz et al. 2018). The fieldwork and analysis was conducted by Admir Jugo and here we only present its main conclusions. The first cluster of exhumations analysed took place in Prijedor between 2003 and 2012, in the Bosnian Krajina region, where in 1992 Krajina Muslims and Croats were subjected to ethnic cleansing, detentions, repression and executions promoted by the Bosnian Serb authorities. The second case study was the exhumation known as Budak 2, connected to the Srebrenica massacre that took place in 2007. Mass graves in the area were detected by the CIA with overhead aerial spy images taken in July 1995, a few days after the killings. This discovery led the Serb forces to "disturb" the original mass graves with heavy machinery and redistribute remains in smaller graves throughout the area to hide their crimes and prevent detection and

Kerangat, Martín-Chiappe, Saqqa and Jugo (2018), as well as on Wagner 2008 and Jugo and Wagner 2017.

identification. Budak 2 was one of fourteen such “secondary” mass graves, located around 10,5 km away from the original Glogova one (Jugo and Wastell 2015). In 2011, the building of an orthodox church by the Serbs only a few meters away from the graves, was interpreted by local Bosniaks as a memorial backlash and created major memorial tensions, and they threatened to cancel the 2013 Srebrenica July 11th commemoration if the church was not demolished. The third case study covered the 2012 and 2013 attempts to exhume missing Serbs executed by the members of the Army of Bosnia and Herzegovina in Sarajevo, in the Alipasin Most location and in the City Garbage Dump. The failure to achieve the expected results led Bosnian Serbs to argue that the war crimes done to them were concealed as part of a conspiracy against their claims to victimhood (Jugo in Ferrándiz et al. 2018).

The extensive scholarship on the war and particularly on post-conflict memory politics in BiH ranges from medical and legal aspects of memory, to forensic work in exhuming and identifying the missing, the effect of transitional justice initiatives on divided societies, and memories in archives and memories of the missing in society, to name a few. When considering memorial processes in BiH from UNREST’s theoretical framework based on the distinction between antagonistic, cosmopolitan and agonistic memorial modes, it is safe to say that aspects of all three modes are present in the region, although with differing intensity and operating in different scales of intervention and memory making – agonism being almost testimonial.

In practice, as shown in the controversies raging around the exhumations under study, the antagonistic mode clearly predominates along ethnic lines and is related to the entrenched divisions of post-war Bosnia and Herzegovina, divisions that many argue were consolidated by the Dayton accords. Furthermore, the contemporary construction of collective memories is part of a larger, more difficult part of Bosnia’s never ending transition to peace and has become a tool in political and historical manoeuvring and revisions dating back to the World wars. In fact, the historical analysis of the situation in the Balkans beyond the most recent conflict also proves that memories of inter-ethnic conflict during WWII and exhumations of the missing from that period were successfully used in an antagonistic manner after the demise of Yugoslavia as well, to fuel pre-war sentiments of dissatisfaction and solidify nationalist narratives. The different ethnic groups have continued to do so when exhumations have been performed after the war.

Currently, local initiatives around the missing, the exhumations and commemorations in the region mostly work in a very antagonistic way, showcasing the suffering of ‘us’ versus the evil of ‘them’ as the leading moral categories, entrenching sides in their own constructed narratives of war and violence based on manipulated myths of modern and WWII violence, clearly compatible with Cento Bull and Hansen’s formulation of the “passion of

belonging” (2016). A clear example of this is how, regarding victimhood politics, all sides attempt to quantify and qualify their dead in order to increase the magnitude of their historical suffering. This suffering is oftentimes used to justify or provide context for what the international community understands as war crimes. With exhumations and identifications, struggles for qualified victimhood might even reach the level of body counts. When there are not enough victims from the most recent conflicts, the missing from the WWII are brought into the memory framework to raise the numbers and build up reciprocal grievances.

At the same time, there is another very influential memory plot, running parallel to the antagonistic one, with only occasional and largely strategic seepages between the two modes. This situation is quite different from the memory processes in Spain and Poland analysed before. The different international organizations involved in memory work in post-war Bosnia, from the ICTY to the myriad NGOs, have since the beginning been operating under a largely cosmopolitan memory mode linked to transnational human rights and transitional justice cultures and their focus on the suffering of the individual victim has brought about, as a side effect, a certain de-politization (through global technical expert protocols and their legal and medical framing) of ethnic violence. For example, the individualization of victimhood in many humanitarian initiatives takes place within a biomedical paradigm which *medicalises* the experience and memory of the war. Thus, the arrival and proliferation of humanitarian organisations operated parallel to, and to some extent influenced the dominant memory modes operating in Bosnia and Herzegovina, moving from a purely antagonistic mode to the coexistence of such a mode with a cosmopolitan mode – and its associated technologies, i.e. international law, forensic science, humanitarian psychology and psychiatry, and their respective experts– existing alongside it. Deeply entrenched narratives of heroism started to coexist with newly arrived narratives of Post Traumatic Stress Disorder (PTSD). Incendiary nationalist discourses had to share space with legally framed “evidential memories.” Thus, this cosmopolitanism overlaps and interacts in different ways with the dominant antagonistic local mode and has clearly had some influence on the ground, as argued and exemplified extensively in Jugo’s field report on exhumations and memory politics in the region (Jugo in Ferrándiz et al. 2018). For one thing, cosmopolitanism’s hegemonic position in the international community provides it with a solid legitimacy. External funding for local NGOs polarized some memory entrepreneurs to consider more cosmopolitan aims, at least circumstantially. Also, some of the testimonies of witnesses in the framework of international intervention have been framed under either medical or legal infrastructures and technical procedures, like trials of psychological treatments, all of them part of the transnational cosmopolitan apparatus. Yet, in spite of its international prestige and its economic and infrastructural muscle, the exhumations, trials, and commemorations fostered from this cosmopolitan mode,

while available in the memory market, on the ground more often than not feed into the deeply entrenched antagonistic dynamics.

Interesting for UNREST's work on agonistic memory is that, despite the predominance of antagonism and cosmopolitanism, even if they are mostly running in largely parallel tracks, agonistic moments are still present in Bosnia and Herzegovina, although having only taken hold of certain grassroots organisations and individuals. Although the memorial framework behind their actions is largely victim-centred and cosmopolitan, the Serbian feminist activist group *Women in Black* operate at times using elements of the agonistic repertoire, exposing the constructed nature of the memorial tensions at work in the region (Jugo 2017: 45-46). Jugo also calls attention to other such cases, labelling them as "almost heroic" (Ibid: 32-33). In 2012 in Prijedor, eight local NGOs with participants from the three main ethnic groups in the conflict tried to stage a commemoration to "all innocent victims" in the area, consisting of 266 white body bags representing the 266 non-Serb women and girls who were killed during the war and mostly still buried in mass graves. While the aim can be framed as cosmopolitan, the very initiative had some agonistic counter-hegemonic overtones. But unfortunately, in a climate of high political tension, the ceremony had to be called off, leaving one lone activist who defiantly stood with his body bag in the city's main square (ibid.) However, since ultra-nationalist and populist political elites feel comfortable with the *status quo*, these potentially agonistic initiatives usually meet with a lack of political support and therefore cannot gain enough traction.

5. CONCLUDING REMARKS

The analysis of memorial processes triggered by mass grave exhumations in Spain, Poland and Bosnia may help understand the limits, abilities, coexistence and intersections of the antagonistic, cosmopolitan and agonistic memory modes. Our research shows the need to develop the *dynamics* behind Cento Bull and Hansen's memory modes when it comes to temporality (diachronic) and scale (synchronic), in order to further enrich and develop frameworks of agonistic remembrance. On the ground we find that different memory agents may develop various memory strategies and plots, depending on the situation, oftentimes in rather pragmatic ways. That is, our historical and ethnographic fieldwork not only shows that the memory modes change and develop in multiple directions over time, but that they coexist as well. And this happens not only in the broader memory field, but oftentimes even in the "voice" of one memory agent and in the relationships and tensions between different memory agents. Depending on which scale we analyse, the memory discourses and debates that are surrounding the exhumations –at the site, in the media, in the parliament, etc.– may employ different modes. In practice, the cosmopolitan and agonistic memory regimes proposed in the theoretical framework usually do not appear in their "pure" form,

but at times coexist, overlap and even merge, into different configurations depending on the context (Poland, Spain, Bosnia). A more dynamic model which incorporates internal variations and modulations as well as reciprocal influences and relations would allow us to better understand some of the potential “messiness” of the field.

As we have shown, in the Polish case we see actors with a clearly antagonistic memory narrative disguised in cosmopolitanism by anchoring their memorial claims to victims and human rights. This is probably related to the current international prestige of Human Rights frames –as well as very possibly political expectations within the EU– and to the difficulties of building a memory regime without referencing them. In the case of Bosnia, we see some influence of the cosmopolitanism imported by the international NGO’s and their associated technologies on the largely antagonistic memory paradigms used by local actors. In Spain, we have shown how the stakeholders employ different strategies to counter the hegemonic narrative of the successful and peaceful transition to democracy.

The specific use of cosmopolitanism in antagonistic settings, also points at the need to evaluate the implicit evolutionism of the three memory modes under discussion, as they have different historical genealogies. While antagonism is understood as a more primary scheme for dealing with the past, cosmopolitanism seems to be tied to globalization and the transnational expansion of human rights discourses and practices, as well as to a focus on the suffering of the victim derived from memory work around the Holocaust (see Berger et al. 2018). Agonism in turn, is mostly understood as a potential horizon for the future, filling in for the limitations that cosmopolitanism may have in stopping the re-emergence of antagonistic memorial dynamics. The implicit temporal scheme of the three memory modes leaves gaps as to how to understand, for example, pre-cosmopolitan non-antagonistic memory modes. One such case is Spain’s transition to democracy (1975-1982), difficult to classify due to the historical moment when it took place, when cosmopolitanism was not yet available as a coherent and widespread memory frame.¹⁰ In contrast, the Polish transition to democracy (1989-1991), although based on the Spanish model, took place when cosmopolitanism was already on its way to become a full-blown transnational memory mode in the 1990s.

Within the realm of a more dynamic model of memory modes, we propose that exhumations of unmarked graves could be understood as *potential* agonistic fora. Architect Eyal Weizman (2017) explicitly reminds us of “forum” as the etymological root of the word “forensic”. Hence, forensics should be seen as the art of the forum, the practice or skill to present an argument before a professional, political, or legal gathering. Following this connection, we propose to see the

¹⁰ Generally, the cosmopolitanization of memory started in the 1980s, becoming a full-blown hegemonic framework in the 1990s.

exhumations as fora for debate, which unite the possibilities for contextualizing a historical event through evidence, with the attraction of opposite voices potentially opening up to a radical form of multiperspectivity, including both victims and perpetrators of the crimes. In the case of Spain, the exhumations function as agonistic fora as they repoliticize the past and break the consensus installed during the transition to democracy. In Poland, the exhumations at Jedwabne brought about an important emotional debate on Polish perpetratorship.

However, when looking at contemporary exhumations of the Cursed Soldiers in Poland, we see that this is not always the case. The Cursed Soldiers' exhumations are used to construct an antagonistic and nationalist discourse of belonging in which the Cursed Soldiers are the heroes embodying Poland's anti-communist and catholic essence, challenging Polish and European cosmopolitan memory discourses. Yet they do so by using some of the arguments usually utilized in cosmopolitan frameworks, mostly those related to human rights and the primacy of victimhood and mourning. In Bosnia, we find that the parachuting in of a global cosmopolitan humanitarian operation in some ways de-politicizes the conflict though the focus on abstract victimhood. But memory politics on the ground, anchored in concrete and mutually excluding victimhood realms, remain largely antagonistic.

The contradictions in the field therefore show us that the three memory modes do not exist independently, but in a relational way reacting to the specific type of hegemonic discourse in each context. That is why we underscore the word *potential*, since cemeteries and exhumations are memory fora which in the end can be deployed in all three modes.

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