Walking on Water: Religion, Historical Memory and Human Rights in Spain and Australia

The parable of Jesus walking on water occurs in three of the gospels. This parable was used by Imanol Zubero, former Socialist Senator and Basque peace activist, now Professor at the Basque Country University, to describe to me the position of the Catholic Church in Spain today: where once the Church had known how to walk on water and call to the Spanish people to follow it, today the Church has lost its prophetic voice and is in danger of becoming a closed sect. Zubero was referring to the 1970s when the Church played a positive, and widely admired, role in the Spanish Transition to democracy. In this paper I try to account for this change by considering cases from two very different Catholic traditions, Spain and Australia, which have at least one thing in common: in both cases the Church has been accused of responsibility for historical wrong-doing and complicity in human rights abuses.

In Australia the Church sought forgiveness for its role in historic injustices perpetrated against Aboriginal people and became an agent for a wider reconciliation within Australian society. In Spain the Church has not offered an apology for its role in the Civil War and for supporting the dictator Franco, preferring to think of itself as a victim who forgives. What accounts for this difference? My suggestion is that four related factors are likely to bear heavily on this question:

1. Church mission and pastoral strategy;
2. Whether the conflict was symmetric or asymmetric, in other words, whether the church in question was victim or perpetrator, or both;
3. Transformations in the wider socio-religious context; and
4. The impact of theological change within world Catholicism.

A. The Challenge for the Catholic Church in Spain

Since 2000 Spain has been undergoing a long and difficult debate on the historical legacy of the Civil War and the Franco regime. In that year the Association for the Recuperation of Historical Memory began work on the exhumation of the bodies of the Republican war dead from unmarked mass graves located around Spain.

One of the unresolved issues in the debate on historical memory in Spain is the responsibility of the Catholic Church for its role in the Civil War and its support of the Franco regime. Casanova writes:

> "In no other authoritarian regime in the twentieth century did the Church assume such political responsibility and play such a central role in policing the country's citizens as in Spain …. the Catholic Church was not only implicated but fully involved in the legal system of repression organized by Franco and his cronies after the Civil War."

Prior to the death of Franco there was a movement within the Church to repudiate the Church's association with the Nationalists during the Civil War. In 1971 the conference of Bishops and Clergy held in Madrid debated the following resolution:

> "'If we say that we have not sinned, we make him [God] a liar and his word is not in us' (1 Ep. John, 1.10). Therefore, we humbly recognize and ask forgiveness, for we did not know at that time how to be true 'ministers of reconciliation' in the breast of our people, divided as they were by a war between brothers."

A simple majority supported the resolution, but not the two-thirds super-majority required by the rules of the conference.

Much has changed since then. The most detailed statement of the Church's current position on the historical memory movement remains its 2007 Pastoral Letter "Moral Guidance on the Current Situation in Spain". The pastoral letter indicates that, in the opinion of the hierarchy, that historic achievement is now under threat by the revival of historic claims:

> The use of "historic memory", guided by a selective mentality opens again new wounds of the civil war and revives feelings that seemed to be overcome. Those measures cannot be considered true social progress but rather a historic and civic regression, with an evident risk of tensions, discriminations and altercations for a quiet coexistence."

Hence the Church opposed the Law of Historical Memory introduced by the Socialist government and passed by the Cortes in 2007

Applebly drawing on MacIntrye, argues that the internal pluralism of religious traditions provides religious actors with a "storehouse of religiously approved options" for dealing with conflict. One such option, which the Church deployed in Australia in relation to Indigenous peoples, is the theology of reconciliation. When mapped out onto the polity as a means of thinking about the problem of historical injustice, reconciliation can take the form of a political technology of apology, contrition, penance and forgiveness. this technology assumes that historical memory must first be recounted if reconciliation is to follow. Two of the key features of reconciliation politics is the giving of testimony by victims of historical injustice and the offering of formal, institutional apologies by wrong-doers. In Australia this took several forms but the most prominent example was the evidence given to the Australian Human Rights and Equal Opportunity Commission's Bringing Them Home Report which documented the child removal practices of Australian governments. It was for its complicity in these policies that the Church admitted its responsibility and apologised to the victims.

However, in Spanish politics "reconciliation" refers to the social bargain underlying Spain's managed transition to democracy by which each side tacitly agreed to give up claims to historical justice. The Spanish Catholic Church continues to support this concept of reconciliation in Spanish politics.

Emilio Silva, President of ARMH, sees the contest over historical memory as related to the distribution of power within contemporary Spanish society. According to Silva, the Catholic Church in Spain behaves as though it is above the law because of its powerful place in Spanish society:

> Because they win here, yes, and they are winners, and their behaviour is the behaviour of the people who win.

In the Spanish case, the key institutional interests of the Church are its legality and independence, the right to freedom of worship, state funding for Catholic agencies, schools and clerical salaries.

I accept this view to the extent that if the Church comes to be widely regarded as complicit in Franco-era human rights violations, the likelihood that the Church will be able to continue to enjoy its current privileges and funding will be diminished. However this critique, which I term the "political science" critique of the Spanish Catholic Church's opposition to the historical memory movement, also has its limitations. The question is not just one of privilege or political power, but how the Church decides to use that power. In other words, the Church's self conception of its mission in a given society.

The arc of change of the Spanish Catholic Church in the period from the end of the Second Republic to the present time can be broadly described in terms of a series of transformations which begin and end in two different types of conservatism, broken by a period of relative liberalism and reform in the 1970s which produced the resolution referred to earlier.

whereas National Catholicism had aimed at the re-evangelisation of the Spanish people through a religious monopoly and a close alliance between Church and State, the evangelism of the contemporary Church is the mission of the faithful in a society which appears to be losing its moral way in a tide of secularism. the contemporary Church's sense of mission is defensive and narrowly focussed on a remaining core of adherents around a set of key preoccupations including Catholic schools, ethics of life and marriage, opposition to gay marriage and so on.

interestingly, and it took me some time to understand this connection, the Church hierarchy links the issue of historical memory with the Church's critique of secularism and by so doing recalls the anti-clericalism of the Second Republic as a warning for Spain today:

> "Now we see with grief that in the last years, *it manifests again among us a mistrust and rejection of the Church and the catholic religion that is presented as something more deep and radical than the return of the old anticlericalism*."

Hence the attempt to revive the memory of the Second Republic in contemporary Spanish politics is a danger both to the Church and to Spanish society.

One factor in explaining the different attitudes of the Catholic Churches in Spain and Australia to the questions of historical memory and reconciliation is the nature of the conflict. In particular, whether the Church was the perpetrator of historical injustice, or whether it was both perpetrator and victim. Whereas in Australia the conflict was assymetric and the Catholic Church has the status of wrong-doer or sinner, the Civil War was a conflict amongst Spaniards in which the Church itself both suffered and contributed to the suffering of others.

It is likely to be easier for the Church to participate positively in historical dialogue with those whom it is harmed and their relatives when it is merely guilty, rather than when it occupies the position of both wrong doer and victim. A church which is merely guilty does not have to navigate the far more complex issues associated with shared and over-lapping moral claims.

But this does not mean that it is impossible for such a church to play the role of peace-builder. This is evident in the Spanish case by the majority vote for the motion of reconciliation in 1971. Even where the roles of victim and perpetrator are shared and over-lapping, the Church still has choices to make. However the Catholic Church in Spain has not come to see the view the conflict, and its role in the conflict, in these terms. Rather, the Church tends to see itself as a victim who forgives.

The victim-hood of the Spanish Catholic Church is enacted through the memorialization of the Catholic clergy and religious killed during the Civil War in the Republican Zone. At least officially, the Church sees its saint-making policies as an element of its wider pastoral strategy and the martyrs as emblems of forgiveness. Yet, regardless of what the hierarchy says about the saints and forgiveness, the 'martyrs' are remembered within Catholic sub-cultures in a different manner, as the heroic victims of a conflict that is being replayed today.

The Church's position may be inconsistent or even hypocritical but it is very difficult for the Church hierarchy to be even-handed on the matter because of its investment in a pastoral strategy based partly on the Church's own historic victim-hood. An admission of historical guilt by the Church may undermine this strategy and complicate its status as a victim.

Writing about the Northern Ireland peace process, Brewer argues that the fundamental failing of the Churches in Northern Ireland was "their motivation to continue to reproduce themselves as collective religions." In my view, the Spanish Catholic Church has also placed its own desire to maintain the Catholic faithful ahead of its potential contribution to a positive historical dialogue regarding its relationship to the Franco regime.

Changes in the socio-religious environment appear to be contributing to the narrowing of the Church's sense of mission. **Although** Spain today remains a strongly Catholic country in relative and nominal terms, between 1975 and 2000 the Church suffered a steady decline in the number of practicing Catholics, punctuated by two short, sharp drops in levels of religious practice in 1975-1980 and 1995-2000.

The profile of the Church has changed from being a National Church in an overwhelmingly Catholic country, and where intense pressure to conform produced a high level of nominal Catholicism, to a position where although overall levels of religiosity are falling the religious core appears to have stabilised at around one third of Spanish society.

This is not the first time that the Spanish Church has faced significant demographic and pastoral challenges. Prior to the Second Republic a process of industrialization and urbanisation, particularly in the Basque Country and Catalonia but also in

Madrid, provoked a crisis within the Church which, after the disaster of the Civil War, culminated in the plan to re-evangelise the Spanish people through the policy of National Catholicism.

The key difference between the two crises is that in the intervening period there has been a transformation in church-state-civil society relations that has fundamentally changed the position of the Catholic Church in Spanish politics and society, foreclosing the possibility of National Catholicism and opening up other strategic choices. Unlike under Franco the Church now seeks to pursue its moral agenda indirectly including through an implicit alliance with the conservative PP.

Wider currents of theological change in world Catholicism, and changes in personnel within the hierarchy, are pushing the Spanish Church in the same conservative direction. Theological change within world Catholicism through the Second Vatican Council was one of the decisive factors leading to a change of leadership within the Spanish Church and to the accommodation of the Church to constitutional democracy and a non-confessional state. However as the effect of the Council has dissipated in world Catholicism so too has its effect on the Spanish hierarchy and on the character of the Spanish Church.

What about the effect of post Vatican II theology on Australian Catholicism? According to Faggioli, John Paul II's reaction to the Council which combined the restoration of internal order and moral conservatism with "'openness' for the issues *ad extra* (interreligious dialogue and dialogue with the Jews)". John Paul II was also strong advocate for the rights of indigenous peoples around the world. This openness to indigenous people, informed by the Second Vatican Council, was evident in the Australian Catholic Church's attitude to the Aboriginal Reconciliation process.

On the Church's view, the conflict in Spain does not involve issues of openness to others so much as a debate on the rights and privileges of the Church in a world the Church now regards as at least potentially hostile and at the very least in a state of serious moral decline.

The second strand of post Vatican II Catholic thinking which has been evident in Spain relates to the authority of the hierarchy within the Church. The Council renovated the internal governance structures by, amongst other things, establishing collegial bodies for local bishops, such as the Spanish Episcopal Conference, and by calling for increased lay participation in Church affairs.

These reforms have been progressively retrenched in favour of the reassertion of centralized order centered on the office of the Pope. Silva and Vitoria both suggested that there is a gap between the hierarchy and the laity regarding the historical memory movement. Hilari Raguer, when asked if he thought this was true, observed that the Pope has supreme authority within the Church and that the hierarchy of the Spanish Catholic Church "obeys totally the Roman doctrines". Although there are "good priests" in the Catholic Church, they are concerned with obtaining promotion.

Brewer has suggested, in the case of Northern Ireland, that the un-accountability of religious leaders to their flock allows religious leaders some room to take risks for peace. However the opposite dynamic may equally be present. It may be that a

Church that is authoritarian in its internal governance is less likely to tolerate the kind of critical internal reform movements which preceded the elevation of Archbishop Tarancon and the Church's embrace of democracy in the 1970s, and which had already led to the internal decomposition of National Catholicism.

Conclusion: Future prospects

The prospect that the Catholic Church in Spain will drop its current strategy of denial and confrontation, in favor of a more positive contribution to the social reconciliation now occurring in Spain, is remote. It may be that little can be expected of a Church which finds itself in this position and it may better to adopt alternative strategies, including legal trials and truth commissions, to bring the historical injustice to a close and hold the Church to account. The Spanish case also shows the continuing importance of theology, particularly theological change emanating from world Catholicism, as a potential source of transcendence which may provide the Church with a renewed sense of prophetic mission and the ability to over-come its narrow political interests. Whether this is possible in the current condition of world Catholicism must be very much doubted. The Catholic Church in Spain is likely to continue with a narrow sense of mission focused on ethics of life, personal morality and the defence of its privileges, and to minister to its remaining core of adherents in part through a pastoral strategy based on the Church’s own historic victim-hood.