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## Portugal

The Portuguese military coup of April 25, 1974 launched the beginning of the “third wave” of democratic transitions in Southern Europe. The coup was led by middle-rank military, in the midst of a three-front colonial war in Angola, Mozambique, and Guinea-Bissau. Consequently, this was a transition without negotiations or pacts between the dictatorial elite and opposition forces, meaning the floor was open for accountability and punishment. The coup’s nonhierarchical nature accentuated both the real and the symbolic break with the past. The military did not immediately abandon political power, but became institutionalized (through the Movimento das Forças Armadas, MFA), and transformed itself into the dominant force behind the provisional governments.

The nature of the Portuguese transition to democracy and the consequent state crises of 1975 created a window of opportunity in which the reaction to the past was much stronger in Portugal than in other South European countries. The transition’s powerful dynamic strongly shaped the consolidation of democracy.

### **The Repressive Past**

Portugal’s right-wing dictatorship lasted from 1926, when a military coup d’état overthrew the First Republic, until April 25, 1974. There were two different political regimes during this long period of authoritarianism. The Military Dictatorship of 1926–1933 gave way to the civilian authoritarian regime of Prime Minister António de Oliveira Salazar, a conservative Catholic politician and university professor who remained Portugal’s dictator until he was incapacitated in 1968. He was replaced by one of his disciples, the ultraconservative law professor Marcello Caetano. After a brief period of “liberalization,” in 1974, both Caetano and his regime were overthrown in the so-called Carnation Revolution by the military coup that set Portugal on the path to democracy.

Under the Salazar dictatorship, political repression was effected by the political police, the Vigilance and State Defense Police (Polícia de Vigilância e Defesa do Estado, PVDE), created in 1933 through the unification of police forces inherited from the Military Dictatorship. Despite two name changes, Salazar’s political police maintained

a constant presence and was not abolished until the restoration of democracy in 1974. While formally under the control of the Interior Ministry, its independence increased, dominating the investigation and presentation of cases to the courts for political crimes. The PVDE, which had its own prisons, became the backbone of the repressive system, arresting, torturing, and occasionally murdering opponents of the regime. The political police's operations in the colonies escalated between 1961 and 1974, with the outbreak of the anticolonial wars in Angola, Guinea-Bissau, and Mozambique.

Some characteristics of the political repression remained constant throughout the New State of 1933–1974. First, after the 1930s, political repression affected both pro-democratic dissidents and organized clandestine groups, especially the communists. Second, the legal and illegal political activism of the opposition was strongly correlated with the repression applied by the dictatorial regime. Third, the use of military courts characterized many civilian dictatorships, but in Salazar's New State it was another facet of the military presence within the authoritarian political system – a legacy of its origins in the Military Dictatorship of 1926–1933. Lastly, army officers controlled the press censor, the political police leadership, and the militia, the Portuguese Legion (*Legião Portuguesa*, LP), an anticommunist paramilitary body, which had its own information service.

The dictatorship also had legal instruments to remove all civil servants who opposed the government, and these purges were repeated, particularly in the wake of legal and clandestine demonstrations. After 1931, a declaration of repudiation of communism and of other “subversive” activities became mandatory for those taking a civil service position.

With the end of World War II, the New State underwent institutional changes, bringing limited pluralism. Opposition forces were allowed to operate legally during election campaigns, during which media censorship was less intrusive. The military courts were abolished and replaced by Plenary Courts (*Tribunais Plenários*, TP) – courts for political crimes, composed entirely of civilian judges. These courts remained in existence until 1974. In 1945, the regime established the exceptional application of habeas corpus, but the political police's authority strengthened as they were the only ones allowed to handle political prisoners and to invoke “security measures” in order to prolong imprisonment. The Commission on the Black Book of Fascism, created in 1977 to collect information on the use of repression by the regime, estimated that the real number of victims exceeded the 30,000 individuals officially acknowledged to have been imprisoned during the 1940s. After 1945, political repression was increasingly judicialized, opponents were rarely murdered (although the Portuguese political police killed opposition leader General Humberto Delgado in Spain in 1965), but the political police could still prolong prison terms limitlessly.

### **Transitional Justice**

The transition and subsequent democratic consolidation evolved in stages, each corresponding to a different phase of transitional justice initiatives and counter-initiatives.

The revolutionary period (1974–1975) comprised the downfall of the regime. During this complex transition phase, the Portuguese society was deeply divided. This period was characterized by a clear break with the past, facilitated by the political radicalization of the Portuguese society. Disagreements within the military concerning the nature of

decolonization, the implementation of agrarian reform, and the nationalization of large economic units fuelled the crises. Many measures adopted during this period were based on “revolutionary legitimacy” and thus stood outside the normal legal procedures. The judiciary, therefore, had a minor role. This was a period of legal and “wild” administrative purges, calls for punishment, long preventive detention of political police officers and some collaborators, and controversy over the political police archives and their alleged appropriation by left-wing parties immediately after the coup.

The first laws promulgated by the new authorities legitimized the dismissal of the president, the cabinet ministers, and the leaders of the National Party, which had dominated the Portuguese New State. In April 1974, the new military leaders sent President Américo Tomás and Prime Minister Marcelo Caetano into exile. Caetano, who refused to return to Portugal, died in Brazil in 1980. Other political leaders were dismissed.

In the first days of the transition, the military issued an amnesty for political crimes, thus liberating all political prisoners, even those accused of violent crimes like the execution of political police informers. At the same time, the military authorized the return of the political exiles.

The most widespread measures adopted in this period were the purges (or vetting) directed against collaborators with the political police, the state apparatus (bureaucrats, professors, the military, police forces, etc.), other regime organizations and institutions, and the private sector. Civil society involvement was intensive, particularly through the actions of trade unions, small political groups and parties of left-wing and extreme-left persuasion, and workers’ commissions (*comissões de trabalhadores*). The actions undertaken by grassroots political organizations, the growing challenge posed by the extreme left during the crisis, and the left’s influence within the military led to the “Hot Summer” of 1975, when Portugal was close to a civil war. Although seen as an attempt by the Portuguese Communist Party to impose a new dictatorship with Soviet support, this was a situation of imminent (and occasionally effective) conflict produced by the growing challenge posed by the extreme left, and the emergence of an antirevolutionary and anticommunist movement in the north of the country.

The political police was dismantled and many of its officers were arrested days after the coup. This was a popular demand voiced on the day of the coup, when people surrounded the political police headquarters. Some political police officers were kept in preventive detention for twenty months, and many were not released until February 1976.

The military created the Commission for the Abolishment of the Political Police/the Portuguese Legion and the Portuguese Youth (Comissão de Extinção da PIDE/DGS e LP) in June 1974. Its role was to prepare criminal proceedings for trial, even before the retroactive law had been issued, and to cooperate with other purge institutions. During this initial transition, the lack of both coordination and adequate legislation and the urgency of other political and economic matters led to the postponement of the trials. In the end, the top leaders were punished with light sentences.

In the so-called PIDE hunt, members of the political police who had not fled the country were arrested and then had to wait two years in protective custody for their trial. In the end, those who appeared before the military tribunals received only light sentences (normally the time they already served). Those who had good military active service reports from the colonial war period received especially benevolent treatment. Despite public demonstrations and criticism, the sentences served as notice that judicial

legality and the rule of law had been reestablished following the excesses of the turbulent 1974–1975 period.

### *Lustration/Purges*

The army was the first institution to be purged, and it was here that the break with the past was clearest. The New State's old elite was forced to retire. Immediately after the coup, the MFA handed to the National Salvation Junta (Junta da Salvação Nacional, JSN) chief representative the names of the sixty generals who had pledged allegiance to the authoritarian regime. The JSN placed them on the reserve. Special military commissions administrated the purges, and the first provisional governments approved their work. Incompetence became the official criterion for removal, as it became impossible to sustain political criteria such as "collaboration with the old regime," given that the entire army had collaborated with the New State during the colonial war.

Two months after the coup, the Inter-Ministerial Purge and Reclassification Commission (Comissão Inter-Ministerial de Saneamento e Reclassificação) was created. Responsible directly to the Council of Ministers, the commission coordinated the purge commissions in the ministries. Purges lacked direction and had no consistency. The concept of collaborator was enlarged as the transition became dominated by left-wing revolutionary strategies. Where strong trade union and worker commission pressure was exerted, as in the Ministries of Labor and Education, forced removals were more frequent. According to the inter-ministerial commission, the decisions of the ministerial commissions were very uneven, depending on the party to which the minister belonged and the degree of trade union and social movement pressure. The purges were carried out by the MFA, the Portuguese Communist Party (PCP), and other small but influential extreme-left parties.

The first legislation (Decree-law 277/74, 25 June) stated that civil servants could be purged for three reasons: undemocratic behavior in the course of duty after the coup; inability to adapt to the new democratic regime; and incompetence. Punishment ranged from transfer to another post to dismissal. The government decided that maximum penalties should be applied first to the dictatorships' governmental elite members; political police collaborators; leading members of either the MP, the Portuguese Legion, or the National Party; and the heads of the dictatorship's censorship board. A second law (Decree-law 123/75, 11 March) adopted in 1975 determined that purges could be administered based on individual political behavior under the authoritarian regime. Most affected were the Ministries of Labor and Education. Legal purge proceedings against professors, teachers, and educators were based on two criteria: holding high-level posts under the dictatorship and collaborating with the political police by denouncing students and opposition professors. As in the Ministry of Labor, secret collaborators were the most sought after, and purges affected low-ranking ministry officials who gave information to the PIDE-DGS. Least affected was the Ministry of Justice because its ministers promoted very few purges.

In the first two years of transition, the economic elite was also hard-hit by nationalization, state intervention, and the flight of industrialists and entrepreneurs from the country. The "wild" purges were concentrated in the large enterprises in the industrial area around Lisbon and in the banking and insurance sectors. The frequent calls of the workers' commissions for purges fueled emigration. Purges were carried out in

businesses independently of the unions, whose control was shared by the Communist Party and the extreme-left parties. The workers' commissions implemented most "wild" purges, which the Communist Party often did not control. The wave of nationalization purges and forced retirements of the pre-constitutional period profoundly affected the entrepreneurial sector.

### *Democratic Consolidation and the "Politics of the Past"*

The second phase of democratization lasted from December 1975 to the democratic consolidation of 1982. The Hot Summer ended on November 25, 1975, when the country held its first free elections in more than five decades. In these elections, the Communist Party was defeated by the moderate forces inside and outside of the MFA supported by the Socialist Party and the Social Democratic Party, which unexpectedly occupied a center-right position on the political spectrum. Those elections marked the beginning of democratic institutionalization, although that process remained under the tutelage of the Council of Revolution until 1982.

With democratic consolidation, the right-wing parties sought to criminalize the radical elites of 1975, while the moderate left denounced both authoritarianism and the excesses of 1975. The end of the transition marked the end of retroactive justice and the reintegration of many of the condemned. After democratic legitimacy was established, the political police officers were tried in military courts, after having spent several months in preventive detention. Although the military were still important players in the democratic game, the measures adopted during this period became more consistent with the rule of law.

Despite the outburst of violence by some radical groups, political reconciliation dominated the late 1970s, shaping the government's response to the legacy of the dictatorship. The official discourse of the first two constitutional governments led by the Socialist Prime Minister Mário Soares and by the first democratically elected President Ramalho Eanes (in 1978, Soares was succeeded by Nobre da Costa as prime minister) favored reconciliation and pacification. Between 1976 and the early 1980s, steps were taken to reintegrate the victims of the wild purges. Under pressure from right-wing and center-right parties, purges ceased and were reevaluated as excesses of the early transition period. New legislation was passed and measures were adopted to reverse the severe effects of the wild purges carried out in the economy. The purge commissions in the ministries ceased to operate in 1976, and the Council of the Revolution, which took up their role, reinforced legal mechanisms to support rehabilitation.

The Commission for the Assessment of Purge Appeals and Re-classifications (Comissão de Análise de Recursos de Saneamentos e de Reclassificação), created in February 1976, was composed of legally qualified military officials and civilians with no links to the previous regime. According to a report into its activities, the commission believed that "it is necessary to repair the damage that was done during the 1974–75 period, when many of the purges were 'merely arbitrary'" (CARSP, Relatório de Atividades 1976–1977–1978, 1). Most of those purged had their punishment altered to compulsory retirement. The remainder received a payment in lieu of lost earnings and restoration of their seniority for the purpose of calculating retirement pension entitlements. In cases where trade union or student resistance to the reintegration was particularly vociferous, those who were to be reintegrated were simply transferred to

other institutions, or remained at home until emotions calmed down before returning to their posts.

The abolition of punitive legislation affecting the dictatorial elite and the process of democratic consolidation encouraged some leading figures of the old regime to return to Portugal from their imposed exile. The last president of the New State, Américo Tomás, who maintained “political silence” until his death, returned in 1980, as did some former ministers.

Encouraged by the favorable context, purge victims organized into the Movement for the Reintegration of the Wrongly Dismissed (*Movimento Pró-reintegração dos Despedidos Sem Justa Causa*). With the abolition of the Council of the Revolution, many outstanding appeals were transferred to administrative courts, while the Commission for the Abolishment of the Political Police became little more than a document archive accountable to parliament.

As the punitive measures ceased, some symbolic ones were initiated. A state body that came closer to the classical truth commission was the Commission for the Black Book on Fascism, created in April 1977. This government agency, established to denounce the abuses of the authoritarian regime, was responsible to the presidency of the Council of Ministers and was composed of socialist and left-republican intellectuals and politicians. Using the dictatorship’s archives as a source of information, the Commission published twenty-two volumes of primary documentation denouncing the regime’s repression, treatment of political prisoners, censorship, and the collaboration between economic groups and the political police.

Another legacy of the dictatorship dealt with in this period was the vast documentation of the political and repressive institutions. Salazar’s archives were kept at the Presidency of the Council of Ministers when the dictator died in 1970. This archive, which had been meticulously maintained by Salazar, gives a unique account of forty years of Portuguese political history. Given the nature of the collapse of the dictatorial regime, the military also took possession of these archives, together with the political police archives. During the transition, accusations regarding the disappearance of documents pitted the center-right and the socialists against the communists and the military. Parliamentary debates concerning the future of the archive were often heated and passionate, with some parties calling for the destruction of the documents. Important public debates about the archives began in the 1990s, when they were opened to the public. Their incorporation into the national archives and consequent limited release to the public was a controversial victory for historians and left-wing parties against some proposal to destroy them. Files may be freely consulted only if the person they refer to has been dead for at least fifty years. Otherwise, access is granted only with the permission of that person or his/her descendants. Most documents, expunged of names, are open for consultation.

The symbols of the dictatorial regime did not require great attention. Given that Salazar did not establish a dictatorship set upon his charismatic image, the problem of what to do with the symbols of the regime and the image of the dictator was not pressing in Portugal. The only public statue of Salazar, built in his hometown after his death in 1970, was bombed twice, being partially destroyed in the first attack and irreversibly damaged in the second (in 1978). A few streets and other public places were renamed after famous opposition figures – republicans, communists, and socialists alike – while Salazar’s name was removed from all public monuments, squares, and the bridge over the Tagus River, renamed the 25 April Bridge (*Ponte 25 de Abril*).

After 1982, no measures, episodes, or claims indicated a feeling of injustice or impunity toward the wrongdoers and collaborators of the Portuguese dictatorial regime or any widespread movement in terms of symbolic and memorial acts. By 1985, on the eve of Portugal's accession to the European Economic Community, the legacy of the regime and the transition was no longer felt. No right-wing party represented the old elite or acted as a carrier of authoritarian values inherited from Salazarism. The new democratic institutions drew on the legacy of political opposition to the dictatorship.

Parliament debated the rehabilitation of victims. The Movimento Não Apaguem a Memória (NAM), a nongovernmental organization, was created to preserve the memory of the resistance of the victims of the dictatorship. A great effort was made to exclude from political parties people associated with the New State and to find leaders with democratic credentials. Occasional claims for acknowledgment and preservation of memory of the New State's victims meet only with indifference and lack of support.

The only important measure related to the legacy of the dictatorship is the constitutional clause prohibiting parties with a "fascist ideology" (Article 46). This provision was retained after subsequent constitutional revisions, and in the 1990s – despite criticism regarding its usefulness – it was used against a group of the extreme right.

## Conclusion

Almost immediately after 1974, Portugal eliminated the institutional legacies of the authoritarian regime and replaced important elites. The regime's most important political institutions were dissolved, and the "authoritarian enclaves" that had survived the transition of the 1970s and the 1980s were eliminated. The dissolution of the more repressive institutions (the PIDE and the Portuguese Legion) was accompanied by purges and the partial criminalization of their members. This was possible as a result of the interweaving of the MFA into the state structures and its emergence as an authority regulating conflicts. Ultimately, the transition has become a much more divisive issue in contemporary Portuguese society than the history of the dictatorship itself.

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Cross-references: Court Trials for Redress; File Access; Lustration; Political Police; Purges; Repression.

## Further Readings

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