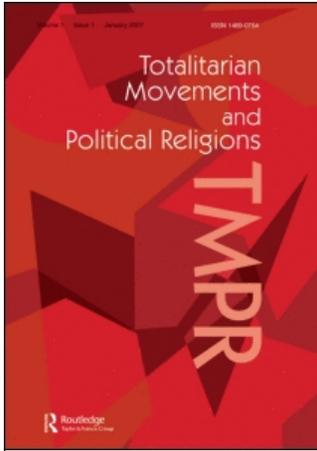


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## The Legacy of the Authoritarian Past in Portugal's Democratisation, 1974–6

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**ABSTRACT** *The Portuguese military coup of 25 April 1974 was the beginning of the 'third wave' of democratic transitions in Southern Europe. Unshackled by international pro-democratising forces and occurring in the midst of the Cold War, the coup led to a severe crisis of the state that was aggravated by the simultaneous processes of transition to democracy and de-colonisation of what was the last European colonial empire. This article analyses how Portugal's political elite and society struggled with two aspects of the authoritarian legacy during the transition: the elite and the institutions associated with the Dictatorship. The nature of the Portuguese transition and the consequent state crises created a 'window of opportunity' in which the 'reaction to the past' was much stronger in Portugal than in the other Southern European transitions. In fact, the transition's powerful dynamic in itself served to constitute a legacy for the consolidation of democracy.*

Democratic transitions challenge both the social elite and society as a whole to face up to the legacy of dictatorial regimes; however, the literature on regime change has paid little attention to the question of how the type of transition may determine the extent of the elimination or retention of authoritarian legacies. In a pioneering effort to understand the links between authoritarian legacies and the 'quality' of consolidated democracy, Katherine Hite and Leonardo Morlino argue that the three key variables are: the durability of the previous authoritarian regime; the institutional innovation of that regime; and the mode of transition. In other words,

the more durable and institutionally innovative the authoritarian regime, the greater the potential influence of authoritarian legacies. The more privileged the authoritarian incumbents in the mode of transition from authoritarian rule, the greater the potential influence of authoritarian legacies.<sup>1</sup>

Changes of regime oblige new authorities to come to terms with the legacy of the past, and democratic transitions have been fertile ground for attitudes that are more or less radical in relation to the elimination of authoritarian legacies, and, in

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particular, the political punishment of the elites and dissolution of the institutions with which they are associated.<sup>2</sup> Samuel Huntington argues that the emergence, or non-emergence, of 'transitional justice' is less a moral question, and more one relating to the 'distribution of power during and after the transition'.<sup>3</sup> In simple terms, 'only in those states where political authority radically collapsed and was replaced by an opposition did the possibility of prosecution present itself'.<sup>4</sup> In transitions by reform, in which the authoritarian elite is a powerful partner in the transitional process, the scope for the introduction of retributive measures is limited. Huntington was writing in 1990, when the transitions in central and eastern Europe were only just beginning and in many cases the calls for punishment and reparations continued, even in the negotiated transitions that had already resulted in consolidated democracies, in apparent counter-examples to his assumptions.<sup>5</sup>

However, when we take an overall view of the democratic transitions of the end of the twentieth century, if we differentiate between transitional and retroactive justice *tout court*, we see that Huntington was correct, since we are dealing with the former, and not the latter. That is to say: when 'proceedings begin shortly after the transition and come to end within, say, five years', we are referring to what Elster calls 'immediate transitional justice'.<sup>6</sup> We are dealing with a dimension of regime change: the processes of retribution as a dynamic element of democratic transition. Accountability is central to the very definition of democracy and new processes can be unleashed in any post-authoritarian democracy, even although the time dimension tends to attenuate the retributive pressures, particularly when there has already been a degree of retribution during the initial phase of democratisation. On the other hand, the factors that can unleash retroactive justice processes after the transitions may already have another much larger set of factors being, for example, one more weapon of party conflict, as was the case in some central European countries in which there are examples of the successful democratic and electoral re-conversion of former communist parties.<sup>7</sup>

During their initial phase, almost all democratisation processes create 'retributive emotions' that are independent of the type of transition.<sup>8</sup> In the case of right-wing authoritarian regimes, the criminalisation of a section of the elite, and the dissolution of the repressive institutions, constitutes part of the political programme of the clandestine opposition parties. Even in the Spanish case, which is a paradigmatic example of a 'consensual decision to ignore the past', these demands were present. In 'post-totalitarian' regimes (to use Linz's term<sup>9</sup>), the pressures for criminalisation were present from the very earliest moments of the transitions.<sup>10</sup> On the other hand, even when dealing with the majority of cases of elite-driven processes, where public opinion data exists, it tends to show that the elites were 'meeting a societal demand'.<sup>11</sup> Its successful implementation depends on the type of transition.

The type of dictatorial regime is vitally important for determining the extent of success of regime change, and for the legacies for a successful democratic consolidation.<sup>12</sup> However, even over the long term there is a positive correlation between the degree of repressive violence and the persistence of 'retributive emotions'; the conduct of the old regime does not explain the extent and degree of these emotions after its fall. Some authors suggest that those dictatorial regimes with the most 'limited pluralism', and which have a more discrete record of repression during their final years (for example, Portugal, Hungary, Poland), would face little pressure for retribution. However, the examples of Southern Europe, Latin

America and Central Europe do not confirm this hypothesis, because such pressures were present even in these cases.<sup>13</sup> We also argue that the nature of the transition is superimposed on the nature of the authoritarian regime, and the extent of its record of 'administrative massacres' in the appearance of a transitional justice.<sup>14</sup>

In this respect, the Portuguese transition is a particularly interesting case because of the authoritarian regime's longevity and the *ruptura* [rupture] nature of its regime change, with the collapse of the New State on 25 April 1974. Moreover, because Portugal was the first of the so-called 'third-wave' of democratic transitions, there were few models available to inspire it, and none to directly influence it. Portugal was, as Nancy Bermeo has claimed, an example of 'democracy after war',<sup>15</sup> in which the military played a determining role in the downfall of the dictatorship, opening a swift and important state crisis during the initial phase of the transition.

The comparative literature on transitions has always incorporated the Portuguese case. However, some of its characteristics, particularly the role of the military, the crisis of the state and the dynamics of the social movements, constitute elements that are difficult to integrate into the comparative analysis of democratisation.<sup>16</sup> As Linz and Stepan have noted: 'we all too often tend to see [Portugal] in the framework set by later transitions processes',<sup>17</sup> forgetting the greater degree of uncertainty and the 'extreme conflict path'<sup>18</sup> of a regime change that, according to some authors, 'was not a conscious transition to democracy'.<sup>19</sup> In fact, one of the limitations of some analyses of Portugal's transition is their assumption of finality, based on the subsequent consolidation. This assumption underestimates both the state crises and the 'revolutionary critical juncture' of the transition. The author of one of the best studies of political mobilisation and collective action in Portugal during the 1970s notes the methodological difficulties involved in 'assimilating *a priori* the State crisis with the transition to democracy', but it is precisely this that represents the challenge for any analysis of Portuguese democratisation.<sup>20</sup>

The nature of the Portuguese dictatorship tells us little about the nature of the country's transition to democracy. Salazarism was close to Linz's ideal-type of authoritarian regime:<sup>21</sup> it was a regime that survived the 'fascist era', and was not too dissimilar in nature from the final phase of neighbouring Spain's Franco regime, despite its single party being weaker, and its 'limited pluralism' greater.<sup>22</sup> In 1968, Salazar was replaced by Marcelo Caetano, who initiated a limited and timid regime 'liberalisation' that was swiftly halted by the worsening colonial war in Angola. The inability of Salazar's successor to resolve some of the dilemmas caused by the war provoked the outbreak of a *coup d'état* in April 1974. This was a 'non-hierarchical' military coup, which had a political programme that promoted democratisation and decolonisation.

Unlike Spain's *ruptura pactada* [negotiated rupture], Portugal underwent a transition without negotiations or pacts between the dictatorial elite and opposition forces. However, there is no direct causal link between this marked discontinuity and the subsequent process of radicalisation: other transitions by rupture did not cause comparable crises of the state.<sup>23</sup> As we will show below, the simultaneous character of the democratisation and decolonisation processes was one factor in the crisis, while the latter was the main reason for the conflict that broke out in the immediate wake of the regime's collapse between some conservative generals and the Movimento das Forças Armadas (MFA, Armed Forces' Movement),

which had planned and executed the coup. This conflict was at the root of the military's generalised intervention in political life following the dictatorship's overthrow. The rapid emergence of transgressive collective action can be explained by this crisis, although it was not these that provoked the State crisis.

The institutionalisation of the MFA transformed it into the dominant force behind the provisional governments. The 'interweaving of the MFA in the State's structures' and its emergence as an authority for regulating conflicts, which substituted, dispersed and paralysed the classic mechanisms of legitimate State repression, prevented 'the re-composition of the State apparatus'.<sup>24</sup> This was the main factor explaining why, in the Portuguese case, the movement for the dissolution of institutions and purges exceeded those of classic purges in transitions by rupture and, in many cases, came to be a component of the transgressing social movements.<sup>25</sup>

Below we will argue that the nature of the Portuguese transition, and the consequent state crises, created a 'window of opportunity' in which the 'reaction to the past' was much stronger in Portugal than in the other Southern European transitions.<sup>26</sup> The transition's powerful dynamic (state crises and social movements) served to constitute a legacy for the consolidation of democracy, in itself.<sup>27</sup> In other words, we will observe how the nature of Portugal's transition affected the legacy of authoritarianism, superseding and transmuting its impact on Portugal's democracy.

### The Nature Of Portugal's Transition To Democracy

The Portuguese military coup of 25 April 1974 was the beginning of democratic transition in southern Europe.<sup>28</sup> Unshackled by international pro-democratising forces and occurring in the midst of the Cold War, the coup led to a severe crisis of the state that was aggravated by the simultaneous processes of transition to democracy and decolonisation of what was the last European colonial empire.

The singularity of the collapse of the dictatorship resides in the nature of military intervention by the captains, a rare if not unique case in the twentieth century.<sup>29</sup> The war on three fronts that was being waged by the regime in Angola, Mozambique and Guinea-Bissau from 1961 onwards made them protagonists in the country's political transformation.<sup>30</sup>

The prior existence of a semi-legal and clandestine opposition to Salazarism, although disconnected from the military officers that led the coup, was of crucial importance. It constituted a political option legitimated by the struggle against dictatorship. The replacement of Salazar by Marcello Caetano in 1968 for health reasons gave rise to a two-year liberalisation process, and although it was cut short, it allowed for the consolidation of a 'liberal wing' of dissidents opposed to the dictatorship. The creation of the Sociedade para o Desenvolvimento Económico e Social (SEDES – Society for Economic and Social Development) in 1970 further consolidated this dissident 'liberal wing'.<sup>31</sup> Thus, despite the surprising action of the military, there were alternative elites who had close connections with various sectors of civil society, and who were ready to play a leading political role in the democratisation process.

The 'revolutionary period' between 1974 and 1975 was the most complex phase of the transition if one considers the transition as the, 'fluid and uncertain period in which democratic structures are emerging', but in which it is still unclear what kind of regime is to be established.<sup>32</sup> During these two years powerful tensions

emerged within Portuguese society, which began to subside in 1976, when a new constitution was approved and the first legislative and presidential elections were held. The mobilisation of diverse anti-dictatorial forces was crucial in the first days after the coup of 1974. It was especially important in the immediate dissolution of the most notorious institutions of the New State, as well as in the occupation of various unions, corporatist organisations and municipalities. Some of the military elite, the leaders of some interest groups and a part of the first provisional government sought the rapid establishment of a presidential democratic regime immediately following the convocation of elections.

The disagreements concerning the nature of decolonisation, which was the initial driving force behind the conflict between the captains who had led the coup and General Spínola and other conservative generals, led to the emergence of the MFA as a political force. This subsequently opened a space for social and political mobilisation that exacerbated the crisis of the state, and which can perhaps explain why the moderate elites were incapable of directing, 'from above', the rapid insitutionalisation of democracy. Many analyses of the transition rightly emphasise the powerful 'revitalisation of civil society' as a factor leading to the process of radicalisation. As Philippe Schmitter notes: 'Portugal experienced one of the most intense and widespread mobilisation experiences of any of the neo-democracies'.<sup>33</sup> It is important to note, however, that this mobilisation developed in parallel with and in the presence of this protective cover: indeed, it is difficult to imagine this mobilisation developing otherwise.

Initiatives of a symbolic rupture with the past began to evolve soon after April 1974, culminating in the rapid and multi-directional *saneamentos* [purges]. Following a quick decision to remove the more visible members of the dictatorial political elite and some conservative military officers, the purge movement began to affect the civil service and the private sector. It became increasingly radical, affecting the lower ranks of the regime bureaucracy, albeit unevenly. There were immediate calls for the agents of the political police and of other repressive bodies to be brought to justice.<sup>34</sup> Already in May 1974, the purge was the third demand of a group of 149 labour disputes, and it remained on the top of the list of demands made by workers and strikers throughout the following year.<sup>35</sup>

It was at this time that the parties that were to represent the Right and centre-Right, the Centro Democrático Social (CDS – Social Democratic Centre) and the Partido Popular Democrático (PPD – Popular Democratic Party), were formed.<sup>36</sup> The formation and legalisation of political parties to represent the electorate of the centre-Right and Right, the PPD and the CDS, pointed in this direction. A great effort was made to exclude from these parties any persons associated with the New State and find leaders with democratic credentials. Indeed, the CDS, which integrated sectors of Portuguese society that espoused conservative authoritarian values, was on the verge of being declared illegal up until the first elections for the Constituent Assembly on 25 April 1975.

The overthrow of General Spínola along with the MFA's shift to the Left and the implementation of agrarian reforms and nationalisation of large economic groups were symbols and motors of an ever worsening state crisis that was sustaining powerful social movements. The MFA's decision to respect the electoral calendar was a significant factor in the founding legitimisation of the democratic regime, and the realisation of these elections as scheduled greatly enhanced the position of the moderate political parties.

It is too simplistic to consider the 'hot summer' of 1975 simply as an attempt by the Partido Comunista Português (PCP – Portuguese Communist Party) to impose a new dictatorship with the support of the Soviet Union. Naturally, the democratic political elite made much of this argument in its founding discourse, but this does not provide a full explanation of events. The situation was more complex: conflict was fed by the development of strong grass roots political organisations such as the workers' commissions, the growing challenge posed by the extreme Left during the crisis, and its influence within the military. At the same time extreme left-wing journalists 'occupied' the Catholic radio station, Rádio Renascença and the newspaper *República* [Republic], which up until then had been the mouthpiece of the moderate Left, and houses, shops and factories were occupied throughout Lisbon.<sup>37</sup> The importance of internal divisions within the armed forces in driving these events forward means that they cannot be explained as part of a 'programmed conspiracy'.

Portuguese society began to polarise, with the emergence of an anti-revolutionary (and anti-communist) movement in the north of the country.<sup>38</sup> It was in this context of increasing mobilisation, on 25 November 1975, that moderate MFA officers organised a successful counter coup that toppled the radicals. The Partido Socialista (PS – Socialist Party) and the Partido Social Democrática (PSD – Social Democratic Party) backed the moderates, leading mobilisations in Lisbon and Oporto. In the provinces to the north of the River Tagus, the hierarchy of the Catholic Church and local notables supported parish-level mobilisations, with the local military authorities remaining neutral and/or with them being complicit in the activities. As elements of the extreme Right and Right, military officers and civilians alike began to mobilise, the anti-Left offensive became violent. Attacks were made on the offices of the PCP, the extreme Left and associated unions, and there emerged right-wing terrorist organisations, the Movimento Democrático para a Liberação de Portugal (MDLP – Democratic Movement for the Liberation of Portugal), and the Exército para a Liberação de Portugal (ELP – Portuguese Liberation Army).<sup>39</sup>

During 1974–5, Portugal experienced significant foreign intervention that influenced the formation of political parties, unions and interest organisations, as well as shaping the anti-Left strategy that evolved over the 'hot summer' of 1975. The Portuguese case was a divisive issue in international organisations, within the North Atlantic Treaty Organisation (NATO) and the European Economic Community (EEC), affecting relations between these two organisations and the Socialist Bloc countries led by the Soviet Union. All the evidence makes it clear that in 1974–5 Portugal was an issue of 'international relevance'.

Caught by surprise by the coup, the international community – and the United States in particular – concentrated on supporting democratic political forces of the centre-Left and centre-Right in the capital, as well as on intervening in the rapid process of de-colonisation, particularly in Angola.<sup>40</sup> The same post-war methods deployed to deal with Italy were used in the Portuguese case. The moderate political parties were financed by the U.S. administration, which together with the international organisations of the European 'political families' – these often mediating the U.S. role – also supported the training of party cadres.<sup>41</sup> However, the impact of foreign aid was limited: it was drowned out by the powerful political and social mobilisation led by the Left, an economy strongly marked by a large nationalised sector, as well as capital flight and the actual flight of members of the economic elite from the country. Although

domestic political factors played a critical role in enabling both the triumph of moderate civilian forces and the final withdrawal of the military from the political arena, international support was more important than the early literature on the transition suggests.

The nature of the transition, and especially the state crisis that this unleashed, is essential for explaining some of its more radical characteristics, as well as some of the attitudes with respect to the country's authoritarian past during this period. Both flowed together into a double legacy for the consolidation of democracy.

### **Settling Accounts with the Dictatorship: Portuguese 'Transitional Justice'**

Only a few months after the coup, Portuguese transitional justice displayed all the contradictory faces of an attempt to punish both the authoritarian elites and the agents of, and collaborators in, the dictatorship's repression. The second wave of score settling reached the economic and entrepreneurial elites. Most of the actual and symbolic punitive measures against the most visible and better known collaborators took place between 1974 and 1975, before the establishment of the new legitimated democratic institutions. This was a period marked by the crisis of the state, powerful social movements and military intervention that shaped social attitudes concerning the punishment of those associated with the old regime, and in which the judiciary played almost no role.

The non-hierarchical nature of the coup, with the almost immediate intervention of the democratic elite and popular mobilisation, accentuated both the real and the symbolic break with the past. The brief resistance offered by those forces most associated with the dictatorship's repression, such as the political police and the anti-communist militia (the *Legião Portuguesa* [LP – Portuguese Legion]), and the imprisonment of many of the former organisation's members were significant elements driving the political movement for their criminalisation.

The first measures implemented by General Spínola's *Junta da Salvação Nacional* (JSN – National Salvation Junta), which was in full accordance with the MFA Programme, provided for a minimal and swift purge of the armed forces. Members of the former regime who wished to join Marcello Caetano were immediately deported to Madeira, from where they mostly continued on to exile in Brazil. In this way, the new government avoided having to respond to popular demands that the former leaders face criminal trials in Portugal. Both the political police and the anti-communist LP, which had attempted to resist the April coup, were immediately disarmed, with some of their leaders being placed in custody. The single party and the official youth organisation were, along with many of the regime's institutions, closed down. The MFA proposed that 60 generals, most of whom had publicly declared their support for Marcello Caetano on the eve of his overthrow, should be placed on the reserve.

The main demand, which was nearly unanimous, was to ensure criminal trials of certain members of the political police. These demands were made as a consequence of the military coup's own dynamics and the surrounding of the political police's headquarters in Lisbon, which resulted in the surrender and arrest of many of the agents who had sought refuge in the building. Some attempts were made to ensure the survival of the political police in the colonies, given the collaboration between them and the armed forces. Nevertheless, the organisation was eventually abolished. Many former agents remained prisoners, whilst others fled the country within days of the coup.

It did not take long for the new authorities to create the Comissão de Extinção da PIDE-DGS, MP e LP (CEPML – Commission for the Abolition of the Political Police, Portuguese Legion and Portuguese Youth), which was led by military officers. This body began arresting people who had acted as informants for the previous regime's political police. The life of this commission was agitated: there were frequent denunciations of political manipulation by extreme left-wing groups and the PCP. The role of the commission was to prepare criminal proceedings of the trial of former police agents and to cooperate with other purge institutions, given its monopolistic access to the about 3 million files kept on individual citizens. In July 1975, Constitutional Law 8/75 provided for the trial by military tribunal of members of the political police, as well as those government officials directly responsible for repression on the basis of a 'revolutionary legitimacy' referred to in the preamble. The law also provided sentences of 2–12 years, and no statute of limitations was established for criminal proceedings.<sup>42</sup> At local level, the Movimento Democrático Português (MDP – Portuguese Democratic Movement), a front organisation with links to the PCP, took over local posts at the city council level and removed former regime leaders from their posts. Several of the authoritarian regime's union organisations were taken over by the workers, who removed the former leaders from their positions.

The first public statements by left-wing political parties were generally quite cautious regarding the issue of purges, with the PS and the PCP both issuing moderate statements. The first purges were spontaneous, with strikers calling for the removal of regime supporters within the business community. Some professors and bureaucrats in the universities of Lisbon and Coimbra, who had collaborated with the former regime, were almost immediately denied access to their faculties by student associations.

In response to these movements, the provisional government promulgated the first regulations on public administration purges. Two months after the fall of the old regime, the Inter-ministerial Comissão Inter-Ministerial de Saneamento e Reclassificação (CIMSAR – Purge and Reclassification Commission) was created. It answered directly to the Council of Ministers and was charged with coordinating existing purge commissions or with creating new ones to cover all the ministries. Decree Law 277, dated 25 June 1974, charged it with the scrutiny of behaviour that 'contradicted the post-25 April 1974 established order'.<sup>43</sup> These commissions remained active until 1976, and the legislation governing them was revised several times in order to keep up with the radicalisation of the political situation. Decree Law 123 of 11 March 1975 already referred to the former regime as 'fascist', and threatened to purge the civil service for acts committed during the dictatorship.<sup>44</sup> That same month, when General Spínola fled the country, a widespread anti-capitalist sentiment emerged, resulting in a renewed wave of purges. In February 1975, official reports on the purge process stated that approximately 12,000 people had, legally or illegally, been either removed from their posts or suspended.<sup>45</sup> It is estimated that, between March and November 1975, the number of removals and suspensions must have increased significantly (see Table 1).

Various organisations were involved in the purge process. Aside from the measures adopted by the JSN and the MFA immediately after the coup, the PCP and the small but influential parties of the extreme Left were the main actors involved. Purge movements in the private sector, and even in the state bureaucracy, often escaped party political control. The establishment of *comissões de*

**Table 1.** Elites and forms of punishment

Elite	Punishment	Formal agent
Political, military, administrative	Administrative purges	Governmental and official commissions
Police (repressive) (PIDE-DGS)	Trial and administrative purges	Military tribunal and official commissions
Economic and entrepreneurial	Purges, workplace occupations, state intervention, nationalisation	Workers' commissions and government commissions

*saneamento* [purge commissions] within the public administration was approved by the first provisional governments, which included representatives of the PCP, PS and PSD. These commissions sought to establish a legal framework for many of the dismissals that were taking place as a result of the purges.

The *comissões de trabalhadores* [workers' commissions] often called for purges. These were established independently of the unions within businesses, and the PCP shared their control with the parties of the extreme Left. The commissions implemented the great majority of 'wild' purges, which the PCP often did not control.

Generally speaking, the purge process was not governed by a clear strategy and revealed no coherent pattern, varying greatly from sector to sector. The concept of 'collaborator' also shifted during the pre-constitutional period. In 1974, the first purges were limited by a strict definition of collaborator. By 1975 various types of authoritarian attitudes among the industrial and entrepreneurial elite were considered to be associated with the former regime.

### The Armed Forces

For obvious reasons, the first institution to undergo a purge process was the military. Immediately after the coup, the MFA handed General Spínola the names of the 60 generals who had pledged their allegiance to the authoritarian regime, and who were subsequently placed on the reserve by the JSN. The purge of the armed forces was part of the MFA's political programme and, against the wishes of General Spínola, the process widened to affect a greater number of officers. The first list comprised persons who were deemed to have given political support to Marcello Caetano in a political ceremony in March 1974, and who had stood against the then clandestine MFA and generals Spínola and Costa Gomes.

In the months that followed the 1974 coup, special military commissions administered the purges demanded by the MFA. By October 1974, 103 naval officers had been removed from active service and placed in the reserves.<sup>46</sup> By the end of the year, 300 officers of all ranks, and from all three services, had been removed from active duty. Incompetence became the official criteria for removal, as it became impossible to sustain political criteria such as 'collaboration with the old regime', given that the whole defence establishment had collaborated with the New State during the colonial war.<sup>47</sup>

When General Spínola went into exile following the attempted coup of March 1975, the purge movement was reinforced, and the majority of the officers working with him were removed from their posts. The purges also affected the Guarda Nacional Republicana (GNR – National Republican Guard), Portugal's militarised police force. The Council of the Revolution, the MFA's supreme body,

issued Decree Law 147C of 21 March 1975, which stated that any officers who did not 'obey the principles espoused by the MFA' would be placed in the reserve.<sup>48</sup>

With the consolidation of democracy, and as a result of the profusion of military movements during the transitional period, more officers were removed from the active list or subjected to processes that removed them from the armed forces and forced them into exile. Following the victory of the moderates within the MFA, those officers who had been associated with revolutionary left-wing movements, or with the Communist Party, were dismissed. Sympathisers of these parties within the armed forces were removed from their posts, while others went into exile in Angola and Mozambique, which were by that time governed by socialist regimes. After the dissolution of the Council of the Revolution, some MFA leaders were also forced to leave the armed forces, although many were reintegrated – only to be immediately relegated to the reserves as a consequence of the extremely drawn-out judicial processes that continued into the 1990s.

The military was the institution where the break with the past was clearest.<sup>49</sup> A new generation quickly rose to the top ranks of the armed forces as the old elite associated with the New State had been forced to retire. The institutionalisation of democracy in Portugal therefore entailed an important change in the lives of military officers, and it was here that the impact of the transition was most sharply felt.

### **Purging the Civil Service**

The first legislation stated that civil servants could be purged for three reasons: non-democratic behaviour in the course of duty after the coup; inability to adapt to the new democratic regime; and incompetence. The minimum punishment was transferral to another post, whilst the maximum was dismissal.<sup>50</sup> Maximum penalties were applied according to priorities that were later defined by the government: members of the dictatorship's governmental elite; political police collaborators; leading members of either the MP, the LP or the single party; and heads of the dictatorship's censorship board.<sup>51</sup> The purge process was directed by the various commissions and presented to the CIMSR, which ratified the penalty to be applied, in each case implemented by the head of the relevant ministry. As a result of the protests from the trade unions and commission members about the indecision, the slow pace and bureaucratic nature of the purges, new legislation was introduced in March 1975. The new law provided for purges that were based on individual political behaviour prior to the fall of the authoritarian regime.

It is difficult to determine how the purges affected the state bureaucracy on a quantitative level. The process evolved differently from ministry to ministry, and depended on the amount of pressure exerted by the trade unions and the limits imposed by the legislation. By the end of 1974, eight months after the coup, about 4300 public servants had been subjected to a purge process.<sup>52</sup> According to the global analysis made by the commission coordinating the process, the action of the various ministerial commissions was very uneven, and depended upon the party to which the minister belonged and the degree of public opinion and trade union pressure.

One of the least affected was the Ministry of Justice, particularly magistrates and the political courts of the dictatorship (the 'plenary courts'). A large part of the moderate Left elite associated with the PS was made up of lawyers who had participated in the New State's political trials, either as the accused or as lawyers defending communist activists. At the same time, the Salazarist elite included a

large number of law professors, and the regime had always obsessively attempted to legitimate its acts in juridical terms.<sup>53</sup> Both these elements would lead one to believe that pressure to prosecute the legal elite could be high, but this was not the case. Institutional factors, and the moderation of socialist leaders, were important factors counteracting the desire to purge the legal profession and the Ministry of Justice.

Additional obstacles, such as the autonomy of the judiciary and the fact that the first ministers did not promote purges, limited the removal of magistrates. In response to public criticism, the secretary of the Ministry of Justice's purge commission recognised that it was neither 'necessary nor viable at this point to undertake more thorough purges'.<sup>54</sup>

Out of a body of 500 magistrates, 42 judges were submitted to a purge process in 1974–5, most of them for participating in political courts or for holding government posts or for being members of the regime's censorship bodies.<sup>55</sup> Two years later, some of the better known judges who had been dismissed or forced to retire were reinstated by the Comissão de Análise de Recursos de Saneamentos e de Reclassificação (CARSR – Commission for the Assessment of Purge Appeals and Reclassifications). Despite protests from the moderate parliamentary Left, two judges who had gone through this process were subsequently appointed to the Supreme Court of Justice.<sup>56</sup>

The purges undertaken within the Ministry of Labour were more complex, far-reaching and radical. This new ministry replaced the regime's Ministry of Corporations and Welfare, which had overseen the regime's extensive corporatist apparatus. A large number of the 'wildcat' purges were 'legalised' by the inclusion in the purge law of those individuals who had maintained a formal relationship with the PIDE-DGS and those who had, in one way or another, collaborated with the political police. Additionally, nationalisation and state intervention in various private enterprises meant that the majority of forced removals took place in this sector, which was also the most marked by the anti-capitalism of the social movements.

Purges in the Ministry of Education, and throughout the education system as a whole, were also high: particularly in the universities. Famous university professors, schoolteachers and writers formed part of this sector's purge commission. The JSN removed all university deans and directors of faculties from their posts, and various high-ranking members of the ministry were transferred. In the secondary schools, the more radical actions by the student movement forced the military to intervene to protect the accused. However, given the very strong pressure exerted by the student movement, it was in the universities that both the legal and the 'wildcat' purges were most thorough. Some members of the commissions resigned in protest at the 'wildcat' purges which were often undertaken in the absence of any legal proceedings.

Students would, following votes in the student assemblies, simply deny professors access to the university, although only a small minority of those so 'condemned' were ever submitted to legal purge proceedings by the ministry's purge commission. The same applied to schoolteachers who were suspected of having collaborated with the political police. The most radical of the 'wildcat' purges took place in the University of Lisbon's law faculty, where an assembly dominated by a small Maoist party decided – against the will of PCP students – to remove some professors who were also members of the Council of State and leaders of conservative parties.

The repression of the pro-democratic student movement in the final years of the dictatorship, as well as the authoritarian behaviour of many professors, can explain some of the 'wildcat' purges. Legal proceedings against professors and other education workers were more solidly based on two criteria: holding high-level posts under the dictatorship; or collaborating with the political police's repression by denouncing students and opposition professors. As in the Ministry of Labour, the latter category was the most sought after, and purges also affected lower-ranking individuals who were accused of being police informants.

Some professors affected by the purges took up new professional activities, while others emigrated to Brazil. When the government introduced the *numerus clausus* [closed number] restricting access to the state university system, some of the professors who had been removed from their posts in 1974 became involved in the creation of private universities, although the large majority was later reintegrated into the state system.

Within the Foreign Ministry, the purge process was limited to a few members of the diplomatic corps who had held government posts under the dictatorship. When he was nominated to the position of foreign minister, the Socialist Party leader, Mário Soares, merely transferred some ambassadors. The purge commission, although fully established, only worked in those consulates in which collaboration with the political police had been more obvious, particularly in countries with large Portuguese immigrant communities such as Brazil and France, where consular officials had been involved in controlling and monitoring the activities of political exiles.

In total, purges within the state apparatus were uneven and limited. Where strong pressure was exerted by trade unions and worker commissions, as was the case in the Ministries of Labour and Education, forced removals were more frequent. Indeed, while reports indicate that most of those purged belonged to the higher levels of the administration, in these cases lower ranking civil servants were also affected, particularly for collaboration with the political police. However, long delays in purge proceedings reduced the overall scope of the process, and made it possible to reintegrate many of the purged individuals a few years later. Nonetheless, important changes did occur at the top levels of the state administration: while many were reintegrated between 1976 and 1980, the great majority never regained the strategic posts they had previously held.

### **Rupture at the Local Level**

It is much harder to assess the break at the local level. On 24 April 1974 there were thousands of people running 304 municipalities and over 4000 parish councils. During the first months following the coup, the JSN and Ministry of the Interior designated provisional administrative commissions. The nominations were legalised assuming the authority of local members of the main democratic opposition parties. The MDP was the main purge agent at the local level. This party had succeeded the Comissão Democrática Eleitoral (CED – Democratic Electoral Commission), which in 1969 had obtained a significant majority in opposition to the Coligação Eleitoral de Unidade Democrática (CEUD – Electoral Coalition for Democratic Unity), the electoral front that was linked to the PS and the republicans. The MDP was dominated by the PCP, although it also had the support of independents and notables of the local democratic opposition.

During the 'hot summer' of 1975, anti-communist activity led to the collapse of several administrative commissions, which became increasingly isolated in the central and northern parts of the country. The parties of the centre-Right and the PS itself were poorly organised in 1974:<sup>57</sup> they lacked a proper party structure, and it was only later – during the pre-electoral period – that they began to call for positions at the local level.

Given the current lack of data, it is difficult to measure the levels of continuity and rupture within the local administration. Moreover, whilst constitutional legislation barred all leading local politicians who had been associated with the dictatorship from standing as candidates for the first elections, it must have had a limited impact.<sup>58</sup>

### **The Economic Elite**

During the first two years of the transition, the economic elite had been hit hard by the process of nationalisation and state intervention, as well as by the flight of industrialists and entrepreneurs from the country. Despite attempts to reach an understanding between General Spínola and the leaders of the main economic groups, strike movements and strong pressure for state intervention led to the first wave of self-exiles. Some of the most important illegal purge processes were also initiated against members of the economic elite, visibly frightening them.

As has been noted above, demands for purges were among the most significant causes of industrial disputes during the weeks immediately following the coup. The 'symbols of rupture', signalled with the dismissal of most of the dictatorship's political elite as well as with the criminalisation of the political police, were important, even if purges of both public and private companies' administrations were rapidly transformed into a component of collective action that increasingly assumed radical traits. It is interesting to note that 73 per cent of the 102 industrial disputes associated with the purges assumed a radical form, often involving workplace occupation and worker self-management.<sup>59</sup>

It was only at the beginning of 1976, with the publication of Decree Law 52 of 21 January, that two purge commissions were given legal status and formal authority to deal with the banking and insurance sectors which had by then been nationalised. These commissions were subordinated to the commission governing purges in the public sector as a whole. Its main role at this point was to reintegrate those who had been subjected to 'wildcat' purges, without respect for the basic principles of due process.<sup>60</sup>

The exodus of important members of the economic elite became a regular occurrence in 1975, as did the nomination of new managers for the businesses taken over by the state. The 'wildcat' purges concentrated on large enterprises in the industrial area around Lisbon and in the banking and insurance sectors. In the business community, the dynamic overtook the desire to punish any individual's collaboration with either the political repression or with New State institutions, and it became an integral part of a wave of increasingly anti-capitalist social movements that railed against the business and land-owning elite. In the north of the country, where the unions and the workers commissions were relatively weak, there were fewer 'wildcat' purges.<sup>61</sup>

The nationalisation strategy aimed to dismantle the large economic groups and give the state control over the main sectors of Portugal's economy. Apart from direct nationalisation, the state indirectly controlled various businesses for a fixed

period. The 1976 Constitution confirmed the nationalisation process, but reduced the level of intervention. One study allows us to conclude that 19 per cent of industrialists abandoned their posts (2 per cent were purged), and that the purges essentially affected the industrial area around Lisbon and Setúbal, hardly affecting the northern textile sector.<sup>62</sup> Brazil was the preferred destination for exiles, although many returned to Portugal between 1976 and 1980. When Mário Soares, as prime minister of the first constitutional government, visited Brazil in 1976, he called on members of the economic elite who had fled to return. Thus, the wave of nationalisations, purges and the forced resignations of the pre-constitutional period profoundly affected the entrepreneurial sector. Most of its members were reintegrated between 1976 and 1980, but nationalisation caused long-lasting changes to the Portuguese economic system: a key legacy of the transition to democracy.

### The Print and Broadcast Media

The relationship between the state, the economic elite and the media underwent a profound transformation during the transition period.<sup>63</sup> Members of the administrative and management bodies of the print and broadcast media organisations were removed from their posts. Only a few directors of privately owned newspapers, which were already in the hands of the opposition under the old regime, were able to retain their positions. While the first purges were driven by the military, the main purge agents in this sector were journalists and typographers who were linked to the PCP and other extreme-Left organisations, and who were able to retain their dominant positions until 25 November 1975.

The censorship services were purged and dissolved. The official dictatorial press had a limited circulation that was essentially restricted to members of the state bureaucracy; the single party's newspaper, which was artificially sustained by an official subscription campaign, disappeared immediately following the occupation of its headquarters. The most important proceedings took place against non-official newspapers, where journalists and typographers linked to left-wing parties controlled the purges.

The media as a whole experienced profound change during the transition process: the political battle for control over the media had a great impact. The occupation of the Catholic Church radio station, Radio Renascença, by its own journalists, and the self-management system instituted thereafter, polarised public opinion. This radio station became an instrument of the extreme Left in 1975, until its powerful transmitters were destroyed on the instructions of the military, and the station returned to the Church.

The pro-democratic newspaper, *República*, met with a similar fate. Of all the daily publications, it was the only one to continue publishing throughout the New State period. *República* supported the PS, and became self-managed after its directors resigned in 1975, when it became a mouthpiece for the revolutionary Left until its old directors were restored in 1976. While the communists were not responsible for any of these events, the moderate Left associated with the PS made the '*República* Case' one of their most successful 'anti-totalitarian' campaigns, in which they were successful in associating the '*República* Case' with the threat of a PCP take-over of power.

After the nationalisation of the various economic groups that had controlled a substantial part of the print media, most of the press came under state control.

Later, at the height of the political radicalisation process, new newspapers emerged that were supported by the moderate Left and the parties of the Right, which re-employed some of the previously purged journalists. Many of these new newspapers relied, at least initially, on financial support from the western democracies.

### **Voluntarism and Memory**

In 1974–5, several civic and state mobilisation initiatives were promoted to denounce the authoritarian legacy, and to ‘democratise’ certain sections of Portuguese society. Such was the nature of the *campanhas de dinamização cultural* (CDC – cultural action campaigns) developed by the MFA in collaboration with left-wing civilians and parts of the Serviço Cívico Estudantil (SCE – Student Civic Service). The government also created the Black Book Commission on Fascism, which was responsible to the presidency of the Council of Ministers, and which consisted of socialist and left-republican intellectuals and politicians. With access to all of the dictatorship’s archives, this Commission published dozens of books containing primary documentation, which – among other issues – denounced the regime’s repression, the treatment of political prisoners, censorship and the collaboration between economic groups and the political police. When it was dissolved in 1991 it was supposed to lead to the creation of a museum of resistance, a project that has yet to be realised. Other initiatives that were more emblematic of the 1974–5 period, but which were associated with the political parties as well as civil society and popular organisations, included the creation of the *Tribunal Popular Humberto Delgado* [Humberto Delgado Popular Court].

The CDCs were intended to ‘democratise’ the rural world. While established by the MFA, the campaigns were driven by left-wing intellectuals and communists who designed cultural initiatives denouncing the repression of the past, while promoting civic participation. Believing these campaigns to be little more than an attempt by the military to create its own propaganda department, the movements were immediately resisted by the northern conservative elites and criticised by the moderate political parties. Consequently, the campaigns were interrupted in the central and northern districts before finally being abolished in the aftermath of the events of 25 November 1975 and the dissolution of the PCP dominated Fifth Division.

The SCE was a product of two interrelated factors: the university system’s inability to accept all candidates for higher education (which was itself a direct consequence of the rapidly expanding secondary school system), and an ideological climate that promoted contact between students and ‘the people’. For one academic year prior to entering university, students were encouraged to work on literacy and other similar projects in the local communities. One of the projects that they were involved in was the collection of ethnographic material on popular memory. This material was intended to serve as the basis for a museum containing oral and material memories of the popular resistance to the New State by Portugal’s ‘peasants and the labourers’.<sup>64</sup>

Both the SCE and the CDCs met with resistance (albeit for different reasons) – particularly in the north of the country where conservative notables and priests were highly suspicious of left-wing initiatives, and where the urban middle-classes feared the consequences of students escaping the control of their families. The CDCs were closed down in 1975, with the ministry of education abolishing the SCE shortly thereafter.

The Humberto Delgado Popular Court was established to examine the regime's most notorious crime: the PIDE's assassination of the dissident general, Humberto Delgado, near the Spanish border town of Badajoz in 1965. Delgado had stood against Salazar's candidate in the 1958 presidential elections before fleeing into exile. The dictatorship consistently denied any involvement in the general's murder, while the family's first lawyer was Mário Soares, one of the regime's leading opponents. Established after the transition, the court sought to mobilise public opinion to demand the apprehension and conviction of the former PIDE agents who had committed this crime. In the end, those responsible for the assassination were tried and convicted *in absentia*.

The Constituent Assembly discussed a large range of proposals that were to lead to the criminalisation of both the authoritarian elite and the dictatorship's agents of repression. With the exception of the temporary measures that were introduced to ensure the prosecution of PIDE agents, the only legal legacy of the transition – in terms of punitive measures against the old regime – was the introduction of a clause in the 1976 Constitution prohibiting political parties that expressed a 'fascist ideology'. This clause was retained after subsequent constitutional revisions, and in the 1990s, despite criticisms about its continued utility, not only was it ratified by parliament, but it was even used against an extreme-Right group.

As we have seen above, the military, political, administrative and economic elite were all deeply affected (albeit to different extents) by the measures that were introduced during the first two years of the transition and which were designed to punish them for their collaboration with the previous regime (see Table 3).

As Table 2 shows, this process was a type of immediate transitional justice,<sup>65</sup> that took place very rapidly during the two transitional phases. The period of democratic consolidation marked the beginning of the rehabilitation process. Only the compensation of the 'anti-fascists' will be discussed below, as the legacy of the colonial war and the subsequent decolonisation was to drag on for the next 30 years.

### The Dual Legacy and the Consolidation of Democracy

The moderate elite that dominated the consolidation period inherited a complex situation in 1976. The military intervention of 25 November 1975 marked the beginning of the process of democratic institutionalisation, albeit one that remained under the tutelage of the Council of the Revolution until 1982. In the economic sphere, the heavily nationalised sector and extensive state interventionism, combined with the introduction of austerity measures following the Portugal's first agreement with the International Monetary Fund (IMF), became symbols of recession and resulted in a drastic reduction in real salaries. In the

**Table 2.** Phases of transition and democratic consolidation and the purge processes

Fall of dictatorship	Crises	Democratic consolidation
April 1974 to March 1975	March 1975 to April 1976	April 1976 to October 1982
+ Legal purges – 'Wild' purges	+ Legal purges + 'Wild' purges	Reduction of penalties Reintegration

social arena, the return of hundreds of thousands of colonial refugees as a result of the decolonisation process brought problems. Some extreme right-wing terrorist activities briefly continued as a legacy of the 'hot summer' of 1975. They were soon to be joined by extreme left-wing terrorist activities.

The official discourse of the first two constitutional governments led by the socialist, Mário Soares, and the first democratically elected president, Ramalho Eanes, called for 'reconciliation' and 'pacification'. Under pressure from parties on the Right and centre-Right, the purges were soon brought to an end, and their role re-evaluated in light of the claim that they were an excess of the early transitional period. At the same time, a number of communists and left-wing civilians and military figures were removed from office: many members of extreme-Left parties and the PCP were dismissed from their positions within the civil service and state-owned companies. Members of the armed forces who had been associated with the former pro-communist Prime Minister, Vasco Gonçalves, and with the leader of the MFA's militant faction, Otelo Saraiva do Carvalho, were dismissed from service.

The extreme right-wing terrorism of the MDLP and ELP was carried out largely by serving and retired military officers. Their activities came to an end a few years later as they faded away following General Spínola's return from exile. While some of their members were jailed, the majority of cases dragged on for years, leading to vendettas that were a consequence of their extensive links with moderate elements during 1975's 'hot summer', and the promises made to them at that time that their crimes would not be 'forgotten'. The repression of the extreme-Left wing terrorist group, the Forças Populares-25 de Abril (FP-25 – Popular Forces of 25 April), with which Otelo Saraiva do Carvalho, the operational leader of the 1974 revolution and leader of the revolutionary Left, was involved, was a much more complex affair that dragged on right up until the turn of the century.

Despite this outburst of violence, a climate of political reconciliation dominated during the last years of the 1970s, determining the manner in which the government was to deal with the dictatorship's legacy. This was particularly true with respect of the trial of members of the former regime's political police. Following the so-called 'PIDE hunt', in which those who had not fled the country were tracked down, there followed a two year period during which PIDE-DGS agents awaited trial and punishment – either in protective custody or on conditional release. Their trials were conducted according to the new post-revolutionary political ethos, and as a result, those who had not taken advantage of their bail to flee the country received only light sentences from the military tribunals (normally they were sentenced to time already served), with those who had good military active service reports from the colonial war period receiving especially benevolent treatment. Although there was public demonstrations against and criticism of the sentences meted out, they did serve as notice that judicial legality and the rule of law had been re-established following the 'excesses' of the turbulent years, 1974–5. The two years that had passed since then had seen a significant diminution of 1974's revolutionary 'emotions', and the ruling political elite made it clear that they favoured continuing with institutional demobilisation.

### **Reintegration**

Between 1976 and the early-1980s, steps were taken to reintegrate those who had been victims of the purges.<sup>66</sup> New legislation was passed and measures were

quickly adopted to normalise the situation in the economic arena where 'wildcat' purges had been most severe. Soon after the introduction of these new laws, the Council of the Revolution ordered 'all officials of the armed forces who had been assigned to the purge commissions in private enterprises' to return to their barracks.<sup>67</sup> The government followed this up with a series of measures that were designed to allow the return of the exiles who had been forced out by the purges. Decree-law 471 of 14 June 1976 declared that the ideologically motivated purges realised by workers in the private and public sectors between 1974 and 1976, and 'which had not observed' the laws that were then in force, were legally null and void.<sup>68</sup>

Taking advantage of the new situation, the victims of the purges organised themselves into the Movimento Pró-reintegração dos Despedidos sem Justa Causa (MPDJC – Movement for the Reintegration of the Unfairly Dismissed), which could count on the new private newspapers to fight their corner.<sup>69</sup> The trade union movement protested against the reintegration of those who had been purged by holding strikes and even some sporadic sit-ins. But these actions, which mainly affected the recently nationalised state enterprises and the civil service, were largely unsuccessful.

The purge commissions in the ministries ceased to operate in 1976, and the Council of the Revolution, which took on the role of these commissions as well as the leadership of the CEPML, reinforced legal mechanisms to ensure that a process of rehabilitation took place. A moderate member of the Council of the Revolution, Captain Sousa e Castro, was given responsibility for the entire process. The CARSR was then created under the auspices of the Council of the Revolution, and continued in operation until the mid-1980s, rehabilitating the vast majority of appellants who came before it. This commission was composed of legally qualified military officials and civilians who had no links with the dictatorship. According to a report into its activities, the commission expressed the view that, 'it is necessary to repair the damage that was done' during the 1974–5 period when many of the purges were 'merely arbitrary'.<sup>70</sup> Most of those who had been dismissed during the purges had their punishment altered to compulsory retirement; the remainder often received a payment in lieu of lost earnings and restoration of their seniority for the purpose of calculating pension entitlements. In some cases in which 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. In some universities reintegration of those who had been purged did not begin until the early-1980s. One case, that of Veiga Simão, Caetano's Minister of Education, was decided by the Council of the Revolution itself; however, the great majority were left to Sousa e Castro and his CARSR.

Between 1976 and 1978 these commission reassessed around 3000 processes within the various government ministries and nationalised industries, most of which concerned officials of the previous regime's political police (see Table 3). In the case of PIDE-DGS agents, the CARSR followed the precedent established by the military tribunals: these tribunals had heard the cases against political police agents, and had decided that 'the fact that those being tried were former agents of the PIDE-DGS is irrelevant because it was not illegal in the past to be a member of the political police'. This principal restored their rights as public employees to them, but only if they had not 'taken part in illegal activities'.<sup>71</sup>

Table 3. Purge processes: measures applied by the purge commissions and CARSR action

	Purge commissions (1974-6)						Total
	Dismissed	Dismissed and compulsorily retired	Compulsorily retired	Suspended	Transferred	Unknown	
	289	2	107	13	56	1564	
CARSR (1976-8)							
Dismissed	6	0	0	0	0	0	6
Compulsorily retired	65	0	24	1	0	19	109
Suspended	147	2	18	2	1	5	175
Transferred	3	0	10	0	12	4	29
Reintegrated	34	0	23	7	7	1282	1353
Punishment annulled	33	0	31	3	33	30	130
Archived	0	0	0	0	3	193	196
Total receiving the same sentence as before	6	—	24	2	12	9	2031

Note: of the previous 1564 cases unknown, only nine remain unknown.

With the abolition of the Council of the Revolution, many of the outstanding appeals were transferred to the administrative courts, while the CEPML became little more than a document archive responsible to parliament. Parliamentary debates concerning the future of the archives were often heated and passionate, with some parties – particularly the CDS – calling for their destruction. Their incorporation into the national archive and consequent limited release to the public was a controversial victory for historians and left-wing parties.

### The Politics of Memory in Democratic Portugal

An official exhibition of the twentieth-century history of Portugal, sponsored by the office of the presidency and the government, was inaugurated in November 1999 to coincide with the celebration of 25 years of Portuguese democracy. Directed towards both students and the public at large, thousands of Portuguese travelled through the dark passages of Salazarism, through the torture chambers of the political police, and along corridors that were lined with photographs of political prisoners, while opposition figures and the pro-democratic press were celebrated. There was a forbidding corridor dedicated to the colonial war, which culminated in a brightly lit area that celebrated the fall of the dictatorship. Significantly, the turbulent period of the first years of the transition were omitted, and the exhibition ended where democracy began, represented symbolically by thematic panels portraying the process of social and political change that had taken place during the 25 years since the fall of the Salazar regime.

Given the complex legacy of the first two years of the revolution, it would have been very difficult for an official exhibition to deal with this transitional period. According to the official discourse of Mário Soares's PS and that of the democratic parties of the centre-Right, Portugal's democracy was shaped by a 'double legacy': the authoritarianism of the Right under the New State, and the authoritarian threat of the extreme-Left of 1974–5.<sup>72</sup>

The impact of the return of right-wing exiles to Portugal, of press campaigns in favour of those who had been expropriated in 1974–5, and the search for some anti-communist 'military heroes' was hardly noticeable. By the end of the 1970s, the situation no longer favoured the political re-conversion of the dictatorship's 'barons', or of the populist military figures who hoped to make political capital out of their involvement in anti-communist activities during 1975. The process of de-colonisation, which was aggravated by their inability to mobilise the *retornados* [returnees], marked the end of an era for the radical Right in Portugal.

The relatively peaceful process of reintegrating the *retornados* was neither merely a consequence of the 'quiet habits' ascribed to the Portuguese, nor of state support: it was a product of the nature of the white community in Africa, with its relatively recent settlement in the colonies and the concomitant maintenance of family ties in Portugal.<sup>73</sup> Emigration to other countries, such as South Africa, also reduced the number of returning colonists and, consequently, the shock of social absorption.

The abolition of punitive legislation affecting the dictatorial elite, and the process of democratic consolidation, encouraged some of the old regime's leading figures to return to Portugal. The last president of the New State, Admiral

Américo Tomás (who maintained a 'political silence' until his death) and some former ministers eventually came back to Portugal. Marcello Caetano, though, refused and died in Brazil in 1980. None of those who came back sought to associate themselves with a possible rebirth of the radical Right, and few of them even joined democratic parties. Some exceptions prove the rule: Adriano Moreira, Caetano's Minister for the Colonies, developed a political career under the new democracy: he was elected to parliament and for a brief time and General Secretary of the CDS. Another former minister in Caetano's government, Veiga Simão, who was responsible for the modernisation of the school system on the eve of the regime's collapse, is another who reactivated his political career as a minister in António Guterres's socialist government.

On the eve of Portugal's accession to the European Community in 1985, the heritage of the double legacy was practically extinct. There was no party of the Right with parliamentary or electoral significance representing the old elite, or which could act as a repository of the authoritarian values inherited from Salazarism. Similarly, the legacy of state socialism and military guardianship had also disappeared following successive reforms of the constitution.

The new democratic institutions associated themselves with the legacy of political opposition to the dictatorship. The semi-presidential nature of the political system and the fact that, first General Ramalho Eanes, followed by two presidents who had been active in the anti-Salazar struggle (Mário Soares and Jorge Sampaio), have been symbolically important in reinforcing the anti-dictatorial image of the democratic regime. During the first 30 years of democracy, successive presidents have posthumously rehabilitated many of the dictatorship's victims, and decorated members of the anti-Salazar opposition with awards such as the Order of Freedom. The most emblematic of these decorations was granted to General Humberto Delgado, whose entire military honours were posthumously restored. Streets and other public places have been renamed after famous opposition figures – republicans, communists and Socialist alike – while Salazar's name has been removed from all public monuments, squares and also from the bridge over the River Tagus, which was almost immediately renamed the *Ponte 25 de Abril* [25 April Bridge].

Attempts to compensate activists who had struggled against the dictatorship were made from the 1970s onwards, although some of the proposals did not receive parliamentary approval.<sup>74</sup> Members of organisations opposed to the dictatorship had to wait until 1997, and the introduction of the PS government's legislation enabling them to seek compensation for the social security benefits and retirement pension entitlements for the years they were in hiding or exile.<sup>75</sup> In order to qualify, claimants must, through documents held in the PIDE archive, prove that they were persecuted, and that is not always easy.<sup>76</sup>

Another aspect of the attempt to symbolically delegitimise the authoritarian past was the alteration of national holidays. The date of the Republican revolution, 5 October 1910 (the republic had never been abolished by the dictatorship), assumed greater significance, while the 28 May holiday (which commemorated the 1926 military coup) was replaced with a new holiday on 25 April, celebrating the establishment of the new democratic regime.

There are, in Portugal, no museums documenting the dictatorship and its repression. All such proposals for such projects that were put forward during the first two years of the transition were abandoned on account of a lack of interest from civil society, the political parties (including the PS and the PCP), and a lack

of enthusiasm on the part of the state. A 1991 suggestion to convert the Commission on the Black Books on the Fascist Regime into a museum of the resistance failed to garner the support of Cavaco Silva's centre-Right government. Some modest initiatives were undertaken by PS-PCP run city councils, including Lisbon, in the 1990s, the Museum of the Republic and Resistance being a case in point. It was only toward the end of the 1990s that private foundations were established with the explicit aim of consolidating the memory of resistance to Salazarism and the transition to democracy. This is true of the Mário Soares Foundation, which was established following the former president's retirement from office. With the passage of time, the 25 April Association – which is organised by former members of the MFA – has gradually developed an annual commemoration, and has kept alive the memory of those involved in the 1974 coup that overthrew the authoritarian regime.

As is the case with other democratic transitions, the fate of the defeated regime's archives was a topic of heated debate. Given the nature regime's fall, the military took possession of the PIDE-DGS archives, which consequently survived almost entirely intact. More importantly perhaps, Salazar's own personal archive survived. These documents, meticulously maintained by Salazar himself, had been kept in the Presidency of the Council of Ministers' offices following his death in 1970, contain an account of 40 years of Portuguese political life. Both the PIDE-DGS and the Salazar archive have been deposited in the national archive, where, like all other New State documents, they are open to public inspection.

Important public debate concerning the archives began in the 1990s, when they were first opened to the public. One 1996 controversy, provoked by a former socialist minister who had been a victim of the PIDE-DGS, concerned the duty to return letters, photographs and other material confiscated by the political police to their original owners or their heirs. Although some defended this course of action during the ensuing parliamentary, the negative reaction of the majority of historians ensured that these documents remained with the national archive.<sup>77</sup>

There are also occasional 'eruptions of memory' that arise from unresolved cases or from new revelations by members of the former regime. In 1998, the leader of the PIDE unit responsible for Humberto Delgado's assassination gave an interview to a Portuguese journalist in which he stated that he regularly travelled to Portugal, although he had been sentenced to eight years imprisonment *in absentia*. He was soon located in Spain, where he had been living under a false name; however, the Spanish court refused to allow the Portuguese authorities to extradite him, forcing the court that had originally sentenced him to admit that the statute of limitations applied, and that he was therefore free.

## Conclusion

The Portuguese case is a good illustration of the absence of any correlation between the nature of the authoritarian regime, and the extent of retributive pressure during the transition process. It was the nature of the authoritarian regime's downfall and the character of the 'anti-authoritarian' coalition during the first provisional governments that provoked the symbolic break with the past. The new authorities felt that it was 'morally and politically desirable' to replace and to punish some members of the previous elite, and to dissolve the authoritarian

institutions – particularly because the type of transition provided them with the political opportunity.<sup>78</sup>

Portugal's transition almost immediately began to eliminate some of the institutional legacies and the more important members of the elite that the dictatorship could have left to democracy. Not only were the regime's most important political institutions dissolved, but the 'authoritarian enclaves' that had survived many of the transitional processes of the 1970s and 1980s were either eliminated or subjected to complex processes that paralysed them. The dissolution of the more repressive organisations (such as the PIDE, and the Portuguese Legion) was a fact, and some of them were subjected to processes that involved purging and criminalising them.

The nature of the transition was certainly the main factor behind the rapid dissolution of authoritarian institutions, the criminalisation of the political police and administrative justice. However, the state crises also constituted an important 'window of opportunity' for the Portuguese type of transitional justice: simultaneously radical, diffuse and with little recourse to the judicial system. In the Portuguese case, particularly in public and private enterprises, the purges were transformed into a facet of the radicalisation of social movements. In fact, the state crisis and the dynamics of the social movements in 1975 exceeded the political punishment of the authoritarian elite, provoking the greatest 'fear' of the twentieth century amongst the country's social and economic elite.

The strong correlation between the dynamic of the purges, the state crises and the 'opportunity structure' that this afforded is temporally visible: with the 25 November 1975 coup that gave victory to the moderate military, supported by the parties of the Right and centre-Left, both legal and illegal purges came to an almost immediate end. This happened a few months before the new democratic institutions came into being. As Palacios Cerezales states, '25 November signalled the end of the state crisis and, with it, the final opportunity for many kinds of collective action', thus marking 'the passing of a critical and integrated juncture'.<sup>79</sup>

Elster notes that one of the factors in the diminution of the severity of punishments after the first phase of the transition was the natural 'abatement of the desire for retribution once it had been satisfied by the punishment of some wrongdoers'.<sup>80</sup> With the consolidation of Portugal's democracy, the parties of the Right made some attempts to criminalise the radical elites of 1975, but an 'informal agreement' to denounce both authoritarianism and the 'excesses' of 1975 marked the end of retroactive justice, and the reintegration of a large proportion of those who had been condemned.

## Notes

1. Katherine Hite and Leonardo Morlino, "Problematising the Links between Authoritarian Legacies and 'Good' Democracy", in Katherine Hite and Paola Cesarini (eds), *Authoritarian Legacies and Democracy in Latin America and Southern Europe* (Notre Dame: University of Notre Dame Press, 2004), p.25. For an extended version of some of the topics developed here see Antonio Costa Pinto, "Authoritarian Legacies, Transitional Justice and State Crisis in Portugal's Democratisation", *Democratization* 13/2 (2006), pp.173–204.
2. There is a very large bibliography dealing with 'transitional justice' processes, the most recent of which is by Jon Elster, *Closing the Books: Transitional Justice in Historical Perspective* (New York: Cambridge University Press, 2004), and *Retribution and Reparation in the Transition to Democracy*

- (New York: Cambridge University Press, 2006). Of interest in relation to a comparative analysis of the Portuguese case are – as a general introduction to the phenomenon – the pioneering works by John H. Herz (ed.), *From Dictatorship to Democracy: Coping with the Legacies of Authoritarianism* (Westport, CT: Greenwood Press, 1982); James McAdams (ed.), *Transitional Justice and the Rule of Law in New Democracies* (Notre Dame: University of Notre Dame Press, 1997); and Alexandra Barahona de Brito, González-Enriquez Cruz and Paloma Aguilar (eds), *The Politics of Memory: Transitional Justice in Democratizing Societies* (Oxford: Oxford University Press, 2001).
3. Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norma, OK: University of Oklahoma Press, 1991) p. 215.
  4. John Borneman, *Settling Accounts. Violence, Justice and Accountability in Post Socialist Europe* (Princeton, NJ: Princeton University Press, 1997), p.141.
  5. Kieran Williams, Brigid Fowler and Aleks Szczerbiak, "Explaining Lustration in Central Europe: A 'Post-communist Politics' Approach", *Democratization* 12/1 (2005), pp.22–43.
  6. Elster (note 2), p.75. To be more precise, we are dealing with 'the political decisions that were taken immediately following the transition and which were directed at individuals who were responsible for decisions made or implemented under the old regime'. See Jon Elster, "Coming to Terms with the Past: A Framework for the Study of Justice in the Transition to Democracy", *Archives Européennes de Sociologie* 39/1 (1998), p.14. Elster opposes this to what is called "'post-poned transitional justice", when the first actions are undertaken (say) ten years or more after the transition' (note 2), p.76.
  7. Helga A. Welshm, "Dealing with the Communist Past: Central and Eastern European Experiences after 1990", *Europe-Asia Studies* 48/3 (1996), pp.419–28. For more on the re-conversion of communist parties, see Anna M. Grzymala-Busse, *Redeeming the Communist Past: The Regeneration of Communist Parties in East Central Europe* (Cambridge: Cambridge University Press, 2002).
  8. Elster (note 2), p.216.
  9. *Ibid.*, p. 62; Paloma Aguilar, "Justice, Politics and Memory in the Spanish Transition", in Brito, Cruz and Aguilar (note 2), pp.92–118.
  10. Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe* (Baltimore, MD: Johns Hopkins University Press, 1997), pp.38–54.
  11. Williams, Fowler and Szczerbiak (note 5), p.33.
  12. See especially Linz and Stepan (note 10), pp.38–65.
  13. John P. Moran, "The Communist Torturers of Eastern Europe: Prosecute and Punish or Forgive and Forget?", *Communist and Post-Communist Studies* 27/1 (1994), pp.95–101.
  14. Marc Osiel defines administrative massacre as 'large scale violation of basic humans rights to life and liberty by the central state in a systematic and organized fashion, often against its own citizens, generally in a climate of war – civil or international, real or imagined'. Marc Osiel, *Mass Atrocity, Collective Memory and the Law* (New Brunswick, NJ: Transaction, 2000), p.9.
  15. Nancy Bermeo, "War and Democratization: Lessons from the Portuguese Experience", *Democratization* 13/3 (2007), pp.338–406.
  16. Guillermo O'Donnell, Philippe C. Schmitter and Lawrence Whitehead (eds), *Transitions from Authoritarian Rule* (Baltimore, MD: The Johns Hopkins University Press, 1986); Linz and Stepan (note 10); Geoffrey Pridham, *The Dynamics of Democratization: A Comparative Approach* (London: Continuum, 2000).
  17. Linz and Stepan (note 10), p.117.
  18. Gretchen Casper, "The Benefits of Difficult Transitions", *Democratization* 7/3 (2000), pp.46–62.
  19. Hite and Morlino (note 1), p.47.
  20. Diego Palacios Cerezales, *O Poder Caiu na Rua: Crise de Estado e Acções Colectivas na Revolução Portuguesa, 1974–75* (Lisbon: Imprensa de Ciências Sociais, 2003).
  21. Juan J. Linz, *Totalitarian and Authoritarian Regimes* (Boulder, CO: Lynne Rienner, 2000).
  22. Antonio Costa Pinto, *Salazar's Dictatorship and European Fascism* (New York: SSM-Columbia University Press, 1996).
  23. Robert M. Fishman, "Rethinking State and Regime: Southern Europe's Transition to Democracy", *World Politics* 42/3 (1990), pp.422–40.
  24. Palacios Cerezales (note 20), pp.35–55.
  25. For an excellent introduction to the comparative study of the role of social movements in the Portuguese and Spanish transitions see Rafael Durán Muñoz, *Acciones Colectivas y Transiciones a la Democracia: España y Portugal, 1974–77* (Madrid: Centro de Estudios Avanzados em Ciências Sociais, 1997).

26. Paloma Aguilar (note 9); Nicos C. Alivizatos and P. Nikiforos Diamandouros, "Politics and the Judiciary in the Greek Transition to Democracy", in James McAdams (ed.), *Transitional Justice and the Rule of Law in New Democracies* (Notre Dame: University of Notre Dame Press, 1997), pp.27–60.
27. Robert M. Fishman, "Legacies of Democratizing Reform and Revolution: Portugal and Spain Compared", paper presented at the annual meeting of the *American Political Science Association*, Chicago (2004).
28. Richard Gunther, P. Nikiforos Diamandouros and Hans-Jürgen Puhle (eds), *The Politics of Democratic Consolidation: Southern Europe in Comparative Perspective* (Baltimore, MD: Johns Hopkins University Press, 1995).
29. Philippe C. Schmitter, "The Democratization of Portugal in its Comparative Perspective", in Fernando Rosas (ed.), *Portugal e a Transição para a Democracia* (Lisbon: Colibri, 1999).
30. Norrie MacQueen, *The Decolonization of Portuguese Africa: Metropolitan Revolution and the Dissolution of Empire* (London: Longman, 1997); António Costa Pinto, *O Fim do Império Português* (Lisbon: Horizonte, 2001).
31. Tiago Fernandes, *Nem Ditadura nem Revolução: A Ala Liberal no Marcelismo (1968–74)* (Lisbon: Dom Quixote, 2005).
32. Leonardo Morlino, *Democracy between Consolidation and Crisis: Parties, Groups and Citizens in Southern Europe* (Oxford: Oxford University Press, 1998), p.19.
33. Schmitter (note 29), p.360.
34. António Costa Pinto, "Dealing with the Legacy of Authoritarianism: Political Purges in Portugal's Transition to Democracy", in Stein U. Larsen (ed.), *Modern Europe after Fascism, 1943–1980s* (New York: SSM–Columbia University Press, 1998), pp. 1679–717.
35. Fátima Patriarca, "A Revolução e a Questão Social: Que Justiça Social?", in Rosas (note 29), p.141.
36. Thomas C. Bruneu (ed.), *Political Parties and Democracy in Portugal: Organizations, Elections and Public Opinion* (Boulder, CO: Westview Press, 1997); Fernando Farelo Lopes and André Freire, *Partidos Políticos e Sistemas Eleitorais: Uma Introdução* (Lisbon: Celta, 2002).
37. John L. Hammond, *Building Popular Power: Workers' and Neighborhood Movements in the Portuguese Revolution* (New York: Monthly Review Press, 1988); Charles Downs, *Revolution at the Grassroots: Community Organizations in the Portuguese Revolution* (Albany, NY: The State University of New York Press, 1989).
38. Palacios Cerezales (note 20).
39. From June 1975 to April 1976 there were between 100 and 120 attacks on mainly Communist Party and communist controlled trade union offices. See António Costa Pinto, "The Radical Right in Contemporary Portugal", in Luciano Cheles, Ronnie Ferguson and Michalina Vaughan (eds), *The Far Right in Western and Eastern Europe* (London: Longman, 1995), pp.108–28.
40. Kenneth Maxwell, *The Making of Portuguese Democracy* (Cambridge: Cambridge University Press, 1995).
41. Walter C. Opello, "Portugal: A Case Study of International Determinants of Regime Transition", in Geoffrey Pridham, *Encouraging Democracy: The International Context of Regime Transition in Southern Europe* (Leicester: Leicester University Press, 1991), pp.84–102, Nuno Severiano Teixeira, "Between Africa and Europe: Portuguese Foreign Policy", in António Costa Pinto (ed.), *Contemporary Portugal* (New York: SSM–Columbia University Press, 2004); Rui Mateus, *Memórias de um PS desconhecido* (Lisbon: Dom Quixote, 1997). The political police in the colonies remained active for the few weeks following the coup as the military hoped that it could be integrated into a military intelligence police. However, not even the colonial political police could escape the abolition of their service. On the criminalization of the Political Police see the excellent research of Filipa Raimundo, "The Double Face of Heroes: Motivations and Constraints in Dealing with the Past. The Case of PIDE/DGS", MA Dissertation, Institute of Social Science, University of Lisbon, 2007.
42. Artur Costa, "O Julgamento da PIDE-DGS e o Direito (Transitório) à Memória", in Iva Delgado, Manuel Loff, António Cluny, Carlos Pacheco and Ricardo Monteiro (eds), *De Pinochet a Timor Lorosae: Impunidade e Direito à Memória* (Lisbon: Cosmos, 2000), pp.39–53.
43. *Diário do Governo* 1/146 (1974), p.744.
44. *Diário do Governo* 1/59 (1975), p.375.
45. *O Século* 27 February 1975.
46. *O Século* 1 October 1974. Dinis de Almeida, who was at that time an important figure on the extreme Left of the MFA, divided the purges into four distinct periods. General Spínola and the MFA led the first series of purges. The second, which was based on the principal of 'incompe-

- tence', was much slower and more complex. The third took place during the spring and summer of 1975, and involved the removal of right-wing officers. The fourth and final series of purges took place after 25 November 1975, when left-wing officers were removed. See Dinis de Almeida, *Ascensão, Apogeu e Queda do MFA* (Lisbon: Edições Sociais, 1978), pp.39–43.
47. António Costa Pinto, "Settling Accounts with the Past in a Troubled Transition to Democracy: The Portuguese Case", in Brito, Cruz and Aguilar (note 2), pp.65–91.
  48. *Diário do Governo* 1/62 (1975), p.430–4.
  49. Kenneth Maxwell, 'The Emergence of Portuguese Democracy', in Herz (note 2), pp.231–50.
  50. There were four degrees of punishment: transfer to other duties at either the same or a lower grade; suspension for up to three years; compulsory retirement; and dismissal.
  51. *Diário Popular* 5 September 1974.
  52. *O Século* (note 46).
  53. António Costa Pinto, "Salazar's Ministerial Elite", *Portuguese Journal of Social Science* 3/2 (2004), pp.103–13.
  54. *A Capital* 19 April 1975.
  55. There were very few purges in bodies that were responsible to the Ministry of Justice: 22 Judicial Police officers, 16 registrars and notaries, and four prison directors were removed from their positions. *A Capital* 19 April 1975.
  56. See the speech delivered by the Socialist Party deputy, Raul Rego in *A Luta* 9 February 1977.
  57. On the Socialist Party, see Vitalino Canas (ed.), *O Partido Socialista e a Democracia* (Oeiras: Celta, 2005).
  58. *Constituição da República Portuguesa* (1986), pp.92–3.
  59. Durán Muñoz (note 25), p.128.
  60. *Diário do Governo* 1/17 (1976), pp.112–13.
  61. Durán Muñoz (note 25), pp. 205–68.
  62. Harry Makler, "The Consequences of the Survival and Revival of the Industrial Bourgeoisie", in Lawrence Graham and Douglas L. Wheeler (eds.), *In Search of Modern Portugal: The Revolution and its Consequences* (Madison, WI: University of Wisconsin Press, 1983), pp.251–83.
  63. Kenneth Maxwell, *The Press and the Rebirth of Iberian Democracy* (Westport, CT: Greenwood Press, 1983).
  64. Jorge Freitas Branco and Luísa Tiago de Oliveira, *Ao Encontro do Povo: 1-A Missão* (Oeiras: Celta, 1993), Luísa Tiago de Oliveira, *Estudantes e Povo na Revolução: O Serviço Cívico Estudantil* (Oeiras: Celta, 2004).
  65. Elster (note 2), p.75.
  66. This section owes much to Maria Inácia Rezola, who provided me with material concerning the Council of the Revolution and the purges. For more on this, see Maria Inácia Rezola, *Os Militares na Revolução de Abril* (Lisbon: Campo da Comunicação, 2006).
  67. Council of the Revolution, Minutes of a meeting, 11 December 1975, Annexes T and P, Arquivo Nacional Torre do Tombo (ANTT). Sousa e Castro had already been nominated to take control of the purges, but he only took office after the events of 25 November 1975. See Council of the Revolution, Minutes of a meeting, 31 October 1975, ANTT.
  68. *Diário do Governo* 1/138 (1976), p.1332.
  69. From the *Jornal Novo* to the Socialist Party's own newspaper, *A Luta*.
  70. Relatório de Actividades, CARSP 1976–1977–1978, p.1, ANTT/Conselho da Revolução.
  71. *Ibid.*
  72. To my knowledge, the only work dealing with the historical memory of 25 April and the transition within the most important political parties – the PS and the PSD – is Vasco Campilho, *Le Poing et la Fleche: Étude Comparative des Mémoires Historiques de la Révolution des Oeillets au sein du Parti Socialiste et du Parti Social Démocrate – Mémoire de DEA* (Paris: Institut D'Études Politiques de Paris, 2002).
  73. Rui Pena Pires (ed.), *Os Retornados: Um Estudo Sociográfico* (Lisbon: IED, 1984).
  74. *Diário de Notícias* 16 June 1976.
  75. Law 20/97, 19 June 1997.
  76. According to this law, the claimant must prove that their claim is related to time 'spent, either within the country or abroad, during which they were victims of political persecution that impeded their ability to engage in normal professional activities and prevented their social insertion into the community because of their membership of a political group, or their participation in political activities destined to promote democracy' at any time between 28 May 1926 and 25 April 1974.

77. If the person identified in the case is still alive, or has been dead for less than 50 years, their file may only be consulted with the permission from the individual concerned, or from their descendants. The majority of documents, expunged of names, are open for consultation.
78. Huntington (note 3), p.231.
79. Palacios Cerezales (note 20), p.176.
80. Elster (note 2), p.228.