

Transitional Justice in the Judiciary: Lessons from the Portuguese Democratisation

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Abstract: *The nature of the Portuguese transition to democracy and the following state crises (1974-1975) created a 'window of opportunity' in which the 'reaction to the past' was much stronger than in the other Southern or even of Central and Eastern European transitions.*

In Portugal, initiatives of symbolic rupture with the past began soon after the April 25, 1974, coup d'état and transitional justice policies assumed mainly three formulas. First, the institutional reforms directed primarily to abusive state institutions such as the political police (PIDE-DGS) and political courts (Plenary courts) in order to dismantle the repressive apparatus and prevent further human rights abuses and impunity. Secondly, the criminal prosecutions addressed to perpetrators considered as being the most responsible for repression and abuses. Finally, lustration or political purges (saneamentos, the term used in Portugal to designate political purges) which were, in fact, the most common form of political justice in Portuguese transition to democracy.

This paper deals with the peculiarities of transitional justice in Portugal devoting a particular attention to the judicial, a key sector to understand the way the Portuguese dealt with their authoritarian past.

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