

The Amnesty Measures of the Spanish Transition¹

By José Antonio Pérez Juan

I. The First Amnesty Measures of the Spanish Transition

1. The General Pardon of 1975

Barely some days after the death of the dictator, a first rule that aimed for reconciliation and forgiveness between Spanish people was published. On the occasion of the proclamation of his majesty Juan Carlos as King of Spain, the 25th of November of 1975, a decree granting a general pardon was issued.²

Said decree would mention, first of all, the wish of the King to begin his reign exalting justice “ – that is the fundament of Law and Order – with the exercise of Clemency has been a constant in the line of our best historical and religious traditions”.³ Although the exposition of motives pays tribute to Generalissimo Franco, nonetheless, the measure is justified by the king’s wish that “the Spanish people that I make beneficiaries of this royal decision will incorporate themselves, with the best spirit of service to the homeland (...) to the national concordance to consolidate the principal objective of the Monarchy: the unrenounceable good of Peace”.⁴ It should be noted that, although this decree is reminiscent in its wording to others approved throughout the dictatorship, with its mentions to religion and tradition, none-

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² Decreto, 2940/1975, de 25 de noviembre, por el que se concede indulto general con motivo de la proclamación de Su Majestad Don Juan Carlos de Borbón, como Rey de España, in: Boletín Oficial del Estado, núm. 284, de 26 de noviembre de 1975, p. 24666.

³ This pardon must correspond to the royal tradition, *Parra Iñesta, E.*, “Las otras amnistías de la Transición española: extrañados y amnistía a presos sociales. Historias de éxito y fracaso”, in: *Clio & Crimen*, núm. 18, 2021, p. 140; and *Linde Paniagua, E.*, Amnistía e indulto en España, Tucur Ediciones, 1976, p. 125.

⁴ Decreto, 2940/1975, de 25 de noviembre, p. 24666.