“Stolen Babies in Spain:
Human Rights Abuses, Failures in Democracy, and Post-transitional Justice”

ABSTRACT

The 20th century has seen many countries transition to democracy, several following violent
dictatorships. There is no one, clear solution of how to create a democracy out of a war-torn or oppressed
nation; every conflict is unique. The field of transitional justice, however, provides a framework for how
to address past injustices and move forward as a nation. While often applauded as a successful
democracy, Spain’s past has increasingly become a topic of discussion and calls into question its
transition more than 30 years ago. Some of the nation’s unresolved trauma dates back to the 1930s. As
both political punishment and an attempt to purify the Spanish race, Franco’s dictatorship oversaw the
abduction of more than 40,000 infants and young children during the civil war and deep into the post-war
era. As opposition to Franco’s regime faded, so did these abductions. Yet from the 1950s through the
early 1990s, many hospital workers and Church officials organized the abduction, trafficking, and illegal
adoption of as many as 300,000 more children. Only within the last decade have these stories emerged
and gained momentum, now beginning to stir local, national, and even some international attention.
Organizations and government institutions, however, face unique challenges that impede the nation’s
ability to implement post-transitional justice. This paper analyzes post-transitional justice and the failures
of Spain’s democratic transition as it pertains to stolen children. This investigation hopes to illuminate not
only what occurred in Spain during two different historical periods, but also the nation’s future challenges
and obligations.