

Ending Corporal Punishment



Swedish Experience of Efforts
to Prevent All Forms of Violence
Against Children – and the Results



REGERINGSKANSLIET
Ministry of Health
and Social Affairs, Sweden



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Ministry for Foreign Affairs
Sweden



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Preface

The child's right not to be beaten

Corporal punishment of children often becomes inhuman or degrading, and it always violates their physical integrity, demonstrates disrespect for human dignity and undermines self-esteem. The fact that it is seen as permissible to ill-treat children in manners which would not be allowed in relation to adults, breaches the principle of equal protection under the law. Children have had to wait until last to be given legal protection which the rest of us take for granted. It is extraordinary that children, whose developmental state and small size is acknowledged to make them particularly vulnerable to physical and psychological injury, should be singled out for less protection from assaults on their fragile bodies, minds and dignity.

These arguments surfaced in the late 1970's in Sweden, in particular after a shocking case became known about a child beaten to death by her own stepfather. They formed the basis for a movement for the protection of children against such assaults. The Parliament (Riksdag) responded by banning corporal punishment. This publication is about that discussion and what happened after the decision.

The Convention on the Rights of the Child deals with this issue. The Convention is the first international human rights instrument to address

the protection of children from violence expressly: Article 19 requires states to take:

“all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child...”

Given the holistic nature of the Convention, various other articles reinforce the child's right to physical integrity and protection of his or her human dignity. The Preamble recognizes the “inherent dignity and ... equal and inalienable rights of all members of the human family”. It also affirms that precisely because of their “physical and mental immaturity”, children need “special safeguards and care, including appropriate legal protection”. Article 37 requires protection from “torture or other cruel, inhuman or degrading treatment or punishment”. Also, the State must ensure that school discipline is “administered in a manner consistent with the child's human dignity” and in conformity with the rest of the Convention (Art. 28). States must recognize the right of the child to “the highest attainable standard of health” and “take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children” (Art.24).

It is not surprising, therefore, that the Committee on the Rights of the

Child has consistently stated that legal and social acceptance of corporal punishment of children, whether in their homes or in institutions, is not compatible with the Convention. The Committee has recommended prohibition of all corporal punishment, including in the family, and has suggested campaigns to raise awareness of the negative effects of corporal punishment and to encourage the development of positive, non-violent child-rearing and educational practices.

As early as 1993, the Committee recognized the importance of the issue of corporal punishment in improving the system of promotion and protection of the rights of the child and decided to continue to devote attention to it in the process of examining States Parties reports. The Committee's Guidelines for Periodic Reports ask "whether legislation (criminal and/or family law) includes a prohibition of all forms of physical and mental violence, including corporal punishment, deliberate humiliation, injury, abuse, neglect or exploitation, *inter alia* within the family, in foster and other forms of care, and in public or private institutions, such as penal institutions and schools".

Just as the Committee on the Elimination of Discrimination against Women has been preoccupied with domestic violence to women, so the Committee on the Rights of the Child is now leading the challenge to violence to children. When representatives of these two Committees met in 1998 in Geneva to discuss action against family violence,

they agreed that 'zero tolerance' is the only possible target.

Also other UN human rights monitoring bodies have taken up the issue. The Committee against Torture has stated that corporal punishment is inconsistent with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Human Rights Committee, which oversees implementation of the International Covenant on Civil and Political Rights, emphasized in General Comments issued in 1982 and 1992, that the Covenant's bar on inhuman or degrading treatment and punishment (Art. 7) "must extend to corporal punishment, including excessive chastisement ordered as a punishment for a crime or as an educative or disciplinary measure".

Ten countries, so far, have explicitly banned all corporal punishment of children. In addition, Italy's Supreme Court has outlawed it, but this is not yet reflected in statute. In Finland, the ban on corporal punishment formed part of a comprehensive reform of children's law. The Child Custody and Right of Access Act 1983 begins with a statement of positive principles of care for children, and continues: "A child shall be brought up in the spirit of understanding, security and love. He shall not be subdued, corporally punished or otherwise humiliated. His growth towards independence, responsibility and adulthood shall be encouraged, supported and assisted". Here again, the reform in family law puts beyond doubt that the criminal law applies equally to

assaults committed against children by parents and other carers.

Norway and Austria implemented similar reforms in the late 1980s. In 1997, the Danish Parliament approved an amendment to the Parental Custody and Care Act which reads: “A child has the right to care and security. He or she shall be treated with respect as an individual and may not be subjected to corporal punishment or other degrading treatment”. In 1986, the Danish Parliament had amended its civil law to state that “parental custody implies the obligation to protect the child against physical and psychological violence and against other harmful treatment”. But this was interpreted as allowing milder forms of corporal punishment, and research found that they were still prevalent; hence the need for further and more explicit reform.

Cyprus, Croatia, Latvia, Germany and, most recently, Israel have also passed laws that prohibit corporal punishment and several others have proposals to do so. In Belgium, the government is now considering an explicit ban.

Globally, the end of corporal punishment in schools and the penal system is in sight. In addition to reforms led by legal challenges in Namibia and South Africa, recently Ethiopia, Korea, New Zealand and Uganda have banned it in schools and care institutions.

The legal provision in Sweden forms part of the family (civil) law: “Children are entitled to care, security and a good upbringing. Children are to be treated with respect

for their person and individuality and may not be subjected to corporal punishment or any other humiliating treatment”. One intention is to emphasize beyond doubt that the criminal code on assault covers corporal punishment, although trivial offences remain unpunished just as trivial assaults between adults are not prosecutable.

The purpose of criminalizing all corporal punishment is not, of course, to prosecute and punish more parents. It satisfies human rights by giving children equal protection of their physical integrity and human dignity. It gives a clear message that hitting children is wrong — at least as wrong as hitting anyone else. Thus it provides a consistent basis for child protection and for public education promoting positive forms of discipline. As attitudes change, so the need for prosecution and for formal interventions into families to protect children will diminish.

As this publication spells out, the goals of the ban were to alter public attitudes towards corporal punishment, establish a clear framework for parent education and support, and facilitate earlier and less intrusive intervention in child-protection cases. Public support for corporal punishment has also declined markedly since 1979. Public opinion surveys show that children themselves overwhelmingly oppose corporal punishment.

THOMAS HAMMARBERG
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Special Session on Children

“Spare the rod and spoil the child,” the saying used to go. Also in Sweden corporal punishment was previously considered necessary in order for children to grow up into competent, responsible members of society. Beating children was even regarded as a parental duty. However, corporal punishment is no longer seen as a necessary or a justifiable method of upbringing.

Corporal punishment and legal history

Views on the legality of violence have varied in Sweden depending on by whom and on whom it was practised. In olden times, the husband/father was entitled to use violence both on his wife and on his children. The man came at the top of the hierarchy, followed by the woman and, furthest down, the children. The children counted for least, and accordingly, crimes against them were not taken very seriously. A commentary on the 1734 Law stated that if a father chastised his child to death, the crime must be considered less severe than, for example, if he had beaten his wife to death. A very serious view was taken, on the other hand, of crimes committed by children against their parents. The law consistently protected the rights of

parents and, accordingly, the strong against the weak. The same basic view was present in the 1864 Criminal Justice Act, which laid down that if anyone committed manslaughter against a linear relative, e.g. a parent or grandparent, against a guardian or against his or her master, this was to be treated as an exceptionally aggravating circumstance.

Corporal punishment could be administered not only to children but to servants as well. The Statute of Servants entitled the master to resort to corporal punishment. “Domestic flogging” was a means of maintaining morality and discipline among underaged servant girls and farm hands, but also of disciplining the wife and children. Following the repeal of this statute in 1920, servants no longer needed to acquiesce in being beaten or hounded at work, but children could still be beaten. The 1920 Children (Legitimate) Act entitled parents to chastise their children. Since then the law has been successively changed, and there is no Swedish law today entitling adults to use any form of violence on children. Mileposts of this development include the following:

- The very first ban on corporal punishment in schools was enacted in 1918 but only applied to the senior grades of elementary school. The prohibition was later expanded to other types of schools until finally, in 1962, it applied to the entire school system.
- The right of administering corporal punishment to children

was deleted from the Children and Parents Code in 1966, with the result that the provisions of the Penal Code on assault became fully applicable to corporal punishment of children as well.

- The ban on corporal punishment became part of the Children and Parents Code in 1979.
- Legislation passed in 1982 equated assault in private places, e.g. in the home, with assault anywhere else. Up till then, assault (except in aggravated cases) was a “complainable crime”. The victim had to personally report the offence to the police if the assault had occurred in a private place, as was most often the case when women and children were assaulted. The change in the law now made it clear that violence is never a private matter.
- In 1990 Sweden ratified the UN Convention on the Rights of the Child.

From the legal point of view, all loopholes in the law have now been closed, in such a way that nobody can any longer justify the use of violence by claiming that it was necessary or reasonable. But the task of making this known and of conditioning attitudes is a never-ending one.

1. Justitiedepartementet (the Swedish Ministry of Justice): *The Right of the Child . Prohibiting Corporal Punishment. (Barnets rätt. Om förbud mot aga)* (SOU 1978:10)

The passing of the law against corporal punishment

A tragic case of child abuse occurred in Sweden in 1971, when a four-year-old girl was battered to death by her stepfather. The public reaction was strong and this resulted among other things in the formation of Children’s Rights in Society (BRIS). The new organisation started a helpline for children in difficulty and campaigned for better conditions for children at risk. In 1977 the Government appointed a committee to investigate in which cases and how the needs and rights of children could be better provided for. The committee adopted the name of “The Children’s Rights Commission” and in 1978 presented an interim report entitled *Children’s Rights. Prohibiting Corporal Punishment*¹. Arguments advanced by the Committee in favour of a statutory prohibition of corporal punishment included the following:

At the beginning of the 20th century it was still implicitly assumed that the child should obey its parents and authorities without murmur. Children were ascribed no independent standing and as a rule were not allowed to voice their opinions. Corporal punishment followed in the wake of this insistence on unconditional obedience...

Gradually society has changed. Independent thinking and the sense of responsibility, both for oneself and for others, have come to be seen as increasingly important prerequisites of the democratic social order. The concept of the child as an independent individual with rights of its own has become more prominent. This calls for a form of child education based on interaction, care and mutual respect.

The report was referred for consideration to a large number of national authorities and NGOs, nearly all of which seconded the proposed ban on corporal punishment.

As a result of the statutory change in 1966, the Children and Parents Code no longer contained any wording that could justify corporal punishment of children. On the other hand there was no provision expressly prohibiting such punishment. The question was whether any such provision was needed. Commenting on the Government's Bill to prohibit corporal punishment² the Minister of Justice stated partly as follows:

Child psychiatrists and child psychologists have long agreed that all corporal punishment of children is inappropriate. This view has steadily gained ground among the general public as well. Even milder forms of punishments can jeopardise the child's harmonic development...

Tackling real assault against children can be difficult so long as it is not perfectly clear that violence may not be used in any form in the upbringing of children.

For these reasons the Minister of Justice took the view that corporal punishment of children should be expressly prohibited. He stated :

A provision of this kind will mark the end of a process of legal development whereby society has increasingly turned against corporal punishment as a means of upbringing. This development in turn reflects the now prevalent view of the child as an independent individual entitled to full respect for his/her person.

The Government moved for the addition of a ban on corporal punishment to the Children and Parents Code. The proposal was carried by a large majority (259 votes to 6), making Sweden the first country in the world to prohibit corporal punishment and other degrading treatment of children. The Section of the Children and Parents Code prohibiting corporal punishment has been enlarged since 1979 and now reads as follows:

Children are entitled to care, security and a good upbringing. They shall be treated with respect for their person and their distinctive character and may

2. Government Bill Prop. 1978/79:67 to prohibit corporal punishment

not be subjected to corporal punishment or any other humiliating treatment.

Not just corporal punishment

The law has come to be known above all for its prohibition of the corporal punishment of children, but it also includes other humiliating treatment. The Government Bill states that the ban is directed against treatment which endangers the child's personal development. The information brochure about the new legislation (see below) gives the following instances of humiliating treatment: locking a child up, threatening, frightening, ostracising or ridiculing the child. Putting it quite simply, humiliating treatment means words and actions threatening the child's self-esteem. Humiliating treatment can be insidious and is less easily discovered than corporal punishment.

A provision to create opinion

The prohibition of corporal punishment in the Children and Parents Code is unaccompanied by any penal sanctions. Milder forms of physical or mental violence to children is not punished under any special provisions. The assault provisions of the Penal Code have been

judged sufficient and apply equally to children and adults. So the purpose of the legislation against corporal punishment of children is not to punish those who beat their children but, primarily, to mobilise opinion. In the Government Bill, the Minister of Justice wrote as follows:

Information and education, to alter the attitudes of parents and others who deal with children and young persons is preferable to relying on penal sanctions...

A clear prohibition of corporal punishment in the Children and Parents Code would provide valuable pedagogical support for efforts to convince parents and others that no form of violence may be used in the upbringing of children. Like the Commission I consider it important that the change in the law is realized by effective, ongoing information about the new provision. If not, it is liable to become a paper product.

The Ministry of Justice did in fact take vigorous action to publicise the new law. It initiated and funded an information campaign on television and in other mass media. Information was printed on milk cartons and a brochure entitled *Can You Bring Up Children Successfully without Smacking and Spanking?* was distributed to all households with children and translated into English, German, French, Spanish and various other languages. This information campaign had the effect of acquainting a large majority of the

population with the new legislation and the reasons for it.

At the time of its enactment, the law against corporal punishment was considered a radical measure in the surrounding world. When commented on internationally, in some countries it was ridiculed or viewed as an intrusion on private life and a threat to the liberty of parents in bringing up their children. Since then, however, several countries have followed Sweden's example. The other Nordic countries, Austria, Cyprus, Croatia, Latvia, Germany and Israel now have laws banning corporal punishment, and other countries are in the process to follow.

Strong support in Sweden for the ban on corporal punishment

A survey in 1965 showed that 53 per cent of Sweden's population regard corporal punishment as an indispensable part of children's upbringing. Since then the percentage in favour has fallen steadily. In a survey by Statistics Sweden (SCB) in 1996³, only 11 per cent of the adults taking part expressed themselves in favour of corporal punishment of children, at least in its milder forms. The proportion of

middle school pupils in favour was even smaller, 6 per cent.

The latest survey of attitudes to corporal punishment was carried out in 2000 by the Committee on Child Abuse and Related Issues, a Government Commission⁴. The survey included a study of attitudes among school children. Only 2 per cent of children in middle school found it acceptable for a parent to box or slap a child's ears in the heat of the moment. The same response was obtained from 20-year-olds. The negative attitude of Swedish children and youngsters to corporal punishment can probably be put down to the information supplied in schools concerning the ban on corporal punishment and the UN Convention on the Rights of the Child. Children today are aware that adults are not entitled to hit them.

Parents are aware of this, too. The information supplied to the general public when the law against corporal punishment was first passed has since been followed by parental support/education. Expectant couples and persons who have just become parents are offered parental education in groups, the mother

3. Statistics Sweden, SCB): *Children and Corporal Punishment (Barn och aga)* 1996:1

4. Socialdepartementet (The Swedish Ministry of Health and Social Affairs): *Children and Abuse. Supportive Documentation for the Committee on Child Abuse and Related Issues. (Barn och misshandel. Ett kunskapsunderlag för Kommittén mot barnmisshandel)* 2000

and child health care clinics. Topics dealt with include aspects of child education and corporal punishment.

One finds that attitudes to corporal punishment in Sweden have become increasingly negative since the 1960s and are far more negative than in other countries. The ban on corporal punishment has strong support of the Swedish population; among children as well as adults.

Progressively fewer children beaten

Attitudes are one thing. What people do in practice may be another. Is there a correspondance between the attitude to corporal punishment and the use of it, or do Swedish parents use physical violence in bringing up their children, even though they disapprove of it? Several surveys show that the negative attitude to corporal punishment has also had an impact on parenting practices.

In a longitudinal Swedish study, 212 randomly selected children born between 1955 and 1958 were followed up from the age of one until they were 36. These children,

then, grew up before corporal punishment was made illegal. Recently, as adults, they were interviewed about their experiences of corporal punishment during their formative years⁵. The results show, among other things, that all the interviewees were subjected to corporal punishment at some time or other between the ages of one and 16. Corporal punishment was most common between the ages of 18 months and six years, peaking at four years. Repeated violence in the course of upbringing was most common at the age of 18 months. 32 per cent of the daughters and 46 per cent of the sons were corporally punished by their mothers every day at this age. Fathers beat their children far less often.

Another of the main survey findings is that mothers' experience of violence during childhood had some bearing on the extent to which they themselves hit their children. This connection did not apply to fathers. Their corporal punishment of children was instead explained as an enlargement of corporal punishment by the mothers. The maternal method of imposing discipline was infectious, so to speak. This survey indicates that, for children living in a Stockholm suburb during the 1950s and 1960s, corporal punishment was a part of everyday life.

Sweden is taking part in an international research project aimed at investigating the connection between attitudes and corporal punishment. One Swedish study in the project includes 272 students

5. Stattin, Hansson, Klackenberglarsson och Magnusson: *Corporal punishment in everyday life: an intergenerational perspective*. In McCord, J: *Coercion and punishment in longterm perspectives*. Cambridge University Press 1998

aged between 18 and 64 (M26)⁶. Some of these students, then, were born before corporal punishment was outlawed, but the majority of them grew up after the law was passed.

35 per cent of the students state that they were subjected to corporal punishment at some time during their childhood. This group is dominated by those who were subjected to slight violence on isolated occasions. This is a far smaller proportion than in the study mentioned above, and also far smaller than in the other countries in the comparative material. In practically all the other countries, twice as many students reported being corporally punished during childhood. Those students (22 per cent) who were subjected to severe corporal punishment at some time or other were among the older members of the survey population.

The results also indicate that corporal punishment is not an isolated problem but part of a pattern of family violence. In almost half the families where corporal punishment was practised, other violence occurred as well. The study also showed a connection between the family's socio-economic status and the parents' level of education. Those who grew up in families with poor finances and poorly educated parents received more corporal punishment than others. Those subjected to corporal punishment described their childhood in more negative terms and were less contented than those who had not been corporally punished. 95 per cent of the students in the survey population strongly opposed corporal punishment.

One year after corporal punishment was outlawed, a study was made of the extent of violence to children in Sweden⁷. A comparison between this study and the study carried out by the Committee on Child Abuse and Related Issues shows that the use of corporal punishment has declined considerably in the past 20 years. Asked whether the parent had used some form of physical violence in the last year, 8 per cent answered yes (1980 51 per cent) and 16 per cent that it had happened more than ten times (1980 40 per cent). Summing up, fewer children are being corporally punished, and those who do experience corporal punishment, do so less frequently than used to be the case.

A questionnaire study of school children in the survey carried out by the Committee Against Child Abuse and Related Issues (see note 4) shows:

86 per cent have never been corporally punished by either parent,

8 per cent have been corporally punished by their mothers and 7 per cent by their fathers on some isolated occasion,

1 per cent received frequent corporal punishment from their mothers and 2 per cent from their fathers.

6. Fäldt, Johan: *Student's Experience of Corporal Punishment and Violence in the Home. (Studenters erfarenheter av kroppslig bestraffning i barndomen.)* Department of Psychology, University of Stockholm. 2000

7. Edfeldt, Åke: "In as much as..." . *Final report of the SUSA Project on Corporal Punishment and Violence in the Home ("Allt vad i gören...". Slutrapport från SUSA projektet om åga och våld i hemmet)* Proprius Stockholm 1985

As regards background factors, the family's financial circumstances are the most critical factor deciding whether or not violence is used in the upbringing of children. Violence occurs more often in families with financial problems.

Summing up, this very recent study shows that a large majority of 10- and 12-year olds in Sweden have never been subjected to corporal punishment and that regular corporal punishment is very unusual.

Consequences of corporal punishment

Corporal punishment can cause slight corporal injuries. Violence causing more serious corporal injury is assault and has to be treated as a crime. There is, however, no clear limit between corporal punishment and abuse. One reason for also taking a serious view of slight violence is that corporal punishment tends eventually to give way to more serious violence. Accordingly, reduction of corporal punishment is one means of preventing abuse against children. The most serious consequence of corporal punishment, then, is not of a medical nature but concerns its harmful psychological effects.

Corporal punishment amounts to a violation of the child which can undermine its self-esteem and give

rise to feelings of guilt and shame. The effects of corporal punishment are especially serious and profound if it is combined with a frosty attitude, dissociation or a directly hostile attitude to the child.

It is common for children who have been corporally punished to become aggressive themselves and to have difficulty in feeling empathy. Children who bully others and commit criminal offences from an early age have often experienced violence and aggression in their families. In an article in the newspaper *Dagens Nyheter* (1996-12-21), the Norwegian child psychologist Magne Raundalen was interviewed concerning the importance of childhood experiences for "man's inhumanity to man". The article was headed: "Discipline is the Root of Evil". Among other things, Magne Raundalen had the following to say:

There are always people who stand up to evil. What they all have in common is that they grew up in a loving environment without too much discipline or punishment. Empathy makes people human, and it has to be encouraged in children. Research has shown domination and severe punishment to characterise the domestic climate of children who bully others.

The psychological consequences of corporal punishment have been poorly researched. The American researcher Murray A. Straus puts this down to the legal and moral legitimacy of corporal punishment in the USA and the fact of corporal punishment of children being more or less routine. The lack of empiri-

cal research into the connection between corporal punishment and mental problems like depression, Straus maintains, is probably no coincidence but the result of “selective inattention”. Straus has investigated the connection between corporal punishment of teenagers and depression and thoughts of suicide. The findings point to the existence of such a connection. The more corporal punishment young persons had suffered, the more depressive symptoms they presented and the more often they contemplated suicide. No difference was found between boys and girls and it made no difference whether the corporal punishment was inflicted by the mother or father.⁸

The existence of a relationship between severe upbringing and behavioural problems, antisocial behaviour and criminal behaviour is strongly supported by research.

Do the harmful effects of corporal punishment vary with the prevailing attitude to corporal punishment in society? Does corporal punishment in itself cause mental injury or does it only cause harm if the child feels rejected at the same time? Do the harmful mental effects vary according to the child's own attitude to corporal punishment?

These questions have been investigated in St Kitts in the West Indies, a former British colony⁹. The population studied comprised children between the ages of nine and 12. The results revealed a faint but significant connection between corporal punishment and negative psychological adjustment. They also

showed that the children's feeling of rejection was proportional to the frequency and severity of their punishment. The more rejected they felt, the poorer their mental state of health. Children regarding corporal punishment as an acceptable method of upbringing were harmed just as much as those who did not. Social acceptance of corporal punishment, then, does not alleviate its harmful effects.

Child rearing in different cultures

Affection and control are key words in the bringing up of children. Affection means the parent having a capacity for empathy, being responsive to the child's needs and responding adequately to its signals. Control means making demands on the child, defining limits and teaching the child socially acceptable behaviour. On the basis of combinations of affection and control, various patterns can be distinguished:

8. Straus, M.A.: *Corporal punishment of children and adult depression and suicidal ideation* i McCord, J (red.): *Coercion and punishment in long-term perspectives*. Cambridge University Press. 1998

9. Ronald P. Rohner, Kevin J. Kean, David E. Cournoyer: *Effects of Corporal Punishment, Perceived Caretaker Warmth, and Cultural Beliefs on the Psychological Adjustment of Children in St. Kitts, West Indies*. *Journal of Marriage and the Family* 53/1991

1. Authoritarian upbringing

This emphasises the importance of obedience to authorities. Unconditional obedience is required from the child, with no discussions or explanations. The authoritarian pattern of child rearing is also distinguished by lack of affection in the parent-child relationship.

2. Authoritative pattern

The parent has control over the child but exercises that control by arguing and explaining to the child. He or she is open to discussion and receptive to the child's viewpoints. The parent shows affection in relation to the child.

3. Permissive pattern

The parent exerts less control, does not demand obedience or compliance by the child with certain norms. The child is left very much to decide for itself and the parent avoids confrontation.

4. Indifferent pattern

The child is to a great extent abandoned and left more or less to its own educational devices. The parent gives priority to his or her own needs rather than to the child's and does not assume his/her parental responsibility.

The permissive pattern was common in Sweden during the 70s. "Free upbringing" was a reaction against the oppression which many children had experienced during the first half of the 20th century and against the belief in authority which had such disastrous consequences during the Second World War. Today the authoritative pat-

tern is most common. Parents have a close emotional relationship with their children and control is exercised through non-authoritarian methods. This means that parents trust that their children not always need supervision and strict limits but are able to cope with a fairly generous amount of freedom from a relatively early age.

This "Swedish freedom" is sometimes viewed by families of foreign origin as if principles and rules don't exist. They do not perceive any exercise of control when the methods differ from those which they are accustomed to from their countries of origin. Problems occur when children and young persons of foreign origin do not understand the meaning of non-authoritarian attitudes, e.g. in school and pre-school education, but believe that anything goes. Some parents also believe that Swedish schools are completely lacking in order and discipline.

Differences in the view taken of child education can cause certain parents to feel powerless. The methods that worked at home do not work in Sweden. The collectivist system, with its heavy pressure on the individual to adapt to the family, its norms and values, is eroded by Swedish society. This threatens the very foundations of child rearing. Research psychologist Anders Broberg writes as follows concerning the consequences of migration for parenthood:

Successful parenthood depends on the adults being rooted in a fabric of values, customs and habits which support their

parental authority and on how secure they feel in their parental role. A good parent is differently defined in every culture, and migration can threaten the parental role if the prerequisites for the maintenance of parental authority are removed in the new culture..¹⁰

In many cultures, the right to use corporal punishment is a part of parental authority, but in Sweden that authority has to be maintained by other means. As a result, many parents of foreign origin feel that they lack the necessary equipment for child rearing. They ask themselves what they are to do instead of hitting their children.

There are answers to this question, but they are not that simple. The use of corporal punishment is not primarily a question of methods of upbringing but is more concerned with the relationship between parents and children, with respecting the child as an individual and with the aims of upbringing. Having a collectivistic aim in a society where an individualistic view of human nature predominates is liable to lead to confusion, insecurity and perpetual confrontations with the community at large on the part of both parents and children. This is a highly complex problem, because fundamentally it is concerned with the formation of identity and the experience of one's own ego and its limits. The view of child rearing has profound historical and cultural roots which it takes a long time to change.

One Swedish study investigated different methods of child educa-

tion¹¹. 200 families with children between the ages of one and six were included in the survey, which revealed a wide variety of methods used by parents to make children obey them. Sharp admonitions, physically preventing the child from doing something and redefining the situation or problem were the most common methods. Upbringing is exercised more by verbal than physical methods. Use of threats or corporal punishment was the least common expedient. The researcher came to the general conclusion that parents who respect the ban on corporal punishment have not abdicated from their parental authority but exercise discipline and control by other means.

Attitudes to corporal punishment in various countries

Sweden is taking part in a research project, "Patterns of Child Education in Various Countries", in which comparisons are being made between attitudes to corporal punish-

10. Broberg, Anders: *Child rearing in Time and Space. (Barnuppfostran i tid och rum.)* Norges Barnevern nr 3-4 2000

11. Palmérus Kerstin: *Self-reported Discipline among Swedish Parents of Preschool Children.* Infant and Child Development. No. 8/1999

ment in various countries. [Footnote: Anders Broberg, Department of Psychology, University of Gothenburg, is responsible for the Swedish input]. The following are three of the studies which are included in the project.

The first concerns maternal views on corporal punishment in Sweden, where corporal punishment is disapproved of, and in Canada, where it is a legal and culturally sanctioned method of upbringing¹². 102 Swedish and 107 Canadian mothers of children aged between three and six years took part in the survey.

A minority of mothers in both countries admitted that corporal punishment was a normal element of their parenting (17% of the Canadians and 5% of the Swedes). Most mothers in both countries disapproved of corporal punishment, the Swedish mothers most of all, 80% of them considered corporal punishment unnecessary and harmful, and nearly 90% regarded it as an ineffective method in the upbringing of children. A minority of mothers in both countries expect-

ted corporal punishment to lead to greater obedience, more respect for the parent or to the child learning acceptable behaviour. Instead nearly half of the Canadian mothers and 65% of the Swedish mothers believed that corporal punishment had the effect of making the child more aggressive. 75% of the Canadian mothers and 85% of the Swedish mothers believed that the use of corporal punishment made parents feel guilty and remorseful.

One interesting difference between the two groups was that Swedish mothers considered corporal punishment to be excusable or acceptable if exercised when the parent was emotionally upset, while the Canadian mothers tended more to regard corporal punishment as acceptable if the punishing parent was calm and collected. From this we may conclude that corporal punishment is not a part of Swedish mothers' strategy of upbringing. If corporal punishment does occur it is due to the parent being frustrated and losing control.

In another study¹³ the same group of researchers inquired whether the use of corporal punishment was predictable from certain maternal characteristics. This study also took place in both Sweden and Canada. The researchers began with four factors:

- **Attitudes.** The results show, not very surprisingly, that the more parents approve of corporal punishment, the more often they use it. Parents' views of their children's behaviour are also found to be important. If parents regard disobedience and

12. Durrant, Rose-Krasnor, Broberg: *Maternal Beliefs about Physical Punishment in Sweden and Canada*. *Journal of Comparative Family Studies*. In press.

13. Durrant, J.E., Broberg, A.G. & Rose-Krasnor, L.: *Predicting use of physical punishment during mother-child conflicts in Sweden and Canada*. In C.C. Piotrowski & P.D. Hastings, Eds 1999, *Conflict as a context for understanding maternal beliefs about child-rearing and children's misbehavior*. *New Directions for Child and Adolescent Development*, No. 86

bad behaviour as intentional and as a major problem, they are more liable to punish their children physically.

- **State of mind.** Mothers who are not in good mental condition and feel irritated and depressed hit their children more than women who are in better mental shape.
- **Violence in the past.** Parents who were themselves hit during childhood hit their own children more often than other parents.
- **Cultural norms.** If the norms and legislation of society support the use of corporal punishment, it will be used more frequently than otherwise.

On the basis of these four factors, the researchers were able to predict corporal punishment by 87 per cent of the Canadian mothers but not by any of the Swedish mothers, due partly to corporal punishment being very infrequent in the Swedish material. One possible interpretation is that corporal punishment, when it occurs among Swedish-born parents it is related to difficulties in the parental role while, in Canada corporal punishment is a common ingredient in child rearing.

A third survey¹⁴ covered Sweden, Canada, Iran and the Cook Islands in the Pacific. One interesting difference emerging from this study concerned the perception of children's "naughtiness". Swedish mothers took their children's disobedience less seriously than mothers in the other countries. Swedish mothers generally tried to find ex-

planations and excuses for the child being awkward. Mothers in the other countries found their children disobedient more often than Swedish mothers did and considered their disobedience to be deliberate and serious. It therefore had to be corrected. The disobedient child must be managed. As Swedish mothers were patient and did not feel their children were disobedient very often, they did not see any need for authoritarian methods of upbringing.

The study indicates the existence of a connection between corporal punishment and our perception of children. If children are regarded as troublesome, deliberately bad and disobedient, this augments the risk of parents resorting to corporal punishment as a means of correction.

The UN Convention on the Rights of the Child

Although only a few countries have an explicit regulation against corporal punishment, all but two (the USA and Somalia) have ratified the UN Convention on the Rights of

14. Broberg, Anders: *Corporal punishment and other child rearing methods : a cross-cultural perspective. (Aga och andra uppfostringsmetoder: ett tvärkulturellt perspektiv.)*Föredrag vid Nordiska Barnavårdskongressen 1997)

the Child, Article 19 where article 19 states:

States parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of corporal and mental violence...

The UN Committee set up to monitor compliance with the Convention has taken the provision of Article 19 to imply a prohibition of corporal punishment.

The Convention on the Rights of the Child has done a great deal to change attitudes towards children. More and more people regard it as self-evident that children are entitled to respect for their person and integrity. One of the basic ideas of the Convention is that children and adults have the same human dignity. Among other things, children are entitled to express their opinions freely and to be listened to. Corporal punishment of children is not in correspondence with the values permeating the Convention. An authoritarian upbringing which includes corporal punishment and degrading treatment is out of harmony both with the article of the Convention on the protection of children from all forms of mental and physical violence and with the articles concerning the best interests of the child and the right of the child to be listened to.

Concluding remarks

Sweden was the first country in the world to outlaw corporal punishment, and various surveys have shown this measure to be strongly supported by the Swedish population. In many countries, forces are at work to change attitudes to corporal punishment and to introduce similar legislation, and so people are interested to know how Sweden went about things. Why are attitudes to corporal punishment so negative in Sweden? Some explanations can be discerned:

- There is a tradition in Sweden of resolving conflicts by discussion and agreement. This applies, for example, in working life.
- A great deal of progress has been made with regard to the equality of women and men. Women occupy a relatively strong position both at work and in the family. As a result, their way of rearing children, which most often implies less authoritarian methods, has had a powerful impact. A stronger position for women also means a stronger position for children.
- Sweden is a relatively child-centred society. Many people work professionally with children, with the result that the community has a large fund of knowledge concerning children's needs and development. Great efforts are being made to offer children the best possible formative conditions, both within the family and in the community at large.

- The legislation has been successfully modified to indicate that questions of custody and access, for example, shall be decided according to the best interests of the child. Many changes have also been aimed at strengthening the role of fathers. Joint custody, for example, is the general rule today, even if parents are not married, and fathers have been given more scope for taking parental leave. Greater opportunities for men to take care of very young children probably lead to stronger emotional bonds between fathers and their children, which in turn presumably leads to less reliance on corporal punishment.

The negative attitude to corporal punishment in Sweden, then, is rooted in a variety of favourable historical and structural factors. Of course, not all the problems have been solved. There are still children in Sweden who are being maltreated and neglected. But we have made a good deal of progress towards children being treated with respect for their physical and mental integrity and regarded as full members of the community.

Modern Sweden makes strong demands on the individual. It is a matter of community interest that children should grow up into independently minded, socially competent, mentally strong individuals with powers of initiative. Such qualities are not promoted by a form of upbringing which suppresses and humiliates children. Thus, from both a human and a societal perspective, there are good reasons for campaigning against corporal pu-

nishment and other humiliating treatment of children.

“If you aren’t allowed to hit your children, what are you to do instead?” One Swedish study shows that parents have a whole arsenal of methods for bringing up their children.¹⁵ How different educational methods are perceived by and affect the child depend much on the parent-child relationship the researcher concludes. The relationship between parents and children, combined with the extent to which the child understands the parent’s methods of upbringing as legitimate, decide the child’s social and personal development.¹⁶

Summing up, the essential thing is not only to develop new methods of child rearing but also to transform attitudes towards children and the relationship between adults and children. Above all, children have to be granted with a fundamental human right – the right of being spared physical violence.

15 Palmérus Kerstin: *Self-reported Discipline among Swedish Parents of Pre-school Children*. Infant and Child Development. No. 8/1999

16. Palmérus Kerstin: *Patterns of Child Rearing among Swedish Parents*. (Svenska föräldrars uppfostringsmönster) Nordisk Psykologi 49/1997

Ending Corporal Punishment

Swedish Experience of Efforts to prevent All Forms of Violence Against Children – and the Results

International co-operation is important for the true realization of the UN Convention on the Rights of the Child. Each country has something to learn from experiences in other countries. The UN discussions on child rights aim largely to facilitate such exchanges. As a contribution to the preparations for the General Assembly Special Session on Children in 2001, the Swedish Government is publishing three small publications outlining efforts made to implement the Convention, progress made and difficulties encountered. They focus on areas which might be of particular interest to an international audience and are written by independent experts.

This publication on the Swedish efforts to put an end to all forms of violence against children describes legal reforms and other measures to put an end to corporal punishment – in institutions but also in a family context. It also outlines how attitudes towards children have changed as a result.

The text is written by Barbro Hindberg, former expert at the National Board of Health and Welfare. She now freelances in the field of child abuse and neglect. Preface by Ambassador Thomas Hammarberg.

The other publications are about child impact assessments and participation of children in decision-making. They can be ordered at the Ministry of Health and Social Affairs (Social Services Division), SE-103 33 Stockholm, fax +46 8 10 36 33.
E-mail adress: registrator@social.ministry.se.

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