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EVALUATING THE SUCCESS OF SWEDEN'S CORPORAL PUNISHMENT BAN

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ABSTRACT

Objective: In 1979, Sweden became the first nation to explicitly prohibit all forms of corporal punishment of children by all caretakers in an effort to: (1) alter public attitudes toward this practice; (2) increase early identification of children at risk for abuse; and (3) promote earlier and more supportive intervention to families. The aim of this study was to examine trends over recent decades in these areas to assess the degree to which these goals have been met.

Method: Primary data were collected from official Swedish sources for the following variables: public support for corporal punishment, reporting of child physical assault, child abuse mortality, prosecution rates, and intervention by the social authorities. Lines of best fit were generated and Cox and Stuart tests for trend were conducted.

Results: Public support for corporal punishment has declined, identification of children at risk has increased, child abuse mortality is rare, prosecution rates have remained steady, and social service intervention has become increasingly supportive and preventive.

Conclusions: The Swedish ban has been highly successful in accomplishing its goals. © 1999 Elsevier Science Ltd

Key Words—Corporal punishment, Sweden, Law, Effects.

INTRODUCTION

IN 1979, SWEDEN became the first nation to abolish all types of corporal punishment of children by all caretakers. This law represents the end of a series of legislative reforms spanning 50 years which were aimed at making the rejection of corporal punishment increasingly explicit in law. While the history of this law has been described in detail elsewhere (Durrant, 1996; Durrant & Olsen, 1997; Newell, 1989; Ziegert, 1983, 1987), it will be summarized here to provide a context for the analyses to follow.

HISTORY OF THE SWEDISH CORPORAL PUNISHMENT BAN

At the beginning of the twentieth century, severe corporal punishment was common in Sweden (Sverne, 1993). However, concerns about the welfare of children began to be expressed early in the century (see Durrant & Olsen, 1997); the first legislative reform took place in 1928 when corporal punishment was abolished from Swedish secondary schools (*gymnasiums*).

Continued concern about the levels of violence directed toward children during the ensuing

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decades led to the repeal in 1957 of the Penal Code defence for caretakers using corporal punishment. It was intended that children would then receive the same degree of protection from assault that adults receive. A second goal of the repeal was to clarify the grounds for criminal prosecution of parents who physically harmed their children. In 1966, the paragraph permitting mild forms of corporal punishment was also removed from the civil Parents' Code (Föräldrabalken).

It was expected that these legislative changes, together with bans on corporal punishment in child care institutions and reformatory schools, would convey that the use of physical force with children was no longer acceptable. However, in the 1970s, a case of serious child physical abuse occurred and the father who had beaten the child was acquitted by the court. Public outcry over this case, and over child abuse in general, contributed to a decision by the Minister of Justice to appoint a Commission on Children's Rights with the objective of reviewing the Parents' Code.

The Commission concluded that the guidelines for parents and legal authorities were not sufficiently clear with regard to corporal punishment and proposed unanimously to add a paragraph to the Parents' Code stating explicitly that this practice was not permitted. The proposal was supported by 28 of the 30 experts who reviewed it, all political parties, and 98% of Parliamentary members. The proposal was put into force on July 1, 1979. The relevant paragraph in the Parents' Code states:

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 physical punishment or other injurious or humiliating treatment. (Chapter 6, Section 1)

Therefore, it is clear that the criminal law on assault applies equally to assaults of adults and children. However, the law was not intended as a means of criminalizing caretakers; it was written into the Parents' Code, which carries no criminal penalties, rather than the Penal Code for this reason. Its primary purpose was to educate, not to coerce.

Should physical chastisement meted out to a child cause bodily injury or pain which is more than of very temporary duration it is classified as assault and is an offence punishable under the Criminal Code . . . although as before trivial offences will remain unpunished, either because they cannot be classified as assault or because an action is not brought. (Ministry of Justice, 1979)

The passage of the ban was accompanied by national distribution of a 16-page public education brochure that was translated into all major immigrant languages. In addition, information about the law was printed on milk cartons for 2 months in order to have information about the law present at mealtimes so that families could discuss the issue. For further information on these and other supportive measures (see Durrant & Olsen, 1997).

Objectives of the Swedish Corporal Punishment Ban

The ban had three primary objectives. First, it was intended to alter attitudes toward the use of physical force with children as a first step toward eliminating its use. It was expected that the law would produce a shift in social pressure such that a "good" parent would be seen as one who does not use corporal punishment.

Second, the ban was intended to set a clear guideline for parents and professionals. Professionals now could state clearly to families that physical force was not permitted and could identify at-risk parents early in the cycle of abuse. It was also expected that Swedes would now act promptly upon witnessing or hearing disclosures of physical harm.

Third, earlier identification was expected to result in earlier intervention. It was intended that

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