



PII S0145-2134(00)00155-1

CHANGING PUBLIC ATTITUDES TOWARDS CORPORAL PUNISHMENT: THE EFFECTS OF STATUTORY REFORM IN SWEDEN

JULIAN V. ROBERTS

Department of Criminology, University of Ottawa, Ottawa, Ontario, Canada

ABSTRACT

Objective: One justification for a statutory ban on physical punishment is that passage of such legislation changes public attitudes towards the use of this form of parental discipline. The experience in Sweden is often cited as an example of legislation which changed public opinion. The aim of this brief article is to review the public opinion findings in Sweden in order to evaluate in greater detail the impact of changing the law.

Method: A search was conducted to generate all published and publicly-available quantitative surveys of the public in Sweden and elsewhere.

Results: The results of time-series analysis of the data are clear. The 1979 legal reform in Sweden did not reduce the level of public support for parental use of corporal punishment as a means of disciplining children. Support for physical punishment began declining years before the reform was passed and the decline was in no way accelerated by the law reform. Changes in public opinion may have generated the legal reform, but the reverse is not true. Data from other jurisdictions also support the view that there is no relationship between the status of the law and the nature of public views with regard to corporal punishment. This result is consistent with analyses of the effects of legal reforms in other areas.

Conclusions: The Swedish ban on corporal punishment did not affect public attitudes. Changing public views requires other initiatives. © 2000 Elsevier Science Ltd.

Key Words—Public opinion, Corporal punishment.

INTRODUCTION

IN 1979, SWEDEN passed legislation which effectively abolished corporal punishment as a legitimate child-rearing practice. Proponents of a ban on the use of corporal punishment in the home frequently point to the example of Sweden as a jurisdiction in which legislative reform changed the views (and subsequently disciplinary practices) of the public. The experience in that country is therefore of considerable interest to other jurisdictions considering adopting similar reform legislation.

In Canada and New Zealand, for example, attempts have been underway for several years to repeal provisions in these countries' Criminal Codes which permit parents to administer physical punishment if it is reasonable and for the purpose of correction. A provision (S. 43) of the Canadian Criminal Code protects parents (and persons acting *in loco parentis*) who physically punish their children from a charge of assault (as long as the application of force is for the purpose of correction and is "reasonable"). A private member's Bill introduced in 1999 in the Canadian Parliament calls for the repeal of this provision. The effect of the proposed Bill would be to remove this protection

Submitted for publication May 25, 1999; final revision received December 16, 1999; accepted December 19, 1999.

Requests for reprints should be sent to Julian V. Roberts, Department of Criminology, University of Ottawa, P.O. Box 450, Station A, Ottawa, Ontario, Canada K1N 6N5.

against a charge of assault arising from the use of corporal punishment by a parent or person acting *in loco parentis*. At the same time, a constitutional challenge has been launched to the same provision of the Canadian Criminal Code. Similar reform proposals have been advanced in a number of other jurisdictions, including Germany, Poland, Spain, and Scotland.

Changing public attitudes towards the use of physical punishment is one of the principal arguments used by advocates of a statutory prohibition. Durrant and Rose-Krasnor (1995a) for example, argue that “law shapes and confirms public values” (p. 37). It is critical therefore, to have an accurate understanding of the effects of the Swedish reform on public opinion.

This is a propitious time to revisit the Swedish experience for two reasons. First, after a hiatus of some years, additional data regarding Swedish public opinion with respect to corporal punishment are now available. Second, the public opinion data with respect to corporal punishment have never been assembled in a single article and evaluated. This brief article examines all publicly-available survey data bearing upon this question. Closer inspection of the trends reveals some surprises, and suggests that accepted wisdom with respect to this issue may be in error.

Purpose of the Swedish Legislation

As a recent Swedish government publication notes: “In 1979, any form of spanking children was made against the law” (Statistics Sweden, 1996, p. 5). There is little doubt that the principal goal of the Swedish reform was to change public attitudes towards corporal punishment. Writing shortly after the new law was passed, Ziegert (1983) observed that “the intended immediate effects of the legal prohibition of corporal punishment are the strengthening of a general and increasingly positive attitude on the part of the Swedish public to childrearing without the use of corporal punishment and the weakening of the traditional attitude of its harmlessness” (p. 921). Bitensky (1998) wrote that “the Swedish Parliament enacted the law without express reference to sanctions because lawmakers conceived of the prohibition as having its primary effect by *influencing societal attitudes* rather than by more immediately deterring individuals with the threat of penalties” (p. 363, emphasis added). Most recently, Durrant (1999) notes that “The ban had three primary objectives. *First, it was intended to alter attitudes toward the use of physical force with children*” (p. 436, emphasis added). The critical research question, then, is the following: What effect did the legal change in 1979 have on Swedish attitudes towards the use of corporal punishment against children?

There is one additional reason to look to the Swedish experience with legal reform. As Ziegert (1983) notes, by 1981, survey research conducted 2 years after the law changed revealed that “nearly every adult Swede knew that the law forbids corporal punishment” (p. 922). Since public knowledge of the law, and legal reforms in particular, tends to be poor (see Roberts & Stalans, 1997), if Swedish attitudes failed to change as a result of the law, this cannot be attributed to ignorance of the reform legislation. First, however, it is worth noting the interpretation that has been placed on the Swedish law with respect to public opinion.

Views Regarding the Effects of the Swedish Legislation on Public Attitudes to Corporal Punishment

Published evaluations have concluded that the Swedish law achieved its stated goal of changing public attitudes towards corporal punishment. As well, the language used to describe the Swedish experience clearly identifies the direction of causality. Thus Durrant and Rose-Krasnor (1995a) note the decline in public support for corporal punishment and argue that “cultural norms are changeable and that legislation can be a key tool in enacting such change” (p. 29). Burns (1992) concludes that in Sweden, there was “a major shift in opinion *after* the legislation” (p. 47). Similarly, Straus (1994) writes that: “A rapid and dramatic loss of support for corporal punishment in all Scandinavian countries began *almost immediately after these countries made it illegal for*

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