

# Negotiating children's rights in Sweden: National and historical origins

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## **Abstract**

Sweden, taken alone or in conjunction with the other Nordic countries, is commonly perceived as a nation where the protection of children and children's rights has significantly contributed to building both the welfare state and a national identity. The adoption of legislation that prohibits the use of corporal punishment within the family in 1979 is often seen as an example of Sweden's modernization and commitment to the welfare state and has made the country perform as one of the leaders in the struggle for children's rights. This paper looks back at the political situation that has allowed the introduction of a legal ban on corporal punishment within the family, which was built on the concomitant establishment of a new type of relationship between children, the family and the state and on the advent of a multicultural society.

The building of the welfare state in Sweden focused not only on equality, but also on the capability of parents to carry out the task of being parents. The question of parental education had come to light in the 1960s and became an important part of the debates in the 1970s. A point of discussion was the contrast between the prohibition of corporal punishment and abusive treatment in official institutions, adopted in 1958, and its perpetuation within the family. A clearer stand on corporal punishment within the family was needed to motivate the education of parents under the direction of the state. Social debates at that time evolved around representations of children's individual rights, that were considered equal to those of parents, and of children's physical, psychological and emotional integrity. In addition, reference was also made to economic backgrounds and social environments, mainly regarding the cultural values of the immigrant population whose views on child-rearing were presented as a problem that necessitated more direct state intervention. The discussion on the prohibition of corporal punishment in the family hence anticipated criticism against multicultural tolerance for the cultural traditions with reference to family violence which was going to be brought to the fore in the decades to come. This position conflicted with the overriding principle concerning respect for various cultural values which formed part of Swedish immigration policy during the same period. The haste to establish a legal ban on corporal punishment within the family highlights the importance attached to representations of children in public opinion set against the tolerance towards cultural practices defended within immigration policy at that time. The values concerning raising children, and the rights of children in Sweden, were not considered equal to those of other cultures, but rather they appear as fundamental, as human rights in a democratic society. Swedish values concerning child-rearing are placed in parity with universal democratic human rights. The 1979 Swedish law prohibiting corporal punishment of children in the family thus appears partly a reaction to the transformation of a relatively homogeneous society into a multicultural society.

**Presenter - Bio**

Bengt Sandin is professor at the Department of Thematic Studies/Child Studies at the University of Linköping, Sweden. His research spans the period from the Early Modern to the late Swedish Welfare State and involve both an engagement in social and cultural history of children and the construction of childhood. Research interests include Early Modern Education and State building, Child Labour, 19th century Education, Street Children, Educational Media Politics, Welfare Politics and Abortion, the Identity of the Foetus, Construction of Children's Rights, The History of Child Psychiatry, Children, Childhood and Reparative Justice. Bengt has been the scientific leader of a number of research programmes and has been the adviser of some 25 PhD projects. He is a fellow at CASBS, Stanford and was the president of SHCY 2011-2013.

**Discussant - Bio**

Therese Boje Mortensen is a PhD Candidate in Human Rights Studies at Lund University. Her PhD project is about the role of NGOs in implementing and advocating for children's rights in contemporary India, studied through an ethnography of the national helpline for children, CHILDLINE. Her background is in South Asian Studies and Human Rights Studies, and she has worked for a number of child rights NGOs before and during her PhD.