

## Book Review

# Corporal punishment of children: Comparative legal and social developments towards prohibition and beyond

Saunders B. Leviner P. & Naylor B. (2019). **Corporal punishment of children: Comparative legal and social developments towards prohibition and beyond**. Brill Nijhoff, Leiden, Netherlands. €193, £175. Pp. 344. RRP: US\$222, Euro193.

Reviewed by Angelika Poulsen, independent researcher, corporal punishment and family violence.

This text is a fresh and important injection into the corporal punishment literature by an impressive list of contributors. Its broad scope encompasses all aspects of the social and legal considerations in the quest to end corporal punishment of children in all countries.

Catalysed by a meeting of academics and political, religious and human rights activists in Stockholm in 2018, this book comprises the chapters resulting from each participant's workshop paper. The book is a noteworthy and original contribution to extant literature, and many of the chapters present unique research to the field.

The editors are driven by the simple injustice that 'children may be physically punished for being children' and highlight in the *Introduction* that 90% of the world's children live in countries that do not afford them legal protection from corporal punishment. However, 54 countries have now banned corporal punishment in all settings, a global phenomenon that has gathered momentum in recent years, making this book both timely and valuable for anyone wishing to gain a significant insight into the persistence of corporal punishment globally, and the catalysts for change. During the inaugural workshop, 'Participants considered the sources of resistance to introducing bans; the drivers/triggers for change in different countries; the legal and social effects of bans in countries that have to date banned corporal punishment; the different legal frameworks (civil, criminal, family law) used to regulate corporal punishment to date; and the broader context of corporal punishment – how it is situated in family violence generally, and the impact of migration on cultural and legal values in relation to corporal punishment of children' (p. 3).

A chapter by Kirsten Sandberg provides an extensive analysis of the role of the UN in the banning of corporal punishment of children as well as a useful reflection of its effectiveness and limitations in achieving its aim of eliminating violence towards children.

Bronwyn Naylor's chapter draws parallels between child legal protection against corporal punishment and the broader, more topical, feminist/equality context of family violence, using case studies including Sweden, Italy and France. The role of religion in the justification for the use of corporal punishment against children, as is often written about, is discussed by Chris Dodd. This chapter, however, broadens the discussion to include the religious impetus for banning it.

Primary editor Bernadette Saunders's impassioned chapter describes the role played by language in the English-speaking world to progress and motivate the change needed to end corporal punishment. The section dedicated to illustrate the Danish way of parenting is of particular note as an example of a society that respects children and teaches them empathy. Conversely, she also discusses "childism" – prejudice against, and the othering of, children and childhood – which serves to maintain children's historical position as inferior and in need of being corporally disciplined. Using the perspectives of children to illustrate the importance of listening to the very subjects of corporal punishment, Saunders qualitatively explores the issues at the foundation of the argument and reminds the reader of the innocence and perceptiveness of children.

Pernilla Leviner's chapter revisits the oft-discussed Swedish ban on corporal punishment, and she adds further depth to the issue through her discussion of the paradoxes around why violence against children is increasing in Sweden despite the 1979 ban, and how this has been impacted by multiculturalism. Leviner explores the legal and sociological aspects of this paradox through retrospective and prospective logic, and interviews child protection professionals to ascertain their interpretations of relevant corporal punishment legislation.

Ian Hassal uses New Zealand as an interesting case study on how its ban on corporal punishment came to be – a topic that has hitherto not been adequately documented. Monika Haug's chapter employs 56 case studies to explore how the German justice system has tackled criminal prosecutions of parents since its 2000 ban. When populist campaigning against the banning of corporal punishment often focuses on the inadvertent criminalisation of parents, Haug's research provides a sound counter-argument. Further chapters by Tamar Morag as well as George W. Holden, Kaci L. Wright and Deborah D. Sendek explore Israel's banning of corporal punishment and the USA's reluctance to do the same, respectively. Joan Durrant, who has written extensively on Sweden's ban on corporal punishment, writes here on Canada's slow progress in protecting children from corporal punishment, however, with an overall air of optimism, detailing the not altogether unique challenges faced by Canada in achieving a ban. Historically, Australia has faced many similar challenges to Canada in banning corporal punishment. Apropos Australia, it is notably absent as a case study, though it may be that its status as a non-issue on the political agenda and the general lack of

research into its prevalence in Australia prove it to be a relatively stagnant issue without much to explore.

There are too many other interesting and noteworthy chapters to discuss here but, suffice to say, this book is to be recommended for its ambition to share information, experience and research that may be applicable in a global context, and

its achievement in doing exactly that. It should be regarded as an important and useful book for anyone working towards and interested in protecting children from corporal punishment.

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