Maarit Jänterä – Jareborg (ed),


The nine articles in this book review highly contentious and often politicized issues in today’s turbulent world. The official normative order inspired by the UN Convention on the Rights of the Child is increasingly interpreted to clash with practices (often of minority groups) that challenge the welfare and rights of the child, and which are of uttermost relevance for any pluralistic, multicultural society encountering a diversity of norms, whether legal, cultural or faith-based. Each chapters examines in depth how the child's rights are at risk because of conflicting interests regarding the manner in which the child is to be brought up, or the child's cultural or religious identity is to be shaped. Included are the tensions between child’s education and the culture of parents, under-age marriage, and circumcision of a boy child for cultural or religious reasons. The wide range of research evidences and arguments makes the book highly valuable for scholars and law makers and child rights activists. Legal perspectives are combined with those of anthropology and paediatrics.

Most of the authors are active in the Nordic states and they write in particular about Sweden, but also Finland and Norway. Nevertheless, as the editor Maarit Jänterä – Jareborg1 confirms: a comprehensive and general European situation is present throughout the book, with the case law of the European Court of Human Rights (ECtHR) analysed by Sanna Mustasaari and Sanna Koulu. Louise Ellen Teitz, in addition, draws the attention to international attempts to bring the Muslim countries into a framework of global legal cooperation on children’s welfare, initiated by the Hague Conference on Private International Law through the so-called Malta process. Esin Örücü’s concerns that adult interests systematically override those of the child are *per se* universal in nature.

*The Child in the Intersections between Society, Family, Faith and Culture* begins with the editor’s brief but deep and comprehensive view of the book’s topics, approaches and global implications.

In *Born or Becoming: Children, Religion and Identity*, Jane Mair2 explores children’s identity rights in their religious upbringing influenced by the family

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and the state. What does it mean to protect a child’s identity, and how can it work in practice?

When law seeks to protect the identity of a child, is it the identity with which the child was born or the identity into which the child will grow? To what extent is identity the product of self-determination or to what extent is it ascribed? And when that identity is grounded in or formed by religion, do we remain equally comfortable about its protection or would we prefer the identity of a child to be nurtured within a system of liberal secular influence?

Sanna Mustasaari\(^3\) and Sanna Koulu\(^4\) discuss in *State curriculum and parents’ convictions under the European Convention on Human Rights* how the best interests of the child could be safeguarded during conflicts between state-mandated school curricula and the convictions of the parents, with special regard to the case law of the ECtHR. Again, a set of complex questions are posed about the position of the child within such a conflict – as a pawn or as an agent and to what extent can we focus on the perspective of the child, and what legal strategies can be employed to this end? The authors advocate striking a balance: a nuanced middle way between the two absolutes, aiming for a fair balance between the interests of the ‘universal’ child and the ‘particular’ child.

*Care Placements of Children outside their Parental Home – Concerns of Culture* presents the studies of Kirsten Sandberg\(^5\) and Sanne Hofman\(^6\) in Norway of children placed into care outside their home, because of maltreatment or abuse, and how society often tolerates much more neglect, in particular emotional neglect, from minority and refugee parents, than from Norwegian parents. Perhaps this is partly out of fear of generalizing cultural-specific aspects of child-raising to all families living in Norway.

*Child Marriages and the Law – with Special Reference to Swedish Developments* is by Justice Göran Lambertz,\(^7\) who was a chairperson of the Swedish legislative project (2010–2012), concerning forced marriages and child marriages that informed the 2014 Act, and is summarised in an Annexe. Lambertz

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