

# STRAFRECHTELIJK BELEID

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## Hoofdstuk 1. Het strafrechtelijk beleid: belangrijke vaststellingen

### 1.1. DE VERHOUDING MET HET STRAFRECHT

Als het strafrecht niet in staat is om die naleving van die rechtsregels afdwingbaar te maken, dan is dat in het beste geval een moreel gegeven, maar dat mist een essentieel onderdeel. In het eerste jaar strafrecht maakte je de opdeling tussen misdrijven en straffen, dat zijn de twee componenten die aan het strafrecht leven. Als je dat vertaald naar de dubbele functie van het strafrecht, gaat dit over normeren: bepalen wat strafbaar is, en het handhaven: het afdwingbaar maken, het bestraffen indien nodig van een schending van datgene dat strafbaar is gesteld. Beccaria heeft duidelijk gemaakt dat we met het strafrecht best zeer spaarzaam omgaan. Met andere woorden: dat het strafrecht alleen die waarden en normen incarneert die voor een samenleving essentieel, noodzakelijk zijn. Dit is natuurlijk hopeloos.

- Het wezen van het strafrecht (sinds de Verlichting en de Franse revolutie): Het strafrecht had in de samenleving een dubbele functie
  - De normerende functie
  - De handhavingsfunctie

Je hebt niet enkel u strafrecht en u strafrechtelijk beleid. Dit is geen eiland, dit evolueert. Het hangt vast aan politiek maatschappelijk, aan sociaaleconomische ontwikkelingen. Het is niet iets dat op zich staat. In handboeken zal men zich vaak beperken tot het beschrijven van datgene dat men binnen de strafrechtsketen zich ontwikkeld. Als je dat geïsoleerd bekijkt, dan mis je een absoluut onderdeel. Je kan natuurlijk feiten bestuderen, op elk echelon op zich gaan bekijken los van de maatschappelijke context, maar dit kan nooit een volledige analyse zijn. Dit is niet mogelijk. Dan ga je een aantal verklaringsmechanismen waarom het strafrecht, de strafrechtsbedeling en het strafrechtelijk beleid zich in die, en niet in een andere richting heeft ontwikkeld, dat ga je niet kunnen duiden. Je gaat het maatschappelijk op een geïsoleerde wijze brengen. Als je in een bepaalde periode zit, is dit niet evident. Binnen een aantal jaar, zal deze periode als een van de scharnierperiodes in de ontwikkeling van het SRB bekeken worden. Dit is een ongelooflijke interessante periode. Omdat er maatschappelijk heel wat transformaties gebeuren. Omdat de chaos in de globaliserende context, heel vaak om de hoek kijkt. En de stabiliteit van de samenleving die heel rustig evolueert, is weg. Vroeger was dit alles veel stabiel. Sedert het terrorisme zitten wij in een extreme transformatie die natuurlijk ook gevoed wordt door tal van andere ontwikkelingen op mondiaal vlak, migratiestroom, economische crisis,... We moeten ons staat buigen over deze fenomenen, dit heeft invloed op ons strafrecht en strafrechtelijk beleid. Ons strafrecht moet voldoende duidelijk zijn om houvast te bieden aan iedereen die ermee te maken heeft.

Je kan u in het strafrechtelijk beleid beperken tot de strafrechtelijk keten. De term strafrechtelijk beleid wordt vaak gereduceerd tot opsporing en vervolging. Men spreekt gemakkelijk over het strafrechtelijk beleid van de minister van justitie of PDK. Maar dit is

# Integratie Van Strafrechtelijk Beleid

**Hongru Du**



## **Integratie Van Strafrechtelijk Beleid:**

## The Enigmatic Realm of **Integratie Van Strafrechtelijk Beleid**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing short of extraordinary. Within the captivating pages of **Integratie Van Strafrechtelijk Beleid** a literary masterpiece penned by way of a renowned author, readers set about a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting impact on the hearts and minds of those that partake in its reading experience.

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