



CHAPTER 19 | Criminal Law

Punishment means making someone pay for something. This punishment manifests itself in a measure that is experienced as annoying by the punished person. The intention is that the punished person understands that he or she will have to behave differently in the future. Taking custody is the punishment that is experienced as the most severe. Imprisoning a person for a certain period of time in a prison - or, in the case of a child, in his own room - is one of the most classic punishments. In itself, this is evidence that man should live in complete freedom. Why else would man consider this form of punishment so annoying and severe? Freedom and deprivation of liberty are therefore each other's opposites. Man has been punished in this way for centuries. Has this produced anything positive? In other words, is punishment an effective technique to influence human behaviour in the desired direction? These questions seem to have to be answered in the negative. Criminal law is not effective. It does not prevent people from committing crimes or offences, nor does it prevent people from doing it again. Studies show that more than seventy-five percent of people (adults and children) who have undergone a custodial sentence are repeat offenders. Punishments do not work. Punishment is also a form of symptom management. A person who is punished falls into the same category of people who experience resistance or conflicts in their lives with regard to, for example, health, marriage or work. Every form of resistance functions as a signal from the soul to attune your behaviour to who you really are and not to who you think you are. Here too, the origin of the behaviour lies in psychological and emotional blockages. So it is psychological in nature. It is solely up to the person to make the choice to work with this, based on the awareness that each person is responsible for his own happiness, instead of being a victim of his circumstances. It is for this reason that coercive treatment as a criminal measure also has little or no effect. Again, coercion does not work. Voluntary action does work. This voluntariness could possibly be activated by the offender by having the criminal proceedings take place between him and the victim or his next of kin. Strictly speaking, society or the public legal order has nothing at all to do with what has taken place between two individuals. The fact that the government has monopolised the law of criminal procedure does not mean that it belongs there. The new style of criminal proceedings could be based on different starting points. It could give the victim or his next of kin the opportunity to claim reparation in the form of compensation from the perpetrator. The perpetrator of a violent crime or theft of property would in any case be confronted directly with his victim instead of anonymous persons in black gowns. Furthermore, he is confronted with the obligation to pay compensation to his victim. What a crime victim or his next of kin has no interest in is that, as is currently the case, the perpetrator actually disappears into a cell at the expense of his taxes. This puts the victim in an even worse position than before. Instead of receiving compensation, he is allowed to pay for the costs associated with the detention of his offender. That, like so many things that have ended up in the hands of the government, is turning the world



upside down. At the level of society there is a choice to look at crime differently. Then you will also see that recidivism rates will drop considerably. The only one who has an interest in a broad definition of crime is the government. The more behaviour is defined as criminal by legislation and regulations, the greater the influence the government will have on our personal lives and the greater its power and size. For example, we can choose to entrust the police force exclusively with the protection of citizens against violence or threats of violence against their person or property. This choice implies that the government's attention is focused on preventing and solving violent crimes rather than non-violent crimes, such as combating drug use, gambling outside the walls of government-run casinos, prostitution or traffic violations. However, the most important efficiency gains can be achieved with the legalization of drugs. The fight against drug use is based on political morality and is nothing more than one of the many employment projects of and for the state itself. Drug use is based on voluntariness and does no harm to anyone but the user himself. If someone wants to use drugs it's his business right? What does anyone else, and the government in particular, have to do with it? Moreover, legalizing drugs will only bring benefits. Regular market parties will have the opportunity to be involved in their production. This will undoubtedly have a positive effect on quality. Furthermore, prices will fall. The user will no longer have to pay a risk premium to the 'criminal' supplier. The costs of distribution will also be lower. Furthermore, drug-related crime, such as car burglary and theft, will disappear. Parts of the police force and public services, such as the judiciary and penitentiaries, can thus be reduced in capacity. This in turn will benefit the taxpayer. As an ultimate consequence, it can be agreed that people with drug-related health problems will pay for the costs of medical treatment themselves. After all, it is not unfair to say that everyone has to take full responsibility for the consequences of their choices.