



§ 237 StGB - Das Verbot der Zwangsheirat (Schriften zum Strafrecht und Strafprozeßrecht) (German Edition)

Neele Marleen Schlenker

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Die Zwangsheirat stellt einen gravierenden Eingriff in das Selbstbestimmungsrecht der Betroffenen dar. Seit einigen Jahren versucht der Gesetzgeber deshalb mit einer ausdrücklichen Erwähnung der unter Zwang geschlossenen Ehe im Gesetzestext, diesem Phänomen auch verstärkt mit den Mitteln des Rechts zu begegnen. Im Bereich des Strafrechts ist de lege lata § 237 StGB die insoweit maßgebliche Verbotsnorm. Aber ist insbesondere das Strafrecht ein geeignetes Mittel zur Bekämpfung der Zwangsheirat? Diese Untersuchung beschäftigt sich mit der Frage, ob und inwieweit es mithilfe des Strafrechts gelingen kann, an phänomenologische Besonderheiten anzuknüpfen und auf diese Weise im Rahmen eines ganzheitlichen Schutzauftrages einen effektiven Beitrag zur Bekämpfung der Zwangsheirat zu leisten. Vor diesem Hintergrund ließ sich ein neuer Gesetzesvorschlag entwickeln.

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