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Effects of Digital Drugs on Drug Users from the Perspective of Psychiatry and Criminal Jurisprudence

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Abstract

The aim of the study is to know the effect of digital drugs on drug users from the perspective of psychiatry, criminal jurisprudence and Iraqi law, mentally, healthily and psychologically. And is this abuse considered a kind of attack on the mind, so it takes the same punishment as natural drugs? After researching and finding out the reasons for its abuse and its impact on the abusers, psychiatrists mentioned several effects, including: depression, hallucinations, imbalance, low memory efficiency, Isolation from society and the deterioration of the psychological state, as the drug user turns into an aggressive person who tends to violence inside and outside his family and soon, and based on that, digital drugs harm the five colleges and not only the mind, according to what the specialists have reached, as they harm religion, and harm the soul as it destroys the body It destroys and harms the mind, weakening it and making it absent from reality Sometimes it damages it beyond insanity, and harms money, as the digital drug requires funds to download it from the web, and it threatens the stability of the addict's family, and accordingly it takes the rule of natural drugs because of their participation in the cause of mindlessness, corruption, and harm to oneself and society, and based on the above damages caused For the use of this type of drug, its ruling is prohibition, and there is a penalty for whoever takes it or trades in it. As for Iraqi law, it is left to the criminal court. Because what the laws stipulate do not fit into digital drugs. Conclusions: Digital drugs affect the mentality of users just as natural drugs affect their health and psyche as well.

Keywords, Digital Drugs, Drug Abusers, Psychiatry, Criminal Jurisprudence, Iraqi Law

Introduction

praise be to God, and prayers and peace be upon our master muhammad and his family he and all of his companions... as for after: the modern era is witnessing tremendous development and from the development we are seeing appearance of the internet has penetrated most of life's utilities. Until the world became like a small village, seeing and hearing what was happening quickly and intuitively, it would not have been like this no it must leave an impact on society in general and on the minds of its users in particular, in order to promote digital drugs that come in the form of audio tones and vibrate on electricity varies according to the person's choice and the extent of its influence he only has to reach the individual to the stage of addiction, euphoria and a lot of symptoms as mentioned by the doctors, these drugs may give the same effect as natural drugs in some cases and their seriousness due to the ease of obtaining them through internet sites. (Li et al., 2022)

the mind in islam is of great importance, and it comes in third place after self-preservation. because the responsibility is based on him, and he has generosity to man and his preference over all other creatures, so he preserved people's minds from entering into a defect; because the imbalance entering the mind leads to great corruption and non-existence discipline of behavior, if the imbalance enters the mind of

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the individual, it leads to partial corruption, and its entry into the minds of groups and the nation in general is greater, and therefore it is necessary to prevent the person from getting drunk, and from him the nation from promoting drunkenness among its members, as well as the promotion of drugs such as hashish, opium, cocaine, and the like. it was widely used in the fourteenth century ah (ibn ashour,3/238) god almighty has forbidden everything that would affect the mind and harm it or impede its energy. avoid it, that you may prosper satan only wants to cause enmity and hatred between you through alcohol and gambling, and to prevent you from remembering God and from praying. so are you destined?(surah al-maida, verses 90-91; Kumari & Saini, 2022)

through this research, we will learn about many of the effects that digital drugs have on drug users, and the opinions of doctors and jurists about them.

Importance of the Topic: there is no doubt that the emergence of technologies and the internet has a significant and prominent role that is reflected in social life in general, and the individual in particular. harmful to him and his society, it may have mental, psychological, health and physical effects, and many users are ignorant of the penalty for using digital drugs if the matter is referred to the sharia or legal courts. technologies and means, the effects they leave may affect the individual in particular and society in general. (Sánchez-Muí±oz, 2022)

Accordingly, it is necessary to know digital drugs, their types, causes, symptoms and mechanism of action. And its effects on drug users, do you take the rule of natural drugs in criminal jurisprudence or not? and the extent of its impact on the human being, and how to protect him from it.

The research is divided into two sections: the first topic: definition digital drug causes of abuse, its mechanism of action, and its effect on drug users from a medical perspective, the second topic: digital drug from the perspective of criminal jurisprudence and Iraqi law. (Vimala Venugopal & Sudhakar, 2023)

The First Topic: the Definition of Digital Drugs and What is Related to Them

Definition of Digital Drug: they are clips of tones that are heard from the user through certain websites, and this type of drug is used by hearing these tones through headphones in both ears, as the digital drug technology depends on the effect by broadcasting certain frequencies in one ear and lower frequencies in the other ear and when the brain tries to unify the two frequencies transmitted in both ears to obtain one level of the two sounds, this process may lead to a disturbance in the brain's functions with regard to the level of electrical signals that the brain releases, and through this digital drug dealers control the amount of disturbance and electrical signals to cause the desired euphoria for each. abuser (user), and these frequencies simulate in their effect what occurs with drugs that are taken orally or injected and inhaled, for example, the same effect can be caused on the abuse of cocaine of euphoria and psychological effect through the transmission of certain frequencies that bring certain electrical signals in the brain from that will happen the effect of the real drug is the same as if it was used(.m. nawal ahmed,251) (Aygun et al., 2023)

Types of Digital Drugs

Different types of audio tracks have been released, which simulate the effect of narcotic substances, along with other tracks that give a feeling of comfort and relaxation, such as:

Alcohol Waves: this piece aims to give the user a calming and relaxing effect similar to what alcohol gives when consumed.

Opium Waves: the opiate cut makes the user feel euphoric, happy, sleepy, and simulates the real effect of opium.

Marijuana Waves: the waves of marijuana calm down the bodily functions and make the user feel like smoking marijuana and entering a state of euphoria and calmness.

Cocaine Waves: it is a piece that carries stimulating tones of the nervous system that gives the same sensation as cocaine and generates a feeling of energy and activity.

Sexual waves: the sexual tones give the user a feeling of orgasm similar to the accident during the sexual process and reaching the desired result.

Entertainment waves: this piece of music gives the user a sense of entertainment and happiness, as if he lives in a state of comfort and pleasure and has everything he desires. (dr. mohammed sameh, (https://altaafi.com

Reasons For Digital Drug Use Its Mechanism of Action and Its Effect on Drug Users from_A Medical Perspective: the causes of digital drug use and addiction are many, including: weak religious and moral faith, keeping company with bad companions, and feeling empty and spiritually empty. family, social and other problems.

Mechanism of Action of Digital Drugs: a because these sound waves are unfamiliar, the brain works to unify the frequencies from the ears to reach one level, and thus it becomes electrically unstable, and according to the type of difference in the electrical brain, a certain sensation is reached that simulates the sensation of one of the types of drugs or feelings that you want to reach, such as ecstasy, for example if the ear was exposed to right to 325 hz and left to 315 hz, the brain will process the two waves to form a sound and a new wave to be a 10 hz wave, which is the same wave that the brain produces during relaxation and meditation.(.dr.. mahmoud hassanhttps://www.alnahrain.iq > post) (Chajda & Länger, 2021)

The Effect of Digital Drugs on Drug Users from A Medical Perspective

The use of digital drugs leads to a decrease in the efficiency of short-term memory for the rapid retrieval of information, according to some experiments conducted; some studies have found that people who undergo digital drug technology have increased rates of depression after a period of time; with the frequent use of digital drugs, we find that the user shows some symptoms that reflect his injury, including:(omar abdul majeed mosbeh,223-224)

Also, dr. raji al-omda, consultant neurologist at the medical committee of the United Nations, stated that unstable doses of music cause a bad effect on the level of brain electricity, and this does not only make the user feel euphoria and elation, but what we medically call (a moment of mental wandering) may also occur with that, and it is one of the most dangerous things, because they feel euphoria and enjoyment, while it is a moment in which focus is severely reduced and detachment from reality occurs, loud and very loud music for therapeutic purposes is proven by science, as it dispenses with hallucinogenic drugs that are used in treatment and may cause addiction, which is known as the "holo tropic" technique and allows the listener after a short period to enter a stage called (pre-consciousness), and the effect of drugs varies digital from one person to another, because there are some people who have undetected epileptic foci and those they are the ones who get convulsions when they hear this music (ahmed abdel wahab mohamed,13; Al Doghan & Sundram, 2023)

The Second Topic: digital drugs from the perspective of criminal jurisprudence and Iraqi law

Digital Drug from Perspective Criminal Jurisprudence

Traditional drug punishment there is no special text for jurists(m. iman, dr. yasser, 222)shows her punishment in particular; because it was not known at the time of the legislation, but it appeared

and was known by this name after centuries, and due to the absence of the wording of its ruling, relying in that on what they understood from the general texts, in the ruling on the prohibition of wine and intoxicants. by analogy with that, the prohibition of drugs, the almighty said: alcohol, gambling, monuments, and divining arrows are an abomination from the work of satan, so avoid it that you may be successful. (90)satan only wants to cause enmity and hatred between you through alcohol and gambling, and to prevent you from remembering god and from praying. 5 so are you destined?(surah al-maida, verse: 90-91) and the point of evidence from the noble verse: the noble verse indicates a clear and explicit indication in the prohibition of alcohol, and it is generally the prohibition of drugs as well; because alcohol is what obscures the mind, covers it and covers it, and this meaning is realized in drugs. based on that, digital drugs take the same rule as traditional drugs; because it harms the five colleges: it harms religion because it is one of the major sins, and it harms the soul, as it destroys and damages the body, so whoever gets used to this type is not satisfied with food or sleep, and therefore he is hardly able to work, and he is not hopeful of benefiting him in any field, and it harms the mind as it is absent from reality, and sometimes it damages it beyond madness, and harms money, as the digital drug needs money to download it from the world wide web, as the price of one file ranges between (3 and 9) dollars, while the first file for the user is free in order to promote(dr.mohamed mahmoud kalo,https://portal.arid.my > en-ly > posts > details) (de Reizábal, 2022)

As for the punishment of digital drugs in criminal jurisprudence, and according to the explicit text, a question was directed by the researcher on this subject to the iraqi fiqh council. q: what is the ruling on digital drugs? and what is the punishment that entails in jurisprudence for the crimes of had punishment or punishment, or does it not entail anything other than sin? by digital narcotics, i mean audio clips that are uploaded through websites on the internet and heard through special headphones and through loudspeakers. they consist of stimulating or calming vibrations of the centers of the brain and the nervous system. this has been answered as follows: (Guo, 2023)

Answer: (in the beginning, it is necessary to clarify the ruling on drugs and their punishment, the islamic sharia came with the aim of preserving the mind and forbade everything that leads to its disruption, which is the basis for obligation, the jurisprudential councils agreed on the prohibition of taking drugs, and they inferred that with the following evidence: the almighty said: those who believe, intoxicants, gambling, monuments, and divining arrows are but an abomination from the work of satan, so avoid it that you may succeed, satan does not want to cause enmity and hatred between you by means of alcohol and gambling, and to prevent you from remembering god and from prayer. so are you destined?((surah al-ma'idah, verse: 90-91) and the messenger of god, upon him be peace, said: ((every intoxicant is wine, and every wine is forbidden))(muslim,3/ 1587)the evidence for these two texts is:declaring the prohibition of alcohol, which intoxicates the mind and covers it and conceals it, of any kind, and whether it is little or a lot. narcotic drugs are analogous to alcohol in terms of covering and intoxicating the mind, and he combined the two in prohibiting them. for the hadeeth of umm salamah, she said: ((the messenger of god, may god's prayers and peace be upon him, forbade all intoxicants and slanderers))(abi dawood,2/ 354) and between them is an absolute generality, so every drug is an intoxicant and not every intoxicant is a drug, in addition to that drugs cause the body to become apathetic and lose its strength and looseness. (ibn hajar al-haythami, 223), even those who did not see that it was an intoxicant, it was counted as one of the spoilers of the mind, not its intoxicants(fern,24/16,andal-qarafi 1\364) and sympathy in the hadeeth of drunkenness and slander is contradictory, and there is no doubt that they come together in the intoxication of the mind (bukhari, 7/106) the muslim jurists, in whose era drugs appeared and showed their harm to man and that they corrupt the mind, agreed to prohibit the consumption of drugs by analogy with alcohol and intoxicants that were mentioned in the legal texts, under the pretext of anesthesia and intoxication that removes the mind, and the difference between them does not matter

that alcohol is a drink, and drugs are eaten, and with agreement the fuqaha' are on the prohibition of taking drugs, but they differed regarding the obligation of punishment for those who abuse them. for the majority of fuqaha', they consider it like alcohol because of the common cause between them, which is intoxication, so the one who commits it is the punishment for one who drinks alcohol. he is addicted to drinking it on the condition that he raises his case to the court. as for digital drugs, they harm the five kidneys, according to what the specialists have reached, they harm religion because they are among the major sins, he is able to do work, and he does not hope to benefit from it in any field, and it will harm him with the mind, as it takes it away from reality, and sometimes it damages it beyond madness, and it harms money, because digital drugs need money to download them from the internet, and they threaten the stability of the addict's family, society, it is forbidden and there is a penalty for those who deal with it or trade in it). (m. iman, and dr. yasser,226-227)

How To Protect the Mind from Digital Drugs According to The Legal Approach, As Follows

First: Religious Awareness: one of the sharia solutions to this phenomenon is to strengthen the religious faith and open the door of hope in front of the disobedient, making them not despair of god's mercy, and the sharia did not close the door of repentance in front of addicts, and enjoining good and forbidding evil.

Second: Exploitation Of Free Time: this is by filling free time with good, useful knowledge, and leaving bad companions.

Third: Media Awareness: this is done by educating the community, exposing the dangers of drugs to young people and their ugliness and that they may cause madness, and launching effective awareness campaigns for young people in public places and social networking sites to reduce the impact of electronic promotion of these products.

Fourth: The International (Legal) Aspect: one of the legal solutions is to block websites that promote this type of drug, and to severely punish those who use it and promote it.

Fifth: Therapeutic Side: preparing integrated programs for worldly, medical, psychological and social treatment for addicts (dr. mohamed ramadan sabah,39)

Sixth: The Regulatory Side:it is a parental control of children, such as developing programs that protect children and adolescents from the dangers of the internet.

Digital Drug from Perspective Iraqi Law

Although digital drugs are a phenomenon that can be classified as negative, the promotion or abuse of these drugs is still far from criminalization, so the criminal responsibility of the seller and promoter of digital drugs, and the criminal responsibility of those who abuse them, is non-existent in the absence of the legal (legal) element that subjects these acts under penalty of criminal liability. (m. nawal ahmed, 253; Fernández-Díaz & Sánchez-Giner, 2022)

No official law stipulates (combating cyber or information crimes) in iraq and everything related to contemporary internet crime cases. rather, there were legal drafts that were legislated from 2011 ad, and until 2019 ad. these drafts are still being discussed and amended by the house of representatives, and despite the fact that no official law has been issued, these drafts did not provide for the punishment of digital drugs exclusively via the internet. (combating electronic crimes for the year 2019 ad) because it is a new phenomenon that appeared with the advent of the internet, its promotion was not striking in iraq, and despite that, the judiciary did not remain idly in front of this issue, other laws may be referred to, such as narcotic drugs and psychotropic substances law no. (50) of 2017 ad in force, In Article (1 of Chapter one, in The Second Paragraph), the Definition of Psychotropic Substances Is Mentioned: it is every natural or synthetic substance listed in schedules (v), (six), (seventh) and (viii) attached to this law

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(these are the lists of psychotropic substances approved by the united nations convention on psychotropic substances of 1971 and its amendments)(narcotics and psychotropic substances law no. (50) of 2017 ad).

Paragraph (4 of article two) of the aforementioned agreement showed the specifications of psychotropic substances, which are developed by the world health organization, when it talked about adding a new psychotropic substance, so it stipulated that: (if the world health organization finds, point (a) that the aforementioned substance may lead to: (1) a dependent state; central nervous system stimulation or degeneration resulting in hallucinations or disturbances in motor function, thinking, behavior, sensation, or mood. (Convention on psychotropic substances of 1971 united nations.)

It can be noted through this paragraph that digital drugs may enter into psychotropic substances because digital drugs affect the mind, thinking, behavior, feeling and mood as well, and despite that, the matter is left to the judiciary in taking the necessary decisions and measures.

The iraqi legislator punished the crime of drug abuse in article (32) of the narcotic drugs and psychotropic substances law: imprisonment for a period of no less than (1) one year and not more than (3) three years and a fine of no less than (5000000) five million dinars and not more than (1000000) ten million dinars whoever imports, produces, manufactures, possesses, obtains or buys narcotics, psychotropic substances, or chemical precursors, or cultivates or purchases one of the plants that produce narcotic substances or psychotropic substances with the intention of abuse and personal use). and a fine of not less than ten million dinars and not more than 30 million dinars, whoever manages, prepares, or prepares a place for the abuse of narcotics and psychotropic substances. as for drug users, article (39) stipulates that whoever proves to be addicted to narcotics or psychotropic substances shall be deposited in an institution. the health facilities that are established for this purpose, in order to be treated there, as this article obliges anyone who is found to have used narcotic substances to visit the psycho-social clinic. Which was established for this purpose to help him get rid of addiction, after which the doctor in charge submits a report on the drug user's condition to the court, so that it decides to stop his visit to the clinic or to continue it for an additional period. (narcotic drugs and psychotropic substances law no. (50) of 2017 ad)

The researcher believes that what is stipulated in articles (32 and 28) of the narcotics and psychotropic substances law cannot be compatible with digital drugs for the following reasons:

Firstly: what these articles stipulate is that something is tangible, and digital drugs are a moral thing that cannot be touched in the hand, and they are electrical vibrations stored in a file.

Second: the Place of Digital Drugs: it is the computer, and it is difficult to catch the offender at the time of his promotion. because it is easy to promote it through websites through one click on the file, so it goes to the largest possible number of users, just as there is no trouble and danger in promoting it, unlike psychotropic substances: which are tangible materials that need a lot of supplies, for example: place and means of transportation, it is also very dangerous to sell and promote it.

Accordingly, the matter of punishment is left to the criminal court to take the deterrent punishment for such cases in terms of imprisonment and fines.

And article (39) of the narcotic drugs and psychotropic substances law no. (50) of 2017 ad applicable to digital drugs can be applied because it leaves a psychological effect on the user, so he needs treatment to help him get rid of its effects.

The researcher also believes that after the spread of digital drugs through the internet, and in order to preserve people's lives, the law of combating cybercrime should be activated. And that a chapter of this law provides for digital drugs.

Conclusion

Praise be to God, and prayers and peace be upon our master muhammad, his family and all his companions.

As For What Follows: The Most Important Results That I Reached After Research and Perusal Are the Following

Firstly: Definition of Digital Drug: they are clips of tones that are heard from the user through certain websites, and this type of drug is taken by hearing these tones through headphones in both ears. Its effect varies from one tone to another, and digital drugs are of several types, including: alcohol waves, opium waves, leisure waves, cocaine waves, sexual waves, marijuana waves.

Second: the Effects of Digital Drugs on Drug Users From A Psychiatric Perspective Are Many, including: it leads to a decrease in the efficiency of short-term memory for the rapid retrieval of information, and after a while; with the frequent use of digital drugs, we find that the user shows some symptoms that reflect his injury, including: depression, hallucinations, imbalance, low memory efficiency, isolation from society, deterioration of the psychological state through isolation from the world of reality, psychological addiction, mental absent-mindedness, and other things. been mentioned the abuser turns into an aggressive person who tends to violence inside and outside his family.

Firstly: Digital Drug Punishment in Criminal Jurisprudence: it takes the rule of natural drugs because they share the cause of mind loss and corruption and harm to the self and even to society, as they are forbidden and have a penalty for those who take them or trade in them, so the matter of punishment is left to the judiciary in taking the appropriate punishment for those who abuse this type of drug.

Third: the Penalty Imposed on Him in Iraqi Law: the legal draft did not provide for the punishment of digital drugs via the internet, but there is the narcotic drugs and psychotropic substances law no. (50) of 2017 ad in Iraq, and articles (28 and 32) stipulate the psychotropic substances and the penalty resulting from it, but the researcher sees what these articles stipulate, not it can be consistent with digital drugs, and he mentioned several reasons, including (what is stipulated in these articles is that the thing is tangible, and digital drugs are a moral thing that cannot be touched in the hand, and they are electrical vibrations stored in a file). accordingly, the penalty matter is left to the criminal court to take the deterrent punishment for such cases is imprisonment and fines, depending on their seriousness.

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