

# The Psychological, Mental and Physical Effects of Defamation Crimes and Their Severity on the Health of the Iraqi Individual

Ammar Saleem Abid Hamza<sup>1</sup>, Noori Saadoon Abdulla<sup>2</sup>, Thaaer Ahmed Hassoon<sup>3</sup>

<sup>1</sup>Assist.Prof., Faculty of Arts, Babylon University, Iraq, <sup>2</sup>Assist.Prof., Faculty of Arts, Al-Anbar University, Iraq, <sup>3</sup>Lecturer, Faculty of Arts, Baghdad University, Iraq

## Abstract

One of the most serious diseases that affect human health, psychological, mental and physical life is the defamation crimes in the society that have a relationship that affects the individual and directly affects the emotions and feelings and the human mind and kill him and affect human behavior in general. The individual by the press and its impact turns to God acting unconsciously and concentrate in attaining the behavior that he did without realizing the magnitude of the damage caused. **Goals of search:** Psychological, mental, health and physical effects and their severity on human health. Diseases that are dangerous to human mental, physical and mental health in Iraqi society. Prohibitions of publishing defamation crimes in the press that are related to human mental, mental and physical health in Iraqi law. The research community of (100) The sample was adopted at the University of Baghdad (College of Information) as a model has been the research sample (100) of the total research community. The social survey, interview, questionnaire and statistical methods were used.

**Keywords:** *psychology, physical effects, crimes, Iraqi individual*

## Introduction

The press is the fourth authority, this trait has taken it with all merit and power. Why is it an authority because it tickles emotions, activates minds and kills them, it affects human behavior in general <sup>1</sup>. The individual is influenced by the press which its influence is transformed into a god acting unconsciously and concentrating in attaining the behavior that he has performed without realizing the magnitude of the damage which inflicted upon him <sup>2</sup>. The problem of research in the crimes of press publication of a special nature has made the legislator not only to punish the writer of the article, but the director of publishing <sup>3</sup> as a pyramid management of the newspaper, this makes proving the judicial responsibility for publishing crimes is very difficult. The author of the article often has an interest to achieve it from publication. The press commits crimes of more than one hundred crime in ten articles, including the permissible and the reduced one <sup>4</sup>. As well as committing certain crimes that would violate public order and security as a crime of publishing false news that touches on state security or contains a secret of military secrets.

## Second: The importance of the research

The press is a collective recognition chair that produces participation because it can paint events for use or not. Crimes are less when newspapers do not talk about them. They do not promote people who are boring and they are services to the government. The press expands to represent the culture and information, which leads to the expansion of the horizons of readers and cultivate in their minds all kinds of knowledge. It plays an important role in detecting corruption, but if it is constrained by legal constraints, it is an obstacle to its functioning.

## Third: the goals of the Research

- 1- Identify the theoretical interpretation that explained the journalistic crime?
- 2- Identify the most important taboos in publishing in the press in Iraqi law?
3. Identify the most important crimes of the press?

## The second topic

### Identify scientific concepts and terms

#### First: The offense

The offense is defined as a crime and it is said that he has committed a crime and his people, and he has committed a crime against them, and to them he has committed a crime and a crime for his family. Books and men earned him an offense. papers that condemn them during the twenty-four hours of the crime<sup>(1)</sup>.

It is also known as: is the one who has watched during the occurrence or seen the effects after a period of time in special circumstances limited by the law ", but the definition can be avoided in terms of the control of crime and in terms of procedures for the application of the laws of the Code of the "Criminal Procedures"<sup>(2)</sup>.

The offense is defined as procedural: it is the offense that is seen in the course of its occurrence. Its punishment is limited by law that includes all the crimes that arrest the perpetrators<sup>(3)</sup>.

#### Second: The Journalist

Linguistically the journalist is known: A person works in a newspapers means paper man "Alorak" or "Journalist". Which is quoted from the western label to denote daily newspapers<sup>(4)</sup>.

A journalist is defined as the one who collects information about an event or consequences of that coverage by publishing or broadcasting because its results are often beyond the will of the sender<sup>(5)</sup>.

The journalist also known as: the person who transmits the events that occur in the place where he is sent and the news is conveyed by Powell to the news agency<sup>(6)</sup>.

It has another definition: the person or individual who works in a media company or the individual is working in the press departments in universities or some media organizations which employ these journalists<sup>(7)</sup>.

#### Third: The Press

Linguistically the press defined as: A source that is derived from the work of newspapers is that the press, it is the art of creating and writing newspapers and magazines<sup>(8)</sup>.

The press defines a convention: In the words of English "Burke": (the press is the fourth authority)<sup>(9)</sup>.

The press is defined as a number of pages that are issued daily or on the dates of the organization of political, economic, social, cultural and related news. that can be one<sup>(10)</sup>.

#### Fourth: the intellectual

Is the one who has a comprehensive view of the change of society and works for the benefit of all sectors of society and has the ability to critique the social and scientific and agreed person intervenes and nudges his nose in what does not matter<sup>(11)</sup>.

The intellectual is also defined: A person who imposes himself and his presence in society and he does not need to specify because he declares himself through his scientific practice, of confusion<sup>(12)</sup>.

The intellectual also is known as: A part of the social sacrifice that is concerned beyond its craft, relying on it together with the general issues of Hungary. The intellectual is characterized by the neighborhood of cultural adaptation and the ability to learn from othersn<sup>(13)</sup>.

### Chapter Three

The first topic: Theoretical interpretation of theresearch subject

Theory of PH.D. Laila Abdelmajeed tagged (media legislation), 2005.

it works to support the authority that has given it the right to exist, and the freedom of the media under this theory exists to the extent permitted by national leadership at any time<sup>(14)</sup>.

The Press Freedom Committee was invited to a free and responsible press within and outside the United States. The First Royal Committee of the Press was formed in 1949. of this theory, as well as forming a press council<sup>(15)</sup>.

1- The press as well as other media must accept and implement certain commitments to society<sup>(16)</sup>.

2- These commitments can be implemented by adhering to professional standards for the transmission of information such as truth, accuracy and objectivity.

## The second topic

### Prohibitions of publishing the press in Iraqi law

**First:** Violation of internal security: The press must refrain from publishing any news or information or anything that might touch security within the state ideas and encouraging the overthrow of the regime by force and spreading news that frightens people <sup>(17)</sup>.

**Second :** It is not permissible to harm the interests of the State or States by means of matters that may lead to this <sup>(18)</sup>.

**Fift:** Which the law or the investigating authority has decided to ban publication and prosecution at the trial court <sup>(19)</sup>.

**Third:** the government and may lead to the criminalization and restrict their personal freedom to enter the prison so they will impose the penalty of imprisonment <sup>(20)</sup>.

### Third topic: The Crimes of the Press:

but the crimes of public law are concerned with material fact, whether signed in secret or overtly in reverse with press crime that requires public <sup>(21)</sup>.

### Press Crimes

#### First: Crimes of defamation:

1-Ejaculation: It is the attribution of facts or specific things that should be scorned by those who have sought it, he is punished legally if it is correct <sup>(22)</sup>.

**Secondly: Crimes of disclosure:** are the dissemination or broadcast of news, data, information or documents relating to the secrets of defense. The most important crimes of disclosure are punishable by law <sup>(23)</sup>.

1- **The crime of disclosing the secrets of defense:** It relates to the dissemination or broadcasting of information related to the armed forces, their formation or equipment, and in general.

2- The crime of disclosing the secrets of the state is related to the dissemination of security and its reasons of publication From these conditions a <sup>(24)</sup> :

1-The news is incorrect.

2-Bad faith of the journalist.

The penalty varies according to the type of news <sup>(25)</sup>:

A- If the intention of publication is to disturb the public peace or to cause panic

**Fourthly: Crimes of incitement:** is to urge others to commit a particular matter. Creates the design he has to commit to it. And the conditions that make the fair is as a partner in the crime <sup>(26)</sup>.

1-The incitement shall be direct in the sense that the subject of push shall be subject to commit a crime or certain offenses.

2- The crime w committed indeed as a result of incitement.

### Chapter Three: Field Research Procedures

**A-Community and a sample** This community has been identified by the College of media at the University of Baghdad. As for our study, the research community may be (100). The whole sample was adopted from the research society (College of media - University of Baghdad). The research sample was (100) of the total research community <sup>(27)</sup>.

### Second: Research hypotheses:

After reviewing the literature that dealt with journalistic crimes, in light of this, the following hypotheses were formulated <sup>(28)</sup> :

1- "That the press is one of the factors fueling violence at different levels. "

2-"There is a relationship between sex and the enactment of legal legislation that eliminates the publication of press offenses."

### Third: Research areas:

1-The human field: means the individuals to be conducted the field study, and the human area of our research was based on the professors at the College of media at the University of Baghdad.

2-Geographical area: It is intended to determine the place or geographical organization where the field study will be conducted and identified in the professors of the Faculty of media at the University of Baghdad a geographical area for conducting the study.

3-Timetable: This is the period of time taken for the collection of research information and data. The field

study process took place from 8/2/2018 to 1/3/2019.

Statistical methods were used: statistical methods in the process of describing and analyzing research data (29) :

1- percentage(%)

part

$$\text{Percentage} = \frac{\text{part}}{\text{All}} \times 100$$

All

2- Kay box test (Ka 2)

**Presentation and analysis of research data**

**First: First topic: Preliminary data of the research community:**

**Table (1) shows the gender of the respondents**

Sex	Num	Percentage
Males	53	53%
Females	47	47%
Total	100	100%

The results of the above table show that the percentage of males was( 53% ), while females were (47%). We conclude from this that the proportion of males was lower than the proportion of females This indicates that the community is the majority of males.

**Table (2) shows the certificate obtained by the respondents**

Kind of answer	Num	Percentage
Master	54	54%
Ph.D	46	46%
Total	100	100%

We conclude from this that the highest percentage is among the respondents who obtained the master’s degree, reaching (54%) of the research community and the lowest percentage among the respondents who obtained the doctorate degree, reaching (46%) of the research community.

**Table (3) shows the most common press crimes**

Kind of answer	Num	Percentage
Crimes of disclosure	32	32%
Crimes of ejaculation	23	23%
Crimes of incitement	17	17%
Crimes expose some characters	18	18%
Other crimes	10	10%
Total	100	100%

crimes of disclosure and 32%, which is higher than those who answered the crimes of slander and slander (23%), as well as higher than those who responded to the crimes of disclosure of personalities and by (18%) they are higher than the crimes of incitement by(17%). Therefore, (10%) of the research community responded to other crimes.

**Table (5) shows respondents that the press can play a role in fueling violence**

Answers	Num	Percentage
Yes	70	70%
No	30	30%
Total	100	100%

Highest and that which was (70%) They believe that the press can play a role in fueling violence at all levels, therefore it is higher than the percentage of respondents who (30%) of the research community.

Explains whether the government’s policy is based on some of what the press publishes.

**Table (5) shows and Explains whether the government’s policy is based on some of what the press publishes**

Kind of Answer	Num	Percentage
Large	74	74%
Few	7	7%
Do not affect	19	19%
Total	100	100%

We conclude from this that the highest percentage of respondents (74%) which is higher than those who did not respond and by (19%) Consequently, the lowest percentage of respondents (7%) responded to the research community.

### The results

1. We conclude from this that the percentage of respondents who answered that they live in their own houses, who is the highest percentage (50%) .

2- The answer with (yes) which the researchers support the enactment of legal legislations that abolish the publication of press offenses, is (56%).

3- We conclude from the answer rate (yes) that the researchers are the ones who believe everything that is said in the press, which was (53).

4- We conclude that the answer to (yes) that the researchers believe that these crimes affect individuals, which was (78%) .

5-We conclude from the answer rate (yes) that the researchers believe that these crimes are a threat to society, which was (87).

6- We conclude from the answer rate (yes) that the researchers believe that the press plays a role in inflaming violence at all levels, which was (70%) .

7- We conclude from the percentage of answer (yes) that the press has a role in fighting crime in all its forms is the highest percentage which was (73%) .

8- We conclude from the percentage of the answer (yes) that the researchers emphasize the role of press crimes in the flags of community members of community issues that are committed in secret is the lowest percentage which was (48%).

**Financial Disclosure:** There is no financial disclosure.

**Conflict of Interest:** None to declare.

**Ethical Clearance:** All experimental protocols were approved under the Babylon University and all experiments were carried out in accordance with approved guidelines.

### References

1. Agnervog J. Cultural Election, 1, Cairo, 2005.

2. Ahmed HD. Arab Intellectual, Center for Unity Studies I, Beirut, 2001.
3. Tissi N. Safety, Freedom, Intellectual and Journalistic Society, 1, Dar Al-Faris Publishing, Jordan, 2001.
4. Jamal Z. Foundations of Social Research, Arab Thought House, Cairo, 1968.
5. Jovdar H. A Comparative Study of Comparative Study C3, I, Amman, 1993.
6. Zuhair KA. Incitement to Terrorism Crimes, Urban Dialogue. 2005; 82.
7. Zaidan AB. Rules of Social Research, Suad Press, Cairo, 1980.
8. Tarek S. Lessons in Publishing Crimes, Cairo University, Dar Al-Nahda Al-Arabiya, , Cairo. 1997.
9. Abdel H. Journalism Crimes, Dar Al-Nahda, Cairo, 1997.
10. Abdul R. International Press, Dar Al-Masirah for Publishing and Distribution, 2011; I 1.
11. Abdel F. The General Principles of Journalism Crimes, Dar al-Nahda al-Arabiya, Beirut.1997.
12. Omar S. Criminal Law for the Journalist, 1, Cairo, 1994.
13. Lili A. Media Legislation, Beirut, 2005
14. Magdi M. Criminal Campaign of State Secrets, Egyptian General Book Authority, Cairo, 1971.
15. Mohamed TI. Design and Implementation of Social Research, Cairo Modern Library.1971.
16. Mohamed S. The Media in the Social Perspective, Egypt. 1983 ; (7).
17. Muhammad SS. The Functions of the Intellectual and its Role between the Fixed and the Variable, The Arab Future Press, Beirut. 1995.
18. Mohamed AM. Methods of Social Research, University Knowledge House, Alexandria, 1983.
19. Mohamed MA. The Educational Framework for the Issue of Professional Ethics in Mass Communication, Egyptian Serology, Cairo University, Cairo, 1997.
20. Montah MA. Media and Public Relations, Ministry of Culture, Baghdad, 1999.
21. Mahmoud M. The Distinguished Crime and its Impact on the Expansion of the Powers of the Judicial Police, A Comparative Study between Jordanian and Iraqi Law, Faculty of Law, Public

Law Department, Amman, 2011.

22. Munther A. Political Media in the Battle, Dar al-Mortada, 1983, Baghdad.
23. Herbert C. translation by Samir Youssef, press release and confiscation of news, Beirut, 1988.
24. Hafez A. The Role of Local Press in Democratic Transformation, unpublished Master Thesis, Beirut.2000.
25. Fahmia S. discussion of the pure student (questions about the Arab intellectual and power), Al-Wahda Magazine, Amman, 1985.
26. Abdel B. Principles of Social Research, I 8, Dar al-Tadamon, Cairo, 1982.