

## PalArch's Journal of Archaeology of Egypt / Egyptology

### EMERGING OF CRIMES IN IRAQ, THEIR CAUSES AND EFFECTS

*Shaima Ghani Radhi Al-Shammry*<sup>1</sup>, *Prof. Dr. Talib Abdul Karim Al-Quraishi*<sup>2</sup>

<sup>1,2</sup> Al-Qadisiyah University, College of Arts, Department of Sociology

Email: <sup>1</sup>[Shymaagine@gmail.com](mailto:Shymaagine@gmail.com), <sup>2</sup>[dr.talibalquraishi@gmail.com](mailto:dr.talibalquraishi@gmail.com)

**Shaima Ghani Radhi Al-Shammry, Prof. Dr. Talib Abdul Karim Al-Quraishi. Emerging of Crimes in Iraq, Their Causes and Effects, -- Palarch's Journal of Archaeology of Egypt/Egyptology 18(9). 1632-1641. ISSN 1567-214x**

**Keywords: Emerging Crimes in Iraq**

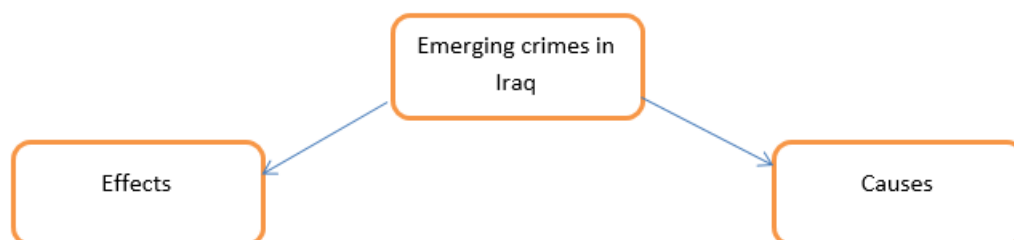
#### ABSTRACT

The social transformations have an important role in their continually escalating pace, which raises concern and calls for caution and caution in order to avoid its continuation and reduce it to the lowest possible level. Which contributed to the sudden rise of these crimes after the US occupation of Iraq due to the multiplicity of social factors that contributed, including political, economic, religious and family ones, and now threaten the social entity. The emerging crimes have become today in the name of many religious and social justifications, even though they are based on temporary political interests, including primarily and economic ones in general, and social ethics and the law are not tolerated as well. Religious deterrents have become disrupted in controlling this increase, so the need to diagnose the most important factors that contributed In this increase, which is still continuing, from the point of view of a sample of members of society, they dealt with the perpetrators directly by virtue of their work in the field of maintaining order (the police), despite the backwardness of the criminal investigation methods that depend on them to reveal the truth of the allegations of the perpetrators and the preservation of the law (the judiciary) despite political pressures, including Decisions that are in the interest of criminals who have returned to criminality because of it and the preservation of rights (lawyers), although some of them exploit their skills in understanding the law to rid the perpetrators of the responsibility for their brutal acts by manipulating some excuses to alleviate the legal deterrents and the general public of intellectuals who are aware of its current and future risks. In diagnosing the elements of the most important lethal social diseases in the life of any human society, its dangers extend to the individual and the group and society to learn about the impact of radical changes in the life of Iraqi society and the measures that the government should take that can effectively contribute to reducing them to their lowest levels.

#### INTRODUCTION

The term emerging crimes that appeared in our Iraqi society after the entry of US forces into Iraq after 2003 increased its social and security danger to the

individual in 2010, leaving a moral and jurisprudential impact between security and legal trends. Its source is the basis for determining social responsibility, relying on the principle of freedom of choice as a basis for equality between Individuals in punishment, as the positivist school considered criminal danger an alternative to the responsibility that represents free will. Taking the modern social defense doctrine by linking the idea of the danger of those crimes with responsibility, which entails that the difference has a role in danger for the owners of the positive school, in contrast to the doctrine of social defense. Which led to the development of the understanding of danger from an alternative to moral responsibility to that it is a basis for determining the content of the penalty in the process of punishment and criminal reform. Sociologists and criminologists believe that a person is considered a danger if his deviant behavior reveals a danger that threatens the security of society or its public order (1). As shown in Figure No. (1)



**Figure 1.** Emerging crimes in Iraq

### ***The First Topic: The Main Elements of The Study***

#### **First: The Problem of The Study**

Emerging crimes have spread widely in the world in general, Arab societies and contemporary Iraqi society in particular, as a result of the developments brought about by modern technology and globalization policies, which led to the emergence of many problems, whether social, economic, political and others.

The goal of these crimes is to sow hypocrisy and hatred among others and threaten the security of societies in general and the Iraqi society in particular. These crimes in previous years did not exist, but after the introduction of modern technologies, they spread widely, especially after 2003, due to the wide spread of modern technologies such as (mobile phones, tablets, laptops and others, where these crimes became practiced remotely and characterized by non-violence). It does not require time, effort and cost, unlike traditional crimes, as most members of society are now able to learn on various electronic devices because of the ease of learning on these devices and from all age groups. Many social problems, such as family disintegration and the practice of various types of deviant behavior, have become an easy way to commit electronic crimes such as electronic extortion, electronic fraud, electronic terrorism and other (emerging crimes) that have spread in Arab societies, including Iraq, in an unprecedented manner, as not a few have become young

people use social networking sites to threaten and commit crimes against others for material, political, sexual purposes, etc. These have become Technological means and techniques are a tool in the hands of the weak-minded who engage in deviant behavior and commit (emerging) crimes.

Against individuals and society due to the absence of family control and parents' reluctance to monitor their children while using social networking sites and modern technology programs. Invitations Despite the tireless efforts that have been made.

1. What are the distinguishing features and characteristics of crime and newly created crime?
2. What are the new forms of crimes?
3. What are the causes of newly created crimes and the factors associated with them?
4. What are the effects of the newly created crime and the legislative and legal position on it?

### ***Second: The Importance of the Study***

**Theoretical importance:** The importance of the theoretical study highlights the fact that it deals with an important topic represented by emerging crimes in terms of their forms, causes and risks. These crimes are involved because of the legal gap in Iraqi society in a large way, the legal environment's lack of effective and appropriate tools to confront this problem and its repercussions on the entire society, which do not stop at a specific group, but rather target all groups and social segments in it, and the importance of this study also comes from being an addition A theory for the library of sociology due to the novelty of the topic, as the topic of emerging crimes that is being studied in it is a new topic for the topics of criminal sociology and can constitute an addition to knowledge in the field of competence and this study can be an important reference for subsequent studies in this important field of sociology This is due to the issues it deals with and the questions it raises that may be worthy of attention.

### ***Third: The Aims of the Study***

The current study aims to achieve a number of interrelated goals, which are as follows:

- 1- Identifying the types of emerging crimes in general that have spread in particular after 2003 in Iraqi society.
- 2- What is the state's role in facing this turbulent increase, which is now gaining social cover?
- 3- What are the security risks it raises that threaten the emerging patterns of crimes in Iraq after 2010

## ***The Second Topic: Defining Scientific Concepts and Terms for The Study:***

### ***First: The Crime***

Crime is a social, economic and political phenomenon linked to the existence of human society and the need for individuals to join and cooperate with each other in order to achieve their interests and satisfy their growing needs.

**The social definition of crime**, there are attempts that sought to put a general and global definition of crime, but those attempts failed. Based on the idea of natural crime, the scientist Garofalo defined crime: it is the actions that all civilized societies have known for their criminalization, and the imposition of criminal punishment on the perpetrator. The basis of this idea is that when human societies transcend the primitive stage in their development, they are placed on a certain amount of human feelings based on a feeling of sympathy and pity towards others as a natural result of the acceptance of the members of society to live in one society and abstaining from every act that causes physical and psychological pain to others, and the perpetrator of the act that constituted is punished. One of the crimes of persons, such as the crime of murder, terrorism, electronic crimes in all its forms and other crimes. Also, because it is a crime by its nature that hurts my feelings of compassion and safety, it receives a condemnation from society at every time and place.

### ***Second: New crime***

We distinguish between emerging crimes and traditional crime, that the emerging crime is the crime that has been prolonged by the hand of change due to advanced technology, but it was committed by new means that did not exist before. Traditional criminality includes legally recognized crimes as a result of violating the public and private interests of individuals. As well as for violating the rules of normal behavior of the individual in society, as for emerging crimes: they are crimes that have resulted from developments and rapid changes that include various aspects of the society in which the crime is committed. Criminal jurisprudence has determined that they represent economic crimes, organizational crimes, and violations that do not fall under a specific punitive text. It is also known as: it is a form of crime, but in its form that is ahead of time on punitive legislation as a result of the massive and rapid developments in the scientific fields. And the crime is the act that poses a threat to the basic interests of the group, which the legislator must protect with punitive texts, and that these techniques deviate from their humanitarian goals to pose a threat to society and its security.

The technological revolution that we live in today is considered one of the main sources of change and transformation witnessed and witnessed by our contemporary world, and this revolution is based on the production of the human mind flowing from information and knowledge. The most prominent manifestations of this tremendous technological progress are the rapid development in communications and information technology, space, electronics and genetic engineering. Scientific progress has had a great impact on the development of all aspects of life and the high level of human welfare.

As scientists and researchers write on development and progress for the happiness of mankind, we find there are criminal inclinations whose minds are devoted to research and development in methods of committing crime and inventing new patterns of emerging crimes.

### *Emerging Crimes in Iraq, Their Causes and Effects*

#### *The First Topic: The Causes of Emerging Crimes*

##### *1- Globalization*

The concept of globalization raises many implications that differ according to the vision of its owner and his functional, professional and scientific interests. Globalization means political liberalism and freedom of expression, and on the economic level it means capitalism and freedom of trade worldwide, and is based on the following foundations: individual freedom and respect for human rights. Rationality and sound scientific planning. and elements of science and technology. Therefore, globalization as a model and a global phenomenon is not the subject of our study, while we will be concerned with its effects and returns on the security aspects, the development of crime and the tools for combating it. Globalization in terms of security is a double-edged sword, the negative side of which is its recent effects that increase crime rates, especially the new ones such as environmental and poverty issues Drugs, terrorism, illegal immigration, cybercrime, organized crime...etc. The positive aspect is the ease of cooperation between security agencies worldwide to exchange experiences and preventive technological aspects of new crimes and track their perpetrators.

According to the procedural definition of globalization as the free flow of goods, services, ideas, and people without restrictions or borders, the challenges imposed on the security services increase, and they must monitor these emerging criminal phenomena and their impact on the national security of the countries in which they operate, so that these agencies include experts in various social fields, economic, and political ones to find out the various phenomena and their impact on the national security of the state.

But social globalization is not only this bright aspect, but it also brings certain patterns of social behavior. One of the manifestations of globalization is the spread of some patterns of Western social behavior, regardless of the extent to which non-Western societies accept or reject these patterns. Globalization pushes social thinking in one direction. Globalization, through its various means represented by the mobile phone, satellite broadcasting stations, internet communication networks, and social and cultural communication, has created a new social reality. , and then the trend of globalization caused a stage of widespread social instability. In the social aspect, globalization seeks to generalize policies related to children, women and the family and to guarantee their rights on the surface, but the reality is the corruption and disintegration of individuals and penetration of their consciousness, and corruption of women and their trading, and their exploitation for sexual arousal and gratification, thus spreading immorality in society, and in return generalizing the idea of

birth control, The sterilization of women and the securing and legalization of these policies through the relevant conferences: (such as the Conference on the Rights of the Child), the Women's Conference in Beijing) and (the Population Conference) and the decisions, recommendations and agreements that come out of these conferences that take the status of international, and are mandatory in implementation and implementation, and the effects of that To appear clear in social reality, surrender and individual passivity. And familial and social disintegration, general frustrations, and complete paralysis of the role of society, which has turned into a marching herd and submissive to its lusts and instincts. Therefore, the social field is considered the most negatively affected area by the phenomenon of globalization. Globalization cast thick shadows on many societies, especially in the countries of the South, which are the countries most affected by the effects of globalization.

### ***2-Media and Social Networks:***

The traditional and modern media have made huge leaps during the first decade of the twenty-first century through the diversity of their media materials and their ability to influence public opinion. Most of the satellite channels and talk shows that present different views on a number of issues have been adopted, in addition to the emergence of social networking sites on the Internet. International information "the Internet", especially Facebook, which made each participant in that site an independent media platform that highlights what he likes of opinions and positions, and there are more than 750 million users of Facebook around the world until February 2011, which is what Makes Facebook the third largest country in the world after China and India, each user spends on average more than 55 daily minutes on Facebook, users spend more than 700 billion monthly minutes on the site, and there are more than 2.5 billion images uploaded to the site Monthly, and electronic blogs appeared, and (John Barger) was the first to write them in December 1997 AD and present their owners to their views on various events and issues, and the number of Egyptian blogs reached 200 thousand blogs at the end of 2010 m with a percentage of (30.7 %) of the total Arab blogs and (0.2%) of the total blogs worldwide. These sites and blogs increase security challenges in order to protect information and prevent criminal ideas that may be published through them, as users have absolute freedom in presenting their perceptions and their thoughts. The social dimensions of these crimes

1- The spread of some patterns of Western social behaviour. The communications and information revolution and the increasing progress in the field of media have contributed to the dissemination of these behavioral patterns regardless of the extent to which non-Western societies accept or reject these patterns.

2- The decline of the principles of social justice, and this is due to the deviation of the political authority and its displacement to portraying positive social standards for the account of a certain group and then imposing them on the society as a whole.

3- The destabilization and the intensification of conflict. The negative social repercussions of the globalization phenomenon were mainly manifested in the weak degree of commitment to standards and social patterns on the part of the

members of these societies.

4- The high crime rate and the increase in illegal trade, and among the most prominent of these activities is the recovery of the global drug trade, due to the transformations that have occurred in global trade. However, the scientific reality proved the opposite of what was expected, as the cases of disintegration, conflict and extremism increased in its various forms, standards were disrupted, moral values disappeared, and positive social values declined and were replaced by material values expressing the culture of interests, and the civilization of the market, and contradictions emerged and increased. Opposition and rebellion movements in many parts of the world, and the gap between the peoples of the world has increased, and forms of inequality have emerged between peoples in rights and duties, and arrogant behaviors, arrogance, marginalization and exploitation by major powers have become, and the social dimension is a necessary goal in capitalist systems as much as Preserving the minimum level of social security and to win elections, and a quick look at the extent to which the countries of the world care about the social dimension Umm, we find that the advanced capitalist countries, since the beginning of the cold war in the mid-1940s, have financed advanced social programs for the poor in society, extended the social insurance network for all classes, and increased specialized funds for unemployment insurance to other necessities.

Achieving social stability and the state pardoned by this model the welfare state or the welfare state Achieving social stability and the state pardoned by this model the welfare state or the social welfare state. It was stated in the report of the Director General of the Arab Labor Office that the early stages of globalization are expected to include high rates of poverty, a large number of the needy, and an increase in the suffering of the middle groups of the elements of society. Promises of prosperity and well-being, but they are likely to constitute a source of instability and destabilization of security in the event of society's stagnation in dealing with it. The transition to globalization will increase the chances of economic growth, but this process also has its risks and costs, especially in its social and human dimension.

### ***The Second Topic: The Effects of The Emerging Crime:***

#### ***First: Its Security Implications, The Most Important of Which Are:***

1- Threatening the economic security of the state: as this type of crime poses a great danger to economic activity and commercial movement, it also destabilizes it and loses the confidence of dealers and traders in dealing and trade exchange, which prompts them to search for other places that are more secure in their heads. their money away from the risks and risks that may be exposed to their dealings and commercial exchanges. These risks will eventually lead to a halt in the movement of economic activity and development, especially in developing countries that aspire to attract capital and foreign investments in order to rise and transcend their reality burdened with conditions of poverty and unemployment in light of the free economy policies that seek to attract financial investments and the various projects that seek behind them. To reduce poverty and unemployment rates among its citizens and increase their income.

2- Diversity of criminal methods: At a time when the economies of countries tend to integrate into a common global market in which different capital, services and goods move, while the control role of governments decreases, and borders and distances between countries disappear under the policies of globalization and the information and communication revolution, this has led to Inducing different types of crimes that were not familiar before differ in terms of the usual methods and methods in traditional crimes, where modern technologies, means of communication and computers are used with the presence of many legal loopholes in the laws and regulations followed. The resort of these gangs to the use of these means has resulted in another type of danger and security challenges, with which the security services and the police, and their expertise and techniques, have been powerless in the face of these new manifestations of crime, which crossed the borders of countries and was not limited to one country, which gave it a global character. Which threatens the entire international system and threatens the security of peoples and their vital interests.

***Second: Its Social Effects, The Most Important of Which Are:***

1. New or emerging crimes pose a direct threat to social relations between members of society, as they lead to the emergence of new forms of human behavior in human interactions characterized by cruelty, stagnation, and the absence or lack of moral and human aspects, as everyone will turn to conflict in light of the spread of these crimes For the sake of continuity and survival, there are contradictory groups that live in a phase of different conflicts, in which those who seek to build and build within a framework of cooperation, cohesion and mercy, and in which those who hold the shovel of demolition, destruction and tearing of the social fabric of society. These crimes also lead to a change in the lifestyle of individuals, in light of the current flow of fear, anxiety, panic, hesitation, distrust and loss of safety, as people follow lifestyles characterized by caution and excessive caution, and change their daily behaviors, which leads to a loss of stability and social adjustment among the members of society. Finally, one of the forms of social risks of emerging crimes is threatening the social entity, and destroying the prestigious social status of some individuals, as an inevitable result of the constant conflict between the owners of correct social and behavioral values and principles, and those who tend to the opposite direction and support this type of crime, which may lead to To the occurrence of a kind of social vacuum that deprives society of clean competencies and leaders, and leaves swimming free With those with criminal and deviant behavior, and the rest of the community members are disappointed, and unwilling to participate in the community.

**RESULTS:**

Through the field study in this aspect, the researcher reached a set of results that represented an analytical summary of the data obtained from an answer from the study sample to the paragraphs of the questionnaire, which can be summarized:

1- The increase in emerging crimes represented a percentage of increase and a numerical increase, as the members of the research community unanimously



agreed on that.

2- Lack of confidence in the legal deterrent in case of complacency with electronic crimes.

3- Loss of individual and social security.

4- Serious repercussions on economic and political security.

5- The instability of society.

6- Religious degeneration due to weak religious commitment.

### **RECOMMENDATIONS**

1- The necessity of shedding light on the scientific study in the various fields of social sciences and humanities on this problem, which has begun to turn into a social phenomenon by encouraging researchers to study its various aspects.

2- The necessity of announcing the results of scientific studies that dealt with this problem in order to inform public opinion of the extent of this problem to ensure public social action in order to limit its extent.

3- The need to focus on spreading social awareness through the media of the social and psychological dimensions of emerging crimes and the hatred they instil extend to generations in societies with a tribal nature such as the Iraqi society.

4- The necessity of working to accomplish political reforms and limiting arms to the hands of the state in order to avoid the use of political issues and its means in increasing the rates of such crimes that are dangerous to security, social stability and the individual.

5- The need to develop means of detecting crimes by developing means of criminal investigations that help to identify the real motives for committing such crimes.

6- The necessity of preserving the independence of the judiciary and overcoming the obstacle of amnesty decisions, which often include criminals who return to the same crime.

### **REFERENCES**

Ahmed Mohamed Khalil, *The General Theory of Criminalization, Study of the Philosophy of Criminal Law*, Cairo, 1959

Asaad Tarish Abdul Redha, *The Social Effects of Globalization on Third World Countries*, *Journal of International Studies*, No. 43, Center for Strategic and International Studies, University of Baghdad, 2010, p. 100.

Hassan Al-Saati, *Legal Sociology*, 3rd Edition, Cairo, Anglo-Egyptian Library.

Hassan Abdullah Al-Ayed, *The Impact of Globalization on Arab Culture*, Beirut, Arab Renaissance House, 2004.

Mr. Yassin, *The Terrorist Mind and Ideological Extremism: A Cultural Analysis*, Cairo, Al-Ahram Center for Political and Strategic Studies, No. 216, 2010.

Saleh Al-Saad, *Drug Challenges at the International Level*, *Police Thought Magazine*, Sharjah Police Command, Sharjah, United Arab Emirates, Volume VI, Issue III, December 1997.

Saleh Hussein Al-Raqab, *Globalization, Gaza*, the Islamic University, 2003.

Mohamed Sayed Fahmy, *Globalization and Youth from a Social Perspective*,

- Alexandria, Dar Al-Wafaa for Donia Printing and Publishing, 2007
- Muhammad Ali Qutb, New Criminal Phenomena and the Position of the Bahraini Legislator and its Impact on Security, Journal of the Security Media Center, No. 2, 2015.
- Mustafa Al-Auji, Lessons in Criminal Sociology of Crime and the Criminal, Beirut, Nofal Foundation, 1980.
- Hans-Peter Martin and Harold Schumann, The Globalization Trap: Assault on Democracy and Prosperity, translated by: Dr. Adnan Abbas Ali, review and presentation by Prof. Ramzi Zaki, Kuwait, World of Knowledge series, National Council for Culture, Arts and Letters, 1998.
- Youssef Salih Buraidah, International Social Change and Drugs, a working paper presented to the Symposium on Drugs and Globalization, Riyadh, Naif Arab University for Security Sciences, 2007.
- Younis Arab, Computer, Internet and Communication Crimes, Amman, The Arab Center for Law and High Technology, 1999.
- Peter, Grabosky and Others, Electronic Theft: Unlawful Acquisition in Cyberspace, Cambridge, Cambridge University Press, 2001, P.51