

The concept of parapsychological contract A comparative study

Dr. Safaa Miteb Al kohzaie¹, Karim Talib Hussein²

¹College of Law, Al-Qadisiyah University, Iraq, Safaa.faja@qu.edu.iq

²College of Law, Al-Qadisiyah University, Iraq, law.mas.20.34@qu.edu.iq

Abstract

Prepare the topic of parapsychological contracts, it is one of the new vital topics that deal with a new topic that falls within the field of parapsychology, which is meant beyond the psyche, and it differs from the psychological sciences, which are psychological sciences. Its effect on humans. This science was also reflected in the law, through which a lot of legal relations were established, including contracts. The issue of unseen factors has become a common place for contracts in different societies, which are forms of magic contracts, spiritual medicine contracts, prophecy, astrological horoscopes, and contracts of suggestion and hypnosis, which have become common in our society and have different legal effects and repercussions. It also constituted a distinguished economic force for many of those who worked in it, which encouraged the majority of those who possess superior abilities to enter and work in the field of parapsychology, in addition to the entry of other people into this field without possessing any kind of these superior abilities in order to obtain money, which contributed to an extent Far in.

Keywords: Parapsychology, Contract, Telepathy, Precognition, healing Psychic.

Introduction

The topic of research (parapsychological contracts) is one of the recent developments in the field of medical and psychological sciences and human development, rather in the field of psychiatry and neurology. It is related to an emerging topic, which is the contracts that are subject to issues that fall under the field of parapsychology. Which is meant by the sciences beyond the psyche that are researched in the science of psychiatry and neurology, which is represented by neurological and spiritual influences and non-material matters and how they affect the human being and his psyche, which is used mostly for psychological and neurological treatment that has spread a lot and has satellite channels and large medical centers such as hypnotherapy and energy therapy Including (music and yoga), telepathy, and spiritual medicine that includes healing through the Qur'an, prophetic

medicine, and incantations, which were included in abundant scientific and medical studies. Contracts have become very common in contemporary times, such as therapy with revelations, hypnosis, energy, yoga, and spiritual medicine, as a place for treating many diverse mental illnesses in Western societies, such as compulsive anxiety, depression, autism, and other diseases, in addition to the widespread spread of these contracts in our societies, such as healing contracts with the Holy Qur'an, the Prophet's Sunnah, and incantation. The aim of the study is to shed light on the concept of parapsychological contracts, and to show the adequacy of the general rules of the contract in organizing them in Iraq and Egypt, its most important characteristics.

Literature review

The first topic: the definition of parapsychological contracts

The term parapsychology is strange and alien to the Arabic language, although it has scientific roots in the science of psychiatry and psychology a lot, as it is of foreign origin in recent use, and was not previously known, and in order to stand on the definition of parapsychological contracts, it is necessary to search in its linguistic meaning and scientific, to help us explain its meaning in Islamic jurisprudence in the second requirement, to reach a definition of its terminological definition in law in the third requirement, and then allocate a fourth requirement to clarify its most important characteristics, according to the following order:

The first requirement: the meaning of para-psychological contracts in linguistic and scientific terms

In order to reach a specific definition of parapsychological contracts, it is necessary to know their linguistic and scientific meaning, so we will single out a special branch for each term:

The first section: the linguistic meaning of the term parapsychological contracts

This compound into its components, for the knot in the language means, the knot of something, so we tie and knot, i. Its parts became fruit, the rope and the like made a knot in it (3), and the contract: what is contracted from the building as well as the covenant, and an agreement between two parties according to which each of them undertakes to implement what was agreed upon, such as a sale contract (4), and it came in the Book of God Almighty {O you who believe Fulfill the contracts.} (5), and it is noted that the contract is the agreement between two or more persons on a specific matter, such as the agreement to rent a specific thing and the like.

it is strange and alien to the Arabic language, as it is of a foreign origin that was not known in the past (Parapsychology). And (psychology) i.e. psychology (7), and it was stated in the dictionary that the word behind means: that which neither sense nor knowledge can reach, wherever it is from the place, and likewise the son is born (8), and it is said that he is behind you because he is hidden from you, whether he is behind or in front (9), and behind also means behind, an adverb of place that is reminiscent and feminine (10). In line with what has been mentioned, the parapsychological contracts are (the agreements that take place between people, and whose place is to do intangible things outside the framework of the common sense, and these abilities constitute what is beyond psychology with its five senses known to us).

The second section: the scientific meaning of the term parapsychological contracts

When talking about the term parapsychology scientifically, it must be recognized that it is difficult to put an accurate and categorical meaning for its concept, because of the characterization, capabilities and parapsychological skills of ambiguity and instability, which led to a difference in its interpretation and the development of different definitions in terms of the point of view of everyone who wanted to define the meaning of those paranormal (11), but despite Since the dispute raged about its meaning, there remain common and mixed expressions that were developed to clarify its concept, and to clarify the essence of the basic idea of the term, it is necessary to search for its historical roots. In 1989, the term “Parapsychology ” was used for the first time by the German philosopher Max Desoir to apply the scientific study to phenomena and supernatural abilities (12), hence the scientific use of the term began, as it is modern in use compared to the prevalence of its multiple phenomena rooted in ancient societies. Accordingly, the term parapsychology means what is behind psychology or beside it, as we indicated previously, and there are scholars who called it the sixth sense and physiognomy, while others called it parallel psychology (13). Parapsychology is described as a field specialized in the study of the mind and behavior in its unusual properties, so a group of scientists defined it as “the scientific study of paranormal phenomena that conflict in one or more aspects with an accepted scientific point of view about what is physically possible” (14), and another team defined it as “ it The study of interaction between living things and their environment, and this interaction is not transmitted by the sensory and motor means known to us” (15), as well as others have defined it as “the study of phenomena and abilities of suprasensory perception, psychokinesis and related phenomena” (16). Despite what has been said about the meaning of parapsychology, the debate remains about setting a comprehensive and specific definition for it because its topics overlap in many fields

of other sciences such as physics, psychology and astronomy, as well as according to the angle from which these abilities and multiple phenomena are viewed and how to develop a specific explanation for them. In order not to put a specific and general meaning for this term, the dispute arose in its use by researchers because it does not include some unusual powers and skills that are strange in nature, and in order to develop a scientific description of them and to remedy the disagreement about the nature of the term and its meaning, the label was replaced by a more comprehensive and general scientific and technical term to contain all Phenomena and abilities that are considered unusual, which is (Psi) (17), and with the use of the new term by some scholars and despite the disagreement, the term parapsychology remained the common one among the scientific community in Europe and America, but the Russian researchers disagreed with that, so they took the use of the term (psychotronics). Psychotronics) (18).

The second requirement: the meaning of parapsychological contracts in Islamic jurisprudence

When talking about Islamic jurisprudence and the extent to which it knows the term parapsychology, the following question arises: Does Islamic jurisprudence define this term, discussing it with research and study? In order to answer our question, we say that Islamic jurisprudence, despite its abundance and the piety of Muslim jurists, did not know it and were not exposed to the term parapsychology being a foreign term alien to the Arabic language (19), and also due to its recent use, but they knew a lot of supernatural abilities and psychological skills. Since ancient times, the Arabs have been interested in knowing the future and the unseen, and due to their great interest in these abilities and phenomena and their fear of some of them, they have taken various ways to confront them and remove their danger, the most important of which is the way of seeking refuge (20), which is often associated with hidden supernatural powers such as envy, magic, and others. Among the psychological phenomena and abilities that accompanied the growth of human societies in all their stages are astrology, prophecy, divination, and fortune-telling (21), as the Arabs called everyone who claims knowledge of the unseen (a soothsayer) (22). And the sand and the astrologer, so some of them know the unseen through the rising and setting of the star, and some of them hit with pebbles, and some of them claim that he has a companion from the jinn who tells him about what will happen.” (23) Until the advent of Islam, which had a firm stance on these phenomena, so it prohibited and fought them (24) because the knowledge of the unseen is the specialty of God Almighty alone. Everything related to the knowledge of the unseen is prohibited by Muslim jurists, including the jurists of the Imami school of thought ()

and the Hanafi school (26) who dealt with these phenomena and abilities through research, analysis, criticism, support and slander according to their contradiction or harmony with Islamic law (27). There are some practices that have been emphasized by Muslim jurists, such as (spiritual medicine through healing by the Holy Qur'an, prophetic medicine, and legal ruqyah), as treatment is considered through supplications and remembrance from the Prophet Muhammad, may God's prayers and peace be upon him and his family, peace be upon them, the second way to treat psychological ills after the Holy Qur'an (28), and legal ruqyah (29) is one of the important ways to get rid of the psychological effects left by insomnia, envy, and witchcraft (30), and among the types of ruqyah that the Prophet Muhammad, peace be upon him, used to perform ruqyah, "In the name of God, I perform ruqyah for you from every disease that harms you and from the evil of every A soul, or an envious eye, may God heal you, in the name of God, I enchant you" (31). The forms of parapsychological practices at the present time differed according to the nature of the societies and affected the legal aspect. For Western societies many practices resulted (hypnotherapy, yoga, energy therapy, Chinese medicine treatment and other forms), while in the eastern Islamic societies, one of these practices (Treatment by healing the Holy Quran, prophetic medicine, and ruqyah).

The third requirement: the meaning of parapsychological contracts in legal terminology

When searching and scrutinizing the Iraqi Civil Law No. 40 of 1951, as amended, we did not find any direct reference to parapsychological contracts, neither from near nor from afar, but there is a reference considered implicit in the Iraqi Civil Law that can be calculated as pertaining to this type of contract, when dealing with the law Article No. (114) (32) deals with the civil issue of coercion, to show us that the effect of coercion on people is not one, but relative, as it differs according to the conditions of people in terms of age, gender, strength, weakness, courage, fear, and according to the degree of education, culture, and social position (33), and magic is considered Prediction and astrology as one of the paranormal is one of the means used in coercion, especially on females, the weak, and those with little education and experience from the people of rural areas and areas far from urbanization. Apart from this reference, we did not find evidence that the Iraqi civil law touched on parapsychological contracts, and this symptom explains the lack of dealing with those contracts, the novelty of the term and its obscurity despite the wide spread of parapsychological abilities and skills in Iraqi society (34), and with that and the importance of the subject of supernatural abilities and skills and in line with With the positive global attitude towards it, we find that the Ministry of Higher Education and Scientific Research has

assumed this role and has taken an interest in studying those capabilities through the establishment of the Psychological Research Center (Parapsychology) affiliated to the University of Baghdad and prepared by an academic research institution (35). For the lack of knowledge of the Iraqi civil law for parapsychological contracts, and in order to determine its idiomatic meaning, it is necessary to divide the term into its components, bearing in mind that it does not differ much from its linguistic concept. The contracting parties accept the other in a way that proves its effect on the contracted upon.” This definition included superfluous expressions that could have been dispensed with. proves its effect in the contracted upon.” As for the Egyptian Civil Law in force No. 131 of 1948, it did not address the definition of the contract, leaving the matter to the jurists or the judiciary, so the Egyptian Court of Cassation defined the contract as “every agreement intended to produce a legal effect” (36), and a side of jurisprudence defined it as “the agreement of two wills. ” to produce a legal effect, whether this effect is the creation, transfer, modification or termination of an obligation” (37). As for the term Parapsychology, its idiomatic meaning does not differ from its linguistic and scientific meaning previously mentioned, so there is no need to repeat it, and after defining the meaning of this term, we can define parapsychology contracts as (the convergence of two or more wills to create a legal effect that falls on intangible things that are not subject to measurement by scientific methods well-known), and parapsychological contracts include all contracts in which the contracted upon is outside the natural capabilities and capabilities of man, which is considered supernatural. Such as lease, sale and contracting.

The fourth requirement: the characteristics of parapsychological contracts

The characteristics of contracts vary according to the diversity of the place on which they are based, and parapsychological contracts, by their nature, do not deviate from this general rule, because some people have various abnormal psychological powers and abilities, such as the abilities of suprasensory perception (Esp) (38), which are mental abilities that do not have an external physical entity, It is of a supersensory nature that takes place without the use of any physical means, and through which a person can obtain supernatural information (39) and one of its forms is telepathy, which refers to the supersensory acquisition of information about the feelings and thoughts of another person and occurs without being restricted by distance, as it may be several meters and may exceed thousands Mileage (40). Likewise, the image of psychometry, which symbolizes the ability of some talented people to know things and give information about them and their owners when holding them (41), in addition to the above, the dowsing stick that is used in order to identify

what is living in the ground of water or minerals without the use of means Materialism or the use of the natural senses known to us (42), and also there is the ability to predict the future Precognition by knowing future events involuntarily by means above sensory (43), and interferes with the ability to know the events of the past Retrocognition without inferring existing data such as telling him about it, for example (44), There is also a picture of spiritual healing Psychic, which is usually done by several methods, such as prayer or visiting a religious shrine (45). After the most common forms of parapsychological psychological abilities have been clarified from a scientific point of view, we can now identify the most important characteristics of parapsychological contracts that are similar to other contracts, and the characteristics that are almost unique to others due to their relationship to abnormal psychological abilities and skills, and the most important characteristics are the following: First: Parapsychological contracts are netting contracts that impose mutual and mutual obligations on both parties to the contract, and sometimes they can be donation contracts if the service provided is free of charge. Second: The result of the service provided in the parapsychological contracts is of a probabilistic outcome, given its reliance on superior psychological capabilities by the parapsychologist, whose commitment is to exert all his capabilities and care to achieve the goals of the other contractor without undertaking to achieve a specific result. Because the result is achieved in professional contracts based on the obligation to exercise care that is not subject to the will of the debtor, because other factors are involved in achieving it (46). Third: Parapsychological contracts are among the contracts in which the legal positions of the contracting parties differ, so the parapsychology is located in a distinguished legal position because of the information and various experiences it possesses. In the field of his profession, on the other hand, the second party occupies a weak legal position due to his ignorance and lack of knowledge of the subject matter of the contract. This is the case in many professions such as medicine and the legal profession (47). (48) Fourth: Although the parapsychologist is not committed to achieving a specific goal, his responsibility is not discharged by exception from the principle, unless he achieves a specific result represented in preserving the safety of the other party, keeping his secrets, and not delaying in providing the service required of him. As is the case of the doctor in the medical contract (50). Fifth: Parapsychological contracts are originally implemented closely, as is the case with treatment with legal ruqyah, hypnosis, yoga, etc., but they can be implemented as an exception from the original from a distance, as is the case in spiritual medicine. External barriers of any kind (51). Sixth: The location of parapsychological contracts is characterized by being imperceptible and cannot be felt, which is the most important feature that distinguishes this type of civil contracts

because they take place in the field of parapsychology (52). Eighth: Compensation is often in contracts. The parapsychology minus does not cover the amount of damage suffered by the other contracting party, because the moral damage is not included in the compensation in the contractual liability (53).

Conclusion

After this modest effort in explaining the meaning of parapsychological contracts, we have reached some results, which can be supported by several proposals.

First: the results

1- We concluded that parapsychological contracts differ from their counterparts in other professional contracts in the subject matter of the contract, which is often represented in the provision of a service, focused on treating non-organic psychological diseases that are difficult to diagnose and treat in the usual ways, unlike the case in medical contracts, whose main objective is to treat organic diseases that it is often easy to diagnose by showing its symptoms, in addition to the use of advanced medical devices and equipment in the diagnosis.

2- The name and forms of parapsychological contracts differ between countries according to the science and culture of each country, but the framework that contains them remains one framework that includes all supernatural abilities and skills.

3- We concluded that the Iraqi civil law did not deal with these contracts, neither by rejection nor by affirmation, as well as the Egyptian civil law.

Second: Proposals

1- We suggest to the respected legislator the need for legal regulation of parapsychological contracts, due to the widespread prevalence of these contracts and their formation of a realistic social phenomenon that legislation, judiciary and jurisprudence did not attach due importance to.

2- We call on the legislator to include articles in the proposed law stipulating that a license to practice the profession of parapsychology is not granted except after conducting many different tests and stating who is entitled to practice the profession.

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