

Editorial

ALCOHOL ABUSE AND ITS MEDICOLEGAL CONSIDERATIONS

Abstract

Alcohol is probably the most frequent available drug and most commonly used drug. Though some of beneficial effects of alcohol cannot be ignored but at the same time it cannot be denied that alcohol is also the most abused drug in the world. When alcohol starts causing harm to the body or mind, the abuse of alcohol becomes self evident. Abuse may be in the form of excessive intake or in a manner that itself explains that it is an abuse of alcohol. Alcohol abuse may lead to conflicts with the law. For the people who are to tackle such cases there is need to know the relevant laws. It is important for the treating doctors, police officials, clinical forensic experts and judicial officers to know how to deal with the cases of alcohol abuse.

Keywords: Alcohol abuse; mental illness due to alcohol; drug abuse, substance abuse

Introduction

Use of alcohol is prevalent in our society since a long time. It is considered a social drink and in many societies no party is considered complete until alcohol is served in the get together. It is used to celebrate happy occasions as well as used to forget bad moments of life. Many people believe that alcohol is mother of creativity and is beneficial to mind. It is a common belief that it is helpful in rheumatoid arthritis and it reduces the rate of heart attack and risk of stroke. It is also considered beneficial for central nervous system where it is considered to reduce the risk of Parkinson's disease, Alzheimer's disease and dementia. It is also considered beneficial to some types of cancer by reducing their risks e.g. breast cancer in elderly females, papillary thyroid cancer in females and lymphatic cancers (Burkit's lymphoma, non-Hodgkin's lymphoma). It helps to reduce risk of blindness from age related macular degeneration and formation of gall stones. Its use is considered beneficial for Increasing high density lipids and anti-clotting factors; decreasing fibrinogen levels and preventing platelet aggregation, clot formation and coronary constriction.

Due to so many benefits in the minds of the people it is no wonder that that alcohol is considered a very useful drink. Nobody denies the above listed benefits. But in these benefits amount of alcohol ingested is not mentioned. It is only the quantity and manner of consumption of alcohol which makes it a villain. Alcohol when taken in such a manner or quantity that it will be harmful to body and mind is alcohol abuse. Excessive use of alcohol and the resultant negative effects on health or social life may bring the person in conflict with the law.

Alcohol abuse is a form of the substance abuse. Usually alcohol is taken to overcome boredom which initially produces some happiness but ultimately it leads to anger during which a person comes in conflict with the law. Ultimately it produces sadness and apathy. Alcohol abuse can lead to "a cluster of behavioral, cognitive, and physiological phenomena that develop after repeated substance use and that typically include a strong desire to take the drug, difficulties in controlling its use, persisting in its use despite harmful consequences, a higher priority given to drug use than to other activities and obligations, increased tolerance, and sometimes a physical withdrawal state [1]."

Alcohol abuse is considered a psychiatric diagnosis 'describing the use of alcoholic beverages despite negative consequences and is differentiated from alcohol dependence by the lack of symptoms such as tolerance and withdrawal" [2] and is described in the DSM-IV.

Alcohol abuse can be different from medical, legal or social point of view. Many types of syrup are alcohol based and taking of these syrups in prescribed quantity will not be alcohol abuse but taking the whole bottle of that anti-cough syrup may be drug and alcohol abuse. Socially taking of alcohol in parties is permitted but after taking alcohol and making a ruckus or falling down unconscious may be alcohol abuse socially. Use of illegal drug [3] or alcohol made illegally may be construed as alcohol abuse legally. People may come in conflict with the law after consumption of alcohol and legally that may be considered as alcohol abuse. They become prone to accidents and violence. Violence may be domestic if the person is at home or may quarrel with other people if person is away from home. Alcohol abuse may expose the person to diseases and also make him financially wreck. In order to get money for alcohol person may resort to criminal activities like stealing and robbery. In this context he may even kill someone though primary aim was to get money for alcohol. Rarely person may die due to overdose in a case of alcohol abuse. Alcohol abuse may gradually lead to physical and moral deterioration. He may become suspicious of his wife's fidelity and may assault her or suspected paramour.

Continued alcohol abuse for long time may lead to dementia, Delirium tremens, Korsakoff's psychosis and Acute Hallucinosi. During this period he may have conflicts with the law. During these illnesses he may not be responsible for the crimes as he is mentally sick during these conditions.

Act of a person incapable of judgment by reason of intoxication caused against his will is covered under Sec 85 IPC according to which nothing is an offence which is done by a person who, at the time of doing it, is, by reason of intoxication, incapable of knowing the nature of the act, or that he is doing what is either wrong, or contrary to law provided that the thing which intoxicated him was administered to him without his knowledge or against his will.

In cases where an act done is not an offence unless done with a particular knowledge or intent, a person who does the act in a state of intoxication shall be liable to be dealt with as he would have had if he had not been intoxicated, unless the thing which intoxicated him was administered to him without his knowledge or against his will and this is covered under section 86 IPC regarding offence requiring a particular intent or knowledge committed by one who is intoxicated.

How much drinking may be considered as alcohol abuse may vary from person to person depending upon their reaction to alcohol but on an average an adult person having more than 4 drinks per occasion or more than 14 drinks per week, an adult female or man older than 65 years having more than 3 drinks per occasion and more than 7 drinks per week may be considered as alcohol abuse [4].if number of drinks is 35 or 21 respectively then this may be considered heavy drinking. Drinking alcohol while taking care of small children, any amount of alcohol by pregnant lady, mixing medicine with alcohol or not telling your doctor that you are regular drinker may be considered as taking risk with alcohol. It may be considered habit forming once you regularly socialize with other regular drinkers or you drink regularly to avoid sad or unpleasant situations or to relax and go to sleep. One drink is defined as one 12-oz bottle of beer (4.5 percent alcohol) or one 5-oz glass of wine (12.9 percent alcohol) or 1.5 oz of 80-proof distilled spirits [4].

If person remains worried that how he will get evening drinks, hides alcohol purchases, sneaks in social events to get drinks when nobody is looking or switching brands so that he does not get drunk may be considered that alcohol is taking over life of that person. Drinking may be considered becoming problem for life if one cannot remember what happened during drinking or hurt someone after drinking, unable to stop drinking once start drinking, when other people make comments about drinking or a person feel guilty after drinking or have to take an early morning drink to ward off effects of late night drinking [4].

If a person who has taken alcohol and is causing public nuisance can be examined even without consent under sec 53 CrPC. Subsection I applies to males and subsection II applies to females. Even their blood or urine samples can be collected under these sections if required.

People show their macho-hood through various means and alcohol abuse is one of the means to show it. This is particularly with lowly educated people of the slums who also resort to sexual and alcohol abuse. This is leading to AIDS in that particular group. This is due to their ignorance and if awareness programs are carried out the incidence of all these problems definitely decreases [5].

Conclusions

In alcohol dependence there is tolerance and withdrawal but in alcohol abuse these are not present. In alcohol abuse there is continued use of alcohol despite the development of social, legal, or health problems [6]. One needs to be careful with alcohol if the need of alcohol arises to avoid unwanted feelings and pain. One need to watch use or abuse of alcohol if this is being taken to avoid boredom or problems. Alcohol may be a good drink if taken in moderation otherwise it may show its ugly face which can be the worst form of it. Alcohol abuse can be summarized in the words of Abraham Lincoln "None seemed to think the injury arose from the use of a bad thing but from the abuse of a very good thing".

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