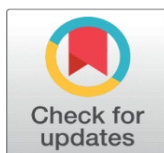


A CASE STUDY ON LAW AND HEALTH WITH SPECIAL REFERENCE TO INTERNET GAMING DISORDER

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ABSTRACT

The intersection of law and health is becoming increasingly significant with the rise of digital disorders like Internet Gaming Disorder (IGD). This study explores the legal frameworks and public health strategies addressing IGD. The research highlights the global recognition of IGD by organizations like the World Health Organization (WHO), the evolving legal responses to regulate gaming behavior, and the societal impacts of this condition. This study aims to assess the adequacy of existing laws, identify gaps, and propose actionable solutions to mitigate the disorder's impact on individuals and society.

Keywords: Internet Gaming Disorder, Law and Health, Digital Addiction, Legal Frameworks, Mental Health, Public Health Policy, WHO, Online Gaming Regulation

1. INTRODUCTION

The integration of technology into daily life has transformed leisure activities, with online gaming becoming a predominant form of entertainment. While this has led to economic growth and technological advancements, it has also introduced challenges like Internet Gaming Disorder (IGD). Recognized by the WHO as a mental health condition, IGD necessitates legal, medical, and social attention. This study delves into the legal and health implications of IGD, exploring its prevalence, symptoms, and the global legal frameworks designed to address it. The paper underscores the importance of balancing technological benefits with societal well-being. The digital revolution has redefined the ways we interact, learn, work, and entertain ourselves. Among the most transformative shifts has been the rise of online gaming, a global phenomenon that has transcended cultural, economic, and generational boundaries. As gaming has become increasingly immersive, engaging, and accessible, it has not only emerged as a billion-dollar industry but also as a significant cultural movement influencing lifestyles, relationships, and even mental health. Within this dynamic landscape lies the pressing issue of Internet Gaming Disorder (IGD), a condition recognized by the World Health Organization (WHO) in 2018 as a mental health disorder.

The recognition of IGD underscores the need to examine the intersection of technology, health, and law. It reflects the growing awareness that unchecked gaming behaviors can lead to adverse physical, psychological, and social outcomes. Gamers, particularly adolescents and young adults, often find themselves caught in a cycle of dependency, with excessive gaming interfering with their education, employment, and relationships. In many cases, these behaviors mimic the characteristics of substance addiction, such as loss of control, neglect of responsibilities, and withdrawal symptoms when access to gaming is restricted. The legal and regulatory frameworks governing online gaming vary widely across the globe, with some nations taking proactive measures to mitigate the risks associated with excessive gaming. For instance, countries like South Korea and China have implemented strict regulations on gaming hours and age-specific access. Conversely, other regions lag in addressing the issue, often due to a lack of consensus on whether IGD constitutes a legitimate disorder or simply a behavioral anomaly. This disparity highlights the need for a unified approach that balances the benefits of gaming with its potential harms. Furthermore, the health implications of IGD extend beyond the individual to society at large. The increasing prevalence of gaming addiction has placed a burden on healthcare systems, requiring specialized interventions and therapies. Public health campaigns are now focusing on raising awareness of the disorder, providing educational resources for parents and educators, and fostering resilience in youth against the lure of excessive gaming. Simultaneously, the gaming industry is under pressure to adopt ethical practices, such as designing games that discourage addiction and incorporating tools for monitoring gaming habits. From a legal perspective, the regulation of gaming behavior raises complex questions about personal freedom, corporate responsibility, and the role of governments in safeguarding public health. Should gaming companies be held accountable for the addictive nature of their products? What constitutes reasonable limitations on gaming to protect vulnerable populations without infringing on individual rights? These are critical issues that demand interdisciplinary collaboration among lawmakers, healthcare professionals, and technologists. This study embarks on a comprehensive exploration of the multifaceted relationship between law and health in addressing IGD. It seeks to analyze the prevalence and impact of the disorder, evaluate existing legal and health frameworks, and propose actionable solutions. By delving into case studies, legal precedents, and health initiatives, the research aims to shed light on the challenges and opportunities in managing IGD. Ultimately, the study aspires to contribute to a deeper understanding of how society can harness the benefits of gaming while mitigating its risks, ensuring that the digital age is both productive and inclusive.

Definitions

- 1) **Internet Gaming Disorder (IGD):** A condition characterized by persistent and recurrent gaming behavior leading to significant impairment or distress, as defined by the WHO.
- 2) **Digital Addiction:** Excessive use of digital devices that interferes with daily life.
- 3) **Public Health Law:** Legal measures implemented to protect and promote community health.

Need for the Study

- To understand the legal and health implications of IGD.
- To evaluate the effectiveness of current legal frameworks.
- To propose recommendations for holistic management of IGD.

Aims

- To analyze the prevalence and impact of IGD.
- To examine global and national laws addressing IGD.
- To assess the role of healthcare in managing IGD.

Objectives

- 1) Evaluate the effectiveness of existing laws regulating gaming.
- 2) Study the role of public health policies in mitigating IGD.
- 3) Provide recommendations for integrating legal and health responses.

Hypothesis

Effective integration of law and public health strategies can significantly mitigate the societal and individual impacts of Internet Gaming Disorder.

2. RESEARCH METHODOLOGY

- **Approach:** Qualitative and quantitative analysis.
- **Data Collection:** Case studies, surveys, and literature review.
- **Analysis Tools:** Statistical software for data interpretation.
- **Sample:** Data from individuals, legal cases, and healthcare institutions.

Strong Points

- Recognition of IGD as a public health concern.
- Emerging global legal frameworks.
- Integration of mental health considerations into gaming regulations.

Weak Points

- Limited legal enforcement mechanisms.
- Lack of awareness among stakeholders.
- Variations in global recognition and response to IGD.

Current Trends

- Rising prevalence of IGD among youth.
- Legislative measures in countries like China and South Korea to regulate gaming hours.
- Development of health interventions like digital detox programs.

History

- Early recognition of digital addiction in the late 1990s.
- WHO's inclusion of IGD in the International Classification of Diseases (ICD-11) in 2018.
- Gradual adoption of legal measures to regulate online gaming worldwide. The relationship between law, health, and behavioral disorders such as Internet Gaming Disorder (IGD) is deeply rooted in the evolution of technology, societal norms, and the regulatory mechanisms that govern human behavior. The history of gaming, its rise as a cultural and economic force, and its subsequent impact on mental health form the foundation for understanding the emergence of IGD and the legal responses to it.
- **The Early Days of Gaming and Behavior Regulation**
- The origins of video gaming trace back to the 1950s and 1960s, with rudimentary games like *Tennis for Two* and *Pong*. These early games were simple and limited in reach, often confined to academic or research settings. By the late 1970s and 1980s, the advent of arcade games, home consoles, and personal computers brought gaming into the mainstream. Titles like *Pac-Man*, *Space Invaders*, and *Tetris* became cultural icons, and gaming shifted from a niche pastime to a widespread recreational activity.
- During this era, concerns about the impact of gaming on behavior began to surface, albeit informally. Parents, educators, and psychologists raised questions about the addictive nature of games, particularly among children. However, the focus remained on broader behavioral issues, such as sedentary lifestyles and potential distractions from education, rather than on gaming-specific disorders.
- **The Rise of Multiplayer and Online Gaming**
- The 1990s and early 2000s marked a turning point with the advent of multiplayer and online gaming. Games like *World of Warcraft*, *Counter-Strike*, and *The Sims* introduced persistent virtual worlds and social interaction, increasing the time and emotional investment of players. These developments coincided with the rapid proliferation of the internet, enabling gamers worldwide to connect in real-time.

- With the rise of online gaming, new concerns emerged. The immersive nature of these games led to prolonged gaming sessions, which in turn began to manifest in physical, mental, and social challenges. Cases of gaming addiction started making headlines, such as individuals neglecting personal responsibilities or experiencing health crises due to excessive gaming. These incidents drew attention from the medical community, policymakers, and gaming companies.
- **Recognition of Gaming Disorder**
- The 21st century witnessed significant advances in neuroscience and psychology, which provided new insights into the effects of gaming on the brain. Studies revealed that excessive gaming could alter neural pathways, leading to behaviors resembling addiction. In response, the American Psychiatric Association (APA) included "Internet Gaming Disorder" as a condition warranting further study in the *Diagnostic and Statistical Manual of Mental Disorders* (DSM-5) in 2013.
- Building on this, the World Health Organization (WHO) officially recognized "Gaming Disorder" as a mental health condition in 2018, defining it as a pattern of gaming behavior characterized by impaired control, prioritization of gaming over other activities, and negative consequences. This recognition marked a pivotal moment, legitimizing the disorder within the medical and legal frameworks.
- **Legislative Responses Worldwide**
- Globally, countries have approached the regulation of gaming and IGD in diverse ways:
- **South Korea:** Known for its vibrant gaming culture, South Korea was among the first to legislate gaming behaviors. The "Cinderella Law," enacted in 2011, restricted children under 16 from playing online games between midnight and 6 a.m. The country also invested in counseling programs and addiction treatment centers.
- **China:** Recognizing the rising prevalence of gaming addiction, China implemented strict measures, such as limiting the number of hours minors could spend on gaming and requiring real-name registration for online platforms. These laws sought to curb excessive gaming while addressing associated societal concerns.
- **United States and Europe:** In Western countries, regulatory responses have been more fragmented, focusing on industry accountability. Efforts include raising awareness about IGD, encouraging parental controls, and advocating for responsible game design. The debate often revolves around balancing individual freedoms with public health imperatives.
- **The Role of Gaming Industry**
- The gaming industry's response to concerns about IGD has been mixed. While some companies have introduced measures such as in-game time trackers and playtime limits, others have faced criticism for creating games designed to maximize engagement, often through psychological tactics like "loot boxes" and "reward cycles." These practices have drawn legal scrutiny, particularly regarding their resemblance to gambling.
- **The Ongoing Challenge**
- The history of IGD reflects the broader challenge of adapting laws and health policies to the rapid pace of technological change. As gaming continues to evolve, integrating virtual reality (VR), augmented reality (AR), and artificial intelligence (AI), new forms of engagement—and potentially new risks—are emerging. This underscores the need for a dynamic and interdisciplinary approach to addressing IGD, one that draws on lessons from the past while anticipating future challenges.
- By understanding this historical context, stakeholders can better navigate the complex interplay between gaming, mental health, and the law, ensuring that interventions are both effective and equitable.

3. DISCUSSION

The discussion explores the interplay between legal measures and public health strategies. It emphasizes the importance of education, policy implementation, and healthcare access in addressing IGD. The role of the gaming industry in self-regulation and promoting responsible gaming is also examined.

4. RESULTS

- High prevalence of IGD in regions with extensive gaming culture.
- Positive outcomes from countries implementing time restrictions on gaming.
- Identification of gaps in existing legal frameworks.

5. CONCLUSION

Addressing IGD requires a multidisciplinary approach involving law, healthcare, and technology sectors. While some nations have made strides in regulating gaming, a comprehensive global framework is essential for effective management. The intersection of law, health, and Internet Gaming Disorder (IGD) underscores a critical and evolving issue in contemporary society. The historical trajectory of gaming—from simple recreational activities to immersive, highly engaging online environments—has led to the emergence of IGD as a significant public health concern. As the gaming industry continues to expand and evolve with technological advancements, the challenges associated with excessive gaming have become increasingly complex, demanding robust legal and health-related frameworks to address both prevention and treatment.

6. LEGAL AND SOCIAL IMPLICATIONS

The recognition of IGD as a mental health condition by organizations like the World Health Organization (WHO) has provided much-needed legitimacy to the issue, influencing legal frameworks and policy responses worldwide. The role of law in regulating gaming practices, while essential in protecting vulnerable populations—especially minors—requires a balance that respects individual freedoms without compromising public health. Countries like South Korea and China have been at the forefront of legislative actions, demonstrating that government intervention, such as time restrictions, parental controls, and addiction prevention programs, can mitigate the adverse effects of excessive gaming.

However, there are significant challenges in legislating against IGD. The fast-paced technological advancements in gaming, coupled with the increasing sophistication of online platforms, make it difficult for existing laws to keep up. As the gaming environment evolves to include virtual reality, augmented reality, and even esports, the risks associated with excessive gaming may also change, necessitating continual revision and adaptation of legal frameworks.

7. ETHICAL CONSIDERATIONS

The legal regulation of gaming must also account for the ethical implications of restricting personal freedoms. While it is crucial to protect individuals, especially vulnerable groups like minors, from the harmful effects of excessive gaming, overly stringent laws may raise concerns regarding censorship, surveillance, and privacy violations. Furthermore, the question of responsibility arises: should game developers bear the burden of addressing gaming addiction, or is the responsibility shared with the individuals and their communities? This debate has no easy answer, as it requires balancing industry interests, consumer rights, and public health.

8. INDUSTRY'S ROLE AND ACCOUNTABILITY

The gaming industry has a critical role in mitigating the adverse effects of excessive gaming. Many gaming companies have introduced self-regulatory measures, such as time limits, in-game reminders, and the option to monitor gaming patterns. However, some companies have been criticized for developing psychologically addictive features, such as loot boxes and reward cycles, which can exacerbate gaming addiction. As the gaming market continues to grow, it is essential that industry players take a more proactive role in ensuring that their products are not designed to exploit players' vulnerabilities. Collaborative efforts between governments, the healthcare sector, and the gaming industry could lead to the development of safer gaming environments that prioritize the well-being of users.

9. HEALTH IMPLICATIONS AND SOLUTIONS

The rise of IGD highlights the importance of mental health awareness in the digital age. Gaming addiction is not merely a behavioral issue; it has profound physical, emotional, and social consequences. It affects sleep patterns, academic performance, and interpersonal relationships. Early identification of at-risk individuals, combined with accessible intervention programs, can help mitigate these effects. Governments and health organizations must ensure that mental health resources are available for gamers who struggle with addiction, including counseling, therapy, and rehabilitation centers.

Moreover, public health campaigns that raise awareness about the risks of excessive gaming, promote healthy gaming habits, and offer guidance on managing screen time are essential to combating IGD. Educational programs aimed at both children and parents can foster a deeper understanding of the importance of balancing gaming with other life activities, thus preventing the onset of IGD.

10. THE FUTURE OF GAMING AND LEGAL RESPONSE

The future of gaming and its regulation remains uncertain, as emerging technologies such as virtual reality (VR) and augmented reality (AR) continue to redefine how games are played and experienced. These technologies are likely to intensify existing concerns about addiction, as they provide even more immersive and engaging experiences. Consequently, future legal responses must consider not only the current state of gaming but also its rapid evolution. Laws that can accommodate new technological developments while maintaining their efficacy in preventing addiction will be essential.

Additionally, as gaming becomes more embedded in the global cultural fabric, policymakers must take into account diverse cultural attitudes toward gaming and addiction. A global framework for the regulation of IGD, while challenging to implement, could foster international collaboration and create consistent standards for the gaming industry worldwide.

11. FINAL THOUGHTS

Internet Gaming Disorder presents a multifaceted challenge that intersects with law, health, ethics, and technology. While significant progress has been made in recognizing and addressing the disorder, much remains to be done. Legal frameworks must adapt to the changing landscape of gaming, ensuring that they remain relevant and effective in protecting individuals while promoting personal freedoms. At the same time, the gaming industry must assume greater responsibility for the content and features it offers, ensuring that they do not contribute to the problem. Finally, healthcare systems must be equipped to identify and treat gaming-related disorders, offering support to those who need it most. By working together, stakeholders can create a safer and healthier gaming environment that balances enjoyment with well-being.

12. SUGGESTIONS AND RECOMMENDATIONS

- 1) Develop international standards for gaming regulation.
- 2) Increase public awareness of IGD.
- 3) Encourage self-regulation within the gaming industry.
- 4) Provide accessible mental health support for affected individuals.

13. FUTURE SCOPE

- 1) Exploration of technological solutions to monitor gaming behavior.
- 2) Longitudinal studies on the effectiveness of legal measures.
- 3) Development of AI-based tools for early detection and intervention.

CONFLICT OF INTERESTS

None.

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