

# Suicide and Coercion

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## Abstract

Crimes against physical integrity of people and murder in all communities are important violent crimes and based on the type of crime, relevant punishment is considered for it. Due to severity of crime in most human communities, the severe punishments are considered for these crimes. Despite the severe reactions to this goal, in all countries, suicide is not criminalized. In penal system of Iran, despite the common law blaming and Sharia prohibition, the law maker prevented its criminalization. Coercion to suicide is in ambiguous condition. Some people believe that coercion to suicide in new penal law of Iran is criminalized. The present study is descriptive-analytic design based on library studies and determines that fact that in coercion to suicide, murder is occurred and law makers of different countries by considering present conditions and considering severe punishment as punishment of murder can create a way to issue fair judicial rules.

**Keywords:** Crime, Coercion, Murder, Suicide, Legal element

## Introduction

Suicide is of different types in terms of commitment type and its doer motivations and its type is varied based on social norms and values of community. Different societies have taken different procedures regarding suicide. This phenomenon is undesirable in one community and as courageous in another one. It is forbidden in religious communities and other societies are indifferent to it. Regarding the punishments considered for the one committing suicide in various communities, we can find about the position of this human phenomenon. In ancient Athena, a person who committed suicide without the approval of government, was deprived of normal burial ceremony. This person was buried alone in suburban areas, without any tomb<sup>1</sup>. After Christianity in Europe, Suicide was banned and it was against religion and ethics and the one committing suicide was deprived of religious ceremonies<sup>2</sup>. At that time, two types of punishments were predicted for suicide: First, the dead body was kept on a big basket and he/she was fastened to a horse, then he was hanging from legs and he was deprived of religious ceremony of burial. In second type, his assets were confiscated by government. After French revolution in 1789 and changing thoughts regarding individual freedom and constitution, the previous punishments of suicide were abolished. Indeed, great revolution of France was based on one's integrity, freedom and previous punishments of suicide were abolished.<sup>3</sup> After French revolution, suicide punishments were abolished and in penal code of France (approved in 1810), suicide or murder were not punished and collaboration in suicide was not raised<sup>4</sup>. According to the rules that were approved later, any person as witness of other one committing suicide was responsible according to section 2, article 223-6 of criminal law due to not helping him or the one coercing to suicide was punished severely. In Japan, Seppuku was religious suicide with cutting stomach. It was common among Japanese warriors at first and it was noble death. A type of Seppuku was occurred when a Japanese warrior made mistake. The people in Japan were famous for sturdiness and Seppuku indicated this responsibility. But Seppuku has been common for a long time among Japanese warriors to keep their honor, loyalty. In 1873, Seppuku was banned as a judicial punishment in

<sup>1</sup> Szasz, Thomas (1999). *Fatal freedom: the ethics and politics of suicide*. Westport, Conn.: Praeger. p. 11.

<sup>2</sup> Pad, Ebrahim. *Private criminal law*. Tehran University publications. Second edition. 2005. 1<sup>st</sup> Vol. P. 31.

<sup>3</sup> Pad, Ebrahim. *Ibid*, 32

<sup>4</sup> Validi, Mohammad Saleh, *Private penal code "Crimes against people"*. Tehran. Amirkabir pu blications. Sixth edition. 2001. p. 141.

Japan but after its prohibition, it was common among the soldiers and other people in Japan as a sign of honor. More than 10000 Japanese citizens in the last day of Saypan battle committed suicide in 1944 and others threw themselves out of "suicide cliff" and "Banzay cliff"<sup>5</sup>. In some communities, suicide is logical and taking life for the benefits of others is friendly suicide. For example, the old kill themselves to put much food for the young<sup>6</sup>. In some communities of Eskimos, this act is complimented and out of courage<sup>7</sup>. In England, if suicide led into death, the one committing was deprived of burial ceremony and if it was a failed attempt for suicide, it was considered as simple murder<sup>8</sup> and in old criminal law of England, suicide was crime and in repeated suicides, after the death of another one, he was found murderer<sup>9</sup> but later in "suicide law", suicide lost its crime title for the one collaborating and this didn't released the collaboration in suicide completely. In Germany, according to article 216 of criminal law in Germany, murder out of coercion (murder out of empathy or Euthanasia) was recognized as murder. In Islam religion and among Muslims, life is holy and death is a reality. Islam bans Euthanasia. Muslim jurists consider it as crime. Crime can be committed by weapon, injection, murderers or a doctor or the murdered himself.

### Statement of problem

The main question of the study in the present paper is that "how is murder performed? What is collaboration in murder? Is suicide murder? Can we collaborate in suicide? What is the difference between coercion and full coercion? In coercion to murder, the character of coerced is important? What is the approach of various countries law about suicide? What is the approach of Iran law regarding coercion to suicide?"

### Murder and suicide

As it was said, murder crime is killing a live person. Although life starts with a sperm and is completed with soul, killing after birth has retaliation. Before birth, specific crime as abortion is recognized. In Islam jurisprudence, instead of defining murder, conditions of retaliation are shown. The literal meaning of murder means killing but conceptually it means taking the life of a person without legal permission or taking the life of a person as support by law. In definitions of murder in criminal law of various countries, in all definitions, murder is killing of a person by another one. There is no unity of murderer and murdered one and murder needs to persons and if a murder is committed with the unity of murderer and murdered one, suicide is occurred. Although there is a difference between murder and suicide in variety and unity of murderer and murdered, in Quran, as the most important source of Islamic religion rules, suicide is banned explicitly but it is called "killing ourselves"<sup>10</sup>. Thus, both murder and suicide are not good and both of them are considered as murder. The similarity of them is that life is a mercy given to human being and not only he is entitled to kill himself, but also he can not kill another one.

### Suicide in the law of different countries

Now, suicide is not crime in most of western countries<sup>11</sup>. In most of Western Europe countries, since medieval centuries to 1800, suicide was crime<sup>12</sup>. In Islam and Quran, suicide is banned as a forbidden act and it has afterlife punishment<sup>13</sup>. Even Shafei people of Islamic four religions despite Hanabele, Hanafi and Maleki emphasized on prohibition of suicide and payment of money with the property of the one committing suicide.<sup>14</sup> Regarding suicide from the view of Iranian penal law, we should say the behavior is not recognized as crime and not punished is determined whether these acts or omission of acts are bad and they are not punished. Thus, some acts as suicide are great sins in Islam and as they are not crime in penal law<sup>15</sup> and they are not dealt in courts<sup>16</sup>. Indeed, determining crime is one of the unique duties of law maker. The law maker should determine the criminal acts explicitly that later the law makers can not endanger

<sup>5</sup> John Toland, *The Rising Sun: The Decline and Fall of the Japanese Empire 1936-1945*, Random House, 1970, p. 519.

<sup>6</sup> Moody, Harry R. (2010). *Aging: concepts and controversies* (6th ed. ed.). Los Angeles: Pine Forge Press. p. 158. ISBN 978-1-4129-6966-6.

<sup>7</sup> Hales, edited by Robert I. Simon, Robert E. *The American Psychiatric Publishing textbook of suicide assessment and management* (2nd ed. ed.). Washington, DC: American Psychiatric Pub. p. 714. ISBN 978-1-58562-414-0.

<sup>8</sup> Golduzian, Iraj. *Private penal law " crimes against physical integrity, etc."* Tehran. Tehran University publications. 11<sup>th</sup> edition. 2005. p. 55

<sup>9</sup> AL-Tavila, Enrico. *Judicial psychology*. Translator: Mehdi Keynia. Tehran. Majd publications. 1<sup>st</sup> Vol. Second edition. 2005. p. 207.

<sup>10</sup> (Don't kill yourself, as God is kind to you", Al-Nissa, Verse 29.

<sup>11</sup> White, Tony (2010). *Working with suicidal individuals: a guide to providing understanding, assessment and support*. London: Jessica Kingsley Publishers. p. 12. ISBN 978-1-84905-115-6.

<sup>12</sup> Paperno, Irina (1997). *Suicide as a cultural institution in Dostoevsky's Russia*. Ithaca: Cornell university press. p. 60. ISBN 978-0-8014-8425-4.

<sup>13</sup> Validi, Mohammad Salih, previous source, p. 141.

<sup>14</sup> Ode, Abdolghader, *Islamic penal code*. Translated by Shiri, Abbas et al., Mizan publication. Fall 1994. Second Vol. First edition. p. 176.

<sup>15</sup> Some law makers based on article 167 of constitution and articles 220, 69 of Islamic penal code in 2013 believe that suicide is crime. They think they are forbidden and we can refer to jurisprudence in criminalization in case of law silence. See, Sadeghi, Mohammad Hadi. *Crimes against people*. p. 65.

<sup>16</sup> Ardebili, Mohamad Ali. *Public penal law*. Tehran. Mizan publication. 1<sup>st</sup> edition. 2000. Second Vol. p. 72.

freedom of people. In other words, nothing is more important than that fact that law makers know their obligation to execute it truly.<sup>17</sup> Suicide is not a criminal act in Australia<sup>18</sup>. But enticing or encouraging people to commit suicide are crime and the law allows a person to force to prevent suicide of another person<sup>19</sup>. This issue is viewed of act omission regarding endangered person. In northern part of Australia, suicide was with the aid of medicine forensic during 1996-1997<sup>20</sup>. Now, no country in Europe considers suicide or suicide attempt as crime, England and Wales abolished crime of suicide via suicide law in 1961 and Ireland Republics abolished this law in 1993<sup>21</sup>. Before the term “committing” was regarding suicide but many organizations didn’t use this term for its negative meaning. In India, suicide is illegal and the dead one family is encountered with legal problems<sup>22</sup>. Despite the majority of European countries in Germany, Euthanasia is illegal and the one present in suicide scene is pursued due to not helping in emergency condition. Recently Swiss took some steps for legalizing suicide to help mentally ill people. Supreme Court in Lozanne in the law of 2006 allowed a mentally ill person to finish his life<sup>23</sup>. In US, suicide is not illegal but those committing can be punished, suicide by the aid of a doctor is legal in Organ state in Washington<sup>24</sup>.

#### **Coercion to suicide in some judicial fields of countries**

In US, if person (a) coerces (b) to suicide, he is punished with murder<sup>25</sup>. Also, if person (a) kills person (b), it is murder despite the fact that person a has committed by the request of person b like Cobb case in Kansas state, the murdered one told his friend to shot him for his pains and his friend was sentenced to first degree murder. Even in US, in the case of a person committing assault on another one and he committed suicide for that and he was sentenced to murder<sup>26</sup>. The same was occurred in *Stephenson v. State (1932)*, in this case, the defendant robbed a woman and raped her many times and she committed suicide with toxic pills and the court decided that as defendant affected the feelings of victim, the defendant was sentenced to murder<sup>27</sup>. Today, there are some cases in which even coercing suicide is crime in some cases. For example, an American nurse in internet communication with Nadia Kajuji, A Canadian student enticed her to suicide and she was found guilty in criminal court of Minnesota<sup>28</sup>. Another important point is that we should distinguish between coercion to suicide and threat to suicide as one of the examples of collaboration in suicide. In threat as indicating coercion, the element fearing, the pressure is on the one being coerced and will is not eliminated relatively or absolutely but coercion is fulfilled with relative or general destruction of will.

#### **Coercion to suicide in Islam and Penal code of Islamic Republic of Iran**

Emamie jurists like Ayatollah Khuyi believe that if a person orders another one to kill himself and he commits suicide, if another one is in discerning child or insane, the one coercing is punished as the one collaborating is an insane and weak person and he is a tool in his hand and the one coercing is spiritual collaborator and should be punished. Thus, if this person is discerning minor or an adult, the coercer is not punished as we can not assign the murder to the coercer and it is assigned to the murdered. The mentioned rule is regarding the situation in which the murderer is independent or if he is threatened, the threat is regarding the murder or lowers than it. In this case, the coercer is not punished and there are different views in this regard. If the threat is much serious than murder, for example the one coercing says: Kill yourself, or I will kill you in parts. Thus, suicide is legal as there is no barrier to include coercion reason and murder prohibition is eliminated<sup>29</sup>. This concept is consistent with the conceptual meaning of coercion “committing criminal act to eliminate risk is severe” and with the tradition that coercion eliminates

<sup>17</sup> Ibid, Same page.

<sup>18</sup> David Lanham : (2006). Criminal laws in Australia. Annandale, N.S.W.: The Federation Press. p. 229. ISBN 978-1-86287-558-6.

<sup>19</sup> Duffy, Michael Costa, Mark (1991). Labor, prosperity and the nineties: beyond the bonsai economy (2nd ed. ed.). Sydney: Federation Press. p. 315. ISBN 978-1-86287-060-4.

<sup>20</sup> Quill, Constance E. Putnam ; foreword by Timothy E. (2002). Hospice or hemlock?: searching for heroic compassion. Westport, Conn.: Praeger. p. 143. ISBN 978-0-89789-921-5.

<sup>21</sup> Maris, Ronald (2000). Comprehensive textbook of suicidology. New York [u.a.]: Guilford Press. p. 540. ISBN 978-1-57230-541-0.

<sup>22</sup> White, Tony (2010). Ibid.

<sup>23</sup> Appel, JM (May 2007). "A Suicide Right for the Mentally Ill? A Swiss Case Opens a New Debate". *Hastings Center Report* 37 (3)p.21–23.

<sup>24</sup> Chapter 70.245 RCW, The Washington death with dignity act". Washington State Legislature.

<sup>25</sup> Whine, R. Lefo, In penal code of US. Translator: Aghayinia, Hossein. Tehran. Payam publications. 2004. 124.

<sup>26</sup> Aghayinia, Hossein. Crimes against people (crimes). Tehran. Mizan publications. Third edition. 2007. p. 13.

<sup>27</sup> *Stephenson v. State(1932)*

<sup>28</sup> Tabnak site, News code. 102571

<sup>29</sup> Khuyi, Seyed Abolghasem. Mabani Teklame AL-Menhaj. Tehran. Khorsanid publications. 2014. p. 181, 182.

responsibility. Whether in the previous case, we can give verdict regarding the proof of retaliation on the one coercing? According to “Saheb Mabani Teklame Al-Menhaj”, the answer is negative as coercion of a person to kill himself and his threat to a murder as harder than killing himself doesn’t eliminate the one coerced of his power and he selected to commit suicide to avoid a severe death. Thus, murder is assigned to him, not the one coercing and it is not an aspect to prove retaliation on the once coercing as in the case, a person knows that if he doesn’t kill himself, he is killed severely by another one and he commits suicide. We can not assign his murder to another one and he is the main factor to kill himself. This claim is rejected that the one collaborating enticed him and the criterion in this retaliation shows that to whom murder is assigned and there is no difference between coercion in killing another one and killing himself and in both cases, he can not kill himself and if he kills another one, according to the majority of jurists, he should be punished and if he kills himself due to coercion, he is responsible and in both cases, murder is not assigned to the one coercing to consider him as entitled to retaliation. Thus, there is no difference in the condition of the one coercing. Finally, he is sentenced to life imprisonment. Thus, based on article 379, ambiguity is provided as there is contradiction with the mentioned order.

#### **Article 375 of penal code of Islamic Republic of Iran, approved in 2013**

According to this article, “coercion in murder is not permission for murder and the one committing it is retaliated and the coercer is sentenced to life imprisonment. Note 1: If the one being coerced is in discerning child or insane, only the one coercing is sentenced to retaliation. Note 2: If the one being coerced is discerning child, his guardian pays the Diah (blood money) of the murdered. In this case, the coercer is sentenced to life imprisonment”<sup>30</sup> The mentioned view is agreed by all Sunni <sup>31</sup>and Shia clergymen. Shia jurists don’t consider coercion in murder, when murder threat is used and the one is obliged to kill another one as permission for murder and cancellation of retaliation. Some jurists have agreed in this regard<sup>32</sup>. Simialr to the jurists, law makers don’t consider coercion in murder eliminating criminal responsibility as coercion affects the will of a person, also it is effective on one’s freedom in intention and it is eliminated but it has no effect on spiritual principle of committed crime by the one being coerced.<sup>33</sup> This legal article doesn’t accept coercion in murder. The basis of non-acceptance is in jurisprudence. Some jurists including Khuyi in the book “basics of Teklame Al-Menhaj” ordered regarding murder permission and believed that if the one being coerced commits murder, he is not entitled to retaliation and Diah is paid. In such assumption, the one being coerced commits crime as between these two acts is rejected, it means that committing murder (forbidden) or omission of saving life (obligatory) and as non is preferred to other , the one being coerced has the power and can kill another one or kill himself. In this case, if murder is committed, he is not punished and only Diah is paid<sup>34</sup>.

#### **Ambiguities of article 379**

Article 379 of Islamic penal code of Islamic Republic of Iran in 2013 in an innovative action issued a verdict and despite complimenting such approach, the ambiguities cause that some law makers are inclined to give order about retaliation of the one coercing in some cases of coercion. Various interpretations of this article are imagined and mentioning all of them is necessary to recognize various aspects. In article 379 of this law, “If a person coerces another one to an act as committing crime on the one being coerced, it is an intentional crime and the one coercing is punished, unless the one coercing has no intention of crime and has no awareness that this coerce leads to crime and in this case crime is quasi-intentional and the once coercing is sentenced to pay Diah.

#### **First case: Coercion to crime on the one being coerced**

In this assumption, the one coercing asks for the act from the one being coerced and this leads to damage on the one being coerced. As he tries to steal something, whether the act is bad or forbidden, it cancels the one being coerced. In this case, the one coercing is responsible. The type of guaranty of the coercer is different based on mental element. In other words, if the type of act is as damaging the others, or crime intention is proved, it is intentional, otherwise it is quasi-intentional.

#### **Second case: Coercion to attack another one leading to the injury of the one being coerced**

<sup>30</sup> Islamic Penal Code of Islamic Republic of Iran, on 2013

<sup>31</sup> Abdolaziz, Amir. *Alfigholjenayi Fi Islam*. Darolsalam publications. Leltaba va Al-Nashr. Cairo. 1977. pp.71.

<sup>32</sup> Najafi, Mohammad Hassan. *Javaher Al-Kalam*. Vol. 41.p. 458.

<sup>33</sup> Aghayinia, Hossein. *Ibid*, Same page.

<sup>34</sup> Khuyi, Seyed Abolghasem. *Ibid*. p. 180.

Another interpretation of article 379 of Islamic penal code in Iran is that the one coercing coerces the one being coerced to the victim and the victim kills the one being coerced for self-defense. The victim verdict is clear as in article 165 of Islamic penal code, in case of legitimate defense, there is no responsibility and in case of not observing the conditions, according to note 2, article 302 of this law, retaliation is cancelled and only Tazir diah is paid. The damage should be compensated regarding the one being coerced, the important point is the type of guaranty. Two interpretations are presented: First interpretation: The full responsibility of the coercer is based on the view of the one coercing in article 379 with full responsibility. Dr. Aghayinia believes that: such interpretation of article 379 is correct as the one coerced in case of the murder of victim is punished in accordance to article 375 of this law but there is no barrier to punished the coercer due to the crimes of victim against the one being coerced and in this assumption, the coercer entices the other one and victim (the one defending) is innocent.<sup>35</sup> Second interpretation: If the coercing one act leads to murder in article 379, there is no retaliation for the one coercing as first, coercion to the murder is not a permission for murder as killing another one and he is included in article 375 and he is not allowed to do this. Thus, if he is killed, his blood is wasted and there is no responsibility for others and it is not required that coercer in case of being sentenced to life imprisonment is sentence to retaliation. In case of doubt, there is no retaliation, second in case of being enticed by another one, if he is wise and mature, it is not accepted as in case of enticing, it should be generalized to all cases that a person coerces another one to kill the third one but it is not so actually. Third, the murder committed by the one defending is not assigned to the act of coercer as collaborating or causing this act and it is assigned to the behavior of the one defending. Exceptionally, when coercion is considered as cancelling the responsibility from the one being coerced, we can assign the responsibility to the coercer. For example, if the one coercing orders another one to destroy a house or cut another one hand and threatens him to be killed, if the victim kills or causes injury for defending himself, according to article 379, the coercer is punished. As coercion in some crimes can eliminate the guaranty from the one being coerced. According to article 377 of mentioned law, coercion to crime of member leads to retaliation of coercer. In this case, coercion is severe to criminal act to eliminate the risk. The only uncertainty here is non-assigning the result to the behavior of the one coercing. In this case, committing crime to eliminate severe risk as logical verdict is justified.

### **Third case: Coercion to suicide or self-injury**

One of the interpretations of article 379 of Islamic penal code as the most important one is when the one being coerced as victim, as person (a) tells (b) to kill himself, otherwise, he is killed. As it was said, there are different views in this regard. Whether coercion eliminates power or not? In assigning murder to the coercer, when coerced one is insane or in discerning minor, there is no doubt. As it was said, these people are instruments without will. If coerced person is wise and mature regarding his murder, with the knowledge that there is no risk beyond being killed, coercion in this case is doubtful. Suicide is insignificant to be released of being killed by another person.<sup>36</sup> If the threat to killing is with torture, injury or rape and the like, coercion is fulfilled. Some jurists consider punishment in such case for the coercer.<sup>37</sup> The significance of issue in coercion on suicide refers to the punishment of coercer. As by killing the one being coerced, there is no responsibility for him and if suicide doesn't lead to the death of the one being coerced, or it leads to the death, what is the duty of coercer. It is not clear whether this type of coercion is based on article 379 of Islamic penal code or not. The uncertainty of this article to generalize this verdict to coercion in suicide is as some experts of Iran penal law extracted the coercion in suicide from this article. Dr. Mir Mohammad Sadeghi says: The difference between these cases with the other one in which coercion is to kill the third person, the coercer is sentenced to life imprisonment instead of retaliation and it is not clear and some jurists agree about non-retaliation in this case.<sup>38</sup> Others consider it included in article 379. Dr. Aghayinia says: Coercer obliges the coerced to commit crime against himself as he says go to dangerous river, generally, obliging a person to any behavior leading to death or injury establishing causality relation actions of coercer, fulfilling coercion in the one being coerced is included in this article.<sup>39</sup> Others exclude the article from coercion to suicide and believe that "although the article 379 is general, any crime is

<sup>35</sup> Aghayinia, Hossein. The crimes against people. Mizan publication. 2013. p. 183.

<sup>36</sup> Allame Heli, Ibid, Vol. 4. p. 200

<sup>37</sup> Mirmohammad Sadeghi, Hossein. The crimes against people. Tehran. Mizan publication. 2014. 16<sup>th</sup> edition. p. 324

<sup>38</sup> Mirmohammad Sadeghi, Hossein. The crimes against people. P. 324

<sup>39</sup> Aghayinia, Hossein. p.182

included and based on specific verdict of non-permission of murder in coercion conditions (article 375 of Islamic penal code in Iran), if the coercer forces another person leading to death, the case is excluded from this article. If a person coerces another one to eat toxic materials or throw himself from a tall building, if the coerced accepts the request, in accordance to article 375, the crime is assigned to the one collaborating and there is no responsibility regarding paying Diah or retaliation.<sup>40</sup>We can not assign three interpretations of penal law experts to their incorrect perception, but their incorrect writing of this article. Although the new law maker took great steps to eliminate the legal problems, by presenting an article as doubtful for all new law makers is an unavoidable tragedy. This issue is inconsistent with non-retaliation principle of coercer in article 375. Is there any inherent difference between coercion in the death of third party and coercion in suicide that in case of coercion in third party murder, the coercer is sentenced to life imprisonment and in coercion to suicide to retaliation. This paradox from the law maker is not justified. The authors believe that based on the agreement of clergymen as Sunni and Shia, the punishment of coercer in case of equality of request and threat, (killing the person or killing the one being coerced), the main responsibility is on the one being coerced and the coercer is sentence to life imprisonment, whether coercion is in another one killing or coercion to suicide. This principle is changed only in two cases: First, the coercion to killing crime is performed. Thus, the authors believe that in self-injury coercion, the coercer is responsible. In article 377 of this law, coercion in crime on members of body is accepted and the coercer is responsible. Second, if the coercion to murder is performed and it was explained already. Out of these two cases, non-retaliation of coercer is considered. The caution in Dema and cancellation rule indicates this example. Those who believe article 379 includes coercion in suicide, the appearance of article indicate this but this leads to paradox. In coercion to killing another one, the coercer is sentenced to life imprisonment and the reason is that the collaborating one has committed the killing and coercer only caused this event and in case of coercion to suicide, if we consider the retaliation of coercer, retaliation is not significant as taking life is assigned to the act of one committing suicide. There is no need to punish coercer and we can accept non-generalizing article 379 to coercion to suicide. All these ambiguities are associated to lack of correct writing of law and the Iranian law makers should eliminate this problem regarding coercion to suicide after testing period of law.

### Conclusion

According to Islamic penal code, suicide is not crime and collaboration in it is not also crime. Although some law makers try to criminalize this issue, in coercion to suicide, there is no clear approach. In the recent Islamic penal code, Iranian law maker in article 379 in some unclear sentences referred to the responsibility of coercer in case of any crime on the one being coerced. The ambiguity in this article led into the doubt of penal law experts to generalize this verdict to coercion to suicide. The significance of issue is revealed regarding the punishment of coercer with retaliation in intentional cases. As on one hand, the law maker in article 375 determined life imprisonment in third party killing for the coercer but in coercion to suicide, retaliation is considered for coercer. In jurisprudence texts, life imprisonment is considered in coercion to suicide but how can we expect retaliation in law. The exact recommendation of authors in reforming article 379 and coercion cases in suicide is under article 375 and it can be emerged in one note. Another contradiction in the law of law maker is determining coercion to self-injury. Coercion to suicide is not clear. Article 377 of penal law of Iran including coercion to self-injury writes that "coercion in crime on member of body leads to retaliation of coercer".

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<sup>40</sup> Sadeghi, Mohammad Hadi. Crimes against people. 20<sup>th</sup> edition. Fall 2014.p.209

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