Adjustments Necessary to Punish the Mentally ill

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Abstract: Without any doubt cannot be satisfied with the current low salaries. Although Article 51 of the penal code, criminal insanity to eliminate liability is accepted but there are many psychological disorders and diseases in general as a major factor, but many crimes are beyond mad. This article tries to explain the need for special attention to the mentally ill, enacted and protected them with possible legal methods of punishment for crimes committed by psychiatric patients to reduce or completely exempt from punishment because of the patients makes and will not properly understand the strong and the disease severity and quality, are only committed the crime of material science and the will and intention of committing rape and murder and have no criminal operations. If a realistic and fair to look at mental disorders, and others will see that they have no understanding of their rights and able to provide a natural and healthy behavior in order to preserve their rights and not others. It is hoped that with the efforts and the legal community and the medical centers and bodies, the grace, respect, rules and regulations must be approved by the mentally ill in the criminal law to be reviewed, particularly with regard to the intensity and the quality of their disease, in judge and prosecution and punishment be imposed.

Key words: patients' rights - offsetting penalties - psychosis - psychiatric disorders

INTRODUCTION

The importance of preserving human life, we will make sure that the various aspects of human life we deserve. This task, which requires us to different issues affecting the rights of criminal responsibility into the dark and narrow angles, and we identify it. Study required to achieve such goals, one of the crucial factors responsible for the criminal penal system introduced left and not Iran, as a general “mental disorders” deals. Various types of mental disorders, regardless of the overall mood of the issues that can effect remarkable criminology on criminal responsibility and therefore it is the criminal law. Today, crime and criminology for understanding the ways of combating the crime beyond appearances and has a soft layer of scrutiny because the "human factor, its effect is caused by the lack of attention to them, [meaning] response to the product." Criminology student to achieve this goal has long been taken several approaches. One approach to this day, his luck has kept among criminologists, the impact of mental disorders in various crimes. Because significant numbers of crimes and offenses committed by patients with mental disorders can be mild or severe. In addition, the requirement for criminal identification, assessment and evaluation of his personality and emotional factors influencing criminal behavior is alleged to be his discovery that his treatment was effective.

2. The problem:

Mental disorders, a wide range of diseases, between consciousness and the complete insanity that covers any kind of responsibility in criminal offenders with mental illness can affect them, it interfering with the forces that cause a person to detect and clean, causing loss of or damage to the intention and the will of the criminal law as the intellectual pillars of the criminal act. The development of psychology and psychiatry, psychotherapy process research and study on the relationship with social conflict and crime, and it accelerated in the direction of flow has to be renewed. Statistics provided by the authorities in Iran suggests that mental weakness and the high likelihood of various crimes in the future. By holding the edges of the 2005 annual conference of psychiatrists have said “Studies show between 20 percent to 25 percent of Iran's population are in need of psychiatric services.” However, basic research questions are as follows:

A - what impact the crime has a mental disorder?
B. What role has the responsibility for criminal offenders to mental disorders?
C. Iran's influence on criminal justice or mental responsibility for criminal offenders who have been identified?
These disorders are the main cause crime. The fact that a normal healthy man will not commit those acts. Although the outcome of psychiatric and psychological perspective suggests that criminal responsibility should be given to the psychological factors - psychological effects of their offenses, to be judged. But Iran, unlike the views of legislators and the rejection of mental disorders in the reduction of criminal responsibility, clearly was at odds with the scientific and legal world, reflecting the fact that "Iran's rights" and has yet to Cognitive Science charges are brought strangers. In social studies, science believed that brain disease and mental disorders has been well accepted by the major role in the incidence of mood and social interaction in the play. While the rights of Iran's Islamic Penal Code, in particular, attention has been paid to the impact of mental disorders. Without presenting any legal or medical definition of insanity and has been paid. The recent research project and questions focused on Iran, one of the weakest arguments in criminal law (offenders mental disorders) are trying to explain the project and the need to study such issues, in addition to efforts to move towards solving this problem is an important turning point At the micro level in the field of criminal law and affecting the macro-level social interactions.

3. Mental Disorder And Crime:
Psychological force of mankind - the manufacturer is a large part of his identity - involves understanding, determination, understanding, accuracy, intelligence, intelligence, memory and emotion interact with each other in individual and social life that shapes him. Unbroken connection between these components so that new damages to each of them leads to confusion and mental impairment in the person of His words and deeds will change eventually.

3.1. The Concept of Mental Disorder:
A broad concept that provides a single definition of mental disorder and its common and acceptable in different areas, very difficult. Field of mental health experts, different definitions of mental disorder are provided. This diversity is the extent to which psychiatric and psychological knowledge mining - both of which are branches of medical expertise - to determine the root cause of these disorders do not agree. Doctors believe that a mental defect or mental injury to the brain, causing chaos and destruction of the instincts and understanding of good and bad results, and finally emerged in a dangerous state and led to be the criminal offenses. against mental disorders, the psychological damage caused to a person's emotions, especially in childhood knows that he accumulated in the unconscious and at the right time, influenced by other factors, in person or dangerous conditions caused by crime He is. The point that is important and has a special place in the present study is that both experts said, regardless of the definition refers to the fact that they have provided. That cause mental confusion and to casts are smooth and reasonable and rational relationship with the person about his or deteriorate and eventually cause failure mode can be dangerous to self or relatives, and others.

3.2. Mental Breakdowns
It has been suggested as a holder disorders affect a person's delusions, hallucinations, impaired memory and inability to measure the perceptions and reflections of the fact that patients in their mistake and will be divided into the following types:

Schizophrenia (Schizophrenia):
A common feature of these disorders, failure in the polls, agitation and confusion in thinking, behavior, cognition and emotion is often associated with hallucinations and delusions, and the fact that patients are aware that advanced Jnvnhay conduct and not speech.
Schizophrenia is a variety:

A - Paranoid Type:
The main feature of this disorder, harm or damage and the presence of delusions and illusions with the same content is gentlemanly.

B. Distinct Types:
When symptoms cannot be placed in specific groups.

C. Disorganized Type:
The irrelevance of speech, strange behavior and the social norm.
Type remaining in the holder on which the patients spent a period of developing schizophrenia. And now the important relief of symptoms of disease cannot see them. But to have some symptoms. Form disorder, schizophrenia: a symptom of schizophrenia is like the difference between a maximum of 6 months completely.
4. Delusional Disorder:

A - type of harm and damage in this disorder, a false belief, but there are strong arguments to be no danger from others, being persecuted, poisoned and has an enemy.

B - kind of morbid jealousy: the disorder known as the Othello syndrome is a subset of psychosis, indicates that false logic, and why many interminable person to betray his wife and spouse abuse, and suicide is a significant relationship with murder Trust and the common men.

C - gentlemanly types: value assignment in the form of the disorder Delusional thoughts of great power and your knowledge, and gifted person rise to conflict with the law or social and political conflict increases dramatically.

D - physical form: in this case that the patient's physical defects and diseases or defects, and even harder tests and detailed medical arguments also cannot get to the side to their health.

E - the type of erotic content delirious patient suggests thoughts of an upper-class and famous, and his love in different ways to express love to have him or her to be annoying.

5. Mood Disorders:

Create a state of excitement on learning that his perception of himself and others and the environment can be dramatically affected. This disorder is a disorder impact on a person's psychic life, decreased physical and mental capabilities and he will be instances of the following:

5.1. Depression:

The case more or less stable with lower energy and can cause mental and physical fatigue in depressed patients and not the slightest difficulty is moderate. The most severe forms of depression include:

Major Depressive Disorder or Unipolar Depression:

Patients with severe depressed mood and slowness of movement and mental health, fear, sadness and feelings of regret and suffer may attempt suicide or commit suicide to get relief from pain and suffering, mental disorder, may cause disruption to the patient's call with the person suffering from delusions and hallucinations to stop him.

5.2. Depression (Psychotic) Postpartum:

Symptoms of severe depression and delusions are. First, insomnia, restlessness and emotional instability occurs, and little by little to the confusion, delirium, logic, and seemingly obsessed with attention to the development of infants and, if untreated, the risk of suicide, or both increase occur.

This disorder is one of the types of psychotic disorders such as schizophrenic disorders, the reason will be exhausted.

5.3. Bipolar Disorder:

The main features of these disorders, extreme mood swings between depression and Sheidaee that causes patients to experience periods of relapse and discounts.

6. Mental Suffering:

Mental suffering, is a term first 19th century French psychiatrist Philippe character used to indicate that no specific mental illness, to beat anti-social acts. Suffering mental or personality disorder is a "pervasive pattern of behavior disorders, mood, perception and thinking on the extent of causing serious damage to relations between individual and psychological - is social. Personality disorders are divided into three categories:

6.1. Strange Characters Include:

A - paranoid personality disorder (skeptics, irritable, angry and pessimistic biases and improper)

B - schizoid (patient isolation, away from the community)

C - Schizo typed (and thinking of people with strange and distorted reality) is.

Emotional behavior in the receiver has a hyperbolic character, personality, and emotional variability. Such as:
A. antisocial personality disorder (and not incompatible with a proper understanding of the rights of others and inclined to aggression and deception, and adultery)
B. borderline personality disorder (with the mood of crisis and instability)
C. Personality Disorder or LCD display (with excitement and desire to upright)
D. fascinated by his personality disorder (with grandiosity and lack of acceptable criticism and violence, and depression)

6.2. Fearful And Anxious Personalities Include:
A. Obsessive-Compulsive Personality Disorder - algebraic (involuntary thoughts and impulses interfere with and resistance to crack them)
B. personality disorder (at least among their community and escape)
C. dependent personality disorder (passive and lacking in confidence)
D. passive-aggressive personality disorder (aggressive and headstrong, and breaking)
E. depressive personality disorder (pessimistic, lacks confidence, introverted, and in acute psychosis)

7. The Relationship Between Mental Illness And Crime:

7.1. The Relationship Between Crime and Mental Breakdowns:
Common feature of all this disorder, hallucinations and delusions are getting sick due to his inability to assess reality and disturbances in perception, thinking, words and deeds are. The remaining stages of the disease, the patient's impaired ability to judge and cause unexpected and even dangerous acts committed by him is. Mental failure, early disease stages, the less important crimes such as stealing items worth less, they ramble, but without disease progression after a specific motivated, committed and serious crimes such as murder, no matter the motive, aggression, acts incompatible with chastity in public, are selling herself.

7.2. The Relationship Between Disorder and Crime:
Between depression and lack of consistent offense consists of an inner life that the person to blame, guilt, uselessness of life. Cause the patient to commit suicide, knowing the only way to liberation. It is regrettable that most patients with postpartum depression, suicide and murder of children and other family members do. Research has shown that most crimes committed people with bipolar disorder are available, a fault in Sr and family relationships, transportation, storage, and alcohol or drug abuse, crime and political killings.

7.3. The Relationship Between Crime and Mental Suffering:
Mental suffering, patients are often forced to break the norm and makes it susceptible to a variety of crimes. Crimes such as theft, fraud, violence towards people and animals. In this regard, people with borderline personality disorder due to the inability to control the unconscious impulses (violence, sex, hate) suffered severe psychological stress and overcome them to alcohol, drugs and narcotics are illegal. And committed a robbery, and rape are violent. Also, people with schizoid personality, inability to adapt to various social causes dangerous and committing crime and they are repeated.

8. The Impact of Mental Disorders in the Criminal Responsibility:
Iran's main criminal law on the general topic of crime and punishment, is the penal code. In Article 51 of the law of criminal responsibility has gone mad as a resolver of mental disorders and other mental illness, but said nothing as yet and all the attention focused on the overall mood of the legislature, as if all mental disorders - mental madness in the form imaginable is. Although generally referred to as dementia and their general and mental disorders can be challenging all forms - including psychological, but the courts and judicial authorities to accept as a factor for mental disorders, and withdrawal or reduction of criminal responsibility to refuse. And the madness that he was cited as a legal matter and eliminate the criminal responsibility in this regard just deserved discount or free of criminal responsibility to know that there are many mental illnesses that local and temporary, and in certain cases the crime and the behaviors typical of esteemed judges accept insanity claims he wants to go. And there's the forensic psychiatric disorders and disturbances of law and to consider whether the crime has not been introduced as insane, and he considered it fully deserved the punishment to the executioner Sband. Considering that the original framework of criteria and identification of offenders and the quality of the punishments in Iran's penal code, penal code and other special penal laws, as well as general rules of law are punishable by criminal law. No provisions for offenders with mental illnesses in the past been primarily brought "this issue has been ignored by the law of Godard, it should be much to this great legal flaws and a lack of proper identification and effective in children crime, is high. Another point is the same as the overall mood in the Islamic penal code in a strange way, Mehri had no legal or medical definition it is not provided. And judges and lawyers do not know exactly what is meant by this, and it appears that those who spend their legislators to express their mood or
whether something else was intended. Even if you truly accept that "legislators are asked to eliminate all forms of dementia as a cause of criminal responsibility should be considered is the question of why tools and implements for flax identified as a special case and not the judges and obstacle definition for the overall title is not shown if the impairment in thinking and understanding of Godard and will relieve them of criminal responsibility is not known why patients with other psychiatric disorders that have been affected by crime to their disease, is not exempt from punishment. and our concerns and conflicts involved in the adaptation of a mental illness - mental illness is a general mood.

Iran's current criminal laws and regulations, except as a general obsession with titles, we eliminate the criminal responsibility of persons will be caused by disturbances in thinking and understanding, and will not appear on the vacancy of such regulation to be felt.

Conclusion:

Identifying and understanding the different types of mental disorders and their adverse impact resulting from the offenses are different. Considering the brevity and ambiguity in the law of criminal responsibility and insanity as eliminate the complexity of mental disorders as manic hand and identify the mental disorders that require clinical studies and patient experience of illness and personal and social activities. Very important issue with regard to preserving human life in the wake of the attack and invective will be severely punished. The necessity of compliance with any law or ethical standards and fairness of the penalty on the person's disease, we capable of understanding their rights and not others, are collected and spent in accordance with certain mental disorders that time and place and Under certain conditions cause crime and are not identifiable in the first place and also with special consideration of mental health and emotional person commenting on the competence and ability to judge the offender as a lawyer and specialist mental health or psychiatric mining, not requires treatment, The suspension of lawyers and doctors and psychiatrists, and social sciences at the is studying ways to hide the disease and psychiatric disorders, with attention of the Council of the Islamic penal code is clear and comprehensive and that the barrier to care and treatment of psychiatric patients, not punish them and punish veterans and mental disorders - mental and functionality, and they cause in the crimes, the criminal responsibility of a discount or are already being adjusted, the criminal responsibility of the patient to void to.

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