

In the light of the critique of 'free will', can blame and punishment ever be rationally justified? Consider hard cases, such as brainwashing, crimes of passion, the influence of drugs, medical or psychological conditions etc.

The strongest argument against free will was put forward by determinists who accept the principle of universal and ancestral causation, according to which every event that occurs in this universe has an earlier cause, which itself has an earlier cause, and so on indefinitely into the past. If this is the case then whatever we do or think is bound to be determined by our genetic makeup or environmental influences such as our upbringing. It matters not that there is a huge number of factors that contribute to our behaviour; if there was a way of knowing them all we would see that a given act was a direct consequence of all those factors combined.

As a result, determinists consider free will as an illusion. Looking at advances in modern science it is easy to see their point: increase in dopamine secretion underpins delusions and psychotic behaviour, decrease in serotonin leads to depression or in certain circumstances increase in aggression, epilepsy causing deep personality changes etc. We also have psychological "imprints" left on our character, values and emotions by our upbringing and perhaps we continue to struggle to overcome shyness at an important work function or scream when we see a spider sprinting across the bathroom floor. And although quantum physics or radioactive decay provide evidence that modern science is not always determinist, the indeterminist elements tend to happen at the level of the atom or smaller and broadly speaking it can be safely assumed that larger physical processes are deterministic.

David Hume argued that it does not matter whether determinism is true or sometimes it does not hold: if our actions are not caused by our own unique character and innate dispositions, we are not more free than a roulette wheel, and neither blame nor praise can be attributed to our actions. We should accept all things as caused but change the way we think about freedom which means "a power of acting or not acting according to the determinations of the will" and not being coerced by forces not in one's control. Such forces can be external (somebody pushing you onto somebody else, duress) or internal (brainwashing, neuroses, psychoses, addictions, protracted provocation, crimes of passion). The second category is particularly challenging.

Mental disorders are often seen as situations where a person has little influence on their actions, and this is often the case when the dopamine excretion increases with no apparent reason turning a person into a violent psychotic patient. But what would we say about a person who suffered a psychotic attack and batters his relative to death as a result of brain damage caused by years of alcohol abuse? The biochemical changes at the time of the act might be similar; nevertheless we would be instinctively inclined to hold him responsible to certain level as he had had a choice at many points in his life.

If a drug addict steals money to buy more drugs, his behaviour at the moment of the crime is determined by the biochemical reactions taking place in his brain which in turn are shaped by his genes, predispositions, character and environment. Therefore we can't blame him for his actions. If his action is random, we can't blame him either. However Hume, whilst agreeing that the act was

caused, would ask whether the addict had a choice to do something else. Although there seems to be no external forces acting on him, drug addiction may just as well be a source of internal compulsion limiting his ability to decide. However, do all drug addicts, at all times, act under compulsion? There are certainly shades of grey, and consequently levels of responsibility and culpability. For example, it is often persuasively argued that a drug addict at some point in his life made a decision to start taking drugs.

Cases of brainwashing are even more complicated, as at the moment of the act a person fully acts in agreement with his will, and often knows there are other options available to them. However, we need to consider whether they chose to change their internal 'wiring'. There will be a difference between a person who joined a cult and was brainwashed out of their own will, and a person who was kidnapped and subsequently brainwashed.

One of the hardest arguments revolve around the role of childhood experiences and their influence on child development - there is plenty of evidence that serial killers had had a really miserable childhoods which lead them to develop pathological personalities and homicidal tendencies. Can we say they had control over what they did? The longer we explore the larger the pool of circumstances where we have no choice becomes. On the other hand, there are clearly times where we feel the level of responsibility warrants appropriate punishment but where does one draw a line?

One approach is to consider two factors: the degree of determination and do we have a sufficiently strong moral self. Mill argued that our characters are in part formed by us. He says: "We are exactly as capable of making our own character, if we will, as others are of making it for us". However, isn't the will, as Arthur Schopenhauer observes, itself given to you by circumstances? The compatibilist solution is to impose our moral self on our character which is an unsatisfactory conclusion.

An interesting compatibilist approach is suggested by Strawson. He suggests we should focus on the "reactive attitudes" such as blame or resentment. They are embedded in our nature and allow us to view others as persons rather than objects. If we assume the determinist approach, we lose something that makes us 'persons'. These attitudes are crucial to the interpersonal interactions and they provide the basis for holding individuals morally responsible. He considers situations when such reactive attitudes should be suspended - towards subjects who are not moral agents (children or mentally incompetent) or moral agents whose acts are not connected to her agency in the correct way (a person who bumped into me and caused me to spill my drink was in turn pushed by somebody else).

However, I can't see how we can avoid the issue internal and external compulsions. Or why do we need to have those reactions? A person with arachnophobia feels as if the fear was part of his nature in a similar manner. However they would be more than happy to see it disappear and have his reactions freed from it. But even if we adopt Strawson's approach, it is again a matter of degree whether a brainwashed person or an addict should be considered a moral agent on the basis of the reactive attitudes. Should I feel resentment towards a person whose moral self was not strong enough to keep his will in check and find consolation in addiction instead?

The topic of free will and responsibility directly impacts on punishment. Determinism excludes the concept of blame entirely although it suggests that punishment should be administered as a rehabilitation measure or a deterrent - a purely instrumental approach which does not involve justice but only maximum of benefit for the society. A commonly cited example exposing this argument to criticism is the example of the Master of the Hounds: one can achieve even more benefit to society by using pre-emptive punishment. This in turn means we are bound to end up punishing innocent people. The compatibilist approach depends on how much choice we had to do otherwise - this way we can measure how much "free will" or responsibility the agent had, however difficult the task may seem.

We can conclude that there are instances where blame and punishment are justified, even in hard cases, provided we can establish that the agent was able to make a choice or was a moral agent in possession of his faculties. However, there are degrees of responsibility dependent on how much control a person had over their act and therefore different level of punishment will be appropriate in different cases. This in turn will depend on what function punishment should serve – a maximum good to the society, rehabilitation of the offender, or retribution.