

Case Studies: Six Examples of Free Will

Here are six cases of people who committed crimes under arguably mitigating circumstances.

- Which of these people would you judge to have acted with the greatest degree of free choice?
- Which of them acted with the least?
- What are the most important factors in these cases that inhibit people's freedom of action?
- Do you think the law should only punish people for actions that were freely performed?

1. **Aaron.** Aaron was born to an affluent home in suburban DC. He went to an expensive private school, had a generous allowance, and all his material needs were catered for. But even before he was a teenager, he became increasingly aggressive, disruptive, and engaged in self-destructive behavior. Repeatedly penalized at school for behavioral problems and for using and selling marijuana, he was finally expelled at 13 after assaulting another student. Aaron's behavior deteriorated and he started to claim that his father was spying on him and trying to kill him. A few months later, he murdered his father with a knife and was arrested by police. Investigators found journals filled with elaborate claims of weird conspiracies involving Aaron's father and evidence of a complete mental breakdown. He was diagnosed with a form of schizophrenia that possessed a strong genetic component but was known to be linked to drug use in early life. He was detained in a mental institution indefinitely.

2. **Bernadette.** Bernadette, or Bernie to her friends, was a successful career woman from a working-class background in Chicago. In her late teens, she had struggled with a severe drinking problem which she had managed to overcome thanks to therapy. But following a bad break up in her late 20s, her problem returned. She started drinking very heavily and lost her job after showing up late one too many times. Her friends became concerned about her, but she refused to see them, claiming she was beyond help. She started to run up debts and pawned many possessions to pay the bills. One night, she showed up at her ex-boyfriend's house drunk and began to aggressively berate him. He stepped outside to try to calm her, but after the argument intensified, she pushed him down some steps. He fell, fracturing his skull, and died of a brain hemorrhage. Bernie claims that she didn't intend to hurt him, and would never have acted so irresponsibly if she had been sober. Subsequent genetic testing indicated that Bernie had a gene very strongly correlated with alcohol abuse.

3. **Frankie.** Frankie was born in rural Nebraska to a single mother. It was clear that from an early age that he struggled with intellectual disabilities, and after scoring 60 on IQ tests he was moved to a dedicated school for people with disabilities. He never learned to read or write and had difficulty in social situations, but felt very affectionately for his mother. When he was 18, with her help he managed to get a part time job stacking shelves at a local mall. Two years later, Frankie was woken by his mother's shouts and found her having an argument with her new boyfriend. When Frankie saw her boyfriend slap his mom, he immediately started attacking him with an iron kettle. Frankie continued hitting him for more than a minute and killed him by repeated blows to the head. Frankie was subsequently arrested, but was highly traumatized and confused by events.

4. **Bryan.** Bryan was a high school principal in his mid-40s. He was a devoted family man and a much-admired teacher who had never had any legal problems. However, over a period of a few

months, he became increasingly violent, assaulting his wife and children on more than one occasion. When confronted with the change in his behavior, he would become aggressive again and seemed wholly unrepentant. Eventually, in despair, his wife contacted the police, and he was arrested and convicted for assault. On the day before he was due to be sentenced to prison for his crimes, he had his brain scanned. He had a tumor. It was subsequently removed in an operation, and his violent tendencies stopped immediately. He expressed horror and contrition at his previous behavior. Things were well for five years, but his aggressive suddenly returned, and he assaulted his wife once again. She immediately asked her husband to have another brain scan, and it was discovered that the tumor had returned.

5. **Steven.** Steven was born in an economically deprived area of West Virginia to a sexually and physically abusive father. His father was a bullying megalomaniac who had a severe drinking problem and would severely beat Steven and his mother most evenings, hospitalizing him on more than one occasion. His mother was distant and scared, and was addicted to prescription drugs. By the time he was seven years old, Steven's father and his two brothers were both incarcerated on long prison sentences. His mother, unable to pay bills, turned to theft to help pay the rent and to fund her addiction to downers. Within a few years, Steven had dropped out of school and was using cocaine and methamphetamine recreationally. He became involved in selling drugs and in gang violence, and at the age of sixteen was arrested for fatally stabbing another teenager in an argument about a drug deal.

6. **Angela.** Angela was a quiet, shy, and kind person. She worked in an administration assistant in a business office in Scranton. She was liked by her neighbors and was a regular churchgoer, but had only a few close friends, and felt somewhat awkward in clubs and bars. She had difficulty meeting men, but finally met a man called Doug, to whom she was soon engaged to be married. It was at this point Angela was transferred to a new department in her firm, where she started being verbally bullied by her coworkers. She was teased, taunted, and mocked on a daily basis. She was too scared to do anything about it or report what was happening. The bullying intensified – the bullies would deface and damage Angela's property, and on one occasion, Angela was pushed over and had her hair pulled. A few months later, Doug broke off their engagement. When Angela's co-workers discovered this, they started taunting her about it incessantly. Finally, one day, Angela lost it, and seriously assaulted one of her antagonists, knocking out a number of her teeth, and causing lacerations requiring more than thirty stitches.