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**Free Will as the Foundation of Criminal responsibility in the Debate between Compatibilism and Incompatibilism**

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**Abstract: C**riminal law presuppose that human beings are rational agents who have free will and ability to control their conducts. Raising doubt about this presupposition would threaten and harm criminal law. It is because punishing a person who has no control over his acts is unjust. Furthermore, determinism makes some major functions of criminal law like deterrence nonsense. Obviously, law cannot guide the forced persons who has no free will. Some philosophers raises the idea of impossibility of free will for human being by reference to the causal universe in which we live. This article considers two basic approaches about free will and determinism; i.e. compatibility and incompatibility. It also tries to make a consistency between the acceptance of free will of human being along with causal relations and living in a causal universe. Such an approach, according to the authors, would provide background for having a more just and fair understanding of criminal responsibility.

**Keywords:** Determinism, Free will, Compatibilism, Incompatibilism, Criminal Responsibility.