

## Canadian Scholars on Criminal Responsibility

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**Abstract** This short review examines the work of four Canadian scholars addressing a variety of questions about criminal responsibility. The essays under review are a small part of a recent collection of essays entitled “Rethinking Criminal Law Theory: New Canadian Perspectives in the Philosophy of Domestic, Transnational, and International Criminal Law.”

**Keywords** Criminal responsibility · Voluntary act requirement · Control · Mental disorder · Insanity · Diminished capacity

Editors François Tanguay-Renaud and James Stribopoulos have put together a wonderful collection of essays on the criminal law from a terrific group of Canadian scholars, who treat the reader to thought-provoking ideas and arguments on a wide range of subjects. The collection is divided into three parts. The first deals with domestic substantive law; the second with domestic procedure; and the last with international law.

The problem with reviewing a collection of such breadth is of course that its contributions reach beyond the reviewer’s competence, or at least this reviewer’s competence. In order to stay within my comfort zone I limit my comments to the contributions in the first part gathered together under the heading “New Perspectives on Exculpation.” I leave it to others to comment on the contributions contained in the other parts. But if the essays on which I comment are any evidence, careful attention to the others will yield benefits well worth the investment.

### Replacing the Voluntary Act Requirement

Andrew Botterell’s “Understanding the Voluntary Act Principle” urges criminal-law theorists to stop saying that the “voluntary act principle,” according to which “criminal

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