CONTENTS

1. Introduction: Criminal Law’s Three Conduct Requirements

Part I. Basic Acts and the Act Requirement

2. The Doctrinal Unity of the Act Requirement
   1. Does Criminal Law Have an Act Requirement? 17
   2. Does Criminal Law Have One, Several, or Many Act Requirements? 38

3. The Orthodox View of the Act Requirement and Its Normative Defence
   1. A Preliminary Overview of the Act Requirement 44
   2. A Normative Defence of the Act Requirement 46

4. The Metaphysics of Basic Acts I: The Existence of Actions
   1. Do Purported Descriptions of Action Not Refer? 61
   2. The Supposedly Shadowy Existence of Events 65
   3. Human Actions as a Natural Kind of Events 73

5. The Metaphysics of Basic Acts II: The Identity of Actions with Bodily Movements 78
   1. The Identity Thesis: At Least Some Acts (the Basic Ones) Are Identical to Bodily Movements 78
   2. The Exclusivity Thesis: All Acts Are Identical to Bodily Movements 109
6. The Metaphysics of Basic Acts III: Volitions as the Essential Source of Actions 113

1. Clarifying the Mental-Cause Thesis 113
2. The Argument for Volitions 133
3. The Arguments against Volitions 155

Part II. Complex Action Descriptions and the Actus Reus Requirement

7. The Doctrinal Basis of the Actus Reus Requirement 169

1. The Problem of Borders 171
2. Interpretivist Scepticism 183

8. Unity in Complex Action Description and in the Actus Reus Requirement 189

1. Describing Actions 192
2. The Structure of Complex Descriptions of Action 195
3. Are All Complex Descriptions of Actions Used in the Criminal Law at least Causally Complex? 213
4. Are All Causally Complex Descriptions of Actions Equivalent to Descriptions of Basic Acts Causing Further States of Affairs? 225

9. The Normative Basis for the Actus Reus Requirement 239

10. The Metaphysics of Complex Actions I: The Dependence of Complex Actions on Basic Acts 245

1. Non-willed ('Involuntary') Movements as Complex Actions? 248
2. Willings without Bodily Movements as Complex Actions? 262
3. Non-willed Non-Bodily Movements as Complex Actions? 278
## CONTENTS

11. The Metaphysics of Complex Actions II: The Identity of Complex Actions with Basic Acts  
   1. The Metaphysical Issue of Identifying Every Complex Act-Token with Some Basic Act-Token  
   2. The Legal Locatability of Actions  
   280

**Part III. The Identity Conditions of Actions and the Double Jeopardy Requirement**

12. The Doctrinal and Normative Basis of the Double Jeopardy Requirement  
   1. The Double Jeopardy Doctrines and their Rationale  
   2. An Introduction to the Doctrinal, Normative, and Metaphysical Scepticisms about Double Jeopardy  
   306

13. Legal, Moral, and Metaphysical Notions of the ‘Sameness’ of Action-Types  
   1. Three Approaches to Act-Type Individuation  
   2. Adjudicating between the Three Approaches to Serve the Purposes of Double Jeopardy  
   325

14. Legal, Moral, and Metaphysical Notions of the ‘Sameness’ of Act-Tokens  
   1. Agent-Relative and Victim-Relative Individuation of Morally Wrongful Act-Types  
   2. The Metaphysics of Act-Token Individuation  
   3. Restricting the Metaphysical Enquiry so as to Serve the Purposes of Double Jeopardy  
   350

References  
   356

Index  
   391