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Titolo	Crime and culpability : a theory of criminal law // by Larry Alexander and Kimberly Kessler Ferzan with contributions by Stephen J. Morse [[electronic resource]]
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Descrizione fisica	1 online resource (xiii, 358 pages) : digital, PDF file(s)
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Nota di bibliografia	Includes bibliographical references (p. 331-348) and index.
Nota di contenuto	Part One. Introduction : retributivism and the criminal law. Criminal law, punishment, and desert -- Part Two. The culpable choice. The essence of culpability : acts manifesting insufficient concern for the legally protected interests of others ; Negligence ; Defeaters of culpability -- Part Three. The culpable act. Only culpability, not resulting harm, affects desert ; When are inchoate crimes culpable and why? ; The locus of culpability -- Part Four. A proposed code. What a culpability-based criminal code might look like.
Sommario/riassunto	This book presents a comprehensive overview of what the criminal law would look like if organised around the principle that those who deserve punishment should receive punishment commensurate with,

but no greater than, that which they deserve. Larry Alexander and Kimberly Kessler Ferzan argue that desert is a function of the actor's culpability, and that culpability is a function of the risks of harm to protected interests that the actor believes he is imposing and his reasons for acting in the face of those risks. The authors deny that resultant harms, as well as unperceived risks, affect the actor's desert. They thus reject punishment for inadvertent negligence as well as for intentions or preparatory acts that are not risky. Alexander and Ferzan discuss the reasons for imposing risks that negate or mitigate culpability, the individuation of crimes, and omissions.

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