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This volume brings together a collection of essays, many of them scholarly classics, which form part of the debates on three questions central to criminal law theory. The first of these questions is: what conduct should be necessary for criminal liability, and what sufficient? The answer to this question has wider implications for the debate about morality enforcement given the concern that the "harm principle" may have collapsed under its own weight. Secondly, essays address the question of what culpability should be necessary for criminal liability, and what sufficient? Here, the battles continue over

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whether the formulation of doctrines - such as the insanity defense, criminal negligence, strict liability, and others - should ignore or minimize the extent of an offender's blameworthiness in the name of effective crime-control. Or, are methods of accommodating the tension now in sight? Finally, essays consider the question of how criminal law rules should be best organized into a coherent and clarifying doctrinal structure. The structure grown by the common law process competes not only with that of modern comprehensive codifications, such as the American Law Institute's Model Penal Code, but also with alternative structures imagined but not yet tried.

The rules governing who will be punished and how much determine a society's success in two of its most fundamental functions: doing justice and protecting citizens from crime. Drawing from the existing theoretical literature and adding to it recent insights from the social sciences, Paul Robinson describes the nature of the practical challenge in setting rational punishment principles, how past efforts have failed, and the alternatives that have been tried. He ultimately proposes a principle for distributing criminal liability and punishment that will be most likely to do justice and control crime. Paul Robinson is one of the world's leading criminal law experts. He has been writing about criminal liability and punishment issues for three decades, and has published dozens of influential articles in the best scholarly journals. This long-awaited volume is a brilliant synthesis of social science research and legal reasoning that brings together three decades of work in a compelling line of argument that addresses all of the important issues in assessing liability and punishment.

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