

Felony Murder

Guyora Binder

Stanford Law Books

An Imprint of Stanford University Press
Stanford, California

CONTENTS

Preface	ix
PART ONE FELONY MURDER PRINCIPLES	
1 Making the Best of Felony Murder	3
2 The Charge of Strict Liability	23
3 Critiquing the Cognitive Theory of Culpability	38
4 Defending an Expressive Theory of Culpability	71
PART TWO FELONY MURDER ORIGINS	
5 The Myth of the Common Law Felony Murder Rule	97
6 The Absent American Common Law of Felony Murder	122
7 Early Felony Aggravator Statutes	142
8 Early Felony Murder Statutes	157
PART THREE RECONSTRUCTING FELONY MURDER LAW	
9 Felony Murder as Negligent Homicide	183
10 Complicity and Collective Liability	213
11 Felonious Purpose	226
12 A Principled Law of Felony Murder	248
Notes	261
Bibliography	331
Index	347