CHAPTER 5

Crime as Choice

Rationality, Emotion, and Criminal Behavior

It is a given that we all strive to maximize our pleasure and to minimize our pain and that we all devise strategies we believe to be reasonable to attain this goal. Most people go about this by reasoning that if they want the finer material things in life (such as a Lexus parked in front of the mansion on the hill) shared with a kind, considerate, and beautiful wife or handsome husband and a couple of healthy and intelligent children, they must prepare themselves by working and studying hard and settling into a lucrative career. This is exactly what Bill Gates did, and now he’s the world’s richest man. Of course, Gates is a product of a solidly upper-middle-class intact home, and he is remarkably intelligent (his biography lists his IQ in the 150–160 range), ambitious, and conscientious, so it is no wonder that he never reasoned that knocking off the local convenience store or selling crack was in his best interest. Gates had much too much to lose, and such thoughts probably never crossed his mind anyway.

Then we have Charles Manson, the illegitimate son of a 16-year-old runaway girl who raised him in a series of grungy motels and who once sold him for a pitcher of beer. Charlie also wanted to maximize his pleasure and minimize his pain, but he reasoned that this was best achieved by stealing, robbing, burglarizing, and founding a hippie cult featuring an abundance of sex, drugs, and rock ‘n’ roll. As of 2014, Manson was 80 years old, and 58 of those years had been spent locked up in juvenile and adult facilities. Was Manson dull and irrational? No; prison testing showed him to have an IQ of 109. While this is not in Gates’s league, it is in the bright-average range. Neither was he unaware that his lifestyle would lead to the pains of imprisonment given his numerous incarcerations before his death sentence for murder (commuted to life in prison in 1972). Charlie simply relished the thrills and fruits of crime because they were immediate, whereas punishment was only a distant “maybe,” and he had very little to lose anyway. Thus, while everyone has the same basic general motive behind their behavior, how different people view “the good life” and what they consider to be the optimal way to achieve it depend on a host of developmental, personality, emotional, and environmental factors that impinge on their rational decisions. Keep this in mind as you read about “crime as choice” in this chapter.
Returning to Classic Assumptions of Human Nature

The positivist school of thought emphasizing the scientific method and eliminating what was considered metaphysical assumptions about human nature, such as rationality and free will, held a tight rein in criminology for almost a century after its emergence. However, a combination of high crime rates, the failure of existing positivist theories to adequately account for high crime rates, and the emergence of a more conservative attitude during the late 1970s and early 1980s saw a swing away from the ideals of positivism back to the classical notion that offenders are rational actors responsible for their own actions. One of the principal complaints made by more conservative criminologists such as Hirschi and Hindelang (1977), Wilson (1976), and Wilson and Herrnstein (1985) was that many criminological theories wanted to trace “root causes” of crime to society and to exonerate delinquents and criminals from any blame for their actions. According to these critics, viewing offenders as blameless strips them of their humanity and paints them as pawns of capricious environmental winds and leads offenders to view themselves as victims, a deadly trap from which they may never escape. To illustrate such attitudes, Boyd Sharp (2006) cited a Calvin and Hobbes cartoon in which Calvin says,

I have concluded that nothing bad I do is my fault. … I’m a helpless victim of countless bad influences. An unwholesome culture panders to my undeveloped values and it pushes me into misbehavior. I take no responsibility for my behavior. I’m an innocent pawn of society. (p. 3)

Sharp’s point is that criminals come to think like Calvin in the context of a society where too many people prefer to claim victimhood rather than personal responsibility (McDonald’s made me fat, the Marlboro man made me smoke, etc.). Criminals are eager to accept authoritative pronouncements that excuse their behavior, and defense lawyers are equally quick to argue them in court. All of this reinforces the patterns of criminal denial that treatment providers in corrections (prison counselors, probation and parole officers, and social workers) find so frustrating (Sharp, 2006; Walsh & Stohr, 2010). Thus there were a variety of reasons why many of the classical ideas about criminal offending reemerged when they did.

Two popular theories based on neoclassical (a term meaning revival and/or new interpretation of the classical school) ideas of human nature are rational choice theory and routine activities theory. These theories share what Thomas Sowell (1987; see Chapter 1) calls a constrained vision. The most common thread of the two theories is that they emphasize the roles of criminal situations and opportunities and the ratio of benefits to risks in making decisions about whether to engage in criminal behavior. This is contrary to most other theories in this book that focus to various extents on offenders’ personal and social characteristics such as impulsiveness, callousness, social class, gender, and age. In other words, rational choice and routine activities theories are concerned with crime rather than criminality.

A theory called cultural criminology directly opposes both these theories, and it emphasizes the role of emotions in instigating criminal behavior rather than rationality. Cultural criminology maintains that criminology (and social science in general) has had a much too rational view of humans
and their behavior and that it has seriously neglected the role of emotions (Ferrell, 2004). Cultural criminologists agree with evolutionary scholars that emotions are more important than rationality in human social decision making because they functioned long before our vaunted rational faculties evolved as the basis for social interaction (Suwa et al., 2009). Despite this big difference in emphasis, cultural criminology shares with rational choice and routine activities theories the rejection of positivist and deterministic “background” theories in favor of examining the “foreground” of crime. The foreground of crime is defined as the immediate situation and the thought processes of the individual criminal at the time of the crime, whereas the background of crime refers to everything that person is (e.g., age, race, gender, impulsive, drug abuser) or has experienced (e.g., abuse, poverty, broken home, drugs) that may have led him or her to think that way. The inclusion of cultural criminology offers us an opportunity to explore the much neglected role of emotions in criminology in terms of the roles they play in both instigating and preventing criminal behavior.

**Rational Choice Theory**

Rational choice theory is based on the basic tenets of classical theory and would thus dismiss the cartoon character Calvin as a whiner who needs to pull up his socks and take charge of his life. Recall that the central beliefs of the classical school are that people freely choose their behavior and that they do so motivated by the hedonistic calculus. In other words, all behavior—good or bad—is designed to produce some net advantage for the actor. Furthermore, because people are rational, they will respond to incentives and disincentives in such a way as to maximize pleasure and minimize pain. Criminal behavior, like all other behavior, is motivated by many things. It could be anger, greed, lust, thrills, jealousy, revenge, status, peer approval, or any number of other reasons. Whatever the reason, at bottom it is all about attempts to gain some sort of personal satisfaction (pleasure) or to remove some source of irritation (pain). This does not mean that neoclassical criminologists have extreme visions of a will free of any causal chains. Rational choice theorists are “soft determinists” because while they believe that criminal behavior is ultimately a choice, the choice is made in the context of personal and situational constraints and opportunities. In other words, rational choice theorists substitute extreme versions of the classical free will concept for that of human agency.

Human agency is a concept that maintains humans have the capacity to make choices and the responsibility to make moral ones regardless of internal or external constraints on one’s ability to do so. This is a form of free will compatible with determinism because it recognizes both the internal and external constraints that limit our ability to do as we please. Because rational choice theory grants offenders the dignity of possessing agency, just as nonoffenders purposely weigh options before deciding on a course of action, so do offenders before deciding to commit a crime. Therefore, offenders “can be held responsible for that choice and can be legitimately punished” (Clarke & Cornish, 2001, p. 25).

**What Is Rationality?**

It is important to understand rationality and its limits if we are to understand criminal offending and devise effective ways to deter it. Rationality is a desirable quality said to be inherent in humans. Although rationality is defined somewhat differently in different disciplines, the basic notion is that rationality is the state of having good sense and sound judgment. Good sense and sound judgment are said to be present when we base our choices on the evidence before us at any given time and when we revise our reasoning (and hence our behavior) as new evidence arises. Rationality should not be confused with morality because rationality’s goal is self-interest, and self-interest governs behavior whether in conforming or deviant directions. Crime is rational (at least in the short run) if criminals employ reason and act purposely to gain desired ends. Rationality is thus the quality of thinking and behaving in accordance with logic and reason such that one’s reality is an ordered and intelligible system for achieving goals and solving problems.
The notion of rationality in the social sciences is indebted to German economist and sociologist Max Weber, who conceived of two broad types of rationality. The first is *zweckrationalität* ("purpose" or "instrumental" rationality). Weber assumed this self-serving means–ends rationality to be innate: “Personal self-interest is already fixed by genetic inheritance in all human individuals and needs no further fixing there by external imposition” (in Wallace, 1990, p. 209). In other words, Weber was in agreement with the classical scholars that rationality is a part of human nature pressed into service to ensure we meet goals that serve our interests.

Weber also posited a learned rationality called *wertrationalität* ("value" rationality). This type of rationality is related to a value such as honor, or to duty to some revered entity (one’s nation, group, God, etc.) or idea (patriotism, ideology, religion, etc.), which may appear to observers to be antithetical to instrumental rationality. Examples include Catholic priests taking vows of poverty, obedience, and chastity and terrorists blowing themselves up along with busloads of kids in the belief that it is pleasing to God. Zweckrationalität thus points us to reasoned means of attaining a goal, and wertrationalität helps us to define those means and goals in terms of norms and values.

**What Are the Constraints on Rationality?**

A rational decision is one that is reasoned to be optimal for achieving a goal, but rationality is subjective (personal and biased) and bounded (it has limits). Given that it is subjective and bounded, unwanted outcomes can be produced by rational strategies. This is because we do not all make the same calculations or arrive at the same plan when pursuing the same goals. Just like Bill Gates and Charles Manson, we all contemplate our anticipated actions with less than perfect knowledge, with different mind-sets, and with different reasoning abilities. In other words, we may think we are behaving in ways that best serve our self-interest, but our behavior may bring unwanted results because we are ignorant of some things and misinterpret others. We do the best we can to order our decisions relating to our self-interest with the knowledge and understanding we have about the possible outcomes of a particular course of action. All people have mental models of the world and behave rationally with respect to them, even if others might consider our behavior to be irrational. Criminals behave rationally from their private models of reality and “are generally doing the best they can within the limits of time, resources, and information available to them. This is why we characterize their decision making as rational, albeit in a limited way” (Clarke & Cornish, 2001, p. 25).

Rather than focusing on the nature and backgrounds of criminals, rational choice theorists simply assume criminally motivated offenders will always be with us and focus on the process of their choices to offend (the foreground rather than the background of crime). This process is known as *choice structuring* and is defined as “the constellation of opportunities, costs, and benefits attaching to particular kinds of crime” (Cornish & Clarke, 1987, p. 933). We all make choices all the time, but making good ones that maximize the probability that they will result in the desired outcome requires a strategy that structures them. For instance, experienced burglars have to take a variety of factors into consideration before burglarizing a home. They will already have in their heads a general strategy that structures their thinking about where to go, when to go, and what to do to successfully burgle a house. Thus, criminal events require motivated offenders meeting situations they perceive as an opportunity to acquire something they want such as the bank robber Willie Sutton we met in Chapter 1 viewing a bank. Each criminal event is the result of a series of choice structuring decisions to initiate the event, continue with it, or desist. Each particular kind of crime is the result of a series of different decisions that can be explained only on their own terms; for example, the decision to rape is arrived at quite differently than the decision to burglarize. The simple basics of rational choice theory are illustrated in Figure 5.1.
Routine Activities Theory

We have already briefly discussed routine activities theory in Chapter 3 in the context of victimization. The theory was devised by Lawrence Cohen and Marcus Felson (1979) in the tradition of rational choice theory and attempts to explain crime rates in different societies and neighborhoods without invoking individual differences in criminal propensity. The authors do this by pointing to the routine activities in those societies and neighborhoods. Routine activities are defined as “recurrent and prevalent activities which provide for basic population and individual needs” (p. 593). In other words, routine activities are the normal day-to-day activity patterns that characterize a particular place that either invite or dissuade crime. Take for example the significant increase in the burglary rate in the United States during the 1960s. According to Cohen and Felson, this was almost entirely attributable to the increasing numbers of women entering the workforce, which meant there were fewer people at home to guard it and thus more opportunities for criminals as homes “routinely” were left unoccupied during the day.

Routine activities theory discounts what others see as causes of crime such as poverty, unemployment, and inequality, pointing out that crime increased dramatically with the expansion of the welfare state from the 1960s onward that was supposed to address these things (Walsh & Ellis, 2007). Society’s affluence is as much a “cause” of crime as its poverty because affluence brings with it many opportunities for crime. Of course, it’s not that the average affluent person commits more crimes than the average poor person; rather, a general level of affluence makes more things available to steal, rob, loot, and kill for. In addition, convenience stores and automated teller machines (ATMs) competing for their share of the general affluence stay open all hours of the day and night, thus making them convenient for robbers and thieves as well as for shoppers. Affluence may also “cause” crime by flaunting itself in the faces of the poor. An affluent society offers many targets for the not so affluent who want “their share” of the pie. Increased crime may be the price we have to pay for increased affluence, especially if affluence is not more evenly distributed.

According to Cohen and Felson (1979), crime is the result of motivated offenders meeting suitable targets that lack capable guardians. This is illustrated in Figure 5.2. If these three elements do not converge in time and space, crime is not likely to occur. Motivated offenders are individuals willing and able to commit crimes. Suitable targets are persons who offenders view as vulnerable or attractive who possess something they want or are objects they want to possess. Capable guardians are persons (mates, patrolling police, concerned neighbors, etc.) or things (alarms, locked doors, well-lit streets, etc.) that deter criminal activity. For instance, in their early work, Cohen and Felson established that people living alone, especially females, are more likely to be victimized for both personal and property crimes because they are likely to be out alone at night (in bars, home alone, or walking alone) and lack anyone to help in guarding them or their property. Young males are also victimized because their nightly activities often include high-risk behaviors that involve drinking, drug taking, and displays of bravado.

Cohen and Felson (1979) take motivated offenders for granted and do not attempt to explain their existence. The theory is thus very much like rational choice theory in that it describes situations in which criminal victimization is likely to occur. In poor disorganized communities there is never a shortage of motivated offenders, and although the pickings are generally slim in such areas, victimization is more prevalent in them than in more affluent areas (Truman & Langton, 2015). One of the obvious reasons for high victimization rates in poor disorganized areas (besides the abundance of
of motivated offenders) is that residents of such areas tend to lack capable guardians for either their persons or their property.

Routine activities theory looks at crime from the points of view of both the offender and crime prevention efforts. A crime will be committed only when a motivated offender believes he or she has found something worth stealing or someone to victimize lacking a capable guardian. Because of disrupted families, transient neighbors, poverty, and all the other negative aspects of disorganized neighborhoods, except for police patrols, capable guardians are in short supply. Crime is a “situation,” and crime rates can go up or down depending on how these situations (routine activities) change without any changes in offender motivation or in the prevalence of motivated offenders.

Take murder, for example. The Federal Bureau of Investigation (FBI, 2015) indicates that in 2014 only 64.5% of homicides were cleared by the police as opposed to 90% in 1960 (Keel, Jarvis, & Muirhead, 2009). This means that about 1 out of 3 murderers got away with it in the United States in 2014 versus 1 out of 10 in 1960. The clearance rate was even lower in cities with the highest homicide rates such as Chicago, where in 2008 it was 35%; it was 22% in New Orleans and just 21% in Detroit (Hargrove, 2010). The lessening ability of the police to act as capable guardians in those cities yields to the perception that “I can get away with it,” as apparently 4 out of 5 murderers did in Detroit in 2008. The ever-increasing prevalence of single-parent households means more vulnerable women and children lacking capable guardians. As we saw in Chapter 3, single-parent households also mean a highly elevated risk of abuse and neglect, which is likely to result in more motivated offenders as well (Kruk, 2012). Note that out-of-wedlock births, falling marriage rates, and rising divorce rates are becoming “routine” activities in the United States in certain areas, and according to this theory there is no need to turn to individual traits to explain high crime rates existing there. Recurring situations conducive to acquiring resources with minimal effort also tempt more individuals to take advantage of them.

**Evaluation of Rational Choice and Routine Activities Theories**

Rational choice and routine activities theories have been criticized on many fronts. Both theories resonate most with conservatives because they aver that offenders are thinking agents who must be held responsible for their actions. Although this position grants criminals the dignity of having reasoned control over their lives, liberals tend not to like it because the “free agent” position naturally leads to a retributivist stance on punishment (punishment based on just desserts) (Lilly, Cullen, & Ball, 2011).
The most glaring criticism, however, is the assumption of rationality. It is assumed that everyone agrees that all humans of sound mind are rational in the classical sense of wanting to maximize their pleasure and minimize their pain. But if everyone is rational, rationality is a constant and thus cannot by itself explain something as variable as human behavior. What we need to adequately explain behavior are the factors that affect offenders’ rationality but do not affect nonoffenders’ rationality and vice versa. That is, what leads a person like Charlie Manson to decide, quite rationally, that his needs are best met by delaying gratification (a drug fix now and a woman for tonight) and minimizing his pain (boredom and drug craving) is best met by robbery and other crimes, whereas a person like Bill Gates decides, just as rationally, that his needs are best met by delaying gratification, attending college, getting a good job, getting married, and settling down? In other words, what should interest criminologists the most are the factors that lead people to exercise the rationality they have in common in radically different ways.

It would seem that the typical criminal’s rationality is severely “bounded.” We continually see more than two-thirds of released criminals going back to prison, and that is hardly maximizing pleasure and minimizing pain (Stohr & Walsh, 2012). As we have seen, criminals are rational from their own limited point of view, and they do weigh costs and benefits. But like the rest of us, criminals are not walking calculating machines who routinely take time to weigh the pros and cons of their every move. As van den Haag (2003) puts it, “Law abiding people habitually ignore criminal opportunities. Law breakers habitually discount the risk of punishment. Neither calculates” (p. 247). As Jack Katz (1988) explains, “The hardman triumphs, after all, by inducing others to calculate the costs and benefits” (p. 235, emphasis added). The bottom line is that incentives and disincentives to law-abiding or criminal behavior are perceived differently because of ingrained habits. It is the development of these habitual ways of responding to opportunities that interests most criminologists.

Routine activities theory is a different proposition because it makes no explicit assumptions about offenders other than that their motives are to “gain quick pleasure and avoid imminent pain” (Felson, 1998, p. 23). In other words, routine activities theorists implicitly agree with Beccaria that criminals are not fundamentally different from noncriminals and that everyone may be motivated to commit a crime at some point in his or her life if the benefits are large enough and the possible costs are negligible. Because the theory concentrates on crime as a process of unfolding events rather than on the motivated offender, it appeals to those who see individual difference explanations as stigmatizing and wish to avoid them. On the other hand, there are those who criticize the theory for ignoring the social conditions they see as giving rise to motivated offenders. Liberal critics view the theory’s focus on narrow crime prevention as granting society permission to avoid discussing such issues as poverty and inequality.

Criminologists whose interests lie in scientific discovery rather than practical crime prevention also criticize the theory for its narrow focus (not that they deny the value of crime prevention, of course). These individuals point out that while it is true that anyone may be tempted to commit a crime if the ratio of benefit to cost is high, few people ever commit a serious crime. Criminologists of this persuasion point out that chronic criminals do not just bump into criminal opportunities; they actively create them, even if the benefits of doing so are paltry compared with the possible costs (DeLisi & Conis, 2012). We should thus like to know what differentiates criminals who make a conscious decision to lead a life of crime and have no intention of pursuing a straight life from noncriminals, one-time criminals, or short-term criminals. These criminologists are interested in the differences in the developmental histories (which include all social, cultural, and environmental variables) and differences in genetics and brain functioning between chronic criminals and noncriminals (Walsh & Bolen, 2012, Wright & Beaver, 2012).

In defense of routine activities theory, we might point out that once criminal dispositions have been acquired, it seems very difficult to change the motivated offender. Likewise, the so-called root causes of poverty, as we saw previously, have been impervious to solutions despite state and federal programs spending billions of dollars every year battling them (Tanner, 2012). Thus it makes sense to focus on strategies that make it more difficult to commit crimes. Routine activities theorists also point out that they are not in competition with criminologists who focus on individual differences or on social conditions that give rise to motivated offenders. They insist that they are simply taking them for granted and have staked out “criminal opportunities” and practical crime prevention strategies as their domain of research.
**RESEARCH SNIPPET**

**Slamming the Gate on Crime**

According to routine activities theory, crimes can be avoided by removing a single link in the criminal chain. A popular crime prevention method informed by this theory is known as crime prevention through environmental design (CPTED). It is theorized that by removing suitable targets from the criminal equation through hard targeting (making the target too difficult to acquire), meaningful reductions in crime can be obtained. A gate can provide such hard targeting. Addington and Rennison (2015) examined the difference in burglary victimization between gated communities and non-gated communities using data from the National Crime Victimization Survey. Consistent with routine activities theory, households within gated communities had 33% lower odds of being burglarized compared with non-gated households when holding other relevant factors constant. What is more, the data suggested that the decrease in burglary victimization was not due to simply being in an affluent neighborhood. Instead, gated communities experienced fewer burglaries than non-gated communities in both poor and affluent areas. Manipulating the environment to make committing crimes more difficult is a promising and cost-effective method of crime prevention.


---

**Cultural Criminology**

**Cultural criminology** (sometimes called anarchic criminology) is a relatively new theory that seemingly attracts disenchanted members of the radical left (thus the anarchic label). This theory is included with rational choice and routine activities for two major reasons. First, it positions itself in direct opposition to these theories. Second, and most important, it provides an opportunity to discuss the prime motivator of behavior emphasized by cultural criminology but seriously neglected in mainstream criminology—emotion. In other words, rational choice and cultural criminology should be discussed together precisely because they are so different in so many ways, but also because they share an emphasis in the foreground of crime.

According to Lilly and colleagues (2011), “The enemy of cultural criminology is the state and an administrative criminology that advocates rational choice theory” (p. 226). Cultural criminologists thus tend to be politically engaged radicals who attack theories favored by conservatives and liberals alike and who have a special distaste for viewing criminals as rational calculators. This theory looks at much of modern crime as the result of the breakdown of culture in the context of destabilizing economic globalization (Hayward & Young, 2004). They see the old Western culture of stable families and secure full employment with good pay morphing into the “McDonaldization” of work and a culture that has become obsessed with consumerism, hedonism, sex, and violence (Young, 2003).

Differences in pop music starkly illustrate what cultural criminologists mean about the difference between the morality of the old and new cultures. During the 1950s, we had Pat Boone—hand on heart—crooning softly to his special lady in *April Love* that “every star’s a wishing star that shines for you” and Elvis Presley serenading his love by telling her that “you have made my life complete, and I love you so” in *Love Me Tender.* Fast-forward half a century and we have Lil Wayne—hand on crotch—wailing in *Every Girl* to no one in particular that “I wish I could fuck every girl in the world” and Pitbull barking that his “ho” of the moment has “got an ass like a donkey, with a monkey, look like King Kong” in *I Know You Want Me.*

To explain the kind of psychology underlying the cultural degradation that cultural criminologists perceive, they introduce the concept of *anelpis,* a Greek term meaning “without hope.” Hall and Winlow (2004) apply this term to describe “a historically unique section of humanity, which cannot be described as an ‘underclass’ in the structural sense because their wage needs have been priced out of the global market” (p. 277). The state of mind of the anelpis is described as “the
presence of virtually total cynicism and nihilism: virtually no opinion, no realistic expectations, no hope and no fear of authority” (p. 277). This image is of a subsection of Western populations trapped in permanent economic recession that has abandoned all patterns of rational thought and reverted to a more primitive state of being animated primarily by negative emotions such as humiliation, anger, resentment, and rage (Hall, 2000). Cultural criminologists see much of criminal and other transgressive behaviors as attempts to escape these negative emotions and to assert these people’s humanity. For such people, “rules are transgressed because they are there, risk is a challenge, not a deterrent” (Young, 2003, p. 391).

Ironically, this view of cultural breakdown is shared by conservative criminologists who see the dominance of a liberal worldview starting during the late 1960s as one that “undermined traditional values and authority. A culture that had emphasized self-control and discipline was replaced by a culture trumpeting moral relativism and an insidious permissiveness” (Cullen & Agnew, 2006, p. 459). Note that while cultural criminologists trace cultural breakdown to economic globalization and relentless poverty, which in turn produces the anelpis mind-set, conservative criminologists trace it to the culture itself; that is, changes in cultural values and norms of behavior are the products of cultural degradation. Cultural criminologists thus emphasize financial poverty, and conservative criminologists emphasize moral poverty.

**The Relationship of Rationality and Emotion**

Because both rationality and emotion initiate behavior, the relationship between them has long interested philosophers. Enlightenment philosopher Immanuel Kant called the emotions “pathological,” and his contemporary Gottfried Leibniz called them “confused passions” (in Walsh, 2014, p. 85). Cultural criminologists maintain that the social sciences in general have been so gripped by the Enlightenment’s view of emotions and its emphasis on reason that it has seriously neglected the role of emotions in directing human behavior (Kirman, Livet, & Teschl, 2010). But even during the Enlightenment there were those such as philosopher David Hume who believed that emotion drove our behavior more than rationality. Hume considered our species to be *Homo emovere* (“emoting man”) rather than *Homo sapiens* (“wise man”), with our reason providing only rationales for doing what we feel like doing. For Hume, we perceive a situation, experience emotions, pass judgment on the event based on the emotion it evokes, and then provide reasons for that judgment.

If criminologists think about the role of emotions at all, they tend to see them as Kant and Leibniz did—as toxic enemies of reason that instigate only negative behavior and have no adaptive positive function of their own. For instance, the frustration, envy, and resentment evoked when some people observe someone else’s good fortune (what criminologists call relative deprivation) is said to lead to anger and then to stimulate criminal behavior to placate those emotions and to obtain what is envied (Smith, Pettigrew, Pippin, & Bialosiewitz, 2012). To put it another way, emotion is seen as intervening between a perception and an action as follows:

Relative deprivation → Resentment/envy → Anger/crime.
“Slick Willie” Sutton—“Where The Money Is”

Willie Sutton, aka “Willie the Actor” and “Slick Willie,” was America's most prolific bank robber from the 1920s through the 1950s. Sutton gained his nicknames because of his ability to disguise himself and his daring ability in executing bank robberies. During his 40-year criminal career, he stole an estimated $2 million but paid for it by spending more than half of his adult life in prison. Although less well known to the general public than other Depression-era gangsters such as Al Capone, he was in many ways both more interesting and more successful than most of them (he lived to a ripe old age of 79). As one of his biographers, J. R. Moehringer, described him, “Smarter than Machine Gun Kelly, saner than Pretty Boy Floyd, more likable than Legs Diamond, more romantic than Bonnie and Clyde, Sutton saw bank robbery as high art and went about it with an artist’s single-minded zeal.” He was educated only to the eighth-grade level, but he was very wise in the ways of the law, dispensing legal advice freely to fellow prison inmates. His intelligence was also demonstrated in his three successful prison escapes.

Willie was born in the squalid slums of Irishtown, Brooklyn, into an Irish American family in 1901. He was the fourth of five children born to his impoverished parents in a hardworking family that was strict but not abusive or neglectful. Although he endured the hardship of a level of poverty no modern American is allowed to face, neither he nor his equally impoverished peers took to crime or to the squallid moral level exemplified by those described by cultural criminologists as anelips. Indeed, it has been claimed that this dapper, well-dressed man would never finish robbing a bank when a woman screamed or a baby cried and always showed deep respect for the “fair sex.”

In many ways Willie is a poster child for both those criminologists who emphasize rationality and those who emphasize emotion. He did legitimate work for short periods—his longest period lasted 8 months, ironically, in a bank. His choice structuring was very involved before making his clandestine bank “withdrawals” dressed as a cop, maintenance worker, security guard, or window washer. He rarely went for the teller, preferring to go for the mother lode in the vault. Willie clearly planned all his bank heists very carefully, and he was much admired by his underworld cohorts for his coolly planned and executed prison escapes. This side of Willie clearly illustrates the rational component of his criminal activities. Recall that we earlier quoted Willie’s reply to the question of why he robbed banks: “Because that’s where the money is. Go where the money is and go there often.” After all, Willie loved the ladies and he loved to gamble, and these pursuits cost money.

However, there are many indications that the thrill of crime, of transgressing the law and getting away with it, the euphoria of feeling alive and authentic, was perhaps his primary motivation. Willie was committing burglaries and thefts by age 9 and was attracted to the bawdy beer joints frequented by sailors. In his autobiography partly ghostwritten by Edward Linn, Where the Money Was: Memoirs of a Bank Robber, Sutton gives what he himself considered the real reason he robbed banks: “Why did I rob banks? Because I enjoyed it. I loved it. I was more alive when I was inside a bank, robbing it, than at any other time in my life. I enjoyed everything about it so much that one or two weeks later I’d be out looking for the next job. But to me the money was the chips, that’s all.” The money being just “chips,” of course, refers to gambling chips that are simply the tools of gambling, not the rewards per se. This all sounds very much like a man essentially addicted to the adrenaline rush of crime and relatively impervious to the negative consequences of it.
On the other hand, cultural criminologists view emotions as primary causes of a great deal of criminal behavior. For them, the emotion motivating crime is not a fleeting perception but rather a permanent fixture of many criminals’ mental lives. While crime is assumed to alleviate the negative emotions constantly felt by the anelpis, positive emotional satisfaction in the form of “thrills” gained by transgressing the legal and moral norms of society is more important. Cultural criminologists see the rational calculator view of the criminal as offering us a flawed image of bloodless individuals devoid of passion (Ferrell, 2004). The primary appeal of crime for them is its intrinsic rewards—the thrills and the rush of taking risks and getting away with it, not the frequently negligible material rewards of crime. Studies of street criminals by researchers such as Katz (1988) and De Haan and Vos (2003) paint a picture of “unreasonable” individuals seduced by a life of action who value their “bad ass” reputations more than monetary success. According to Katz (1988), the materialistic (monetary) motive for criminal activity emphasized by many criminologists is characterized by an “overwhelming inadequacy for grasping the experiential facts of crime” (p. 314). For Katz and other cultural criminologists, most criminals are impulsively motivated by short-run hedonism, which is expressive, malicious, and destructive, rather than the instrument for attaining material wants.

The scant monetary gains and dismal long-term consequences of a criminal lifestyle make it difficult to think of most crime as simply an alternative way to achieve monetary success, as some theories maintain. Cultural criminologists reveal criminals’ own accounts of crime that tell us there is something that makes crime appealing for its own sake regardless of material rewards. Chronic criminals are certainly motivated by the need for fast cash to feed their “every night is Saturday night” lifestyles, but interviews with criminals find that the internal rewards of committing expressive crimes are powerful motivators (Wood, Gove, Wilson, & Cochran, 1997). As Jock Young (2003) put it, “The sensual nature of crime, the adrenaline rushes of edgework—voluntary illicit risk-taking and the dialectic of fear and pleasure ¼ all point to a wide swath of crime that is expressive rather than narrowly instrumental” (p. 391). The neurobiological details of this “dialectic of fear and pleasure” have been revealed in terms of a complex interplay of brain chemicals before, during, and after the commission of a crime (Gove & Wilmoth, 2003).

But this “emotional edgework” is not without considerations of material costs and benefits and thus is not devoid of instrumental rationality. Willie Sutton (the bank robber we met in Chapter 1 and featured in the Theory in Action segment of this chapter) plainly enjoyed the visceral rush of crime. When asked why he robbed banks, he replied, “Because I enjoyed it. I was more alive when I was inside a bank, robbing it, than at any other time in my life.” But as we have seen, he would also answer, “Because that’s where the money is” (Sutton & Linn, 1976, p. 120). The meaning of bank robbery is different for Willie, the bank manager, and society at large. It is the analysis of these differences—especially the meaning crime has for the criminal—that cultural criminology emphasizes.
Evaluating Cultural Criminology

Cultural criminology has done the discipline a service by emphasizing the role of emotions in the commission of crimes because emotions have long been treated only peripherally in criminology. We need to understand the foreground of crime (the criminal’s experience of a crime—what it means to him or her at the moment) emphasized by this theory as well as the background of crime (the criminal’s objective placement in the social order) emphasized by other theories. Although rational choice and routine activities theories also emphasize the foreground, cultural criminology differs in emphasizing the emotional aspects rather than the rational aspects of the foreground. Looking at crime from offenders’ subjective points of view allows us insight into their thought processes, motives, values, and emotions. This is valuable as long as we don’t find ourselves excusing their behavior, as cultural criminologists are inclined to do. The anarchic quality of the theory pushes itself to the front time and again in its constant reference to state repression and oppression and its calls for resistance. “Anarchic criminology” is thus a more apt description for this brand of criminology than “cultural criminology.” Cultural criminologists’ negative view of social control agents (police, judges, probation/parole officers, etc.), their often romanticized view of criminals, and their general disdain for empirical science (a position shared by most critical theories) make it clear that this is a highly politicized theory of criminology.

Nevertheless, the theory’s focus on the impact of economic globalism on workplace practices such as the loss of manufacturing jobs in the Western world, as well as their replacement by “flexible” and insecure part-time jobs from which workers can be fired “at will,” tells us much about the sense of insecurity and hopelessness of many low-level workers and provides reasons why they may well retreat into the underground economy. The concept of the anelpis that describes the very lowest members of society whose lives are saturated with all things that traditional morality finds repugnant is a useful one. The question here is whether this group’s existence is a function of the effects of globalization on the culture, as cultural criminologists maintain, or is cultural degradation spawned by the permissive attitudes exemplified by the rap music and behavior of performers such as Lil Wayne and Pitbull, as conservative criminologists maintain. Of course, these things can, and do, have reciprocal effects on each other.

Emotions and Their Functions

If emotions are so important, we must understand what they are and how they engage behavior. Emotions are subjective feelings of varying strength prompted by nervous system arousal in response to some perceived event. Emotions are divided into primary and secondary emotions.

Emotions: Subjective feelings of varying strength prompted by nervous system arousal in response to some perceived event. Emotions are divided into primary and secondary emotions.
Chronic criminals are perfectly capable of reasoning; it is mainly their poorly developed emotional systems that cause them to discount their knowledge of moral norms and to behave according to immediate self-gratification (Walsh & Bolen, 2012).

**Primary and Secondary Emotions**

Psychologists distinguish between primary emotions (e.g., anger, fear, disgust, joy) and secondary emotions. The secondary emotions (often called the “social” emotions) are mixtures of the primary emotions just as the secondary colors are mixtures of the primary colors. Far from being pathological (which of course they can be), the primary emotions have been enormously useful in the evolution of our species. Fear, anger, and disgust focus our attention on an immediate problem and narrow responses toward some corrective strategy. Anger directed at injustice may prevent it, and fear and disgust motivate escape and avoidance.

The social emotions, such as empathy, shame, embarrassment, and guilt, are retrofitted to the primary emotions as a mixture that broadens rather than narrows our focus and are integral to developing and strengthening social bonds (Fredrickson, 2003). They evolved as essential parts of our social intelligence and serve as clues as to the kinds of relationships (cooperative vs. uncooperative) we are likely to have with others. Emotions such as empathy and guilt serve to adjust our

---

**Photo 5.4**

Target hardening such as installing surveillance cameras or home alarm systems makes it more difficult for criminals to commit crimes.

---

Critical Thinking

Criminal opportunities are an important aspect of the theories discussed in this chapter. Crime is opportunistic at its core. If there is no opportunity for crime, how can crime occur? From this perspective, it follows that it is possible to manufacture crime by creating criminal opportunities. For example, law enforcement commonly uses undercover stings or “baiting” to catch criminals. The police will set up a bait car in an area and wait for someone to come along and try to steal the car. The police then arrest the suspect. In situations like this, do you think the police helped to manufacture these crimes? Do you think suspects caught in undercover stings and bait traps were out looking for a criminal opportunity to take advantage of? Or do you think that the opportunity that suddenly presented itself to these individuals made them make an impulsive decision to break the law where if no opportunity had been present no criminal decision would have been made?
social behavior by arousing, focusing, and modifying brain activity in ways that lead most people to habitually choose prosocial rather than antisocial responses when presented with "a suitable target lacking a capable guardian." Taking advantage of a criminal opportunity may be more rational in the short term because it gets one resources with little effort, but it is self-defeating in the long run. Short-term rewards are easier to appreciate than long-term consequences, and thus criminals have the tendency to abandon consideration of the latter when confronted with temptation. It is the immediate warnings sounded by the social emotions that lead others to attend to the long-term consequences of their behavior despite temptation.

**Important Crime-Preventing Social Emotions**

Positive emotions that function to prevent criminal behavior have been practically ignored in criminology. It hardly needs pointing out that empathy—the cognitive and emotional ability to understand the feelings and distress of others—is important to social life. Empathy is an ancient capacity predating the emergence of the human species and evolved rapidly in the context of parental care (de Waal, 2008). Because we feel distress personally when witnessing the distress of others, we alleviate our own distress if we can help to alleviate the distress of others. Empathy channels helping behavior in social species because it moves us to rapidly access a situation and respond to it without having to rely on time-consuming conscious reflection to determine our response (Roach & Pease, 2013).

Because individuals in social groups react toward others who violate social expectations, it is adaptive for humans to have evolved social emotions such as guilt and shame to monitor and constrain negative impulses. When we do things that have a negative effect on ourselves or on others, it is useful to be aware of them and to be appropriately motivated to take some remedial action. Guilt involves anxiety, remorse, and concern about how one's actions have negatively impacted others, and it motivates both avoidance and approach behavior. Because guilt is psychologically punitive, it motivates one not to repeat the transgression (avoidance), and because it also moves one toward reparative behavior (e.g., apologies, restitution), it motivates approach behavior. As we might expect, guilt is positively related to empathy since persons are not likely to feel bad about offending others if they are indifferent to them (Silfver & Klaus, 2007).

Guilt is other-centered because it focuses our thoughts on recognizing the rights and respect of others and how we have violated them. Shame, on the other hand, is more self-centered because it involves an appraisal of self-worth in light of what one has done to be ashamed of. Unlike guilt, shame is a private thing, with only the person experiencing it being aware of the origin of the emotion. The object of shame is thus the self (“I am a bad person”) rather than an event as is guilt (“I did a bad thing”).

Emotions are thus integral to understanding criminal behavior. You may have noticed that the social emotions are part and parcel of what we call the conscience. The bite of conscience is what keeps many of us on the straight and narrow, and it is the lack of this bite that grants criminals permission to prey on others. There are thus criminologists who consider the lack of functioning social emotions to be of more concern than the lack of rationality (Tibbetts, 2003; Wiebe, 2011). After all, even the worst criminals are well aware intellectually of right and wrong; the trouble is that their weak social emotions allow them to discount that knowledge.

**Policy and Prevention: Implications of Rational Choice and Routine Activities Theories**

As we saw in the previous chapter, the assumption of rational offenders is shared by legal systems around the world. The law in Western countries also recognizes that rationality is bounded in its acknowledgment of the existence of mitigating circumstances when punishing convicted criminals. Although the assumption of rationality may be questionable for some, it is considered prudent to abide by it for the practical purposes of crime prevention.
The key to preventing crime from these theories is reducing criminal opportunities by minimizing the occasions where potential offenders and suitable targets intersect. This is to be done by arranging the environment to make it more difficult and more risky to offend. What do we mean by “arranging the environment”? Well, if you were the kind of motivated rational criminal assumed by neoclassical theorists, what sort of questions would you ask yourself at the potential crime site before you made your decision on whether to commit the crime? We bet that among them would be the following: “Is there a quick way out of the area after the job is done?” “How vulnerable are the targets (e.g., is the car unlocked, is the door open, is the girl alone)?” “What are my chances of being seen by people in the area?” “If people in this area do see me, do they look likely to do something about it?” These are rational questions potential lawbreakers ask themselves all the time. The policy implications of the assumptions of rational criminals boil down to trying to arrange things in time and space in such a way that criminals will dissuade themselves from committing crimes by maximizing the probability that the answers to these and other such questions criminals ask themselves will lead them to conclude that committing a criminal act is too risky.

Rational choice and routine activities theories thus shift the policy focus from large and costly social programs such as antipoverty programs to target hardening. They shift attention away from policies designed to change offenders’ attitudes and behavior toward making it more difficult and more costly for offenders to offend. Examples of target hardening include antitheft devices on automobiles, home alarms, the use of vandal-resistant materials on public property, improved city lighting, surveillance cameras in stores and at public gathering places, check guarantees, making the sale of alcohol at sporting events, neighborhood watches, and curfews for teenagers. Neoclassical theorists would be especially likely to recommend that the police concentrate their efforts on so-called hot spots rather than spreading themselves around. As we have seen, this is precisely the intelligence-based policing made possible by CompStat programs across the nation (Zimring, 2013). Hot spots are places identified by crime mapping where not only serious crimes occur but also numerous minor antisocial acts occur such as public drunkenness and urination, fights, and vandalism. Neoclassical theorists argue that such acts should not be ignored because they contribute to further deterioration of a neighborhood and invite worse crimes.

Many of the crime prevention recommendations of neoclassical theorists revolve around the concept of environmental design. Environmental design is primarily concerned with defensible space, defined as “a model for residential environments which inhibit crime by creating the physical expression of a social fabric that defends itself” (Newman, 1972, p. 3). It endeavors to bring people together into a tribe-like sense of community by designing the physical environment so as to awaken the human sense of territoriality. The best possible physical environment for the growth of crime is the large barracks-like blocks of apartments with few entrances, private spaces, and demarcation barriers that say “this space is mine.” Families must be given back a sense of ownership for if everything is “owned” in common (e.g., elevators, walkways and staircases, balconies, grass and shrubberies), no one takes care of it and it deteriorates rapidly. Streets must be strategically arranged both to generate a sense of belonging to “my special little neighborhood” and so criminals cannot easily access or escape the neighborhood.

Defensible space: A model for residential environments that inhibit crime by creating the physical expression of a social fabric that defends itself.

**Policy and Prevention: Implications of Cultural Criminology**

As a highly politicized theory disdainful of all neoclassical assumptions, cultural criminology tends to also discount the crime prevention efforts derived from these assumptions (Farrell, 2010). When writing about crime prevention, cultural criminologists are more likely to point out the pitfalls of situational crime prevention (such as criminals moving to less guarded areas—crime displacement—when they perceive crime in one area is too difficult and risky) than to offer their own preventative suggestions (Hayward, 2007). In fact, Farrell (2010) asserts that cultural criminology offers “little, if anything, useful to inform crime reduction efforts” (p. 60). Since much of the blame for predatory criminality is placed at the door of capitalism (Hayward, 2012), the only solution to the crime problem for cultural criminologists seems to be to replace the free market economy with a more government-controlled command economy.
As mentioned in Chapter 1, however, it is unfair to judge a theory solely on its policy recommendations (or lack thereof). Cultural criminology is not interested in primary crime prevention but rather is interested in understanding the expressive motives of a certain class of offenders—those who supposedly have given up hope of ever effectively participating successfully in mainstream society. While cultural criminologists seem unable to draw any practical applications from their theory, understanding the minds and motives of motivated offenders, even offenders primarily moved by emotions and “damn the consequences” rather than rationality may lead others to devise ways of effectively dealing with these offenders in the future.

Table 5.1 summarizes the key concepts of each of the theories presented in this chapter as well as their strengths and weaknesses.

<table>
<thead>
<tr>
<th>Theory</th>
<th>Key Concepts</th>
<th>Strengths</th>
<th>Weaknesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rational choice</td>
<td>Individualistic theory. All people, including criminals, are self-interested persons seeking to maximize pleasure and minimize pain. Before engaging in any behavior, people weigh the costs and benefits. Because criminals have agency, they are responsible for their behavior and should be punished accordingly.</td>
<td>Brings back the idea of individual responsibility. Grants criminals the dignity of agency and does not allow for excuse making. Even though the assumption of rationality may be scientifically questionable, it may be prudent to accept it.</td>
<td>Recognizes that rationality is bounded but ignores the fact. We would like to know why something is rational for one person and not another. Assumes that all crime is instrumental; ignores the emotional appeal of crime.</td>
</tr>
<tr>
<td>Routine activities</td>
<td>Ignores criminality and concentrates on crime as an event. Crime occurs in the context of everyday routine activities in some geographic area. Crime is an event at the confluence of a motivated offender meeting a suitable target that lacks a capable guardian.</td>
<td>Can explain changing crime rates without having to account for increases or decreases in motivated offenders or why they are motivated. Accounts for crime rates in an area in terms of its normal activities. Offers practical crime prevention strategies.</td>
<td>Simply assumes motivated offenders and does not try to account for them. Ignores what some consider “root causes” of crime such as poverty and inequality as well as the personality traits of motivated offenders.</td>
</tr>
<tr>
<td>Cultural or anarchic criminology</td>
<td>Opposes both the capitalist state and ideas of rational offenders. Globalization has led to cultural breakdown, which has led to a subset of individuals called anelpis who are without hope. These people are motivated to commit crime by emotions, both to get rid of negative emotions and to achieve thrills. Material gain is only a small part of criminal motivation.</td>
<td>Explains high crime rates among the most severely disadvantaged members of society. Brings a much neglected concept into the explanation of criminal behavior—emotion. Explains crime in which the financial gains are negligible or absent. Tries to explain cultural breakdown.</td>
<td>Appears to be more politically than scientifically motivated. Primarily accounts for crime among anelpis. Ignores the fact that there are many crimes motivated by materialism that are rationally planned and carried out.</td>
</tr>
</tbody>
</table>
Summary

- Neoclassical theories reemerged in the form of rational choice and routine activities theories during the 1970s. These theories assume that humans are rational and self-seeking, although rationality is bounded by knowledge levels and thinking abilities. They downplay personal and background factors influencing choices in favor of analyzing the processes leading to offenders’ choices to offend.

- Rational choice theory concentrates on how offenders structure their choices when making decisions about whether or not to offend, and routine activities theory looks at a criminal event as a motivated offender meeting a suitable target lacking a capable guardian. These ideas show how crime rates can go up or down without a change in the prevalence of motivated offenders by increasing or decreasing suitable targets and capable guardians.

- Cultural criminology shares with rational choice and routine activities theories its emphasis on the foreground of crime rather than the background. However, cultural criminologists disdain the perspective and ideology of rational choice and routine activities theories. Cultural criminology emphasizes the power of emotions (the thrill and rush of edgework) to stimulate crime as opposed to bloodless rational cost/benefit calculations.

- The concept of anelpis is an important one in cultural criminology. Anelpis is a term meaning “without hope” and is applied by cultural criminologists to describe the lowest segment of society marked by cynicism and nihilism, no realistic expectations, no hope, and no fear of authority who are ruled primarily by their emotions.

- Evolutionary biologists inform us that emotions have been tremendously useful as the basis for social interaction for hundreds of thousands of years, and neuroscientists tell us that rationality and emotion are two inseparable components of all we say and do. When our emotions and our rationality are in opposition, emotions tend to win out.

- Social emotions such as empathy, guilt, and shame are powerful evolved devices that function to minimize occasions of hurtful antisocial behavior. They are part of what we call our conscience, which is what psychopaths and chronic criminals lack; they do not lack rationality.

- The policy and prevention strategies derived from rational choice and routine activities theories boil down to making it more difficult, and thus less rewarding, for criminals to commit a crime by hardening targets, that is, arranging the physical environment in such a way that the intersection of a motivated offender and suitable targets intersecting is less likely. The nature of cultural criminology is such that it offers no immediate practical recommendations for reducing crime.

Exercises and Discussion Questions

1. Discuss the notion that criminal behavior is just as rational as noncriminal behavior.
2. Why are rational choice and routine activities theories broadly considered conservative?
3. Give examples of some routine activities that practically invite crime.
4. Take a position on whether rationality or emotions are more important in understanding criminal behavior.
5. Who are the anelpis, and how do you think they became the way they are? In other words, is it economic poverty as cultural criminologists contend, or is it moral poverty as conservative criminologists contend?
6. Why (or why not) is target hardening preferable to other anticrime strategies such as reducing poverty?

Useful Websites

Cultural criminology. www.albany.edu/scj/cjpc/vol3is2/culture.html
Rational choice theory. www.umsl.edu/~keelr/200/ratchoc.html
Chapter Terms

Anelpis 94
Background of crime 89
Choice structuring 90
Cultural criminology 94
Defensible space 101
Emotions 98
Foreground of crime 89
Human agency 89
Rational choice theory 89
Routine activities theory 91
Wertrationalitat 90
Zweckrationalitat 90