

Part I

**Revisiting Major Perspectives
in Victimization Theory**

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What Ideas of Victimization and Vulnerability Mean for Criminological Theory: A Logical Appraisal¹

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No criminologist disputes that the victim is a central actor in a criminal incident, yet theories about crime causation rarely permit this actor any role. In this chapter, we show that theories about offenders in fact contain an implicit internal logic that requires a theory of victimization. We will show how attention to this logic can reward theorists with a range of hypotheses about the nature and distribution of victimization, the interplay of offenders with their targets, and target behavior. We will *not* show that any given theory's logic can be made to produce hypotheses that are supported by the findings of good science. Where this proves to be the case, it follows that criminology benefits by having a new tool for falsifying its theories of crime. We believe that efforts to derive theories of victimization in this fashion can revitalize interest in criminological theory, and encourage crime researchers to value and promote original research in topic areas that are scientifically important but that have been long neglected thanks to widespread uncritical acceptance that the target adds little to the understanding of crime's causes.

To guide this task, we develop two distinct ideas that all criminological theories tacitly accept in one form or another. The *idea of victimization* defines whether a theory of crime endorses the view that victimization is an event with inherent qualities, and thus whether it is possible to

have an a priori expectation that humans will be responsive to the threat and experience of victimization. This idea also determines whether the target has the ability to influence the decisions of the offender, and thus answers the question about whether the target merits any attention in a theory of crime. Theories about offenders also implicitly specify an *idea of vulnerability* to explain and predict differential risks of victimization across the population. We conduct a logical analysis to derive ideas of victimization and vulnerability from two examples of substantive positivist crime theory (cultural deviance and integrated theories) and contrast their claims against similar ideas generated from choice theory. Although our results favor choice theories, this chapter has a constructive goal that should appeal to theorists of all stripes: a demonstration of a process anyone can use on their own with their preferred theory.

Criminological Theory, the Victim, and Intellectual Orthodoxy

For decades, criminology seemed poised to incorporate the victim into its theories of crime. In 1958, Marvin Wolfgang published a landmark study showing that many victims of homicide had arrest records. Killers and their victims often were people of the same sort. Wolfgang's timing seemed ideal, as the criminologists of the late 1950s worked amidst the greatest flowering of theory ever seen. Conceptual schemes destined to become classics had been coming in quick succession (Cloward & Ohlin, 1960; Cohen, 1955; Merton, 1938; Shaw & McKay, 1942; Sutherland, 1947), with more on the way (Hirschi, 1969; Wolfgang & Ferracuti, 1967). Moreover, Wolfgang's contemporaries were not embarrassed to speak of the victim's role in crime causation. Donald Cressey (1954), protégé and heir of Edwin Sutherland, conceded that "antagonistic or irritating behavior on the part of the victim" often preceded a homicide incident. Edwin Schur (1957) remarked that conmen exploited the dishonesty of their marks (see, also, Sutherland, 1937; von Hentig, 1948), and he made another interesting and prescient observation: "a probable influence on victim behavior is risk-taking." Schur goes on: "businessmen are particularly likely marks," and their victimization may owe to "certain values of the business community which seem to underlie the trend to what [C. Wright] Mills (1956) terms a 'structural immorality.'" Crime scholars in the mid-20th century thus appeared to be neither prone

to a romanticized view of victims nor, it seemed, noticeably prejudiced against the topic itself.

At the same time, however, the consensus also appeared to be that victims and their offenders, more often than not, were unlike one another. Sykes and Matza (1957, p. 665) are but one example: “There is much evidence that juveniles often draw a sharp line between those who can be victimized and those who cannot. Certain social groups are not to be viewed as ‘fair game’...in general, the potential for victimization would seem to be a function of the social distance between the juvenile delinquent and others...‘don’t steal from friends’ or ‘don’t vandalize a church of your own faith.’” The leading theories of victims of that time took a similar line, with their categories often describing victims who did not resemble offenders (Schafer, 1968; von Hentig, 1948). Wolfgang’s work cast doubt on such ideas, suggesting that crime theories could profit from revisiting the matter. By the 1970s, large-scale data supplying the basic facts about victimization were becoming widely available. The first waves of the National Crime Survey—later the National Crime Victimization Survey (NCVS)—confirmed that victims and offenders resembled one another socially and demographically (Hindelang, Gottfredson, & Garofalo, 1978). Forty years ago, Wolfgang and Singer (1978, p. 379) would regard the future with cautious optimism: “theory building will probably come shortly.”

Criminology, for reasons that will become clear later, had other plans. Until the 1990s, one would have looked in vain for any meaningful mention of the victim in any of the leading theories of crime (Akers, Krohn, Lanza-Kaduce, & Radosevich, 1979; Braithwaite, 1990; Moffitt, 1992; Sampson & Laub, 1993; Thornberry, 1987).² The few theories of victims to have lasting importance developed independently (Cohen & Felson, 1979; Hindelang et al., 1978). Moreover, by the 1970s, political advocacy had seized control of scientific discourse and promoted an idealized image of the victim, often attacking anything contrary to this image as “victim-blaming” (Best, 1997; Felson, 1991; Meier & Miethe, 1993; Straus, 1999). Realizing the vast opportunities for knowledge being lost, Meier and Miethe (1993) would urge the integration of theories of victimization and offending. Their efforts to inspire criminology, like Wolfgang’s, were futile. The victim continues to play no obvious role in recent published work on theories of crime causation (e.g., Agnew, 2014; Wikstrom, Oberwittler, Treiber, & Hardie, 2012) and only relatively lately have any of the important crime theorists

made the effort to explain why victims and offenders are often the same people (e.g., Agnew, 2002). Crime theory textbooks barely mention victimization outside of their descriptions of routine activity theory (e.g., Akers, Sellers, & Jennings, 2016; Bernard, Snipes, Gerould, & Vold, 2015). Even a decade ago, the leading criminological journals attached low priority to work with any focus on victimization (Addington, 2008). If it turns out that one can logically derive all manner of testable claims from any given theory of crime concerning ideas of victimization and vulnerability, it becomes evident that criminology's priorities are not simply mistaken but in fact obstruct the ability of the field to assess the validity of the theories it has created. That is to say, however convincing a theory seems to be at explaining the offender, its inability to produce a believable explanation about victimization constitutes falsification of that theory.

Positivism, Substantive Positivism, and Choice

Theories of crime are more than simply lists of variables and causal arrows; they are logical systems. The advantage of treating theory as a logical system is that by working from its ideas or assumptions the scientist has a foundation for making sense of emerging facts, sorting which of these facts matter and which do not, and then developing meaningful original research questions. Since the late 1960s, with the advent of social control theory (Hirschi, 1969), the most pronounced theoretical fault line in criminology arguably has been between two logical systems: substantive positivism and choice (Akers, 1996; Hirschi, 1996; Kornhauser, 1978; Roshier, 1989). In this paper, we limit our focus to a contrast of these systems. In so doing, we acknowledge working within the definitions of these as presented in Hirschi and Gottfredson (1990). We further acknowledge that each logical system allows the theorist the creative freedom to explore many alternative points of emphasis, far more than we can develop here. Substantive positivism encompasses the theories of the social science disciplines, such as sociology, psychology, and biology, and we include integrated frameworks. Choice theory, for its part, includes deterrence theory, social disorganization theory, social control theory, routine activity theory, and self-control theory. For all this variety in the direction theorists can elect to go, logical systems nevertheless impose general rules for how one may approach the question of the victim. Put differently, as we will show, any assumptions a theorist makes about the offender immediately constrains what

that theorist might say about anything relating to the target and even the very nature of victimization.

Before describing the important assumptions of these systems, we first should distinguish positivism from substantive positivism. Positivism is a philosophy that advocates the techniques of natural science when conducting observation (Bryant, 1985). This perspective requires all who make factual claims to submit high quality positive observational proof. Positivism thus refers to the method of inquiry and, over the last half-century, scientific research would show that Wolfgang's findings were no accident of bad data. Offenders and victims clearly resembled each other everywhere one looked (Berg, 2012; Gottfredson, 1984; Hindelang et al., 1978). Those who self-reported much offending also tended to say they experienced a lot of victimization (Jensen & Brownfield, 1986; Lauritsen, Sampson, & Laub, 1991), and no reputable study has ever found anything other than a strong and positive relationship between an individual's offending and victimization (Lauritsen & Laub, 2007). Indeed, both phenomena appear to have identical correlates (Lauritsen, Laub, & Sampson, 1992). Positivism thus is responsible for the basic facts of victimization that, we will argue, valid theories of crime causation must also account for.

Positivism is supposed to give scientists the tools to adjudicate between rival theories, but, in criminology, it *became* a theory whose basic principles would dominate criminological thought thereafter (Laub & Sampson, 1991). *Substantive positivism*, as Hirschi and Gottfredson (1990) called it, was the extension of positivism to matters of theory creation and had originally developed as a reaction against defects in early versions of classical thought (Durkheim, 1982 [1895]; Roshier, 1989). Social scientists rejected the classical idea of hedonistic utility maximization as "unproven" and pre-scientific; properly conceived theory would instead begin with the assumption that people had no nature at all. Acceptance of this assumption forces the theorist to look for the causes of human action in phenomena that are outside the individual's control. Different behaviors implied different causes, thus urging criminologists to prefer separate theories for each discrete behavior—that is to say, substantive positivist criminology tended toward typological theories. While some of the more ambitious theories might focus on general causes of crime, more usually one will see theories of crime subtypes: violence among disadvantaged African Americans (Anderson, 1999), international differences in serious violence (Messner & Rosenfeld, 1994), white-collar crime (Sutherland,

Geis, & Goff, 1983), child abuse (Azar, 1991), intimate partner violence (Jewkes, 2002), simply to name a few. This assumption of differential causes also predisposes the criminological theorist to perceive victims as a separate group from their offenders (e.g., Schur, 1957; Sykes & Matza, 1957).

It is beyond our remit to summarize the criticisms against substantive positivism; however, we should note that in Hirschi and Gottfredson's (1990) view, thanks to its having appropriated the external features and jargon of science, the perspective benefits in that it appears attractive and reasonable. On the other hand, theories of offenders that conform to its assumptions pay a steep price in parsimony, accuracy, and overall usefulness (see, also, Kornhauser, 1978; Matza, 1964; Pfohl, 1994; Taylor, Walton, & Young, 1973). As we will show, these problems reappear with any attempt to employ the core assumptions of substantive positivism to understand ideas of victimization and the vulnerability. These assumptions, it turns out, make very clear why the victim has for so long been of so little scientific interest to the "positivist" crime theorist—as well as why only the offender, or the offender's motivation, can matter in the explanation of crime. We concede that such a position appears superficially attractive and reasonable, but this comes at the price of creating a logical trap that results in predictions about patterns of victimization and victim behavior that data generally do not confirm. This has serious consequences for the credibility of any such theories of crime, and exposes the speciousness of the sometimes vast evidence purportedly supporting them. We also found that theoretical integration, essentially a modern revival of substantive positivism, solves none of these problems.

Choice theories, by contrast, began as general theories of behavior that were applicable to any crime and, indeed, any action at all (Gottfredson, 2011). Choice theories perceive humans, whether they become victims or offenders, as active decision makers who are pursuing their own interests. That is, their actions are at all times understood as guided by the pursuit of advantage and avoidance of pain. The question the choice theorist attempts to answer is why something as seemingly advantageous as crime yet happens so infrequently, and so choice theories of crime therefore attempt to locate the most important restraints upon criminal action (Bentham, 1970 [1789]; Hirschi, 1969). We will show that it follows from the same assumptions that people are capable of independently reasoning what victimization means as well as its probable consequences. This awareness, in turn, incentivizes them

to act from time to time, very often successfully, to make the passing offender do something else. Choice theory also recognizes that the ability to manage exposure to victimization is nevertheless variable, and thus endorses an *idea of vulnerability* to account for when people must reconcile a desire for security with competing desires to engage in other advantageous action. That is to say, unlike in substantive positivist theories, victims are just as scientifically interesting to the choice theorist as offenders, and a choice theory of crime has little difficulty accounting for basic facts about victimization. In the following sections, we develop the connections between the theoretical assumptions of substantive positivism and choice, and show how these lead to distinct and testable ideas of victimization and vulnerability.

The Idea of Victimization

The Substantive Positivist View

An *idea of victimization* is implicit in all theories of crime. Building from the source assumptions of the theory in question, one can construct the essential qualities of victimization and whether or not humans have an instinctive desire and capacity to respond to victimization or its possibility—namely potential targets, offenders, or as a society. If the crime theorist can accept that humans will try to influence a potential offender's decision to act, and permit them to be successful, there would be convincing reason to include propositions about the target's role in crime causation alongside those that created the offender. There would also be a clear incentive for theorists to advocate research studying not just offenders but also the underlying reasons for target behavior.

We noted earlier that substantive positivist crime theories in fact are silent about victims, and have persistently ignored theory and research on victimization. The passage of more than six decades since Wolfgang's (1958) book is ample evidence that substantive positivist criminology lacks the internal motivation to include target and victim behaviors within its theories, or even to comprehend and value research on these topics. This lack of concern becomes less of a mystery after developing the assumptions behind substantive positivism. Recall that the perspective rejects human nature. A specific configuration of positive causes outside of the individual's control determines all behavior, including crime. It follows that the absence or an insufficiency of these causes would preclude the behavior in question. For instance, if socialization

is required to make one steal, its absence makes theft impossible. If we allow that targets and victims are also human, the theorist must assume that these lack a basic nature as well—otherwise, whatever nature they grant to the victim or a target must apply equally to the offender. One thus cannot admit that nature bestows upon people any particular attitude toward their own victimization, such as valuing their own lives (see, for instance, Sutherland, 1956, p. 20), because to do so instantly forces the same rules back upon the offender and thus fundamentally alters the theory. In a deterministic framework, such as one typically finds with substantive positivism, people cannot *independently* perceive relationships between phenomena, discern meaning or ideas from them, consult their own interests, and then act accordingly. The theorist has no choice but to rely on prior antecedents to explain how potential targets and victims think, act, and react. If a person's conception of victimization is thus caused, the meaning of "victimization" becomes dependent on exposure to these causes and becomes variable across individuals and groups.³ Victimization, like crime, becomes a matter of normative conflict. "Victimization," like "crime," becomes an arbitrary concept containing no inherent properties or meaning. Absent prior causes, people cannot define what is happening to them as victimization. Even when they can, absent a different combination of prior causes, targets would lack the capacity to undertake even the simplest and most accessible precautionary actions, like avoiding dangerous areas or people or hiding valuables. Put another way, the moment one accepts determinism as the basis for a theory of crime then one also accepts the view that the offender's targets have no natural defenses and victimization has no automatic consequences.

This understanding of victimization is not trivial, because it shapes the characterization of crime victims and ultimately the decision of the crime theorist to assign independent causal value to target behavior. Consistent with the notion that victimization varies in meaning across individuals and groups, substantive positivists were predisposed to look for (and find) crime victims who were indifferent to their own victimization. This is evident from some of the terminology encountered: e.g., "learned helplessness" and "false consciousness" (Gondolf & Fisher, 1988; Jost, 1995; Peterson & Seligman, 1983). The rare crime scholars who mention victims do not use such terms, but they appear to draw roughly similar inferences. Baumer, Horney, Felson, and Lauritsen (2003, p. 43), for instance, summarized Elijah Anderson's (1999) description of the robbery process in the inner city thus: "[the code of

the street] may *provide the victim with the background knowledge of 'how to get robbed'*; it may even allow him or her the presence of mind to *assist the assailant in this task*" (emphasis ours). That is to say, earlier socialization causes targets to conform to a script in which they are deferential to the robber's acquired need to display power. When substantive positivists mention target behavior, as here, there is often little sign that targets have any fundamental or consistent desire to oppose the offender. Theorists are thus free to simply disregard the target and proceed straight into the causes that produce the offender. As a result, as Gottfredson and Hirschi (2003) observed, substantive positivist theories assume that no explanation for criminal opportunity was needed because offenders made their own.

We believe that there are hidden dangers for substantive positivist theories of crime in embracing hard determinism (see Matza, 1964)⁴, fixating upon the offender, and leaving no explanatory room at all for the victim. The outsized importance given to motivational factors is what is responsible for the "embarrassment of riches" problem that David Matza (1964) had famously described, where the theorized social causes of crime affect so many people and yet fail to deliver much crime (see, also, Kornhauser, 1978). In this light, integrating a more developed *idea of victimization*—for instance, one in which the theorist accepts that everyone opposes their own victimization and that the resulting protective behavior limits the offender—would seem to be an attractive solution, since it suggests a constraint that might plausibly let the theory retreat into "soft determinism." Unfortunately, there are unintended but catastrophic logical problems. If one assumes that humans actually want to avoid harm to themselves, the theorist has introduced an aspect of human nature that he or she must now apply to the offender as well. This one modification ultimately forces the theorist to concede that both victims and offenders are reasoning and acting according to their self-interest rather than under the compulsion of some external prior antecedent. And accepting this position means prioritizing restraints over positive antecedent causes. If a crime theory allows that a potential victim's precautionary or defensive behavior can thwart an offender, it implies that something as simple and instantaneous as locking a door overcomes motivations acquired across years of socialization. It also suggests the possibility that, acting in the moment, offenders are more concerned with ease and convenience than social frustration or adherence to grand, if deviant, ideals. It also implies that the victim's decisions are deserving of attention, thus exposing theories that are

too preoccupied with offenders as misleading and likely to produce bad policy. Substantive positivism thus leaves the crime theorist with every reason to want to ignore the victim, leaving little reason to wonder why calls for integrating theories of crime and victimization have gone unheeded.

Substantive positivism also relieves the state from having any particular interest in the matter of the victimization of its members. By precluding victimization from any automatic harmful consequences except those brought about by exposure to prior antecedents, substantive positivism offers no compelling reason for policy makers to believe that the care of victims ought to be as much a priority as the punishment or treatment of offenders. Instead, as Kornhauser (1978, p. 45) sourly observed in her description of the cultural deviance perspective, “Each subgroup does not define as victims members of other groups... All are busy stealing everyone else blind. In violent crimes, each man’s hand is raised against his brother. Thus modern man avoids Hobbesian chaos: he joins the war of all against all; his culture endorses it. All are socialized to preserve the society to which they are bound by their common complicity in crime. *Thus disorder caused by culture is order, war is peace*” (emphasis ours). Victimization in substantive positivism is simply a feature of social organization, even evidence of cohesion, not a contributing factor to a defective or failing society.

The Choice Theory View

Choice theories, on the other hand, begin with the criminal act and, as we will show, are able to specify that victimization is an idea with inherent qualities and natural consequences. Thanks to the assumption of a hedonistic and calculating human nature, people can independently anticipate these consequences—whether they are the offender or a potential target—and act accordingly. Further, victimization becomes an idea with effects felt throughout society. Crime, to the choice theorist, has definite meaning, being an act of force or fraud committed by someone in the pursuit of self-interest (Gottfredson & Hirschi, 1990). This definition makes clear that the inducement to crime exists only for the offender. Implied in this definition is that crime is an interaction so one-sided that no human will voluntarily consent to being someone else’s victim, which is why offenders find it necessary to employ force or fraud to achieve their ends. One can develop from this the idea that victimization has distinctive and universal qualities,

materially shaping the actions of potential targets, would-be offenders, and broader society.

Whereas victimization has no meaning in substantive positivism, in choice theory its essential quality is that it is all pain, administered at the hands of someone else. This pain is instantly recognized by the recipient as illegitimate because it was not voluntary, had no valid cause, and because it produces no redeeming or foreseeable benefit. This pain, moreover, violates the right to one's own body and property, and so produces feelings of fear, danger, or uncertainty. Given that aversion to pain is natural among humans, we can infer that the dislike of being or becoming someone's victim is found everywhere. Adapting the sanctioning systems of Bentham (1970 [1789]), the perspective allows that the pains of victimization can be variable in type (physical, emotional, financial, social), degree (from trivial to lethal), and duration, but the fact that the offender had to resort to force or fraud exposes any claim that humans are inherently indifferent to their own victimization. Whether one acknowledges an incident using the word "victimization" is also irrelevant to this fundamental dislike, and neither does it matter to the victim whether such acts are officially legal or illegal, whether the person inflicting it is a loved one or not, and irrespective of culture or time period. Neither does acceptance of the fact of victimization, or later rationalization of an incident, imply that victims wanted it or would appreciate experiencing it again. Consistent with Feinberg (1984), the *idea of victimization* excludes voluntary acts of self-harm, or pretending or seeking injury for the sake of personal, economic, or political advantage. Also excluded are incidents of "passing unpleasantnesses" that only provoke hurt feelings, disgust, and anger but no tangible injury or feelings of fear, danger, or threat. Trivial affronts, while having validity as an interpersonal grievance, are soon forgotten among reasonable people.

Victimization is more than simply disliked. The hedonistic aspect of human nature suggests that people everywhere will act autonomously to try to avoid it just as they would any other painful thing, unless otherwise prevented. The inducements of safety-mindedness certainly seem to be compelling. Gottfredson and Hirschi's (1990) analysis of the nature of crime makes it clear that the pain of being a victim is far greater than the pleasure of being an offender. A murderer removes a pest, which is of trivial and ephemeral benefit, but the outcome for the victim is rather more serious and permanent. A burglar pawns goods for pennies on the dollar; however, the victim bears the cost of lost peace

of mind, repair of doors and furniture, and the cost of replacement of stolen property. This asymmetry suggests that there is strong natural incentive for humans to avoid becoming a victim. Indeed, one may go as far as to call this “self-preservation,” and infer that this tendency is not only present but also more powerful or consistent than the motivation to commit crime. This suggests why people leave lights on, put their valuables away, avoid dangerous areas, or lock doors far more often than they steal or hit others. Self-preservation means that, when a threat is detected or anticipated, *decision makers will, without the necessity of prior antecedents, see the value of trying to prevent, resist, or mitigate the possibility or impact of their own victimization. And they will do so up to the point they are constrained by the courses of action available or by competing notions of self-interest.*

The *idea of victimization* in choice theory also implies what effects being targeted will have on the victim and society. We noted above that feelings of fear, threat, and danger automatically follow from victimization. Evident in early classical theories (Beccaria, 1963 [1764]) is the notion that a natural byproduct of the threat and experience of victimization is diminished investment and participation in society, as interests suffer and people retreat to safety (e.g., Ferraro, 1995; Krulichová & Podana, 2018), in turn promoting Hobbesian chaos. Just as a rational and humane system of criminal laws is in the interest of society, *so too is the protection of its members and mitigating the effects of their victimization.*⁵ In recognition of this, choice theories are friendly to the idea that awareness of someone’s victimization causes other members of society to be concerned for the victim’s well-being. They will also worry about themselves, and desire to punish offenders and make them unwelcome. Applying this idea to individuals and their relationships, one thus arrives at social control theory (Hirschi, 1969; Sampson & Laub, 1993). On a larger scale, communities see victimization as a threat to prosperity and smoothly functioning interdependence and thus organize in part to facilitate keeping crime out (Sampson, Raudenbush, & Earls, 1997; Shaw & McKay, 1942). At the societal level, the state creates legislation and relevant institutions to protect its members (Beccaria, 1963 [1764]). The theorists explicating these conceptual schemes were concerned foremost with identifying the salient restraints upon the offender, so consideration of how these function to support the victim and preserve social trust naturally alters one’s view of these theories substantially. For instance, where there is debatable evidence that attempts to modify the criminal code can produce measurable deterrent

effects, widespread awareness of the enactment or execution of just criminal laws may nevertheless help reassure society that it is safe to continue collectively beneficial activity. Academic criminologists dispute the degree social bonds restrain crime (Hirschi, 1969; Hirschi & Gottfredson, 1995; Sampson & Laub, 1993), but the presence of reciprocal bonds of loyalty, trust, and affection—augmented by effective neighborhood organizations (Sampson et al., 1997)—may not only inspire mutually protective behavior (Schreck & Fisher, 2004; Schreck, Wright, & Miller, 2002) but help people manage fear and injuries from victimization. The supportive responsiveness of others to victimization preserves social relationships and feelings of collective efficacy. Conversely, society's failure to act effectively to restore confidence after victimization fosters political disaffection, fear, distrust of others, reduced economic output, poorer physical and mental health, greater expenditure of time and resources on protective behavior, and broken personal relationships. Unlike in substantive positivism, choice theory takes the position that victimization does not promote or represent an alternative expression of society; on the contrary, victimization is the destroyer of society.

The *idea of victimization*, in choice theory, has obvious implications for shaping the actions of the offender. Offenders also value self-preservation. For the offender, crime is only attractive when it brings clear and definite advantage or relief from pain at little risk or effort. Unlike in substantive positivist theory, where the offender boldly acts with cool assurance and indifference to danger and victims are barely a challenge, choice theory conceives that the would-be offender is often anxiously mindful of the intended victim and the perils of the immediate situation. Almost all of the time, a cursory assessment of the situation reveals that a crime committed now would probably be a terrible choice. Thanks to the target's actions and local circumstances, a successful crime would take far more effort and at far greater immediate risk for physical and legal danger than the offender finds worthwhile. The *idea of victimization* is useful because, since an amoral human nature implies that crime ought to be out of control, it helps solve Matza's (1964) embarrassment of riches problem without violating internal logical consistency. People want advantage, but, at the same time, self-preservation is advantageous. If opportunities for crime are too plentiful to quantify with accuracy (Gottfredson, 2011), so too are casual decisions people are inclined to make that substantially increase its difficulty, danger, and inconvenience. Crime instead happens in a moment of human

weakness for shortsighted judgment with temptation nearby, and with the unpleasant consequences seeming far off and unlikely. The actions of the victim in providing an opportunity for another person to give in to weakness are therefore obvious and of great theoretical interest to the choice theorist, and thus the *idea of victimization* seamlessly feeds into the *idea of vulnerability*.

The Idea of Vulnerability

The Substantive Positivist View

The *idea of vulnerability* is a theory's answer to the question about what inspires offenders to prefer some targets and not others, and is usually implicit rather than explicit. This idea speaks to what we might predict about the broader pattern of victimization, including whether victims and offenders are often the same people, and, if so, why. Although substantive positivism never openly acknowledges an *idea of vulnerability*, its theories nevertheless take a clear position on the meaning of vulnerability and the determination of who falls victim. Vulnerability to crime is commonly understood in academic criminology to mean the proximity of a desirable target to someone who is inclined to commit crime, who perceives that the tempting reward is within easy reach, and who then reasons that the crime is only minimally risky and getting away with it is likely. Substantive positivism, as we suggested above, must *reject* this definition with prejudice, as well as all related theories (e.g., Cohen & Felson, 1979; Hindelang et al., 1978; Miethe & Meier, 1990; Wilcox, Land, & Hunt, 2003). To endorse this definition suggests not only that the true cause of crime is more likely to be found in the immediate situation than distant motivational antecedents, it also implies a reasoning offender who must respond to such things as risk and difficulty. It also implies victims act in their own interest and offenders fear what potential targets are doing—an *idea of victimization* antithetical to that found in substantive positivism.

Substantive positivism's assumptions, as we will demonstrate, force us to simplify vulnerability down to the "motivated offender." *Whatever the theory says is the offender's motivation, there the victim will be.* That is, the very nature of motivation means that offenders are particular about whom they target, as required in the assumption of causal determinism. If wealth acquisition motivates the offender, only those with money are vulnerable and victimization data would reflect this.

Motivation, presumably, is sufficient to ensure the offender can find a way within striking distance of the target; substantive positivist theories usually gloss this issue, so one cannot be sure. In some cases, theorists solve this problem by making the required victims offer themselves up for predation. For instance, Schur (1957) never quite gives an explanation as to why businesspersons and their swindlers combine to interact in the first place; however, he implies that victims of con men are socialized to *seek out* their victimizers. Amir (1971) similarly posits in statement of obvious absurdity that some women seek their rapists out of a spirit of “rebellion.” Further, because the assumption of determinism makes anything like victim avoidance or defensive behavior theoretically uncertain, “guardianship” is never an issue for the offender, at least not for long. Redefining vulnerability to offender motivation means that if one can eliminate the causes that motivate the offender to commit crime, then the theorist can all but guarantee complete safety for potential victims. This is how targets become invulnerable in substantive positivism, not through their own defensive action.

Simplifying vulnerability in this manner, to where only the offender’s specific motivation is needed to give meaning to vulnerability, is not necessarily problematic for a crime theory provided the offender’s motivations produce victims such as those shown in victimization data. Unfortunately, this does not appear to be the case. Recall that we know that victims and offenders are often the same people (Lauritsen & Laub, 2007; Wolfgang, 1958). Offenders and victims share all the same correlates, for instance divorce, job loss, accidents, educational failure, and substance use. We present two case studies below as illustrations for how substantive positivism addresses the *idea of vulnerability*, and explain how their internal logic results in predictions inconsistent with the results of good research.

A Case Study: Cultural Deviance Theory. Sellin (1938) and Sutherland (1947) developed widely influential cultural accounts of rule breaking and for them the “justifications and rationale” for all acts of crime were products of group socialization. Any explanation of crime, in their view, must attend to differential exposure to norms in favor or against rule breaking. Part of the long-recognized appeal of the cultural deviance perspective lies in its description of society as coercively enforcing the values of the powerful upon the politically and socially marginal, which resonates with those friendly to social justice within criminology and sociology (e.g., Kornhauser, 1978; Taylor et al., 1973). Many victimologists also appear to endorse this perspective (Karmen,

2016). Cultural deviance theory begins with the assumption that there is no human nature. Whatever people do, even how they perceive reality, is wholly the product of their socialization. Cultural variability (in particular, notions of right and wrong) is infinite. Crime is thus a function of normative conflict, where the powerful formally define notions of right and wrong; however, informally, each subculture struggles to hold onto its identity. It is difficult to overstate the influence of these tenets on classic and contemporary criminological theory (Anderson, 1999; Haynie, 2001; Matsueda & Anderson, 1998; Steffensmeier & Allan, 1996; Sutherland, 1947; Wolfgang & Ferracuti, 1967).

The implications of cultural deviance for the offender are well understood. Offenders must positively learn to commit crime, thus committing crime in response to their socialization and the value the group assigns to certain actions. One can infer from this that a victim's precautions only matter to the degree that the offender has learned to define "precautionary behavior" as meaningful; offenders operate in their own reality, and accordingly are under no requirement to respond to victim actions in the expected way. We will return to this point in a moment. When we turn to the victim, it follows that the population of likely victims too will conform to their socialization. As Sutherland (1956) pointed out, some subcultures value life while others do not; self-preservation, fundamental to choice theories and the basis for precautionary behavior, is treated in cultural deviance theory as an "ethnocentric value" (Kornhauser, 1978, p. 36). Weis and Borges (1973, p. 81) echo this sentiment: "Rooted in the social structure which is characterized by male domination, the socialization processes of the male and the female act to mold women into victims and provide the procedure for legitimizing them in this role." Anderson (1999, p. 125), more recently, wrote "Assailant and victim must both know their roles... [the robber] wants to wield his power undisputed...nothing conveys this recognition better than the clear act of total deference." In these examples, people can be socialized through their culture to tamely accept criminal damage to their material interests and physical well-being.

In normal understanding, the ability to engage in precautionary behavior speaks to the *idea of vulnerability*. The internal logic of cultural deviance does not leave this impression; in fact, there is a much stronger impression that *whatever the target does, it does not matter*. Since offenders define reality as their culture does, not as the target intends, precautions have no meaning unless the offender was socialized in the first place to fear or respect them. Precautions, properly understood in

cultural deviance theory, are—like any symbol—infinite in their variety and all arbitrary as far as the criminal act is concerned. All victim action is therefore as meaningful or meaningless as the placement of a religious decal on a car in the belief that it will stop a thief from stealing it. That is to say, no one will see the point of locking the door unless the culture provides the appropriate socialization; however, none of it matters unless the offender was raised in a culture that taught its members to respect locks or decals more than automobile theft. Precautions and difficulties (guns, doors, savage dogs, concealment and avoidance, prayer) thus are all symbolic—the offender can and does simply disregard them. For example, Anderson (1999) is clear that the attacker who is motivated to engage in assault will proceed anyway, in spite of the victimization script requiring immediate resistance from the target and possibly lethal reprisal.⁶ “People often feel constrained not only to stand up and at least attempt to resist during an assault but also to ‘pay back’—to seek revenge—after a successful assault on their person...their very identity, their self-respect, and their honor are [at stake]” (Anderson 1999, p. 76). In this way, cultural deviance theory nullifies Cohen and Felson’s (1979) concept of guardianship beyond any hope of reconciliation. “Precautionary behavior” as such, in cultural deviance theory, is “culturally inappropriate” for stopping the offender. In order for precautionary behavior to have any possibility of achieving the intended effect, cultural deviance theory must presuppose so many normative coincidences that the attempt inevitably brings into stark relief Dennis Wrong’s (1961) criticism of its “oversocialized” human nature. Victim precautions or defensive behavior therefore cannot figure in the *idea of vulnerability*.

In cultural deviance theory, the offender is required to be the cause of crime and the offender’s motivation is what defines the *idea of vulnerability*.⁷ Offenders learn, from the subculture, to regard certain people or actions as necessitating a sequence of behaviors that the broader society calls “criminal.” Given the infinite variability of culture, specifically notions of right and wrong, across the world (Kornhauser, 1978), “vulnerability”—which really would be anything about a person that triggers the offender to act—thus can mean literally anything and may or may not have anything to do with the objective qualities of what a victim does or says. For instance, “Theoretically, victim precipitation of forcible rape means that in a particular situation *the behavior of the victim is interpreted by the offender as a direct invitation for sexual relations* or as a sign that she will be available ... if he will persist in

demanding it” (Amir, 1967, p. 493; emphasis ours). Menachem Amir, a student of Marvin Wolfgang who was applying his subcultural perspective to female rape victims, specifically means that rapists learn to react to certain traits of women, such as their gender, dress, reputation, or alcohol usage “... a particular situation” with forcible rape.⁸ That is, the offender selects victims based on some arbitrary criterion: gender, race, religion, membership in some outgroup, or a particular behavior defined as warranting a criminal response. Cultural deviance theory implies no consensus in laws or values, neither can there be consensus across the world or within complex societies about who offenders prefer to target and what aspects of a person’s actions constitutes “vulnerability.”

When we turn to the evidence, cultural deviance theory suggests patterns of victimization and victim behavior that the data do not support. Precautionary behavior, at least those that do not entail painful expense or inconvenience, is actually widespread (Meier & Miethe, 1993). Rates of victimization even among college students—whose age places them among those with the highest risk of victimization—suggest they are far more effective at avoiding victimization than not (Fisher, Sloan, Cullen, & Lu, 1998). When we turn to the victim–offender correlation, cultural deviance allows for the possibility *however, not as a basic fact*. Some cultural deviance theories postulate that offenders and victims can be the same people (at least in areas where reprisal is a norm; see Singer, 1981, 1986), but more usual is the assertion that offenders target members of out-groups (e.g., Anderson, 1999; Kornhauser, 1978; Sykes & Matza, 1957; Weis & Borges, 1973). Data in fact show that the correlation between victimization and offending persists everywhere around the world where there is sound information on victims and offenders (e.g., Lauritsen & Laub, 2007; Posick, 2013). Offenders and victims everywhere also appear to share the same correlates (e.g., Gottfredson, 1984; Lauritsen et al., 1992; Straus, 1999). While cultural diversity across the world is self-evident, basic patterns of victimization are more noteworthy for their consistency than their differences—indicating that differences of culture is not behind them.

A Case Study: Integrated Criminological Theory. Integrated theories were developed with the intention of moving criminology beyond what Hirschi (1989) had termed the “oppositional theoretical tradition,” where crime theories (usually strain, cultural deviance, and control theories) fought unproductively over logical assumptions—in fact, the very complaint that led to the creation of substantive positivism in the first place. Integrationists would instead revive what they believed were

the best aspects of substantive positivist open-mindedness by pitting the leading variables from each theory head to head, creating a new theory only from what survived. The theoretical integrationist would be more concerned about empirical adequacy and less bothered about logical controversies and disciplinary allegiance, in this way giving the appearance of fairness; however, in practice disciplinary allegiances and logical controversies stubbornly persisted (e.g., Elliott, Huizinga, & Ageton, 1985; see Hirschi, 1987). Critics alleged that “fairness,” to an integrationist, only meant impartiality toward the theories and ideas that substantive positivism had created and endorsed. Discredited substantive positivist theories thus received a level of solicitous treatment in integrated models that would not be extended to choice theories (Hirschi, 1979; Hirschi, 1989). That is to say, integration has to be understood as simply a reaffirmation of the longstanding tenets of substantive positivism. Since substantive positivism and theoretical integration share the same precepts, the pioneering integrationists did not consider the victim as something problematic for the offender—or even to consider victimization as an important correlate of crime (e.g., Elliott et al., 1985; Johnson, 1979; Thornberry, 1987). If they addressed the *idea of vulnerability* directly at all, they followed the usual substantive positivist protocol and defined it entirely in terms of the offender’s motives (e.g., Agnew, 2014). The offender, as before, is the true cause of crime—leaving integrated theories vulnerable to the same incorrect predictions noted earlier with cultural deviance theories, including being unable to anticipate or account for the correlation between victimization and offending or the existence of shared predictors.

On the other hand, a virtue of integrated theory is its supposed flexibility and open-mindedness. What is to stop someone from retrofitting an integrated theory to account for ideas of victimization and vulnerability? Robert Agnew’s (1992) general strain theory is the most important contemporary integrated theory and, to his great credit, he published a paper theorizing that victimization (or vicarious victimization) created negative affect, or strain, which could lead to crime (Agnew, 2002). His theory does not automatically preclude an *idea of victimization*. Although adopting a strain orientation, Agnew deeply infuses his theory with the choice perspective: offenders act when the benefits are high and the costs are low. He also grants people the ability to be responsive to pain, or “negative stimuli” (Agnew, 2007, 2012).⁹ All of this suggests that people have some capacity for independent reasoning, although the theory does not directly say this. The experience or threat

of victimization that brought on strain might thus lead to crime, but because of Agnew's decision to take the choice perspective seriously the theory seems to allow that victims or those who fear victimization can be inspired to cope with their strain by taking precautionary action instead. Moreover, if offenders attend to costs and benefits, as the theory claims, this would allow them to be deterred by such precautions.

To the degree that general strain theory endorses the precepts of choice theory, it avoids many of the pitfalls that considering victims would normally invoke; however, to the degree it adheres to substantive positivism it creates difficulties for itself. One of Hirschi and Gottfredson's (1990) criticisms of substantive positivism is the inability of its theories to distinguish between what are causes and what are effects. They wrote: "First, throughout the 20th century, evidence has accumulated that people who tend to lie, cheat, and steal also tend to hit other people; that the same people tend to drink, smoke, use drugs, wreck cars, desert their spouses, quit their jobs, and come late to class. Second, evidence has accumulated that differences in such tendencies across people are reasonably stable over the life course" (Hirschi & Gottfredson, 1990, p. 421). They also have a higher risk of becoming victims (Schreck, 1999). Choice theory, thanks to its internal logic, views tendencies for all of these things to happen in the same people as originating from low self-control (Gottfredson & Hirschi, 1990). Their correlations with offending are spurious. The integrationist, in contrast, only perceives variables and statistically significant correlations. Which are causes, which ones are effects? What multivariate coefficients are real and meaningful, and which ones are simply artifacts of differences in measurement (but that conceptually measure the same thing)? Relying on the presuppositions of substantive positivism, Agnew draws the appropriate conclusion that crime is the effect and other conditions correlated with crime must be a cause. Victimization is similarly relegated (Agnew, 2002).

Although this does superficially grant general strain theory the ability to "explain" the victimization-offending correlation, one of the basic facts all crime theory should account for, it introduces an unexpected problem. Namely, general strain theory is not capable of having an *idea of vulnerability*, at least not without producing a causal model of tortuous complexity. Recall that the correlates of crime and victimization are the same. Note, too, that general strain theory has systematically assimilated virtually every known correlate in order to explain crime—at least 80 variables by a recent count (see Felson & Eckert,

2018). While giving the illusion of an intellectually vital and compelling theory of crime, the humble victimologist is unfortunately left with *no* unique variables to explain why individuals became victims in the first place. General strain theory, left unmodified, finds itself predicting that victimization or vulnerability is random—or even *not caused* (recall that all distinct phenomena in substantive positivism have to possess unique causes). At this late date, such a hypothesis would encounter difficulty from the facts. It seems to us that the only recourse for general strain theory to save itself is to specify causal arrows going from every other variable (e.g., crime, divorce) *back* to victimization. This resolution seems to make sense, in light of the basic principles of the theory where the offender commits crime to cope with strain, implying that victims are targeted specifically with this motive in mind. By committing crime, the offender becomes a source of strain to others and thus a victim. If one can allow the inclusion of a causal arrow from offending back to victimization, one cannot stop there. After all, evidence shows that people who perform poorly in social interactions on a variety of dimensions are odious to others and get attacked (Tedeschi & Felson, 1994). And if one can do this, one must include arrows between each source of strain with the other sources. In this way, any attempt to develop the *idea of vulnerability* results in an exaggerated complexity that makes general strain theory indistinguishable from Thornberry's (1987) interactional theory. If one believes that the purpose of theory is to reduce complexity (Hirschi, 1989; Hirschi & Gottfredson, 2008; Lauritsen, 2005), general strain theory loses its value as a theory of crime. General strain theory is not unique in this problem, as it would apply to any integrated theory (e.g., Agnew, 2014; Bernard & Snipes, 1996; Elliott et al., 1985; Wikstrom et al., 2012) where no internal logic exists to allow the theorist to draw a line between causes and effects. Successfully accommodating ideas of victimization and vulnerability would first require that integrated theories become choice theories, making integrated theories redundant.

The Choice Theory View

As we did with substantive positivist theories, we begin deriving an *idea of vulnerability* in choice theory by working from its source assumptions and developing the perspective of the person contemplating the crime (Felson, 1994; Gottfredson & Hirschi, 1990). In choice theory, offenders want pleasure and to avoid pain. Crime is one of

many tools for achieving advantage, one that is simple and available to anyone, but in fact useful only in limited circumstances (Gottfredson & Hirschi, 1990). Simply put, offenders want to escape the scene of the crime and enjoy their rewards, and so are naturally responsive to the *idea of victimization* outlined earlier. Self-preservation is rarely far from the thoughts of would-be offenders, in that they try to anticipate how their actions might prompt resistance from targets, bystanders, and police. The common offender is not a martyr. Even if the opportunity for robbery presents itself, the prospect of not dying at the hands of the intended target or police does have its compensations. In this way, the offender is not forced to commit crime (Gottfredson, 2011), and indeed crime data show that offenders rarely do. Those persons who prioritize short-term advantage over long-term and uncertain negative consequences, which is to say those with low self-control, will tend to be the ones most susceptible when a superficial look reveals that the situation appears promising (Gottfredson & Hirschi, 1990). This means that offenders everywhere understand and respond to vulnerability intuitively, if not always accurately—it is *anything* about the victim and the setting that, from a quick glance, makes the task of committing crime seem easy enough and sufficiently rewarding, and that would make an attempt attractively risk-free.

Drawing from the *idea of victimization* presented earlier, one can reason that offenders are so rarely successful because the target—no less than the offender—wants pleasure and to avoid pain, and so does not want victimization. Nevertheless, evidence shows that people (1) have a variable and imperfect ability or willingness to anticipate offenders and take precautions reliably (e.g., Schreck, 1999), and (2) have to navigate settings, over which they have incomplete control, settings that sometimes will permit the offender to act with impunity (Clarke, 1995; Felson, 1994). Both elements comprise the *idea of vulnerability* in choice theory and are consistent with its assumptions. As they pursue their agendas, people can act upon their immediate settings in ways that influence their vulnerability; however, the setting also acts upon them. Turning to the choices of individual victims, pioneering work on victimization sometimes pushed in this direction. Hindelang and his colleagues (1978) acknowledged that some victims might provoke their offender or else cause their own vulnerability. Gottfredson (1984), reporting results from London data, would argue that both victimization and offending appeared to be consequences of weak social control (see, also, Lauritsen et al., 1992). Evidence from a Finnish study

of adolescents found that after accounting for selection, conceivably a proxy for decision-making, the association between routine activities and victimization was spurious (Felson, Savolainen, Berg, & Ellonen, 2013). These findings suggest a person's own internal decision calculus very much shapes the structure of their immediate environment.

Choice and Vulnerability

While there is much research on offender decision-making, some of which are classic (e.g. Cornish & Clarke, 1986; Felson, 1994), scholarship on the decisions potential *targets* make that result in some of them becoming victims is harder to find. The choice perspective, upon inspection, appears able to suggest a potentially rich theory that is consistent with current knowledge, while also making inferences future research could profitably examine and develop. As a start to this process, we here derive a basic picture of how such a theory might look.

In the choice perspective, safety from victimization is its own incentive. The question turns to why humans would fail to do their utmost to procure that safety. Choice theories in criminology are restraint theories, which suggests the answer to this question—namely, that some circumstance reduces the desire and ability of the individual to act with effectiveness or at all. Some, but not all, of these barriers reflect the necessity of having to triage limited personal resources. Others fall within the realm of individual choice, specifically the necessity of having to manage multiple competing interests and obligations. If we return to the idea that humans are governed by pain and pleasure, it would seem to follow that many actions that a dispassionate commentator believes could *optimally promote* safety may in fact not be all that pleasurable to the person actually facing the choice, and may contain their fair share of pain, inherent danger, or unacceptable sacrifice. Or, put differently, competing desires in the moment (having fun, doing things that feel good, not spending too much money) may seem more advantageous, especially if someone imperfectly grasps the consequences an action may set in motion. Choice theory thus suggests that why people do things that assist, alert, or provoke the offender rests in the fact that:

- (1) Such actions, in the moment, seem advantageous to the potential victim (they are gratifying or avoid pain); they represent otherwise rewarding activities (Lyng, 1990);

- (2) The risk of falling victim because of the action is not immediately obvious at the time, meaning it is not considered as a serious possibility until it is too late; some targets are ignorant of their danger or fail to adequately anticipate the risks; and
- (3) Even when the prospect of victimization is a recognized possibility, some people possess a self-serving faith that they have a uniquely excellent ability to manage the immediate situation and thus escape the costs (i.e., faith that the offender is less competent than they are). Therefore, they do not alter their current action as long as continuing it is gratifying; and
- (4) Many forms of precautionary behavior require sacrifice and offer little inherent gratification beyond peace of mind about an event that might but usually does not occur at some unknowable point in the future. Thus, the decision-maker will be less reliable at using those precautions when they become inconvenient, take effort, and that instill no other sense of enjoyment.

We can expand any of the four points above by adapting the general principles of certainty, swiftness, and severity, famously explicated by other choice theorists to understand crime (Beccaria, 1963 [1764]; Gottfredson & Hirschi, 1990). First—before, during, and after the crime—actions that produce immediate and obvious advantage for the target will be considered more pleasurable than those where the benefits are deferred into the future, are uncertain, or unseen. For instance, a person who feels safe in the moment will be less willing to sacrifice much in order to take precautions than one who feels that victimization is *certain*. A feeling of certainty of victimization tends to appear when people are uncomfortably aware of incivilities, disorder, or who have recently become victims (Ferraro, 1995; Rountree, 1998). Fear and experiences with victimization do correspond with extensive safety-minded behavior (Schreck, Berg, Fisher, & Wilcox, 2018). Certainty of victimization also may be at the heart of why someone in a bar may be more belligerent in a confrontation whenever friends are nearby. Disputatiousness is known to increase the chances of provoking attack (Felson, Berg, Rogers, & Krajewski, 2018), but the presence of protectors might make the antagonist believe that the certainty is less—and therefore continuing what appears to be a gratifying course of action. After the crime, there is rarely any certainty that contacting the police will result in the restoration of, for example, stolen property, thus explaining why most crimes go unreported. But, even if the police are

ineffective, people may report anyway simply to enjoy the *certain* benefits accruing from filing an insurance claim.

Second, the target is more likely to perceive the quickest (or *swiftest*), that is to say easiest, precautionary behaviors as more pleasurable than any requiring greater investment of time, resources, and effort. Doing nothing is the easiest choice of all; many people make this choice when they feel safe. This is why, from the standpoint of crime prevention policy, precautions that do not require the active cooperation of the target are to be preferred over those that do. For instance, automatically locking doors, automatic updates of computer security software.¹⁰ Otherwise, the more that precautionary or defensive behavior entails effort, risk, inconvenience, cost, or thought, the less inclined the target will be to see them as realistic or worthwhile. For example, moving to another neighborhood to avoid victimization is often a costly ordeal, and thus targets tend not to resort to it as often as they would to locking a door or altering routines. Even when altering a routine, choice theory suggests that people will tend to do so in a way that is least intrusive to their other interests.

Third, targets are inclined to make decisions that produce results that are *gratifying* in themselves. While locking a door is easy, the action is not inherently rewarding apart from a feeling of security. Contrast the door lock with defensive firearms, which can be repurposed for recreational use, offer social benefits (feelings of community with other owners), besides also producing feelings of power (Kleck, 1988). Gratification even plays a role during an incident. For instance, in an armed robbery where the offender has the initiative, the choice of compliance—if it offers the possibility of life and health—might appear more gratifying than fight or flight. In this way, the choice theorist does not see compliance as a role one is *socialized* to adopt for specific crime types (e.g., Anderson, 1999; Weis & Borges, 1973), but rather as a rational response to any situation where the target believes that attempted resistance or escape would be hopeless and dangerous. We have described here the roles of certainty, swiftness, and severity (gratification) in isolation; however, as should be evident from the examples, they very likely interact in ways that are complex—offering considerable scope for empirical research and theoretical development. For instance, firearms may be gratifying to own and carry for some, but choice theory suggests that others would be deterred to the degree they find them to be expensive, difficult to maintain or store safely, and dangerous. However

gratifying weapons and firearms may be, they are not easy for everyone to own; however, the more certain that violent victimization appears to be, the more willing people may be to incur such costs anyway (Schreck et al., 2018).

The classical ideas of certainty, swiftness, and severity imply that the failure to undertake precautionary behavior is as rational as the decision to be safety conscious. However, these considerations are influenced by human variability in the tendency to make judgment errors, especially the sort of errors in which a person *habitually* is unresponsive to reasonably foreseeable long-term consequences of immediate actions. For instance, theft of one's car is an obvious risk of leaving its doors unlocked and engine running while quickly stepping into a store. While the decision to leave one's car in such a state may reflect an accurate awareness of the area's safety, more often the overriding consideration is the desire to minimize hassle—and then hoping for the best. This tendency to make choices that consistently favor immediate and tangible gratifying action while ignoring long-term consequences is called low self-control (Gottfredson & Hirschi, 1990), and theory and research has linked low self-control to victimization as well as crime (Schreck, 1999; Turanovic & Pratt, 2019). Low self-control thus not only frees people to commit crime, but it makes criminal attempts upon them easier, less risky, and more rewarding for other offenders. Before an incident, low self-control makes immediately gratifying behavior more attractive, and makes the prospect of victimization appear less certain than it actually is (thus safety less important a consideration). Being less willing to take precautions does not mean that those with low self-control want victimization, but they will defer defensive action as far as they can into the future—quite possibly, the moment they realize they are in fact the intended target. That is, people with low self-control feel safer because they overestimate their ability to manage a potential offender in the immediate situation, while discounting the offender's opportunism and tendency only to act when the odds of success and escape appear favorable. As a result, precautionary behavior seems harder, more tedious, and pointless. Only precautions that are immediately gratifying, like carrying a weapon, have any attraction. During an incident, low self-control makes the target more likely to be injured; low self-control fosters the delusion that fight or flight is realistic when it is not. Afterward, low self-control makes the target less likely to learn from the incident and make appropriate safety-minded changes.

Low self-control is not the only cause of vulnerability, but the concept offers a parsimonious account for the victim–offender correlation. Since low self-control tends to result in decisions that are ultimately dangerous to physical health and future prospects and that are disruptive of relationships with others (e.g., Moffitt et al., 2011), besides being illegal, choice theory thus has no problem predicting that offenders and victims will share the same correlates. Both victims and offenders are more likely to feel no particular closeness to their parents (Hirschi, 1969; Lauritsen et al., 1992; Schreck et al., 2002). Like high rate offenders, repeat victims are more likely to catch communicable diseases and die prematurely (Pridemore & Berg, 2017). Victims and offenders are both more likely to have criminal friends (Haynie, 2001; Schreck, Fisher, & Miller, 2004). Both victims and offenders tend to spend time engaged in activity with peers away from adult supervision (Lauritsen et al., 1991; Osgood, Wilson, O'Malley, Bachman, & Johnston, 1996). Frequent victims and offenders also do not appear to learn from their previous mistakes, going on to further offending and victimization (Lauritsen & Quinet, 1995; Schreck, Stewart, & Fisher, 2006). Further, since vulnerability and criminality both emerge from low self-control, choice theory views offending and victimization as *spuriously* correlated. Victimization does not improve or worsen an offender's judgment (e.g., Schreck, Berg, Ousey, Stewart, & Miller, 2017; Schreck et al., 2006) any more than offending makes one better or worse at avoiding criminal predation. From the perspective of choice theory, placing victimization among the list of explanatory variables of crime is illegitimate.

The Setting and Vulnerability

The question now turns to those who nevertheless take all the precautions that their circumstances allow and yet become victims. Thanks to human nature, there is never perfect safety. Innocuous acts, as well as those essential for survival and prosperity, are calculated risks. All decision makers have to prioritize competing interests and otherwise uncontroversial choices—like leaving the house to go to work—can create windows of opportunity for offenders. For instance, burglars prefer empty homes (Cohen & Felson, 1979; Mayhew, 1987). The *idea of vulnerability* thus must acknowledge the innocent victim (e.g., Schreck, Stewart, & Osgood, 2008), people who commit no crimes and yet become victims. The choice perspective is therefore friendly to situational crime theories (e.g., Felson, 1994), as they share the same

assumptions but with the setting as the unit of analysis rather than the individual. Each setting has characteristics that influence the base-rate of risk. For instance, Poyner and Webb (1991) found that homes that faced each other directly from across the street, thus improving natural surveillance, had less burglary than those that were staggered. Non-criminals who live in a severely disadvantaged, high-crime area will tend to experience more victimization irrespective of their choices—a higher concentration of offenders makes the detection and exploitation of even momentary defects in precautions more likely—although offenders will experience still more (Stewart, Schreck, & Simons, 2006). Nevertheless, evidence shows that non-criminal residents will still try to minimize their exposure (Skogan & Maxfield, 1981; Teitelman et al., 2010). In neighborhoods with a smaller preponderance of people who endorse a code of honor organized around violent behavior, which would arguably have a higher preponderance of those with low self-control, victims are more likely to be non-offender victims (Berg, Stewart, Schreck, & Simons, 2012). In this way, the situation acts upon the individual just as the individual acts upon the situation (Gottfredson, 2011).

Conclusion

There can be little question that criminological theories have seldom treated victim action as a problem for the offender. The historical record is clear that empirical findings about the similarity of offenders and victims (Wolfgang, 1958) and their correlates (Hindelang et al., 1978; Lauritsen et al., 1992) made little impression on theorists. To explain crime, the reasoning goes, one simply needs to understand the antecedents responsible for producing the offender; by implication, the offender's target is scientifically uninteresting. Only belatedly has victimization begun to attract the attention of any of the leading crime theorists (e.g., Agnew, 2002), and here victimization was only of interest insofar as research repeatedly proved it to be powerfully correlated with crime (see Lauritsen & Laub, 2007). What produced this intellectual orthodoxy? There is little question that substantive positivism has had far-reaching influence on criminological theory and its development (Hirschi & Gottfredson, 1990; Laub & Sampson, 1991). The rejection of a human nature, and the consequent assumption of determinism, naturally favors the creation of theories that differentiate offenders and victims. Pioneering substantive positivists were not shy about saying so (Schur, 1957; Sykes & Matza, 1957). The emergence of victimology

as a field, and its concern with victim-blaming (Karmen, 2016), further reified this distinction.

Our view is that the intellectual orthodoxy that substantive positivism has fostered within criminology is mistaken, and that the victim and victimization represent topics of vital importance to the crime theorist. As it happens, every theory about offenders implies a corresponding theory of victimization. However much a crime theorist might insistently deny the victim, integrity to internal logic exposes such a position as false. A theory of crime specifies the meaning and consequences of victimization for humans and society (the *idea of victimization*). Any assertion a theory makes about the processes that produce an offender also defines the reasons offenders select some targets and take no action upon others (the *idea of vulnerability*). Both ideas flow logically from a theory's underlying assumptions about human nature. It follows from this that not only should crime theorists develop these ideas from their own theories going forward, but also that researchers should evaluate these theories according to their ability to accurately predict crucial facts concerning victimization. If a theory fails to make such predictions, or cannot even be made to do so (see, as one possible example, Blumstein, 1986), we believe that criminologists should treat that theory as falsified.

Substantive positivist theories, thanks to determinism, seem to us to take a clear position on victims: victims are not a problem for the offender. The choice perspective, which assumes that humans are rational and self-seeking, takes the opposite side: the offender will not act unless the target's behavior creates the incentive and offers confidence of success (which rarely happens). Indeed, the odds are usually so stacked against the offender that often, when they do act, they run away leaving their plans incomplete (see Perkins, Klaus, Bastian, & Cohen, 1996). The assumption of determinism, in substantive positivism, makes victims passive and defenseless by default. Choice theory, in contrast, thanks to its assumption of a hedonistic human nature, perceives people as active decision makers who in some fashion understand victimization well enough to want nothing to do with it. (The theory does not argue that their actions guarantee safety, only that they will take such action as seems best to them.) Substantive positivism, having enfeebled the victim, emphasizes only the offender and distant motivational causes. Choice theories, seeing both offenders and victims as active decision makers, considers both to be important and prioritizes the concrete realities of the immediate situation. In substantive positivism, victimization

has no inherently damaging effects on society, and instead it is simply an aspect of some forms of social organization. As far as victims go, those who rule society are free to take them or leave them. Choice theory takes the position that victimization is injurious to society, and that any society valuing its credibility will try to protect its members.

With respect to the *idea of vulnerability*, substantive positivism and choice theory again take contrary positions. In substantive positivist theories, understanding the offender's motivation is all that is necessary to ascertain who is vulnerable. Cultural deviance models provide the clearest contrast to choice theory, and here one can only conclude that precautions on the part of the victim are irrelevant to vulnerability unless, by chance, the offender defines some arbitrary symbol as an invitation to stop. Vulnerability becomes a function of offender motivation—in some cases, cultural norms require a person to attack someone of a higher social class, in other cases it can be some other trait. Cultural deviance models give the theorist no a priori expectation that victims and offenders will be the same people, and suggest that identification in each group requires different correlates; predictions victim data in fact refute. In choice theory, however, offenders everywhere want easy, certain, and immediate benefits and they are not especially choosy. Anyone in the moment who can supply these will be vulnerable. Vulnerability arises partly from the fact that routine decisions necessary simply to exist involve risks and sacrifices in security; sometimes, these are calculated. In this respect, choice theory allows for innocent victims—people who do not commit crime, who generally make minimally risky decisions, but become victims. Choice theory has no essential quarrel with situational crime theories where each setting presents a base level of victimization risk affecting everyone (Felson, 1994). Vulnerability also arises because people act upon their setting just as the setting acts upon them, and on occasion pursue gratifying behavior to the point they alert would-be offenders to their presence and simplify the risks and difficulty of a crime to manageable levels. Having low self-control does not mean that people want victimization, but it does mean that they are more likely to express such tendencies consistently and thereby become victims (Schreck, 1999). Since low self-control is of obvious relevance to crime (Gottfredson & Hirschi, 1990), choice theory thus accounts for the correlation between the two. Low self-control, in predicting all manner of injurious outcomes arising from bad judgment, also accounts for the shared substantive correlates of offending and victimization.

In light of the consistency between theoretical claims and what data show, we believe that choice theory represents the most promising direction forward. We, of course, did not examine the perspective of every major crime theory, such as those from biological or psychological positivism, the life course and developmental conceptual schemes, or theories with alternative conceptions of human nature from those we consider here (Agnew, 2014; Sampson & Laub, 2005; Tittle, 1995). If any perspective aligns with substantive positivism, we are skeptical that it can meaningfully contribute to new ideas of victimization and vulnerability.¹¹ Agnew's (2014) idea of altruistic social concern as an aspect of human nature, for instance, is intriguing in that it—on paper—moves his theory beyond substantive positivism or choice and into a different realm altogether. In our admittedly cursory estimation, however, the theory remains a straightforward integrated model. Social concern is cast in the causal diagram as an aspect of human nature that is acted upon by biological factors as well as traditional criminological concepts—effectively making human nature simply another variable. This notion of malleable human nature has also appeared elsewhere (e.g., Sampson & Laub, 2005). Like Cullen (2017), in his criticism of agency, we are not opposed to efforts to develop these lines and are interested in seeing where they lead; however, we are not sure that these perspectives would incorporate ideas of victimization and vulnerability more efficiently than other integrated crime theories, let alone choice theory. We also do not assert that our conception of victimization and vulnerability represent the final, definitive version even for the choice perspective. We do believe that useful progress will come from critics and researchers who are prepared to develop these ideas with the assumptions of choice theory in mind, rather than from those insisting choice theory make concessions to substantive positivism (Hirschi & Gottfredson, 2008).

Our object was to develop the implications of substantive positivism for ideas of victimization and vulnerability, and contrast these with those suggested by choice theory. In developing these ideas, we would remind readers of Kornhauser (1963), who wrote in her critique of criminological theory “it is not claimed that any particular theorist in either camp is necessarily aware of these assumptions; on the contrary, the views just outlined are almost entirely implicit rather than explicit” (quoted in Hirschi, 1996, pp. 251–252). Because intellectual orthodoxy is by definition pervasive, scholars simply accept its strictures without realizing it and so fail to reflect on the wisdom behind their reasons

for doing so. The fact that assumptions pass unnoticed does not mean they are not there and cannot be brought into the light. Hirschi (1996) went on:

[Kornhauser] thought it unnecessary to ask permission before listing the “logical presuppositions” of theories, and she said so... [Substantive positivist theorists], in contrast, would require that analysts restrict their attention to assumptions stated as such by the theorist as constituent, explicit elements of the theory. Which of these views is more likely to advance theoretical understanding of crime? On the evidence, it seems to me, Kornhauser’s perspective is decidedly superior. Armed with their ideas and assumptions, she can predict what...theorists will say before they say it.

This was our inspiration. Substantive positivists may see things differently from us, but now they will have to commit themselves to a clear position in print and give their reasons, exposing formerly unstated ideas and assumptions to scrutiny and, in so doing, advancing theoretical understanding and debate.¹²

Notes

- 1 The authors are grateful for the constructive comments from Frank Cullen, Marcus Felson, Michael Gottfredson, Steven Messner, Pamela Wilcox, and Lieven Pauwels. Please direct correspondence to Christopher J. Schreck (cjsgcj@rit.edu).
- 2 Wolfgang’s results on the similarity of victims and offenders only influenced the development of his own theory (see Amir, 1971; Singer, 1981, 1986). A rare exception to this pattern is the chapter on the nature of crime in Gottfredson and Hirschi’s (1990) *A General Theory of Crime*. Victims were not the central focus, but it is obvious that they saw victim actions as materially influencing the calculations of the offender.
- 3 That is to say, if victimization has no fixed or automatic meaning, it follows that a person or group conceivably might aspire to become, say, a murder or robbery victim (see, for instance, Amir, 1971). As further evidence, the substantive positivist definition of crime is logically consistent with what determinism implies about victimization. As one put it, “It is vain to seek the causes of crime, as such, anywhere and everywhere. Crime is a legal category. The only thing that is alike in all crimes is that they are alike violations of the law ... It has no inherent quality or property attaching to it” (MacIver, 1942, p. 88). Substantive positivists therefore built their theories of crime causation around explanatory variables (like culture, anomie, and strain) as they relate to the offender, antecedents that critics have noted to be far distant from the criminal act itself (Hirschi & Gottfredson, 1990; Matza, 1964). We noted at the beginning that the victim is a central participant in the events surrounding this very act. By thus

assuming crime possesses only arbitrary qualities, victimization becomes theoretically unimportant.

- 4 From Hirschi (1996): “Sutherland was so wedded to logical determinism that he reaffirmed his allegiance in the first sentence introducing his famous theory. ‘A scientific explanation consists of a description of the conditions which are always present when the phenomenon occurs and which are never present when the phenomenon does not occur.’” Enrico Ferri (1905), one of the founders of substantive positivism, saw the phenomenon of crime as akin to fixed physical laws: “The level of crime each year is determined by different conditions of the physical and social environment ... in accordance with a law, which, in analogy to the law of chemistry, I have called the law of criminal saturation. As a given volume of water at a definite temperature will dissolve a fixed quantity of chemical substance and not an atom more or less; so in a given social environment ... a fixed number of delicts, no more and no less, can be committed.” Arthur Schopenhauer (2012) could not have been more succinct: “Accordingly, the whole course of a man’s life, in all its incidents great and small, is as necessarily predetermined as the course of a clock.” If a criminological theory does not speak to the actions of the victim, and almost none do, it is because the theorist has no reason to think that the victim matters.
- 5 This does not mean that society will offer equal protection to all members, as political leaders will enact and enforce criminal laws as their understanding of personal and organizational advantage dictate. Politically and economically marginal groups thus may see political authorities prepared to tolerate criminal acts against them, such as historically with wife-beatings or lynchings; the further alienation from society of already marginal groups produces little cost for the politician. This is how choice theory might account for the well-known social construction of victimization phenomenon, where formerly tolerated actions become acknowledged as a societal concern and made illegal (Brownstein, 1994).
- 6 Note the contrast with the robbery script, noted earlier, in which targets behave very differently. Cultural deviance perspectives assume no consistency in responses to criminally injurious actions, which agrees with our point that the meaning of “victimization” to the victim in Anderson’s account is a product of exposure to socialization rather than any inherent quality common to all acts of victimization.
- 7 This is a somewhat more confusing point in cultural deviance theory. *Theoretically*, the offender (or the offender’s imagination) is always the cause. See, for instance, Weis and Borges’ (1973, p. 80) response to Amir’s (1971) claim that “In a way, the victim is always the cause.” But Amir is correct, too. From the perspective of the offender, in cultural deviance theory, something about the *victim* is always the cause.
- 8 One can see fundamentally similar ideas repeated under various guises even into the present—where offenders respond to perceptions (or, more accurately, delusions) brought on by prior socialization or happenstance exposure to social structures rather than objective realities (Grasmick, Tittle, Bursik, & Arneklev, 1993; Matsueda, Kreager, & Huizinga, 2006).
- 9 We here remind readers of our earlier comment how this seemingly innocuous concession to choice theory creates a logical problem that obviates the value of the remaining tenets of general strain theory—in particular, the assertion that offenders act when the source of strain is important to them. Assertions

such as these preclude an *idea of victimization*; the offender, once she has formed the intention to commit a crime thanks to this motivation is no longer constrained by any defense or difficulty. Offenders create their own opportunities (Gottfredson & Hirschi, 2003; Gottfredson & Hirschi, 2019). Put differently, as we will show, one can conceive of general strain theory as what a choice theory would look like after being burdened with unnecessary and misleading concepts.

- 10 The theory also would suggest that people who find precautions (automatic or otherwise) to be a source of delay, with respect to addressing what they understand to be more immediate concerns, might even go as far as to deactivate or circumvent them if they can. For instance, the idea of swiftness implies that someone who is using a smartphone can grow frustrated with lags from frequent automatic security subroutines or demands from the operating system to install updates.
- 11 For reasons of space, we also omitted macro-level explanations of crime, namely classic strain and social disorganization. Recent applications of strain models continue to fail to acknowledge an *idea of victimization* (e.g., Rosenfeld, 2017); in these accounts, social structure does not appear to affect or even inspire victim resistance. Ideas of victimization do have interesting implications. For instance, precautionary behavior might be considered a very compelling part of the cultural expression of legitimate means, or even a satisfying reason why most anomic persons choose conformity over crime. But, as Kornhauser (1978) wrote, the strain theorist likely cannot do so because shifting the focus of the offender from the benefits of crime to include the costs and difficulty would make strain models into control theories. Disorganization models, by contrast, imply that social structures exist, at least in part, to resist the activity of offenders. The question of ideas of victimization and vulnerability is worth exploring, since strain theories continue to retain currency (Agnew, Cullen, Burton Jr., Evans, & Dunaway, 1996; Burton Jr., Cullen, Evans, & Dunaway, 1994; Cullen & Messner, 1997; Messner & Rosenfeld, 1994).
- 12 The passage of time makes it difficult to fully appreciate Kornhauser's (1978) importance and the impact of her work on making theorists reconsider (or "clarify") the structure and assumptions of their theories. See, for instance, reactions her work has provoked (e.g., Akers, 1996; Bernard, 1984, 1987; Cullen, Wilcox, Sampson, & Dooley, 2015; Matsueda, 1988).

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