

The nature and role of morality in situational action theory

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Abstract

For situational action theory (SAT), morality is key to the definition of crime and the explanation for why and how acts of crime happen: acts of crime are acts of moral rule-breaking and personal morality guides individuals' *perception* of moral rule-breaking as an option *before* controls become relevant. However, the nature and role of morality in SAT can be misread. Within this article I respond to misinterpretations of the theory by elaborating and adding further context to the concept of morality in SAT. I contend that the root of misunderstanding is grounded in alternative assumptions regarding human nature: SAT assumes a fundamentally rule-guided human nature, whereas the prevailing view within criminology is that people are primarily self-interested. In this article I delineate SAT's assumption of a rule-guided human nature and set out how this assumption informs the definition of crime and personal morality in the theory. I further specify the nature and role of morality in the perception of action alternatives, and in so doing distinguish SAT from theories that view constraint as the measure of morality. Finally, I develop and clarify SAT's position on the relationship between morality and the law.

Keywords

Morality, situational action theory, moral rules, moral emotions, law

Introduction

Scholars have long been concerned with the role of morality in guiding people's behaviour and maintaining the social order. In particular, morality holds a significant place in the works of eminent sociologists such as Emile Durkheim (for example, Durkheim, 1961 [1925]) and Talcott Parsons (for example, Parsons, 1937a, 1937b). For instance, Durkheim emphasized the rule-guided nature of morality: 'there is an aspect common to all behavior that I ordinarily call moral. All such behavior conforms to pre-established

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rules' (Durkheim, 1961 [1925]: 23); moreover, he underscored the importance of (moral) rules and rule-following for the cultivation and maintenance of a cohesive and moral society (Durkheim, 1966 [1895], 1984 [1893]).

Yet, although morality held a central role in early sociology, the prominence of morality in sociological theory has declined in recent decades (Hitlin and Vaisey, 2010, 2013). Likewise, despite the longstanding attention that has been paid to the relationship between morality, human behaviour and the preservation of the social order, it is notable that morality does not play a prominent role in theories of crime (Bottoms, 2002; Wikström, 2010). It is certainly true that references to 'morality' can be found throughout criminological theory, which is hardly surprising considering that crime denotes behaviour that violates the rules of society, and thus violates values of what is conventionally regarded as 'good' or 'right' (for example, Hirschi, 1969; for a review of the role of morality in criminological theory, see, further, Barton-Crosby, 2018). Even proponents of the rational choice perspective, who have not traditionally devoted much time to understanding or establishing the nature of criminals, note that their 'original depiction of the offender was of an individual bereft of moral scruples' (Cornish and Clarke, 2008: 39). Furthermore, empirical research has pointed to the explanatory value that morality can bring to our understanding of crime (for example, Brauer and Tittle, 2016; Longshore et al., 2004; Paternoster and Simpson, 1996; Schoepfer and Piquero, 2006). Yet, it is also true that morality is seldom the *principal* explanatory variable within theories of crime (Antonaccio and Tittle, 2008; Boutellier, 2000; Silver and Abell, 2016; Wikström, 2010), often being 'bundled with other notions' (Tittle, 2007: 485). By contrast, situational action theory (SAT) regards moral rules and individual morality as central to the definition of crime and the explanation of criminal behaviour (Wikström, 2006, 2010; Wikström et al., 2012). According to SAT, acts of crime are acts of moral rule-breaking, and individual morality (personal moral rules and moral emotions) is central to understanding why a person *perceives* moral rule-breaking as an action alternative (a behavioural option) in response to motivation (Wikström, 2006). However, the nature and role of morality in SAT's definition and explanation of crime are sometimes misread.

Although it is not necessary for critics to agree with SAT's characterization of morality, it *is* necessary that both critics and advocates alike have an accurate understanding of the suppositions and theoretical constructs of SAT. To this end, the present article concentrates on delineating the nature and role of morality in SAT, focusing on three key issues. The first issue concerns underlying assumptions about human nature and how such assumptions have implications for how crime and morality are defined. Building on this distinction, I illustrate how divergent assumptions of human nature can translate into divergent perspectives on the nature and role of morality in criminological theory. The third issue concerns the relationship between morality and the law, with consideration of how the legitimacy of the law, along with the correspondence between personal moral rules of conduct and formal rules (that is, laws), influences people's tendency to follow or break the law.

Underlying assumptions about human nature: Self-interest vs. rule-guidance

Within criminology, the assumption of a self-interested human nature undergirds many theories of crime. Gottfredson and Hirschi's (1990) self-control theory of crime is

influenced by Jeremy Bentham's 'Principle of Utility', which contends that: 'Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*' (Bentham, 1970 [1789]: 11, emphasis in original). Correspondingly, Gottfredson and Hirschi (1990: 15) submit that acts of crime, defined as 'acts of force or fraud', are 'undertaken in the pursuit of self-interest'. For Gottfredson and Hirschi (1990), self-interest is a fundamental assumption of human nature and forms the key motivation for committing an 'act of force or fraud' (that is, crime). According to self-control theory, acts of crime provide an immediate source of pleasure, they are 'short-lived, immediately gratifying, easy, simple, and exciting' (Gottfredson and Hirschi, 1990: 14). Yet the immediate pleasure gained from acts of crime can be followed by significant pains, such as a lengthy prison sentence; therefore, those who commit acts of crime are viewed as being insensitive to the pains of crime (Gottfredson and Hirschi, 1990). However, and perhaps most importantly, offenders are considered to be lacking in the self-control required to constrain the (natural) impulse to engage in criminal behaviour (Gottfredson and Hirschi, 1990). Similarly, the Benthamian assumption of self-interest can be discerned from readings of 'opportunity theories' of crime. Indeed, Hirschi and Gottfredson (1990) identified both the rational choice perspective, advanced by Cornish and Clarke (for example, Clarke and Cornish, 1985; Cornish and Clarke, 2008), and routine activity theory (for example, Cohen and Felson, 1979; Felson and Cohen, 1980) as 'restraint' theories, which are therefore arguably built upon the same assumption of a self-interested human nature.¹

By contrast, SAT is based on the assumption that human actions are predominantly rule-guided rather than driven by self-interest (Wikström and Treiber, 2009, 2016). This position is grounded in the observation that humans appear to have a natural propensity to develop systems of rules to keep order in society (Wikström, 2010; Treiber, 2017a); indeed, rules of conduct, although varying in their content, have existed throughout human history (for example, Goode, 2015). Thus, the human inclination to follow rules is compatible with the rule-based organization of human society, whereas the view of humans as predominantly self-interested conflicts with our rule-based social order, as Wikström and Treiber (2016: 435) ask: 'why would we create a social structure at odds with our nature?' However, this does not mean that SAT completely refutes the role that self-interest may play in guiding human action (Wikström and Treiber, 2016). Rather, SAT submits that people are driven by self-interest *within the bounds* of their personal rules of conduct, namely the extent to which the self-interested action is in line with personal rules of what is right or wrong (Wikström and Treiber, 2016). A person may see and choose to carry out an action that is beneficial to him or her, but the process is guided by rules, not by self-interest. Thus, self-interested actions are still fundamentally rule guided.

The explanatory focus of situational action theory

The assumption of a rule-guided human nature and the observation of a rule-based social order inform how crime is defined within the SAT framework. Rather than defining crime by the various types of behaviour that can be categorized as acts of crime, SAT focuses on what all acts of crime have in common: they are all acts of (moral) rule-breaking. The law is a system of rules and, in the case of criminal law, it is a system of prescriptive rules of human conduct to which people are expected to conform (for example, Hart, 1994; Tyler and

Trinkner, 2017). Within the SAT framework, rules of conduct are defined as moral rules – they are rules about whether a particular action in a particular setting is right or wrong (for example, Wikström and Treiber, 2013). Moral rules can be informal rules guiding socially appropriate behaviour, such as social etiquette, and they can be formal rules, such as rules of law (Wikström, 2010, 2014; Wikström and Treiber, 2009). Therefore, ‘What defines acts of crime is thus not that they are particular types of actions but that they are *actions that breach rules of conduct* (defined in law)’ (Wikström, 2010: 217; emphasis in original).² Acts of theft, acts of illegal downloading, acts of rape and acts of violence against an intimate partner are all qualitatively different actions; however, they are all acts of formal rule-breaking (in most jurisdictions). Therefore, the emphasis of SAT is on explaining why people break the rules of law governing particular behaviours, *not* on explaining the behaviours themselves (Wikström et al., 2012). For example, in countries where corporal punishment of children is prohibited, SAT would focus on why a parent would use corporal punishment against his or her child when it is against the law to do so, rather than concentrate on explaining the act of physically punishing the child in and of itself. Why people break (moral) rules is the explanatory focus of the SAT framework.

The SAT framework also recognizes that the content of moral rules that guide acceptable behaviour varies between legal systems and between cultures, as well as across historical time periods (Curra, 2014; Goode, 2015; Haidt et al., 1993; Larcom, 2014; Phillipson, 1971; Wikström et al., 2012). Homosexual acts and acts of marital rape are often cited as examples of behaviours that have varied, and continue to vary, in their criminal status across jurisdictions (both within and between countries), as well as throughout history (see, for example, McGuire, 2004; Wikström et al., 2012). The behaviour remains the same, yet the *rules* prescribing whether the behaviour is criminal vary. Focusing on rules of conduct and explaining why people break (or follow) rules of conduct provides a way to define and analyse crime that transcends jurisdictional boundaries and historical time periods (Wikström, 2010; Wikström et al., 2012).

Recognizing that there is variation in what is considered to be right or wrong – rule-following or rule-breaking – aids our understanding and explanation of human behaviour and social order (Goode, 2016). However, such a position does not necessitate that all (moral) rules across time and jurisdictions are, or should be, viewed as being ‘equally valid’ as per strict normative relativism (Newman, 1976: 282). Further, Wikström (2010: 218) has stated that the argument advanced by SAT ‘should not be taken as a position of moral relativism’ whereby ‘any kind of moral rules are equally likely to emerge’. The universal presence of rules across human societies throughout history, and the observation that certain human behaviours (such as theft) are viewed as reprehensible across many cultures and time periods (Elster, 1989; Goode, 2016; Newman, 1976), authenticates the view that some behaviours are more likely to be guided by formal moral rules than others (Wikström, 2010). Thus, SAT should not be mistaken for a theory of moral or normative relativism.

Perception and constraint: Two divergent views on the role of morality

The assumption of human nature that underlies a theory of crime also translates into how crime is explained by the theory. Theories of crime that are guided by the assumption of

a fundamentally self-interested human nature have traditionally presumed that there is a natural human inclination to engage in crime – as Hirschi (1969: 34) famously stated (when seeking to understand why people commit acts of crime), ‘The question is, “Why don’t we do it?” There is much evidence that we would if we dared.’ Accordingly, these theories emphasize the necessity of external and/or internal controls to *constrain* the presumed natural human inclination to engage in crime (Britt and Rocque, 2016; Gottfredson and Hirschi, 1990; Hirschi, 1969; Hirschi and Gottfredson, 1990). This assumption is not restricted to criminological theory. For example, in the field of psychology, morality has been posited as the force that keeps the self-interested nature of human beings at bay: ‘virtue represents the use of self-control to overcome the impulses and appetites of the self’ (Baumeister and Exline, 1999: 1167). Viewed as self-interested yet social beings, it is argued that humans require moral rules to ensure the success of the social group; yet humans must also resist the natural instinct to be self-interested (Baumeister and Alghamdi, 2015; Baumeister and Exline, 1999; Haidt, 2008). From this perspective, self-control constrains ‘deviant’ morals and is thus a proxy for morality.

However, Goode (2015: 284) has suggested that control theories ‘take for granted the allure of deviance, crime, and delinquency’ and Wikström has repeatedly questioned the assumption that ‘we would if we dared’, arguing that we are not all equally motivated to commit crime, nor do we all have the same propensity to do so (for example, Wikström, 2006, 2010; Wikström et al., 2012). Within SAT, motivation is recognized to be differential: individuals *become* motivated to commit an act of crime (rule-breaking) rather than being in a constant state of motivation (Treiber, 2017a, 2017b). Further, writing from a biosocial perspective, Treiber (2017b) notes that findings of research exploring the biomechanics of motivation indicate that both social-interest and self-interest drive people’s motivations for behaviour; certainly, self-interest is by no means the dominant motivating force driving people’s behaviour (see, further, Treiber, 2017a: 96–9).

Although motivation is crucial to understanding the causes of people’s actions, motivation is not causation; rather, motivation instigates the processes of perception and choice that provide the causal explanation of crime in SAT (see, for example, Barton-Crosby and Hirtenlehner, 2020; Wikström, 2006, 2014). For SAT, morality is the individual-level construct that guides a person’s perception of (moral) behavioural options in response to motivation (Wikström, 2006). To knowingly break a moral rule (that is, to commit a crime) one must first see moral rule-breaking (criminal) behaviour as an action alternative (Wikström, 2006, 2010). It is only if a person perceives crime as an option that (internal and external) controls become relevant; more specifically, controls are only relevant if the individual perceives crime as one of a number of action alternatives and engages in a process of deliberative decision-making (Wikström and Treiber, 2007).

In line with psychological and neurological evidence regarding the dual-processing quality of human decision-making (for example, Bechara, 2004; Bechara et al., 2000; Kahneman, 2011; Ouellette and Wood, 1998; Sloman, 1996), SAT recognizes that both habitual and/or deliberative decision-making processes guide people’s choice of action alternatives (Treiber, 2011, 2014). Habitual choice occurs when the individual automatically perceives and chooses crime as the only action alternative – no other behavioural response is considered, and no deliberative decision-making process occurs (Treiber, 2011; Wikström and Treiber, 2007). By contrast, deliberate choice involves an active

decision-making process, which by definition requires choosing between at least two action alternatives (Treiber, 2011; Wikström, 2006).³ It is only during a process of deliberative decision-making that the influence of controls is relevant to SAT's explanation of criminal behaviour (for example, Wikström et al., 2012). Namely, self-control may encourage a person to choose a behavioural response that aligns with his or her personal moral rules of conduct, or external controls (such as the presence of a police officer) may deter criminal behaviour. However, if a person habitually and automatically perceives and engages in crime, or if crime is not perceived as an action alternative, then the relevance of controls is redundant (Wikström, 2010; Wikström and Treiber, 2007).

Similarly, in the legitimacy literature, Tyler (2009: 311) has observed that 'when people have values, such as legitimacy, risk calculations may become less relevant, or even irrelevant, to their behavioral calculations'. Further, Tyler (2009) has recommended a move away from traditional deterrence models of crime prevention in favour of a value-based approach, whereby people comply with the law because they believe it is the right thing to do.

Recognition of the conditional relevance of controls illustrates the fundamental difference between theories that assume a self-interested human nature that needs to be *constrained* and SAT, which assumes a fundamentally rule-guided human nature that influences *perception* of behavioural options. To understand why individuals commit acts of moral rule-breaking, we first need to understand why some people come to perceive moral rule-breaking as an action alternative and others do not, *before* controls become relevant (see Treiber, 2014: 194; Wikström, 2006: 81). The argument made by both Treiber (2014) and Wikström (2006) sets SAT apart from the status quo within criminology, namely the tendency of theoretical frameworks based on utilitarian principles of human behaviour to posit and focus on a deliberative decision-making process, without consideration of how or why a person gets to a position of choosing between action alternatives to begin with.

Yet Britt and Rocque (2016: 194) argued that SAT (and the role SAT places on morality) is in line with the assumptions of control theories of crime, stating that SAT's 'main proponents have tried to characterize it [SAT] as something other than a control theory, even though its foundation comes from decades of findings supportive of control theory'. Moreover, Britt and Rocque (2016: 185) equate morality with an internal source of control 'that inhibits criminal acts from being committed'. These assertions indicate a misreading of SAT.

First, SAT is not a control theory. SAT's key assumption regarding the rule-guided nature of human action is fundamentally different from the assumption of self-interest that underlies the suppositions of control theories. These divergent assumptions translate into the broad explanatory focus of the respective theoretical perspective: understanding either what stops people from offending (assumption of self-interest) or what moves people to perceive offending as an action alternative (assumption of rule-guidance). Second, the role of morality in SAT is not to inhibit criminal proclivities but rather is to guide a person's perception of action alternatives (Wikström, 2006). The word 'inhibit' is synonymous with 'constraint'; therefore, to say that, within the framework of SAT, morality inhibits crime suggests that morality works to constrain the inclination towards crime. This is a misreading of the role of morality in SAT. For SAT, morality is (part of)

what determines a person's inclination *towards* crime, not what controls (constrains) it. Before considering how people make choices about behaviour or how they may constrain themselves from engaging in rule-breaking behaviour, it is logical to first examine 'why individuals see certain (and not other) action alternatives in the first place' (Wikström, 2006: 81, emphasis in original). For SAT, personal morality (personal moral rules and moral emotions) is the key to answering this question.

The nature of morality in situational action theory: Personal moral rules and moral emotions

Personal morality is arguably the most important individual-level variable in SAT's explanation for why people commit acts of moral rule-breaking (Wikström and Treiber, 2007). Therefore, in clarifying the nature of morality in SAT it is prudent to provide an explication of this central construct.

SAT posits that individuals hold a set of personal moral rules that guide perception of rule-breaking (or rule-following) as a behavioural response (an action alternative) to a particular motivating force (that is, provocation or temptation; see Barton-Crosby, 2018; Barton-Crosby and Hirtenlehner, 2020; Wikström, 2006; Wikström et al., 2012). Individual moral rules are personal 'value-based rules about what is the right or wrong thing to do (or not to do) in particular circumstances' (Wikström, 2014: 76). It is of note that SAT considers personal moral rules to be value based. Namely, the personal moral rules that guide how right or wrong a person considers particular behaviours to be will be influenced by his or her personal moral values (Wikström et al., 2012). For example, a person may hold the personal moral rule that it is wrong to steal from a shop; however, the person may consider stealing food to feed a family to be less wrong than stealing clothes or cosmetics for excitement. Alternatively, another person may consider both reasons for shoplifting to be equally valid, whereas another person could feel that theft in any circumstances is wrong.

Individuals' personal moral rules are acquired via the psychosocial process of moral education (Wikström and Treiber, 2019). Namely, the moral values of the individuals (for example, family members and peers) and the institutions (for example, schools and religious institutions) that a person is exposed to and interacts with during development will influence the construction of the moral rules that guide his or her behaviour. Thus, it is pertinent to recognize that the content of personal moral rules will be influenced by the contexts in which a person develops and spends his or her time (Wikström, 2005; Wikström and Treiber, 2019). As a result of different developmental experiences, individuals will vary in the content of their personal moral rules and how important they consider adherence to formal rules of conduct to be. Moreover, according to SAT, people develop personal moral rules that are specific to particular categories of behaviour, such as shoplifting (Hirtenlehner and Hardie, 2016) or the use of violence against a partner (Barton-Crosby, 2018). For example, if an individual believes that it is wrong to use violence against a partner, he or she is unlikely to perceive violence as an action alternative during an argument with a partner and violate the formal rules that prohibit acts of partner violence. Thus, the greater the correspondence between an individual's personal

moral rules of conduct and the formal rules of law, the greater the person's propensity to follow the rules of law will be (Wikström, 2014; Wikström et al., 2012).

An individual's propensity to follow rules can be understood in terms of a trait-like quality that is relatively stable over time (Wikström et al., 2012), and which the individual brings with him or her to a situation. At the situational level, the features of a setting interact with the individual's rule-following propensity to evoke a state-like morality that guides the individual's perception of action alternatives (behavioural responses). It is assumed that a person with a weak propensity to follow rules is more likely than a person with a strong propensity to follow rules to perceive crime as an action alternative in response to a situational temptation or provocation. Thus, the trait-like quality of SAT's construct of personal moral rules acts as a proxy for how likely people are to engage in rule-breaking (criminal) behaviour. Indeed, research using the theoretical framework of SAT (utilizing measures of morality compatible with SAT's definition of personal moral rules) has consistently found that having weak personal moral rules (that is, not thinking it is particularly wrong to break certain informal and formal rules of conduct) is predictive of higher crime involvement (Hirtenlehner and Kunz, 2016; Pauwels et al., 2011; Svensson, 2015; Svensson et al., 2010). For example, with a sample of Swedish adolescent school children, Svensson (2015) found that weak personal moral rules significantly predicted more frequent self-reported offending. Hirtenlehner and Kunz (2016) used a sample of German citizens aged between 50 and 80 years to test whether key propositions of SAT could be generalized to explain offending behaviour in older adults. Using a variety score of offending as the dependent variable, Hirtenlehner and Kunz (2016) found that weaker personal moral rules predicted more versatility in offending.

In addition to value-based personal moral rules of conduct, SAT submits that a person's tendency to adhere to moral rules is influenced by the moral emotions associated with moral rule-breaking (Wikström, 2010; Wikström et al., 2012). Moral emotions have an inherently prosocial function: they serve to encourage 'good' behaviour and deter 'bad' behaviour, and, in so doing, moral emotions are integral to the moral and social order of society (Haidt, 2003). There are a variety of different moral emotions, which Haidt (2003: 855) categorized into four 'families': the 'other-condemning' family, comprised of anger, disgust and contempt; the 'self-conscious' family, comprised of guilt, shame and embarrassment; the 'other-praising' family of which gratitude and elevation are members; and the 'other-suffering' family, which represents the single moral emotion of compassion. Of the moral emotion families, it is recognized that the self-conscious moral emotions, particularly guilt and shame, play an important role in people's tendency to follow rules and to behave morally (for example, Eisenberg, 2000; Haidt, 2003; Tangney et al., 2007). It follows that guilt and shame are incorporated into SAT's construct of morality and are posited to influence how strongly one feels about following or breaking moral rules (Wikström et al., 2012).

Despite guilt and shame often being conflated, they are distinct moral emotions (although they are often experienced simultaneously – Eisenberg, 2000). Broadly defined, guilt is a negative emotion about an action, whereas shame is a negative emotion about the self (Dearing et al., 2005; Eisenberg, 2000; Haidt, 2003; Tangney et al., 2007). Further, guilt is a private emotion that occurs when a person carries out a behaviour that violates moral rules

of society (that is, norms of behaviour), whereas shame is a public emotion that a person experiences when they engage in a behaviour that violates their personal moral rules and wider moral rules of society (Haidt, 2003; Smith et al., 2002; Svensson et al., 2013; Tangney et al., 2007). Thus, shame represents real or anticipated 'public exposure and disapproval' (Tangney et al., 2007: 348) and evokes negative feelings about the self, whereas guilt is a more private concern with one's behaviour (Tangney et al., 2007; Wikström et al., 2012). Consequently, shame is commonly considered to be a far more painful and harmful emotion than guilt (Eisenberg, 2000; Haidt, 2003; Tangney et al., 2007).

The focus within criminology has been on the moral emotions of guilt and shame and their influence on criminal behaviour (Tibbetts, 2014; Van Gelder, 2017). The self-conscious moral emotions of guilt and shame are defined as anticipated moral emotions (for example, Van Gelder, 2017). Anticipated moral emotions are the 'future-oriented' emotions that a person anticipates he or she would experience in relation to a particular action or event and they differ from anticipatory emotions, which are immediate and experienced during a process of decision-making (Baumgartner et al., 2008; Van Gelder, 2017; Van Gelder et al., 2014). Thus, from the perspective of criminal decision-making, the anticipated feelings of guilt and shame represent predictions about how the person would feel if he or she committed an act of crime, but are not experienced during the decision-making process, whereas anticipatory emotions (for example, anger or fear) are experienced during the process of decision-making (Van Gelder, 2017).

Research has shown that higher levels of anticipated guilt and/or shame are negatively related to offending behaviour. For example, Grasmick and Bursik (1990) found that, in a random sample of American adults, anticipated feelings of guilt were negatively associated with intentions to commit three types of crime (cheating on taxes, theft, and driving under the influence of alcohol). In a cross-national analysis of English and Swedish adolescents, Wikström and Svensson (2008) found that, in both countries, low levels of anticipated shame predicted elevated levels of violence (see also, for example, Grasmick et al., 1991; Nagin and Paternoster, 1993; Olthof, 2012; Rebellon et al., 2010; Svensson et al., 2013).

However, it should be noted that, whereas criminological studies that have utilized measures of anticipated guilt and shame have found a negative relationship between moral emotions and offending, psychologically based research using measures of proneness to guilt and shame have indicated that guilt and shame have a varying influence on offending behaviour (Tibbetts, 2003). Specifically, whereas guilt-proneness continues to have a negative relationship with offending, shame-proneness has been found to encourage maladaptive and criminal behaviour (for example, Dearing et al., 2005; Tangney et al., 2014; Tibbetts, 2003). For instance, Dearing and colleagues (2005) found that, in both jail inmates and college undergraduates, increased shame-proneness was associated with increased drug and alcohol misuse, whereas guilt-proneness was negatively associated with substance misuse. Thus, whether shame-proneness or anticipated shame are measured in research studies has an impact on whether results show that shame encourages or discourages criminal and maladaptive behaviour. To this point, Tibbetts (1997) showed that, in a college sample, anticipated shame had a negative relationship with intentions to offend, whereas shame-proneness was positively associated with intentions to offend.

Much of the research on the association between (anticipated) moral emotions and criminal behaviour has examined the relationship from the vantagepoint of rational choice or control theories, theoretically situating moral emotions as a factor relevant to the inhibition of criminal actions (for example, Grasmick and Bursik, 1990; Nagin and Paternoster, 1993; Tibbetts, 1997). By contrast, because guilt and shame form part of the general construct of individual morality in the SAT framework (Wikström et al., 2012), moral emotions arguably contribute to a person's propensity to perceive crime as an action alternative. Thus, rather than constraining criminal behaviour, moral emotions work (primarily) with personal moral rules to filter people's *perception* of rule-following or rule-breaking action alternatives. It can be posited that, if a person thinks it is wrong to break a particular rule and anticipates that he or she would feel guilt and/or shame if he or she did break the rule, it is unlikely that rule-breaking will be perceived as an action alternative (Wikström et al., 2012). However, there is a paucity of empirical SAT literature that has examined the combined influence of personal moral rules and moral emotions on offending. One key exception is a study by Trivedi-Bateman (2019). Using data from the Peterborough Adolescent and Young Adult Development Study (PADS+), Trivedi-Bateman (2019) found a significant statistical interaction between personal moral rules and a composite measure of anticipated guilt and shame, whereby individuals with weak moral rules and low levels of anticipated shame and guilt were most likely to commit acts of violent crime.

Correspondence between morality and the law

Definitions of morality and moral action can vary (see Haidt, 2008; Hitlin and Vaisey, 2010), but it is generally agreed that morality or moral behaviour can pertain to 'concepts like good and bad, right and wrong . . . and to evaluate the status of a particular action or practice in that domain' (Hitlin and Vaisey, 2010: 5). Within the context of SAT, morality refers to how right or wrong a person thinks it is to break (moral) rules of conduct and the associated guilt and/or shame that the person anticipates he or she would experience for breaking the rules. Further, although SAT's construct of personal morality centres on the tendency to follow or break rules, this tendency is determined by the strength of personal values about what is right or wrong (Wikström et al., 2012).

Although SAT defines acts of crime as acts of moral rule-breaking and ascribes an important role to personal morality (an individual's propensity to be rule-following) in the explanation of crime, SAT is not a 'moralistic' theory of crime (Wikström, 2010: 218). Defining acts of crime as acts that break formal moral rules of a given jurisdiction does not require SAT to take a position on whether individuals are immoral or virtuous as a result of their actions or inactions (Wikström, 2006, 2010, 2017), nor does it necessitate SAT to take a position on the virtue of the moral rules that shape the law (Wikström et al., 2012). What is law and what is moral are not necessarily one and the same, and in some instances there are laws that are considered (by some at least) to be morally reprehensible (Hart, 1958). A salient and highly contentious example is that of the law, and the morality of the law, governing abortion. Although abortion may be legal in particular jurisdictions (when performed by a medical professional who carries out the procedure within the bounds of the rules governing abortion), the act of abortion and the law that

permits abortion are considered immoral by some. This example illustrates that, although there is often correspondence between the law and morality, the morality of the law is not necessarily and unanimously agreed upon by all; this fact is recognized by SAT.

The perceived immorality or unfair nature of the law is undoubtedly part of the explanation for why some people break the law and/or the reason that some laws are changed (such as laws regarding marital rape, homosexual acts, and gender and race equality; Bottoms, 2002; Wikström, 2010, 2017). People are more likely to accept and to voluntarily follow the law if they view the law and the criminal justice system to be legitimate (Tyler, 2006; Tyler and Trinkner, 2017). A legitimate system of law (or any authority or institution) is one whose authority is regarded as ‘appropriate and proper’ (Tyler, 2006: 393) and that people believe should be deferred to and feel the obligation to obey (Fagan, 2008; Sunshine and Tyler, 2003; Tyler, 2006). Further, an individual’s belief in the legitimacy of the law is influenced by his or her perception of the fairness of decision-making and treatment by legal authorities (such as the police; Fagan, 2008; Sunshine and Tyler, 2003; Tyler, 2006, 2009). When individuals perceive the law to be unfair and/or believe that the criminal justice system treats people unequally and without respect, they can develop a cynical view of legal authorities (Gau, 2015; Trinkner and Cohn, 2014), which has been found to predict increased levels of offending (Reisig et al., 2011) and rule violation (Trinkner and Cohn, 2014). Thus, the perceived legitimacy and fairness of the law are important factors in understanding why people comply with the law. Indeed, where individuals view the law to be lacking in legitimacy and fairness, they are more likely to consider breaking the law to be the right thing to do (Piquero et al., 2005). In such instances it can be argued that there is a lack of correspondence between the rules of law and individual moral values.

Thus, compliance with the law is most likely when the law is viewed as legitimate and when the rules of law align with personal moral values; likewise, the law is regarded as more legitimate when it corresponds with personal moral values (Tyler, 2006, 2009). In line with the legitimacy literature, a fundamental principle of SAT that underlies the explanation for why people break the law is the ‘principle of moral correspondence’ (Wikström, 2010, 2014; Wikström et al., 2012). Where an individual’s personal moral rules are in line with formal moral rules of conduct (that is, laws), law-breaking is unlikely to occur; conversely, when there is a lack of correspondence between personal moral rules and formal moral rules of conduct, crime is more likely to happen (Wikström et al., 2012). Thus, the level of correspondence between personal moral rules and formal moral rules is central to explaining why some people are more likely than others to perceive moral rule-breaking (such as acts of crime) as a viable action alternative.

Conclusion

My aim throughout this article has been to elaborate and add further context to the construct of morality in SAT and to delineate the role of morality in the theory’s explanation of crime. I have demonstrated that, whereas the assumption of a self-interested human nature can be identified in readings of the major theories of crime (that is, control and opportunity theories), SAT is grounded in the assumption of a rule-guided human nature. The significance and influence of this assumption can subsequently be seen in how crime is defined in the theory, how the nature and role of personal morality in individuals’

crime propensity is specified, and thus *how* morality is posited to contribute to the explanation of crime in the SAT framework. Morality is key to understanding individuals' proclivity for rule-breaking and, crucially, the fundamental reason for people's compliance with the law is that their moral rules of conduct align with the rules of the law, and thus they do not *perceive* rule-breaking as a viable action alternative. The importance placed by SAT on moral values over the role of controls aligns with the value-based approach to compliance found in the legitimacy and procedural justice literature. I believe that future criminological research on the causes of crime would benefit from integrating theoretical insights from the SAT and legitimacy literatures.

Author's note

I am currently a senior crime and justice researcher at NatCen Social Research, London, UK. The content of this article is adapted from a chapter of my PhD dissertation, which was undertaken at the University of Cambridge, UK.

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Notes

1. Elements of a rational choice perspective, namely the calculation of anticipated costs and rewards of behaviour, also underlie Akers' social learning theory of crime (see Akers, 1990).
2. Although criminologists recognize that acts of crime break rules (for example, Matza, 1964), this element of crime is typically absent from criminological definitions of crime, and the analytical focus of these criminological theories is not *why* people break rules but *why* people engage in particular types of behaviour, such as 'acts of force or fraud' as per Gottfredson and Hirschi (1990).
3. It is recognized that decision-making can often involve both habitual and deliberate decision-making processes, yet 'many [actions] will be predominantly habitual or deliberative' (Wikström, 2009: 254; see, further, Treiber, 2011: 223–4).

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