Introduction

Creativity is almost universally admired. And rightly so. It is a source
of growth and renewal at the individual and social level and introduces
positive change in spiritual, artistic, scientific, technological, economic,
industrial, and other domains. Unfortunately, however, the psychological
processes and personal properties that are active in the generation of effec-
tive novelty (i.e., in creativity) are capable of being applied not just for
positive purposes, but also to achieve negative goals such as gaining unfair
advantage, manipulating the system, avoiding responsibilities, or domi-
nating other people. One such negative application of creativity is seen in
crime, where perpetrators generate effective novel techniques to achieve
statutorily prohibited ends.

Crime now represents 3.6 per cent of the world's gross domestic prod-
uct and is one of the top twenty global economies. Even if it only occupies
twentieth position, this still means that the crime economy is bigger than
those of Saudi Arabia, Belgium, Norway, or South Africa, to give a few
examples.[1] Most interesting for the present book, however, is not the *quan-
titative* issue of the sheer size of the crime economy, but its *quality*: accord-
ing to a speech of Principal Deputy Assistant Secretary Brian Nichols of
the US Bureau of International Narcotics and Law-enforcement Affairs,
criminals are showing considerable *adaptability*. Nichols linked crime and
terrorism directly, and concluded that terrorists are becoming criminal
entrepreneurs. Thus, crime is not only very big business but commentators
are beginning to write about it in terms more usually used in discussions
of creativity.[2]

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[1] These figures are taken from a speech at a meeting of the Commission on Crime Prevention and
Criminal Justice (CCPCJ) in Vienna on 23 April 2012, by Yury Fedotov, head of the UN Office on
Drugs and Crime (UNODC).

[2] Both these speeches were downloaded from www.huffingtonpost.com/2012/04/23/crime-
business-united-nations_n_1445742.html?ref=business on 24 April 2012.

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Creativity involves the generation of novelty in order to achieve goals that are in some way relevant and useful for the purposes of the person or persons generating the novelty (see Chapters 3 and 4 for a much more detailed discussion). Crime involves the deliberate commission of statutorily prohibited acts in order to achieve the purposes of the person committing the acts, usually without consideration for the consequences for other people and sometimes with deliberate malice (as in the case of terrorism). Crime and creativity fuse when – to put the matter simply – people generate useful and effective novelty in order to make their statutorily prohibited actions serve their illegal purposes better.[3] This book is not concerned with random violence or destructiveness, reflex aggression, or reckless opportunism, but with deliberate crime for the purpose of acquiring ill-gotten gains, obtaining advantage, or avoiding being apprehended, or of gaining revenge, intimidating opponents, and the like. It is also concerned with a direct link between crime and creativity – in which the creativity is an instrument for improving the benefits obtained by the criminal from the crime.

Mainstream criminology focuses on the study of street crime (murder, rape, assault, robbery, vandalism, drug-trafficking, etc.), crimes that are often impulsive and opportunistic, poorly planned, not infrequently scarcely beneficial to the perpetrator, and sometimes characterised by mindless violence. A simple example involves a teenage boy who was walking down a street in a seedy area in a small Canadian city on his way to a movie he wanted to see. Unfortunately, he had no money, but was hoping to find some way of getting some en route. He then saw a parked pick-up truck with a brand new TV set on the tray. He unloaded the TV and carried it to a nearby bar with a reputation for being a haunt of petty criminals and offered it for sale for $20. He quickly found a buyer and went to the movie.

That evening he was arrested by police, who had had very little difficulty tracking him down. When asked why he had stolen the TV, he said quite simply that he needed the money to go to the movie. When asked why he had asked only $20 for a set worth several hundred dollars, he replied that $20 was what he had needed for a movie ticket, popcorn, etc. When asked what he would do next time he needed money, he replied that he would simply steal something else, whatever offered itself at the time he needed the money. Finally, when asked about the hurt he had inflicted on other

[3] There are numerous situations that are difficult to classify, such as breaking of the law for socially approved purposes, and these will be discussed more fully later in the book.

people, he simply shrugged his shoulders, although he did volunteer that he would be 'pissed off' if someone had stolen a TV from him – Cropley and Davis (1976) showed that such inability to empathise with victims was a prominent characteristic of juvenile offenders.

In this book, by contrast, we focus on crimes involving application of cunning and ingenuity, development of new methods or techniques, generation of surprising results, and similar properties. We refer to such crime as *creative* crime or *resourceful* crime (Ekblom and Tilley, 2000) in order to distinguish it from unplanned, impulsive, opportunistic, careless, almost brutish crime, such as in the theft of the TV just mentioned or in thuggish violence, mindless physical destruction, or wild and uncontrolled antisocial behaviour, as in, for instance, risky driving or opportunistic looting. Creative crimes represent *a fusion of crime and creativity*, and are most readily obvious in areas such as fraud, but are also seen in some forms of theft, murder, or terrorism, as well as in cybercrime, organised crime, drug smuggling, people trafficking, exporting of high-tech products to blacklisted buyers, gun running, or illegal migration.

Although writing in a completely different context (police misconduct), Wolfe and Piquero (2011) pointed out that research in the crime area is greatly hampered by the absence of theoretical underpinnings, and is thus forced to look at the phenomena under consideration in terms of individual factors such as age, gender, race, or level of education, that is, bureaucratically. As a result, even where counter-measures are successful, administrators do not know why or how they succeed. Wolfe and Piquero called for application of 'a rigorous theoretical lens' (p. 334) based, in the case of their area of interest, on approaches like organisational theory, control balance theory, social disorganisational theory, or deterrence theory.

Our purpose in this book is to examine the fusion between creativity and crime more closely along the general lines suggested by Wolfe and Piquero (2011), that is, by carrying out an analysis based on theory developed in a completely different area from crime – creativity research. The obvious link is that both creativity and crime involve deviating from the customary ways of doing things. In making this link we hope to generate effective novelty of our own by uniting domains of thought (creativity and crime) that are usually regarded as separate. For instance, there are striking similarities in areas such as personal properties and motivation between creative criminals and people who generate creative products for positive ends.

Making such a link may even arouse resistance, for instance, from those for whom creativity is almost sacred or for whom criminals are helpless

victims of social forces in the external world. Nonetheless, we will present a conceptual framework for understanding the various psychological factors involved in creativity (Product, Processes, Personal properties, Personal motives, Personal feelings, social Press) and the various phases of the emergence of a creative product, such as Preparation, Illumination, and Implementation. We will then compare acknowledged creative individuals with criminals in terms of these factors and analyse two case studies of criminal domains in terms of our model. Finally, we will draw attention to some of the practical implications of our analysis and make some suggestions for its application, especially for crime-control strategies, as we do not wish to write a how-to-do-it handbook of creative crime.

Creativity and crime
Basic principles

Creativity involves generation of novelty that deals effectively with a problem or need of an individual or community. The need may be concrete, abstract, even spiritual. Crime involves deliberate commission of statutorily forbidden acts. The two fuse in the form of purposeful generation and application of effective novelty in order to achieve statutorily prohibited goals, what might be called 'creative crime'. Failure to take the creativity of such criminal behaviour into account limits both understanding of its nature and also thinking about how to counter it. Recognition of the link can be used to go beyond simply demonstrating its existence and analysing its nature by working out some of its implications for practice, such as preventive measures and training of law-enforcers. However, to do this it is necessary to expand the way creativity is conceptualised, since it is customarily thought of as an unquestionably good thing, and to expand the way crime is conceptualised, since it is customarily thought of as an unmitigated bad thing.

Although this book is concerned with what writers over the years have sometimes called the 'dark side' of creativity (e.g., Nebel, 1988; McLaren, 1993; Cropley, Cropley, Kaufman, and Runco, 2010, to name just a few), it does not examine artists, writers, musicians, or similar people, and the way their creativity sometimes leads them to break the law out of impatience with conventional ways, a desire to make an impact by surprising, shocking, or disgusting people, or the uncompromising pursuit of creative freedom in the face of opposition from the uncreative. An example of this might be Andres Serrano's infamous 'Piss Christ' photograph. The 1987 image of a crucifix submerged in a glass of Serrano's urine provoked a variety of strong negative reactions, ranging from accusations of blasphemy and the misuse of government funding through to death threats and hate mail.

The book also leaves unexamined the inner torment or the search for new truths that may bring creative thinkers into conflict not only with others but also with themselves, and possibly lead them to delve into dark

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shadow-lands of the mind where others fear to go, with possible negative consequences for their physical and psychological health. For instance, there are numerous examples of twentieth-century poets, writers, musicians, and painters who committed suicide, including Sylvia Plath, Anne Sexton, Ernest Hemingway, Virginia Woolf, David Foster Wallace, Jimmy Hendrix, Kurt Cobain, and Janice Joplin. What the book does examine is what James, Clark, and Cropanzano (1999, p. 212) called creativity with 'the intent to harm, hinder, harass, destroy, or achieve unfair or undeserved advantage'. In particular, we are concerned with the variety of ways creativity plays a direct role in crime.

We do not regard creativity, whether with good intentions (benevolent creativity) or bad (malevolent creativity), as a special, possibly unfathomable personal property of a few extraordinary individuals, which sets them aside from other people and gives them the power to create, although sometimes at the price of conflict with the mainstream, possibly even crime. On the contrary, we regard creativity – as defined in Chapters 3 and 4 – as something of which all people are capable, at least as a potential, although admittedly at different levels of profundity (e.g., casual creativity in everyday life vs earth-shaking, paradigm-changing sublime creativity).[1] We do not examine in detail the circumstances such as deprivation or prejudice that some researchers see as more or less forcing some people to turn to crime, or examine the fairness or justice of definitions of crime that proscribe behaviours to which dominant groups in a society object, even though the behaviours may be regarded in some (often less powerful) social subgroups as unobjectionable (e.g., the cultivation and use of marijuana). Such topics are not left undiscussed because we regard them as of no consequence but because they lie outside the scope of the present book.

The main thrust of this book

Although not denying the existence of any of the aspects of creativity and crime just mentioned or denigrating their importance and interest, the book starts with the criminal *products* of creativity, that is, outcomes, actions, behaviours, and/or artefacts that are illegal and thus involve crime. It then examines the processes and personal properties that lead to, or are

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[1] We will examine this difference in greater detail in Chapter 3 (p. 56), where we introduce the '4Cs' model of creativity encompassing Big-C creativity, Pro-C creativity, little-c creativity and mini-c creativity.

in some way associated with, such products. Our discussions also give greatest weight to *negative consequences of crime for the rest of society*, not for the criminals. Except in passing, the book has almost nothing to say about *positive* applications of creativity in order to assist perpetrators or potential perpetrators,[2] such as in therapy as a productive and socially approved pastime for incarcerated criminals (e.g., art, theatre, music, or creative writing), or as a pro-social activity for disaffected youth (e.g., participation in rap groups, theatre arts, or music groups), no matter how interesting and important these areas are. This is not because of lack of interest in such activities but because, although admirable, they do not involve the generation of effective novelty (i.e., creativity) as a deliberate means to the end of making crime better serve the purposes of the perpetrator: making a larger haul, getting away with it, achieving a more widespread or lasting effect, or, in the case of terrorists, generating greater devastation.

The con artist who devises a new method for defrauding an organisation or the thief who finds a new way to defeat a security system may develop solutions that exhibit high degrees of novelty and, when they work well, high levels of *effective* novelty. Such solutions solve a problem the criminal has – how to be effective in committing for personal gain acts that are statutorily prohibited and avoiding negative sanctions such as imprisonment. In this sense the perpetrators, the processes and the products display characteristics often associated with creativity. Nonetheless, it seems that the current lexica of creativity and law-enforcement are not fully equipped to describe these situations and specify where they are creative and where they are not. The lack in mainstream thinking about crime of a model for classifying such cases – where the goal of the creative process is to achieve harmful, illegal, or immoral ends – hinders the ability to analyse them and take action against them.

Our purpose in this book is to expand our earlier analyses of negative creativity (e.g., Cropley, Kaufman, and Cropley, 2008; Cropley, Cropley, Kaufman, and Runco, 2010) and apply it directly to crime in order:

- to broaden and deepen understanding of the psychology of creativity by focusing attention on a seldom-discussed aspect – its dark side;
- to broaden and deepen understanding of the dark side by examining the generation of effective novelty for the deliberate purpose of achieving negative ends, especially ends prohibited by law (i.e., crime);

[2] As we will show later in Chapter 3 (p. 61), it is customary to discuss creativity in terms of the so-called '4Ps' model: Product, Process, Person, and Press. In discussing crime, however, we will often use 'Perpetrator' as the third P.

- to broaden and deepen understanding of crime by focusing attention on its creative aspects;
- to examine ways in which this knowledge can be used to enhance the response to crime.

To some extent the book represents a cross-disciplinary study, although its main focus is undeniably on the psychological aspects of creativity.

Why study crime and creativity?

Wolfe and Piquero (2011) observed that research on crime is greatly hampered by the absence of theoretical underpinnings. This means that the psychological dynamics of crime – the processes and psychological influences on processes – are only partially understood or are explained in structural terms such as age, gender, race, or level of education. We have already mentioned Wolfe and Piquero's call for a 'rigorous theoretical lens'. Agnew (2011) pointed out that, among other things, a more comprehensive model of crime would offer new insights into understanding it and would suggest new research questions.

Although they were writing in a more general way about the need to study the application (or misapplication) of creativity for many kinds of negative ends and not just crime, James and Taylor (2010) discussed more explicit reasons why more knowledge about the negative application of creativity is needed, which are relevant to this book. The reasons they gave included:

- helping to identify people most likely to generate harmful novelty (when applied to crime this suggests a new dimension for criminological studies, especially forensic psychology);
- identifying the circumstances that promote the generation of negative creativity;
- working out ways of analysing particular situations to assess their 'vulnerability' to negative creativity;
- helping to design counter-measures against negative creativity.

They also mentioned another reason for wanting to recognise and understand negative creativity, which, somewhat adapted for the purposes of this book, involves avoiding the effort and expense wasted in ineffective actions. In other words, they also highlighted the practical importance of improving the efficiency (as distinct from the efficacy) of law-enforcement.

They specifically mentioned the wastefulness of counter-measures aimed at guarding against 'the "wrong" threat' (2010, p. 35).

James and Taylor (2010) also turned specifically to terrorism, quoting Schneier's (2000, p. 238) dictum: 'If you don't know the real threats against the system, how do you know what kind of counter-measures to employ?' They cited the US Committee on Science and Technology for Countering Terrorism (Committee on Science and Technology for Containing Terrorism, 2002, p. 214), which in effect called for more divergent thinking in identifying threats and devising responses capable of frustrating the threats. In other words, the committee called for creativity in law-enforcement. A similar point was made by Wilks and Zimbelman (2004), who called, for instance, for reduction of predictability in audit procedures through the introduction of *surprise* in the form of variations in timing, type, and randomness of checks.

In later chapters (especially Chapters 8–10) we will say more about what this could involve in practice. A simple example of the introduction of effective novelty into policing is to be seen in a measure adopted by the Boston police: officers found it almost impossible to get witnesses to provide information on criminal behaviour because of fear of reprisals if they were seen talking to police. They then set up a dedicated phone number for text messages, which enjoyed considerable success. Following this, they rebuilt an ice-cream truck supplied by a local ice-cream maker to make it into a mixture of ice-cream truck and patrol car. The ice-cream company provided a supply of ice creams in a brand that was well known in the area and very popular with children. On hot summer days the truck drove through the streets of the crime hot spot in the manner of an ice-cream truck, with uniformed officers giving away free ice creams and reminding the children of the text messaging number. The children were enthusiastic, the officers enjoyed the duty, and the number of useable text message tips soared.

An example of a surprising solution for a now familiar crime is the 'auto-immune' airliner in which, in the event of an attempted hijacking, non-lethal dart-pistols would drop from the panels above seats where oxygen masks are usually stored, allowing passengers to outgun hijackers by a wide margin (Hari, 2010). We do not necessarily recommend this solution, but see it as an example of a suggestion for a truly novel counter-measure whose surprisingness may make a contribution to changing the way that people are willing to think about at least some crime, to encouraging novelty in the way that crime is conceptualised,

and to approaching its analysis and the design of law-enforcement from a new perspective.

Creativity

The term 'creativity' is in widespread use and is part of everyday vocabulary. Nonetheless, as Chapters 3 and 4 will show in some detail, its meaning is full of connotative nuances. We will argue in greater detail in Chapter 5 that sorting these out and making use of them for purposes other than defining creativity itself (e.g., for understanding some forms of crime better) are hampered by the fact that it is almost universally assumed that creativity is always good. The present section, as well as Chapter 3, in particular, will provide some clarification of what we mean by 'creativity' in this book, and later chapters will examine the problem of the presumption of innocence in the case of creativity.

'Second-generation' creativity

Creativity has been actively discussed over the ages (e.g., Plato in his *Ion*). However, the actual term itself (as against the phenomenon) only appeared in written English less than 150 years ago – in 1875, according to Webster's Dictionary (see: www.merriam-webster.com/dictionary/creativity) – at around the same time as the term 'intelligence' began to be used. Both Lombroso (1889) and Galton (1869), the latter the founder of modern empirical investigation of intelligence, studied elements of what today would be called 'creativity', but used the term 'genius' to refer to it. We will focus in this book on the 'modern creativity era', which can be dated from the ground-breaking presidential address of J. P. Guilford in 1949, when he became president of the American Psychological Association (published as Guilford, 1950).

Guilford called for a more rounded view of human intellectual ability that takes account not just of 'convergent' thinking (in essence, seeking and homing in on the single best answer), but also of 'divergent' thinking (branching out to generate multiple alternative solutions). He also discussed both person and product, but his paper is mostly remembered for its emphasis on cognitive processes. As a result of this focus of interest on relatively recent writers, with the occasional exception of Plato, Lombroso, Francis Bacon and a number of others, we will not discuss the work of pre-Guilfordian thinkers and researchers, except in passing. In addition, our discussion will be very strongly oriented towards psychological