

## SOC 3290 Deviance

### Lecture 1: What is Deviant Behavior?

Imagine that throughout your youth, adolescence and adult life, you are ridiculed for some personal attribute that you cannot help. It could be your height, weight, skin colour, hair, mannerisms, or any number of personal characteristics. When you are young, kids can be cruel, taunting you with epithets like fatso, fag, etc. When you are in your teens, this can lead to rejection by all-important peer groups and cliques, making it hard to fit in. Finally, when an adult, unwelcome physical attributes can impact upon one's economic and social success (e.g. being hired for jobs, etc.). Naomi Wolf's "beauty myth" is alive and well in our society.

The question to be asked here is whether such individuals are "deviant" because of such personal characteristics. Some would say yes, others no. Some would assert that it is really the tormentors who are the deviants due to their gross insensitivity or cruelty. In point of fact, there is much disagreement among the public as to what they consider to be deviant. In J.L. Simmons classic study, a random sample of the general public were asked who they thought were deviant. They came up with 252 different kinds of people - some of whom we might more readily recognize (e.g. prostitutes, drug users, alcoholics); some we might not (e.g. Liberals, Christians, suburbanites, Junior executives, etc.). These latter examples illustrate that, at the very least, there is much disagreement among the public as to the conception of deviant behavior.

There is a similar lack of consensus among sociologists. Indeed, we could say that the study of deviance is likely the most "deviant" of all subjects in sociology: sociologists disagree more over the definition of deviant behavior than they do on any other subject.

#### **Conflicting Definitions:**

Some sociologists simply assert that deviance is a violation of any social rule - or norm; others argue that more is needed - such as provoking disapproval, anger or indignation. Some would go further still, suggesting that one can be deviant without behaviorally violating any rule or doing something that upsets others (e.g. people with physical/mental disabilities may be seen as deviant because they are devalued by society). In addition, some sociologists argue that deviance doesn't necessarily have to be a negative thing (e.g. geniuses, reformers, creative artists); while others suggest that "positive deviance" is an oxymoron.

All such sociologists apparently assume that deviance is real in and of itself, endowed with a certain discernable quality or characteristic that distinguishes it from non-deviance. The reasoning here is that if deviance is not real in the first place, it can't be considered disturbing, disvalued, positive or negative. Yet, other sociologists disagree, arguing that deviance doesn't necessarily have to be real in order for behaviors and conditions to be labeled deviant. We all know that people can be falsely accused, diagnosed, stereotyped, and so on. On the other hand, committing a deviant act doesn't necessarily make the person a deviant if no one finds out or people don't react to it as such.

Some sociologists go beyond such considerations to define deviance by stressing the importance of power. They argue that relatively powerful people can often avoid the fate suffered by the powerless - who are more frequently labeled ("unjustly" or "falsely") as deviant. The key reason is that those with power, either alone or by influencing public opinion, hold more power to label others' behavior as deviant. Understandably, sociologists taking this view define deviance as any act considered by the powerful at a given time and place to be a violation of some social rule.

Out of these conflicting definitions emerges the influence of two opposing perspectives: positivism and social constructionism. The former tends to be associated with the hard sciences; the latter with the humanities. Each influences how sociologists see, study and make sense of their subject: some are more influenced by positivism; others by social constructionism.

Generally, the positivist perspective defines deviance as intrinsically real; the social constructionist perspective as an idea imputed by society to some behavior. Each perspective suggests other things as well. Hence, the positivist perspective has also been called objectivist, absolutist, determinist, structuralist, factist, and essentialist. Similarly, the constructionist perspective has also been termed humanist, subjectivist, relativist, voluntarist, individualist, definitionist, critical and postmodernist. Each perspective suggests how to define deviance, but also reveals through the definitions what subject to study, what methods to use, and what kind of theory to use to make sense of the subject.

### **The Positivist Perspective:**

Essentially, the positivist perspective is made up of three basic assumptions about what deviance is: absolutism, objectivism, and determinism. We will deal with each in turn.

#### **Absolutism: Deviance as Absolutely Real:**

Absolutism is that characteristic of the positivist perspective that holds deviance to be absolutely or intrinsically real, in that it possesses some qualities that distinguish it from conventionality. Deviant persons themselves are assumed to have certain characteristics that make them different in quality and kind from conventional others. Sociologists who are influenced by such a perspective tend to view deviant behavior as an attribute that inheres in the individual.

This view was first strongly espoused by the early criminologists, many of whom believed that criminals possessed certain biological traits that were absent in others. These were considered to include defective genes, bumps on the head, a long lower jaw, etc. Since all of these traits are inherited, criminals were seen to be born as such. If they were born criminals, no matter where they went they would still be criminals.

As time went on, criminologists shifted their attention from biological to psychological

traits. Criminals were envisaged to have certain mental characteristics that others did not (e.g. feeble-minded, psychotic, neurotic, psychopathic, etc.) As above, these traits were believed to reside within the individual, and stay with them regardless of where they might travel.

Today's positivist sociologists have largely abandoned the use of such biological and psychological traits to distinguish and classify criminals. Instead, they recognize the significant role of social factors in determining a person's status as a criminal. They recognize that such status doesn't remain the same across time and space, but changes in different periods and with different societies. Someone who hears voices and sees visions may be formally labeled schizophrenic in our society and marginalized; seen as a visionary, a seer, a prophet, etc. in others and accorded high status. Polygamists may be seen as deviant in our society, but not in 19th-century Utah nor in Islamic countries. Male homosexual relationships may be tolerated to some extent now, and were something to aspire to in classical Greece, but 30 years ago were considered both signs of a mental illness and punished as a crime. Nevertheless, positivist sociologists still regard deviance as absolutely or intrinsically real. Countering the relativist notion of deviance as basically a label imposed on an act, positivists argue that while the person may not have committed a "deviant" act, s/he in many cases did something, and it is just possible that that behavior had something to do with what happened to him/her in the past. It is also possible that the past in some inscrutable way remains with the person, and, if left alone, s/he would do it again. Similarly, countering the relativist notion of mental illness as a label imputed to some people's behavior, positivists argue that "some people are more crazy than others. We can tell the difference, and calling lunacy a name does not cause it." Essentially, such positivist sociologists argue that deviance by any other label is just as real.

Because they consider deviance to be real, positivist sociologists tend to focus study on deviant behavior and deviant persons rather than non-deviants who label others (e.g. the social activists, lawmakers and enforcers favoured by constructionists).

### **Objectivism: Deviance as an Observable Object:**

To positivist sociologists, deviant behavior and persons are treated as objects, real somethings that can be studied. As such, they assume that they can be objective in studying deviance much as natural scientists can be in studying physical phenomena. Yet, they can't help being aware that people are in some way different than inanimate objects, and have certain feelings towards their subject. Still, they argue that they can control their personal biases: forcing themselves not to pass judgement nor share the deviant's feelings. Instead, they attempt to concentrate on the subject matter as it outwardly appears. Further, they try to follow the scientific rule that all their ideas should be subject to public test and replication by others.

Such a drive to achieve scientific objectivity has made today's positivists more objective than their predecessors (e.g. terms like debauchery, maladjustment, pathology and abnormality are now out of vogue, replaced by terms such as value conflict, innovation, norm violation, subcultural behavior, etc.) Indeed they have produced works that can tell us much more about deviant behavior without such value laden terms.

To demonstrate the objective reality of these concepts, positivist sociologists have used official reports and statistics, clinical reports, surveys of self-reported behavior, and victimization surveys. They recognize that the deviants selected by these methods don't accurately represent the entire population of deviants. Those reported in official crime statistics, for example, are a special group of deviants - because most crimes are not discovered, reported, nor founded, and therefore not included in the official statistics. Nevertheless, positivists believe that the quality of information obtained by these methods can be improved and refined. In the meantime, they consider that this partial information is still useful for revealing at least some aspect of the totality of deviant behavior, and can be used to seek out the causes of deviance.

### **Determinism: Deviance as Determined Behavior:**

Positivists assume that deviance is determined or caused by forces beyond the individual's control. Natural scientists hold the same position regarding physical phenomena. When positivist sociologists follow natural scientists, they adopt this deterministic view and apply it to human behavior.

This view is reflective of early sociologists who were overly enthusiastic about the prospect of turning their discipline into a science. They argued that, like plants, rocks, chemicals, etc., we don't have any free will, so determinism can be applied without contradiction. If a rapist is thought to will or determine a sexual assault, then it makes no sense to say that this act was caused by forces beyond his control (such as libido, mental condition or family background). Therefore, in defending their scientific principle of determinism, early sociologists denied the existence of free will.

However, today's positivist sociologists assume that humans do possess free will. Still, somehow, they assert that this doesn't undermine the scientific principle of determinism. No matter how much a person exercises free will by making choices and decisions, the choices and decisions don't just happen but are determined by certain causes. If someone chooses to shoplift expensive items (like Winona Ryder is accused of) she certainly has free will or freedom of choice in that nobody forces her to do (or restrains her from doing) what she does. Yet, some factor may determine her choice of one of these alternatives over the other (e.g. prescription drug use inhibiting one's judgement or adherence to norms; thrill-seeking; a bohemian upbringing inculcating little respect for property rights, etc.). Thus, according to today's positivist sociologists, there is no real inconsistency between freedom and causality.

While they allow for human freedom or choice, positivist sociologists don't use it to explain why people behave in a certain way. They won't say that someone shoplifts because she chooses to do so. For them, this is no explanation at all since the idea of choice can also be used to explain why someone else doesn't decide to lift things from stores. Essentially, positivists argue that the same factor cannot be used to explain contrary phenomena. Indeed, the idea of choice simply cannot explain the difference between deviance and conventionality, why some people choose to deviate and why others do not. Thus, while contemporary positivists do believe in human choice, they will not attribute deviance to this factor. Instead, they fall back on their old

ways of explaining deviance by using concepts like unhappy homes, differential association, differential reinforcement and lack of social control. Any one of these causes can be used to illustrate what positivists consider to be a real explanation of deviance, because, for example, lack of social control in one's privileged social group, an unhappy home life and association with those dismissive of property rights would make one more likely to shoplift than not. Positivist theories essentially point to factors like these as the causes of deviance.

In the end, the positivist perspective on deviant behavior consists of three assumptions: (1) Deviance is absolutely real in that it has certain qualities that distinguish it from conventionality; (2) deviance is an observable object in that a deviant person is like an object and can thus be studied objectively; and (3) deviance is determined by forces beyond the individual's control.

### **The Constructionist Perspective:**

The constructionist perspective on deviance emerged in the 1960's to challenge the earlier ascendancy of positivism. Its assumptions run counter to those of the positivist perspective as follows:

#### **Relativism: Deviance as a Label:**

Constructionists hold to a relativist view that deviant behavior by itself doesn't have any intrinsic characteristics unless it is thought to have these characteristics. So-called intrinsically deviant characteristics don't come from the behavior itself, but from people's minds. Bluntly, an act appears deviant only because some people think it so. As Howard Becker puts it: "Deviant behavior is behavior that people so label." There can be no deviant behavior without a deviant label: its existence depends on the label. On this view, deviance is a mental construct expressed in the form of a label. Deviance is socially constructed - defined as such by society.

Since they effectively consider deviance unreal, constructionists shy away from studying it per se. They are more interested in questions of whether and why a given act is defined by society as deviant. This leads to the study of people who label others as deviants - such as the police, courts, medical profession, etc. If constructionists study so-called deviants, they do so by focusing on the nature of labeling and its consequences.

For example, in studying law enforcement, constructionists have noted a huge lack of consensus on whether a certain person should be treated as a criminal (e.g. the Saints and the Roughnecks). There is disagreement over arrest, laying of charges, the charges to be laid, guilt or innocence, etc. Moreover, since laws vary by jurisdiction, the same type of behavior may be illegal in one state, but not in another (e.g. pot use in Holland vs. Canada; underage drinking ages vary by province/state). There is then a relativity principle in deviant behavior: behavior gets defined as deviant relative to a given norm or standard of behavior, by the way people react to it. If it isn't related to the reaction of other people, a given behavior is in itself meaningless. Constructionists strongly emphasize this relativistic view, according to which deviance is in the

eye of the beholder.

### **Subjectivism: Deviance as a Subjective Experience:**

For constructionists, supposedly deviant behavior is a subjective, personal experience, and the supposedly deviant person is a conscious, feeling, thinking and reflective subject. Constructionists urge that there is an enormous difference between humans (as active subjects) and nonhuman beings and things (as passive objects). Humans feel and reflect, and are thus distinguishable from plants, things, and forces in nature which cannot. Humans also have sacred worth and dignity, but objects and forces do not. It is proper and useful for natural scientists to assume nature as an object and study it as such, for this can produce objective knowledge for controlling the natural world. It can also be useful for social scientists to assume and study humans as objects as it may produce objective knowledge for controlling humans - but this clearly violates the constructionists' humanist values and sensibilities.

As humanists, constructionists are opposed to the control of humans; instead they advocate the protection and expansion of human worth, dignity and freedom. One result of this is the observation that so-called objective knowledge about human behavior is inevitably superficial whenever it is used for controlling people (e.g. medical knowledge in the 1800's used to keep women down; drapetomania: the "disease" that made slaves want to run away, etc.). Thus, to achieve the humanist goal of protecting and expanding people's human worth, dignity and freedom, a deeper understanding is needed. This requires appreciating and empathizing with each individual or group, experiencing what they experience, and seeing their lives and the world around them from their perspective. We must look at their experience from the inside as a participant rather than from the outside as a spectator. We must adopt the internal, subjective view rather than the external, objective one.

This same principle applies for our understanding of deviants and deviant behavior. Constructionists think that positivists treat deviance as if it were an immoral, unpleasant, or repulsive phenomenon that should be controlled, corrected or eliminated. As such, they have used their objective approach by staying aloof from deviants, studying the external aspects of their behavior, and by relying upon a set of preconceived ideas for guiding their study. The result is a collection of surface facts about deviance (e.g. poverty, low self-esteem, lack of schooling). These may be used for controlling and eliminating deviance, but don't really tell us what such people do in their daily round of activity, nor what they think about themselves, society and their activities.

In order to understand the life of a deviant, constructionists feel that we need to use the subjective approach, requiring our appreciation for and empathy with the deviant. The aim is to comprehend and illuminate the subject's view and to interpret the world as it appears to him/her. Hence, constructionists tend to favour methodologies such as ethnography, participant observation, or open-ended, in depth interviews.

As a result, constructionists often present an image of deviants as basically the same as conventional people (e.g. the lives of the deaf, being able to communicate and live a normal life, should be respected instead of pitied). This view implies that so-called deviant behavior, because it is like so-called conventional behavior, should not be controlled, cured, or eradicated by society.

### **Voluntarism: Deviance as a Voluntary Act:**

The constructionist perspective asserts that supposedly deviant behavior is a voluntary act, an expression of human volition, will or choice. They take this stand against what they feel are the dehumanizing implications of the positivist view: humans as robots, senseless and purposeless machines reacting to stimuli.

To support this voluntarist assumption, constructionists tend to analyze how social control agencies define some people as deviant and carry out the sanctions against them. Such analyses accent the arbitrariness of official action, stereotyped decision-making in bureaucratic contexts, bias in the administration of law, and the general preemptive nature of society's control over deviants. This suggests that powerful control agents exercise their free will actively, intentionally, and purposely to control the "deviants."

Constructionists also analyze those who have been labelled deviant. These people are not portrayed as robots passively developing the image society expects, but as actively seeking meanings in their deviant activities (e.g. Katz's work on murderers self-rightously seeing themselves as morally superior to their victims, who insulted their dignity by taunting or insulting them; Scully and Marolla's work on convicted rapists drawing on societal stereotypes to reinforce positive self-identity). Such insight into the subjective, experiential world of deviance constitutes a noncausal, descriptive or analytical theory.

In the end, the constructionist perspective consists of three assumptions: (1) deviant behavior isn't real in and of itself, but a label; (2) supposedly deviant behavior is a subjective experience and should be studied with subjectivity and empathy; and (3) Supposedly deviant behavior is a voluntary, self-willed act rather than one caused by forces in the internal and external environments.

### **An Integrated View:**

To know what deviant behavior is, we need both positivist and constructionist perspectives. A combination of the two can give us a better picture than either one can by itself. These may appear to be in sharp contradiction, but their differences are largely in emphasis. By giving consideration to one side, we don't necessarily deny the reality of the other. Both positivist and constructionist sociologists, in emphasizing their own views, assume in a way their opponents to be correct. Each group merely thinks of the other's argument as less important than its own. Hence, while they accept constructionists' view of deviance as a label, positivists simply take it for granted, considering it less important than their own assumption of deviance as real

behavior. Conversely, while constructionists accept positivists' view of deviance as an act that has really occurred, they consider it more worthwhile to focus on society's definition of the act as deviant.

Now that we've outlined these two perspectives, we can bring them together in a complementary fashion. Thus we can see deviant behavior as both a real act and a label. One cannot exist without the other. If there is no real act, there is no deviant behavior; if there is no label, the same result obtains. In order for us to use the term deviant, the behavior must occur and the label "deviant" must be used in some fashion.

Yet in complementing each other the two perspectives are not necessarily equally applicable to all types of deviant behavior. Rather, one seems more relevant than the other in studying the types of deviance that more easily fit its assumptions and the temperaments of the sociologists embracing that perspective.

The positivist perspective seems more relevant to the study of what society deems relatively serious types of deviant behavior, such as murder, rape, armed robbery and the like. This is for three reasons: (1) these forms of deviance more characteristically enter the official statistics, are intrinsically more harmful, elicit wide consensus from the public, and therefore are easily distinguishable from conforming behavior; (2) people who commit serious crimes generally come from the lower classes, unlike the researchers who study them, so it is easy for positivists to stay aloof from these criminals - analyzing their behavior objectively without empathizing or romanticizing about their behavior; (3) since positivists can easily separate themselves from such individuals, it is natural for them to study these deviants as if they were passive objects "out there." It is thus natural for positivists to investigate these "passive" individuals with an eye to seeking out the causes of their deviance rather than understanding the operation of their free will.

Similarly, the constructionist perspective is better utilized when analyzing the less serious kinds of deviance, particularly those that do not gravely harm other people. This perspective finds itself at home in the world of drug addicts, jazz musicians, cab drivers, prostitutes, drifters, street people, etc. Again, three reasons explain the convenient fit between perspective and subject matter: (1) a relative lack of consensus in society as to whether the less serious forms of deviant behavior are indeed deviant. Since some may label them deviant and some may not, it is logical for constructionists to emphasize that deviant behavior is basically a matter of labeling; (2) these so-called deviants are considered by society as less dangerous than the criminals typically studied by positivists. They also engage in the so-called deviant activities that constructionists themselves could enjoy, participate in, or at least feel themselves as capable of engaging in - quite unlike the more dangerous acts above. Thus, constructionists can more easily empathize with these supposed deviants and consider their subjective experiences useful for understanding deviance; (3) since they can more readily empathize with these "harmless" deviants, it is natural for constructionists to consider them active subjects like themselves rather than passive objects. This may be why they emphasize the voluntary, self-willed nature of supposed deviants' experience.



In the end, the types of deviant behavior - as seen through positivist and constructionist perspectives - differ in the amount of public consensus regarding their deviant nature. On one side, positivists view a given deviant act as "intrinsically real" - largely due to relatively great public consensus that it is really deviant. On the other hand, constructionists view a given deviant act as basically labels largely because there is a relative lack of public consensus supporting it as "really" deviant. We may integrate the two views by defining deviant behavior with such public consensus in mind.

Deviant behavior, we may say, is "any behavior considered deviant by public consensus, which may range from the maximum to the minimum." So defined, deviant behavior shouldn't be defined as a discrete entity that is clearly and absolutely distinguishable from conforming behavior. Instead, deviance should be viewed as an act located somewhere on a continuum from total conformity at one extreme to total deviance on the other. Given the pluralistic nature of our society, with many different groups holding conflicting views on whether a given act is deviant, most of the so-called deviant behaviors can be assumed to fall in the large grey areas between the two ends of the continuum. Hence deviant behavior actually means being more or less, rather than completely deviant. It is a matter of degree rather than of kind. Thus, we may classify deviant behavior into two types, one more deviant than the other: (1) High consensus deviance is the type that has often been studied by positivist sociologists; (2) Lower consensus deviance is the type that has more frequently been studied by constructionist sociologists. Today, however, both positivists and constructionists are more interested than ever before in investigating each type of deviance.