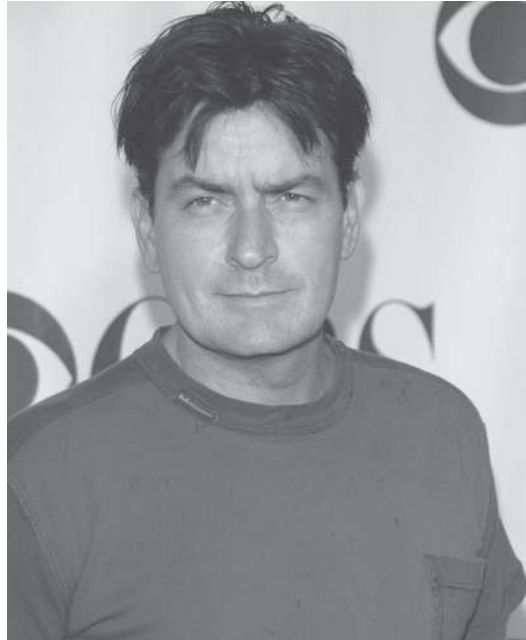


CHAPTER

1

What Is Deviant Behavior?



The bizarre behavior and personal life of pop culture icon and actor Charlie Sheen, the self-described “warlock” and “rock star from Mars,” generated a legitimate multimedia frenzy for the first half of 2011. Sheen, known for past relationships with prostitutes and porn stars, as well as implications of long-term recreational drug abuse and domestic violence, was depicted as extreme—even by Sheen’s standards. Though several media figures dismissed Sheen’s behavior as the ravings of an out-of-control drug addict, Sheen insisted that he was in control. He was “winning.” Sheen went so far as to imply that he was more demigod than mortal, when he publicly ranted that he “had tiger blood,” and “Adonis DNA.” His proof was his success. He had made it to the top of his profession, and achieved great wealth and fame. As for everyone else, well, in Sheen-speak, they were “trolls.” Sheen received a mass outpouring of public support, selling out a high-profile

comedy tour throughout North America. Was his behavior simply drug-related antics? Or maybe Sheen exhibited an acceptable amount of eccentricity and excess for a modern, pop culture icon? In other words, is Sheen a product of his generation, and a modern male with modern problems?

There is, in fact, a great deal of disagreement among people as to what they consider deviant. In a classic study, J. L. Simmons (1965) asked a sample of the general public who they thought was deviant. They mentioned 252 different kinds of people as deviants, including prostitutes, alcoholics, drug users, murderers, the mentally ill, the physically challenged, communists, atheists, liars, Democrats, Republicans, reckless drivers, self-pitiers, the retired, divorcees, Christians, suburbanites, movie stars, perpetual bridge players, pacifists, psychiatrists, priests, liberals, conservatives, junior executives, smart-aleck students, and know-it-all professors. If you are surprised that some of these people are considered deviant, your surprise simply adds to the fact that there is a good deal of disagreement among the public as to what deviant behavior is.

A similar lack of consensus exists among sociologists. We could say that the study of deviant behavior is probably the most “deviant” of all the subjects in sociology. Sociologists disagree more over the definition of deviant behavior than they do on any other subject.

Conflicting Definitions

Some sociologists simply say that deviance is a violation of any social rule, while others argue that deviance involves more than rule violation—that it also has the quality of provoking disapproval, anger, or indignation. Some advocate a broader definition, arguing that a person can be a deviant *without* violating any rule, such as individuals with physical or mental disabilities. These people are considered deviant in this view because they are disvalued by society. By contrast, some sociologists contend that deviance does not have to be conceived as only negative but instead can also be positive, such as being a genius, saint, creative artist, or glamorous celebrity. Other sociologists disagree, considering “positive deviance” to be an oxymoron, a contradiction in terms (Dodge, 1985; Goode, 1991; Harman, 1985; Heckert and Heckert, 2002).

All these sociologists apparently assume that, whether it is positive or negative, disturbing behavior or disvalued condition, deviance is real in and of itself, that is, endowed with a certain quality that distinguishes it from nondeviance. The logic behind this assumption is that if it is not real in the first place, it cannot be considered positive, negative, disturbing, or devalued. But other sociologists disagree, arguing that deviance does not have to be real in order for behaviors and conditions to be labeled deviant. People can be falsely accused of being criminal, erroneously diagnosed as mentally ill, unfairly stereotyped as dangerous because of their skin color, and so on. Conversely, committing a deviant act does not necessarily make the person a deviant, especially when the act is kept secret, unlabeled by others as deviant. It is, therefore, the label “deviant”—not the act itself—that makes the individual deviant.

Some sociologists go beyond the notion of labeling to define deviance by stressing the importance of power. They observe that relatively powerful people are capable of

avoiding the fate suffered by the powerless—being falsely, erroneously, or unjustly labeled deviant. The key reason is that the powerful, either by themselves or through influencing public opinion or both, hold more power against being labeled by others as deviants. In fact, they hold more power for labeling others' behavior as deviant. Understandably, sociologists who hold 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. That's why the powerless are said to be more likely than the powerful to engage in deviance (Ermann and Lundman, 2002; Simon, 2006).

From this welter of conflicting definitions we can discern the influence of two opposing perspectives: positivism and social constructionism. The positivist perspective is associated with the sciences, such as physics, chemistry, or biology. The constructionist perspective is fundamental in the humanities, such as art, language, or philosophy. Each perspective influences how scientists and scholars see, study, and make sense of their subject. The two perspectives have long been transported into sociology, so that some sociologists are more influenced by the positivist perspective while others are more influenced by the constructionist one.

In the sociology of deviance the positivist generally defines deviance as positively real, while the constructionist more often defines deviance as a social construction—an idea imputed by society to some behavior. Each perspective suggests other ideas about deviance, so that it has been referred to in various terms. Thus the positivist perspective has also been called objectivist, absolutist, normative, determinist, and essentialist (Goode, 2005b; Wittig, 1990). The constructionist perspective has also been referred to by such terms as humanist, subjectivist, relativist, reactivist, definitionist, and postmodernist (Heckert and Heckert, 2002; Lyman, 1995). Each perspective suggests how to *define* deviance, but reveals through the definition what *subject* to study, what *method* to use for the study, and what kind of *theory* to use to make sense of the subject.

The Positivist Perspective

The positivist perspective consists of three assumptions about what deviant behavior is. These assumptions are known to positivists as absolutism, objectivism, and determinism.

Absolutism: Deviance as Absolutely Real

The positivist perspective holds deviance to be absolutely or intrinsically real, in that *it possesses some qualities that distinguish it from conventionality*. Similarly, deviant persons are assumed to have certain characteristics that make them different from conventional others. Thus, 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 held by the early criminologists who were the progenitors of today's sociology of deviance. Around the turn of the last century, criminologists believed that criminals possessed certain biological traits that were absent in law-abiding people. The biological traits were believed to include defective genes, bumps on the head, a long lower jaw, a scanty beard, and a tough body build. Since all these traits are inherited,

criminals were believed to be born as such. Thus, if they were born criminals, they would always be criminals. As the saying goes, “If you’ve had it, you’ve had it.” So, no matter where they might go—they could go anywhere in the world—they would still be criminals.

Criminologists then shifted their attention from biological to psychological traits. Criminals were thought to have certain mental characteristics that noncriminals did not. More specifically, criminals were thought to be feeble-minded, psychotic, neurotic, psychopathic, or otherwise mentally disturbed. Like biological traits, these mental characteristics were believed to reside within individual criminals. And like biological traits, mental characteristics were believed to stay with the criminals, no matter what society or culture they might go to. Again, wherever they went, criminals would always remain as criminals.

Today’s positivist sociologists, however, have largely abandoned the use of biological and psychological traits to differentiate criminals from noncriminals. They recognize the important role of social factors in determining a person’s status as a criminal. Such status does not remain the same across time and space; instead, it changes in different periods and with different societies. A polygamist may be a criminal in our society but a law-abiding citizen in Islamic countries. A person who sees things invisible to others may be a psychotic in our society but may become a spiritual leader among some South Pacific peoples. 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, positivist Travis Hirschi (1973), for example, argues,

The person may not have committed a ‘deviant’ act, but he did (in many cases) do *something*. And it is just possible that what he did was a result of things that had happened to him in the past; it is also possible that the past in some inscrutable way remains with him and that if he were left alone he would *do it again*.

Moreover, countering the relativist notion of mental illness as a label imputed to some people’s behavior, Gwynn Nettler (1974) explicitly voices his absolutist stance: “Some people are more crazy than others; we can tell the difference; and calling lunacy a name does not *cause* it.” These positivist sociologists seem to say that just as a rose by any other name would smell as sweet, so deviance by any other label is just as real.

Because they consider deviance real, positivist sociologists tend to focus their study on deviant behavior and deviant persons, rather than on nondeviants who label others deviants, such as lawmakers and law enforcers, whom constructionist sociologists are more likely to study, as will be explained later.

Objectivism: Deviance as an Observable Object

To positivist sociologists deviant behavior is an observable object in that a deviant person is like an object, a real something that can be studied objectively. Positivist sociologists, therefore, assume that they can be as objective in studying deviance as natural scientists can be in studying physical phenomena. The trick is to treat deviants as if they were objects, like those studied by natural scientists. Nonetheless, positivist sociologists cannot help being aware of the basic difference between their subject, human beings, and that of natural scientists, inanimate objects. As human beings themselves, positivist sociologists must have

certain feelings about their subject. However, they try to control their personal biases by forcing themselves not to pass moral judgment on deviant behavior or share the deviant person's feelings. Instead, they try to concentrate on the subject matter as it outwardly appears. Further, these sociologists have tried to follow the scientific rule that all their ideas about deviant behavior should be subject to public test. This means that other sociologists should be able to analyze these ideas to see whether they are supported by facts.

Such a drive to achieve scientific objectivity has made today's positivist sociologists more objective than their predecessors. They have, therefore, produced works that can tell us much more about the nature of deviant behavior. No longer in vogue today are such value-loaded and subjective notions as evil, immorality, moral failing, debauchery, and demoralization, which were routinely used in the past to describe the essence of deviance. Replacing those outmoded notions are such value-free and objective concepts as norm violation, retreatism, ritualism, rebellion, and conflict.

To demonstrate the objective reality of these concepts, positivist sociologists have used official reports and statistics, clinical reports, surveys of self-reported behavior, and surveys of victimization. Positivists recognize the unfortunate fact that the deviants who are selected by these objective methods do not accurately represent the entire population of deviants. The criminals and delinquents reported in the official statistics, for example, are a special group of deviants, because most crimes and delinquent acts are not discovered 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 the information, though inadequate, useful for revealing at least some aspect of the totality of deviant behavior. A major reason for using the information is to seek out the causes of deviant behavior. This brings us to the next, third assumption of the positivist perspective.

Determinism: Deviance as Determined Behavior

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

Overly enthusiastic about the prospect of turning their discipline into a science, early sociologists argued that, like animals, plants, and material objects that natural scientists study, humans do not have any free will. The reason is that acknowledgment of free will would contradict the scientific principle of determinism. If a murderer is thought to will or determine a murderous act, then it does not make sense to say that the murderous act is caused by forces (such as mental condition or family background) beyond the person's control. Therefore, in defending their scientific principle of determinism, early sociologists maintained their denial of free will.

However, today's positivist sociologists assume that humans do possess free will. Still, this assumption, they argue, does not undermine the scientific principle of determinism. No matter how much a person exercises free will by making choices and decisions, the choices and decisions do not just happen but are determined by some causes. If a woman chooses to kill her husband rather than continue to live with him, she certainly has free will

or freedom of choice as long as no one forces her to do what she does. Yet some factor may *determine* or *cause* the woman's choice of one alternative over another, that is, determine the way she exercises her free will. One such causal factor may be a long history of abuse at the hands of her husband. Thus, according to today's positivist sociologists, there is no inconsistency between freedom and causality.

Although they allow for human freedom or choice, positivist sociologists do not use it to explain why people behave in a certain way. They will not, for example, explain why the woman kills by saying "because she chooses to kill." This is no explanation at all, since the idea of choice can also be used to explain why another woman does not kill her husband—by saying "because she chooses not to." According to positivists, killing and not killing, or more generally, deviant and conventional behaviors, being contrary phenomena, cannot be explained by the same factor, such as choice. Further, the idea of choice simply cannot explain the difference between deviance and conventionality; it cannot explain why one person chooses to kill while the other chooses not to. Therefore, although positivists do believe in human choice, they will not attribute deviance to human choice. Instead, they explain deviance by using such concepts as wife abuse, broken homes, unhappy homes, lower-class background, economic deprivation, social disorganization, rapid social change, differential association, differential reinforcement, and lack of social control. Any one of these causes of deviance can be used to illustrate what positivists consider to be a real explanation of deviance because, for example, wife abuse is more likely to cause a woman to kill her husband than not. Positivist theories essentially point to factors such as these as the causes of deviance.

In sum, the positivist perspective on deviant behavior consists of three assumptions. First, deviance is *absolutely real* in that it has certain qualities that distinguish it from conventionality. Second, deviance is an *observable object* in that a deviant person is like an object and thus can be studied objectively. Third, deviance is *determined* by forces beyond the individual's control.

The Constructionist Perspective

Since the 1960s the constructionist perspective has emerged to challenge the positivist perspective, which had earlier been predominant in the sociology of deviance. Let's examine the assumptions of the constructionist perspective that run counter to those of the positivist perspective.

Relativism: Deviance as a Label

The constructionist perspective holds the relativist view that deviant behavior by itself does not have any intrinsic characteristics unless it is thought to have these characteristics. The so-called intrinsically deviant characteristics do not come from the behavior itself; they come instead from some people's minds. To put it simply, an act appears deviant only because some people think it so. As Howard Becker (1963) says, "Deviant behavior is behavior that people so label." So, no deviant label, no deviant behavior. The existence of deviance depends on the label. Deviance, then, is a mental construct (an idea, thought, or

image) expressed in the form of a label. Deviance, in other words, is socially constructed, defined as such by society.

Since, effectively, they consider deviance unreal, constructionists understandably stay away from studying it. They are more interested in the 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 and other law-enforcing agents. If constructionists study so-called deviants, they do so by focusing on the nature of labeling and its consequences.

In studying law-enforcing agents, constructionists have found a huge lack of consensus on whether a certain person should be treated as a criminal. The police often disagree among themselves as to whether a suspect should be arrested, and judges often disagree among themselves as to whether those arrested should be convicted or acquitted. In addition, since laws vary from one state to another, the same type of behavior may be defined as criminal in one state but not so in another. Young adult males who father babies born to unwed teenage females, for example, can be prosecuted for statutory rape in California but not in most other states (Gleick, 1996). There is, then, a *relativity* principle in deviant behavior: Behavior gets defined as deviant relative to a given norm or standard of behavior, which is to say, to the way people react to it. If it is not related to the reaction of other people, a given behavior is in itself meaningless—it is impossible to say whether it is deviant or conforming. Constructionists strongly emphasize this relativistic view, according to which deviance, like beauty, is in the eye of the beholder.

Subjectivism: Deviance as a Subjective Experience

To constructionists, the supposedly deviant behavior is a subjective, personal experience and the supposedly deviant person is a conscious, feeling, thinking, and reflective subject. Constructionists insist that there is a world of difference between humans (as active subjects) and nonhuman beings and things (as passive objects). Humans feel and reflect, and are thus distinguishable from animals, plants, things, and forces in nature, which cannot. Humans also have sacred worth and dignity, but things and forces do not. It is proper and useful for natural scientists to assume nature as an object and then study it, because this study can produce objective knowledge for controlling the natural world. It can also be useful for social scientists to assume and then study humans as objects because it may produce objective knowledge for controlling humans, but this violates the constructionist's 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 humanist ideology is the observation that so-called objective knowledge about human behavior is inevitably superficial whenever it is used for controlling people. To control its black citizens, for example, the former white racist regime in South Africa needed only the superficial knowledge that they were identifiable and separable from whites. To achieve the humanist goal of protecting and expanding a certain people's human worth, dignity, and freedom, a deeper understanding is needed. This understanding 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.

In other words, we must adopt the internal, subjective view of the subjects rather than the external, objective view of the observer.

The same principle, according to constructionists, should hold for understanding deviants and their deviant behavior. Constructionists contrast this subjective approach with positivists' objective one. To constructionists, positivists treat deviance as if it were an immoral, unpleasant, or repulsive phenomenon that should be controlled, corrected, or eliminated. In consequence, positivists have used the objective approach by staying aloof from deviants, by studying the external aspects of their deviant behavior, and by relying on a set of preconceived ideas for guiding their study. The result is a collection of *surface facts* about deviants, such as their poverty, lack of schooling, poor self-image, and low aspirations. All this may be used for controlling and eliminating deviance, but it does not tell us what deviant people think about themselves, society, and their daily activities.

In order to understand the life of a deviant, constructionists believe, we need to use the relatively subjective approach, which requires our appreciation for and empathy with the deviant. The aim of this subjective approach is to understand the deviants' personal views, seeing the world as it appears to them. Thus, constructionists tend to study deviants with such methods as ethnography, participant observation, or open-ended, in-depth interviews.

As a result of their subjective and empathetic approach, constructionists often present an image of deviants as basically the same as conventional people. The deaf, for example, are the same as the nondeaf in being able to communicate and live a normal life. They should therefore be respected rather than pitied. This implies that so-called deviant behavior, because it is like so-called conventional behavior, should not be controlled, cured, or eradicated by society. Think back to the opening vignette at the beginning of this chapter. While many media figures dismissed Charlie Sheen as an unstable drug addict for making claims about being a "warlock," and "having Adonis DNA," constructionists might use works similar to those of Erving Goffman (1967) to "normalize" Sheen's behavior as possibly appropriate for the time and his status. Goffman observed that although it is frequently considered inappropriate for individuals to seek praise, "we are socially evolving in such a way as to continually do away with more higher powers, and present ourselves in more of a deity-esque light" (Taylor, 2009). From this perspective, we should anticipate that more individuals in technologically advanced societies will exhibit behavior similar to that of Sheen—whether or not they are under the influence of various controlled substances.

Voluntarism: Deviance as a Voluntary Act

The constructionist perspective holds that supposedly deviant behavior is a voluntary act, an expression of human volition, will, or choice. Constructionists take this stand because they are disturbed by what they claim to be the dehumanizing implication of the positivist view of deviant behavior. The positivist view is said to imply that the human being is like a robot, a senseless and purposeless machine reacting to everything in its environment. But constructionists emphasize that human beings, because they possess free will and choice-making ability, determine their own behavior.

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 often reveal the arbitrariness of official action, the bias in the administration of law, and the unjustness of controlling deviants. All these convey the strong impression that control agents, being in positions of power, exercise their free will by actively, intentionally, and purposefully controlling the “deviants.”

Constructionists also analyze people who have been labeled deviant. The “deviants” are not presented as if they were robots, passively and senselessly developing a poor self-image as conventional society expects of them. Rather, they are described as actively seeking positive meanings in their deviant activities. In constructionist Jack Katz’s (1988) analysis, for example, murderers see themselves as morally superior to their victims. The killing is said to give the murderers the self-righteous feeling of defending their dignity and respectability because their victims have unjustly humiliated them by taunting or insulting them. Katz also portrays robbers as feeling themselves morally superior to their victims—regarding their victims as fools or “suckers” who deserve to be robbed. Such insight into the subjective, experiential world of deviance constitutes a noncausal, descriptive, or analytical theory.

In brief, the constructionist perspective consists of three assumptions. First, deviant behavior is not real in and of itself; it is, basically, a *label*. Second, supposedly deviant behavior is a *subjective* experience and therefore should be studied with subjectivity and empathy. And, third, putatively 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, then, we need both positivist and constructionist perspectives. (See Table 1.1 for a quick review of these two perspectives.)

The combination of the two can give us a better picture than either one can by itself. The two perspectives may appear to be in sharp contradiction, but their differences are

TABLE 1.1 A Summary of Two Perspectives

Positivist Perspective	Constructionist Perspective
<i>Absolutism:</i> Deviance is absolutely, intrinsically real; hence, deviance or deviants can be the subject of study.	<i>Relativism:</i> Deviance is a label, defined as such at a given time and place; hence, labelers, labeling, and impact of labeling can be the subject of study.
<i>Objectivism:</i> Deviance is an observable object; hence, objective research methods can be used.	<i>Subjectivism:</i> Deviance is a subjective experience; hence, subjective research methods can be used.
<i>Determinism:</i> Deviance is determined behavior, a product of causation; hence, causal, explanatory theory can be developed.	<i>Voluntarism:</i> Deviance is a voluntary act, an expression of free will; hence, noncausal, descriptive theory can be developed.

largely in emphasis. By giving consideration to one side, we do not 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. Thus, 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. On the other hand, 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 know the two opposing perspectives, we can bring them together. As Chinese people are fond of saying, "Things that oppose each other also complement each other" (Mao, 1967). Thus we may see deviant behavior as being 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, there is no *deviant* behavior. In order for us to use the label "deviant," the *behavior* must occur. Similarly, for us to understand that behavior, the *label* "deviant" must be used. Deviance, then, is both behavior and label.

But in complementing each other, the two conflicting perspectives are not necessarily equally applicable to all types of deviant behavior. On the contrary, one perspective 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.

Specifically, the positivist perspective is more relevant to the study of what society considers relatively *serious* types of deviant behavior, such as murder, rape, armed robbery, and the like. The study of these types of deviance responds well to the positivist perspective for three reasons. First, these forms of deviant behavior, which characteristically enter into the official statistics analyzed by positivists, can be defined as really deviant. Such deviant acts are intrinsically more harmful than conforming behavior, are likely to elicit wide consensus from the public as to their deviant characteristics, and, therefore, are easily distinguishable from conforming behavior. Second, people who commit serious crimes, such as murder and robbery, generally come from the lower classes, quite unlike the positivists who study them. These are crimes that positivists themselves—as researchers, scholars, or professors—generally would not commit or could not conceive themselves capable of committing. It is easy, therefore, for positivists to stay aloof from these criminals, analyzing their behavior objectively, without empathizing with them or romanticizing their behavior. Third, since positivists can easily separate themselves from the people who commit serious deviant acts, it is natural for them to study these deviants as if they were passive objects "out there" rather than active subjects "in here" (like positivists themselves). 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.

In the same way, the constructionist perspective is more pertinent to the *less serious* kinds of deviance, particularly those that do not gravely harm other people. Thus this perspective finds itself at home in the world of adulterers, prostitutes, drug users, strippers, sex tourists, tax evaders, and the like. Again, three reasons explain the convenient fit between perspective and subject matter. First, there is a relative lack of consensus in society as to whether the less serious forms of deviant behavior are indeed deviant. Some members of society may label them deviant, while others may not. It is, therefore, logical

for constructionists to emphasize that deviant behavior is basically a matter of labeling. Second, those 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 capable of engaging in—quite unlike the more dangerous acts committed by “common” criminals. Therefore, constructionists can more easily empathize with these supposed deviants and consider the latter’s subjective experience useful for understanding deviance. Third, since they can empathize with these relatively 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 the putative deviants’ experience.

At bottom, the types of deviant behavior—seen through the positivist and constructionist perspectives—differ in the *amount of public consensus* regarding their deviant nature. On the one side, a given deviant act is, from the positivist standpoint, “intrinsically real,” largely because there is a relatively great public consensus that it is really deviant. On the other side, a given deviant act is, from the constructionist perspective, “not real in itself but basically a label,” 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 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*. Defined this way, deviant behavior should not be regarded 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 at the other. Given the pluralistic nature of U.S. society, with many different groups having conflicting views of whether a given act is deviant, most of the so-called deviant behaviors can be assumed to fall in the large gray areas between the two poles of the continuum. Hence, deviant behavior actually means being more or less, rather than completely, deviant. It is a matter of degree rather than kind. Keeping this in the back of our minds, we may classify deviant behavior into two types, one more deviant than the other: higher- and lower-consensus deviance. *Higher-consensus deviance* is the type that has often been studied by positivist sociologists. *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 before in investigating both types of deviance, as we will see in many of the following chapters. This is probably because positivists are nowadays more likely to regard traditionally lower-consensus deviances (e.g., corporate fraud and governmental abuses) as harmful and dangerous as higher-consensus deviances such as homicide and robbery (Liddick, 2004; Rosoff, Pontell, and Tillman, 2002). And, to be politically correct, constructionists tend more to “define deviancy down,” showing greater sensitivity and empathy toward murderers, robbers, and other higher-consensus deviants (Hochstetler, 2004; Skrapek, 2001).

We have seen in this chapter how positivists and constructionists define what deviant behavior is. In Chapter 2 we will see how positivists explain what causes deviance. Then in Chapter 3 we will see how constructionists show what deviance means to certain people and how this meaning affects them or others.

A Word About Deviance and Crime

Students tend to think that deviance is basically the same as crime. Thus, the sociology of deviance is sometimes confused with criminology. But the two fields do differ. Although the sociology of deviance includes crime, it deals much more with deviance that is not crime. Criminology, on the other hand, covers only crime, although it has been profoundly influenced by the sociology of deviance.

How, then, does deviance differ from crime? First, crime *always* involves violating a law, but deviance does not. Deviance may involve breaking the law, so that some deviances such as murder, robbery, and rape are also crimes. So, in that sense, the sociology of deviance overlaps with criminology. But these two fields are mostly different, because most deviances are not crimes—they merely depart from some societal norm, rule, or standard, such as nude dancing, binge drinking, joining a cult, and being emotionally disturbed. Such subjects clearly distinguish the sociology of deviance from criminology.

Second, crime is a violation of a *formal* norm, which the law is, but deviance is more a violation of an *informal* norm that derives from a popular belief. Thus, crime as a violation of a formal norm is subject to imprisonment, fines, and other punishments by formal control agents such as the police, judges, prison guards, and other law-enforcement agents. On the other hand, deviance as a violation of an informal norm is subject to criticism, ridicule, condemnation, rejection, and other negative reactions by informal control agents such as relatives, friends, neighbors, peer groups, and even strangers.

Third, the number and variety of deviances are infinitely greater than those of crimes. Crimes can *only* be *behavioral* in nature, because there are only laws against some unacceptable behaviors, not some strange beliefs and attitudes. But deviances include more than behaviors and even more than beliefs and attitudes. Many deviances involve having certain physical or psychological conditions, characteristics, or traits, such as obesity, mental illness, and being grossly unattractive, for which the individual can in no way be prosecuted.

Fourth, as has been suggested, not all deviances are crimes, but are all crimes deviances? Most crimes, such as murder, rape, and robbery, are deviant because they violate informal norms in addition to breaking the law as a formal norm. But a few crimes are *not* deviant because they are relatively acceptable throughout society. They are, in other words, normative behavior, such as gambling and cohabitation. Such practices hardly raise an eyebrow because they are very common. They are nonetheless criminal because in some places the *old* laws against them are still on the books. Other popular practices such as drinking among young people under age 21, smoking inside public buildings, and driving without buckling up have become criminal in many states because of the passing of *new* laws to prohibit them.

The subject of crime was the preoccupation of the positivists in the sociology of deviance before the 1960s. The emergence of the constructionist perspective in the 1960s transformed the sociology of deviance into a lively field. The sociology of deviance continues to be vibrant today. Its positivist approach to deviance has revitalized criminology (see, for example, Hirschi and Gottfredson, 1994; Messner and Rosenfeld, 2001; Tittle, 1995), while its constructionist approach has renewed the sociology of deviance. On the

one hand, for example, an increasing number of studies delve into the subjective world of deviance, revealing how deviants see themselves and others. On the other hand, the constructionist approach has caused the sociology of deviance to focus less on crime and more on deviance, bringing in many new subjects on deviance for study, such as binge drinking, prescription drug abuse, transgenderism, exotic dancing, physical disabilities, obesity, tattooing, and cyberdeviance, as presented in this text.

Summary

1. How do sociologists define deviant behavior? In sociology there are many different definitions of deviant behavior. They can be divided into two major types, one influenced by the positivist perspective and the other by the constructionist perspective. The positivist perspective holds the absolutist view that deviant behavior is absolutely real, the objectivist view that deviance is an observable object, and the determinist view that deviance is determined behavior, a product of causation. The constructionist perspective consists of the relativist view that the so-called deviance is largely a label applied to an act at a given time and place, the subjectivist view that deviance is itself a subjective experience, and the voluntarist view that deviance is a voluntary, self-willed act.

2. Can we integrate those two perspectives? Yes. We can integrate them into a larger perspective that sees deviant behavior as an act located at some point on a continuum from maximal to minimal public consensus regarding the deviant nature of the act. With this integrated view, we can divide deviant behavior into two major types. One, *higher-consensus deviance*, is generally serious enough to earn a great degree of public consensus that it is really deviant. This type has often been the subject of research by positivist sociologists. The other, *lower-consensus deviance*, is generally less serious and thus receives a lesser degree of public consensus on its deviant reality. This type has more often attracted the interest of constructionist sociologists. The sociology of deviance has been a lively field since the 1960s and continues to be today.

FURTHER READING

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- Bendle, Mervyn F. 1999. "The death of the sociology of deviance?" *Journal of Sociology*, 35, 42–59. A critical analysis of the problems besetting the sociology of deviance and the emergence of a new paradigm for the field.
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- Conrad, Peter, and Joseph W. Schneider. 1992. *Deviance and Medicalization: From Badness to Sickness*. Philadelphia: Temple University Press. An analysis of the changing definitions of deviance, from religious to criminal to medical definitions.
- Cullen, Francis T. 1987. *Rethinking Crime and Deviance Theory: The Emergence of a Structuring Tradition*. Totowa, NJ: Rowman & Allanheld. Arguing the importance of the "structuring perspective" for understanding deviance, which shows how certain social and social-psychological conditions can determine the transformation of a general deviant tendency into a specific form of deviant behavior.
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- Dodge, David L. 1985. "The over-negativized conceptualization of deviance: A programmatic exploration." *Deviant Behavior*, 6, 17–37. Argues that sociologists would do well to start studying positive deviance.

- Goode, Erich, and Nachman Ben-Yehuda. 2009. *Moral Panics: The Social Construction of Deviance*, 2nd ed. Cambridge, Mass.: Wiley-Blackwell. A constructionist analysis of how societies periodically overreact with excessive fear or outrage to such social events as witchcraft, drug abuse, and satanism.
- Henslin, James M. 1988. "Structuralism and individualism in deviance theory." *Deviant Behavior*, 9, 211–223. Illustrating an example of the difference between the positivist and constructionist perspectives in the sociology of deviance.
- Konty, Mark. 2007. "‘When in doubt, tell the truth’: Pragmatism and the sociology of deviance." *Deviant Behavior*, 28, 153–170. Arguing that the study of deviance is about the rules that govern people’s lives as well as the effects of rule breaking on them and others.
- Lauderdale, Pat (ed.). 2011. *A Political Analysis of Deviance*, 3rd ed. Toronto, Canada: de Sitter Publications. A collection of articles dealing with the political nature of deviance and the various aspects of political deviance.
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- Pfohl, Stephen J. 2009. *Images of Deviance and Social Control: A Sociological History*, 2nd ed. Long Grove, Ill: Waveland Press. Re-issue of a classic work that presents nine perspectives of deviance, ranging from the earliest view of deviance as a demonic act to the conception of deviance as a way of "asserting lost power."
- Thio, Alex, Thomas C. Calhoun, and Addrain Conyers (eds.). 2012. *Deviance Today*. Boston: Allyn and Bacon. An anthology that includes articles on various specific forms of deviant behavior.

CRITICAL THINKING QUESTIONS

1. Are liberals more likely than conservatives to hold the positivist or constructionist view of deviance? Why? Which view makes more sense to you and why?
2. Conduct a survey by asking a sample of your fellow students, "What is deviant behavior?" and then "Why do you think it is deviant?" How do their responses fit either of the two perspectives of deviance?

INTERNET RESOURCES

Deviant Behavior (<http://www.tandf.co.uk/journals/journal.asp?issn=0163-9625&linktype=1>) "is the only journal that specifically and exclusively addresses social deviance." It is intended to be a comprehensive, international journal, dedicated to the study of deviant behavior and related theories and research methods.

The U.S. Census Bureau (<http://www.census.gov>) This official site for U.S. Census data provides a variety of current and historical reports, tables, and statistics related to trends in poverty, wealth, and income distribution. Census bureau data are

frequently used in conjunction with studies on deviant behavior.

The Inter-University Consortium for Political and Social Research (<http://www.icpsr.umich.edu/icpsrweb/ICPSR/index.jsp>) includes research findings and data from approximately 700 academic institutions and research organizations. ICPSR provides guidance and training in data analysis and research methods for the social science research community. ICPSR includes a wide range of social research topics and data, including the deviance-related areas of criminal justice, substance abuse, and terrorism.