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here would we start if we were to list the deviant behaviors of these people? With the way they appear naked in public? Use hallucinogenic drugs? Let mucus hang from their noses? Or rubbing hands filled with mucus, spittle, and tobacco juice over a frightened stranger who doesn't dare to protest? Perhaps. But it isn't this simple, for as we shall see, deviance is relative.

## What Is Deviance?

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ociologists use the term **deviance** to refer to any violation of norms, whether the infraction is as minor as driving over the speed limit, as serious as murder, or as humorous as Chagnon's encounter with the Yanomamo. This deceptively simple definition takes us to the heart of the sociological perspective on deviance, which sociologist Howard S. Becker (1966) described this way: *It is not the act itself, but the reactions to the act, that make something deviant.* Chagnon was frightened by what he saw, but to the Yanomamo those same behaviors represented normal, everyday life. What was deviant to Chagnon was *conformist* to the Yanomamo. From their viewpoint, you *should* check out strangers as they did, and nakedness is good, as are hallucinogenic drugs and letting mucus be "natural."

Chagnon's abrupt introduction to the Yanomamo allows us to see the *relativity of deviance*, a major point made by symbolic interactionists. Because different groups have different norms, *what is deviant to some is not deviant to others.* (See the photo on this page.) This principle holds *within* a society as well as across cultures. Thus acts that are acceptable in one culture—or in one group within a society—may be considered deviant in another culture, or by another group within the same society. This idea is explored in the Cultural Diversity box on the next page.

*I took this photo on the outskirts of Hyderabad, India. Is this man deviant? If this were a U.S. street, he would be. But here? No houses have running water in his neighborhood, and the men, women, and children bathe at the neighborhood water pump. This man, then, would not be deviant in this culture. And yet, he is actually mugging for my camera, making the three bystanders laugh. Does this additional factor make this a scene of deviance?*



This principle also applies to a specific form of deviance known as **crime**, the violation of rules that have been written into law. In the extreme, an act that is applauded by one group may be so despised by another group that it is punishable by death. Making a huge profit on a business deal is one example. Americans who do this are admired. Like Donald Trump, they may even write a book about it. In China, however, until recently this same act was a crime called *profiteering*. Anyone found guilty was hanged in a public square as a lesson to all.

Unlike the general public, sociologists use the term *deviance* nonjudgmentally, to refer to any act to which people respond negatively. When sociologists use this term, it does not mean they agree that an act is bad, just that people judge it negatively. To sociologists, then, all of us are deviants of one sort or another, for we all violate norms from time to time.

To be considered deviant, a person does not even have to *do* anything. Sociologist Erving Goffman (1963) used the term **stigma** to refer to characteristics that discredit people. These include violations of norms of ability (blindness, deafness, mental handicaps) and norms of appearance (a facial birthmark, obesity). They also include involuntary memberships, such as being a victim of AIDS or the brother of a rapist. The stigma can become a person's master status, defining him or her as deviant. Recall from Chapter 4 that a master status cuts across all other statuses that a person occupies.

### How Norms Make Social Life Possible

No human group can exist without norms, for *norms make social life possible by making behavior predictable.* What would



## around the WORLD

## Human Sexuality in Cross-Cultural Perspective



**A**nthropologist Robert Edgerton (1976) reported how differently human groups react to similar behaviors. Of the many examples he cites, let's look at sexuality to illustrate how a group's definition of an act, not the act itself, determines whether or not it will be considered deviant.

Norms of sexual behavior vary so widely around the world that what is considered normal in one society may be considered deviant in another. The Pokot people of northwestern Kenya, for example, place high emphasis on sexual pleasure and expect that both a husband and his wife will reach orgasm. If a husband does not satisfy his wife, he is in trouble. Pokot men often engage in adulterous affairs, and should a husband's failure to

satisfy his wife be attributed to adultery, his wife and her female friends will tie him up when he is asleep. The women will shout obscenities at him, beat him, and, as a final gesture of their utter contempt, slaughter and eat his favorite ox before releasing him. His hours of painful humiliation are intended to make him more dutiful concerning his wife's conjugal rights.

People can also become deviants for failing to understand that the group's ideal norms may not be its real norms. As with many groups, the Zapotec Indians of Mexico profess that sexual relations should take place exclusively between husband and wife. Yet the *only* person in one Zapotec community who had no extramarital affairs was considered de-

viant. Evidently these people have an unspoken understanding that married couples will engage in affairs, but be discreet about them. When a wife learns that her husband is having an affair, she usually has one, too.

One Zapotec wife did not follow this covert norm. Instead, she would praise her own virtue to her husband—and then voice the familiar "headache" excuse. She also told other wives the names of the women their husbands were sleeping with. As a result, this virtuous woman was condemned by everyone in the village. Clearly, covert norms can conflict with formal norms—another illustration of the gap between ideal and real culture.



life be like if you could not predict what others would do? Imagine for a moment that you have gone to a store to purchase milk:

Suppose the clerk says, "I won't sell you any milk. We're overstocked with soda, and I'm not going to sell anyone milk until our soda inventory is reduced."

You don't like it, but you decide to buy a case of soda. At the checkout, the clerk says, "I hope you don't mind, but there's a \$5 service charge on every fifteenth customer." You, of course, are the fifteenth.

Just as you start to leave, another clerk stops you and says, "We're not working anymore. We decided to have a party." Suddenly a CD player begins to blast, and everyone in the store begins to dance. "Oh, good, you've brought the soda," says a different clerk, who takes your package and passes sodas all around.

Life is not like this, of course. You can depend on grocery clerks to sell you milk. You can also depend on paying the same price as everyone else, and not being forced to attend a party in the store. Why can you depend on this? Because we are socialized to follow norms, to play the basic roles society assigns to us.

Without norms, we would have social chaos. Norms lay out the basic guidelines for how we should play our roles and interact with others. In short, norms bring about **social order**, a group's customary social arrangements. Our lives are based on these arrangements, which is why deviance often is perceived as so threatening: Deviance undermines predictability, the foundation of social life. Consequently, human groups develop a system of **social control**, formal and informal means of enforcing norms.

**deviance** the violation of rules or norms

**crime** the violation of norms written into law

**stigma** "blemishes" that discredit a person's claim to a "normal" identity

**social order** a group's usual and customary social arrangements, on which its members depend and on which they base their lives

**social control** a group's formal and informal means of enforcing its norms





Much of our interaction is based on background assumptions, the unwritten, taken-for-granted "rules" that underlie our everyday lives. We don't have a "rule" that specifies, "Adults, don't shove a spike up your nose," yet we all know this rule exists. Shown here is Melvin Burkhart from Gibsonton, Florida, whose claim to fame is breaking this particular unspecified rule.

## Sanctions

As discussed in Chapter 2, people do not strictly enforce folkways, but they become very upset when someone breaks a more. Expressions of disapproval of deviance, called **negative sanctions**, range from frowns and gossip for breaking folkways to imprisonment and capital punishment for breaking mores. In general, the more seriously the group takes a norm, the harsher the penalty for violating it. In contrast, **positive sanctions**—from smiles to formal awards—are used to reward people for conforming to norms. Getting a raise is a positive sanction, being fired a negative sanction. Getting an *A* in intro to sociology is a positive sanction, getting an *F* a negative one.

Most negative sanctions are informal. You probably will merely stare when someone dresses in what you consider to be inappropriate clothing, or just gossip if a married person you know spends the night with someone other than his or her spouse. Whether you consider the breaking of a norm simply an amusing matter that warrants no severe sanctions or a serious infraction that does, however, depends on your perspective. If a woman appears at your college graduation ceremonies in a bikini, you may stare and laugh, but if this is *your* mother, you are likely to feel that different sanctions are appropriate. Similarly, if it is *your* father who spends the night with an 18-year-old college freshman, you are likely to do more than gossip.

## Shaming and Degradation Ceremonies

*Shaming* is another sanction. Shaming is especially effective when members of a primary group use it. For this reason, it is often used to keep children in line. It is also effective in small communities, where the individual's reputation is at stake. As our society grew large and urban, it lost its sense of community, and shaming lost its effectiveness. Some are trying to bring shaming back. One Arizona sheriff, for example, makes the men in his jail wear pink underwear (Boxer 2001).

Shaming can be the centerpiece of public ritual, intended to mark the violator as a deviant and hold him or her up for all the world to see. In Nathaniel Hawthorne's *The Scarlet Letter*, town officials forced Hester Prynne to wear a scarlet A sewn on her dress. The A stood for *adulteress*. Wherever she went, Prynne had to wear this badge of shame, and the community expected her to wear it every day for the rest of her life.

Degradation ceremonies are intended to humiliate norm violators and mark them as "not members" of the group. This photo was taken by the U.S. army in 1945 after U.S. troops liberated Cherbourg, France. Members of the French resistance shaved the heads of these women, who had "collaborated" (had sexual contact with) the occupying Nazis. They then marched the shamed women down the streets of the city, while the public shouted insults and spat on them.





Sociologist Harold Garfinkel (1956) gave the name **degradation ceremony** to formal attempts to brand someone as an outsider. The individual is called to account before the group, witnesses denounce him or her, the offender is pronounced guilty, and steps are taken to strip the individual of his or her identity as a group member. In some court martials, officers who are found guilty stand at attention before their peers while the insignia of rank are ripped from their uniforms. This procedure dramatizes that the individual is no longer a member of the group. Although Hester Prynne was not banished from the group physically, she was banished morally; her degradation ceremony proclaimed her a *moral* outcast from the community. The scarlet A marked her as “not one” of them.

Although we don't use scarlet A's today, informal degradation ceremonies still occur. Consider what happened to Joseph Gray (Chivers 2001):

Joseph Gray, a fifteen-year veteran of the New York City police force, was involved in a fatal accident. The *New York Times* and New York television stations reported that Gray had spent the afternoon drinking in a topless bar before plowing his car into a vehicle carrying a pregnant woman, her son, and her sister. All three died. Gray was accused of manslaughter and drunk driving (later convicted on both counts).

The news media hammered this story to the public. Three weeks later, as Gray left police headquarters after resigning from his job, an angry crowd gathered around him. Gray hung his head in public disgrace as Victor Manuel Herrera, whose wife and son were killed in the crash, followed him, shouting, “You're a murderer!”

## IN SUM

In sociology, the term *deviance* refers to all violations of social rules, regardless of their seriousness. The term is not a judgment about the behavior. Deviance is relative, for what is deviant in one group may be conformist in another. Consequently, we must consider deviance from *within* a group's own framework, for it is *their* meanings that underlie their behavior. The following Thinking Critically section focuses on this issue.

## THINKING Critically

### Is It Rape, Or Is It Marriage? A Study in Culture Clash

Surrounded by cornfields, Lincoln, Nebraska, is about as provincial as a state capital gets. Most of its residents have little experience with people from different ways of life. Their baptism into cultural diversity came as a shock.

The wedding was traditional and followed millennia-old Islamic practices (Anin and Hamilton 1996). A 39-year-old Iraqi refugee had arranged for his two eldest daughters, ages 13 and 14, to marry two fellow Iraqi refugees, ages 28 and 34. A Muslim cleric flew in from Ohio to perform the ceremony.

Nebraska went into shock. So did the refugees. What is marriage in Iraq is rape in Nebraska. The

husbands were charged with rape, the girls' father with child abuse, and their mother with contributing to the delinquency of minors.

The event made front page news in Saudi Arabia, where people shook their heads in amazement at Americans. Nebraskans shook their heads in amazement, too.

In Fresno, California, a young Hmong refugee took a group of friends to a local college campus. There they picked up the girl he had selected to be his wife (Sherman 1988; Lacayo 1993). The young men brought her to his house, where he had sex with her. The young woman, however, was not in agreement with this plan.

The Hmong call this *zij poj niam*, marriage by capture. For them, this is an acceptable form of mate selection, one that mirrors Hmong courtship ideals of strong men and virtuous, resistant women. The Fresno District Attorney, however, called it kidnapping and rape.

**negative sanction** an expression of disapproval for breaking a norm, ranging from a mild, informal reaction such as a frown to a formal reaction such as a prison sentence or an execution

**positive sanction** a reward or positive reaction for following norms, ranging from a smile to a prize

**degradation ceremony** a term coined by Harold Garfinkel to describe an attempt to re-make the self by stripping away an individual's self-identity and stamping a new identity in its place



## For Your CONSIDERATION

To apply *symbolic interactionism* to these real-life dramas, ask how the perspectives of the people involved explain why they did what they did. To apply *functionalism*, ask how the U.S. laws that were violated are "functional" (that is, what are their benefits, and to whom?). To apply *conflict theory*, ask what groups are in conflict in these examples. (Do not focus on the individuals involved, but on the groups to which they belong.)

Understanding events in terms of different theoretical perspectives does not tell us what reaction is "right" when cultures clash. Remember that science can analyze causes and consequences, but it cannot determine what actions are right or wrong. Any sense of moral violation that you may feel about these cases comes from your values—which brings us, once again, to the initial issue—the relativity of deviance.

## Competing Explanations of Deviance: Sociology, Sociobiology, and Psychology

Since norms are essential for society, why do people violate them? To better understand the reasons, it is useful to know how sociological explanations differ from biological and psychological ones.

*Sociobiologists* explain deviance by looking for answers *within* individuals. They assume that something in the individual's biological makeup leads him or her to become deviant. By contrast, *sociologists* look for answers in factors *outside* the individual. They assume that something in the environment influences people to become deviant.

Sociobiological explanations focus on **genetic predispositions** to such deviances as juvenile delinquency and crime (Lombroso 1911; Wilson and Herrnstein 1985; Hauser et al. 1995; Lalumiere and Quinsey 2000). Biological explanations include (but are not restricted to) the following three theories: (1) intelligence—low intelligence leads to crime; (2) the "XYY" theory—an extra Y chromosome in males leads to crime; and (3) body type—people with "squatish, muscular" bodies are more likely to commit **street crime**—acts such as mugging, rape, and burglary.

How have these theories held up? Not very well. Most people with these supposedly "causal" characteristics do not become criminals. Some criminals are very intelligent, and most people of low intelligence do not commit crimes. Most men who commit crimes have the normal "XY" chromosome combination, and most men with the "XYY" combination do not become criminals. In addition, no women have this combination of genes, so this explanation can't be applied to female criminals. Criminals also exhibit the full range of body types, and most people with "squatish, muscular" bodies do not become street criminals.

*Psychologists*, too, focus on abnormalities *within* the individual. They examine what are called **personality disorders**. Their supposition is that deviating individuals have deviating personalities (Heilbrun 1990; Krueger and Caspi 2000; Barnes 2001), and that subconscious motives drive people to deviance. No specific childhood experience, however, is invariably linked with deviance. For example, children who had "bad toilet training," "suffocating mothers," or "emotionally aloof fathers" may become embezzling bookkeepers—or good accountants. Just as students, teachers, and police officers represent a variety of bad—and good—childhood experiences, so do deviants. Similarly, people with "suppressed anger" can become freeway snipers or military heroes—or anything else. In short, there is no inevitable outcome of any childhood experience, and deviance is not associated with any particular personality.

In contrast with both sociobiologists and psychologists, *sociologists* search for factors *outside* the individual. They look for social influences that "recruit" people to break norms. To account for why people commit crimes, for example, sociologists examine such external influences as socialization, subcultural membership, and social class.

Unlike biology and psychology, which look within individuals for explanations of human behavior, sociological explanations focus on external experiences, such as people's associations or group memberships. Sociological explanations of human behavior have become widely accepted and now permeate society, as illustrated by this teenager, whom I photographed as we were exiting the Staten Island Ferry in New York City.





*Social class*, a concept discussed in depth in Chapter 10, refers to people's relative standing in terms of education, occupation, and especially income and wealth.

Knowing how relative deviance is, sociologists ask a crucial question: "Why should we expect to find something constant within people to account for a behavior that is conforming in one society and deviant in another?"

To see how sociologists explain deviance, let's contrast the three sociological perspectives—symbolic interactionism, functionalism, and conflict theory.

## The Symbolic Interactionist Perspective

**A**s we examine symbolic interactionism, it will become more evident why sociologists are not satisfied with explanations that are rooted in biology or personality. A basic principle of symbolic interactionism is this: We act according to how we interpret situations, not according to blind predisposition. Let's consider how our membership in groups influences our behaviors and our views of life.

### Differential Association Theory

**The Theory** Contrary to theories built around biology and personality, sociologists stress that people *learn* deviance. Edwin Sutherland coined the term **differential association** to indicate that we learn to deviate or to conform to society's norms mostly by the *different* groups we *associate* with (Sutherland 1924, 1947; Sutherland et al. 1992). On the most obvious level, some boys and girls join Satan's Servants, while others join the Scouts. As sociologists have repeatedly demonstrated, what we learn influences us toward or away from deviance (Alarid et al. 2000; Erickson et al. 2000).

Sutherland's theory is actually more complicated than this, but he basically said that deviance is learned. This goes directly against the view that deviance is biological or is due to personality. Sutherland stressed that the different groups to which we belong (our "*differential association*") give us messages about conformity and deviance. We may receive mixed messages, but we end up with more of one than the other (an "excess of definitions," as Sutherland put it). The end result is an imbalance—attitudes that tilt us more in one direction than the other. Consequently, we conform or deviate.

**Families** Since our family is so important for teaching us attitudes, it probably is obvious to you that the family makes a big difference in whether we learn deviance or conformity. Researchers have confirmed this informal observation. They have found that delinquents are more likely to come from families that get in trouble with the law. They studied 25,000 delinquents who were locked up in high-security state institutions (Beck et al. 1988). They found that 25 percent had a father who had been in prison, 25 percent a brother or sister, 9 percent a mother, and 13 percent some other relative. Of all jail inmates across the United States, about half have a father, mother, brother, or sister who has served time (*Sourcebook of Criminal Justice Statistics* 1997:483). In short, families that are involved in crime tend to set their children on a lawbreaking path.

**Friends, Neighborhoods, and Subcultures** Most people don't know the term *differential association*, but they do know how it works. Most parents want to move out of "bad" neighborhoods because they know that if their kids have delinquent friends, they are likely to become delinquent, too. Sociological research supports this common observation (Miller 1958; Baskin and Sommers 1998; Sampson et al. 2001). Some neighborhoods even develop a subculture of violence. There, even a teasing remark can mean instant death. If the neighbors feel that a victim deserved killing, they refuse to testify because "he got what was coming to him" (Kubrin and Weitzer (2003).

Some neighborhoods even develop subcultures in which killing is considered an honorable act:

Sociologist Ruth Horowitz (1983, 1987), who did participant observation in a lower-class Chicano neighborhood in Chicago, discovered how associating with

**genetic predisposition** in-born tendencies; in this context, to commit deviant acts

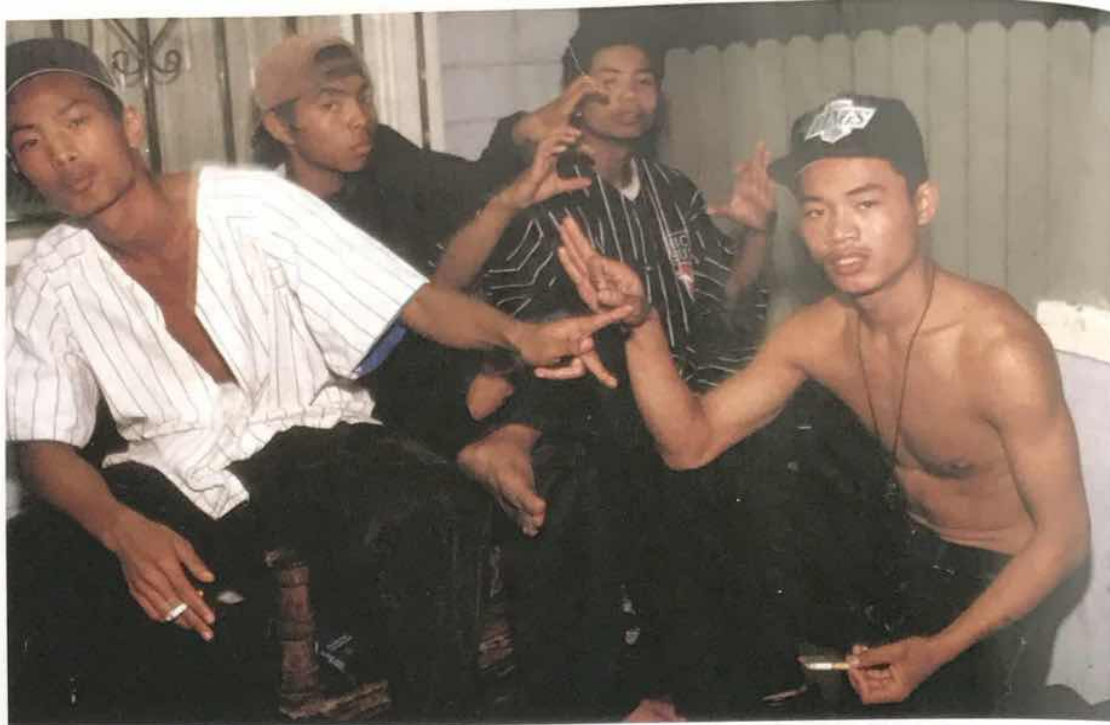
**street crime** crimes such as mugging, rape, and burglary

**personality disorders** the view that a personality disturbance of some sort causes an individual to violate social norms

**differential association** Edwin Sutherland's term to indicate that associating with some groups results in learning an "excess of definitions" of deviance, and, by extension, in a greater likelihood that one will become deviant



To experience a sense of belonging is a basic human need. Membership in groups, especially peer groups, is a primary way that people meet this need. Regardless of the orientation of the group—whether to conformity or to deviance—the process is the same. Shown here is a gang in Long Beach, California, “throwing signs.” Gang membership helps provide a vital sense of identity.



people who have a certain concept of “honor” propels young men to deviance. The formula is simple. “A real man has honor. An insult is a threat to one’s honor. Therefore, not to stand up to someone is to be less than a real man.”

Now suppose you are a young man growing up in this neighborhood. You likely would do a fair amount of fighting, for you would interpret many things as attacks on your honor. You might even carry a knife or a gun, for words and fists wouldn’t always be sufficient. Along with members of your group, you would define fighting, knifing, and shooting quite differently from the way most people do.

Members of the Mafia also intertwine ideas of manliness with violence. For them, *to kill is a measure of their manhood*. Not all killings are accorded the same respect, however, for “the more awesome and potent the victim, the more worthy and meritorious the killer” (Arlacchi 1980). Some killings are done to enforce norms. A member of the Mafia who gives information to the police, for example, has violated *omertá* (the Mafia’s vow of secrecy). Such an offense can never be tolerated, for it threatens the very existence of the group. This example further illustrates just how relative deviance is. Although killing is deviant to mainstream society, for members of the Mafia, *not* to kill after certain rules are broken—such as when someone “squeals” to the cops—is the deviant act.

**Prison or Freedom?** An issue that comes up over and over again in sociology is whether we are prisoners of socialization. Symbolic interactionists stress that we are not mere pawns in the hands of others. We are not destined by our group memberships to think and act as our groups dictate. Rather, we *help produce our own orientations to life*. Our choice of membership (differential association), for example, helps to shape the self. For instance, one college student may join a feminist group that is trying to change the treatment of women in college; another may associate with a group of women who shoplift on weekends. Their choice of groups points them in two different directions. The one who associates with shoplifters may become even more oriented toward criminal activities, while the one who joins the feminist group may develop an even greater interest in producing social change.

### Control Theory

Inside most of us, it seems, are strong desires to do things that would get us in trouble—inner drives, temptations, urges, hostilities, and so on. Yet most of us stifle these desires most of the time. Why?



**The Theory** Sociologist Walter Reckless (1973), who developed **control theory**, stresses that two control systems work against our motivations to deviate. Our *inner controls* include our internalized morality—conscience, religious principles, ideas of right and wrong. Inner controls also include fears of punishment, feelings of integrity, and the desire to be a “good” person (Hirschi 1969; Rogers 1977; Baron 2001). Our *outer controls* consist of people—such as family, friends, and the police—who influence us not to deviate.

The stronger our bonds are with society, the more effective our inner controls are (Hirschi 1969). Bonds are based on *attachments* (feeling affection and respect for people who conform to society’s norms), *commitments* (having a stake in society that you don’t want to risk, such as a respected place in your family, a good standing at college, a good job), *involvements* (putting time and energy into approved activities), and *beliefs* (believing that certain actions are morally wrong). This theory can be summarized as *self-control*, says sociologist Travis Hirschi. The key to learning high self-control is socialization, especially in childhood. Parents help their children develop self-control by supervising them and punishing their deviant acts (Gottfredson and Hirschi 1990).

**Applying the Theory** Consider drug use. Suppose that some friends have invited you to a night club. When you get there, you notice that everyone seems unusually happy, almost giddy would be a better word. They seem to be ecstatic in their animated conversations and dancing. Your friends tell you that almost everyone here has taken the drug Ecstasy, and they invite you to take some with them.

What do you do? Let’s not explore the question of whether taking Ecstasy in this setting is a deviant or a conforming act. That is a separate issue. Instead, concentrate on the pushes and pulls you would feel. The pushes toward taking the drug: your friends, the setting, and your curiosity. Then there are the inner controls: the inner voices of your conscience and your parents, perhaps of your teachers, as well as your fears of arrest and of the dangers of illegal drugs. There are also the outer controls—perhaps the uniformed security guard looking in your direction.

So, what *did* you do? Which was stronger, your inner and outer controls or the pushes and pulls toward taking the drug? It is you who can best weigh these forces, for they differ with each of us.

**control theory** the idea that two control systems—inner controls and outer controls—work against our tendencies to deviate



Drugs and drug use are one of the more interesting areas of deviance. Drugs have social reputations. Sociologically, one of their more interesting aspects is that they go through fads. Shown here is one of those fads, a rave party in a Portland, Oregon, warehouse, where activities are based around the use of Ecstasy.



**labeling theory** the view, developed by symbolic interactionists, that the labels people are given affect their own and others' perceptions of them, thus channeling their behavior either into deviance or into conformity

**techniques of neutralization** ways of thinking or rationalizing that help people deflect (or neutralize) society's norms

## Labeling Theory

Symbolic interactionists have developed **labeling theory**, which focuses on the significance of the labels (names, reputations) that we are given. Labels tend to become a part of our self-concept, which helps to set us on paths that either propel us into or divert us from deviance. Let's look at how people react to society's labels—from “whore” and “pervert” to “cheat” and “slob.”

**Rejecting Labels: How People Neutralize Deviance** Most people resist the negative labels that others try to pin on them. Some are so successful that even though they persist in deviance, they still consider themselves conformists. For example, even though they beat up people and vandalize property, some delinquents consider themselves to be conforming members of society. How do they do it?

Sociologists Gresham Sykes and David Matza (1988) studied boys who were in this situation. They found that they used five **techniques of neutralization** to deflect society's norms.

*Denial of Responsibility* Some boys said, “I'm not responsible for what happened because . . .” and then were quite creative about the “because.” They said that what happened was an “accident.” Other boys saw themselves as “victims” of society. What else could you expect? They were like billiard balls shot around the pool table of life.

*Denial of Injury* Another favorite explanation of the boys was “What I did wasn't wrong because no one got hurt.” They would define vandalism as “mischief,” gang fights as a “private quarrel,” and stealing cars as “borrowing.” They might acknowledge that what they did was illegal, but claim that they were “just having a little fun.”

*Denial of a Victim* Some boys thought of themselves as avengers. Vandalizing a teacher's car was done to get revenge for an unfair grade, while shoplifting was a way to even the score with “crooked” store owners. In short, even if the boys did accept responsibility and admit that someone had gotten hurt, they protected their self-concept by claiming that the people “deserved what they got.”

*Condemnation of the Condemners* Another technique the boys used was to deny that others had the right to judge them. They might accuse people who pointed their fingers at them of being “a bunch of hypocrites”: The police were “on the take,” teachers had “pets,” and parents cheated on their taxes. In short, they said, “Who are *they* to accuse *me* of something?”

The exhibit of deviants on The Jerry Springer Show offers viewers a sense of being participants of hidden things. As Springer and others like him continue to parade deviants before the public, the shock and surprise wear off, making the deviance seem “more” normal. What is occurring is the mainstreaming of deviance—disapproved behaviors moving into the mainstream, or becoming more socially acceptable.





*Appeal to Higher Loyalties* A final technique the boys used to justify antisocial activities was to consider loyalty to the gang more important than following the norms of society. They might say, "I had to help my friends. That's why I got in the fight." Not incidentally, the boy may have shot two members of a rival group, as well as a bystander!

## IN SUM

These five techniques of neutralization have implications far beyond these boys, for it is not only delinquents who try to neutralize the norms of mainstream society. Look again at these five techniques—don't they sound familiar? (1) "I couldn't help myself"; (2) "Who really got hurt?"; (3) "Don't you think she deserved that, after what *she* did?"; (4) "Who are *you* to talk?"; and (5) "I had to help my friends—wouldn't you have done the same thing?" All of us attempt to neutralize the moral demands of society, for such neutralizations help us sleep at night.

**Embracing Labels: The Example of Outlaw Bikers** Although most of us resist attempts to label us as deviant, there are those who revel in a deviant identity. Some teenagers, for example, make certain by their clothing, choice of music, and hair-styles that no one misses their rejection of adult norms. Their status among fellow members of a subculture, within which they are almost obsessive conformists, is vastly more important than any status outside it.

One of the best examples of a group that embraces deviance is motorcycle gangs. Sociologist Mark Watson (1988) did participant observation with outlaw bikers. He rebuilt Harleys with them, hung around their bars and homes, and went on "runs" (trips) with them. He concluded that outlaw bikers see the world as "hostile, weak, and effeminate." They pride themselves on looking "dirty, mean, and generally undesirable" and take pleasure in provoking shocked reactions to their appearance. Holding the conventional world in contempt, they also pride themselves on getting into trouble, laughing at death, and treating women as lesser beings whose primary value is to provide them with services—especially sex. Outlaw bikers also regard themselves as losers, a factor that becomes woven into their unusual embrace of deviance.

**The Power of Labels: The Saints and the Roughnecks** We can see how powerful labeling is by referring back to the study of the "Saints" and the "Roughnecks" that was cited in Chapter 4 (pages 117, 120). As you recall, both groups of high school boys were "constantly occupied with truancy, drinking, wild parties, petty theft, and vandalism." Yet their teachers looked on the Saints as "headed for success" and the Roughnecks as "headed for trouble." By the time they finished high school, not one Saint had been arrested, while the Roughnecks had been in constant trouble with the police.

Why did the community see these boys so differently? Chambliss (1973/2003) concluded that this split vision was due to *social class*. As symbolic interactionists emphasize, social class vitally affects our perceptions and behavior. The Saints came from respectable, middle-class families, the Roughnecks from less respectable, working-class families. These backgrounds led teachers and the authorities to expect good behavior from the Saints but trouble from the Roughnecks. And, like the rest of us, teachers and police saw what they expected to see.

The boys' social class also affected their visibility. The Saints had automobiles, and they did their drinking and vandalism out of town. Without cars, the Roughnecks hung around their own street corners, where their boisterous behavior drew the attention of police and confirmed the ideas that the community already had of them.

The boys' social class also equipped them with distinct *styles of interaction*. When police or teachers questioned them, the Saints were apologetic. Their show of respect for authority elicited a positive reaction from teachers and police, allowing them to escape school and legal problems. The Roughnecks, said Chambliss, were "almost the polar opposite." When questioned, they were hostile. Even when they tried to assume a respectful attitude,



everyone could see through it. Consequently, while teachers and police let the Saints off with warnings, they came down hard on the Roughnecks.

Although what happens in life is not determined by labels alone, the Saints and the Roughnecks did live up to the labels that the community gave them. As you recall, all but one of the Saints went on to college. One earned a doctorate, one became a lawyer, one a doctor, and the others business managers. In contrast, only two of the Roughnecks went to college. They earned athletic scholarships and became coaches. The other Roughnecks did not fare so well. Two of them dropped out of high school, later became involved in separate killings, and were sent to prison. One became a local bookie, and no one knows the whereabouts of the other.

How do labels work? Although the matter is complex, because it involves the self-concept and reactions that vary from one individual to another, we can note that labels open and close doors of opportunity. Unlike its use in sociology, in everyday usage, the label “deviant” is a way of judging people. This label can lock people out of conforming groups and push them into almost exclusive contact with people who have similar labels.

## IN SUM

Symbolic interactionists examine how people’s definitions of the situation underlie their deviation from or conformance to social norms. They focus on group membership (differential association), how people balance pressures to conform and to deviate (control theory), and the significance of the labels that are given to people (labeling theory).

The label *deviant* involves competing definitions and reactions to the same behavior. This central point of symbolic interactionism is explored in the Mass Media box on the next page.

## The Functionalist Perspective

When we think of deviance, its dysfunctions are likely to come to mind. Functionalists, in contrast, are as likely to stress the functions of deviance as they are to emphasize its dysfunctions.

### Can Deviance Really Be Functional for Society?

Most of us are upset by deviance, especially crime, and assume that society would be better off without it. The classic functionalist theorist Emile Durkheim (1858/1933, 1895/1964), however, came to a surprising conclusion. Deviance, he said, including crime, is functional for society, for it contributes to the social order. Its three main functions are:

1. *Deviance clarifies moral boundaries and affirms norms.* A group’s ideas about how people should act and think mark its *moral boundaries*. Deviant acts challenge those boundaries. To call a deviant member into account is to say, in effect, “You broke an important rule, and we cannot tolerate that.” To punish deviants affirms the group’s norms and clarifies what it means to be a member of the group.
2. *Deviance promotes social unity.* To affirm the group’s moral boundaries by punishing deviants fosters a “we” feeling among the group’s members. In saying, “You can’t get by with that,” the group collectively affirms the rightness of its own ways.
3. *Deviance promotes social change.* Groups do not always agree on what to do with people who push beyond their accepted ways of doing things. Some group members may even approve of the rule-breaking behavior. Boundary violations that gain enough support become new, acceptable behaviors. Thus, deviance may force a group to rethink and redefine its moral boundaries, helping groups, and whole societies, to change their customary ways.



### Pornography on the Internet: Freedom Versus Censorship

**P**ornography vividly illustrates one of the sociological principles discussed in this chapter—the relativity of deviance. It is not the act, but reactions to the act, that make something deviant. Consider one of today’s major issues, pornography on the Internet.

Web surfers have a wide choice of pornography. Some sites are even indexed: heterosexual or gay, single or group, teenagers, cheerleaders, and older women who “still think they have it.” Some offer only photographs, others video. Live sites are available, such as one that bills itself as “direct from Amsterdam.” Sign on, and you can command your “model” to do anything your heart desires. Both male and female “models” are available, and the per minute charges are hefty.

What is the problem? Why can’t people exchange nude photos electronically if they want to? Or watch others having sex online, if someone offers that service? Although some object to any kind of sex site, what disturbs many are the sites that feature bondage, torture, rape, bestiality (humans having sex with animals), and sex with children.

The Internet abounds with chat rooms, where people “meet” online to discuss some topic. No one is bothered by the chat rooms where the topic is Roman architecture or rap music or turtle racing. But those whose focus is how to torture women are another matter.



So are those that offer lessons on how to seduce grade school children—or that extol the delights of having sex with three-year-olds.

The state and federal governments have passed laws against child pornography, and the police seize computers and search them for illegal pictures. The courts levy fines and send some violators to prison. To exchange pictures of tortured and sexually abused women, however, remains legal.

#### For Your CONSIDERATION

Some feel that no matter how much they may disagree with a point of view or find it repugnant, communication about it (includ-

ing photos) must be allowed. If we let the government censor these activities, it will censor other activities. Do you think it should be legal to exchange photos of women being sexually abused or tortured? Should it be legal to discuss ways to seduce children? If not, on what basis should they be banned? If we should make these activities illegal, then what other communications should we prohibit? On what basis?

In a 6-to-3 ruling, the U.S. Supreme Court upheld a federal law that requires public libraries that receive federal support to install pornography filters on all computers providing Internet access. Do you think that such filters violate the First Amendment’s guarantee of free speech, as some of the Supreme Court justices declared? Or do you think that these filters are only a reasonable precaution to protect children?

Finally, can you disprove the central point of the symbolic interactionists—that an activity is deviant only because people decide that it is deviant? You may use examples cited in this box, or any others that you wish. You cannot invoke God or moral absolutes in your argument, however, as they are outside the field of sociology. As you will recall from the first chapter of this book, sociology cannot decide moral issues. This applies even to extreme cases.

### Strain Theory: How Social Values Produce Deviance

Functionalists argue that crime is a *natural* part of society, not an aberration or some alien element in our midst. Indeed, they say, some mainstream values actually generate crime. To understand what they mean, consider what sociologists Richard Cloward and Lloyd Ohlin (1960) identified as the crucial problem of the industrialized world: the need to locate and train the most talented people of every generation—whether they were born into wealth or into poverty—so they can take over the key technical jobs of modern society. When children are born, no one knows which ones will have the ability to become dentists, nuclear physicists, or engineers. To get the most talented people to compete with one another, society tries to motivate *everyone* to strive for success. It does this by arousing discontent—making people feel dissatisfied with what they have so they will try to “better” themselves.

Most people, then, end up with strong desires to reach **cultural goals** such as wealth or high status, or to achieve whatever other objectives society holds out for them. However, not everyone has equal access to society’s **institutionalized means**, the legitimate ways of

**cultural goals** the legitimate objectives held out to the members of a society

**institutionalized means** approved ways of reaching cultural goals





Social class divided people into distinct ways of life, so that even crimes differ by social class. Shown here is Martha Stewart, who, with her many products and television appearances, became a household name. In a previous edition of this text, Stewart was shown in happier times, as founder of her own company, Martha Stewart Onmimedia. Due to indictments for insider trading (trading stock on the basis of information gleaned from the "inside"), Stewart was forced to resign from the board of the New York Stock Exchange and the leadership of the company she founded. Obviously, the poor do not face the same opportunities for criminal acts as those Stewart is accused of.

achieving success. Some people find their path to education and good jobs blocked. These people experience *strain* or frustration, which may motivate them to take a deviant path.

This perspective, known as **strain theory**, was developed by sociologist Robert Merton (1956, 1968). People who experience strain, he said, are likely to feel *anomie*, a sense of normlessness. Because mainstream norms (such as work or education) don't seem to be getting them anywhere, they find it difficult to identify with these norms. They may even feel wronged by the system, and its rules may seem illegitimate (Anderson 1978).

Table 8.1 compares people's reactions to cultural goals and institutionalized means. The first reaction, which Merton said is the most common, is *conformity*, using socially acceptable means to try to reach cultural goals. In industrialized societies most people try to get good jobs, a good education, and so on. If well-paid jobs are unavailable, they take less desirable jobs. If they are denied access to Harvard or Stanford, they go to a state university. Others take night classes and go to vocational schools. In short, most people take the socially acceptable road.

**Four Deviant Paths** The remaining four responses, which are deviant, represent reactions to anomie. Let's look at each. *Innovators* are people who accept the goals of society but use illegitimate means to try to reach them. Drug dealers, for instance, accept the goal of achieving wealth, but they reject the legitimate avenues for doing so. Other examples are embezzlers, robbers, and con artists.

The second deviant path is taken by people who become discouraged and give up on achieving cultural goals. Yet they still cling to conventional rules of conduct. Merton called this response *ritualism*. Although ritualists have given up on excelling and advancing in position, they survive by following the rules of their job. Teachers whose idealism is shattered (who are said to suffer from "burnout"), for example, remain in the classroom, where they teach without enthusiasm. Their response is considered deviant because they cling to the job although they have abandoned the goal, which may have been to stimulate young minds or to make the world a better place.

People who choose the third deviant path, *retreatism*, reject both cultural goals and the institutionalized means of achieving them. Those who drop out of the pursuit of success by way of alcohol or drugs are retreatists. Such people even stop trying to appear as though they share the goals of their society.

The final type of deviant response is *rebellion*. Convinced that their society is corrupt, rebels, like retreatists, reject both society's goals and its institutionalized means. Unlike retreatists, however, they seek to replace existing goals with new ones. Revolutionaries are the most committed type of rebels.

**Table 8.1** How People Match Their Goals to Their Means

Do They Feel the Strain That Leads to Anomie?	Mode of Adaptation	Cultural Goals	Institutionalized Means
No	Conformity	Accept	Accept
Yes	Innovation	Accept	Reject
	Ritualism	Reject	Accept
	Retreatism	Reject	Reject
	Rebellion	Reject/Replace	Reject/Replace



Strain theory underscores the sociological principle that deviants are the product of society. Due to their social location, some people experience greater pressures to deviate from society's norms, others much less. Simply put, if a society emphasizes the goal of material success, groups deprived of access to this goal will be more involved in property crime.

## Illegitimate Opportunity Structures: Social Class and Crime

One of the more interesting sociological findings in the study of deviance is that the social classes have distinct styles of crime. Let's see how unequal access to the institutionalized means to success helps to explain this.

**Street Crime** Functionalists point out that industrialized societies have no trouble socializing the poor into wanting to own things. Like others, the poor are bombarded with messages urging them to buy everything from designer jeans and DVD players to new cars. Television and movies show vivid images of middle-class people enjoying luxurious lives. These images reinforce the myth that all full-fledged Americans can afford society's many goods and services.

In contrast, the school system, the most common route to success, often fails the poor. The middle class runs it, and there the children of the poor confront a bewildering world, one at odds with their background. Their grammar and nonstandard language may be liberally sprinkled with what the middle class considers obscenities. Their ideas of punctuality and neatness, as well as their poor preparation in paper-and-pencil skills, are a mismatch with their new environment. Facing such barriers, the poor are more likely than their more privileged counterparts to drop out of school. Educational failure, in turn, closes the door on many legitimate avenues to financial success.

Not infrequently, however, a different door opens to the poor, one that sociologists Richard Cloward and Lloyd Ohlin (1960) called **illegitimate opportunity structures**. Woven into the texture of life in urban slums, for example, are robbery, burglary, drug dealing, prostitution, pimping, gambling, and other remunerative crimes, commonly

**strain theory** Robert Merton's term for the strain engendered when a society socializes large numbers of people to desire a cultural goal (such as success) but withholds from many the approved means to reach that goal; one adaptation to the strain is crime, the choice of an innovative means (one outside the approved system) to attain the cultural goal

**illegitimate opportunity structure** opportunities for crimes that are woven into the texture of life



This 1871 wood engraving depicts children as they are being paid for their day's work in a London brickyard. In early capitalism, most street criminals came from the marginal working class, as did these children. It is the same today.



# Islands in the Street: Urban Gangs in the United States

FOR MORE THAN TEN YEARS, SOCIOLOGIST Martín Sánchez Jankowski (1991) did participant observation of thirty-seven African American, Chicano, Dominican, Irish, Jamaican, and Puerto Rican gangs in Boston, Los Angeles, and New York City. The gangs earned money through gambling, arson, mugging, armed robbery, wholesaling drugs to pushers, and selling moonshine, guns, stolen car parts, and protection. Jankowski ate, slept, and sometimes fought with the gangs, but by mutual agreement he did not participate in drugs or other illegal activities. He was seriously injured twice during the study.

Contrary to stereotypes, Jankowski did not find that the motive for joining was to escape a broken home (there were as many members from intact as from broken

homes) or to seek a substitute family (the same number of boys said they were close to their families as those that said they were not). Rather, the boys joined to gain access to money, to have recreation (including girls and drugs), to maintain anonymity in committing crimes, to get protection, and to help the community. This last reason may seem surprising, but in some neighborhoods gangs protect residents from outsiders. The boys also saw the gang as an alternative to the dead-end—and deadening—jobs held by their parents.

Neighborhood residents are ambivalent about gangs. On the one hand, they fear the violence. On the other hand, many adults once belonged to gangs, the gangs often provide better protection than the police, and gang members are

the children of people who live in the neighborhood.

Particular gangs will come and go, but gangs will likely always remain part of the city. As functionalists point out, gangs fulfill needs of poor youth who live on the margins of society.

## For Your CONSIDERATION

What are the functions that gangs fulfill (the needs they meet)? Suppose that you have been hired as an urban planner by the City of Los Angeles. How could you arrange to meet the needs that gangs fulfill in ways that minimize violence and encourage youth to follow mainstream norms?



*More than 200 people died from accidents involving Firestone tires. Shown here is Victor Rodriguez, whose 10-year-old son was killed when a Firestone tire on their Ford Explorer blew out in San Antonio, Texas. The fault may be Firestone's, for manufacturing defective tires; or it may lie with Ford, for equipping the vehicles with tires that were too small; or it may be a combination of the two. If so, this would be a case of white collar crime that kills. White-collar murderers are unlikely to ever spend a single day in jail for their crimes.*

called “hustles” (Liebow 1967/1997; Bourgois 1994; Anderson 1978, 1990, 2001). For many of the poor, the “hustler” is a role model—glamorous, in control, the image of “easy money,” one of the few people in the area who comes close to attaining the cultural goal of success. For such reasons, then, these activities attract disproportionate numbers of the poor. As discussed in the Down-to-Earth Sociology box above, gangs are one way that the illegitimate opportunity structure beckons disadvantaged youth.

**White-Collar Crime** The more privileged social classes are not crime-free, of course, but for them different illegitimate opportunities beckon. They find *other forms* of crime to be functional. Physicians, for example, never hold up cabbies, but many do cheat Medicare. And you've heard about bookkeepers who embezzle from their employers. In other words, rather than mugging, pimping, and burglary, the more privileged encounter “opportunities” for evading income tax, bribing public officials, embezzling, and so on. Sociologist Edwin Sutherland (1949) coined the term **white-collar crime** to refer to crimes that people of respectable and high social status commit in the course of their occupations.

A special form of white-collar crime is **corporate crime**, crimes committed by executives in order to benefit their corporation. For example, in order to increase corporate profits, Sears executives systematically defrauded the poor of over \$100 million. Their victims were so poor they had filed for bankruptcy. To avoid a criminal trial, Sears pleaded guilty. This frightened the parent companies of Macy's and Bloomingdale's, which had similar deceptive practices, and they settled with their debtors out of court (McCormick 1999). One of the most notorious corporate crimes was the decision by Firestone executives to let faulty tires remain on U.S. vehicles—even though they were recalling them in Saudi Arabia and Venezuela. As illustrated by the photo on this page, the consequences were devastating. These tires cost the lives of about 200 Americans (White et al. 2001).





Seldom is corporate crime taken seriously, even when it results in death. Consider this: Under federal law, causing the death of a worker by willfully violating safety rules is a misdemeanor punishable by up to six months in prison. Yet to harass a wild burro on federal lands is punishable by a year in prison (Barstow and Bergman 2003).

At \$400 billion a year (Zeune 2001), "crime in the suites" actually costs more than "crime in the streets." This refers only to dollar costs. No one has yet figured out a way to compare, for example, the suffering experienced by a rape victim with the pain felt by an elderly couple who have lost their life savings to white-collar fraud.

The greatest concern of Americans, however, is street crime. They fear the violent stranger who will change their life forever. As the Social Map below shows, the chances of such an encounter depend on where you live. From this map, you can also see that some regions are safer than others. In general, the northern states are the safest, the southern states the most dangerous.

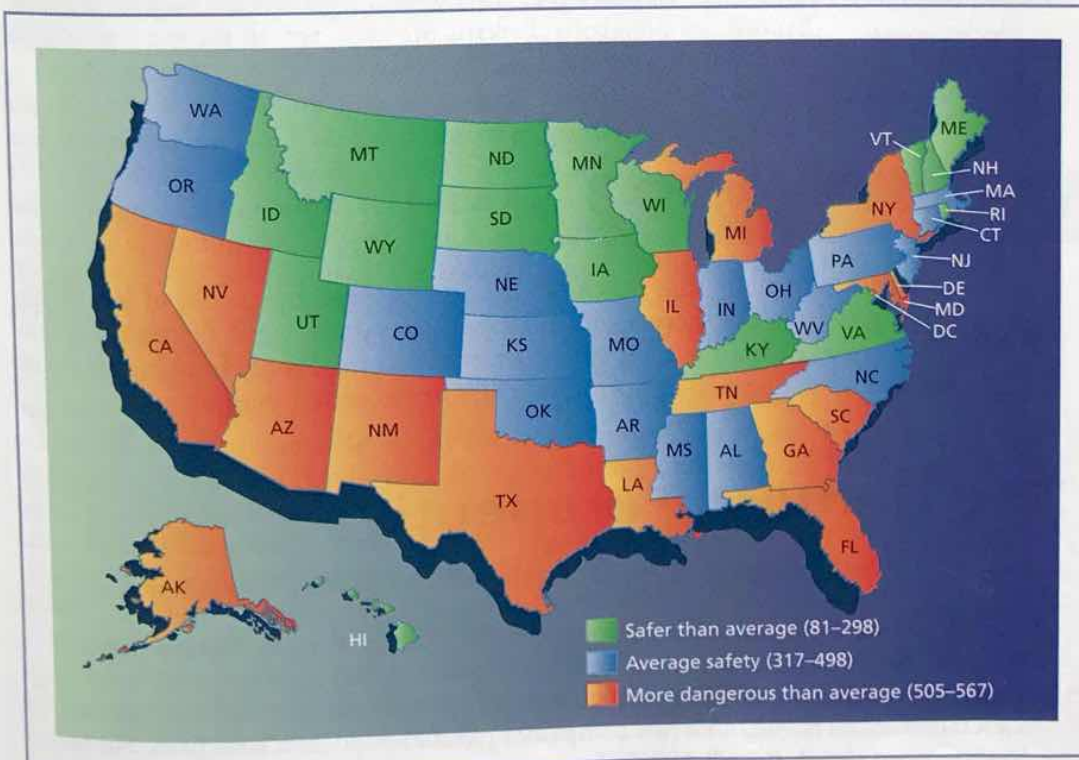
**Gender and Crime** A major change in the nature of crime is the growing number of female offenders. As Table 8.2 on the next page shows, women are committing a larger proportion of almost all crimes—from car theft to burglary. The exceptions are murder and illegal gambling. As more women have joined the professions and corporate world, they, too, have been enticed by its illegitimate opportunities, and their involvement in embezzlement, fraud, and forgery has also increased.

**white-collar crime** Edwin Sutherland's term for crimes committed by people of respectable and high social status in the course of their occupations; for example, bribery of public officials, securities violations, embezzlement, false advertising, and price fixing

**corporate crime** crimes committed by executives in order to benefit their corporation

### Figure 8.1 Some States are Safer: Violent Crime in the United States

Violent crimes are murder, rape, robbery, and aggravated assault. The U.S. average is 506 per 100,000 people, but the chances of becoming a victim of these crimes varies widely among the states. One's chance of becoming a victim are seven times higher in some states. With a rate of 81, North Dakota is the safest state, while Florida, with a rate ten times higher, is the most dangerous state. Washington, D.C., a district, not a state, is even higher; its rate of 1,508 is three times the national average and over 18 times North Dakota's rate.



Source: By the author. Based on *Statistical Abstract 2002:Table 285.*



**Table 8.2 Women and Crime: What a Difference 10 Years Makes**

Of all those arrested, what percentage are women?

Crime	1990	2000 <sup>1</sup>	Change
Car Theft	10.0%	15.7%	+57%
Aggravated Assault	13.3%	20.1%	+51%
Burglary	8.8%	13.3%	+51%
Possessing Stolen Property	12.0%	17.4%	+45%
Drunken Driving	12.8%	16.4%	+28%
Robbery	8.3%	10.1%	+22%
Embezzlement	41.2%	50.0%	+21%
Arson	13.0%	15.0%	+15%
Forgery and Counterfeiting	34.6%	39.0%	+13%
Larceny/Theft	32.0%	35.9%	+12%
Illegal Weapons	7.4%	8.0%	+8%
Murder	10.4%	10.3%	-1%
Illegal Gambling	13.8%	11.1%	-2%
OVERALL	18.4%	22.2%	+21%

<sup>1</sup>Latest year availableSource: *Statistical Abstract* 1992:Table 302; 2002:Table 299.

## IN SUM

Functionalists conclude that much street crime is the consequence of socializing everyone into equating success with material possessions, while denying many in the lower social classes the means to attain that success. People from higher social classes encounter different opportunity structures to commit crimes.

## The Conflict Perspective

### Class, Crime, and the Criminal Justice System

Two leading U.S. aerospace companies, Hughes Electronics and Boeing Satellite Systems, were accused of illegally exporting missile technology to China. The technology allowed China to improve its delivery system for nuclear weapons, placing the United States at risk. The two companies pleaded guilty and paid fines. No executives went to jail. (Gerth 2003)



Contrast this corporate crime that places you in danger with stories you often read in newspapers about young men who are sentenced to several years in prison for stealing cars. How can a legal system that is supposed to provide “justice for all” be so inconsistent? According to conflict theorists, this question is central to the analysis of crime and the **criminal justice system**—the police, courts, and prisons that deal with people who are accused of having committed crimes. Let’s see if conflict theorists have an answer.

## Power and Inequality

Conflict theorists regard power and social inequality as the main characteristics of society. They stress that a group at the top, a power elite, controls the criminal justice system. This group makes certain that laws are passed that will protect its power. Other norms, such as those that govern informal behavior (chewing with a closed mouth, appearing in public with combed hair, and so on), may come from other sources, but they simply are not as important. Such norms influence our everyday behavior, but they do not determine who gets sent to prison and who does not.

Conflict theorists see the most fundamental division in capitalist society as that between the few who own the means of production and the many who do not, those who sell their labor and the privileged few who buy it. Those who buy labor, and thereby control workers, make up the **capitalist class**; those who sell their labor form the **working class**. Toward the most depressed end of the working class is the **marginal working class**: people with few skills who are subject to layoffs and whose jobs are low paying, part time, or seasonal. This class is marked by unemployment and poverty. From its ranks come most of the prison inmates in the United States. Desperate, these people commit street crimes, and because their crimes threaten the social order that keeps the elite in power, they are severely punished.

## The Law as an Instrument of Oppression

According to conflict theorists, the idea that the law operates impartially and administers a code that is shared by all is a cultural myth promoted by the capitalist class. These theorists see the law as an instrument of oppression, a tool designed to maintain the powerful in their privileged position (Spitzer 1975; Chambliss 2000; Sheldon 2001). Because the working class has the potential to rebel and overthrow the current social order, when its members get out of line, they are arrested, tried, and imprisoned.

For this reason, the criminal justice system does not focus on the owners of corporations and the harm they do to the masses through unsafe products, wanton pollution, and price manipulations. Instead, it directs its energies against violations by the working class (Platt 1978; Chambliss 2000; Reiman 2001). The violations of the capitalist class cannot be totally ignored, however, for if they became too outrageous or oppressive, the working class might rise up and revolt. To prevent this, occasionally a flagrant violation by a member of the capitalist class is prosecuted. The publicity given to the case helps to stabilize the social system by providing visible evidence of the “fairness” of the criminal justice system.

Usually, however, the powerful are able to bypass the courts altogether, appearing instead before an agency that has no power to imprison (such as the Federal Trade Commission). These agencies are directed by people from wealthy backgrounds who sympathize with the intricacies of the corporate world. This means that most cases of illegal sales of stocks and bonds, price fixing, collusion, and so on are handled by “gentlemen overseeing gentlemen.” Is it surprising, then, that the typical sanction is a token fine? In contrast, courts that do have the power to imprison handle the property crimes of the masses. Burglary, armed robbery, and theft committed by the poor threaten not only the sanctity of private property but, ultimately, the positions of the powerful.

When groups that have been denied access to power gain that access, we can expect to see changes in the legal system. This is precisely what is occurring now. Racial-ethnic minorities and homosexuals, for example, have more political power today than ever before. In line with conflict theory, a new category called *hate crime* has been formulated. We analyze this change in a different context on pages 222–223.

### **criminal justice system**

the system of police, courts, and prisons set up to deal with people who are accused of having committed a crime

**capitalist class** the wealthy who own the means of production and buy the labor of the working class

**working class** those people who sell their labor to the capitalist class

**marginal working class** the most desperate members of the working class, who have few skills, little job security, and are often unemployed



From the perspective of conflict theory, the small penalties imposed for crimes committed by the powerful are typical of a legal system that has been designed by the elite (capitalists) to control workers, to keep themselves in power, and, ultimately, to stabilize the social order. From this perspective, law enforcement is a cultural device through which the capitalist class carries out self-protective and repressive policies.

## Reactions to Deviance



Whether it involves cheating on a sociology quiz or holding up a liquor store, any violation of norms invites reaction. Let's look at some of these reactions.

**Figure 8.2** How Much Is Enough?

### The Explosion in the Number of U.S. Prisoners

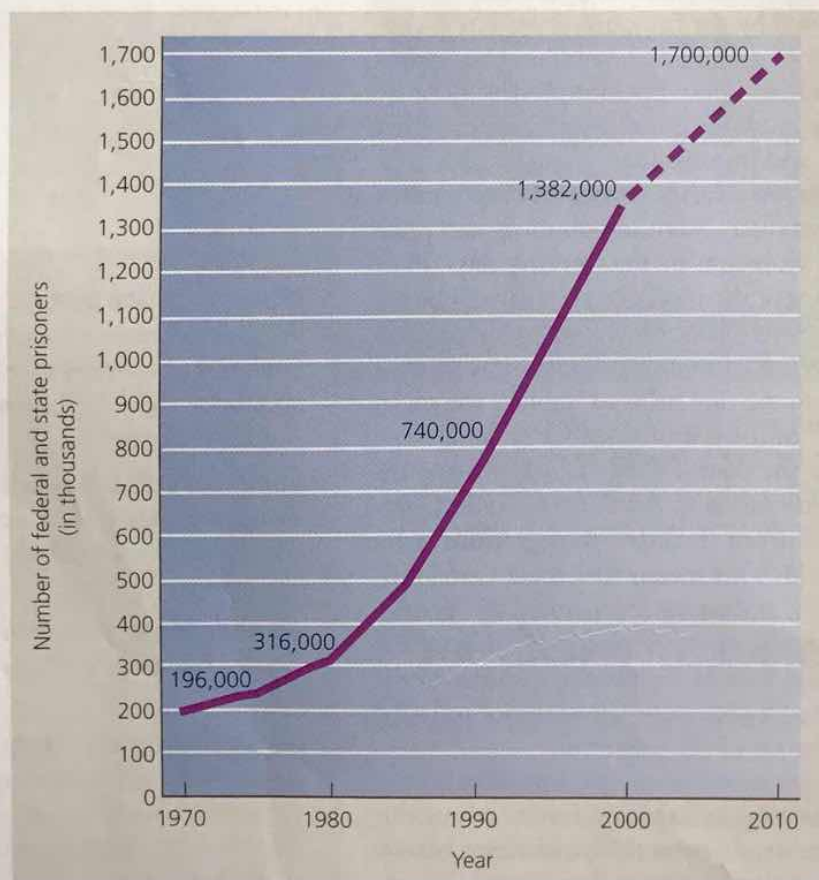
To better understand how remarkable this change is, compare the prison growth with the growth of the U.S. population. Between 1970 and 2000, the U.S. population grew 38 percent, while the U.S. prison population grew 16 times as fast (605 percent). If the U.S. prison population had grown at the same rate as the U.S. population, there would be about 270,000 prisoners, one fifth of the actual number. (Or if the U.S. population had increased at the same rate as that of U.S. prisoners, the U.S. population would be 1,423,000,000—more than the population of China.)

### Street Crime and Prisons

Today, we don't make people wear scarlet letters, but we do remove them from society and make them wear prison uniforms. And we still use degradation ceremonies—in this case, a public trial and the public pronouncement that someone is "unfit" to live among "decent, law-abiding people" for some specified period of time. Figure 8.2 illustrates the remarkable growth in the U.S. prison population. This huge number does *not* include jail inmates. If we add these, the total comes to over two million. The United States not only has more prisoners than any other nation, but a larger percentage of its population in prison as well ("Coming to . . ." 2001).

Who are these prisoners? To see how they compare with the U.S. population, look at Table 8.3. Several things may strike you. The prisoners tend to be much younger than the general U.S. population, and almost all of them are men. Then there is that remarkable statistic. Although African Americans make up just 11.5 percent of the U.S. population, almost half of all prisoners are African Americans. On any given day, about 1 of 8 African American men ages 20 to 34 are in jail or prison (Butterfield 2003). Finally, you might note how marriage—one of the major techniques society has of "anchoring" us—provides protection from prison.

As noted, social class funnels some people into the criminal justice system and others away from it. This becomes especially apparent if you look at the education totals on this table. You can see how people's chances of ending up in prison increase if they do not complete high school—and how unlikely it is for college graduates to have this unwelcome destination in life.



Source: By the author. Based on *Statistical Abstract* 1995:Table 349, 2002:Tables 1, 326. The broken line is the author's estimate.



**Table 8.3 Inmates in U.S. State Prisons**

Characteristics	Percentage of Prisoners with These Characteristics	Percentage of U.S. Population with These Characteristics
<b>Age</b>		
17 and younger	0.5%	25.9%
18-24	19.3%	10.2%
25-34	38.1%	16.6%
45-54	29.4%	15.7%
55-64	9.8%	10.7%
65 and older	2.2%	8.2%
	0.7%	12.7%
<b>Race-Ethnicity</b>		
African American	46.5%	12.2%
White	33.3%	68.2%
Latino	17.0%	13.5%
Others	3.2%	6.1%
<b>Sex</b>		
Male	93.7%	49.0%
Female	6.3%	51.0%
<b>Marital Status</b>		
Never Married	57.1%	23.5%
Divorced	18.6%	9.9%
Married	16.6%	59.7%
<b>Education</b>		
Less than high school	43.1%	15.8%
High school graduate	43.6%	33.1%
Some college	10.7%	25.4%
College graduate (BA or higher)	2.7%	25.6%

Sources: Sourcebook of Criminal Justice Statistics 2001:Table 6..29; Statistical Abstract 1998:Tables 16, 61, 262; 2002:Table 210; Figure 12.5 of this text.

For the past 15 years or so, the United States has followed a “get tough” policy. “Three strikes and you’re out” laws (a mandatory sentence, sometimes life imprisonment, upon conviction for a third felony) have become common. While few of us would feel sympathy if a man convicted of a third rape or a third murder were sent to prison for life, as discussed in the following Thinking Critically section, these laws have had unanticipated consequences.

## THINKING Critically

### “Three Strikes and You’re Out!” Unintended Consequences of Well-Intended Laws

In the 1980s, violent crime soared. Americans were fearful, and they demanded that their lawmakers do something. Politicians heard the message, and they

responded by passing the “three strikes” law. Anyone convicted of a third felony receives an automatic mandatory sentence. Judges are not allowed to consider the circumstances. Some mandatory sentences carry life imprisonment.

In their haste to appease the public, the politicians did not limit these laws to *violent crimes*. And they did not consider that some minor crimes are considered felonies. As the functionalists would say, this has led to unanticipated consequences.



**recidivism rate** the proportion of released convicts who are rearrested

Here are some actual cases:

- In Los Angeles, a man was sentenced to 25 years for stealing a pizza (Cloud 1998).
- In New York City, a man who was about to be sentenced for selling crack said to the judge, "I'm only 19. This is terrible." He then hurled himself out of a courtroom window, plunging to his death sixteen stories below (Cloud 1998).
- In Los Angeles, a man who passed himself off as Tiger Woods to go on a \$17,000 shopping spree was sentenced to 200 years in prison (Reuters 2001).
- In California, a man who stole 9 videotapes from K-Mart was sentenced to 50 years in

prison without parole. He appealed to the U.S. Supreme Court, which upheld his sentence (Greenhouse 2003).

### For Your CONSIDERATION

Apply the symbolic interactionist, functionalist, and conflict perspectives to mandatory sentencing. For *symbolic interactionism*, what do these laws represent to the public? How does your answer differ depending on what part of "the public" you are referring to? For *functionalism*, who benefits from these laws? What are some of their dysfunctions? For the *conflict perspective*, what groups are in conflict? Who has the power to enforce their will on others?

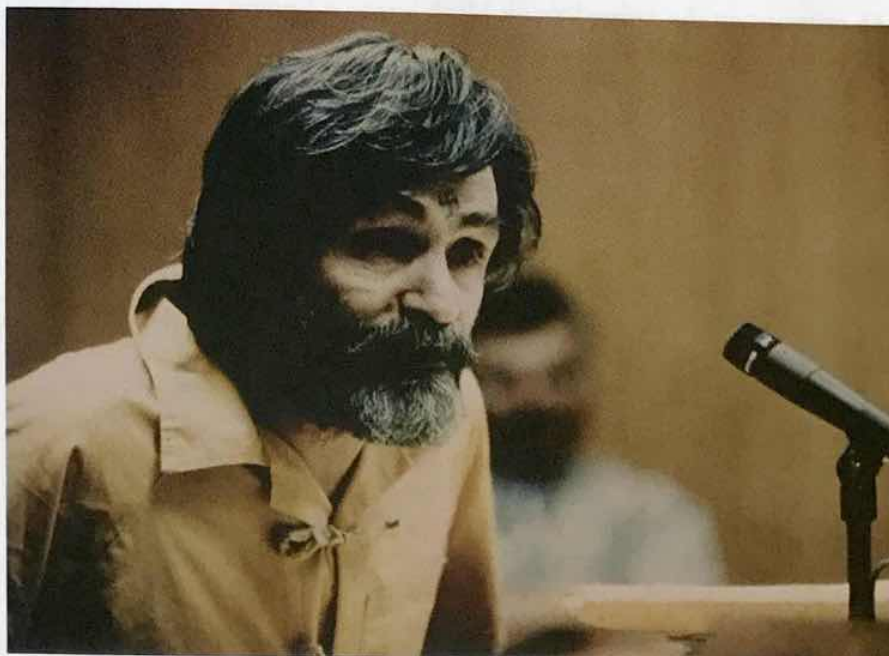
## The Decline in Crime

As you saw in Figure 8.2, the courts have put more and more people in prison. In addition, legislators passed the three-strikes laws and reduced early releases. As these changes occurred, the crime rate dropped sharply. This drop has led to a controversy in sociology. Some sociologists conclude that the changes we discussed led to the drop in crime (Conklin 2003). Other sociologists, however, say that the reduction came about for different reasons, such as higher employment and a drop in drug use (Reiman 2001; Rosenfeld 2002). This matter is not yet settled, but both imprisonment and the economy seem to be important factors.

## Recidivism

A major problem with prisons is that they fail to teach their clients to stay away from crime. Our **recidivism rate**—the percentage of former prisoners who are rearrested—is extremely high. If you were to survey the average prison, you would find that three out of every four prisoners have been in prison before. When prisoners convicted of violent crimes are released, in just three years half (52 percent) are back in prison (*Sourcebook of Criminal Justice Statistics 2001:Table 6.44*). Figure 8.3 shows recidivism by type of crime. It is safe to conclude that if—and this is a big if—the purpose of prisons is to teach people that crime doesn't pay, they are a colossal failure.

Charles Manson, shown here at a parole hearing, was arrested in 1969 and charged with ordering several murders, including that of Sharon Tate, an actress who was eight months pregnant. Manson was sentenced to death, but escaped this penalty when the death penalty was ruled unconstitutional as then administered. Manson is the poster boy for many people who, despairing of rehabilitation, call for retribution, deterrence, and incapacitation.



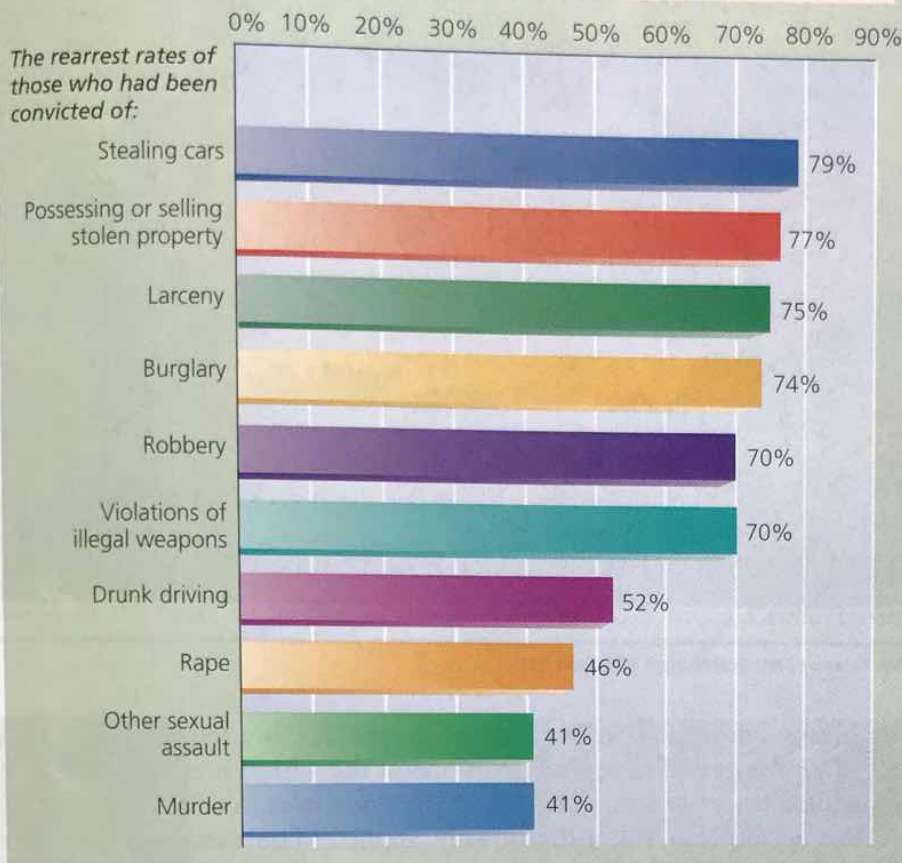


### Figure 8.3 Recidivism of U.S. Prisoners

The individuals were not necessarily rearrested for the same crime for which they had originally been in prison.

**capital punishment** the death penalty

Of 300,000 prisoners released from U.S. prisons, how many were rearrested within three years?



Source: Langan and Levin 2002.

### The Death Penalty and Bias

**Capital punishment**, the death penalty, is the most extreme and controversial measure the state takes. Apart from the moral and philosophical controversy surrounding the death penalty, people object to its biases. The death penalty is not administered evenly. Consider geography: Where people commit murder greatly affects their chances of being put to death. The Social Map on the next page shows this unevenness.

The death penalty also shows social class bias. As you know from news reports on murder and sentencing, it is rare for a rich person to be sentenced to death. Although the government does not collect statistics on social class and the death penalty, this common observation is borne out by the average education of the prisoners on death row. *Most* prisoners on death row (52%) have not finished high school (*Sourcebook of Criminal Justice Statistics* 2001:Table 6.77).

Table 8.4 shows gender and the death penalty. It is also almost unheard of for a woman to be sentenced to death. Although women commit 10.3 percent of the murders, they make up only 1.5 percent of death row inmates. It is likely that this statistic reflects the bias of more “tender feelings” toward women, but it could reflect the relative brutality of their murders.

The bias that once put an end to the death penalty, though, was flagrant. Donald Partington (1965), a Virginia lawyer, saw this bias first hand, so he decided to document it. He analyzed the executions for rape and attempted rape in Virginia between 1908 and 1963. He found that 2,798 men had been convicted for these crimes—56 percent whites

**Table 8.4 Women and Men on Death Row**

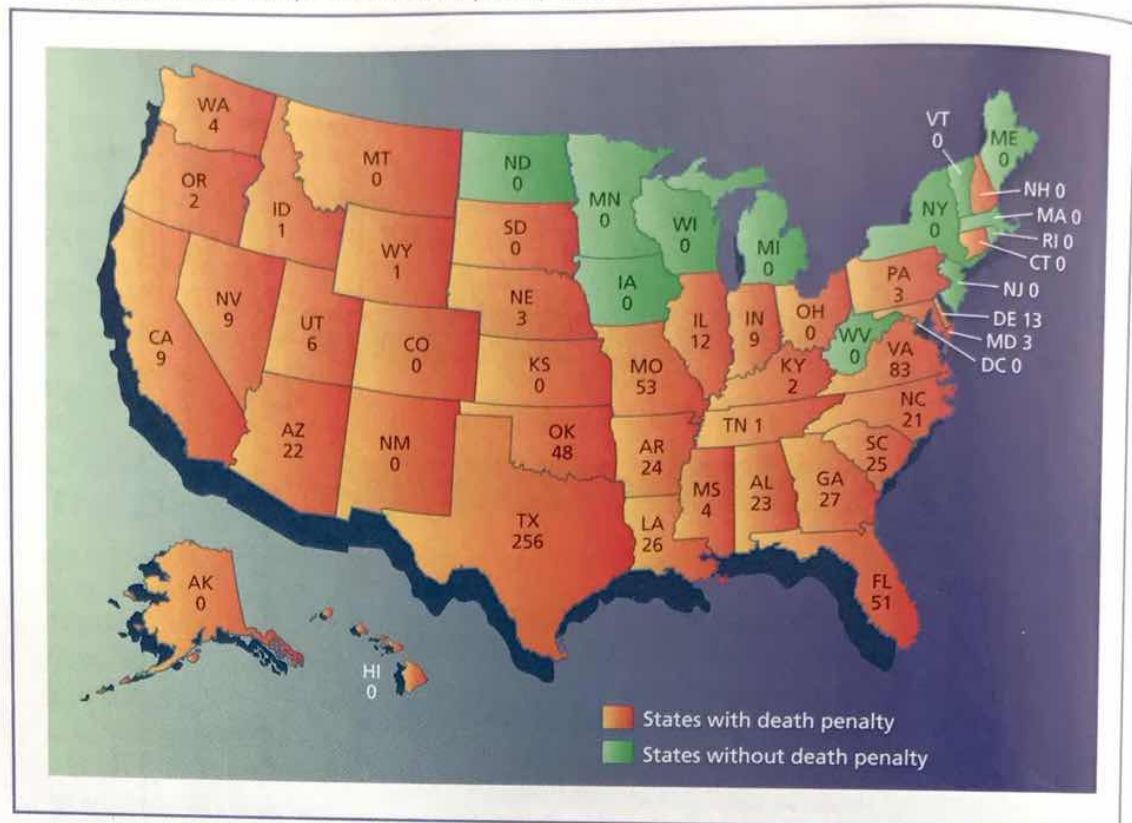
Women	1.5%
Men	98.5%

Source: *Sourcebook of Criminal Justice Statistics* 2001:Table 6.77.



## Figure 8.4 Executions in the United States

Executions since 1977, when the death penalty was reinstated.



Source: By the author. Based on *Statistical Abstract 2002:Table 331*.

### Table 8.5 The Racial-Ethnic Makeup of the 3,701 Prisoners on Death Row

46% Whites
43% African Americans
9% Latinos
1% Native Americans
1% Asian Americans

Source: *Sourcebook of Criminal Justice Statistics 2001:Table 6.76*.

and 44 percent blacks. For rape, 41 men had been executed. For attempted rape, 13 had been executed. *All those executed were black.* Not one of the whites was executed.

After listening to evidence like this, in 1972 the Supreme Court ruled in *Furman v. Georgia* that the death penalty was unconstitutionally applied. The execution of prisoners stopped—but not for long. The states wrote new laws, and in 1977 they again began to execute prisoners. Since then, 64 percent of those put to death have been white and 36 percent African American (*Statistical Abstract 2002:Table 330*). (Latinos are evidently counted as whites in this statistic.) Table 8.5 shows the race-ethnicity of the prisoners now on death row.

### Legal Change

Did you know that it is a crime in Iran for women to wear makeup? A crime in Illinois to sell meat or alcohol before noon on Sundays? Or illegal in Wells, Maine, to advertise on tombstones? As stressed in this chapter, deviance, including the form called *crime*, is relative. It varies from one society to another, and from group to group within a society. It also varies from one time period to another, as opinions change or as different groups gain access to power.

Let's consider legal change.

## THINKING Critically

### Changing Views: Making Hate a Crime

Because crime consists of whatever acts authorities decide to assign that label, new crimes emerge from time to time. A prime example is juvenile delin-

quency, which Illinois lawmakers designated a separate type of crime in 1899. Juveniles committed crimes prior to this time, of course, but these youths were not considered to be a separate type of law-breaker. They were just young people who committed crimes, and they were treated the same as adults who committed the same crime. New technology also leads to new crimes. Motor vehicle theft, a separate crime in the United States, obviously did not exist before the automobile was invented



In the 1980s, another new crime was born when state governments developed the classification **hate crime**. This is a crime that is motivated by *bias* (dislike, hatred) against someone's race-ethnicity, religion, sexual orientation, disability, or national origin. Prior to this, of course, people attacked others or destroyed their property out of these same motivations, but in those cases the motivation was not the issue. If someone injured or killed another person because of that person's race-ethnicity, religion, sexual orientation, national origin, or disability, he or she was charged with assault or murder. Today, motivation has become a central issue, and hate crimes carry more severe sentences than do crimes that involve the same act but without hatred as the motive. Table 8.6 summarizes the victims of hate crimes.

We can be certain that the "evolution" of crime is not yet complete. As society changes and as differ-

ent groups gain access to power, we can expect the definitions of crime to change accordingly.

### For Your CONSIDERATION

Why should we have a separate classification called hate crime? Why aren't the crimes of assault, robbery, and murder adequate? As one analyst (Sullivan 1999) said: "Was the brutal murder of gay college student Matthew Shepard [a hate crime] in Laramie, Wyoming, in 1998 worse than the abduction, rape, and murder of an eight-year-old Laramie girl [not a hate crime] by a pedophile that same year?" How do you think your social location (race-ethnicity, gender, social class, sexual orientation, or physical ability) affects your opinion?

**Table 8.6 Hate Crimes**

Directed Against	Number of Victims
<b>Race-Ethnicity</b>	
African Americans	3,609
Whites	1,125
Latinos	777
Asian Americans	347
Native Americans	66
<b>Religion</b>	
Jews	1,285
Catholics	64
Protestants	62
Muslims	37*
<b>Sexual Orientation</b>	
Male Homosexual	1,070
Female Homosexual	244
Homosexuals (general)	233
Heterosexuals	28
<b>Disabilities</b>	
Physical	20
Mental	18

\*The latest year available is 2000; attacks against Muslims increased after 9/11.

Source: *Statistical Abstract 2002:Table 292.*

## The Trouble with Official Statistics

Both the findings of symbolic interactionists (that stereotypes operate when authorities deal with groups such as the Saints and the Roughnecks) and the conclusion of conflict theorists (that the criminal justice system exists to serve the ruling elite) demonstrate the need for caution in interpreting official statistics. Crime statistics do



This graffiti was sprayed on the campus of Washington High School in Fremont, California. The suspects in this incident are also suspects in the vandalism of a Fremont synagogue.

**hate crime** crimes to which more severe penalties are attached because they are motivated by hatred (dislike, animosity) of someone's race-ethnicity, religion, sexual orientation, disability, or national origin



**police discretion** the practice of the police, in the normal course of their duties, to either arrest or ticket someone for an offense or to overlook the matter

**medicalization of deviance** to make deviance a medical matter, a symptom of some underlying illness that needs to be treated by physicians

not have an objective, independent existence. They are not like oranges that you pick out in a grocery store. Rather, crime statistics are a human creation. They are produced within a specific social and political context for some particular purpose. Change that context, and the statistics would change.

Consider this: According to official statistics, working-class boys are clearly more delinquent than middle-class boys. Yet, as we have seen, *who actually gets arrested for what* is affected by social class, a point that has far-reaching implications. As symbolic interactionists point out, the police follow a symbolic system as they enforce the law. Their ideas of “typical criminals” and “typical good citizens,” for example, permeate their work. The more a suspect matches their mental “criminal profile,” the more likely that person is to be arrested. **Police discretion**, the decision of whether to arrest someone or even to ignore a matter, is a routine part of police work. Consequently, official crime statistics always reflect these and many other biases.

People whose behaviors violate norms often are called mentally ill. “Why else would they do such things?” is a common response to deviant behaviors that we don’t understand. Mental illness is a label that contains the assumption that there is something wrong “within” people that “causes” their disapproved behavior. The surprise with this man, who changed his legal name to “Scary Guy,” is that he speaks at schools across the country, where he promotes acceptance, awareness, love, and understanding.



## IN SUM

Reactions to deviants vary from such mild sanctions as frowns and stares to such severe responses as imprisonment and death. Some sanctions are formal—court hearings, for example—although most are informal, as when friends refuse to talk to each other. One sanction is to label someone a deviant, which can have powerful consequences for the person’s life, especially if the label closes off conforming activities and opens deviant ones. The degradation ceremony, in which someone is publicly labeled “not one of us,” is a powerful sanction. So is imprisonment. Official statistics must be viewed with caution, for they reflect biases.

### The Medicalization of Deviance: Mental Illness

Another way in which society deals with deviance is to “medicalize” it. Let’s look at what this entails.

**Neither Mental Nor Illness?** To *medicalize* something is to make it a medical matter, to classify it as a form of illness that properly belongs in the care of physicians. For the past hundred years or so, especially since the time of Sigmund Freud (1856–1939), the Viennese physician who founded psychoanalysis, there has been a growing tendency toward the **medicalization of deviance**. In this view, deviance, including crime, is a sign of mental sickness. Rape, murder, stealing, cheating, and so on are external symptoms of internal disorders, consequences of a confused or tortured mind.

Thomas Szasz (1986, 1996, 1998), a renegade in his profession of psychiatry, argues that *mental illnesses are neither mental nor illness. They are simply problem behaviors*. Some forms of so-called mental illnesses have organic causes; that is, they are *physical* illnesses that result in unusual perceptions or behavior. Some depression, for example, is caused by a chemical imbalance in the brain, which can be treated by drugs.

The depression, however, may show itself as crying, long-term sadness, and lack of interest in family, work, school, or one’s appearance. When a person becomes deviant in ways that disturb others, *and* when these others cannot find a satisfying explanation for why the person is “like that,” they conclude that a “sickness in the head” is causing the inappropriate, unacceptable behavior. For example, a new mental illness is “shopaholism” (compulsive shopping) (Chaker 2003).

All of us have troubles. Some of us face a constant barrage of problems as we go through life. Most of us continue the struggle, encouraged by relatives and friends, motivated by job, family responsibilities, and life goals. Even when the odds seem hopeless, we carry on, not perfectly, but as best we can.

Some people, however, fail to cope well with the challenges of daily life. Overwhelmed, they become depressed, uncooperative, or hostile. Some strike out at others, while some, in Merton’s terms, become retreatists and withdraw into their



apartments or homes, not wanting to come out. These are *behaviors, not mental illnesses*, ertheless, not mental illnesses. Thus, Szasz concludes that “mental illness” is a myth foisted on a naive public by a medical profession that uses pseudoscientific jargon in order to expand its area of control and force nonconforming people to accept society’s definitions of “normal.”

Szasz’s extreme claim forces us to look anew at the forms of deviance that we usually refer to as mental illness. To explain behavior that people find bizarre, he directs our attention not to causes hidden deep within the “subconscious,” but, instead, to how people learn such behaviors. To ask, “What is the origin of inappropriate or bizarre behavior?” then becomes similar to asking, “Why do some women steal?” “Why do some men rape?” “Why do some teenagers cuss their parents and stalk out of the room, slamming the door?” *The answers depend on those people’s particular experiences in life, not on an illness in their mind.* In short, some sociologists find Szasz’s renegade analysis refreshing because it indicates that *social experiences*, not some illness of the mind, underlie bizarre behaviors—as well as deviance in general.

### The Homeless Mentally III

Jamie was sitting on a low wall surrounding the landscaped courtyard of an exclusive restaurant. She appeared unaware of the stares that were elicited by her layers of mismatched clothing, her dirty face, and the shopping cart that overflowed with her meager possessions.

Every once in a while Jamie would pause, concentrate, and point to the street, slowly moving her finger horizontally. I asked her what she was doing.

“I’m directing traffic,” she replied. “I control where the cars go. Look, that one turned right there,” she said, now withdrawing her finger.

“Really?” I said.

After a while she confided that her cart talked to her.

“Really?” I said again.

“Yes,” she replied. “You can hear it, too.” At that, she pushed the shopping cart a bit.

“Did you hear that?” she asked.

When I shook my head, she demonstrated again. Then it hit me. She was referring to the squeaking wheels!

I nodded.

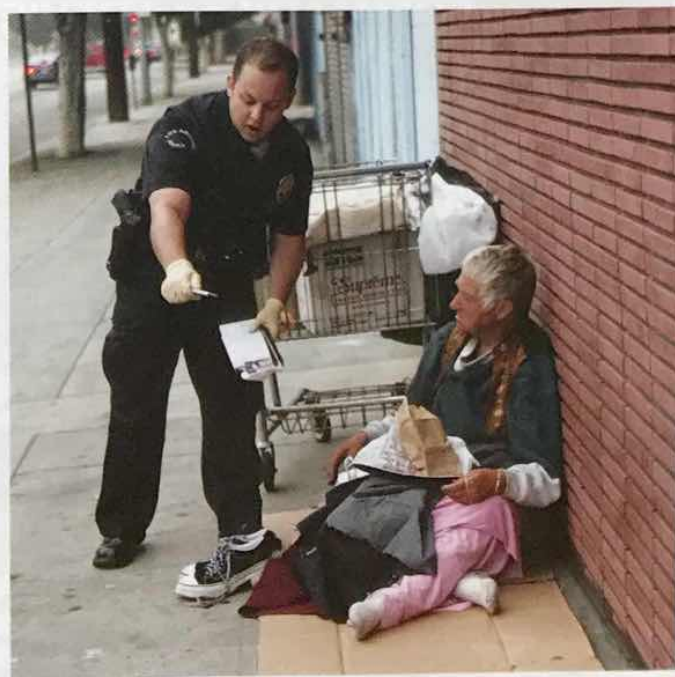
When I left, Jamie was pointing to the sky, for, as she told me, she also controlled the flight of airplanes.

To most of us, Jamie’s behavior and thinking are bizarre. They simply do not match any reality we know. Could you or I become like Jamie?

Suppose for a bitter moment that you are homeless and have to live on the streets. You have no money, no place to sleep, no bathroom. You do not know *if* you are going to eat, much less where. You have no friends or anyone you can trust, and you live in constant fear of rape and other violence. Do you think this might be enough to drive you over the edge?

Consider just the problems involved in not having a place to bathe. (Shelters are often so dangerous that many homeless prefer to sleep in public settings.) At first, you try to wash in the restrooms of gas stations, bars, the bus station, or a shopping center. But you are dirty, and people stare when you enter and call the management when they see you wash your feet in the sink. You are thrown out and told in no uncertain terms never to come back. So you get dirtier and dirtier. Eventually you come to think of being dirty as a fact of life. Soon, maybe, you don’t even care. The stares no longer bother you, at least not as much.

*This Los Angeles police officer is giving a ticket to a homeless woman for sleeping on the sidewalk. The supposed reason—as ridiculous as it sounds—that the L.A. police chief gave for cracking down on the homeless is because these “lawbreakers will graduate to bigger crimes if left unchecked.” The real reason is that the slum area where this woman lives is slated for redevelopment for the upper middle class.*





No one will talk to you, and you withdraw more and more into yourself. You begin to build a fantasy life. You talk openly to yourself. People stare, but so what? They stare anyway. Besides, they are no longer important to you.

Jamie might be mentally ill. Some organic problem, such as a chemical imbalance in her brain, might underlie her behavior. But perhaps not. How long would it take us to exhibit bizarre behaviors if we were homeless—and hopeless? The point is that *just being on the streets can cause mental illness*—or whatever we want to label socially inappropriate behaviors that we find difficult to classify. *Homelessness and mental illness are reciprocal*: Just as “mental illness” can cause homelessness, so the trials of being homeless, of living on cold, hostile streets, can lead to unusual and unacceptable thinking and behaviors.

## The Need for a More Humane Approach

As Durkheim (1895/1964:68) pointed out, deviance is inevitable—even in a group of saints.

Imagine a society of saints, a perfect cloister of exemplary individuals. Crimes, properly so called, will there be unknown; but faults which appear [invisible] to the layman will create there the same scandal that the ordinary offense does in ordinary [society].

With deviance inevitable, one measure of a society is how it treats its deviants. Our prisons certainly don't say much good about U.S. society. Filled with the poor, they are warehouses of the unwanted. They reflect patterns of broad discrimination in our larger society. White-collar criminals continue to get by with a slap on the wrist while street criminals are punished severely. Some deviants, who fail to meet current standards of admission to either prison or mental hospital, take refuge in shelters and cardboard boxes in city streets. Although no one has *the* answer, it does not take much reflection to see that there are more humane approaches than these.

Because deviance is inevitable, the larger issues are to find ways to protect people from deviant behaviors that are harmful to themselves or others, to tolerate those that are not harmful, and to develop systems of fairer treatment for deviants. In the absence of fundamental changes that would bring about a truly equitable social system, most efforts are, unfortunately, Band-Aid solutions. What we need is a more humane social system, one that would prevent the social inequalities that are the focus of the next four chapters.