DEVIANT BEHAVIOR

Eleventh Edition

Erich Goode

ROUTLEDGE

ELEVENTH EDITION

Deviant Behavior

Deviant Behavior provides a comprehensive study of the behavior, beliefs, conditions, and reactions to deviance, giving students a better understanding of this phenomenon. Deviance is discussed from the sociological perspectives of positivism and constructionism. Readers will grasp the reason behind deviant behavior through the positivist perspective and why certain actions, beliefs, and physical characteristics are condemned through the constructionist perspective.

New to this edition:

- Two chapters on crime make clearer distinctions between criminalization of behavior versus criminal behavior itself.
- More discussion of the relativity of deviance, including how murder is socially and legally constructed.
- The notion that conspiracy theory is a form of cognitive deviance is expanded.
- Discussion that furthers the difference between labeling theory and constructionism.
- Section on environmental pollution with reference to "green criminology."
- Section added on deviance and harm.
- An extensive, author-created instructor's manual offering lesson plans, teaching tips, student activities, film suggestions, web links, study questions, and more. Instructors may access this by clicking the "Instructor Resources" tab on the book's Routledge page at https://www.routledge.com/products/9781138191907.

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To Barbara,
my lovely and loving wife,
without whom

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Brief Contents

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Contents

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Preface

A NEW ERA?

Racial polarization. Growing economic inequality. Deeply entrenched poverty. New methods of committing corporate malfeasances. New and unique cutting-edge drugs that get the user higher faster. More homeless former mental patients roaming the streets. Internet sites that promise all manner of sexual services and thrills. A rise in the crime rate, previously down to record-low levels. Conspiracy theories about where an African American president was born.

Where is this society going? What are we doing? Are we entering a new age of deviance and crime? Does the study of deviance demand a broader scope, a more far-reaching vision?

NEW TO THIS EDITION

I've enjoyed revising *Deviant Behavior* for Routledge, the book's new publisher, because many ongoing events have virtually cried out for an update. In addition to updating this edition with contemporary facts and figures and discussions of recent publications and developments, here are a few of the changes I've made and new issues I've raised.

Several readers suggested that I devote more discussion to the subject of *race and the criminal justice system*, and so I have. These discussions include sections on *mass incarceration*, *stop and frisk*, *disparities in sentencing*, *the black versus white arrest–incarceration ratio disparity*, and the question of *missing black men*—which itself raises disturbing implications for the African American family. I've expanded my discussions of *crime and criminalization* into two chapters; among other crucial issues, I've made the *distinction between the criminalization of behavior and specific forms of criminal behavior*, what criminologists have referred to as "*criminal behavior systems*." I've captured the distinction between criminalization and crime by discussing, in Chapter 5, how murder is conceptualized, and, in Chapter 6, how the criminologist draws empirical conclusions about murder. Is environmental pollution a form of deviance? Is it a crime? Does it belong in a deviance textbook? The issue in turn connects with the newly emerging field of "*green criminology*."

Conceptually and theoretically, I've also distinguished more clearly *labeling theory and constructionism*—two approaches that some observers have confused. All too often critics have interpreted constructionism to imply that a particular real-world problem, such as murder, is "only" a construction, which is completely false; murder is both, as I've emphasized. To illustrate that truth, I have included in Chapter 6 the account, "*A Murder Victim's Brother Speaks*." Moreover, along these lines, I've added a section on whether and to what extent deviance should be defined by the harm that some actions inflict upon others, whose advocates use this position as a critique—in my view, naïve and misguided—of the social construction of reality. Appropriately, I've added a section on *deviance and harm*. Further, I've expanded the argument that believing in certain kinds of *conspiracy theory* represents a form of cognitive deviance.

Some readers felt that in the previous edition I devoted too much space to substance abuse, so I've trimmed the material in the previous edition's Chapters 7 and 8, merging them into the new Chapter 8 of this edition. Both researchers and informed observers have suggested new approaches to several of our topics—for instance, on schizophrenia, on race, and on racism, and I have accommodated their ideas in this edition. More than half of the personal accounts following the chapters are new. A few include "*Faculty–Student Sex*," "*A Formerly Homeless Man Speaks out*," "*Victimization and Abuse*," "*A Tattoo Collector Gets Inked*," "*An Executive's Substance Abuse*," and

"*Reflections on Studying BDSM*," the last of these, an essay written by a sociologist studying *sadomasochistic sex*. In the discussion on *tribal stigma*, or the deviance of race, ethnicity, and religion, I've added a section on *genocide*. I've deleted several sections throughout that were probably redundant and excessive.

New to this edition is an extensive, author-created instructor's manual offering lesson plans, teaching tips, student activities, film suggestions, web links, study questions, and more. Instructors may access this by clicking the "Instructor Resources" tab on the book's Routledge page at: https://www.routledge.com/products/9781138191907.

ONGOING POSITIONS

The sociology of deviance demands *empathy*. Sociologists should live inside the skin of their subjects, informants, audiences, and interviewees, so that they can see the world through their eyes and emotionally experience life the way they live it. This is difficult and gut-wrenching, involving, as it does, taking the role of the other with a diversity of actors whose perspectives often contradict one another, as well as, quite often, clashing with one's own point of view. How can we possibly empathize with people who inflict serious harm on humankind? The task is daunting. Rule-violators are not always offbeat, good-guy rebels, and mavericks; sometimes, they are abusers, exploiters, murderers, and true villains—whether corporate, governmental, or individual. But empathy can help us understand them, what they do, and perhaps the harm they inflict, if they do. Usually they don't, though empathy helps either way. At the same time, I try to avoid the eerily detached attitude of superiority that some social scientists adopt; these sociological observers shall remain nameless.

It almost goes without saying that what I present here is *a sociological perspective on deviance*. I am not a psychologist, I am not a neurologist, and what happens in the brain is a domain that stretches continents away from my geography of competence. Other disciplines define the term I use in entirely different ways and marshal different mechanisms to explain how the human organism engages in activities that fall under their definition. Theirs may be more fundamental, more primal, but my domain is more out in the open; it's there, it's what I study and write about, and it's what I know.

Acknowledgments

For earlier editions of this text, I discharged debts of gratitude to multiple friends, relatives, colleagues, students, collaborators on various projects, interviewees and respondents, and critics. I'd also like to reiterate my gratitude to two Prentice-Hall editors, one, Ed Stanford, who got the original book project rolling, and the second, Nancy Roberts, who kept it going. Naturally, I wish to express my enormous thanks to the brave folks who contributed the accounts that appear after each chapter, some from past editions, others for this one. These human-interest stories impart a verisimilitude to the book that perhaps the expository paragraphs and statistics lack. I am humbled by the honesty of these authors and interviewees. In previous editions, most of these account-givers were pleased to read their narratives in print, but a small handful recoiled when they encountered their supposed sins and drawbacks self-chronicled and concentrated into a few pages. I apologize to the latter category, but this is what this book is about —deeds, beliefs, and conditions that some of us *regard* as wrongful. There's no getting around that fact, except to be truthful and sagacious about such matters; context and perspective are crucial here.

To Nachman Ben-Yehuda, whose companionship and fruitful association, collaboration, and sage advice I have long treasured; to the memory of my dad, William J. Goode, who died too soon—Si, I thought you'd live to celebrate your 100th birthday! To Dean Birkenkamp, sociology editor at Routledge, whose persistence, patience, and faith in me and in this project kept me at my computer. And to Amanda Yee, Dean's assistant, I likewise express gratitude. I've mentioned numerous others in the acknowledgments of the previous editions of this book and so I stop, because a complete list would become far too long and cumbersome far too quickly.

My wife, Barbara. I'm grateful to her. My tower, my flywheel. My love. She's the main influence in my life.

I have borrowed several phrases, sentences, paragraphs, and even pages from a couple of my published articles, principally those that discuss the fanciful "death of deviance" notion. I gratefully acknowledge my use of this material.

Erich Goode
Greenwich Village, New York

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CHAPTER

1

An Introduction to Deviance

Source: © Tim Gerard Barker/Getty Images

WE LIVE, it would appear, in troubled—and troubling—times. Lots of people around the world engage in behavior that doesn't seem right. In as many cities across the United States, police gun down a dozen unarmed African American suspects on the street in blatant violation of acceptable tactical protocol. In Baltimore, four teenagers crouch in an alleyway, suck on and then pass around a glass pipe and stare dreamily into space. Mental hospitals everywhere release disordered patients onto the street, unsupervised, unmedicated, and unhoused, where they sleep, or beg from, jabber to, or scream at passers-by. The collapse of the subprime housing market vaporizes billions

of dollars and leaves hundreds of thousands of families deep in debt and troubled about their lives and their futures. Chemical company executives bribe politicians to allow them to dump toxic waste in rivers, streams, and lakes. Somewhere in cyberspace there's a "dark net" where purveyors sell illicit goods and services to customers seeking them out—murder for hire, child pornography, drugs, forged passports, counterfeit drivers' licenses, stolen credit cards, untraceable and unlicensed semiautomatic weapons, a forum for dissidents in authoritarian regimes to voice their political grievances, and even computer viruses (Bartlett, 2014; Halpern, 2015).

"From there to here, from here to there, funny things are everywhere," says Dr. Seuss in the opening line of *One Fish Two Fish Blue Fish Red Fish*—and we can only agree. Except that many of these things are not very amusing; in fact, they are tragic.

What I intend to do in this book, insofar as such a thing is possible, is to put these and similar—and some very different—events and developments into focus. How people—and, hence, sociologists—conceptualize deviance is a recurrent theme that runs throughout this volume, and we may encounter some surprises along the way. What we're interested in is the what, who, how, where, and when—that is, the structure and dynamics—of whatever is likely to elicit condemnation. But what counts in the deviance equation is not what each individual observer, including the student—and also including the individual sociologist—feels is *really, truly* right or wrong. It is something altogether different.

DEVIANCE: WHAT IS IT?

Marshall Clinard's classic textbook defined deviance as "deviations from social norms which encounter disapproval" (1957, p. vii)—a standard and widely adopted definition that seems entirely sensible, although limited. Still, I'd like to qualify, shade, and complicate matters a bit. *Who* defines or promulgates these social norms? How widely held are they? *How much* disapproval do these deviations elicit? Are they sanctioned by the society at large—or do different, diverse, and scattered audiences, different social circles, sanction different norms? How *large* do such social circles or audiences have to be? *How many* audiences need to disapprove of normative violations for them to qualify as deviance? And likewise, how *serious* are these deviations or violations? These intriguing questions raise a host of conceptual, intellectual, and theoretical issues. All of the behaviors described in the introductory paragraph of this chapter would encounter disapproval from some members of the society, but not all. Disapproval comes, not from everyone in a society, but from members of certain circles of collectivities—groups of people. Sociologists of deviance call these groups "audiences," because they constitute collectivities that decide whether certain acts are wrongful and express approval, disapproval, or neutrality about the actors' moral character.

Here's a telling example. In October 2015, the Democratic and Republican candidates for the 2016 election engaged in debates about America's problems as well as their solutions. In their one debate, the Democratic candidates characterized climate change, police shootings of African Americans, and a failing criminal justice system as the most important issues for society that were in need of repair. The Republicans held two debates; they featured abortion, illegal immigration, high taxes, the regulation of business, and free-spending government social welfare programs as the central problems of the day, all of which contribute to the "rotting" of "America's moral core" (Healy, 2015, p. A1). In other words, the leaders of the two parties disagree about what's wrong with American society and *what constitutes wrongful behavior*; each side defines deviance in very different ways.

All societies on Earth are comprised of social circles, groups of people, or scattered individuals, whose members judge and evaluate what they see and hear about. When they encounter or hear about behavior, expressed beliefs, and even physical traits or characteristics that should be considered offensive, improper, unseemly, or inappropriate, there's a likelihood that they will punish, denounce, or humiliate the violator. In a similar fashion, if the behavior in question is illegal, law enforcement may step in and make an arrest. But does it always? In other words, all societies exercise *some forms* of social control. If social control is *never* exercised, societies almost inevitably collapse into chaos and

anarchy. But this formulation leaves some issues unresolved. When members of audiences observe something of which they disapprove, *when* and *under what circumstances* do they express disapproval? Much of the time, people ignore untoward behavior, the expression of wayward beliefs, and unconventional physical characteristics. How does all this behavior, this action and interaction—and inaction—come about? Even if we see something we regard as wrong, we sometimes intervene and sometimes ignore it. Why? What's the pattern here? Under what circumstances do we do the one, or the other? Here, I address these issues; they are central to the sociology of deviance.

Sociologists define deviance as behavior, beliefs, and characteristics that violate society's, or a collectivity's, norms, the violation of which tends to attract negative reactions from audiences. Such negative reactions include contempt, punishment, hostility, condemnation, criticism, denigration, condescension, stigma, pity, and/or scorn. Perhaps the most common reaction to someone doing or saying something or looking a certain way is the withdrawal of sociability—walking away from the person in question. But *how strong* does the negative reaction have to be to allow the sociologist to view the action, attitude, or trait as "deviant"? The short answer is: It doesn't matter; deviance is a matter of degree. The *stronger* the negative reaction and the *greater* the number of audiences that react this way—and the *more sizable and influential* the audiences are—the more likely it is that the violator will attract negative reactions or labeling, and the more certain sociologists feel that they have an instance of deviance on their hands. Not all members of a given audience will react in the same way; usually—even within a specific society or social circle—reactions to normative violations vary.

Sociologists don't necessarily *agree* with a given negative assessment, or react in such negative ways—they don't always think that the violator ought to be chastised or punished—but, as sociologists, it's their obligation to notice that certain audiences *do* react negatively. Sociologists study such reactions, because these social exchanges *define* or *constitute* deviance. There is no *essence* to deviance, no hard, concrete reality that we can put our hands on that exists independent of such condemnatory or scornful reactions, no quality all deviancies possess—and, hence, no categorical or generic "cause" of deviance. The defining characteristic of deviance for most sociologists is not harm, injury, wrong, pathology, sin, or abusiveness; these qualities or attributes are socially constructed and attributed, and, however they are defined, what is considered deviant varies independently of them. Under certain circumstances, powerful people can *get away with* doing things that others—less powerful people—find offensive. The less powerful parties may be afraid to react in a way that expresses how they feel, so they may express these feelings in different contexts, under other circumstances. Perhaps they'll tell a friend, a teacher, or a relative about it; perhaps they'll wait for the appropriate time and place to react. Or perhaps they simply sublimate their reactions and feel resentful and lash out at someone else. All sociological generalizations apply other things being equal; power, like audiences, qualifies or contextualizes sociological definitions of deviance.

What's deviant is a definition, *not* a theory. It defines what the sociological conceptualization of deviance *is*; it does not formulate a cause-and-effect explanation for *why* people behave the way they do, believe what they do, or are the way they are—or react the way they do. These are separate matters. Why people do what they do, and why members of certain audiences react the way they do, and what conditions influence them to react one way rather than another, all demand an explanation. The same behavior, beliefs, and conditions elicit diverse reactions, depending on the audience. But this diversity is *not* without boundaries. Social and cultural constraints and conditions place limitations on what's considered deviant. Nowhere is an unprovoked killing of the members of one's own band, tribe, family, group, kin, or intimate unit considered acceptable or praiseworthy; certain physical conditions are considered so hideous that in no society are they beauty features. In other words, there are limits to relativity, limits as to the ways in which cultures or subcultures construct notions of good and bad, beautiful and ugly, acceptable and unacceptable, righteous and wrongful, moral and immoral. But the limits are broad, and, for the most, relativity in these judgments prevails.

DEVIANCE IN EVERYDAY LIFE

Just about everyone has done *something* that someone else frowns upon; just about everyone believes something that certain others view as immoral or wrongful, holds attitudes of which somebody disapproves, or possesses physical or ethnic characteristics that touch off disdain or hostility or denigration in this, that, or some other, social circle, "audience," or person. Perhaps at least once, we've stolen something, or told a lie, or gossiped about another person in an especially unflattering manner. Maybe more than once we've gotten drunk, or high, or driven too fast, or recklessly, or gone through a red light without bothering to stop. Have we ever worn clothes someone else thought were out of style, offensive, or ugly? Have we ever belched at the dinner table, broken wind, or picked our nose in public? Have we ever cut class or failed to read an assignment? Do we like a television program someone else finds stupid and boring? Didn't we once date someone our parents and friends didn't like? Maybe our religious beliefs and practices don't agree with those of the members of another theological group, organization, sect, or denomination. Perhaps politically we're a liberal, or a conservative, or somewhere in the middle—*someone* doesn't approve of those views. At some point, didn't we put on a little too much weight?

All of us make judgments about the behavior, beliefs, appearance, or characteristics of others. All of us evaluate others, although in variable ways. Societies everywhere formulate and enforce rules or *norms* governing what we may and may not do, how we should and shouldn't think, believe, and say, even how we should and shouldn't look. Those norms are so detailed and complex, and so dependent on the views of different "audiences" or social circles of evaluators, that certain things that others do, believe, and are, are looked on negatively by *someone*—in all likelihood, by *lots* of other people. Believers in God look down on atheists; atheists think believers in God are misguided and mistaken. Fundamentalist Christians oppose the beliefs of fundamentalist Muslims, and vice versa. Liberals disapprove of and oppose the views of conservatives; to conservatives, the feeling is mutual. Many college campuses are divided into mutually exclusive ethnic and racial enclaves; in student unions, often, the whites sit together in their own area, and African Americans in theirs. Jocks and druggies, brains and preppies, Greeks, geeks, hippies—the number of ways that what we believe, or do, or are, is judged negatively by *some* others is almost infinite.

There are four necessary ingredients for deviance to take place or exist: one, a rule or *norm*; two, someone who violates (or is thought to violate) that norm; three, an "audience," a person or collectivity who judges behavior, beliefs, or traits to be wrongful; and four, the likelihood of a negative reaction—criticism, condemnation, censure, stigma, disapproval, punishment, and the like—*by* the members of at least one of those audiences. To qualify as deviance, it isn't even necessary to violate a norm that's serious, such as the Ten Commandments. Norms are everywhere, and they vary in seriousness, and different social circles believe in and profess different norms. In other words, "deviance" is a matter of degree, a continuum or a *spectrum*, from trivial to extremely serious, *and* it is relative as to audience. "I've never done anything seriously wrong," we might tell ourselves. "There's nothing deviant about me!" we add. But "wrong" according to *whose* standards? And "deviant" in what *sense*? And to what degree? Chances are we think our political position is reasonable; many of our fellow citizens will disagree, finding our politics foolish and wrong-headed. Our friends are probably in synch with us with respect to lifestyle and taste in clothing, but, unbeknownst to us, behind our backs, there are others who make fun of us because of the way we dress and act. We probably feel our religious beliefs are sound, even righteous, but we might be surprised by how many others don't. The point is, nearly everything about every one of us—both the reader and the author of this book included—is a potential source of criticism, condemnation, or censure, in *some* social circles, from the point of view of *some* observers.

Deviance is not a simple quality resting with a given action, belief, or trait inherent in, intrinsic to, or indwelling within them. Hardly any act, for example, is regarded as deviant everywhere and at all times (though some acts are *more widely* condemned than others are). What *makes* a given act deviant is the way it is seen, regarded, judged, evaluated, and the way that others—audiences—

treat the person who engages in that act. Deviance is that which is considered wrongful *by* specific audiences, *within* certain social settings, and is reacted to negatively, in a socially rejecting or critical fashion. Acts, beliefs, and traits are deviant *to* certain persons or audiences or *in* certain social circles. What *defines* deviance is the actual or potential *reaction* that actions, beliefs, and traits generate or are likely to generate in audiences. It is this negative reaction that defines or *constitutes* a given act, belief, or trait *as* deviant. Without that reaction, actual or potential, we do not have a case of deviance on our hands. When that reaction takes place, or is expressed in an interview or questionnaire, sociologists refer to whatever touches off that reaction as deviant—*to* the members of a particular collectivity who react to it in a negative fashion.

Humans are evaluative creatures: We create and enforce rules. But some of us also *violate* some rules; the tendency to do as we please, against the norms, is inherently disobedient. There are those who park in "No Parking" zones; smoke when and where they aren't supposed to; shoplift when they don't have enough money or don't feel like waiting in line; speed to get where they're going. Some among us even have sex with the wrong partner. Not one of us is passive, obeying all rules like a robot, programmed to follow society's commands. The human animal is active, creative, and sometimes irrepressible. All societies generate a multitude of rules—and their violations, likewise, are multitudinous. In fact, the more numerous and detailed the rules, the greater the likelihood of normative violations.

Virtually no one abides by *all* rules *all* the time. This is a literal impossibility, as some of these rules contradict one another. None of these rules is considered valid by everyone in any society. Especially in a large, complex, urban, multicultural, multiethnic, multinational society such as the United States, the variation in rules is considerable—indeed, immense. This means that almost any action, belief, or characteristic we could think of is approved in some social circles and condemned in others. Almost inevitably, we deviate from *someone's* rules simply by acting, believing, or even being a certain way, as it is impossible to conform to all the rules that prevail.

DEVIANCE AS NON-PEJORATIVE

When sociologists say that something is deviant within a certain social circle or society, does that mean that they *agree* that it should be condemned? Of course not! All of us have our own views of what's right and wrong, and those views may chime or clash with those of the audiences whose reactions we are looking at. Does this mean that, when we use the term "deviant" *as a form of sociological analysis*, we seek to denigrate, put down, or humiliate anyone to whom the term applies? Absolutely not! Again, we may *agree* or *disagree* with the judgment, but, if we hear what people say or watch what they do, *that* judgment hits us like a pie in the face. We would be *foolish* and *ignorant* to pretend that it doesn't exist. When we say that they feel an act to be wrong, we are taking note of how members of particular social collectivities regard or treat a certain behavior, belief, or characteristic. If we say that a president's approval rating is high, or low, that does not mean that we approve, or disapprove, of that president. What it means is that we take note of public opinion. When we say that many people in American society look down upon prostitutes, criminals, drug dealers, alcoholics, this does not mean that *we* necessarily agree with that judgment. (Of course, we may.) Negative reactions, taken as a whole, constitute a social fact, and we would be foolish to pretend that they don't exist. In other words, when sociologists use the terms "deviance" and "deviant," they are using them in an absolutely *non-pejorative* fashion. This means that, sociologically, they are descriptive terms that apply to what certain people think and how they feel about certain actions and actors. You may hate a particular movie, but, if it is number one at the box office, you can still say it is a "popular" movie—because it *is*. You could be an atheist and still say that atheism is deviant *to many Americans*. *Even if you don't agree with that judgment*, it is materially real in that it has consequences, and, as sociologists, we are forced to acknowledge the existence of those attitudes and their consequences. Some observers don't like the sound of the word, "deviant," imagining that it has an automatic pejorative tone. But what's a better term? No one has come up with one that seems to satisfy everyone. Every alternative is conceptually inappropriate.

In short, deviance is an analytic category: It applies to all spheres and areas of human life; it is a trans-historical, cross-cultural concept. The dynamics of deviance have taken place throughout recorded history and in every known society, anywhere humans interact with one another. Everywhere, people are evaluated on the basis of what they do, what they believe, and who they are—and they are thus reacted to accordingly. Deviance-defining processes take place everywhere and anywhere people engage in behavior, hold and express beliefs, and possess traits that others regard as unacceptable. Normative violations, and reactions to normative violations, occur everywhere. They exist and have existed in all societies everywhere and throughout human history. They are a central and foundational social process. Although the term has been used derogatively in popular parlance and in psychiatric evaluations, "deviance" does *not* refer to immorality or psychopathology. *Sociologically*, it means only one thing: the violation of social norms that can result in punishment, condemnation, or ridicule. Thus, it is a descriptive, not a pejorative term.

SOCIETAL AND SITUATIONAL DEVIANCE

So far, it seems as if I've been arguing that *anything* can be deviant. If a collectivity of people—a group, a social circle, a segment of the population, any assemblage of people, really—regards something as offensive, by the sociological definition, it is deviant. This is technically true, but it's only half true. There's a really big "*but*" attached to this generalization. There are two sides to judgments of deviance. One is its vertical or *hierarchical* side, the side that says people with more power (or the majority of a society) get to say what's deviant because they influence the climate of opinion and exert more influence in the political and legislative realms. This differential influence is a sociological fact—not a matter of opinion or an expression of moral bias. The other side to judgments of deviance is its horizontal or "grass-roots" or "mosaic" side, the side that says deviance can be anything that *any* collectivity says it is, no matter how small in numbers its members are or how little power they have. In other words, according to Kenneth Plummer (1979, pp. 97–99), we must make a distinction between *societal* and *situational* deviance.

"Societal" deviance is composed of those actions and conditions that are widely recognized, in advance and in general, to be deviant. There is a high degree of consensus on the identification of certain categories of deviance. In this sense, rape, robbery, corporate theft, terrorism, and transvestism are deviant because they are regarded as reprehensible *by* a great many members of this society. These are examples of "high consensus" deviance, in that a substantial proportion of the population disapproves of them. In most social circles, if evidence is revealed that someone engaged in one of them, such a revelation would elicit negative reactions from most members of these circles. Even though specific individuals enacting or representing specific instances of these general categories may not be punished in specific situations, *in general*, the members of this society see them as serious normative violations. Certain acts, beliefs, and traits are deviant *society-wide* because they are condemned, both in practice and in principle, by the majority, or by the most powerful members of the society. "Societal" judgments of deviance represent the *hierarchical* side of deviance.

"Situational" deviance does not possess this general or society-wide quality; instead, it manifests itself in actual, concrete social gatherings, circles, or settings. We can locate two different types of "situational" deviance: one that violates the norms dictating what one may and may not do *within a certain social or physical setting*; and one that violates the norms *within certain social circles or groups*. The type of situational deviance that is dependent on *setting* is fairly simple to illustrate. You may take off your clothes in your bedroom but not in public; at a nudist camp or a nudist beach, but not elsewhere. You may shout and cheer at a basketball game, but not at a Quaker wake. Boxers punch one another at will, but, outside the ring, trying to knock someone out is usually illegal, and could result in your being arrested. Killing the enemy within the context and rules of warfare is condoned, encouraged, and legal; under most other circumstances, civilians who willfully and

wantonly kill during peacetime commit murder. In these cases, the norms condemning certain behaviors apply *only within specific contexts* and not others; the behavior that these norms condemn is *situationally*, not *societally*, deviant.

The definition of deviance also varies by the specific group or collectivity or social circle within which behavior is enacted, beliefs are expressed, or traits are known about. For instance, in certain cities or communities in the United States (Greenwich Village in New York, for instance, or San Francisco generally)—and on most college and university campuses—gay sex is accepted by the majority; hence, *in* such cities or communities, gay sex *is not deviant*. But, in the country *as a whole*, the majority remains split on the matter, although that disapproval is declining over time. A bare majority says gay marriage should be legal—which is in itself remarkable—but, in the remainder, there's a lot of disapproval. In most rural areas and in conservative religious communities—especially among Orthodox Jews, evangelical Christians, and most Muslim Americans—gay sex remains wrongful, a sin, most decidedly deviant. The same holds for medical marijuana and recreational marijuana decriminalization—many audiences accept them, many don't; there's a split on the question. Again, some behavior is seen as wrong only *among certain social circles in the society*—not in the society as a whole—but, with other behaviors, it is the other way around. There are sociological *reasons* for these feelings, judgments, and actions, and here, it's our intention to explore and investigate them.

The distinction between "societal" deviance (acts, beliefs, and traits that are considered bad or wrong in a society generally) and "situational" deviance (acts, beliefs, and traits that are considered bad or wrong specifically *within* a particular group, social circle, setting, or context) casts doubt on the cliché, "Everything can be deviant." It is true that "everything is deviant"—to *someone*—but that is not a very useful statement, as, societally, certain things (murdering an infant in its crib) stand a *much* higher likelihood of being condemned than others do (chewing bubble gum). Practically everything can be acceptable as well—to lots of people, though not all—but this is a vapid, useless statement. Understanding the dynamics of deviance *demands* that we make the distinction between societal and situational deviance. It also frees us from making the equally silly, meaningless, and indefensible statement that, unless complete consensus exists about the rules, there's no such thing as deviance (Sumner, 1994). What's important here is that *deviance is a matter of degree*. Some acts are highly *likely* to attract condemnation and censure, whereas others are extremely *unlikely* to do so—or likely only *in* certain settings or *among* certain collectivities.

For instance, in the past, gay sex (formerly referred to as "homosexuality") was condemned by the majority of the American population; consequently, some authors of deviance textbooks discussed it as a form of deviance. Half a century ago, when sociologist J.L. Simmons asked a sample of student-respondents "What is deviant?", the most common response was "homosexuals" (1965, p. 33). Decades later, Henry Minton (2002) argued that homosexuality is "departing from deviance." More recently, Jeffrey Dennis (2015) asserted that the term "homosexuality" is inherently derogatory, and the term "gay sex" or some equivalent ought to be used instead—and it isn't a form of deviance at all. What do the facts say? In 1977, a Gallup poll found that two-thirds of persons asked thought that same-sex relations should be illegal, an indication of their deviant status at that time. In 2013, the same polling organization discovered that two-thirds of the population felt that gay sex should be legal—a huge leap in acceptability for this form of variant sex. Moreover, a majority of the population (53%) now feels that gay *marriage* should be legal, up from 27 percent a few years ago. Even more impressive, in June of 2015, the Supreme Court voted to legalize gay marriage in all states. Does this mean that gay sex is not deviant anywhere? No: It means that majority opinion accepts gay sex. But it's not difficult to find collectivities where same-sex relations are condemned—among conservative religionists, most of the "red" or politically conservative states, most rural areas, and so on. Yes, gay sex is "departing" from deviant; no, it is not acceptable or conventional *everywhere*. What's considered deviant is very much a "when, where, and in what context" kind of concept—not an "either–or" notion.

Looking at deviance from a vertical (or hierarchical) perspective raises the question of the

dominance of one category or society over another. That is, even though different groups, categories, social circles, and societies hold different views of what's deviant, some of them are more powerful, influential, and numerous than others. In addition to looking at variation from one setting to another, we also have to look at which categories or groups wield the power to influence definitions of right and wrong in other categories, or in general. Social scientists say that a dominant belief or institution is *hegemonic*: It holds sway over everybody in the society. The "vertical" conception of deviance is obviously compatible with the "societal" definition of deviance; it defines the *hegemonic* view of what's deviant *as* deviant, that is, what the majority or the most influential segments of the society regard as deviant. Acts, beliefs, and conditions that are societally deviant are those that are regarded as wrong nearly everywhere in a given society. Most of the time, they can be regarded as *high-consensus* deviance: There is widespread agreement as to their deviant character.

In contrast, the "horizontal" or "grass-roots" property of deviance refers to the fact that a given act, belief, or trait represents a normative violation in *one* group, category, or society, but is conformist in *another*. This quality of deviance allows us to see society, or different societies, as a kind of "mosaic" or a loose assemblage of separate and independent collectivities of people who do not influence one another. Here, we have a jumble of side-by-side audiences evaluating behavior, beliefs, and traits only within their own category, independent of what's going on in other categories. Enacting certain behavior, holding a certain belief, possessing a certain characteristic makes someone a conformist in one setting and a deviant in another. If someone from one group were to wander into the ambit of another, he or she is likely to be judged by a different set of standards. The "mosaic" or "horizontal" perspective does not examine the impact of diverse settings, groups, or societies on one another. The "horizontal" approach to deviance is compatible with the "situational" definition of deviance. Acts, beliefs, and conditions that are situationally, but not societally, deviant may be regarded as *low-consensus* deviance, in that public opinion is *divided* about their deviant status. What fetches condemnation in one social circle produces indifference or even praise in another. As to whether the "hierarchical" or the "horizontal" perspective is the more fruitful depends on the issue we're considering, not the absolute truth value of one or the other approach.

THE RELATIVITY OF DEVIANCE

The sociology of deviance is *relativistic*. Some observers seriously misunderstand the concept of relativity. Some people imagine that accepting relativity means that we have no right to make our own moral judgments. This is completely false. Accepting relativity as a perspective toward deviance does not take away our right to make our own moral judgments. Relativity says: Judgments of what is good and bad vary from society to society, and this variation plays a role in influencing whether certain actors are condemned, depending on where and when they live. We have the right to our own judgments about good and bad, but, if we are studying deviance, we have to pay attention to how such judgments vary through time and space. And how *our* actions and views are likely to be judged. How *we*—how I, the author, how you, the reader, or how *any* observer—feel about or react to an act, a belief, or a condition is *completely separate* from how *others* feel and act toward it. We may *despise* the injustice an act inflicts on its victims, or the injustice that punishing or condoning an act entails, but, as sociologists of deviance, we *cannot* permit ourselves to be so ignorant that we fail to recognize that the behavior *is* punished or tolerated in certain places or at certain times. Sometimes we can change how others feel, but most of the time, this is futile. Most of the time, peacekeeping breeds acquiescence, not agreement.

Accepting relativism poses no ethical "dilemma," though some observers argue otherwise (Henshel, 1990, p. 14). Relativism does not advocate a "hands-off" policy toward practices we view as evil. It simply says that evil may be seen as good *to others*—that is a fact we have to face—and, before we attack that evil, we have to understand how others come to view it as good and engage in it. Relativism simply says that our personal view

of things may be irrelevant to how beliefs are actually put into practice and what their reception is in a given context. Hang onto your own moral precepts, relativity says, but make sure you are fully aware that *others* may not share your views, and that *their* moral precepts may guide *them* to do things *you* reckon to be immoral.

In addition, the relativist approach emphasizes variations in judgments of deviance from one group, subculture, social circle, or individual to another *within the same society*. For instance, some social circles approve of marijuana use, whereas others condemn it. Some individuals condemn gay sex, whereas, increasingly, others do not. At this moment in historical time, gay sex is becoming *de-deviantized*. Some observers wish to keep its practitioners at the margins, outside the circle of respectability; to them, gays are acceptable only when they cease engaging in sex with members of their own gender. But, regardless of how some of the more traditional or conservative sectors of the society feel, they cannot ignore that, increasingly, a shrinking minority of Western society regards gay sex as wrongful, deviant, and immoral. The sociological view of deviance with regard to how an act, a belief, or a trait is evaluated is complex, shifting, variable, dependent on the audience, and difficult to pin down in a simple, pat formula.

Variations in definitions of deviance over *historical time* are at least as important as variations from one society, category, collectivity, or social circle within the society to another. Decades ago, Daniel Patrick Moynihan argued that deviance has been redefined over time to the point where a great deal of crime and other harmful behavior that once generated stigma, condemnation, even arrest, is now tolerated and normalized, its enactors exempt from punishment (1993). The mentally ill have been released onto the street, no longer held behind the walls of mental institutions. Unwed mothers no longer bear the burden of social stigma they once endured. Defenders of the old standards of decency are powerless to halt this process of "defining deviancy down," Moynihan argues. A remarkable example of "defining deviancy down" to the point where a once-condemned activity or condition is becoming acceptable, normalized—*de-deviantized*—is gay sex. The swift pace at which this transformation has taken place is breathtaking; the growing acceptance of gay sex and the legalization of gay marriage have represented a complete triumph for gay activists. Holdouts remain, however. A clerk in Kentucky, Kim Davis, a devout Christian, refused to issue marriage licenses to same-sex couples, arguing that Jesus would not have approved of such unions; Davis claims that she is subject to God's law, not man's law. She and six of her deputies were ordered by authorities to appear before a federal judge and explain why they refused to do their job (Muskal, 2015). But holdouts are just that—holdouts. For the most part, gay couples can get married everywhere in the United States. The acceptance and legalization of recreational marijuana, likewise, represent another surprising victory for an activist social movement organization. Medical marijuana led the way; it is legal in 18 states so far. The decriminalization of small-quantity cannabis is legal in more than a dozen, and, in two, the drug is legal even for recreational purposes; grass may be purchased over the counter by anyone above the age of 18—again, a notable development, and a demonstration that what's considered wrongful may change over time.

In response to Moynihan's "defining deviancy down" formulation, social and political commentator Charles Krauthammer asserted that, true, *some* forms of deviance have been defined "down," but a parallel and equally important process is taking place as well: "Defining deviancy up" (1993). Behaviors that once were tolerated have become targets of harsh condemnation. Just as what was regarded as deviant has become normal, "once innocent behavior now stands condemned as deviant" (p. 20). Entirely new areas of behavior, such as date rape and politically incorrect speech, have been located and condemned, Krauthammer argued. And other behaviors, such as child abuse, have been "amplified," often to the point where groundless accusations are assumed to be true. Whereas two out of three instances of ordinary street crime are never reported, "two out of three reported cases of child abuse are never shown to have occurred" (p. 21). Over-reporting of child abuse, Krauthammer claims, results from "a massive search to find cases." Where they cannot be found, they must be invented (p. 22). Date rape,