
Crime and Deviance

**Different theories of crime, deviance,
social order and social control**

Part 1

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Introduction

The concept of deviance refers to 'rule-breaking' behaviour (actions that violate (or 'deviate from') a *social norm* or rule)

and while this relatively simple statement hides a number of sociological questions we will, at some point, need to confront and answer (questions about who makes rules, how rules are applied and why people break rules) for the moment we can begin by noting two basic types of rule:

1. Formal norms include *laws* and *organisational rules* and they represent official standards that apply in a given situation. Punishment (or a 'negative sanction' if you prefer) for deviance is clearly specified as part of the rule. For example, the punishment for murder in our society is a prison sentence of 25 years - a significant point because it illustrates the idea that where formal norms are concerned someone doesn't have to break the law in order to understand the punishment involved.

Organisational rules – while they have the same general characteristics as laws because they derive from formal norms – differ in the sense that they apply to a particular group or organisation, rather than to a society as a whole. For example, in an organisation like McDonalds there is a normative expectation that employees will wear a certain type of uniform while working in one of their restaurants. This rule doesn't apply to customers, nor does it apply to an employee outside their workplace.

2. Informal norms vary from group to group and there are no formal punishments for deviation. Smoking with a group of friends, for example, may be considered deviant or non-deviant depending on their particular attitudes towards such behaviour. Even if this is in a public place – a practice that is illegal – it wouldn't change the fact

McDonald's staff - modelling their new uniforms created by well-known fashion designer Bruce Oldfield - get ready to party (or flog you a Big Mac with Xtra Cheese - it's one or the other but I can't quite make up my mind which...)



Ex-Liberal Democrat party leader Charles Kennedy shows his support for the ban on smoking in public places by being caught smoking on a train in 2007. He was "spoken to" by police after he explained that he thought it was legal if he "blew the smoke out of the window" (and they wonder why young people don't bother voting...)

that in terms of the informal norms operating within a group such behaviour may not be considered deviant.

This example illustrates a couple of important ideas about deviance in terms of what **Plummer** (1979) considers to be the distinction between:

Societal deviance, where there's a broad consensus in a society that behaviour is morally wrong, illegal, and so forth, and

Situational deviance, where a group defines its behaviour as non-deviant, even though such behaviour is considered societally deviant.

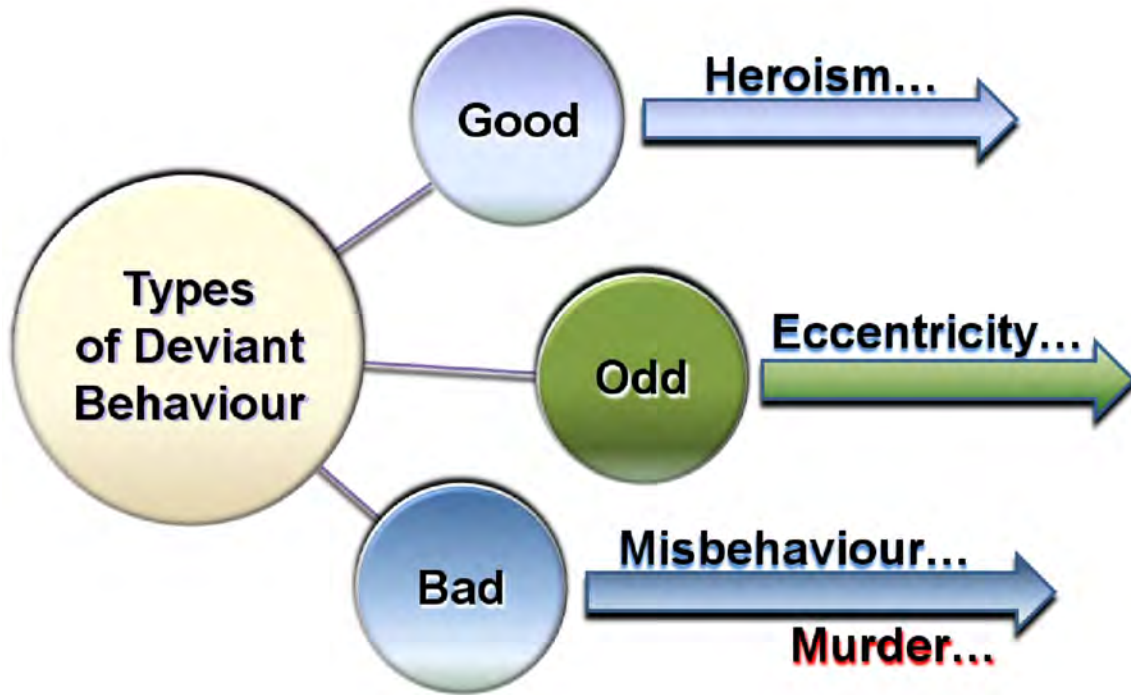
In everyday use, 'deviance' has certain *pejorative* (negative) overtones, but sociologically we can think about different types of deviance as involving ideas such as:

'Good' (admired) behaviour, such as heroism (or *altruistic* behaviour – putting the needs of others before your own)

'Odd' behaviour, such as eccentricity – the person who shares their house with 50 cats, for example

'Bad' behaviour, examples of which range from a misbehaving child to murder.

These general behavioural categories give us a flavour of the complexity of deviance, but they're not that useful in terms of thinking about deviance 'in the real world', mainly because of the relationship they presuppose between:



Interpretation and classification: To classify behaviour as 'good' or 'bad' involves taking a *moral* standpoint – to judge, in other words, different forms of behaviour *before* classifying them. This means deviance has two important characteristics:

1. Subjectivity: If decisions about deviance are based on judgements about behavioural norms, all behavioural classifications are based on subjective understandings and interpretations – an idea that raises questions about whether any behaviour can be 'inherently deviant' (deviant in all societies and at all times). It also raises questions about 'who decides' whether behaviour is classified as deviant or non-deviant – something that involves:

2. Power: This relates not only to how deviance is defined by social groups, but also to how it's explained. We can, for example, explain deviance in terms of ideas such as the qualities possessed by the deviant, the social processes by which rules are created (as **Becker**, 1963, puts it: 'Social groups create deviance by making the rules whose infraction constitutes deviance'), or a combination of the two.

These observations lead to some further dimensions to the concept of deviance that we need to note:

Absolute

Absolute conceptions have two main dimensions.

First, the idea that some forms of behaviour are *proscribed* (considered deviant) and negatively *sanctioned* in all known societies at all times.

Second, particular types of individual are inherently (genetically, socially or psychologically) predisposed to deviance – they can't help breaking social rules. The key idea here is that the *causes* of deviance (whether it be murder, theft or whatever) can be located "within" the individual in terms of something like their:

- **Biology** - a genetic predisposition to deviance.
- **Psychology** - the deviant as someone who is "not normal".
- **Sociology** - explaining deviance in terms of social factors such as poverty or faulty socialisation.

Deviance, in this interpretation, is a quality "of the individual" in the sense that something they possess (such as being raised in poverty) is the key determining factor in explaining why people deviate. If this is the case, therefore, in order to construct theories about why people deviate it is necessary to examine the various causes (genetic, psychological and / or social) that propel people into deviance,

Are you looking at me?



Relative

Relative concepts also have two dimensions.

Firstly the idea that *no* behaviour has always been considered deviant in all societies (a *cross-cultural* dimension) and at all times (a *historical* dimension). Secondly, that deviance, according to **Becker** (1963), is *not* a quality of what someone *does* but rather a quality of how someone *reacts* to what someone does; the relative dimension here is that the same behaviour can, for example, be seen as deviant in some societies but not in others. Attitudes to drinking alcohol differ from culture to culture (illegal in a Muslim culture such as Saudi Arabia, legal, in Britain). In addition, thinking about a concept like "killing someone" it's apparent that at different times and in different places there are different interpretations of this behaviour. Under some circumstances the behaviour may be classified as murder, whereas in other circumstances - such as soldiers on a battlefield - killing the enemy is not only not classified as murder it's something soldiers are actively trained and encouraged to do.

The main point to note here, therefore, is that relative concepts of deviance see it as something that is highly sensitive to social contexts and locations. **Roberts** (2003), for example, argues that 'swinging' ('an increasingly popular leisure choice for married and courting couples') fits this particular category - an idea that suggests deviance can be a matter of personal choice (if I don't want to 'swing' then I don't go to swinger parties).

Culpable and Non-culpable

Leading on from the idea of "choice", deviant behaviour carried out with an *awareness* of its deviant nature is called:

Culpable deviance; that is, behaviour for which the offender can be held personally accountable because they did something, such as break the law, in the knowledge that such behaviour is deviant (although we can stretch the idea of culpability to include the notion that the individual could be *reasonably expected* to know that what they were doing was deviant). Such "culpability" for one's actions differentiates this type of deviance from:

Non-culpable deviance. This generally refers to acts for which the offender is *not* held personally accountable (which would, for example, include crimes committed by the mentally ill). However, non-culpable deviance



Non-culpable deviance

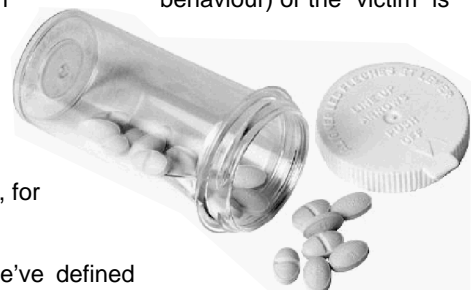
also extends to individuals and groups who have certain **ascribed** forms of deviance; that is, they are given deviant status on the basis of certain characteristics. Examples in our society might include - at different times - homosexuals, the mentally ill and the physically disabled.

Finally, we can note that a significant dimension of deviance involves the distinction between behaviour which is criminal and behaviour that, while deviant, is not criminal. This distinction is important for a couple of reasons, the first of which relates to sociological preoccupations with the general idea of rule-breaking behaviour; sociologists are just as interested in why people break informal, non-criminal, rules as to why they break formal, criminal, rules. In this respect "deviance" is a much broader social category than "crime" in the sense that it covers a wider range of behaviours - some criminal, some not - that have a common root (rule-breaking).



Secondly, although "criminal deviance" is clearly an important area of study (much of the remainder of this chapter, for example, will focus on criminal deviance and how it can be theorised and explained) it needs to be remembered that crime is, at root, merely a subset of deviance - an idea that can be simply and succinctly summarised by the observation that while "all crime is, by definition, deviant behaviour, not all forms of deviance are criminal", although, having duly noted this idea it's possible to identify forms of "criminal behaviour" in our society that are not necessarily always seen as being particularly deviant. Examples here might include:

Victimless crimes - so-called because there is either no identifiable "victim" of the criminal behaviour (a motorist caught breaking the speed limit, for example, may have broken the law but no-one has actually been hurt by such behaviour) or the "victim" is the perpetrator (which may be the case in terms of drug-abuse, for example).



Thus far we've defined deviance in terms of "rule-breaking behaviour" and outlined some different dimensions to the general concept. Having done this we can move on to examine a range of different sociological perspectives on deviance, organised in terms of, firstly, outlining the perspective's general position on order and control and, secondly, reviewing the theories of deviance suggested by the perspective.

Functionalist Theories: Observations

Functionalist perspectives are generally based on concepts of order and control consisting of three basic ideas:

Consensus – something that involves a basic, but necessarily overarching (applicable to all) level of general agreement in any society over norms and values. In other words, social order is built on the epistemological bedrock of a shared evaluative and normative system; for order to exist, therefore, people have to develop at least a basic agreement about shared values and norms.

Conformity to social norms is not automatic - people are not seen as being naturally law-abiding, but neither are they seen as “naturally deviant” – and various forms of social control (both formal, in the guise of laws and organisational rules and informal) are necessary to maintain order within both social groups and society as a whole. A key idea here, therefore, is that social controls exist to *promote* normative conformity; in other words, such controls cannot guarantee order but merely encourage the idea of cooperation and orderliness.

Control: Deviant behaviour is explained in terms of the breakdown (for a variety of possible reasons) of the social controls that promote social order.

Functionalist Theories: Explanations

Durkheim

The classical expression of this perspective is the work of writers such as **Durkheim** (1895), who argued that all societies faced two major problems – how to achieve **social order** and maintain **social stability** in a situation (a vast range of possible individual beliefs, behaviours and actions) that appeared *inherently unstable* and *disorderly*. In other words, the “problem of order” for Functionalist perspectives is how to explain its existence in a situation where hundreds, thousands and even millions of unique individuals – each with their own particular (self) interests – have to be persuaded to behave in a generally orderly way. The answer, **Durkheim** argued, could be found in the concept of a:

Collective consciousness: society, from this position, is an *emergent entity* (it emerges from – and reflects back on – the behaviour of individuals) and social interaction is possible only if it’s based on shared meanings; once these are established they ‘take on a life of their own’, existing outside the consciousness of *individual* actors (but deeply embedded in each individual through primary and secondary socialisation processes). The collective consciousness is a mental construct and, as such, has no physical form; it needs, therefore, to be consistently reinforced if order, stability and control are to be maintained. For **Durkheim**, one way to reinforce the collective conscience was to repeatedly challenge and test its most fundamental beliefs through deviant behaviour. Deviance, therefore, had two broad characteristics. It was:

1. Normal (in the sense of being an essential and fundamental component on which social order is built). This is quite a radical idea to take on board for a range of reasons, not the least being that it is *counter intuitive*; it goes against the way we are generally encouraged to see and think about deviant behaviour (that it is, at best, not very nice and, at worst, murderously criminal). From a Functionalist perspective, however, deviance (and by extension crime) is a normal part of everyday existence because, as **Durkheim** argues, it represents a mechanism through which the collective conscience is both recognised and affirmed.

For **Durkheim**, as **Tierney** (2005) notes, crime and deviance are **social facts** and “If such things are found in an “average” society, then they are normal; hence crime is normal”. This doesn’t mean, however, that we should confuse “normal” with the idea that it can be equated to “right” or “beneficial”. For example, illness in our society is both a social fact and normal (in the sense that it occurs all the time); it doesn’t, of course, follow from this that falling ill is somehow beneficial to the individual; deviance, in this respect, can be both *normal* and *destructive* to a society (especially if there is so much crime it upsets the normal functioning of a society). However, it is also the case that crime and deviance can be:

2. Functional: Deviance is not only a necessary part of any society, it has this status because it performs a number of essential purposes. These include:

Boundary setting: As societies become more complex in their range of social relationships, *control mechanisms*, such as a legal system, must develop (society as a self-regulating (*autopoietic*) mechanism) to codify moral behaviour in terms of laws that mark the boundaries of acceptable and unacceptable behaviour. In other words, it is only through the fact that some people deviate from the norm that we know where the boundaries of acceptable behaviour lie.

In modern, complex, societies boundary setting takes place in a public context. That is, public boundary marking involves the idea of legal boundaries being ‘given substance’ by ‘ceremonies’ such as public courts and the media reporting of crimes.



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