Deviance

Chapter 9

Deviance

- **The recognized violation of cultural norms**
  - **Biased towards the positive**
    - **"Brown-nosers"**
  - **Biased towards the negative**
    - **Rule Breakers**
  - **"Different" or "unexpected" are words often used to describe deviance from a sociological perspective**
- **Distinct areas**
  - **Crime (laws)**
    - **Violation of a society's formally enacted criminal law**

Social Control

The attempts a society makes at regulating thought and behavior
- Criminal justice system
  - A formal response by police, courts and prison officials to alleged violations of the law
- Biological context
  - Biological factors may have a <u>real but modest</u> effect on whether a person becomes a criminal
- Personality factors
  - Deviance is viewed as unsuccessful "socialization"
    - Strong Conscience vs. Weak Conscience

Social Foundations of Deviance

1. **Deviance varies according to cultural norms**
   - **No thought or action is inherently deviant**
     - **Vary from Place to Place or From Time to Time**
2. **People *become* deviant as others define them that way**
   - **How other perceive and label us**
3. **Deviance involves social power**
   - **Rule-makers, rule-breakers, and rule-enforcers**
   - **Norms and applying them are linked to social position**
   - **Weaker people are more likely to be defined as deviant**

Emile Durkheim:

Functions of deviance: structural-functional analysis
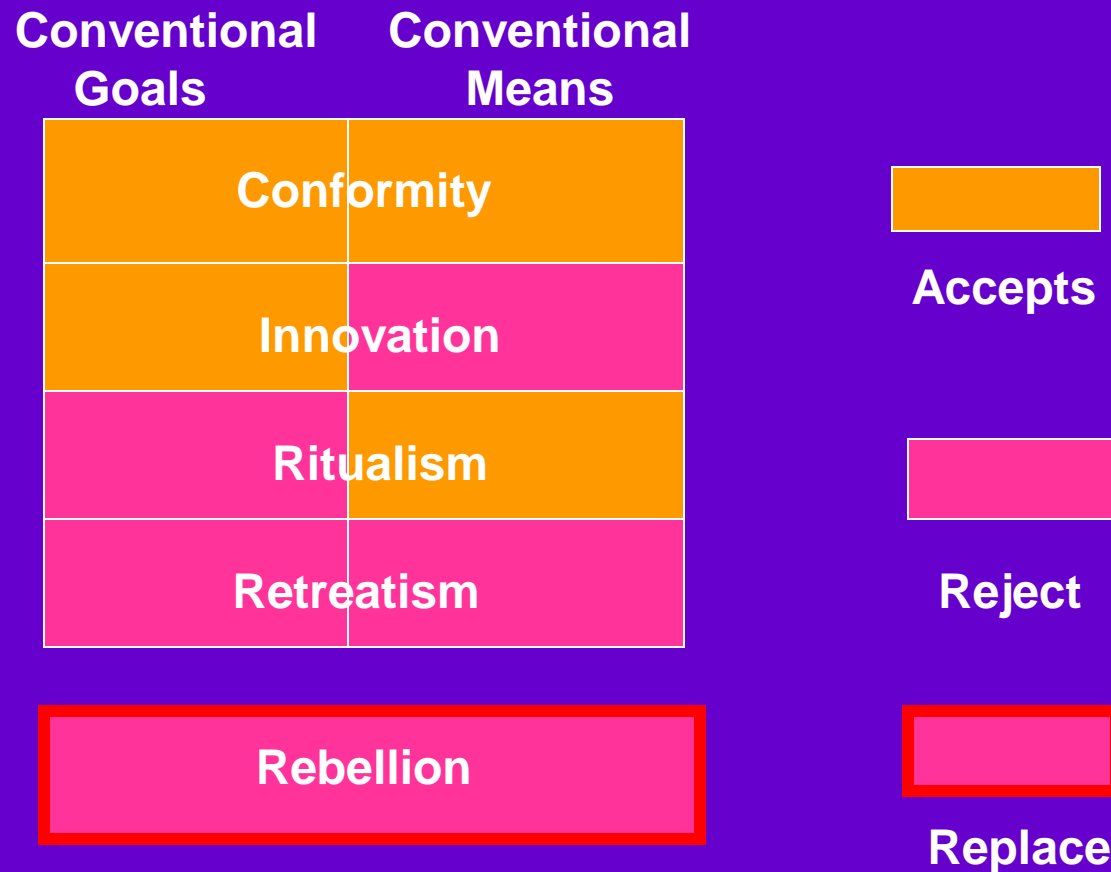
- **Affirms cultural values and norms**
  - **Must have evil to define good**
- **Clarifies moral boundaries**
  - **Line is drawn between right and wrong**
- **Promotes social unity**
  - **A common desire for justice**
- **Encourages social change**
  - **Unjust laws can be challenged through deviance**

Merton's Strain Theory

- **Does society provides the *means* to achieve cultural *goals*?**
- **Conformity**
  - Pursuing conventional goals through normal means
- **Innovation**
  - Unconventional means to achieve approved goals
- **Ritualism**
  - Accept institutional means; reject goals
- **Rebellion**
  - Define new goals and means to achieve goals
- **The gap between what "ought to be" and "what is" leaves a person "strained"**

Merton's Strain Theory

- Functionalism: Robert Merton: Strain Theory

Conventional Goals	Conventional Means
Conformity	
Innovation	
Ritualism	
Retreatism	

Rebellion

Accepts

Reject

Replace

Deviant Subcultures

- Cloward and Ohlin (1966)
  - Relative Opportunity Structure that Frames a person's life
  - "Opportunity Knocks" for good or bad
- Cohen (1971)
  - Lower-Class Individuals have less opportunity for conventional success
  - You can "be somebody" within your deviant Subculture

Deviant Subcultures

- **Miller (1970)**
  - Trouble with teachers and Police
  - Toughness- Physical size and strength
  - Smartness- "Street smart"
  - Need for excitement- thrills, risk, danger
  - Belief in Fate- People lack control over their own lives
  - Desire for Freedom- control your own life
- **Anderson (1994, 2002)**
  - In poor neighborhoods, some may live by the "code of the street"
  - People are pushed to the "margins" of society

Labeling Deviance

Symbolic-interaction analysis

The assertion that deviance and conformity result not so much from what people do as from how others respond to those actions.

- *<u>Primary deviance</u>*
  - Episodes of norm violation that most people take part in with little harm done to self-concept
- *<u>Secondary deviance</u>*
  - When people "make something" of another's deviant behavior
- *<u>Stigma</u>*
  - Powerful negative label that greatly changes a person's self-concept and social identity

Labeling Deviance

- ***Retrospective labeling***
  - **Re-interpreting someone's past in light of present deviance**
    - **"I always thought he was strange . . . . ."**
- ***Prospective labeling***
  - **Predicts future deviant behavior**
    - **"He will keep it up until he gets caught"**
    - **Self-Fulfilling Prophecy– The more people who believe it, the more likely it will occur**

Labeling Deviance

- ***Medicalization of deviance***
  - **Transform moral and legal deviance into a medical condition (Swap one label for another)**
    - **Trade "good or bad" for "sick or well"**
  - **Who responds– Police or Medical Community**
  - **How people respond– Punishment or Treatment**
  - **Personal competence of the deviant person**
    - **Is the person able, or unable to control their behavior?**

Sutherland's Differential Association

- **Deviant behavior is learned**
- **Frequency of association is central to the development of deviance**
  - **"Birds of a feather, flock together"**
  - **The more you are exposed to a behavior, the less it is perceived as deviant**
- **If associates are prone to violation of norms, then one is also more likely to take part**
- **Conformity reaps rewards while the lack of it reaps punishment**

Hirschi's Control Theory (Social Bond Theory)

- ## Attachment
  - **Strong social attachments encourage conformity**

- ## Commitment (Opportunity)
  - **The greater a person's commitment to legitimate opportunities the greater conformity**

- ## Involvement
  - **Time and energies are linked to "legitimate" activities inhibit deviance**

- ## Belief
  - **Strong belief in conventional morality and respect for authority figures controls deviance**

Labeling: Critical Evaluation

- **Works best with less serious deviance**
  - **Shoplifting vs. Murder**
- **Consequence of deviant labeling is inconclusive**
  - **Does labeling cause or discourage future behavior?**
- **Some seek deviant labeling**
  - **Civil Disobedience**

Deviance and Inequality

Social-conflict analysis

- **Deviance and power**
  - Norms or laws reflect interests of rich and powerful
    - At the expense of the poor and powerless
  - Powerful have resources to resist deviant labels
    - Rich people can avoid being arrested and going to jail
  - Belief that norms and laws are natural and good masks political character
    - Are the laws fair to all members of society?

Deviance and Capitalism

Steven Spitzer's likely targets of labeling

- People who interfere with capitalism
- People who cannot or will not work
- People who resist authority
- Anyone who directly challenges the *status quo*
- **White-collar crime**
  - Those committed by people of high social position in the course of their occupations
- **Corporate crime**
  - Illegal actions of a corporation or people acting o its behalf
- **Organized crime**
  - A business supplying illegal goods or services

Deviance and Social Diversity

- **Hate crimes**
  - **A criminal act against a person or person's property by an offender motivated by racial or other bias**
- **Gender**
  - **The world applies more stringent normative controls to women**
  - **Strain due to reality of gender-based inequality**
  - **Judge the behavior of women and men differently**
    - **(Rape– Who is really on trial?)**
  - **Why do women commit fewer crimes than men**
    - **Cannot be based on economic condition!**

Crime

- **The violation of criminal laws enacted by a locality state, or the federal government**
- **Two elements**
  - The *act* itself
  - *Criminal intent*
- **Crimes against the person**
  - Direct violence, or threat of it
- **Crimes against property**
  - Involves theft of property
- **Criminal statistics**
  - *Victimization surveys* state crime rate is two to four times higher than official reports
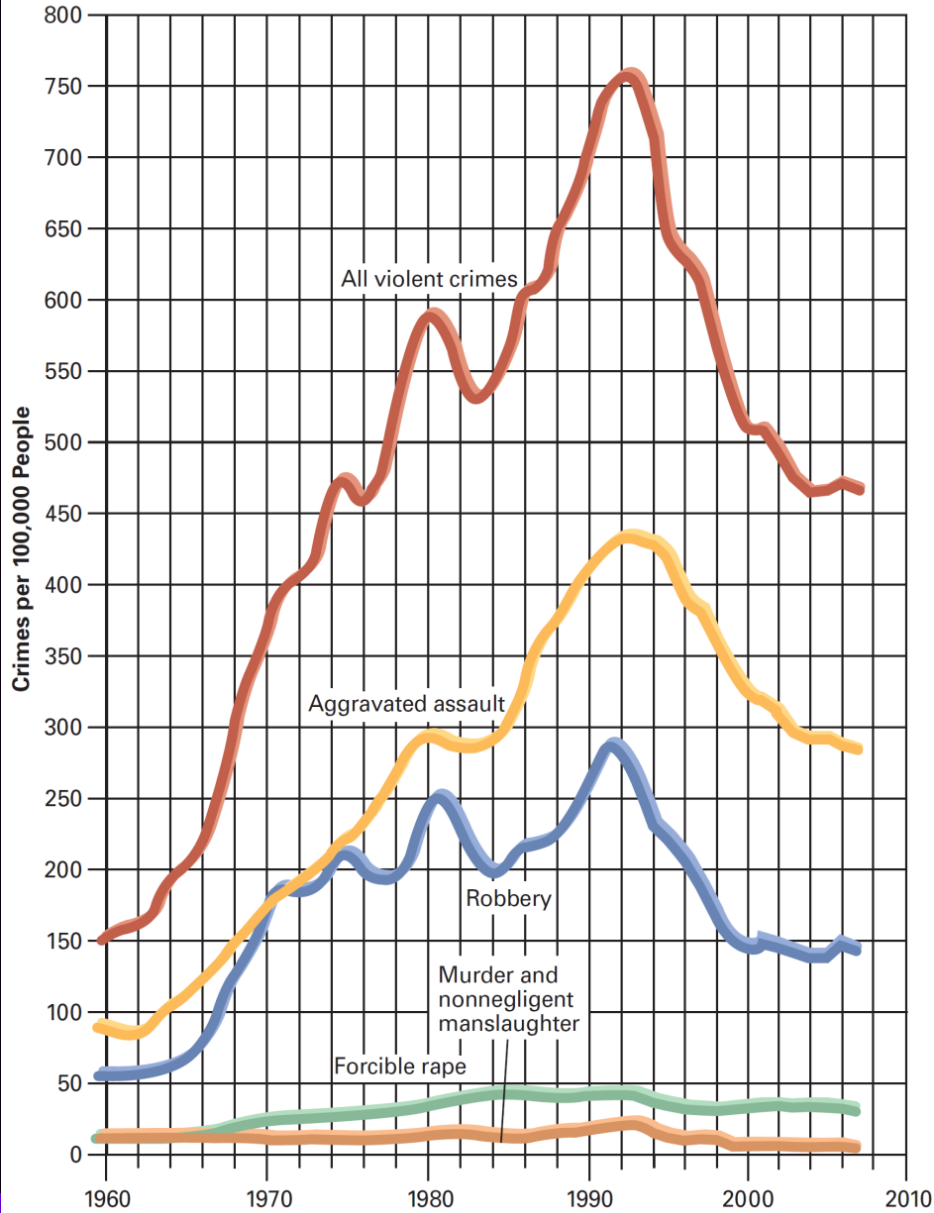
Crime

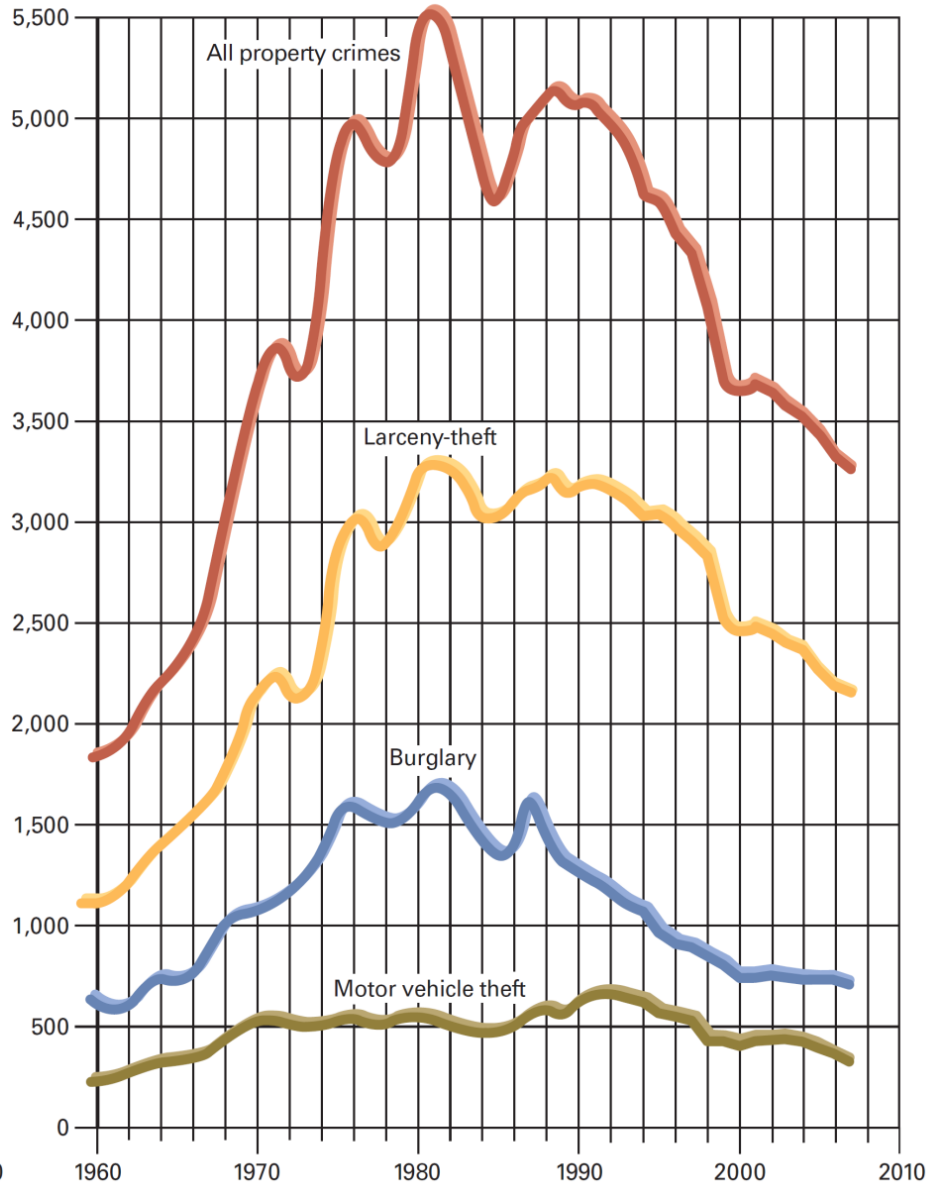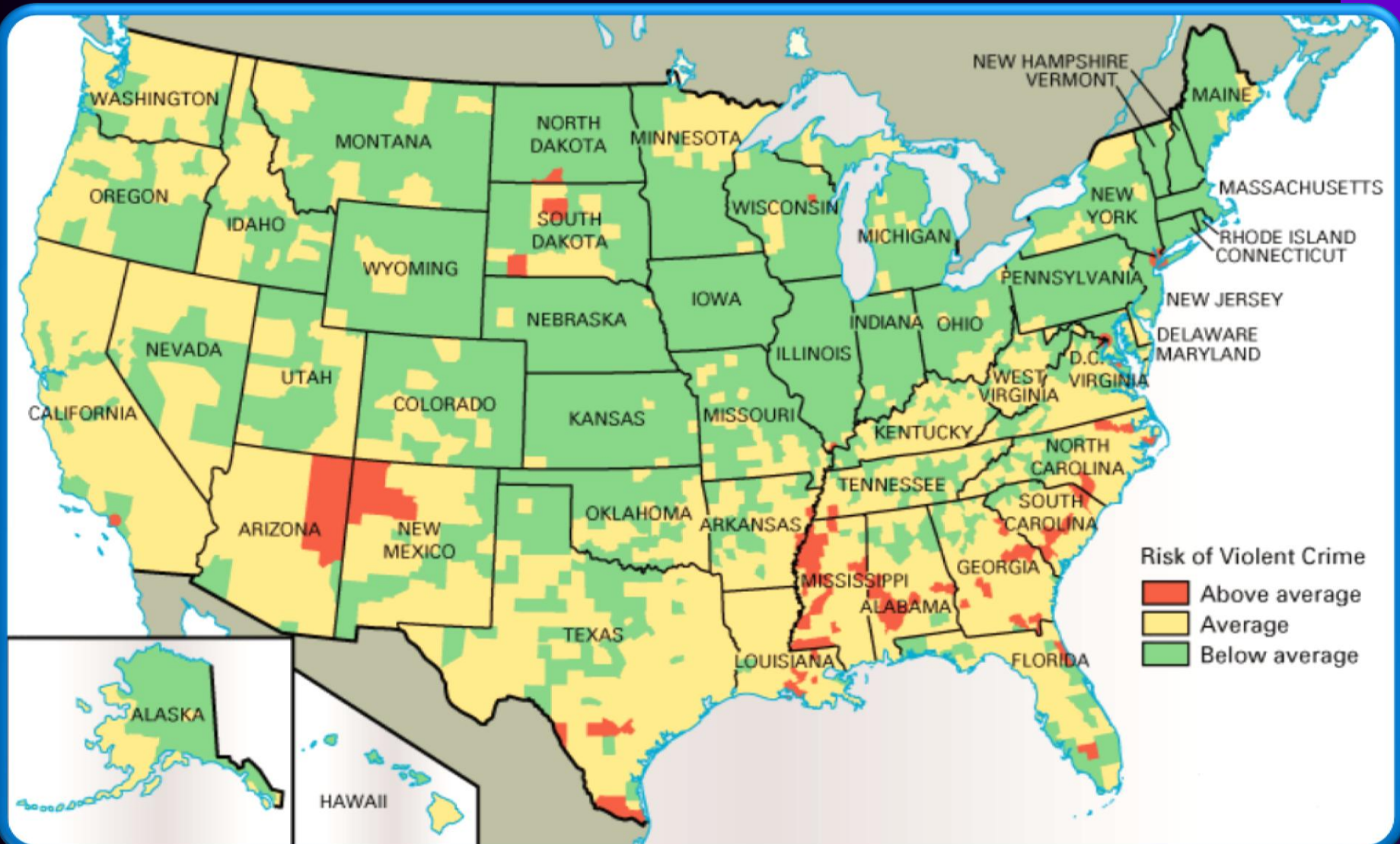| Crime Against Property	
Burglary	Unlawful entry of a structure to commit theft
Larceny Theft	Unlawful taking, carrying, leading, or riding away someone else's property
Motor-Vehicle Theft	Theft or attempted theft of a motor vehicle
Arson	Willful or malicious burning of the property of another

Crime

Crimes Against Persons	
Murder/ Manslaughter	Willful killing of another person
Aggravated Assault	Attack on a person to Inflict severe bodily injury
Forcible Rape	The carnal knowledge of a female forcibly and against her will
Robbery	Taking something through the use of force

Recorded Rate of Violent Crimes

Crimes per 100,000 People

All violent crimes

Aggravated assault

Robbery

Murder and nonnegligent manslaughter

Forcible rape

Recorded Rate of Property Crimes

All property crimes

Larceny-theft

Burglary

Motor vehicle theft

National Map 9-1 (p. 237)
Risk of Violent Crime across the United States

The Street Criminal: a Profile

- **Age**-persons between the ages of 15 and 24
  - 14% of population
  - 40.9% of arrests for violent crime
  - 46.8% of property crimes
- **Gender**
  - 66.6% of property crimes and 81.8% of all violent crimes are committed by males
- **Social class**
  - Violent crimes committed by a few in poor neighborhoods
  - White collar and corporate crime committed by more affluent
- **Race and ethnicity**
  - 69.7% of arrests involve white people
  - People of color are over criminalized

Crime in Global Perspective

- United States
  -emphasis on individual economic success
  -extensive gun ownership
    More guns than adults in the United States

- Other Countries
  -multinational crimes
  -different strategies for dealing with crime

Justice System

- **Police:** primary point of contact between population and criminal justice system
  - **Lots of discretion**
    - How serious is the crime?
    - What is the victim's preference?
    - Is the suspect cooperative or not?
    - Have they arrested the suspect before?
    - Are bystanders present?
    - What is the suspect's race?
- **Courts:** plea bargaining often results in pressure to plead guilty
    - Reduced charge
    - Reduced sentence
    - Compromises the adversarial process

Due Process

- The criminal justice system must operate with the bounds of the law:

    -fair notice of proceedings

    -a hearing on the charges conducted according to law and with the ability to present a defense

    -a judge or jury weighs evidence impartially

Justifications for Punishment

- **<u>Retribution</u>**
  - Moral vengeance inflicted
- **<u>Deterrence</u>**
  - Discourage future criminality
- **<u>Rehabilitation</u>**
  - Reform offenders while in prison
- **<u>Societal protection</u>**
  - Temporary removal of offender through incarceration
  - Permanent removal by execution
- **<u>Criminal recidivism</u>**
  - Subsequent offences by people convicted of crimes

Community Based Corrections

- Correctional programs operating within society at large rather than behind prison walls:
  - Probation

    Offender remains in the community under supervision
  - Shock probation
    - Offender is sent to prison for a short time, and is then placed on probation
  - Parole
    - Offender is released early from prison, and place under the control of a parole officer

Violent Crime Is Down

- **Reduction in youth population**
- **Changes in policing**
- **More prisons**
- **Better economy**
- **Declining drug trade**