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At an Internal Revenue Service (IRS) office on Long Island, a routine examination of “suspicious transactions” reported by banks turned up records of large sums of money being transferred by Eliot Spitzer, governor of New York. Intriguing to the IRS auditors was the fact that the money ended up in, and was withdrawn from, dummy or “shell” corporations—fake companies that conducted no actual business. The auditors suspected that these transactions indicated possible bribery or political corruption of some kind, so they got in touch with officials at the FBI who specialized in political corruption. After obtaining permission from the U.S. attorney general to proceed with the case, the IRS–FBI team began tracing where the money was going. Prostitution, they said, “was the furthest thing” from their minds.

But soon into the search, investigators discovered that Governor Spitzer was in fact using the money to pay for liaisons with call girls. The Justice Department then authorized taps on relevant phones and computers, and the team contacted a woman who had previously worked for the Emperor’s Club VIP, the service that they suspected Mr. Spitzer was using. She agreed to serve as a confidential informant to infiltrate the business to turn up incriminating evidence about its operations and its clients, including, possibly, Governor Spitzer. The team intercepted 5,000 telephone calls and text messages, along with 6,000 e-mail messages and bank, travel, and hotel records. This surveillance recorded Mr. Spitzer on wiretap discussing payments and arranging to meet “Kristen,” a call girl, in a room at the Mayflower, in Washington, D.C. The club’s code name for the governor was Client 9. Although he had made use of the club’s services before, for one particular encounter the team gathered evidence that Spitzer had paid the young woman $4,300 (Rashbaum, 2008).

Two days after the story of the scandal broke, the governor held a news conference, with his wife at his side. “Over the course of my public life, I have insisted, I believe correctly, that people, regardless of their position or power, take responsibility for their conduct,” Spitzer explained. “I can and will ask no less of myself. For this reason, I am resigning from the office of governor... I cannot allow my private failings to disrupt the people’s work” (Ross, 2008).

In Washington, the Justice Department, at the insistence of President Barack Obama, revealed memos spelling out “brutal” interrogation techniques by CIA operatives. The Justice Department of the administration of President George W. Bush (2001–2009) had authorized methods many observers considered cruel, inhumane, degrading, and in violation of conventions covering rules of warfare signed by representatives of the United States. The Bush administration’s argument held that anti-American insurgents are not “enemy combatants” in the usual sense of the word; they do not fight for officially recognized armies and do not themselves observe the rules of conventional warfare. Hence, these officials reasoned, the harsh techniques used against such insurgents did not constitute torture. One Bush official declared that the criteria of “cruel and inhuman” punishment are met only if the detainee suffers organ failure or death. A CIA memo claimed that restrictions against torture “did not apply” to these techniques, and even if they did, they are justified because of the threat facing the country from insurgents. One official claimed that these modes of interrogation do not “shock the conscience”—whose conscience, the official did not say.

The harsh methods of interrogation that Bush-regime officials authorized, and which CIA operatives used against Muslim insurgents, included the following: “wallowing,” or slamming the detainee against a wall; depriving the detainee of sleep for up to a week; cramped confinement in a small, dark box; cramped confinement in a small, dark box along with informing the detainee that interrogators are releasing stinging insects into the box (only caterpillars were actually released); slapping the detainee in the face and the abdomen; and dousing the detainee with icy cold water from a hose. The most controversial technique is referred to as “waterboarding”: placing the suspect on a surface, usually a board, his head titled downward, thereby immobilizing him, putting a cloth over his face, and pouring water from a height of one or two feet for up to 40 seconds, making him unable to breathe, thus simulating the experience of drowning (Mazzetti and Shane, 2009).

President Obama, who has already banned waterboarding along with other unconventional and severe interrogation techniques, denounced these methods as harsh and cruel but initially stated...
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that he would not authorize the Department of Justice to pursue criminal cases against the interrogators. “This is not a time for retribution,” he stated, “this is a time for reflection.” But a few days later, he seemed to reverse his position by stating, “With respect to those who formulated those legal decisions, that is going to be more of a decision for the Attorney General within the parameters of various laws, and I don’t want to prejudge that” (van Wagendonk, 2009). Some pundits suggested that the public’s conscience was so shocked by these methods that if the president did not pursue prosecution of their architects, he could not be reelected.

In Boston, Jennifer Cacicio, curious about what had become of an ex-boyfriend, entered the man’s name into MySpace. What she saw on the screen shocked her: a portfolio of pictures of him suspended in the air by hooks, “his skin stretched out like freshly pulled taffy.” One picture in particular, she says, both repelled and fascinated her: a wide, pale human back “darkened only by a big black tattoo of skulls and ghostlike faces from a vintage cartoon shrouded in a kind of webbing.” Trickles of blood trailed through the tattoo. Jenifer’s eyes traced the blood upward, to its source: “four large silver hooks pierced the skin of his upper back, which was stretched far beyond what seemed safe or even possible.”

She called her sister. “Turn on your computer,” Jennifer commanded, directing her to the ex-boyfriend’s MySpace site. “Oh, my God,” her sister said. “Oh, my God,” Jennifer agreed (Cacicio, 2007).

In Bangkok, a novelist, Harry Nicholaides, is sentenced to three years imprisonment for “insulting the Thai monarchy” (Mydans and McDonald, 2009). In the Middle East, much of the population clings to the belief that Muslims did not perpetrate the September 11, 2001, attack on the World Trade Towers in New York City. “Why is it on 9/11, the Jews didn’t go to work in the building,” the Cairo cabdriver declares. “Everybody knows this. I saw it on TV, and a lot of people talk about it” (Slackman, 2008). In Rwanda, John Rucyahana, an Anglican bishop who, as a teenager, had fled the country as it erupted in an orgy of ethnic cruelty and mass violence and slaughter, joins a team of clerics digging for the graves of victims: “In one home, we found 27 dead bodies, including a dog and a cat. . . . Some of the pastors couldn’t sleep; they spent the night crying. . . . Two of them had to be taken back home” (Cose, 2009). In New York City, the police charge a 27-year-old Queens middle school teacher with the statutory rape of a 14-year-old student “after his mother searched his cell phone and found logs of hundreds of text messages and calls with the woman” (Buettner, 2009). In Arkansas, a white supremacist organization tries to recruit new members (Conant, 2009). In the United Kingdom, Derek Walcott, a Nobel Prize–winning poet, withdraws his candidacy for a position at Oxford University as a result of charges that, in the past, he was guilty of sexual harassment (Lyall, 2009). Less than two weeks later, Ruth Padel, his rival for the coveted position, withdraws her name because she had sent reporters e-mail allegations of Mr. Walcott’s improprieties (Burns, 2009).

What do these things have in common? All, in one way or another, describe deviant behavior or beliefs. What is deviance?

Deviance is behavior, beliefs, or characteristics (or behavior, beliefs, or characteristics that are imputed to a particular person) that many people in a society find or would find offensive and which excite, upon discovery, disapproval, punishment, condemnation, or hostility. Deviance refers to the process by which the actor’s, the believer’s, and the possessor’s character is tainted, stigmatized, and inferiorized. The sociology of deviance looks at informal and interpersonal reactions to behavior, beliefs, and traits, just as criminology looks at formal and legal reactions to crime, the latter being possible arrest, conviction, and imprisonment. Examples of deviance: engaging in acts of prostitution, expressing a favorable opinion of the Ku Klux Klan, bribing a government official, using heroin to get high, robbing a bank, engaging in sadomasochistic sex, being hideously ugly, being an ex-convict, being diagnosed as—and manifesting the symptoms of—a schizophrenic, embezzling company funds, engaging in sex with a minor, and being hugely obese.

The study of deviance is about making rules, breaking rules, and reactions to breaking rules. Deviance is a process, not specific forms of
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behaviors. Deviance describes what is likely to happen when people break rules that are held in a society or among certain social circles within a society. Of course, some actions are predefined as deviance because of the meaning of specific words; for instance, if we use the term “murder,” by definition, we regard the act to which the word refers as an unauthorized, deviant killing; crime is by definition an illegal, illicit act. But at certain times, in certain places, and to certain social circles or sectors of the society, acts that many people today regard as blameworthy—such as prostitution, torture, white supremacy, and genocide—are or were accepted, tolerated, and even encouraged.

If asked, almost anyone can come up with a number of examples of what he or she regards as “deviant.” I’m sure you, the reader, could. From time to time, on the first day of class, I have asked the students in my deviance course to define the term and come up with some examples of deviance. The last time I did this, the students who were enrolled in this course were able to name an average of six examples each; well over 100 separate activities or conditions were named. However, it was much harder for these students to define deviance generally; in fact, many of them did not answer this question. Most of us find it difficult to locate the general property or characteristic that defines an act, a belief, or a condition as deviance.

Some people think that in today’s world, agreement on what’s right and wrong has vaporized; since “anything goes,” deviance no longer exists. “Deviance should be defined by the departure from a clearly defined standard,” says Sumner in his “obituary” for the concept (1994). If a strong consensus on rules does not prevail, then deviance doesn’t exist. In the view of most sociologists, this is entirely false. Would the critics who hold such a position predict, for instance, that no one would react to Governor Spitzer’s visits and payments to call girls? Or that there would be no consequences of the Justice Department’s approval, and the CIA’s practice, of the torture of terrorist suspects—or to the assorted beliefs and practices from around the world—mentioned earlier? Are these acts and beliefs perfectly acceptable because hardly anyone makes judgments of good and bad any more? And if certain beliefs and practices do generate punishment and widespread condemnation, what does that say about the denial of deviance?

These questions practically answer themselves. Denying the reality of deviance is entirely mistaken for three reasons: One, we can find widespread agreement that certain acts and beliefs are wrong. Two, what’s regarded and reacted to as wrong is not simply about firm society-wide consensus, but also about how certain social circles of people feel and what they do in specific situations and contexts. And three, some disagreement prevails even about widely accepted norms, but far from denying the relevance of deviance, it affirms it, since much of what deviance is about is the “struggle over whose rules will prevail” (Marshall, Douglas, and McDonnell, 2007, p. 71).

DEVIANCE IN EVERYDAY LIFE

Just about everyone has done something that someone else disapproves of. Perhaps we’ve stolen something, or told a lie, or gossiped about another person in an especially nasty 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 some other members of society.

Humans are evaluative creatures. We continually make judgments about the behavior, beliefs, or appearance of others. And each one of us does exactly the same thing—evaluate others. Societies everywhere have rules or norms governing what we may and may not do, how we should think, what we should believe, and even how we should look, and those norms are so detailed and complex, and so dependent on the views of different evaluators, that what everyone does, believes, and is, is looked on
negatively by someone, indeed, 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 dislike the views of conservative Muslims, and vice versa. 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, and hippies—the number of possible ways that what we believe, or do, or are could be judged negatively by others is almost infinite.

There are four necessary ingredients for deviance to take place or exist: One, a rule or norm must exist. Two, someone must violate (or be thought to violate) that norm. Three, an “audience” must be present, someone who judges the normative violation to be wrong. Four, there must be a measurable likelihood of a negative reaction by that audience—criticism, condemnation, censure, stigma, disapproval, and so on. To qualify as deviance, it isn’t even necessary to violate a norm that’s serious, like the Ten Commandments. Norms are everywhere; they vary in seriousness, and different people have different norms. In other words, “deviance” is a matter of degree, from trivial to extremely serious. “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? To what degree? We might feel that our belief in God is a good thing, but, as we saw, an atheist is likely to disagree. Chances are that we think our political position is reasonable; many of our fellow citizens will disagree, finding our politics foolish and wrongheaded. Our friends are probably in sync 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. The point is this: 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.

The point is, deviance is not a simple quality resting with a given action, belief, or trait inherent in, intrinsic to, or indwelling within them. An act, for example, is not 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 reacted to negatively, in a socially rejecting fashion. Acts, beliefs, and traits are deviant to certain persons or audiences or in certain social circles. What defines deviance are the actual or potential reactions 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 “stored up” in someone, we do.

Humans are evaluative creatures: We create and enforce rules. But we also violate some of society’s rules. We park in “No Parking” zones; behind their backs, we make fun of bosses, parents, and professors; we smoke where we’re not supposed to; shoplift when we don’t have enough money or don’t feel like waiting in line; speed to get where we’re going; and perhaps occasionally 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 irrepressible. Even though all societies generate a multitude of rules, their violations, likewise, are multitudinous. In fact, the more numerous and detailed the rules, the more opportunities there are for normative violations.

Hardly anyone abides by all rules all the time. Indeed, this is a literal impossibility, since some of these rules contradict one another. None of these rules are considered valid by everyone in any society. As we saw, in every society on earth—in some far more than in others—there is a certain degree of variation in notions of right and wrong from one person to another, one group or category to another, one subculture to another. Especially in a large, complex, urban, multicultural, multiethnic, and multinational society such as the United States, this variation 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 being, since it is impossible to conform to all the rules that prevail.

SO, WHAT IS DEVIANCE?

Sociologically, deviance exists where we have the following: (1) something—an act, a belief, or a physical condition—that violates a social norm or rule; (2) a person or persons who engage in the act, express the belief, or possess the condition; (3) an audience or a group of persons who judges and evaluates the normative violation; and (4) the likelihood that negative social reactions will follow the discovery of that violation. Deviance exists when what one does, is, or believes is likely to generate in an audience a negative reaction: scorn, mockery, ridicule, censure, condemnation, punishment, hostility, stigma, social isolation, shunning, and/or denunciation.

Once again, in every human collectivity that has ever existed, rules for proper behavior are laid down; and again, all people violate the rules of one or another group, or of the society at large; likewise, again, in every human collectivity, reactions of some members of these collectivities express disapproval of such violations. In every society or social circle, no member perfectly conforms to every rule or norm, and hence, indeed, this is impossible, since some of these rules are contradictory. Over a lifetime, no one has escaped some ridicule, censure, or punishment from someone. Humanity is diverse; there’s a huge variation in definitions of right and wrong, true and false; humans are fallible, that is, they are unable or unwilling to conform to all of the many rules of the society. Or, since every society is made up of subcategories—diverse social circles—some normative violations, and the negative reactions they touch off, are inevitable. Deviance occurs in every society on earth. Although what is regarded as deviant varies considerably—but not randomly—from society to society and from one social category to another, the condemnation and punishment of enactors, holders, and possessors of unacceptable behavior, beliefs, and traits are universal, a panhuman phenomenon. There has never been, nor will there ever be, a society of saints on earth, with everyone in a society following the Golden Rule or the Word of God in all respects.

Does saying that something is deviant in a certain social circle or a society mean that we agree that it should be condemned? Of course not! Everyone of us has his or her own views, and those views may agree or disagree with the audiences whose reactions we are looking at. Does this mean that when we use the term deviant 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 observe it, and it hits us like a pie in the face, we would be foolish and ignorant to pretend that it doesn’t exist. If we say that a president’s approval rating is high, or low, it 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 in American society, generally, prostitutes, political radicals, and atheists tend to be looked down upon and regarded as deviants, this does not mean that we necessarily agree with that judgment. It means that, as sociologists, we recognize that certain negative consequences are likely to result from announcing to a cross-section of American society that one is a prostitute, a radical, or an atheist. In other words, the terms deviance and deviant are absolutely nonpejorative. This means that they are descriptive terms that apply to what others think and how they are likely to react. 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 popularity is defined by box office sales. You could be an atheist and still say that atheism is deviant. Even if you don’t agree with that judgment, it is materially real in that it has consequences, and as sociologists, we must acknowledge the existence of those consequences.

In short, deviance is an analytic category: It applies in all spheres and areas of human life; it is a transhistorical, 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 takes place during a basketball game; during your professor’s office hours; during “happy hour” in the local bar; during final exams; in department stores; on the street; in the church, synagogue, and mosque; and within the bosom of the family. Deviance is 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 for all time. They are central to who we are as human beings.

**SOCIETAL AND SITUATIONAL DEVIANCE**

So far, it seems that I’ve been arguing that anything can be deviant, that if a collectivity of people—a group, a social circle, a segment of the population, any assemblage of people, really—regard something as unacceptable, by our definition, it is deviant. This is true, but only half true. There are two sides to judgments of deviance. One is its vertical or hierarchical side, the side that says that people with more power (or the majority of a society) get to say what’s deviant. The other is its horizontal or “grassroots” or mosaic side, the side that says deviance can be anything that any collectivity says it is, no matter how little power they have. In other words, according to Kenneth Plummer (1979, pp. 97–99), we must make a distinction between societal deviance 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 to the majority of the members of this society. 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. This is the hierarchical side of deviance.

On the other hand, situational deviance does not exist as a general or society-wide quality, but in actual, concrete social gatherings, circles, or settings. A given individual may not have been regarded as a deviant situationally—for instance, in his or her specific community or group or collectivity or social circle—but may enact a category of behavior or possess a condition that is so widely condemned that it is societally deviant. For instance, in certain cities or communities in the United States (Greenwich Village in New York, for instance, or San Francisco generally), homosexuality is accepted by the majority; hence, in such cities or communities, homosexuality is not deviant. But in this country as a whole, the majority still condemns it.

Our distinction also recognizes the fact that certain acts, beliefs, and conditions may be situationally but not societally deviant. For instance, among ultra-Orthodox or haredi Jews, heterosexual dancing is not permitted. If a couple were to engage in it at a social gathering such as a wedding or a Bar Mitzvah, they would be chastised by the haredi community, and, if they persisted, they would be ejected from the gathering. In other words, situationally, among the haredi, heterosexual dancing is deviant. But in the United States, societally, as everyone knows, heterosexual dancing is not only not deviant, it is also accepted as conventional; indeed, to refuse to dance with a person of the opposite sex is likely to be regarded as deviant.

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) frees us from having to make the silly, meaningless, and indefensible statement that “Everything is deviant.” It is true that “everything is deviant”—to someone—but that is not a very useful statement, since, societally, certain things (murdering an infant in its crib) stand a much higher likelihood of being condemned than others do (chewing bubble
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 consensus exists about the rules, there’s no such thing as deviance (Sumner, 1994).

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 have 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 beliefs held or institutions supported by less powerful social groupings 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 “grassroots” property of deviance refers to the fact that a given act, belief, or trait can be a normative violation in one group, category, or society, but 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. Such a view does not examine the impact of these settings, groups, or societies on one another. Clearly, 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.

THE ABCs OF DEVIANCE

To recapitulate: Sociologists refer to behavior, beliefs, or characteristics that violate, or depart or deviate from, a basic norm and that are likely to generate negative reactions in persons who observe or hear about that norm violation as social deviance or simply “deviance.” Many courses and books on the subject (including the book you are reading at this very moment), as well as the major academic journal in the field, bear the title “deviant behavior.” This isn’t exactly accurate. Deviant behavior is a handy term that sociologists of deviance use to refer to the field. The field might better be referred to as “social deviance,” but unfortunately, we are stuck with the handy term because it’s easily recalled. But the field isn’t only about deviant behavior. It’s about deviant behavior, and a great deal more. It’s also about deviant attitudes or beliefs, and about deviant traits or characteristics—in short, anything and everything that results in interpersonal or institutional rejection or punishment. Adler and Adler (2009, p. 13) use the term, the “ABCs of deviance—Attitudes, Behavior, and Conditions.” Attitudes refers to unpopular, unconventional beliefs that may or may not manifest themselves in overt actions. Behavior is made up of any overt action (which includes the failure to act) that is likely to attract condemnation, hostility, or punishment. Conditions includes physical characteristics or traits that, likewise, make someone a target of an audience’s disapproval, avoidance, derision, or other types of negative social reactions. In short, to the sociologist, deviance encompasses all three of the “ABCs”—attitudes, behavior, and conditions. Let’s look at each one in turn.
DEVIANT BEHAVIOR

Most people who encounter the study of social deviance imagine that the field is entirely and exclusively about behavior that is regarded as unacceptable and likely to generate negative reactions. It is true that most forms of deviance we’re likely to think of—as well as most of those that tend to be punished—are behavioral in nature. The vast majority of people, when asked to provide examples of deviance, offer types of behavior. In addition, thumbing through deviance textbooks and anthologies tells us that most of the forms of deviance their authors discuss are, again, behavioral. In short, nonnormative behavior is an element of most people’s stereotype of what’s deviant.

It is true that often what we do is the basis on which we evaluate one another. “Actions speak louder than words,” we say—and most of the time, to most of us, they do. A man says he loves his wife—and he may in fact love her very much—but if he is out every night, having affairs with other women, his behavior is likely to be weighed very heavily in his wife’s assessment of him as a decent husband, not his protestations of love. A woman says she believes that cocaine is a harmful drug, that no one should or can play around with it, but if she uses it regularly, no one is likely to take what she claims her beliefs are very seriously. In other words—even if we actually do believe something—our behavior is weighed more heavily than our beliefs. We’ll come back to the ideas of sociologist Erving Goffman (1922–1982) throughout this book because some of his ideas remain important, relevant, and insightful for students and researchers in the field of deviance. His book *Stigma* (1963) is a classic. The fact is, as Goffman says, most of us see behavior we regard as deviant as indicating “blemishes of individual character” (1963, p. 4). A dishonest character is revealed or manifested mainly by dishonest behavior; a weak will and an inability to resist temptation are revealed by drug abuse, alcoholism, adultery, gambling, and so on (see Chart 1.1).

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**CHART 1.1  GOFFMAN’S TYPOLOGY OF STIGMA/DEVIANCE**

1) “Blemishes of Individual Character”
   (a) deviant behavior: alcoholism; addiction; unemployment; imprisonment radical political behavior; etc.
   (b) deviant beliefs: “treacherous and rigid beliefs”; holding radical political views
   (c) mental disorder: schizophrenia; clinical depression; Tourette’s Syndrome; autism; antisocial disorder; sociopathy; etc.

2) “Abominations of the body . . . , the various physical deformities”
   (a) violations of esthetic standards: obesity; being extremely ugly; having a harelip; being facially scarred, burned, or otherwise disfigured
   (b) physical incapacitation: deafness; blindness; being unable to walk;

3) “Tribal stigma of race, nation, and religion”: being Black (among white racists); being white (among Black nationalists); being Jewish (among anti-Semites); being an Arab (among some Israelis and some Americans and Europeans); being an Israeli (among some Arabs and some leftist academics); being an Indian (in the U.S. during and before the mid-twentieth century); being an Asian (in the U.S. during and before the mid-twentieth century); being a Muslim (among nationalist Indians in India); being a Hindu (among fundamentalist Muslims in India and Pakistan); etc.

*Note:* Adler and Adler’s “A” (Attitudes) and “B” (Behavior) together make up Goffman’s “blemishes of individual character.” Their “C” (Conditions) includes physical characteristics as well as some forms of mental disorder. They do not deal with tribal stigma at all.
To repeat, while deviant behavior is a major type of social deviance, it is not the only type. In this book, we intend to look at several others as well.

DEVIANT ATTITUDES AND BELIEFS

Is simply expressing an unpopular belief a form of deviance? Of course! Behavior is not solely or exclusively a set of physical or mechanical motions. When someone expresses a point of view, it is not the physical act of talking or writing that counts but the content of what that person says, the worldview that those words express and what that worldview means to the people listening to or reading them. Holding unconventional, unorthodox, unpopular—or deviant—beliefs may be regarded as cognitive deviance. This category includes religious, political, and scientific beliefs that are regarded as unacceptable. The negative reactions toward the people who hold such beliefs are very similar to those that would be touched off by the discovery of participation in behavior that is regarded as unacceptable.

It is possible that, in the history of the world, holders of unacceptable beliefs have been attacked, criticized, condemned, arrested, even persecuted almost as often and almost as severely as enactors of unacceptable behavior. Consider, for example, the Spanish Inquisition (1480–1834), during which thousands of “heretics” were executed for their beliefs (or supposed beliefs); the Crusades, the attempt by Christians during the eleventh to the fourteenth centuries to wrest Jerusalem from “unbelievers,” that is, Muslims; the current Islamic jihad, which, according to its architect, Osama bin Laden, targets “Crusaders,” that is, Christians, as well as Jews; the violence following and death sentence for Salman Rushdie for writing The Satanic Verses (1988), considered blasphemous by many orthodox Muslims; and, in ancient times, the execution of Christians who refused to worship the Roman emperor as a god. These are the expression of certain beliefs by some people that others considered wrong—evil, heretical, blasphemous, and deviant. Clearly, beliefs can be deviant.

Could a self-proclaimed atheist be elected president of the United States? It is extremely unlikely; a majority of Americans would vote against such a candidate, simply because of his or her atheistic views. Hence, to much of the population, not believing in God is deviant in American society.

In a department of biology, would a graduate student who believes in creationism be looked upon or treated in the same way as one who accepts the evolution of the species as fact? Of course not! Indeed, some faculty members believe that there is no place for creationists in biology departments (Brulliard, 2003; Madigan, 2003). Hence, in biology departments in the United States, believing in creationism is deviant.

In universities throughout the Western world, expressing what are regarded as blatantly racist views often results in ostracism and social and academic isolation (Schneider, 1999)—in short, it is deviant.

One absolutely crucial point in any examination of cognitive deviance: Certain beliefs are not deviant simply because they are wrong. They are deviant because they violate the norms of a given society, or an institution, or among members of a social circle within a society, and, as a result, they are likely to elicit negative reactions. When we see these negative reactions, we know we have a case of deviance on our hands. Hence, cognitive deviance is a major type of deviance.

You, the reader, believe that racism is bad; so do I. But to the sociologist, racism is not deviant because it is bad, immoral, or wrong in some abstract sense. The expression of racist views is deviant in certain sectors of this society because it offends many, most, or certain, members of this society. Before the Civil War, if a white southerner were to argue in favor of the abolition of slavery in the South, among slaveowners and other whites, that view, and the person who expressed it, would have been regarded as deviant. Again, not because it was wrong—everyone today agrees that it was the correct position—but because at that time it was considered deviant to southern whites generally, and to slaveowners specifically. Once again, “deviant” does not mean “wrong;” it means “offensive to audiences in certain social circles.”

Nearly all biologists and geologists believe that creationism is scientifically and factually wrong. But to the sociologist, creationism is not deviant because it is scientifically wrong. Indeed, belief in
evolution is deviant as well—to fundamentalist Christians and Muslims, and Orthodox Jews. The reason we know that certain beliefs are deviant is that their expression violates prevailing norms in certain social groups and generates negative reactions among the members of those groups.

Likewise, it is not clear that atheism is “wrong” or “right” in some abstract sense. Indeed, most scientists and philosophers believe that the factual matter of theism or atheism can’t be empirically tested. What makes atheism deviant is that it violates a norm—theism, or a belief in God—held by roughly 90 percent of the American public. In many social contexts, atheists are not treated the same way that believers are; they are, in those contexts, looked down upon, vilified, and condemned. According to a Pew Global Attitude Survey (taken in 2007), a majority of the American public (57%) believe that “it is necessary to believe in God to be moral,” a clear statement that atheism is not only deviant, but immoral as well. In contrast, in Western Europe, this is a minority view, ranging from 39 percent in Germany to 10 percent in Sweden.

It turns out that many beliefs thought to be false have been demonstrated to be true (Ben-Yehuda, 1985, pp. 106–167), and the scientists who held them then were ostracized just as much as those scientists who hold beliefs we now regard as false. In other words, some deviant beliefs may be correct! In the 1850s, the physician Ignaz Semmelweis (1818–1865) discovered that the patients of doctors who delivered babies after washing their hands had lower rates of maternal mortality than doctors whose hands were dirty. He was ridiculed for his theory and hounded out of the medical profession, eventually being driven to insanity and suicide. Semmelweis’s discovery was not accepted until the 1890s, but, although scientifically true, for nearly half a century, his belief was deviant (Chart 1.1).

PHYSICAL CHARACTERISTICS

What about physical traits or characteristics? Can someone be regarded as deviant as a result of possessing certain undesirable, involuntarily acquired physical characteristics—such as being extremely ugly, short, obese, disabled, or deformed? Ask yourself: Is a disabled person treated the same way as the rest of us? Do many “abled” persons socially avoid or shun the disabled? Do some of them tease, humiliate, joke about, stereotype, or make fun of the handicapped? Do they pity or scorn them? Is a great deal of social interaction between persons with a “normal” appearance and one who is disfigured strained, awkward, distant, and difficult? Haven’t obese children often become an object of taunts, ridicule, harassment, and condemnation? Aren’t the possessors of certain undesirable physical characteristics excluded from full social participation? (These are rhetorical questions, of course. A writer or speaker uses them to convince an audience of a certain point of view. You, the reader, should be wary of such devices.) Hence, if we mean by “deviant” the fact that persons with certain physical traits are often treated in a condescending, pitying, scornful, and rejecting fashion, the answer is that of course possessing unconventional, unacceptable physical traits is deviant! If the disabled receive negative social reactions from the abled, they are deviant.

Is this fair? Of course not! Most people with an undesirable physical trait have not done anything wrong to acquire it. Hence, it is unfair for others to reject or otherwise treat them negatively. But notice: It is not the sociologist who is being unfair here, or who is rejecting the possessors of these traits. Rather, it is the social audience, that is, the majority, or a sector of the society, who rejects these people and, hence, treats them unfairly. Sociologists of deviance aren’t rejecting the disabled, they are merely noticing that many abled members of the society do that. It doesn’t matter whether behavior, beliefs, or physical characteristics are freely chosen or thrust upon us. If they result in social rejection of some kind, they are deviant, and may qualify their enactors, believers, or possessors as deviants. The fairness or justice of this rejection is a separate matter. We’ll be looking more closely at deviant physical characteristics in a later chapter.

The fact that physical characteristics represent a major form of deviance points us to a distinction that has been a fixture in the field of sociology for practically its entire existence: that between achieved status and ascribed status (Adler and
Adler, 2009, p. 13). Some social statuses are “achieved” (although they may have been assisted by certain inborn characteristics). Being a college graduate is something that has to be achieved or accomplished: One has to do something—such as have a high school record good enough to be admitted, enroll in courses, study to pass the courses one takes, and complete all the graduation requirements—to graduate from college. But being born into a rich family or a poor one; a black, white, Asian, or Hispanic one; or one in which one’s parents are themselves college graduates or high school dropouts—these are ascribed statuses. They are not achieved, but are thrust upon the infant at birth. There is nothing a child can do to achieve or choose his or her family or parents.

As with statuses in general, so it is with deviant statuses: They may be achieved or ascribed. Being a drug addict is a result of making certain choices in life: to use drugs or not, to use it to the point that one’s life becomes consumed by drugs or not. Clearly, being a drug addict is an achieved status. In contrast, being a dwarf or an albino is ascribed. One is born with certain characteristics or traits that are evaluated in a certain fashion by the society in which one lives. It is these evaluations, and the reactions that embody them, that determine whether or not a given ascribed characteristic is deviant. To the extent that these evaluations and reactions are negative, derisive, rejecting, or hostile, we have an instance of deviance on our hands. Is this fair? Once again: Of course not. But the sociologist would be foolish and ignorant to pretend that these negative evaluations and reactions do not exist and do not have an important impact on people’s lives. In fact, it is only when we understand them—their basis, their dynamics, and their consequences—that we can face and deal with society’s many injustices (Chart 1.1).

TRIBE, RACE, RELIGION,
AND NATION

Erving Goffman pinpointed a type of stigma he referred to as “tribal stigma of race, religion, and nation.”

In February 2002, an angry mob of Muslims set fire to a train holding Hindu militants who, some observers said, were shouting anti-Muslim slogans; at least 57 were killed (Lakshmi, 2002a). A day later, a mob of Hindus looted and burned shops, offices, and homes in a Muslim neighborhood; at least 76 died (Lakshmi, 2002b). For years, Osama bin Laden, a militant Muslim, hostile to anything American, Western, Christian, and Jewish, has taught his followers, “Kill the Jew and the American, wherever you find them.”

On the 11th of September 2001, 19 of his acolytes followed his teachings by hijacking airliners and crashing them into the World Trade Towers and the Pentagon, killing 3,000 people. In response, in the year after the attacks of September 11, the number of hate crimes committed against persons of Middle Eastern descent, Muslims, and South Asian Sikhs—who are frequently mistaken for Muslims—increased 1,500 percent from the year before, from 28 to 481. A caller threatened to kill members of the family of James Zogby, director of the Arab American Institute (Fears, 2002). These incidents, too, point to the phenomenon of stigma of race and nation. They refer to the fact that the members of some categories of humanity stigmatize all the members of another category—simply on the basis of that membership alone. Throughout recorded history, members of one ethnic group have stigmatized, “deviantized,” or “demonized” members of another simply because of the category to which they belonged. Any exploration of deviance must take a look at Goffman’s “tribal stigma of race, nation, and religion.” It is a form of deviance that automatically discredits someone for belonging to a racial, national, ethnic, and religious category of humanity. It is every bit as important as deviance that is determined by behavior or beliefs.

RELATIVITY

Another absolutely crucial point: The sociology of deviance is relativistic. The concept of relativ-ity has been grossly misunderstood. Some people think that accepting relativity means that we have no right to make our own moral judgments. This is completely false. Accepting relativity as a fact does not take away our right to make moral judgments. Relativity says this: Judgments of what is
good and bad vary, and these judgments play a role in actors’ and audiences’ lives, depending on where they are located. 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. How we—how I, the author; how you, the reader; and how any observer—feel about or react to an act, a belief, or a condition is completely separate from how members of a given society feel and act toward it. We may despise the injustice that we feel 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 act is enacted, punished, or tolerated in certain places or at certain times.

In my view, accepting relativism poses no ethical dilemma, as some have argued (Henshel, 1990, p. 14). It does not advocate a “hands-off” policy toward practices we consider evil. It simply says that what we consider 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 come to practice 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 realize that others may not share yours, and that their moral precepts may guide them to do things you consider immoral.

A man, naked from the waist down, walks down the aisle of a meeting room, his penis fully erect. He invites members of the audience to touch his erection. Is this a deviant act? Before relativists answer this question, they would need to know more about the situational context of this act. The time is 1983, and the context is a meeting at which a physician, Giles Brindley, is showing off the results of his research—a drug-induced erection. The man with the erection was a medical scientist who developed a drug that was a precursor to Viagra, a pill that treats male sexual inadequacy. Brindley was simply dramatically demonstrating that his research produced a product that worked. In response to the distress people might feel at hearing about Dr. Brindley’s seemingly exhibitionistic behavior, sex researcher Irwin Goldstein shrugged and commented to a reporter: “It was a bunch of urologists” (Hitt, 2000, p. 36). In other words, he was saying, to us that in the context of that scientific meeting, touching an erect penis is no big deal. Was Dr. Brindley’s act deviant? Goldstein’s statement says it all: In that situation, of course not.

In the Middle East, the murder of Arabs by Jews may be seen as heroic—not deviant—among some (but not most) Israeli Jews, while the murder of Jews by Arabs, likewise, may be praised, not condemned, among some Arabs (Cowell, 1994; Greenberg, 1995).

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, while others condemn it. Some individuals condemn homosexuality while, increasingly, others do not. We will almost always be able to locate certain circles of individuals who tolerate or accept forms of behavior that are widely or more typically condemned within a given society. Some of these circles are, of course, practitioners of deviance themselves. But others are made up of individuals who, although they do not practice the behavior in question, do not condemn those who do, either.

Variations in definitions of deviance over historical time are at least as important as variations from one society to another. In 1993, the then senator representing New York state, 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. The mentally ill have been released onto the street, no longer held behind the walls of mental institutions. Unwed mothers, whose lack of a stable relationship with a man produces conditions conducive to their children failing in the essential performances considered necessary to a functioning society, no longer bear the burden of social stigma. And levels of crime once considered alarming are now regarded as acceptable, tolerable—business as usual. Defenders of the old standards of decency
are powerless to halt this process of “defining deviancy down,” Moynihan argued.

In response, social and political commentator Charles Krauthammer (1993) 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”. Behaviors that once were tolerated have become targets of harsh condemnation. Just as the deviant has become normal, “once innocent behavior now stands condemned as deviant” (p. 20). Entirely new areas of deviance, such as date rape and politically incorrect speech, have been discovered, Krauthammer argued. And old areas, such as child abuse, have been “amplified,” often to the point where groundless accusations are assumed to be true. While 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, Krauthammer claims, is so broadly defined as to encompass any and all sexual intercourse. In some social circles, he argues, the distinction between violence and consensual sex has been erased (p. 24). And the right to hold notions that differ from the mainstream has been taken away, Krauthammer claims. “Thought crimes” and “speech codes” have replaced differences of opinion and their expression.

It is possible that both Moynihan and Krauthammer have overstated their cases. Both were catastrophically wrong about the direction that crime was to take in the United States after the early 1990s. Both believed that the disintegration of the traditional family—more specifically, the increase in families without a father—would lead to significantly higher crime rates. Fatherless families increased, as Moynihan argued was happening, but correspondingly, the crime rate in the United States declined. Hence, we are led to ask this: If the intact father-and-mother family is so important to insulating children against crime, how is it possible that fatherless families increased, but the crime rate declined? In any case, Moynihan’s and Krauthammer’s point should be clear: Definitions of right and wrong vary over time. What is defined as wrong at one time may be tolerated in another; what is accepted during one era may be condemned in another.

In sum, relativity applies across societies and cultures and up and down through the corridors of time. In order to understand deviance, just as we must be relativistic from one society and social circle to another, we must also be relativistic from one time period to another. While for some behaviors consensus in judgments of wrongdoing may be widespread, as students of deviance, we find the variation just as significant. The concept of relativity will continue to appear throughout this book. It is one of the basic building blocks of the sociology of deviance.

DEVIANCE: ESSENTIALISM AND CONSTRUCTIONISM

So far, we’ve learned that deviance is that which violates the norms of a society, or a segment of the society, and is likely to call forth punishment, condemnation, or censure of the norm violator. Deviance can be anything the observers or audiences in a particular collectivity don’t like and react against. In the next two chapters, I’d like to take a step further and suggest that the study of deviance is fundamentally two independent but interlocking enterprises. When sociologists look at normative violations and censure of the violator, they think along two tracks and investigate two separate types of questions. In other words, they are up to two entirely different endeavors.

When we think of deviance, the question we should ask ourselves are these: What is to be explained? And deviance is explained or addressed through the lens of two very different perspectives toward reality. Sociologists refer to these two perspectives as essentialism and constructionism. We can regard these two approaches as “master visions.” They might seem contradictory, but in fact they complement one another; they are two halves of the same coin.

Essentialism sees deviance as a specific, concrete phenomenon in the material world, like oxygen, gravity, or a snapping turtle. It does not have to be defined to be real, it just is; it’s just there. The essence or reality of deviance is taken for granted, indisputable, apparent and obvious to all observers,
an objective fact. And because deviance is objective or real, we are led to the inevitable question: “Why?” In other words, essentialism implies positivism, the belief that we can answer a question scientifically, with empirical or observable data. “Why do some people engage in deviance, hold deviant beliefs, and possess deviant physical characteristics?” The answer to the “What is to be explained?” question is that it is the deviant behavior, beliefs, or conditions themselves that must be explained. What causes these things to happen or exist is our guiding concern. The ruling questions the positivist is likely to ask are these: What kind of person would do such things? What social arrangements or factors encourage such behavior? For example, why is the crime rate so much higher in some societies or countries than in others? What kinds of people violate the norms of their society? For instance, why are men so much more likely to engage in most forms of deviance than women? The young versus the old? Urban dwellers as opposed to people living in small towns? Which categories in the population are more likely to engage in violence? Who uses and abuses psychoactive substances and why? What causes some young people to engage in sex at an early age? What factors or variables encourage, cause, or influence white-collar crime? These are the sorts of questions positivists who study deviance and crime ask, and they center around the guiding question: Why do they do it? (The positivistic approach to deviance usually studies deviant behavior, rarely deviant beliefs, and almost never deviance conditions.) Once we decide that something is objectively real, as a scientist, it is our mission to explain its occurrence.

In contrast, the approach we call constructionism or social constructionism answers the “What is to be explained?” question by saying that it is thinking about and reacting to rule violators that is crucial. This approach argues that it is the rules, the norms, the reactions to, and the cultural representations of certain behavior, beliefs, or conditions that need to be looked at and illuminated. In other words, constructionism is curious about how and why something comes to be regarded as or judged to be deviant in the first place, and what is thought, made of, said about, and done about it. How are phenomena generally, and deviant phenomena specifically, conceptualized, defined, represented, reacted to, and dealt with? How do certain actions come to be regarded as “crime,” “prostitution,” “treachery,” or “incest”? How are certain beliefs conceptualized as “heresy,” “blasphemy,” “godlessness,” “disloyalty,” and “ignorance”? Why are certain physical characteristics even noticed in the first place? Are the disabled stigmatized? Are they integrated into the mainstream or “abled” society—or are they, in some ways, excluded? Are the obese treated and reacted to differently in different societies? Why is a specific behavior, belief, or trait condemned in one society but not in another? Why does atheism cause the nonbeliever to be burned at the stake in one place, during one historical era, and ignored or tolerated elsewhere, at another time? Do the members of a society think of corporate crime as “real” crime? What does the treatment of the mentally disordered tell us about how they are viewed by the society at large? How do the media report news about drug abuse? What do the members of a society do to someone who engages in a given behavior, holds a particular belief, or bears a specific trait? In turn, how does the person who is designated as a deviant react to, handle, and deal with the deviant designation, the label, and the stigma? The constructionist is more interested in issues that have to do with thinking, talking, writing about, narrating, or reacting to such actions than in why deviant behavior, beliefs, or traits take place, occur, or exist in the first place. To the constructionist, deviant behavior, beliefs, and traits “exist”—as a social category—because they are conceptualized in a certain way. The constructionist does not take the “deviance” of what is regarded as deviance for granted; instead, it is how something is regarded and dealt with that must be explained, not the occurrence of the behavior, the beliefs, or the conditions. Chapters 2 and 3 will discuss these two radically different approaches to deviance.

SUMMARY

Humans evaluate one another according to a number of criteria, including beliefs, behavior, and physical traits. If, according to the judgment of a given audience doing the evaluation, someone holds the “wrong” attitudes, engages in the
“wrong” behavior, or possesses the “wrong” traits or characteristics, he or she will be looked down upon, treated in a negative, punishing, and condemnatory fashion. Sociologists refer to beliefs, behavior, or traits that violate or depart or deviate from a basic norm or rule held by a collectivity of people, and are likely to generate negative reactions among the members of that collectivity who observe or hear about that norm violation, as social deviance or simply deviance.

There are four necessary ingredients for deviance to occur: one, a rule or a norm; two, someone who violates or is thought to violate that norm; three, an audience who judges the violation; and four, the likelihood of negative reactions from this audience. What define or constitute deviance are the actual or potential negative reactions that certain acts, beliefs, or traits are likely to elicit.

Defining deviance is not a mere matter of departing from just anyone’s norms, however. The sociologist is interested in the likelihood that a given normative departure will result in punishment, condemnation, and stigma. Hence, we must focus on the number and the power of the people who define a given act, belief, and trait as “wrong.” The greater the number and the power of the people who regard something as wrong, the greater the likelihood that its believers, enactors, and possessors will be punished, condemned, or stigmatized—and hence, the more deviant that something is.

The distinction between societal deviance and situational deviance is crucial here for understanding the likelihood of attracting condemnation, censure, punishment, scorn, and stigma. Societal deviance includes acts, beliefs, and conditions that are widely condemned pretty much throughout the society—in a phrase, “high-consensus” deviance. Looking at deviance as a societal or society-wide phenomenon adopts a “vertical” perspective: It sees judgments of right and wrong as being hierarchical in nature. Some judgments have more influence than others. In contrast, “situational” deviance is whatever attracts condemnation, censure, punishment, scorn, and stigma specifically in particular groups or social circles. This view of deviance looks “horizontally” or across the society and accepts the idea that different groups, circles, and categories have different judgments of right and wrong, and hence, different notions of deviance. Situational deviance is usually low-consensus deviance, since there is a low level of agreement throughout the society that such acts, beliefs, and traits are deviant.

Contrary to the stereotype, deviance includes more than behavior. Sociologists refer to the “ABCs” of deviance—attitudes, behavior, and conditions. True, behavior constitutes a major form of deviance, but so do beliefs and physical traits or conditions. Throughout history, people are judged to be normative violators for their beliefs almost as often, and almost as severely, as for their behavior. And judgments of physical appearance, likewise, are sharply judgmental, pervasive, and deeply determinative of society’s rewards and punishments. In addition, racial, ethnic, religious, and “tribal” distinctions play a major role in judgments of deviance; Goffman analyzes such distinctions in his delineation of sources of stigma. I refer to tribal stigma as collective deviance. Some members of certain ethnic groups stigmatize every member of one or more other groups, regardless of what any given individual has done to deserve it. Please note that Goffman’s “blemishes of individual character” stigma encompasses the Adlers’ attitudes (“treacherous and rigid beliefs”) and behavior (“addiction, alcoholism, homosexuality, unemployment, suicidal attempts, and radical political behavior”). Even though both typologies entail three types of deviance of stigma, they overlap imperfectly. The Adlers’ typology does not discuss tribal stigma.

Deviance is a coat of many colors; it assumes myriad forms, varieties, and shapes. Deviance is a conceptual category that cuts through a diversity of acts, beliefs, and traits. Hence, it might seem that, on the surface, phenomena that sociologists refer to as deviant share very little in common. But the very fact that the concept points to such diversity is what gives it its power. The concept of deviance highlights or illuminates features of social life that we might not otherwise have noticed. In the struggle to attain respectability, members of one category may resent being categorized with a less respectable category. For instance, self-avowed homosexual spokespersons have written to me, criticizing earlier editions of this book for referring to homosexuality as a form of deviance along with murder, rape, and robbery. They feel the term “taints” them and their behavior. This is an example of what philosophers called the “fallacy of reification,” that is, identifying the
part with the whole. “Deviance” represents only one dimension, and in some ways, homosexuals and murderers do share important characteristics, that is, their behavior and their identity are discredited in the eyes of much of the public. When I ask these spokespersons, “Are homosexuals discriminated against and looked down upon by most Americans?” their answer is an immediate, “Of course!” My reply is, “That’s exactly what I’m taking about!” In a similar vein, adultery, using cocaine, prostitution, being an atheist, and being autistic are also deviant.

Several criteria are used by the naïve, uninformed student to define deviance: absolute criteria, mental disorder, statistical departures from the norm, and harm to individuals and to the society. These are false criteria, naïve definitions of deviance. Sociologically, deviance is not defined by absolute criteria, mental disorder, unusualness, or harm. Indeed, many absolute definitions of wrongness or deviance have been proposed, but everyone has his or her own such definition, and none of them have anything to do with how the majority reacts to certain behavior, beliefs, or conditions. Most “deviants” are mentally normal, so clearly, mental disorder is separate and independent from deviance. Unusual behavior, beliefs, and conditions are not always deviant, and common ones are not always conventional. And lots of harmless acts are deviant, while many harmful ones are conventional. Clearly, these four definitions of deviance are misleading and naïve; sociologically, they are dead ends.

To the sociologist, deviance is relative, contextual, contingent, and probabilistic.

Saying that deviance is “relative” means that members of different societies and social circles, as well as periods of historical eras, define good and bad, true and false, in different ways, and reward or publish different behaviors, beliefs, and physical characteristics. We may not agree with these judgments, but the fact that they exist and determine reactions and interactions is an indisputable fact.

Saying that deviance is “contextual” means that whether someone is punished, rewarded, or ignored for engaging in an act, expressing a belief, or possessing a given trait is dependent on a variety of factors independent of the act, belief, or trait itself. One of these factors is who the person is. When Eliot Spitzer was governor of New York, he could not have sex with a call girl without being condemned for it; his resignation was almost certain. Most ordinary private citizens are not likely to lose their job as a result of such an indiscretion. And in Italy, when Prime Minister Berlusconi “consorted” with “young and chesty women,” these indiscretions were met with a widespread shrug of the shoulders.

Saying that deviance is “contingent” means that condemnation and punishment do not inevitably follow discovery. We could draw a spectrum or continuum from acts, beliefs, and conditions that are extremely likely to draw negative reactions at one end, to those that are unlikely. To each act, expression of belief, and physical condition, we can attach a certain likelihood of censure and punishment upon discovery. Picture a white supremacist with a Swastika tattooed on his bald head screaming out racist slogans at a church, synagogue, mosque, university, mainstream political gathering, or school. Most of us would say the likelihood is extremely high that he would be socially shunned, censured, or condemned in these groups. On the other hand, lots of acts, beliefs, and conditions are very unlikely to result in seriously negative reactions among most audiences: bird-watching, wearing glasses, driving an old car, eating beef tongue, reading poetry, growing pansies, listening to Muzak, keeping an iguana for a pet, believing that Pluto is a planet, or being an inch or two taller or shorter than the norm. It’s important to recognize that deviance is a continuum that stretches from whatever others find extremely offensive all the
way over to the norm—which most others regard as not at all offensive.

Some behaviors are so widely condemned that they have been condemned pretty much everywhere; with them, there is virtually no “relativity” at all. No society on earth accepts the unprovoked killing of an in-group member; robbery (the “Robin Hood” syndrome notwithstanding), rape, and serious or aggravated assault rarely result in widespread tolerance or approval. On the other hand, many behaviors, beliefs, and traits, vary enormously over time and cultural space with respect to the degree to which members of societies are condemned for committing, believing in, and possessing them. Affirming atheism during the Spanish Inquisition could result in torture and execution; today, the disbeliever meets mild but not savage disapproval. At one time, in some places, teaching evolution was illegal and deviant; today, evolution is taught in every nonreligious high school, college, and university in the country. As late as the 1960s, the distribution of hard-core pornography was a crime, and was prosecuted; today, graphic hard-core porn depicting almost every conceivable sex act is available, in almost unlimited quantity, to anyone with access to the Internet. These changes tell us that the study of deviance is about setting, enforcing, and violating rules as well as the degree to which rules vary or remain the same over time and from one society to another. Some rules apply pretty much everywhere (though the punishment of the perpetrator does vary). With others, the sociologist’s job is to understand and explain the variation. This book accepts the challenge of that task.

Sociologists adopt one of two radically different approaches to deviance: essentialism and constructionism. Essentialism argues that deviance exists objectively, and hence, its occurrence, rate, and distribution can be explained scientifically. In other words, essentialism implies and even demands scientific positivism. In contrast, constructionism argues that what’s deviant is a subjectively arrived-at phenomenon, dependent on time and place, society and culture, and observer and enactor. What’s most important about deviance is how different audiences regard behavior, beliefs, and conditions, both conceptually and evaluatively. What something “is” and whether it is good, bad, or neutral are outcomes of judgments of social actors within specific contexts. Behavior, beliefs, and conditions exist, as deviance, only as a result of the actions and reactions of audiences.

Account: A Computer Pirate Tells His Story

The contributor of the following account, Steve, was a 21-year-old college senior at the time he wrote it. His story illustrates a number of interesting principles about deviance, one of which is that behavior that may be tolerated—even revered—in one category of people, while it may, at the same time, be considered not only deviance but also a crime in another. It also shows that committing deviance is not necessarily generalizable; someone who is fairly conventional in one sphere of life may engage in wrongdoing in another. And third, Steve’s account illustrates the fact that there may be many rewards to engaging in deviance, some of them intrinsic (i.e., those that come from the fun of the activity itself) and some secondary (the respect the behavior generates from others).

I had heard all the speeches from my parents about staying away from drugs, alcohol, loose women, and fraternities, but the speeches had always been half-assed. In high school, I had always been a pretty good kid and I don’t think my parents were all that worried about me. I graduated with honors and a 3.8 GPA, and I was the second leading tackler on the football team. I dated a cheerleader and hung out with what could be considered the preppy kids. For the most part, we stayed out of trouble, aside from the occasional party that got raided by the police. I spent most of my free time in the gym, and enjoyed playing computer games online. . . . I was an Eagle Scout. My parents knew they had raised a physically and mentally strong son. When they helped me move to college, I could
tell they were proud of me. My Mom cried and
my Dad smiled. Once again, I heard all those
speeches I had heard over and over. “Stay away
from drugs.” “Don’t drink.” “For every hour you
are in class, you should study for two hours.”
I had heard them so many times I stopped listen-
ing long ago. As much as they nagged and wor-
ried, I think my parents knew I would be OK.
After all, I was your All-American average child.

I applied and was accepted into the University’s
Scholars Program. . . . We were assigned in 1 of 13
programs. I was in the Science, Technology, and
Society Program. All of us in that program lived
together in the same dorm and took a special
seminar. Many of us shared the same majors—
I was in computer science—and thus shared many
of the same courses. Through classes, our similar
interests, and the fact that we all lived together,
it was really easy to make friends. The more peo-
ple I met, the more I realized I was surrounded
by nerds. However, it didn’t take me long to adapt.

I began playing several computer games. . . .
The university has an extremely fast connection
to the Internet, which gave me an advantage
over my opponents. It didn’t take me long to
find out I could also download music from the
Internet. The idea of not having to purchase
CDs absolutely delighted me. There I was, a
few weeks into my first semester of college.
I went to all my classes, sat in the front of the
class, did all my homework, did all the read-
ing for my courses, visiting my professors dur-
ing their office hours, and got good grades. In
my free time, I went to the gym, played foot-
ball, and played on my computer. I spent most
of my time on the computer playing games,
downloading music, or chatting on Instant Mes-
enger. For a month or so, my life pretty much
followed this pattern. But before long, every-
thing changed.

Her name was Tess. She was in one of my
computer courses. She was cute and really
funny. We usually sat together in class and even
studied for our first exam together. At some
point, I asked if she’d like to hang out during
the coming weekend. She said she’d love to
and there was a movie she really wanted to see
but she didn’t have any money to pay for it.
Normally, I’d jump at the opportunity to pay but
I didn’t have any money either. I left that con-
versation feeling more than a little annoyed.

Later that night, I told a friend what had hap-
pened and he told me he had the movie on his
computer. It was too good to be true. Not only
could I watch the movie with Tess, we could lie
down on my bed instead of sitting in those awful
movie theater chairs. I had my friend send me
the file right away. That weekend Tess came to
my room and we watched the movie. The night
was fantastic. I knew I had found something
great. The next day I nagged my friend until he
told me how he had gotten the movie. He intro-
duced me to IRC, Instant Relay Chat, which is a
program that allows you to meet people in chat
rooms to talk and exchange files. To use IRC,
you just need to choose a nickname and connect
to a server. I chose the nickname “Bear” and I
was off. I joined the chat room and tried to
absorb everything that was going on. The chat
room was run by a group of people called
“Chimera.” To download movies, you connect
to people who are running servers, request the
files you want, wait in line, then they send them
to you. It was easy. It was awesome.

I became intrigued by this system of distrib-
uting movies. There were three types of people
on the system—ops, the voiced, and peons. The
“ops” (for “operators”) ran and had total control
of the chat room. If they didn’t like you, they
could kick you out or permanently ban you from
the room. In the case of this particular chat
room, the ops were the members of Chimera.
Each one of them contributed to the process of
distributing these movies. Below the ops were
the “voiced people.” They were either friends
of the ops or people who ran the servers. The
voiced had no actual power but when their nick-
names were displayed, a plus sign appeared. I
guess it’s a little like the Queen of England—
she doesn’t have real power but people look up
to her. Finally there are the “peons.” These are
the people who wander in to download movies
for their own use. (Ops and voiced people call
them “leeches.”) Everyone starts as a peon. You

(Continued)
stay there unless you do something special. This [is] where I began my journey, as a leech, just downloading and collecting movies.

My everyday life didn’t change much. I still went to nearly all my classes and was on top of my work. Other people on my floor began finding out that I had newly released movies. Friday nights, students in my dorm began gathering in my room to watch whatever hot new movie I had. They’d comment on how cool it was I could download these movies and save everyone eight dollars. Pretty soon people I didn’t know dropped by my room and said they heard from a friend I had a particular movie and asked if I could send it to them. I became a kind of mini-celebrity in my dorm. I was the man to go to for movies. I loved making new friends but more important, I loved the attention. I loved controlling access to what they all wanted. I was hooked.

So I sent a message to one of the ops asking how I could become more involved. He gave me instructions on how to serve. So I set up a little file server and let three people at a time download movies off me. Since my Internet connection was so fast, I quickly became one of the more popular servers. The ops took notice of my server, and they made me one of the voiced. It felt great. Peons said “Hi!” to me and asked about my day. People sent me messages begging me to let them skip to the front of the line for my sends. It felt great. People liked me, respected me, even looked up to me. I loved making new friends but more important, I loved the attention. I loved controlling access to what they all wanted. I was hooked.

The new demands of being an op began to significantly impact on my everyday life. Most nights I wouldn’t get to sleep until four or five in the morning. I survived on naps and caffeine. My class attendance began to fade and my homework became second priority, which was reflected in my grades. My trips to the gym became less frequent, and the time I used to spend with my friends I spent napping so I could stay up all night and get the newest
INTRODUCTION

release out. I never felt lonely, though. I found all the friends I needed online. I was an op in a channel that had over 500 people in it at any given time. They all looked up to me. They all wanted what I had. They all wanted to be like me. The power went straight to my head. It was great. It was unbelievable what people would do to get the new release. Girls sent us naked pictures and videos of themselves. Guys sent us all kinds of software. We literally had access to whatever we wanted.

It was through one of these transactions that I furthered my online piracy career. A user offered to trade some software for the newest movie release. When he saw how fast my connection was, he told me he was a member of a group called “Russian Roulette,” perhaps the most notorious software piracy group ever to exist. They were founded by Russian hackers in the mid-1990s, and since then spread all over the world. When my user told me Russian Roulette was looking for an East Coast dumpsite, I readily agreed to join. As a dumpsite, I would archive the releases and distribute them back to the other members of the group and a few select VIPs. Distributing pirated software turned out to be a lot riskier than stealing movies, though. At the time, movie piracy was relatively new, but software piracy had been around for a while and had proved to be a huge problem for software companies. They were already aggressively hunting down pirates.

A week after I joined Russian Roulette, a competing piracy group was busted and several members were charged with criminal offenses. So Russian Roulette recruited help from Snafu, one of the more elite group of hackers. Snafu provided us with a number of security programs to help us operate without detection by providing us with what’s called a tracer. . . . So there I sat, on top of the online world. I obtained movies before they came out, I had any software I could possibly want, and I was an op in The Ghost Dimension and Russian Roulette, with power over 1,100 people every day. It was an incredible feeling, having all those people hang on my every word. This must be what people feel like when they get high on some really fabulous drug. I was insane and I was addicted. At this point, I had pretty much stopped going to nearly all of my classes. I did manage to make it to a few afternoon classes and my exams, but that was about it. My grades were horrible; I ended up with a 1.4 for that semester. My face-to-face interactions with my friends were becoming rare. I spent almost all of my time in front of a computer. Yet I was still on top of the world. I was a god to these people, and I loved it. . . .

In November of the following year, I received an email from Universal Studios ordering me to cease and desist from my pirating activities immediately. The message was accompanied by some evidence that I was distributing copyrighted materials. Upon a careful analysis of their evidence, I knew it was not sufficient to hold up in a court of law, but the point was made. I was no longer invincible. In the face of a criminal lawsuit, I decided to retire from the piracy scene. . . . I destroyed the hard drive on which I stored the movies and files. When I destroyed it, my 80-gigabyte hard drive was nearly totally full, with over 400 different programs and movies on it. Just recently, Russian Roulette made the headlines as the target of an international police sting operation. The FBI executed 100 search warrants against Russian Roulette in the United States. It claimed that at the time of the raids, Russian Roulette was responsible for 95 percent of all pirated software that was available online. . . .

To give you an idea of how active I was in the online piracy world, over the period of just one year, my server sent out over 15 terabytes of data. (A terabyte is 1,000 gigabytes, and one gigabyte is 1,000 megabytes.) On average, a movie runs about 200 megabytes and a full program is about the same. During my career as a computer pirate, I served around 75,000 programs and movies. The most downloaded file I had was Adobe Workshop, a graphic arts program, which cost then about $400. If all the files I sent out had been Adobe Workshop, I would have sent out roughly $30 million in
illegal programs. Of course, nothing else I sent out was nearly this expensive. I probably sent out no more than between one and two million dollars worth of software, if it had been purchased legally.

Did I engage in deviance? Of course. I was engaged in an illegal operation that smuggled stolen merchandise across the world. How could that not be deviant? I kept my online activities from my family and friends because I was afraid of how they would react if they found out. I don’t think I should be treated like a common thief who steals merchandise off the shelves of a store, but what I did was a crime nonetheless. . . . Stealing from the Internet is very impersonal. You never see whom you take stuff from and you never see how it affects them. . . . Still, the value of what I pushed greatly exceeded the value of anything I could have taken off a shelf. During the time I was actively pirating, I probably would have told you my behavior wasn’t deviant at all. To the subculture of computer piracy with whom I interacted daily, this behavior was common and strongly encouraged. At that time, that subculture was basically my world, my reality, so I would have said no way was it deviant. Still, during nights when we created a new file, we sent out two or three gigabytes overnight, more than the average college user sends out over an entire semester. When I came back to my dorm room, before I entered the hallway, I always checked to see if there were police officers standing outside my door.

Yes, at that time, there was something different about my lifestyle, and I guess it might be seen as deviant, but I didn’t think of it that way. I have no regrets about what I did. I’m still friends with some of the people I met online, I had a lot of fun, and in the end I think I learned a valuable lesson or two. The recent sentencing of a Russian Roulette member to 10 years in a federal prison helped hammer home the point to me that what I did was illegal. In the last analysis, I knew what I did was wrong. After that sentencing, the FBI announced it would be executing more warrants in the Russian Roulette case; I had to admit I didn’t sleep at all for a few nights after that. Yet sometimes I miss the feeling of absolute power I had. Piracy isn’t about money, it’s about power and respect. Believe me, they’re the most addicting things I know.

(From the author’s files.)

**Questions**

In your estimation, was Steve committing a deviant act when he engaged in computer piracy? Do your regard what he did as stealing? If so, is it stealing in the same way that shoplifting is? If not, how is it different? Who is the victim here? And if it is not wrong, what is the motive of the FBI in prosecuting cases such as his? Do the creators, producers, manufacturers, and distributors of CDs, DVDs, and files lose money by having their copyrighted materials pirated? Should there be copyright laws protecting their intellectual property from piracy? Or should it all be free? If so, shouldn’t supermarkets distribute free food, doctors dispense free medical care, and teachers work for free? What was Steve’s motive in engaging in computer piracy? Do you picture Steve still engaging in a life of crime? Or do you figure he has reformed and is highly likely to lead a more or less conventional life?