The Sociology of Deviance in the United States: A Critical Appraisal

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The problem of defining deviant behavior

The question of defining their field is one which ordinarily is not considered to be problematic by sociologists of deviant behavior. They have typically been more concerned with answering the same types of questions which are posed by the layman or the administrator. Such questions would be: Who are the deviant individuals in society? and, What or how do they become that way? The more sociological question, What is deviance, or what are the social contexts in which deviance is defined and created? has received much less consideration. Thus, definitions of deviance have focused more frequently on isolating deviant individuals than on isolating the generic social characteristics of deviance. To make this clearer, sociologists are not ordinarily interested in studying individuals per se, but only insofar as they enter into social interaction with others. The structure of that interactional system is the object of study and not the characteristics of the individuals that enter into it. As Albert Cohen put it, the only truly sociological question which can be asked about deviance is: 'What is it about the structure of social systems that determines the kinds of criminal acts that occur in these systems and the way in which such acts are distributed within the systems?' (1). It is the thesis of this paper that to a large extent theories of deviant behavior have not answered this question.

Whether one focuses on social structure or on individual behavior as the

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basis for the definition of a sociological field would not at first glance appear to be very significant. Yet, which orientation one chooses determines what he will look for and to some extent what he will find.

When one chooses individual behavior as the referent for definitions of deviance, he tends to overlook socially structured variations in that behavior, and the particular forms it may take. Lemert described this problem especially well:

'When we turn to the classifications which sociologists have habitually employed to designate different forms of sociopathic deviation, we run into all sorts of expedients. Legal, medical, economic and psychiatric concepts have been borrowed and incorporated into sociological terminology with but little thought for their relevance to sociologically significant facts about the deviation involved. The concept of crime is a case in point; it has been borrowed with almost no modification from the legal profession. As this term has been applied it covers a tremendously heterogeneous range of behaviors which have but one characteristic in common, they are all violations of a law. The fact that they are violations of a legal rule is of very limited meaning in so far as giving any hint as to the many ways in which crimes differ — as to situations in which they occur, as to the techniques employed to commit the crimes, and above all, as to the context of symbols within which they take place. Much the same can be said about many sociological definitions of juvenile delinquency, prostitution, homosexuality, vagrancy, and other forms of deviant behavior' (2).

As Lemert pointed out, the majority of definitions of deviance are unidimensional in character. While these may be operationally convenient in isolating research populations for sociologists to study, they are scientifically inadequate in that they tend to obscure rather than illuminate important variations in behavior. This is to some extent in abdication of one of the major goals of sociological theory, namely, the explanation of such behavioral variations within a unified body of theory.

A second but more important consequence of the preoccupation of sociologists with deviating individuals has been the tendency to overlook socially structured differences in the defining process. Sociologists have typically assumed that deviant individuals or deviant behaviors constitute a relatively homogeneous category whose members have enough in common to be the subject to a single theoretical inquiry. Yet this becomes an extremely questionable assumption, especially when legal conceptions of deviance are employed. Not all individuals in our society who commit legally deviant acts
are subsequently defined as deviant and, conversely, not all individuals defined as deviant have committed an act which deviates from legal or social norms. The number and type of offenders who are processed as 'law breakers' is extremely sensitive to the nature of the processes of social control to which the deviant is exposed and to the audience which views him. For the southern lynch mob little if any importance is attached to the 'evidence' which is necessary to substantiate deviance, whereas in sober court proceedings such evidence would be all important as a defining criterion. Thus we should be sensitive to the fact that the variable processes of social control do not 'entrap' a homogeneous group of individuals, and, therefore, that a definition of deviance should not be based on them.

The definitions of deviance used by sociologists which are borrowed from 'legal, medical, psychiatric', or other 'expedients' are not simple explanations of phenomena based upon independent criteria which attempt to delimit some generic characteristic of deviance. Rather these definitions are similar to what Alfred Schütz has referred to as 'second order categorizations'. They are categorizations by social scientists of other categorizations made by law enforcement officials, psychiatrists, judges, etc. Sociologists have tacitly assumed that the definitions made by law enforcement officials are almost completely consensual and therefore can be translated almost directly into operational definitions for those engaged in social research. The fact that these social definitions themselves might mediate in the creation of deviance, and might therefore be in themselves an important object for study, is generally overlooked, or handled under the rubric of 'methodological problems'.

The last and perhaps most important criticism of sociological approaches to deviance which will be discussed has been put forward by Edwin Schur:

'A difficulty has been' that in those social problem areas in which deviant or offending individuals are reasonably identifiable research has concentrated on the question of cause narrowly construed. It has been the compelling concern, for example to determine why some individuals turn to crime though others do not... Indeed, various specific forms of deviance are often viewed as being caused by the same underlying forces' (3).

Thus, sociological research which has preoccupied itself with the deviating individual has concentrated on demonstrating only one direction of causality as operative in the creation of deviance. Generally speaking, deviance is looked on as an intrinsic characteristic of the deviant, and so it is assumed that the causes of the deviance must be located in his own personal social
background. As we shall see later in the discussion of Merton's theory, even when structural theories of deviance are presented they tend to see social structure as acting directly on the individual.

A corollary of the tendency to see causal forces as located in the situation of the individual deviant is the predisposition to look at all behavior which violates institutionalized norms as somehow intrinsically deviant. Just because he has violated a legal or social norm, deviance is seen as a quality of the act a person commits. Yet the nature of the norms and how they operate to define deviance is frequently left out of consideration or looked at as nonproblematic. As C. Wright Mills emphasized, there are few careful studies of 'specific norms' despite the fact that 'rationally it would seem that those who accept this approach to disorganization would immediately examine these norms themselves' (4). As a consequence, he added, 'There are few attempts to explain deviations from the norms in terms of the norms themselves, and no rigorous facing of the implications of the fact that social transformations would involve shifts in them' (5). In the same vein, Edwin Lemert commented that there are definite 'limitations of empirical knowledge about social norms, which in many ways have builded little beyond Sumner's older natural law concepts of the folkways and mores' (6).

When we begin to examine even cursorily, therefore, the character and distribution of norms in our society, the reservations of Lemert and Mills appear to be well taken. For if deviance is to be defined with respect to norms, certain contradictions and ambiguities almost immediately result when the attempt is made to apply such a definition. We live in a complex society in which, as many sociologists have taken such pains to point out, secondary associations have taken the place of the small culturally homogeneous social unit — and social differentiation has proceeded apace — with the result that there exists no one overall social organization which can enforce conformity to a single set of values. Thus there are many people in our society today who '1. have drawn their norms of conduct from a variety of groups with conflicting norms, or who 2. possess norms drawn from a group whose code is in conflict whit that of the group which judges the conduct' (7). When we consider the above facts the determination of criteria by which an act is to be judged deviant or conforming becomes much more complex than before. The possibility now exists that much of the behavior which is treated as deviant in our society is actually conforming behavior, or is a response to inherently contradictory sets of values internalized by the same individual, and it becomes increasingly difficult to assume that deviants possess in common the attribute of having broken common rules.
If we now consider not only the differential distribution of norms in our society, but also the character of these norms, the situation becomes even more complex. Sociologists of deviant behavior have traditionally assumed that norms are ends in themselves and that conformity as such is a positive value. Yet as Max Weber pointed out, one of the salient characteristics of the modern, rational, legal social order is the interchangeability of means and ends with respect to such rational considerations as cost or profit. In a complex modern society it becomes easily possible for individuals 'to consider a wide variety of values and norms as functional alternatives to ends' (8). For example, the regular violation of antitrust laws by corporations represents a rational calculation of the effectiveness of deviant means for reaching specifically institutionalized ends (maximization of profit). On the other hand, individuals may conform to certain norms for deviant ends. As Lemert proposed:

'Conformity in groups presents some kind of aggregation of values of individuals, but the form or process of aggregation cannot be presumed from the mere overt facts of conformity. If we are correct that conformity and deviation are complementary aspects of the same phenomena, then much the same generalizations apply to deviation' (9).

Thus the determination of which acts are deviant or nondeviant in our society cannot be deduced from the nature of the acts themselves since there are no consistent overall normative criteria held by all members which would allow one to do this. Nor can the causal factors of deviant acts be properly expected to be located in the situation or characteristics of the individual actor, since deviance is not an intrinsic quality of his act (at least this casts into doubt the nature of the causal sequence).

A process theory of deviance: an alternative approach

We are now left with the task of finding an approach or a definition of the field which does not have the shortcomings discussed above in order that our criticism may have a constructive focus.

It has been emphasized above that it is not the form of deviant acts or the characteristics of deviant individuals which sociologically differentiate deviants from nondeviants. It is proposed as an alternative, therefore, that it is the structure and effectiveness of the concrete processes of social control which serve to define social actions as deviant, for in our society it is not
merely that sanctions exist against an act, but, rather, the fact that these sanctions are effectively enforced against the act, which serves to define it as a deviant act. From this point of view social control becomes a 'cause rather than an effect of the magnitude and variable forms of deviation' (10).

A definitive statement of this approach has been given by Kitsuse: ‘In modern society it is difficult or impossible to theoretically derive a set of specific behavioral prescriptions which will in fact be normatively supported, uniformly practiced, and socially enforced by more than a segment of the total population. Under such conditions it is not the fact that individuals engage in behaviors which diverge from some theoretically posited 'institutional expectations', or even that such behaviors are defined as deviant by the conventional and conforming members of society. A sociological theory of deviance must focus specifically on the interactions which not only define the behavior as deviant but also organize and activate the application of sanctions by individuals, groups and agencies. For in modern society the socially significant differentiation of deviants from non-deviants is increasingly contingent upon circumstances of situation place, social and personal biography and bureaucratically organized agencies of social control' (11).

However, while the notion of social control as a causative force in the evolution of deviance points our attention in the right direction, it is perhaps still too narrow a conceptualization for the purposes of a comprehensive causal theory of deviance. The term 'social control' has at least two unfortunate limitations. First, in popular usage by sociologists, it seems to refer only to formal agencies of social control, and seems to neglect the ubiquity of social control processes in all social relations. Secondly, the term has an evaluational connotation which should be avoided. And finally, perhaps, it implies that processes of social control have both the purpose and the function of actually reducing the amount of deviant behavior in our society. That is an assumption which should at all costs be avoided since it is crucial in some ways to the discussion which follows.

A concept which perhaps better meets the requirements of comprehensive theory building was proposed originally by Durkheim and has been elaborated more fully in the more recent work of Edwin Lemert. This is the notion of 'Societal Reaction', or the idea that social audiences define deviance by reacting in varying degrees to some given behavior (12). Again, it is not the character of the behavior or the individuals, but the process by which others come to define them as deviant, which is the focus of this ap-
proach. In a discussion of a similar approach, Kitsuse factored it out a bit further:

'Deviance may be conceived as a process by which the members of a group, community, or society 1. interpret behavior as deviant, 2. define persons who so behave as a certain kind of deviant, and 3. accord them the treatment considered appropriate to such deviants' (13).

Each of these three aspects of societal reaction to deviance must be conceived of as possibly capable of varying separately.

The discussion which follows presents 1. an analysis of the basic characteristics of the process of societal reaction, 2. a consideration of the way in which the nature of this process is affected by cultural and political conflict in American society, and 3. a discussion of the manner in which the societal reaction serves to maintain deviance by means of the same mechanisms that operate to maintain other consistent features of social organization. Implicit throughout this analysis is the postulate that deviance must be studied as an aspect of normal social process and not as individual or social pathology.

The basic characteristics of societal reaction

Lemert initially distinguished between two general types of societal reaction: that form which arises in small, 'informally organized, groups and communities' (14), and a type which is found in large scale, formally organized societies. In the former, the degree and intensity of societal reaction tend to be directly reciprocal to the degree and amount of deviation and are mediated only by the factor of social visibility. To use Cooley's phrase, the policing of deviant acts in small communities and groups is carried out through a face-to-face interaction which generates informal mechanisms of social control; these mechanisms tend to react directly to deviant behavior which emerges as a disruptive element in such interaction (15).

In a complex urban industrial society, on the other hand, this 'organic relation between the deviation and attitudinal responses to it is mediated by a chain of formal relationships.' Out of these relationships, Lemert continued:

'... a greatly attenuated societal reaction may appear, even in cases where there has been extensive, visible deviation from highly compulsive norms. It is fairly easy to think of situations in which serious offenses against laws commanding public respect have brought only a mild penalty or have gone entirely unpunished. Conversely, cases are easily discovered in
which a somewhat minor violation of legal rules has provoked surprisingly stringent penalties' (16).

Under these conditions, Lemert believed that a large proportion of the social reaction to the deviant has a 'spurious quality' which is 'out of proportion to the deviation which engendered it', and, as a secondary consequence, a 'large measure of the deviation becomes 'putative'.'

The putative deviation is that portion of the societal definition of the deviant which has no foundation in his objective behavior. Frequently these fallacious imputations are incorporated into myth and stereotype and mediate much of the formal treatment of the deviant. We shall find many examples of this in the folklore about various specific forms of deviation... One quick illustration is the common belief in our culture that the taking of narcotic drugs disposes people to sexual depravity and criminality — beliefs for which there is little or no proof (17).

The major factors which produce a lack of proportion between deviance and the societal reaction are related to 1. the structure and effectiveness of the processes of social control, and 2. conflicts between social groups. A fairly clear illustration of the first factor would be the occurrence from time to time of 'drives' or 'reform movements' against various forms of deviance which occur as a regular feature of urban politics in the United States. At such times an act which might ordinarily be handled quite leniently because of the requirements of administrative expediency, or because of the unfeasibility of ever really controlling it (e.g. prostitution, gambling), might suddenly be subject to very stringent sanctions, filling the jails with violators. That such drives are conducted regularly by law enforcement agencies as a political device for justifying their existence is a fact which can be verified by any careful newspaper reader. An example of the second factor given by Lemert is the scapegoating of crimes as elements in political controversies which have no relationship to the crime itself. Thus, an incident which involves a policeman accepting a bribe may be used by political opponents to denounce a 'corrupt' administration in city hall (18).

On the whole I accept Lemert's description of the nature of societal reaction, insofar as he cited the spurious qualities as illustrated above. But I do not find it possible to maintain the distinction Lemert made between the pristine and proportionate societal reaction as found in small, informally organized communities, and the disproportionate and spurious nature of the same phenomenon in large scale, formally organized societies. This smacks
a bit of 'primitive justice' and overlooks more basic social dynamics which
might serve to account for the phenomenon that he is describing. Even in
primitive societies the social reaction to deviance is a 'very intricate process
of selection':

'After all, even the worst miscreant in society conforms most of the time,
if only in the sense that he uses the correct spoon at mealtime, takes good
care of his mother, or in a thousand other ways respects the ordinary con­
ventions of his group; and if the community elects to bring sanctions
against him for the occasions when he does misbehave, it is responding to
a few deviant details set within a vast array of acceptable conduct' (19).

Thus, in this sense, the social reaction to deviance always has a spurious
quality. As an example, Malinowski described how even in small primitive
communities many breaches of conduct can be carried on 'sub rosa', but
once public opinion is mobilized the full punishment must be inflicted (20).
Furthermore, if anything, the 'putative' characteristics of deviants are more
highly exaggerated in primitive societies. Examples of stereotypical figures
such as witches come readily to mind.

What does differ between smaller and larger scale societies, therefore, is
not the exaggerated spurious quality of the social reaction to deviance,
which seems to be constant, but rather the nature of the selective process
and its social dimensions. In small, informally organized groups there is
relative homogeneity of basic norms and a consensus about how they are to
be applied. Thus, in smaller societies the majority of deviance is 'in group'
deviance and relates directly to shared values. Modern society, by contrast,
presents a picture of many basic divisions along such dimensions as ethnici­
ty, socioeconomic class, and occupation. Under these conditions normative
consensus is much more loosely structured and quite often lacking. Much of
the deviance which takes place is better characterized as 'out group' de­
viance and is related to conflict over basic values.

*Intergroup conflict and social deviance*

Lemert made reference to the way in which intergroup conflict can lead to
scapegoating of deviants as an element in a political controversy. But even
more important is the way that broad structural differences affect the nor­
mal processing and 'labeling' of deviants, for not all elements in our society
have direct access to and influence over 1. the agencies which make legal
and social rules, and 2. the formal and informal structure of social control. Access to both the creation of rules and the enforcement of them is a function of power differentials in our society. As a consequence, the existence of sanctions against many acts can be looked at much more realistically as the result of the powerful position or enterprise of specific social groups.

'The perspectives of the people who engage in a behavior are likely to be quite different from those of the people who condemn it' (21), wrote Howard Becker. This statement seems to have connotations of an extreme moral relativism. Against this point one could argue that surely there are some acts which are uniformly condemned by all people, even those who engage in it. Even a murderer, for example, should feel 'guilt' as the result of knowledge that he has transgressed an important prohibition in our society. Yet the immigrant Sicilian father who has killed the seducer of his daughter, or the delinquent who fights to defend his 'territory', is only doing something which he considers himself absolutely duty bound to do under the circumstances. Thus, what Becker implied is not an amoral attitude, but rather that rules are made for people which they themselves had no hand in making and which may not be consonant with their own values. The individuals who most frequently turn up as 'criminal statistics' are least likely to come from the strata of society which are instrumental in making the laws. In our society, specific social groups which have access to power make rules for other social groups who have relatively less access. Becker summarized this well:

'By and large, for example, rules are made for young people by their elders... men make the rules for women... Negroes find themselves subjects to rules made for them by whites. The foreign born and those otherwise ethnically peculiar often have their rules made for them by the Protestant Anglo-Saxon minority. The middle class makes rules the lower class must obey — in the schools, the courts and elsewhere' (22).

Sociologists have traditionally made the assumption that the behavioral norms which they regard as central features of the description of any society are drawn from, that society's 'central values.' In doing so they frequently overlook the fact that legal norms are often the expression of the values and enterprise of very small groups. The Prohibition of liquor in the 1920's was brought into being by relatively compact, but well organized groups of 'social reformers' such as the Women's Christian Temperance Union. Key variables in the creation of new laws are the personal interest of specific and organized groups, and access to the channels of publicity. The Marihu-

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na Tax Act, for example, was the outcome of a long and determined publicizing campaign by the Federal Bureau of Narcotics, and was then followed by a series of state laws regarding the use of the drug (23).

The amount of prestige and organization possessed by a social group also can be seen in the way in which its laws are enforced and its crimes stigmatized. In his writings on white-collar criminality, Sutherland emphasized that the crimes committed by businessmen are handled by noncriminal procedures despite the fact that they fit the legal definition of crime. Such crimes as false advertising or violation of the pure food and drug laws, while often severe enough in their consequences, are more frequently dealt with by a court injunction or an exaction of fines than by jail sentences. Sutherland attributed this to the social status and the organized nature of the offenders (24):

'White-collar crime is similar to juvenile delinquency in respect to the differential implementation of the law. In both cases, the procedures of the criminal law are modified so that the stigma of crime will not attach to the offenders. The stigma of crime has been less completely eliminated from juvenile delinquents than from white-collar criminals because the procedures for the former are a less complete departure from conventional criminal procedures, because most juvenile delinquents come from a class with low social status, and because the juveniles have not organized to protect their good names. Since the juveniles have not been successfully freed from the stigma of crime of the theories of criminology and in fact provide a large part of the data for criminology; since the external symbols have been more successfully eliminated from white-collar crimes, white collar crimes have generally not been included within these theories' (25).

The genesis of deviant careers

So far we have dealt with the nature of societal reaction and have shown that, contrary of the assumptions made by many sociological theories of deviance, this phenomenon is not simply a consensual and reciprocal response to behavior which is categorically deviant. The social reaction is usually disproportionate and even spurious with respect to the behavior involved, and, rather than being a consensual response, is frequently brought into being by the enterprise of specific limited groups for their own ends.

What we have so far explained, however, is only the way in which spe-
cific social categories of deviance evolve, with the proviso that no behavior is per se deviant. The best causal explanation, it has been asserted, for a specific form of deviance is that someone is willing and capable of reacting to it and bringing about its enforcement. This is not a complete causal explanation, however. What we have not explained is how deviance is maintained and perpetuated as a regular form of activity. Common sense and a fairly reliable statistical record argue that a large proportion of visible deviants are recidivists. On this basis, those on the other side of the theoretical camp from where we stand might argue as follows: If a large number of deviants are recidivists despite the fact that sanctions exist against deviant acts, there must be something special about these individuals which makes them repeat their deviance; the fact that sanctions exist against their behavior should make them want to curb it, even if these sanctions are out of proportion to the act or even if they do not agree with them.

Such an argument, however, overlooks the nature of social sanctions, and makes the assumption that they actually control the behavior in question when everything else is equal. But the character of social sanctions is not necessarily in the nature of punishment or censure for acts. For if this were true then deviant behavior would recede in proportion to the negative conditioning given it by the enforcement of various punishments. But being caught and 'labelled' as a deviant is more than a simple punishment. It results in a drastic change in a person's public identity and becomes a criterion for assigning him an entirely new social status, which then has important consequences, like all other social statuses, for his subsequent behavior.

Erikson, utilizing a paradigm developed by Harold Garfinkel, demonstrated the completeness and decisiveness of the role change which deviants undergo in our society.

'The ceremonies which accomplish this change of status, ordinarily, have three related phases. They provide a formal confrontation between the deviant suspect and representatives of his community (as in the criminal trial or psychiatric case conference); they announce some judgment about the nature of this deviancy (a verdict or a diagnosis, for example); and they perform an act of social placement, assigning him to a special role (like that of prisoner or patient) which redefines his position in society. These ceremonies tend to be events of wide public interest and usually take place in a dramatic ritualized setting. Perhaps the most obvious example of a commitment ceremony is the criminal trial, with its elaborate formality and ritual pageantry, but more modest equivalents can be
found everywhere that procedures are set up to judge whether someone is deviant or not' (26).

In Erikson's words, the process described above represents 'a sharp rite of transition.'

It is important to note, however, that the deviant role has certain characteristics which are very much unlike those of other normal roles. We live in a theoretically open society, which means that most statuses in our society are to some degree permeable. That is to say, it is possible for individuals to move from one status to another with a relative amount of freedom. There are even definite provisions for ensuring such a smooth movement, such as graduation ceremonies or promotions to another job.

Deviant roles, on the other hand, are characterized by their closed nature. While there are provisions for moving into them, as illustrated in Garfinkel's paradigm above, there are no institutionalized channels for moving out again. Such roles have a castelike hardness or rigidity. The reactions of other people to the deviant role are such that the role incumbent is rendered incapable of taking part in many conventional activities. Consequently, his life chances are altered in a significant way.

The social isolation engendered by the assumption of a deviant role is brought on, as Merton reported, by the mechanism of a 'self-fulfilling prophecy' (28). Being caught and labelled as a deviant does not involve just a simple assignation of a person into the category of specifically deviant. Once a person has committed a deviant act he comes to be regarded as generally deviant, and this becomes a controlling feature of his social identity. The assumption is made that 'he will do it again'. In one sense, of course, this assumption is an entirely realistic one. Everything the average individual knows about criminality leads him to believe that the 'ex-con' will resume his former ways. It is difficult, for example, to expect an employer to hire such an individual to fulfill what he regards as a responsible position. But in another sense such an assumption tends to mold the individual into the very conception that people have of him and drive him into the very directions that they think he will go. As Simmons put it:

'The negative stereotype may imprison or freeze the individual so labelled into willy-nilly adopting and continuing the deviant role. This 'role imprisonment' occurs because the stereotype leads to social reactions which may considerably alter the individual's opportunity structure, notably, impeding his continuation or re-adoption of conventional roles' (29).
In this process putative or stereotypical aspects often occupy a singular importance. The taking of opiate derivative drugs, for example, does not impair one's ability to perform many normal workday tasks, yet the social reaction to the presumed 'degenerate' or 'enslaved' nature of the addict would result in his losing the majority of 'respectable' jobs. Thus, many criminals are forced into illegitimate types of activity because knowledge of who they are prevents them from following conventional patterns in many aspects of their life.

Marsh Ray, in an interesting article on heroin addicts showed how difficult it is to overcome such a 'self-fulfilling prophecy' (30). After a series of intensive interviews, he uncovered the fact that many addicts at one point or another in their careers attempt to leave the drug and effect a 'cure', quite spontaneously and without institutional assistance. During this time they attempt to project to other people a new identity, as being 'straight,' or having 'gone off the drug.' But most of them discover that those in the 'nonaddict world' will fail to give credence to such attempts and continue to treat them as deviants.

Another most impressive example of the limits to social participation imposed upon the individual deviant is provided by the results of a study by Schwartz and Skolnick on the effects of 'legal stigma' (31). They attempted to determine the effect of criminal records on the careers and employment chances of two groups: 'lower class unskilled workers charged with assault, and medical doctors accused of malpractice.' They found that in the case of unskilled workers criminal records proved a definite handicap even when the individual had been acquitted of a charge. On the other hand, doctors accused of malpractice suffered no consequences and in fact often had their practices increase as a result of the publicity they received. In these two cases it was apparent that the consequences of legal accusation were dependent upon how people responded to the individuals and the offence involved.

Thus far we have been concerned to show that the simple assumption which states that social sanctions actually serve to control deviant acts cannot be upheld. For it seems quite apparent that the social reaction to deviance, rather than inhibiting such behavior, actually serves to perpetuate it in several-important ways and is, moreover, mainly responsible for its habitual and recurrent character. Thus, social sanctions conceived of in their broadest form, as status allocating mechanisms, can be seen as a major if not the only cause of deviant behavior.

It follows, therefore, that those theories which locate the causes of deviance in the motivations or personal characteristics of the individual de-
viant must be put to a critical revision. The question arises, can they actually be considered sociological theories of deviant behavior?

Lemert, again, contributed several illuminating points to this discussion (32). All theories which deal with deviance as a specific individual problem, he asserted, have an element of truth insofar as they deal with the origins of deviant behavior and the original causes of it. It would be fallacious, however, to confuse such original causes with effective causes. The initial deviations, whatever their causes, are 'not significantly (sociologically) until they are organized subjectively and transformed into active roles and become the social criteria for assigning status' (33). On this basis Lemert made a key distinction, implicit in much of the analysis above, between 'primary' and 'secondary' deviation.

'When a person begins to employ his deviant behavior as a role based upon it as a means of defense, attack, or adjustment to the overt and covert problems created by the consequent societal reaction to him, his deviation is secondary' (34).

What Lemert implied in making this distinction is that deviance, before it can be regarded as a stable and recurrent feature of an individual's behavior, must be incorporated into a self concept, and that this self concept can only be the product of the reactions of other people. The deviant role is thus socially learned much the same way as other roles.

C. Wright Mills, in a seminal article entitled Situated Actions and Vocabularies of Motive (35), presented some considerations which might also serve to clarify the question raised above (Can theories of deviance which focus on personal characteristics or individual motivations be considered sociological explanations?). Motives, insofar as they are sociologically relevant, Mills pointed out, 'do not denote any elements in individuals' (36). 'A satisfactory or an adequate motive,' Mills concluded further, 'is one that satisfies the questioners of an act or program, whether it be the others or the actor's. As a word, a motive tends to be one which is to the actor and to the other members of a situation an unquestioned answer to questions concerning social and lingual conduct.' Thus conceived, a motive refers not to the subjective springs of action' (37), for an individual actor; rather, motives 'may be considered as typical vocabularies having ascertainable functions in delimited societal situations.' Thus, for the deviant actor with whom this paper has dealt, the sociologically relevant motivations are not his individual motives. The only motives which may be regarded as an effective cause of his conduct are those which are imputed to him by other actors and
which result as his being treated as a deviant. These are motives which the deviant may then come to accept himself. By way of example, we have seen in the discussion above that stereotypes of deviant motivations as 'degenerate' or 'pleasure seeking' mediate in the process of defining and treating deviants.

Despite the shakiness of sociological theories which focus on individual motivations, or characteristics, we must note that a good many theories of deviant behavior or, for that matter, of general sociology are based on assumptions about these factors which cannot be upheld. Many sociological theories, for example, postulate 'subjective springs of action' as the basis of all human activity (e.g., Durkheim said that society must control and regulate man's basically individualistic nature; Parsons said that social interaction has as its primary object the 'optimization of gratification'; these can each be seen as types of individual motives). We have no space in this short paper to analyze this problem, therefore, we will content ourselves with the analysis of one major theory of deviant behavior which has been influential in shaping many others: Merton's theory as contained in *Social Structure and Anomie* (38).

Merton's theory has been described by many sociologists as the 'radically sociological' theory of deviant behavior. This is because Merton's theory, like that of Durkheim, gives primary importance to the aspect of structure. Very simply formulated, Merton's theory stated that social structure has two aspects: a series of universally inculcated cultural goals, and a set of institutionally prescribed means for reaching these goals. Normally, in stable societies, the two are in balance. But when a social structure is deteriorating or changing it is possible that there will develop a disparity which restricts some members of society from reaching the institutionalized goals. In this case, those who are caught in such a position will choose some deviant means of adaptation to their intolerable position (39). They will, more specifically, adopt deviant means of achieving the same cultural goals. This regrettably short summary does not do complete justice to Merton's theory.

Many criticisms have been offered of Merton's theory, enough to fill a small book of criticisms, and we do not see fit to enumerate these here. For our purposes there is only one criticism of Merton which is crucially relevant to this discussion. First of all, it is to be noted that Merton saw the social actor as choosing in a kind of vacuum between abstractly defined means to universally inculcated goals. Merton indicated that social structure acts directly on the individual to produce 'strains' toward choice. Thus it does not seem to make any difference whether the cultural structure is pos-
ited as being inside or outside the individual; it functions the same way as a 'subjective spring of action,' or an individual motive. For Merton's scheme to be operative, it is not necessary that other people actually even observe or react to a deviant action, since it is nonetheless defined as deviant if it fits Merton's paradigm (this is especially notable in the case of the ritualistic adaption). Secondly, we note the artificial separation between the goals, which define a person's behavior, and the means which control it. Such a distinction would be difficult to operationalize since it is circular (it separates two elements which can only be a part of a single course of action). As we have noted throughout this paper, 'The empirically more tenable alternative is that only human beings define, regulate, and control behavior of other human beings' (40).

Notes

2. Lemert, Edwin, Social Pathology, New York, 1951, p. 27.
5. Ibid.
8. Lemert, Anomie and Deviant Behavior, p. 69.
9. Ibid., p. 68.
10. Ibid., p. 83.
12. Lemert, Social Pathology, pp. 54-57.
14. Lemert, Social Pathology, p. 54.
15. Ibid.
16. Ibid., p. 55.
17. Ibid., p. 56.
18. Ibid., p. 56.
21. Ibid., p. 16.
22. Ibid., p. 17.
23. Ibid., pp. 121-126.
27. Ibid., p. 311.
32. Lemert, Social Pathology, p. 75.
33. Ibid.
34. Ibid., p. 76.
36. Ibid., p. 441.
37. Ibid., p. 443.
39. Ibid.