

UNDERSTANDING DEVIANCE



A Guide to the Sociology of Crime and Rule Breaking

DAVID DOWNES
and PAUL ROCK

SECOND
EDITION



Understanding Deviance

*A Guide to the Sociology of
Crime and Rule-Breaking*

DAVID DOWNES
and
PAUL ROCK

Second Edition

CLARENDON PRESS · OXFORD
1988

Oxford University Press, Walton Street, Oxford OX2 6DP
Oxford New York Toronto
Delhi Bombay Calcutta Madras Karachi
Petaling Jaya Singapore Hong Kong Tokyo
Nairobi Dar es Salaam Cape Town
Melbourne Auckland
and associated companies in
Berlin Ibadan

Oxford is a trade mark of Oxford University Press

Published in the United States
by Oxford University Press, New York
First edition, 1982
Second edition, 1988

© David Downes and Paul Rock 1988

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior permission of Oxford University Press

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out or otherwise circulated without the publisher's prior consent in any form of binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser

British Library Cataloguing in Publication Data

Downes, David, 1938—

Understanding deviance: a guide to the sociology of crime and rule breaking.—
2nd. ed.

1. Deviance—Sociological perspectives

I. Title II. Rock, Paul

302.5'42

ISBN 0-19-876214-3

0-19-876213-5 (Pbk)

Library of Congress Cataloging in Publication Data
(Data Available)

Set by Joshua Associates Ltd., Oxford
Printed in Great Britain
at the University Printing House, Oxford
by David Stanford
Printer to the University

For our children

Preface

The sociology of deviance has been in a state of excitement for some twenty years. It has exploded with ideas and theories. It has passed through intellectual revolution after intellectual revolution. Its tumultuous history has been based on a great procession of books and articles. And the outcome has been a confusing, argumentative, and fluid discipline practised by sociologists who are themselves factious and partisan. It is sometimes difficult for the student to move through such a bewildering and extensive maze of quarrels and claims. Books pretending to be guides are themselves frequently quite partisan, acting as press-gangs for different theories. What appears to be disinterested commentary may well have commitments and purposes which cannot be competently judged by the novice.

We have individually and jointly taught the sociology of deviance in England, Canada, and America. It had seemed to us that our discipline lacked a sober, calm, and relatively dispassionate introduction to its ideas that drew at all fully on both American and European sources. The formidable array of American texts is characteristically parochial. Immense as the parish is, it no longer exhausted the full range of theoretically significant work. Much British work of considerable interest has emerged over the past two decades or so but it has been largely ignored by American authors. By contrast, British texts, few in number, have had to attend to the major contributions of American theorists. Their stance, however, has tended to be innovative and partisan, with ambitions that go well beyond our own. Criminology is still so indeterminate that its authors can always hope to make a mark on it. Textbooks should often be seen as bids for immortality and influence, bids which may well be quite successful for a while.

We would not list *Understanding Deviance* with these other works: it is intended to steer the new student through the major themes of the major theories which have come to form the sociology of deviance. We have tried to present those themes as

fairly as possible, sympathetically reproducing their more important arguments, offering criticisms and constructing defences.

Our selection of theories aims to cover the underlying thought of sociological criminology. We have not discussed all the specific problems and propositions currently preoccupying the criminologist. Our own parochialism is evident in our greater acquaintance with British and North American sources than with those from other parts of the world. And it would be *faux naïf* to claim that we have attained the impartiality that we sought. As may become apparent, our own preferences lie with Weber rather than Marx, and with interactionists rather than functionalists: but we have tried to subdue such preferences in the interests of presenting all approaches as fairly as possible. Within these limitations, we have examined the significant frameworks of the discipline, preparing the reader for the more detailed and focused arguments which may be found elsewhere.

This second edition was written some six years after the first. Inevitably, portions of the sociology of deviance have moved in interesting and significant directions during that period, and we have tried to register what has happened. We have taken account of comments made about the first edition. Importantly, too, we have added a new chapter on feminist criminology and the deviance of women. Feminist sociology is beginning to make a mark and no introductory book can ignore it.

David Downes and Paul Rock
London School of Economics

1987

Contents

1	Confusion and Diversity	1
2	Sources of Knowledge about Deviance	28
3	The University of Chicago Sociology Department	57
4	Functionalism, Deviance, and Control	88
5	Anomie	111
6	Culture and Subculture	137
7	Symbolic Interactionism	166
8	Phenomenology	192
9	Control Theories	217
10	Radical Criminology	242
11	Feminist Criminology	273
12	Deviance Theories and Social Policy	293
13	Conclusion	327
	<i>Bibliography</i>	335
	<i>Index</i>	361

Confusion and Diversity

Introduction

The very title of the discipline which we shall describe, the sociology of deviance, is a little misleading. A singular noun and a hint of science seem to promise a unified body of knowledge and an agreed set of procedures for resolving analytic difficulties. It suggests that the curious and troubled may secure answers to practical, political, moral, and intellectual problems. And, of all branches of applied sociology, the demands placed on the sociology of deviance are probably the most urgent. Deviance is upsetting and perplexing and it confronts people in many settings. Turning to sociology, enquirers are rarely given certain advice. They are more likely to encounter something akin to the Tower of Babel. They will not be offered one answer but a series of competing and contradictory visions of the nature of man, deviation, and the social order. Very typically, they will be informed that their questions cannot even be discussed because they are not correctly phrased: they must first reconstruct their problem so that it can be placed with others in one of the master theories of deviance.

The sociology of deviance is not one coherent discipline at all but a collection of relatively independent versions of sociology. It is a common subject, not a common approach, which has given a tenuous unity to the enterprise. At different times, people with different backgrounds and different purposes have argued about rule-breaking. The outcome has been an accumulation of theories which only occasionally mesh. Since deviance is strategic to all ideas of morality and politics, its explanation has been championed with great fervour. Writings tend to be factious, partisan, and combative. After all, substantial consequences can flow from the acceptance of a particular argument. The reader will be bombarded by magisterial

claims and criticisms, propelled towards final solutions and new approaches. Few authors have attempted to reveal all the uncertainties and complexities of their discipline. They serve as poor guides. After a while, the reader is prone to become giddy, defeated, or prematurely committed.

Novices are evidently vulnerable. It is only through prolonged exposure to a mass of conflicting ideas that they can stand back and understand what has been omitted, what evidence has not been examined, and which assertions have been challenged. Having been exposed, however, they are no longer novices. In the beginning, they are ill equipped to judge the merits of an apparently persuasive work.

Understanding Deviance is intended to answer some of these difficulties. We have prepared it as an intellectual framework in which the various theories of deviance can be set and assessed. It cannot be regarded as an entirely satisfactory substitute for the reader's own analysis. Yet it may provide a rough map for someone who enters the labyrinth of deviance for the first time.

We shall not pretend that the very diverse perspectives on deviance can be reduced to a fundamental harmony. There *are* common preoccupations and methods which lend the sociology of deviance a loose working consensus. Despite their disagreements, one sociologist can still recognize and talk to another. But the consensus is rudimentary and it is sensible to acknowledge disunity by reviewing the divergences which mark the discipline. Accordingly, we shall undertake a survey of each of the major schools of thought, not trying to pretend that they can be easily reconciled. We shall state those schools' assumptions in a fairly bald and pure form, marshal the doubts which others have voiced, and repeat or invent the replies of the schools' champions. Instead of protecting one or other fragment of the discipline, we shall simply parade different alternatives so that the whole may be appreciated and organized by the reader. The reader, in turn, would do well to suspend final judgement about the worth of particular ideas until the whole conflicting array has been examined.

The Character and Sources of Ambiguity

We have observed that the sociology of deviance contains not one vision but many. It is a collection of different and rather

independent theories. Each theory has its own history; it tends to be supported by a long train of arguments which reach into philosophy and metaphysics; it discloses a number of distinct opportunities for explaining and manipulating deviant behaviour; and, in the main, its assertions will be put in such a discrete language that they resist immediate comparison with rival arguments. The pivotal conceptions of deviance are self-contained and self-maintained. Thus one intellectual faction, radical criminology, may speak of the oppression and alienation wrought by the institutions of capitalist society. It will call deviance liberation and conformity collusion. It will prophesy the coming of a society rid of all crime.¹ Another faction, control theory, will depict institutional restraints as indispensable to a properly conducted society. Deviance becomes a regression to a wilder state of man. Conformity is a laudable achievement.² Yet another faction, functionalist criminology, portrays deviance as an unrecognized and unintended buttress of social order. The claim is made that seemingly harmful conduct really underpins convention. The work of prostitutes, for instance, is held to preserve marriage.³ Organized crime lances rebelliousness and undermines social inequality.⁴ Heresy may be used to defend religious orthodoxy.⁵ It is not certain that those theories could be reconciled or matched. On the contrary, they are embedded in opposing metaphysical beliefs which can be neither 'proved' nor 'disproved'. One embraces an image of man as once perfect, corrupted by the organization of a particular phase of society. Another retains the doctrine of original sin. The third makes the sum of individual transgressions a collective virtue.

Such a lack of unison should not necessarily be regarded as a failing which ought to be remedied. Indeed, it is not entirely obvious what profit would flow from an attempt to marry or rank such disparate ideas. For the exploitation of the utter diversity of intellectual postures *can* be instructive. Confusion is an important phenomenon in itself and its very existence can emphasize special properties of deviance. One might conjecture

¹ See I. Taylor *et al.*, *The New Criminology*; I. Taylor *et al.* (eds.), *Critical Criminology*.

² See T. Hirschi, *The Causes of Delinquency*; G. Nettler, *Explaining Crime*.

³ See K. Davis, 'Prostitution'.

⁴ See R. Merton, *Social Theory and Social Structure*.

⁵ See K. Erikson, *Wayward Puritans*.

that deviance would actually be a rather different process if people *did* agree on its constitution and significance. But people do not agree, and deviation might not be susceptible to a single definition and a single explanation.

On one level, it is quite possible that ambiguity and uncertainty are 'integral' characteristics of deviance itself. Some of the phenomena of everyday life are neatly arranged and classified. Others are not. Sociologists do not always accept common-sense classifications as binding: they may wish to impose their own schemes and categories. But the sociological task is complicated if problems and processes are murky and elusive before the intervention of any sociologist.

Ambiguity does seem to be a crucial facet of rule-breaking. People are frequently undecided whether a particular episode is truly deviant or what true deviance is: their judgement depends on context, biography, and purpose. Behaviour can provoke discomfort in those who witness it, but not such a transparent response that people display no hesitation in defining it as wrong, sinful, or harmful. Many are prepared to tolerate *some* pilfering (but from institutions and not an excessive amount),⁶ *some* sexual misconduct (if it is discreet and does not impinge on others),⁷ or *some* impertinence and frivolity (if it takes place on a licensed occasion or in a proper setting).⁸ Very often, there is a reluctance to identify activity as deviant until alternative explanations are exhausted. Thus, in one study, wives preferred to attribute their husbands' misbehaviour to tiredness or strain. There was an initial unwillingness to accept a diagnosis of mental illness.⁹ Similarly, there may be reticence about passing judgement on groups which are rather dissimilar to one's own.

If 'pluralism' and 'shifting standards'¹⁰ work on deviant behaviour to render it ambiguous and fluid, no coherent and definitive argument can ever completely capture it. The sociologist may have to reconcile himself to the fact that logical and systematic schemes are not invariably mirrored in the 'structure' of the social world. That structure contains a measure of

⁶ See J. Ditton, *Part-Time Crime*.

⁷ See C. Sundholm, 'The Pornographic Arcade'.

⁸ See S. Cavan, *Liquor License*.

⁹ See M. Yarrow *et al.*, 'The Psychological Meaning of Mental Illness in the Family'.

¹⁰ D. Matza, *Becoming Deviant*, 12.

contradiction, paradox, and absurdity. Some have tried to accommodate logicity and illogicality together in a 'sociology of the absurd',¹¹ but social life often defies precise description. Something will always have to be left out. Phenomena will frequently be caricatured. In turn, it can be argued that the analytic possibilities of sociology can be realized only when there is an abundance of discrepant theories which stress the ideas which no one theory can contain. The contrasting features of deviance might find adequate expression only in contrasting theories. Even so, difficulties will remain because deviance probably eludes final definition. As Bittner argues, it is impossible to predict and control all the implications of moral rules:

If we consider that we must so order our practical affairs as not to run afoul of a very considerable variety of standards of judgment that are not fully compatible with each other, do not have a clear-cut hierarchy of primacy and are regarded as binding and enforceable only in the light of additional vaguely denied information; if we consider that for every maxim of conduct we can think of a situation to which it does not apply or in which it can be overruled by a superior maxim; if we consider that unmitigated adherence to principle is regarded as vice or at least folly; . . . then it is clear that all efforts to live by an internally consistent scheme of interpretation are necessarily doomed to fail.¹²

Superficially, then, it would seem that the application of rules cannot always be orderly and categorical. Deviance is a little messier than science. Sociologists may argue that the appearances of everyday life are deceptive. Scientific reason might illuminate deeper principles of organization which hide beneath the muddle of ordinary thinking about deviance. Yet, as we have observed, there appears to be little concord amongst the sociologists themselves. Each may be decisive. Collectively there is great indecision. Academic disputes suggest that the sociological profession is just as confused as common-sense thought. Of course, it is conceivable that the claims of one school *are* valid and that deviance is actually unambiguous

¹¹ See J. Douglas, 'The Experience of the Absurd and the Problem of Social Order'.

¹² E. Bittner, 'Radicalism and the Organization of Radical Movements', 934.

when it is properly interpreted. It is also conceivable that there is no single truth.

Just as an addict, a judge, a psychiatrist, and a policeman share no one perspective on the use of opiates, so different sociologists face deviation in numerous guises and situations. Psychiatric knowledge may be adequate enough, but it may not solve all the practical problems of policing and justice.¹³ It would become the sole truth only if psychiatric issues were alone important. Similarly, functionalists' problems may not be the same as radical criminologists'. Radicals might state that the problems *should* be the same, but functionalists are unlikely to be instantly persuaded. They could retort that the radicals are themselves misguided. A settlement of the argument would have to take the form of a conversion that would be more metaphysical than rational. More prosaically, sociologists interested in the effects of shop design on theft or of policing patterns on vandalism might find radical criminology less helpful than other approaches. It might be improper for them to investigate those effects but, again, that question of propriety removes one from a consideration of the immediate effects of control and into the metaphysics of control policies. Importantly, too, theories and theorists shape their own materials. It is not as if difficulties arose simply because radical and functionalist move about the same world with different problems. In some significant measure, they seem to act as if they do not inhabit one world at all. The social world can of course answer back and there are limits to the diversity of its appearances, but believing is often seeing.

In short, there may be no still, perfect, and absolute centre from which deviance may be surveyed *as it really is*. Neither need there be a simple test to discover the superiority of one approach. (To be sure, the members of each intellectual faction hold that they occupy that still centre, concluding that they alone can see what is true. But not all those claims can be valid and there are many centres. It is not our intention to ally ourselves with any one position for very long.)

Deviance cannot constitute a single problem with a single solution. It is so significant that it has been forced to serve a

¹³ See A. von Hirsch, *Doing Justice*.

multitude of purposes. Indeed, it seems as if all the contrasting styles of argument which abound in the larger world have been turned on deviance at some point, and each has imposed its own distinctive gloss. Each represents a separate way of seeing such conduct and, as Kenneth Burke would argue,¹⁴ each is a separate way of *not* seeing such conduct. Together, they compose a great kaleidoscope of theorems. An examination of even one small part of that kaleidoscope can be enlightening. It should demonstrate how deviance reflects the ambitions and visions of those who probe it, laying itself open to an extraordinary range of interpretations.

Some sociologists (and certainly not all) would assert that deviance is a political phenomenon. After all, it is intimately connected with the exercise of power and the application of rules. But they would not agree on the consequences of that assertion. To a number, deviance poses a series of questions about the practical management of social pathology. Useful knowledge would then be generated by the need to formulate policy. Thus, James Wilson dismissed all those theories that made no manifest contribution to the business of controlling crime. He took much deviance to be patently distressing and disruptive, inflicting pain and subverting trust and community. Theorizing which offers no assistance to the legislator and administrator is cast as fanciful and irrelevant, mere speculation without apparent purpose, utility or responsibility.¹⁵ Others have joined Wilson to transform the writings on deviance into a repository of practical information and advice. One such instance is Morris and Hawkins's *The Honest Politician's Guide to Crime Control*, a compendium of useful political recipes that urges policy-makers to appreciate the unintended and undesired consequences of action. It advocates caution and modesty in the construction of schemes for the suppression of law-breaking. More minutely, there have been those who have focused on specific problems and their solution: the design of public vehicles and its effects on vandalism;¹⁶ the design of public space and its effects on opportunities for monitoring

¹⁴ K. Burke, *A Grammar of Motives*, pt. 1, ch. 2, 'Antinomies of Definition'.

¹⁵ J. Wilson, *Thinking About Crime*.

¹⁶ See P. Mayhew *et al.*, *Crime as Opportunity*.

deviance;¹⁷ the organization of social life and its effects on the superintending of the young.¹⁸

Some have held that the unrecognized consequences of control are so grave and diffuse that they have moved towards a flirtation with anarchism, libertarianism, or extreme conservatism. Arguing that rule-enforcement tends only to exacerbate social problems, they preach the politics of *laissez-faire*, *laissez-aller*. An echo of libertarianism may thus be discovered in Schur's contention that interference with juvenile delinquency typically amplifies deviance: formal regulation acts merely to confirm the deviant in an outcast status.¹⁹ Again, Becker and Horowitz extol the virtues of San Francisco, describing it as a civilized compact between peaceable deviant groups.²⁰ Szasz, too, castigates the intervention of the State, arguing that it has no business managing the private and moral problems of its citizens.²¹

More sceptically still, it has been concluded that the 'unintended' consequences of control are actually intended. Politicians are taken to require the presence of a criminal population. The visible petty law-breaker is manufactured in large quantities to perform the role of scapegoat for the ills of society. The minor criminal is given great prominence, deflecting outrage away from the evils performed by the lawless powerful.²² It is held that there is a symbiotic relationship between the State and a specially designated pool of deviants who are exploited for dramatic purposes.²³ Foucault, for example, observes that it has long been apparent that prisons generate criminality. It is not neglect or ignorance which prevents the abolition of imprisonment. On the contrary, the penal system is deliberately tended as a deviant preserve.²⁴

Pursuing that vision of oppression, deviants may be put to work in the service of revolution. For instance, Thomas Mathiesen took a leading part in the Scandinavian prisoners' unions, seeking to induce changes that could not be accepted without an unspecified but profound upheaval in penal policy.

¹⁷ See O. Newman, *Defensible Space*.

¹⁸ See P. Morgan, *Delinquent Fantasies*.

¹⁹ E. Schur, *Radical Non-Intervention*.

²⁰ H. Becker and I. Horowitz, 'The Culture of Civility'.

²¹ T. Szasz, *The Manufacture of Madness*.

²² See F. Pearce, *Crimes of the Powerful*.

²³ See D. Matza, *Becoming Deviant*.

²⁴ M. Foucault, *Discipline and Punish*.

Maintaining that participation in rational negotiations would only strengthen the grip of officials and domesticate the unions, he wittingly adopted an irrational posture. Formal discipline being unsupportable in an unjust society, Mathiesen countered with an apocalyptic dream of deviants belabouring their masters with their crutches.²⁵ The political domination of analysis can thereby turn criminology into a combatant in the class war, its ideas being judged by their impact on conflict. It may even be inferred that criminology cannot revolve around scholarly objectivity and a civilized interchange with unsympathetic theorists. Quinney²⁶ and Platt²⁷ proclaim that it must be surrendered to the demands of ideological struggle, promoting only those truths which fuel insurrection.

Marxist historians, too, have pored over crime. They claim that crime and deviance may be rescued from obscurity to provide an unofficial commentary on the past. Rule-breaking can reveal the suppressed under-life of society. It documents the stirrings of the illiterate and dominated, demonstrating patterns of communal opposition to the State and its masters. Thus poachers and smugglers can be used to illustrate the hostility which attended the emergence of class society in England.²⁸ Attempts to enclose land were met by traditional demands based on the rights of people to use pastures, commons, and forests.²⁹ Efforts to mechanize agriculture or assert the supremacy of the market were stalled by resort to 'collective bargaining by riot'.³⁰ The very attempt to reduce poachers, smugglers, rioters, and rick-burners to 'criminals' may be read as an aspect of the politics of naming.³¹ Crime becomes politics, and the criminal is a prologue to conscious and articulate resistance by the dispossessed.³²

Yet the politics of deviance does not have to be analysed with passion or partisanship. Some have adopted a relatively neutral perspective, preferring to describe the forms of rule-breaking

²⁵ T. Mathiesen, *The Politics of Abolition*.

²⁶ R. Quinney, 'Crime Control in Capitalist Society'.

²⁷ A. Platt, review of *The New Criminology*.

²⁸ See D. Hay *et al.*, *Albion's Fatal Tree*.

²⁹ See E. Thompson, *Whigs and Hunters*.

³⁰ See E. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century'.

³¹ See G. Rudé, *The Crowd in History*.

³² See E. Hobsbawm, *Primitive Rebels*.

without condemnation or applause. It is evident that those forms are diffuse and complex. On occasion, deviance can take expressly political directions: thus certain homosexuals grouped to become the Gay Liberation Front³³ and prisoners adopted the tactics of student demonstrators.³⁴ On occasion, politics can take a deviant path: thus the early Bolsheviks, the Irish Republican Army, and the Baader–Meinhof gang³⁵ robbed banks, and Eldridge Cleaver raped to chastise the white world.³⁶ On occasion, however, the deviant and the political can merge into a definitional fog. Argument can turn on whether people are ‘really’ freedom fighters, criminals, guerrillas, or terrorists. There may be debate about whether a riot is ‘really’ a political event or ‘mere’ lawlessness. Description becomes even more difficult because political consequences can sometimes flow from the acts of criminals who are not overtly committed to a political stance. Conversely, political motives can be claimed by those who seek an acceptable front for predatory activity.³⁷ All these shifts, pronouncements, and conflicts require delicate analysis. They prepare opportunities for abundant work. Sociologists may choose to follow Gusfield,³⁸ describing the history of public designations of deviance and professing an interest only in the forms and effects of change. They can dwell on the development and use of publicly legitimate motives, examining how people attempt to explain their conduct.³⁹ They may focus on the influence of varied styles of behaviour, analysing the repercussions of presenting deviance as political, expressive, or entrepreneurial activity.⁴⁰ They can produce a commentary on culture and authority,⁴¹ or a thesis about the beliefs which affect the actions of the powerful.⁴² They might recognize the fluidity of allegiances and motives as evidence of collapsing public symbolism, suggesting that identities have lost firm anchorage and are instead traded and explored in an effort to build

³³ See L. Humphreys, *Out of the Closets*.

³⁴ See M. FitzGerald, *Prisoners in Revolt*.

³⁵ See J. Becker, *Hitler's Children*.

³⁶ See E. Cleaver, *Soul on Ice*.

³⁷ See T. Wolfe, *Radical Chic and Mau-Mauing the Flak-Catchers*.

³⁸ J. Gusfield, ‘Moral Passage’.

³⁹ See M. Scott and S. Lyman, ‘Accounts, Deviance and Social Order’.

⁴⁰ See P. Rock, *Deviant Behaviour*.

⁴¹ See I. Horowitz and M. Liebowitz, ‘Social Deviance and Political Marginality’.

⁴² See G. Pearson, *The Deviant Imagination*.