The Routledge Handbook of Deviant Behavior

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Tolerable, acceptable, and positive deviance

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Tolerable, acceptable, and positive deviance have in common the fact that each explains how individuals differ along one or more important dimensions from the large majority of others in their group or the larger local community in which they live. From what is known at present about deviance viewed from these three perspectives, it is best to treat each as a nominal, or separate, scheme. Placing them on a continuum of some sort is not logically possible at this time, and may never be.

This chapter looks first at tolerable deviance, the approach most closely aligned with mainstream theory in deviance and criminology. Acceptable deviance, which resembles its tolerable cousin in certain ways, is covered next. With these two as background we are in a good position to examine positive deviance.

Tolerable deviance

This perspective dates to 1988 and the first edition of the author’s book Deviance: Tolerable Differences. The present statement is drawn from the second edition (Stebbins 1996), however, where I define deviance as behavior judged as violating one or more of the community’s moral norms. This judgment is collective, a result of many people having sufficient power or influence to make the judgment stick. Moral norms emerge from the community’s definition of right and wrong behavior and activity in certain emotionally charged areas of everyday life. They serve as the broad directives by which community members implement their institutionalized solutions to problems significantly affecting their valued way of life. These norms indicate in a general way what the community expects of its members in particular areas of social life and what it considers rejections of those expectations. Moral norms stand apart from other kinds of expectations, such as ordinances, regulations, customs, and folkways.

Notwithstanding their moral overtones, some deviant acts are tolerated by most members of the community. Tolerance is an attitude or orientation that individuals hold toward certain activities or thoughts of others that differ substantially from their own (Stebbins 1996: 3). It is a relatively passive disposition, falling roughly midway between scorn, or disdain, toward an activity or thought pattern, on the one hand, and embracement or acceptance of it, on the other. Both scorn and embracement, in contrast to tolerance, are active approaches to the behavior in question. When something is tolerated it is accorded legitimacy, though perhaps grudgingly.
At the same time, because tolerated thought and behavior are nonetheless mildly threatening, people have little interest in actually adopting tolerated behaviors or thought patterns as their own, or even accepting them as alternatives they might conceivably adopt in the future.

The presence of tolerance in society gives \textit{tolerable deviance} its special status. With such deviance, the welfare of the community is still believed to be preserved. But this outlook holds true only just so long as such behavior is enacted by only a small proportion of members in a way that is only mildly threatening to the community’s majority. Tolerable deviance stands in contrast to \textit{intolerable deviance}, which greatly threatens the established order, causing the community to scorn it and therefore to try to eliminate it. Hagan (1991: 11–12) developed three measures for empirically distinguishing mildly threatening tolerable deviance from the highly threatening intolerable variety. Intolerable deviance is likely to be accompanied by the following: considerable agreement about its wrongfulness; a harsh community reaction; and a judgment that it is especially harmful. With tolerable deviance there is a significantly lower level of agreement about its wrongfulness; a significantly more lenient community reaction; and a belief that only the deviant is harmed, and then not seriously.

Many people are ambivalent about one or more of the activities falling under the heading of tolerable deviance. They know they ought to refrain from engaging in them, yet they find it difficult to escape their magnetic pull. This is the type of deviance Becker (1963: 26) had in mind when he observed that “it is much more likely that most people experience deviant impulses frequently. At least in fantasy, people are much more deviant than they appear.” Little wonder that tolerable deviance is the classificatory home of most forms of deviant leisure (see Chapter 41).

\textbf{Types of tolerable and intolerable deviance}

The relationship between tolerable and intolerable deviance is, however, more complicated than just described. Thus tolerable deviance may be classed as criminal, noncriminal, or legitimate. \textit{Criminal tolerable deviance}, though actually illegal according to criminal law, is generally treated by police and wider community alike as having minor importance compared with mainstream intolerable deviance. That is, criminal tolerable deviance is seldom officially challenged. Several conditions explain this response. The laws in question may be vague, exemplified well by those pertaining to the production and sale of pornography. Or they may be difficult to enforce, as are those pertaining to group sex, cheating at gambling, and player violence in sport. And some laws have, at certain points in history, low enforcement priority—for instance, those controlling disorderliness, marijuana consumption, and recreational use of prescription drugs. In short, people who tolerate a form of deviance fail to see it as inherently evil.

\textit{Noncriminal tolerable deviance} lies outside the jurisdiction of law. At present in many countries in the West no laws exist prohibiting adultery (when morals of minor children are not endangered) or striptease work (when done within legal limits of undress). Nudism practiced in private resorts is frequently not illegal, nor are heavy drinking and nonpublic drunkenness. Many political jurisdictions define as illegal only certain forms of gambling, while saying nothing about others.

\textit{Legitimate tolerable deviance} is guaranteed by law. In most Westernized countries people may legally think as they wish, with some holding religious and political beliefs that diverge significantly from those of the majority in the community. They may also embrace beliefs about the supernatural, rejecting thereby scientific explanations of physical and psychological reality. Certain minor forms of mental disorder are also tolerable and within the law if, according to
the general public, they amount to no more than “warped” sets of beliefs. Neuroses, as opposed to psychoses (which must be classified as intolerable deviance), include such reactions as phobias, neurotic anxiety, partial personality impairment, and obsessive-compulsive acts.

The relationship between tolerable and intolerable deviance is portrayed in Table 3.1. Of course, much more of a case must be made for classifying a type of deviance as tolerable or intolerable than can be considered in this chapter. This is done, in part, in Stebbins (1996: chs. 3–10) and in Chapter 41 of this book. In the meantime, it should be understood that the types of tolerable and intolerable deviance in a community extant at a particular time in history reflect the current values of people collectively powerful enough to influence public opinion and shape legislative, enforcement, and judicial practice. In other words, their definition of threat is the one by which some forms of deviance are officially treated as intolerable, while other forms are unofficially treated as tolerable. Groups lacking such power may look askance on some of these generally tolerated forms of deviance, as do, for example, many smokers when reflecting on today’s restrictive laws governing smoking in public places.

The foregoing three types of tolerable deviance constitute an incomplete list, because as the distribution of power changes, the list tends to change as well. Some forms of intolerable deviance may gradually become tolerable, as is presently evident to a greater or lesser degree for abortion, use of marijuana, and production and consumption of pornography. Meanwhile, tolerable forms may drift toward intolerability, which appears to be happening today for smoking and has already happened, in a way, for use of performance-enhancing drugs in sport.

By contrast, intolerable deviance is behavior in violation of powerful criminal and non-criminal moral norms. Its core forms are illegal—what Daniel Glaser (1974: 60) poetically labelled “crimes of predation.” These acts include theft, rape, burglary, murder, forgery, and assault as well as swindling, embezzlement, and other types of fraud. Bribery fits in this category, too. Noncriminal forms of intolerable deviance are seen as bizarre mental aberrations or severe, destructive addictions; they include suicide, alcoholism, drug addiction, compulsive gambling, and severe mental disorder (e.g. psychosis). They violate the moral precept that people be in control of their thoughts, behavior, and emotions. Clearly, some forms of deviance are tolerated when carried out at a certain level, for example heavy drinking or habitual gambling, but become ever more scorned as they become addictive. Because intolerable deviance compared with the other types is covered elsewhere in this book and because space is limited, it will not be considered in this chapter.

**Table 3.1  Tolerable and intolerable deviance**

<table>
<thead>
<tr>
<th>Threat scale</th>
<th>Norms</th>
<th>Criminal deviance</th>
<th>Noncriminal deviance</th>
<th>Legitimate deviance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Great</td>
<td>Mores</td>
<td>ID</td>
<td>ID</td>
<td>–</td>
</tr>
<tr>
<td></td>
<td>Criminal laws</td>
<td>ID/TD</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Mild</td>
<td>Other moral norms</td>
<td>–</td>
<td>TD</td>
<td>TD</td>
</tr>
</tbody>
</table>

Key:  
ID = Intolerable deviance  
TD = Tolerable deviance  
– = Logically impossible cross-classification

Source: Stebbins 1996: 5
Why engage in tolerable deviance?

The tolerable deviance perspective offers three broad reasons that help explain why people engage in such behavior. One, sometimes they turn to such deviance because it is interesting or pleasurable to do as leisure. Two, in general terms, people sometimes engage in tolerable deviance as a livelihood or an aid to a livelihood or as a serious amateur pursuit. Three, some tolerable deviance serves as a mode of adjustment, as a way of arriving at a behavioral balance between personal needs and goals, on the one hand, and the demands of other people and society, on the other. This is ordinarily a long-term process taking several years. While most, if not all, tolerable deviance can be seen as a form of adjustment, much of it can also be identified and justified as leisure or work or both. Still, a residual category of deviant adjustment exists for which, in our culture, there is no explicit term. Residual adjustments, known as “residual rule breaking” (Scheff 1984: 38), are sometimes lumped by professionals and the general public under the heading of mental illness or mental disorder.

While theories of crime and deviance abound, only the foregoing perspective bears directly on tolerable deviance. Certain other theories, though they never directly refer to such deviance, do nonetheless help explain indirectly its emergence, persistence, decline, and place in the larger society. These theories—they are anomie-strain, labeling, value-conflict, functionalism, and medicalization—cannot be adequately covered here, but interested readers will find detailed reviews of them elsewhere in this book.

Acceptable deviance

Lesley Harman (1985) pioneered the idea of acceptable deviance. Her goal was to shed additional light on the imprecise and complicated line separating conformity and deviation. She defined acceptable deviance as “behavior which deviates enough from the norm such that it is not entirely predictable, yet which conforms enough to the norm to be acceptable as signifying membership” (Harman 1985: 2). She observed that a liberal democratic ethic prevails in Western society, an ideology that asserts that individuals have the right and the freedom to express their unique identities. Increases in society’s individuality and creativity are encouraged. Still the existence of society as a collection of rule-governed individuals interested in the common goal of social order requires members to share basic conceptions about what it is that makes them a group. These two demands of conformity and deviation are contradictory.

Harman points out that people ordinarily care to avoid being seen as “over-involved.” That is, an acceptable member of society arrives at a negotiated accommodation between the extreme demands of conformity and deviance, with acceptable deviance being an apparent solution to this “paradox.” Seen from another angle the individual, in being acceptably deviant, is engaging in “rule bending.” “One may bend rules to the extent that the individual appears to have control over them, but not to the point that s/he poses a threat to the social order” (Harman 1985: 2–3). In this regard Harman extends Erving Goffman’s ideas on involvements—main and side, dominant and subordinate—as well as his observations on rule distance. She says it is acceptable for an individual to bend the rules of social interaction (by engaging in subordinate involvements) as long as it is clear that he can account for the deviant action (by being prepared to engage in the dominant involvement when it arises), and as long as, once made, subordinate involvement does not become dominant. Actors must always demonstrate their commitment to the group, which frees them to express themselves through side and main involvements.

Harman illustrated her conceptualization of acceptable deviance with observations on fashion and slang. To be fashionable is to be acceptably deviant. Personal good taste keeps the
fashionable individual safe, from going beyond acceptability to forms of dress regarded as serious aberrations. The latter is “outrageous” fashion.

As for slang, Harman says there must be ways to introduce new colloquialisms in the group. Yet, any member doing this undertakes a risky innovation, since other members may refuse the new term. If it lingers as an outrageous item in their lexicon, it is deviant and unacceptable. If a few members begin using the new word or phrase, its outrageousness declines, drifting toward fashionableness. If the trend continues, the new term becomes increasingly common in the group’s vocabulary, its use becoming a mark of membership there.

Mutunda (2007) analyzed patterns of Nyanja slang among young adults in Lusaka, Zambia. Of the fifteen reasons for using slang identified in an earlier study, among them sheer high spirits and an exercise of wit or ingenuity, one stood out. It was “the desire to break away from the conventions of the past, or even of the present, and achieve originality, if only in a small way, by using a new, or if not a new, an unconventional word or expression.” This reason, Mutunda observes, is especially relevant to youth slang, for it is acceptable deviance. Members of the group who use such terms display an appropriate sense of being fashionable. Being in fashion through introduction and use of new slang is also a mark of the user’s distinctive identity.

So far the idea of acceptable deviance has failed to generate much research. The term is sporadically encountered in scholarly articles, but rarely as an explanatory concept as Mutunda used it.

**Positive deviance**

Discussion is limited here to the positive deviance/negative deviance debate, also starting in 1985, which has added theoretic color to the sociological study of deviance. Excluded for reasons of space is use of the positive perspective as a management and leadership tool in various organizations and its several applications in other areas of life.

Brad West (2003) has written a thoughtful article in which he summarizes the debate about the idea of positive deviance and weighs in with his own conclusions as a suggested resolution of differences. David Dodge (1985) ignited the controversy, in its contemporary version, in an article in which he examined the “over-negativized conceptualization of deviance.” He urged specialists in deviance studies to recognize as positively deviant, “those persons and acts that are evaluated as superior because they surpass conventional expectations” (Dodge 1985: 18). Admired, honorable exceptions in, for example, sport, art, science, and politics, compared with what is usually achieved, should be studied. Such people are deviant, too, albeit positively. There has been, Dodge argued, too much concentration on the negative, condemnable kinds of deviance.

Erich Goode (1991) and Edward Sagarin (1985), among others, countered that the idea of positive deviance is oxymoronic, a contradiction in terms. Nothing may be gained by injecting such confusion into deviance theory, for the idea of deviance as the tails of a bell-curved distribution of behavior calculated along a common dimension has already been convincingly rejected (see Sagarin 1985). The two ends of the putative dimension are very different.

Dodge argued, however, that some people highly honored for their achievements are also negatively deviant, albeit, it should be added here, in circles outside those doing the honoring. An exceptionally able pickpocket might be highly regarded for his abilities among local thieves of the same bent, but scorned by police and victims alike. A charismatic leader of a deviant religious group or an outstanding poker player would have similarly contrasting images.

Of course it can be observed that negative deviance sometimes has positive consequences, as in a serial rapist or arsonist whose activities bring the local community together to try to end
the scourge. Yet, we could hardly label as positive the precipitating deviant activities. The same holds for the deviant behavior of one era that forces social change leading to a positive understanding of it in a future era. Christ was deviant in his time, even if Christianity is now an honorable religion in many parts of the world.

Of course the public, or a sizeable part of it, may be ambivalent in their judgment of certain deviants. West (2003) cites a number of examples of such “antiheroes,” celebrated murderers, bank robbers, and the like who have attracted substantial crowds of nondeviant followers. These Jesse Jameses and Robin Hoods have acquired a mythical status and level of charisma with some segments of the population. Yet, this might be more accurately seen as a problem of interpretation: does the community believe these people are bad enough to be tagged as deviants and, as time goes by, does it continue to believe in its judgment? This is less about positiveness or negativeness per se than about the antecedent process of judging the individual and his questionable activities.

In his concluding remarks West sides substantially with the negative, or traditional, approach:

The conceptualisation of positive deviance in this article argues against the original advocacy that it refer to “persons and acts that are evaluated as superior” due to a deviation of norms, in that “they surpass conventional expectations” (Dodge 1985: 18). The critics of the positive deviance concept are correct in their judgement that use of the term in this way is oxymoronic and would take the field in directions that are inconsistent with deviance. Nevertheless, we should also be attending to the positive side of life, says West, even in its deviant forms. In this murky sphere of life, too, all is not negative.

On a broader plane, the emphasis on positive deviance must be seen in the light of a much larger concern in sociology, which I have identified as its penchant for “problem solving” (Stebbins 2009). This discipline has long been centered on the negative, on life’s many problems, including deviant behavior. It is time now for a “positive sociology,” which looks into how, why, and when people pursue those things in life that they desire, and the things they do to make their existence attractive and worth living. Positive sociology is the study of what people do to organize their lives such that those lives become, in combination, substantially rewarding, satisfying, and fulfilling, which sometimes takes the form of positive deviance. This is not to suggest that we abandon the study of negative deviance. Rather we should avoid trying to graft the study of positive deviance onto it, and consider the second as a separate, albeit sometimes related, avenue for developing a positive sociology. This new field has roots in the sociology of leisure, whose relationship to deviance is explored elsewhere in this book.

Conclusions

Tolerable and intolerable deviance are identifiable through violation of moral norms, a condition not shared by the other two perspectives. By contrast, in acceptable deviance, the norm in question is not violated at all, only stretched somewhat in its interpretation by the acceptably deviant person. Moreover, any norm (moral, non-moral) may be examined for acceptable deviance from it.

In positive deviance the norms by which judgments of deviance are made are not usually moral; they are not essentially about what is morally right and wrong in the community. Rather the norms in question, at bottom, establish levels of excellence, which, through positive deviance, a few notable people manage to meet exceptionally and hence admirably. Though, as just noted,
such norms may be morally tinged, their essence lies in their capacity to guide and measure achievement, this achievement being honored by the majority of those concerned.

Each perspective contributes to our understanding of how individuals differ along one or more important dimensions—tolerance, acceptability, excellence—from the large majority of people in their group or the larger local community.

References


