



Defining Deviancy Up

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I.

In 1940, a survey was taken of teachers asking them to list the five most important problems in school. They were: (1) talking out of turn; (2) chewing gum; (3) making noise; (4) running in halls; and (5) cutting in line.

Fifty years later, the survey was repeated. The 1990 list was substantially revised: (1) drug abuse; (2) alcohol abuse; (3) pregnancy; (4) suicide; (5) rape.

One could cite a mountain of statistics. One could supply one's own anecdotal evidence. But this list will suffice to make the obvious point that there has been an explosion of deviancy in American society over the last fifty years. Things have gotten out of hand.

How have we dealt with that? Daniel Patrick Moynihan offers an arresting view in a recent essay in *The American Scholar* entitled "Defining Deviancy Down." His point is that deviancy—crime, broken homes, mental illness—has reached such vast and incomprehensible proportions that we have had to adopt a singular form of denial: We deal with the epidemic by simply defining away most of the disease. We lower the threshold for what we are prepared to call normal in order to keep the volume of deviancy—redefined deviancy—within manageable proportions.

Since 1960, for example, the incidence of single parenthood has more than tripled. It now afflicts—and anyone acquainted with the figures for poverty and the various social pathologies associated with single—parenthood knows that "afflicts" is the right word—more than one—quarter of all American children. As the problem has grown, however, it has been systematically redefined by the culture—by social workers, intellectuals, and most famously by the mass media—as simply another lifestyle choice. Dan Quayle may have been right, but Murphy Brown got the better ratings.

Moynihan's second example is crime. We have become totally inured to levels of criminality that would have been considered intolerable thirty years ago. The St. Valentine's Day massacre, which caused a national uproar and merited two entries in the World Book Encyclopedia, involved four thugs killing seven other thugs. An average weekend in today's Los Angeles, notes James Q. Wilson. More than half of all violent crimes are not even reported. We have come to view homicide as ineradicable a part of the social landscape as car accidents.

And finally there is mental illness. Unlike family breakdown and criminality, there has probably been no increase in mental illness over the last thirty years. Rates of schizophrenia do not change, but the rate of hospitalization for schizophrenia and other psychoses has changed. The mental hospitals have been emptied. In 1955, New York state asylums had 93,000 patients. Last year they had 11,000. Where have the remaining 82,000 and their descendants gone? Onto the streets, mostly. In one generation, a flood of pathetically ill people has washed onto the streets of the American city. We now step over these wretched and abandoned folk sleeping in doorways and freezing on grates. They, too, have become accepted as part of the natural landscape. We have managed to do that by redefining them as people who simply lack affordable housing. They are not crazy or sick, just very poor (as if anyone crazy and sick and totally abandoned would not end up very poor).

Moynihan's powerful point is that with the "moral deregulation" of the 1960s, we have had an explosion of deviancy in family life, criminal behavior, and publicly displayed psychosis. And we have dealt with it in the only way possible: by redefining deviancy down so as to explain away and make "normal" what a more civilized, ordered, and healthy society would long ago have labeled—and once long ago did label—deviant.

II.

Moynihan is right. But it is only half the story. There is a complimentary social phenomenon that goes with defining deviancy down. As part of the vast social project of moral leveling, it is not enough for the deviant to be normalized. The normal must be found to be deviant. Therefore, while for the criminals and the crazies deviancy has been defined down (the bar defining normality has been lowered), for the ordinary bourgeois deviancy has been defined up (the bar defining normality has been raised). Large areas of ordinary behavior hitherto considered benign have had their threshold radically redefined up, so that once innocent behavior now stands condemned as deviant. Normal middle class life then stands exposed as the true home of violence, abuse, misogyny, a whole of catalog deviant acting and thinking.

As part of this project of moral leveling, whole new areas of deviancy—such as date rape and politically incorrect speech—have been discovered. And old areas—such as child abuse—have been amplified by endless reiteration in the public presses and validated by learned reports of their astonishing frequency. The net effect is to show that deviancy is not the province of criminals and crazies but thrives in the heart of the great middle class. The real deviants of society stand unmasked. Who are they? Not Bonnie and Clyde but Ozzie and Harriet.

The moral deconstruction of middle class normality is a vast project. Fortunately, it has thousands of volunteers working on the case. By defining deviancy up they have scored some notable successes. Three, in particular. And in precisely the same three areas Moynihan identified: family life, crime, and mental illness.

III.

First, family life. Under the new dispensation it turns out that the ordinary middle class family is not the warm, welcoming fount of "family-values," not the bedrock of social stability and psychic integrity, as the right wing propagandists would have it. It is instead a cauldron of pathology, a teeming source of the depressions, alienation, and

assorted dysfunctionalities of adulthood. Why? Because at the heart of the family lies the worm, the newly discovered original sin of the 1990s: child abuse.

Child abuse is, of course, a real problem. But is it nineteen times more prevalent today than thirty years ago? That is what the statistics offer. In 1963: 150,000 reported cases. In 1992: 2.9 million.

Now, simply considering the historical trajectory of the treatment of children since the nineteenth century, when child labor—even child slavery—was common, it is hard to believe that the tendency to improved treatment of children has been so radically reversed in one generation.

Plainly it hasn't. What happened then? The first thing that happened was an epidemic of overreporting. Douglas Besharov points out that whereas in 1975, about one-third of child abuse cases were dismissed for lack of evidence, today about two-thirds are dismissed. New York authorities may have considered it a great social advance that between 1979 and 1983, for example, reported cases of child abuse increased by almost fifty percent. But over the same period, the number of substantiated cases actually declined. In other words, the 22,000 increase of reported cases yielded an increase of real cases of less than zero.

Note the contrast. For ordinary crime, to which we have become desensitized, we have defined deviancy down. One measure of this desensitization is underreporting: Two out of every three ordinary crimes is never even reported. Child abuse is precisely the opposite. For child abuse, to which we have become exquisitely oversensitized, deviancy has been correspondingly defined up. One of the measures of oversensitization is overreporting: Whereas two out of every three ordinary crimes is never reported, two out of three reported cases of child abuse never occurred.

The perceived epidemic of child abuse is a compound of many factors. Clearly, overreporting is one. Changing societal standards regarding corporal punishment is another. Using current standards and definitions of child abuse, I dare say that most of my father's generation would be classified as abused.

But beyond the numbers and definitions there is a new ideology of child abuse. Under its influence, the helping professions, committed to the belief in endemic abuse, have encouraged a massive search to find cases, and where they cannot be found, to invent them.

Consider this advice from one of the more popular self-help books on sex abuse, *Courage to Heal*. "If you are unable to remember any specific instances [of childhood sex abuse]...but still have a feeling that something abusive happened to you, it probably did." And "if you think you were abused and your life shows the symptoms, then you were."

If your life shows the symptoms. In a popular culture saturated with tales of child abuse paraded daily on the airwaves, it is not hard to suggest to vulnerable patients that their problems—symptoms—are caused by long-ago abuse, indeed, even unremembered abuse. Hence the *reductio ad absurdum* of the search for the hidden epidemic: the adults who present themselves suddenly as victims of child abuse after decades of supposed amnesia—the amnesia reversed and the memory reclaimed thanks to the

magic of intensive psychotherapy.

The idea of the repressed memory, so popular during the Freudian heyday of the 1940s and 1950s, has a very shaky scientific basis. One does not even have to consult the scientific studies of therapeutic suggestion, of which there are many. Anyone who has ever been a therapist knows how easy it is for memories to be created at the suggestion of a trusted therapist whom the patient wants to please.

Why should memories of child abuse please the therapist? Because it fits the new ideology of neurosis. For almost a century Freudian ideology located the source of adult neuroses in the perceived psychosexual traumas of childhood. But Freud concluded after initial skepticism that these psycho-sexual incidents were fantasy.

Today, of course, Freud's conclusion is seen either as a great error or indeed, as Jeffrey Masson and other anti-Freudian crusaders insist, as a great betrayal of what he knew to be the truth. Today's fashion, replacing Freudian fashion, is that the fantasies are true. Whenever a patient complains of depression, low self-esteem, or any of the common ailments of modern life, the search begins for the underlying childhood sexual abuse. As the book says, if your life shows the symptoms, then you were abused.

This new psychology is rooted in and reinforces current notions about the pathology of ordinary family life. Rather than believing, as we did for a hundred years under the influence of Freud, that adult neurosis results from the inevitable psychological traumas of sexual maturation, compounded by the largely innocent errors of parents, and crystallized in the (literally) fantastic memories of the patient, today there is a new dispensation. Nowadays neurosis is the outcome not of innocent errors but of criminal acts occurring in the very bosom of the ordinary-looking family. Seek and ye shall find: The sins of the father are visible in the miserable lives of the sons and daughters. Child abuse is the crime waiting only to be discovered, with, of course, the proper therapeutic guidance and bedtime reading. It is the dirty little secret behind the white picket fence. And beside this offense, such once-regarded deviancies of family life as illegitimacy appear trivial and benign.

IV.

So much for the family. Let us look now at a second pillar of everyday bourgeois life: the ordinary heterosexual relationship. A second vast category of human behavior that until recently was considered rather normal has had its threshold for normality redefined up so as to render much of it deviant. Again we start with a real offense: rape. It used to be understood as involving the use of or threat of force. No longer. It has now been expanded by the concept of date rape to encompass an enormous continent of behavior that had long been viewed as normal or, at worst, ambiguous, but certainly not criminal.

"Some 47 percent of women are victims of rape or attempted rape...and 25 percent of women are victims of completed rape." So asserts Catherine McKinnon on a national television news special. Assertions of this sort are commonplace. A Stanford survey, for example, claims that a third of its women have suffered date rape.

If those numbers sound high, they are. If one goes by the real numbers, compiled by the FBI under the Unified Crime Reporting Program and suitably multiplied to account

for presumed unreported cases, the real numbers for rape, as Neil Gilbert points out in *The Public Interest*, are somewhere around one in a thousand.

Or take perhaps the most famous and widely reported study of the rape epidemic, the one done by Mary Koss for *Ms. Magazine*. Her survey of 6159 college students found that 15 percent had been raped and another 11 percent subject to attempted rape. She also reported that in a single year 3,187 college females reported 862 incidents of rape or attempted rape. That is more than one incident for every four women per year. At that rate, about three of out every four undergraduate women would be victims of rape or attempted rape by graduation day.

Again, the real world turns out to be rather different. Reports from 2400 campuses mandated by the Student Right to Know and Campus Security Act of 1990 showed fewer than 1,000 rapes for the year reported. That is about one-half a rape per campus per year. Barnard College, a hotbed of anti-rape and Take Back the Night activity, released statistics in 1991 showing no reports of rape, date or otherwise, among its 2,200 students. In 1992, there were two reports yielding one confirmed case. Columbia, with 19,300 students, reported 2 rapes in that period, neither of which was substantiated.

How does one explain the vast discrepancy—1 in 2 differs from 1 in 1,000 by a factor of 500—between the real numbers and the fantastic numbers that have entered the popular imagination? Easy. Deviancy has again been redefined—up. Rape has been expanded by Koss and other researchers to include behavior that you and I would not recognize as rape. And not just you and I—the supposed victims themselves do not recognize it as rape. In the Koss study, three-quarters of the women she labeled as rape victims did not consider themselves to have been raped. Fully 42 percent had further sexual relations with the so-called “rapist.”

Now, women who have been raped are not generally known for going back for more sex with their assailants. Something is wrong here. What is wrong is the extraordinarily loose definition of what constitutes rape. Among the ten questions Koss asked her subjects are these: “Have you had sexual intercourse when you didn’t want to because you were overwhelmed by a man’s continual arguments and pressure? Because a man gave you alcohol or drugs?” The Stanford study, the one that turned up one out of three female students as victims of date rape, asked its subjects if they had ever had “full sexual activity when they did not want to.” In other words, sex plus regret equals rape. Which fits well Catherine McKinnon’s definition of rape: “Politically I call it rape whenever a women has sex and feels violated.”

The cornerstone of this new and breathtakingly loose definition is the idea of verbal coercion. Consider this definition from *Acquaintance Rape: The Hidden Crime* (John Wiley, 1991), in the chapter entitled “Nonviolent Sexual Coercion”: “We define verbal sexual coercion as a woman’s consenting to unwanted sexual activity because of a man’s verbal arguments, not including verbal threats of physical force.” With rape so radically defined up—to include offering a drink or being verbally insistent—it is no surprise that the result is an epidemic of sexual deviancy.

Of course, behind these numbers is an underlying ideology about the inherent aberrancy of all heterosexual relations. As Andrea Dworkin once said, “Romance is rape embellished with meaningful looks.” The date rape epidemic is just empirical dressing for a larger theory which holds that because relations between men and women are

inherently unequal, sex can never be truly consensual. It is always coercive.

“...The similarity between the patterns, rhythms, roles, and emotions, not to mention acts, which make up rape (and battery) on the one hand and intercourse on the other,” writes McKinnon, “...makes it difficult to sustain the customary distinctions between pathology and normalcy, violence and sex.” And “Compare victims’ reports of rape with women’s reports of sex. They look a lot alike....In this light, the major distinction between intercourse (normal) and rape (abnormal) is that the normal happens so often that one cannot get anyone to see anything wrong with it.”

Or as Susan Estrich puts it: “Many feminists would argue that so long as women are powerless relative to men, viewing ‘yes’ as a sign of true consent is misguided.” Forgive me, but if “yes” is not a sign of true consent, then what is? A notarized contract?

And if there is no such thing as real consent, then the radical feminist ideal is realized: All intercourse is rape. Who needs the studies? The incidence of rape is not 25 percent or 33 or 50. It is 100 percent. Then Naomi Wolf can write in *The Beauty Myth* that we have today “a situation among the young in which boys rape and girls get raped as a *normal course of events*. (Her italics.)

Date rape is only the most extreme example of deviancy redefined high enough to catch a huge chunk of normal, everyday behavior in its net. It is the most extreme example because it is criminal. But then there are the lesser offenses, a bewildering array of transgressions that come under the rubric of sexual harassment whose definition can be equally loose and floating but always raised high enough to turn innocent behavior into deviancy. As Allan Bloom wrote, “What used to be understood as modes of courtship are now seen as modes of male intimidation.”

V.

So much then for the family and normal heterosexual relations. On now to the third great area of the new deviancy: thought crimes.

Last month, I was visited by an FBI agent doing a routine background check on a former employee of mine now being considered for some high administration post. The agent went through the usual checklist of questions that I had heard many time before: questions about financial difficulties, drug abuse, alcoholism. Then he popped a new one: “Did this person ever show any prejudice to a group based on race, ethnicity, gender, national origin, etc.?” He was not interested in whether the person had been involved in any racial incident. The FBI would have already known about that. What he wanted to know about was my friend’s deeper thoughts, feelings he might only have betrayed to someone with whom he had worked intimately for two years. This was the point in the interview at which I was supposed to testify whether I had heard my friend tell any Polish jokes or the political equivalent. (Happily, I had not.) And that is when it occurred to me that incorrect racial thinking or insensitive racial speech had achieved official status as thought crime.

Now, again we start with real deviance, racial violence of the kind once carried out by the Klan or today by freelancers like the two men in Tampa convicted of setting fire to a black tourist. These are outlawed and punished. So are the more benign but still contemptible acts of non-violent racial discrimination, as in housing, for example.

But now that overt racial actions have been criminalized and are regularly punished, the threshold for deviancy has been ratcheted up. The project now is to identify prejudiced thinking, instincts, anecdotes, attitudes.

The great arena for this project is the American academy. The proliferation of speech codes on campus, restrained only by their obvious unconstitutionality, was an attempt by the university to curtail public, even private, speech that may cause offense to groups designated for special protection. A religious student at the University of Michigan, for example, offers the opinion that homosexuality is immoral, and finds himself forced to recant and sentenced to sensitivity training for the purposes of reeducation.

The irony here is quite complete. It used to be that homosexuality was considered deviant. But now that it has been declared a simple lifestyle choice (under the rules of defining deviancy down), those who are not current with the new definitions, and have the misfortune to say so in public, now find themselves defined as deviant, thought deviant (under the rules of defining deviancy up).

There is, of course, the now famous case of the University of Pennsylvania student who called a group of rowdy black sorority sisters making noise outside his dorm in the middle of the night “behemahs.” He was charged with racial harassment. A host of learned scholars were assigned the absurd task of locating the racial antecedents of the term “behemah.” They could find none. (They should have asked me. I could have saved them a lot of trouble. My father called me behemah so many times it almost became a term of endearment. I don’t think he was racially motivated.) Nonetheless, the university, convinced that there was some racial animus behind that exotic word and determined not to let it go unpunished, tried to pressure the student into admitting his guilt. Penn offered him a plea bargain. Proceedings would be stopped if he confessed and allowed himself to be re-educated through a “program for living in a diverse community environment.”

Consider: the psychotic raving in the middle of Broadway is free to rave. No one will force him into treatment. But a student who hurls the word “behemah” at a bunch of sorority sisters is threatened with the ultimate sanction at the disposal of the university—expulsion—unless he submits to treatment to correct his deviant thinking.

This may seem ironic but it is easily explained. Under the new dispensation it is not insanity but insensitivity that is the true sign of deviant thinking, requiring thought control and reeducation. One kind deviancy we are prepared to live with, the other not. Indeed, one kind, psychosis, we are hardly prepared to call deviancy at all. As Moynihan points out, it is now part of the landscape.

VI.

The mentally ill are not really ill. They just lack housing. It is the rest of us who are guilty of deviant thinking for harboring—beneath the bland niceties of middle-class life—racist, misogynous, homophobic, and other corrupt and corrupting insensitivities.

Ordinary criminality we are learning to live with. What we are learning we cannot live with is the heretofore unrecognized violence against women that lurks beneath the facade of ordinary, seemingly benign, heterosexual relations.

The single parent and broken home is no longer considered deviant. It is the Ozzie and Harriet family, rife with abuse and molestation, that is the seedbed of deviance.

The rationalization of deviancy reaches its logical conclusion. The deviant is declared normal. And the normal is unmasked as deviant. That, of course, makes us all so much more morally equal. The project is complete. What real difference is there between us?

And that is the point, is it not? Defining deviancy up, like defining deviancy down, is an adventure in moral equivalence. As such, it is the son of an old project which met its unfortunate demise with the end of the Soviet empire. There once was the idea of the moral equivalence between East and West. Even though the Soviets appeared to be imperialist and brutal and corrupt and rapacious, we really were as bad as they were. We could match them crime for crime throughout the world.

Well, this species of moral equivalence is now dead. The liberation of the Communist empire, the opening of the archives, the testimony of the former inmates—all these have made a mockery of this version of moral equivalence.

But ideology abhors a vacuum. So we have a new version of moral equivalence: the moral equivalence within Western society of the normal and the deviant. It is a bold new way to strip the life of the bourgeois West of its moral sheen. Because once it becomes, to use Catherine McKinnon's words, "difficult to sustain the customary distinctions between pathology and normalcy," the moral superiority to which bourgeois normalcy pretends vanishes.

And the perfect vehicle for exposing the rottenness, the abnormality, of bourgeois life is defining deviancy up. After all, the middle classes, the law-abiding, define their own virtue in contrast to the deviant, a contrast publicly dramatized by segregation, opprobrium, ostracism, and punishment. And now it turns out that this great contrast between normality and deviance is a farce. The real deviants, *mirabile dictu*, are those that carry the mask of sanity, the middle classes living on their cozy suburban streets, abusing their children, violating their women, and harboring deep inside them the most unholy thoughts.

Defining deviancy up is a new way of satisfying an old ideological agenda. But also fills a psychological need. The need was identified by Moynihan: How to cope with the explosion of real deviancy? One way is denial: Defining real deviancy down creates the pretense that deviance has disappeared because it is been redefined as normal. Another strategy is distraction: Defining deviancy up creates brand new deviancies that we can now go off and fight. That distracts us from the old deviancy and gives us the feeling that, despite the murder and mayhem and madness around us, we are really preserving and policing our norms.

Helpless in the face of the explosion of real criminality, for example, we satisfy our crime-fighting needs with the crusade against date rape. Like looking for your lost wallet under the street lamp even though you lost it elsewhere, this job is easier even if not terribly relevant to the problem at hand. Defining deviancy up creates a whole new universe of behavior to police, and—a bonus—a higher class of offender. More malleable too: The guilt-ridden bourgeois or vulnerable college student is a far easier object of social control than the hardened criminal or the raving lunatic.

These new crusades do nothing, of course, about real criminality or lunacy. But they make us feel that we are making inroads on deviancy nonetheless. It feels good. A society must feel that it is policing its norms by combating deviancy. Having given up fighting the real thing, we can't give up the fight. So we fight the new deviancy with satisfying vigor. That it is largely a phantom and a phony seems not to matter at all.

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'Defining deviancy down'. Add to list. On my list.Â If the redefinition of deviancy only involved "criminalizing" such things as inattention at prayer, the refusal of itinerant Quakers to doff their hats in the presence of magistrates or my children's forgetting to let me know where they are on a Saturday night, Moynihan might dismiss the whole idea as quaint. "Defining deviancy down," the catchy alliteration coined by Senator Daniel Patrick Moynihan (D., N.Y.) is the 1990s equivalent of "permissiveness" in political rhetoric about crime and criminal justice.Â Also totally ignored is the opposite tendency of "defining deviancy up," in the sense that deviant behavior that went unpunished in the past is now subject to penalties.