

**SOCIAL DEVIANCE AND CONTEMPORARY MORALITY
THE ROOTS OF PROGRESS OR THE ROOTS
OF CRIMINOGENESIS? ***

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Abstract. *Social norms and social deviance, and their causal link with criminogenesis and civilization progress, are highly variable categories. One of the key problems concerning this subject matter is a difficulty in recognizing certain social deviations as such, including a lack of awareness that certain phenomena should not be categorized as social deviance at all. This paper first focuses on the concept of socially deviant types of behaviour and their etiology through the perspective of various schools of thought, particularly sociological and criminological ones. Then, it presents the typology of aberrant behavior as well as the causal link between different aberration types and criminogenesis and/or social progress. By exploring the representative socio-pathological issues, the authors give a critical review of individual aberration types, and provide an overview of the complex and comprehensive nature of this classification process. The ultimate result of this categorization is a relativistic element which characterizes aberration, progress and crime.*

Key words: *social deviance/aberration, deviation, morality, criminogenesis, progress*

*„What progress we are making.
In the Middle Ages they would have burned me.
Now they are content with burning my books.“*

Sigmund Freud

*„The deviant and the conformist...
are creatures of the same culture,
inventions of the same imagination.“*

K. T. Erikson.

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INTRODUCTION

How are social and cultural norms determined in the specific society and at the specific moment, and what determines an aberration from a course which represents the *moral compass*? The question is relativistic and the answer to this question is multifaceted. A unique and absolutely exclusive answer does not exist. Instead, it is only possible to define the notion of social norms and morality in the most general sense. Thus, the notion of social aberrations, i.e. socially deviant behavior and normality/abnormality, are defined by considering the most significant aspects of “a heterogenic set of various discourses” (Stevanović, 2013: 7).

Social norms represent a behavior codex which has been generally accepted by the social majority and which exists outside the sphere of state repression, except for those norms that gradually turn into legal norms. In other words, authorities allow every aberration and/or breach of this codex, which means that they recognize an individual’s right to choose whether he/she would act within or outside the frame of this codex. Why and how did state recognize the freedom of an individual and his/her right to diverge from the social codex, and why is it such a delicate and relativistic category?

Social norms can be of moral, religious, cultural or customary character. It implies that morality constitutes a smaller portion of social norms, even though moral norms are the most developed segment of social norms. In that case, morality could be defined as the most developed segment of the codex of socially accepted behavior, which is characterized by an inherent social sanction as a consequence for the aberration from the given codex. In order to provide a more precise definition and differentiate morality from other similar codices, we focus on the most basic difference between morality and law, and which would cast more light on the difference in the nature of provided sanctions. Thus, Durkheim states that law and morality are a part of the same genus, but that a sanction for breaching moral norms is not organized and comes from society, while a sanction for breaching legal norms is organized by state, i.e. governance (Karsenti, 2012: 22, 23). Thus, we come to the concept of *social deviance or aberration*.

THEORIES ON THE CONCEPT OF SOCIAL DEVIANCE

Social deviance/aberration, i.e. socially deviant behavior, is most commonly designated as abnormality, an aberration or breach of social but (above all) moral norms, an embodiment of non-conformism which may be either intolerable or unacceptable to the conformist social majority. The concept of social deviance may be perceived in a broader and in a narrower sense.

In a narrow sense, social deviance may be understood as an aberration from the rules outside the circle of official inhibitory norms, which does not result in a sanction imposed by the state but in a relevant sanction imposed by the society, if it is sanctioned at all, which largely depends on the character of social norms in the given society and at the specific moment. Social deviance/aberration is primarily a behavior which signifies a divergence from moral norms and social perception; as such, it is a notion of a much narrower scope than the the notion of delinquency, i.e. delinquency is only one category of deviance (Todorov et al., 2009: 459).

Some authors point out that a notion of social deviance cannot be observed without taking into account the immediate social environment i.e. community, which implies that a relation between at least two individuals must exist in order for deviation to be established, particularly considering the fact that what is deviant for one person is not deviant for another, and vice versa (Stevanović, 2013: 10, 11).

In a broader sense, social deviance may be understood as including both the specific deviant behaviour (which is defined as such by specific social norms) and delinquency (i.e. crime). Nonetheless, criminology (and particularly the etiology of crime) contains no conceptions that make direct causal links between social deviance/aberration (as understood in the given society/time) and criminogenesis (i.e. delinquency).

The entire process of historical development of etiological thought has been marked by this causal link between social aberration and delinquency. The specificity of these schools of thought lies in various approaches to the definition of socially deviant behaviour.

Bio-anthropological theories define social deviance as behavioral abnormalities preconditioned by either inherent or acquired degenerations, which are caused by mental, physical or physiological disorder in human bodily functions (Stevanović, 2013: 24). Thus, Lombroso, a proponent of the anthropological school of thought, develops a well-known theory of evolutionary atavism, where he explains abnormal and delinquent behaviors through so-called “*stigmata of degeneration*”, i.e. psycho-physical characteristics of an individual which differentiate them from normal people (Ignjatović, 2009: 33). Most importantly, Lombroso notes the importance of good upbringing, considering that the opposite could lead to *perverse instincts* in childhood and later in life (Kostić, 2013: 3). Lombroso-Ferrero points out that children frequently exhibit forms of behavior similar to ones in criminaloids: revenge, anger, lack of empathy, idleness, etc.; “their moral sense (awareness) of what is right and wrong correlates with what is allowed or forbidden by their elders” (Kostić, 2013: 4).

Here, we will mention a more recent research conducted by Paškota, Kron, Hošek and Momirović. The results of this extensive empirical research on deviance among juveniles show that male youth population is more prone to antisocial behaviour than female youth population; among other factors, the researchers considered *a testosterone theory* as an answer to this phenomenon. Namely, although social deviance in male juvenile population may be attributed to hormones, they found that “the research of the link between testosterone and human aggression suggests that testosterone is a prominent but not an exclusive factor” (Paškota, *et al*, 2005: 131).

Psychological theories explain that the causes of social deviance lie in one’s intelligence, personality, character, motivation, attitudes and motives. Within the framework of his psychoanalytical theory, Freud explains deviance through unconscious and subconscious factors, which lead to breaching the socially accepted norms of behaviour (Stevanović, 2013: 33, 34). In other words, a conflict between human instincts (on the one hand) and social norms and objectives (on the other hand) leads to the occurrence of social aberration (Ignjatović, 2009: 48).

In his psychoanalytical research, Friedlander found that there are certain *primary factors* for developing an antisocial personality in juveniles, such as poverty and unemployment, but most importantly, parental personality disorders (Kostić, 2013: 6). Also, psychology-oriented criminologists believe in correlation between a child’s neglect or molestation with their *pathological disobedience*, which is defined as a “constant transfer of unfulfilled childhood desires into aggressive behavior (Kostić, 2013: 6).

The most significant theory in the *socio-psychological school of thought* is Sutherland's *theory of differential association*, which proposes that deviant behavior is learnt in contact with the society, in the process of communication with other people (Aćimović, 1975: 367). Another important socio-psychological theory is *the imitation theory* proposed by Gabriel Tarde, who thinks that social deviance occurs as a result of imitating the aberrative model of behaviour which spreads in concentric circles (Stevanović, 2013: 41, 42). This means that the imitation of socially deviant behaviour declines by getting away from a group, place, or society where it is most prominent.

Sociological theories address the concept of social deviance from the perspective of human society. The sociological *theory of anomie* is one of the most prominent theories, which was originally established by Emil Durkheim but it was subsequently developed by Merton. A state of *anomie* represents "non-normativity", a state of poverty, as well as the state of high prosperity, cultural and political instability, regress of norms and the system of values, which influences aberrant behavior of an individual as well as the community as a whole. In turn, individual conduct is driven by a behavioral pattern of a group or society. Merton, for example, points out that social promotion of prestige and wealth objectives by every mean, "weakens the balance between objectives and means determined by culture" (Merton, 1938; in: Ignjatović, 2009: 284). It is indisputable that the consequences of this process will be aberrant.

Within the framework of *the positivist school of thought*, Comte suggests that the society is "profoundly sick and unhealthy", and he perceives social deviance as a pathological phenomenon which implies "aberration from the social consensus", which disturbs the progress of society. Durkheim defines social deviance as "insulting the collective consciousness", and sees its cause in a disorganization of society and in a collapse of its values (Jugović, 2009: 53; Aćimović, 1975, 374; Stevanović, 2013: 49).

Durkheim points out that "a group thinks, feels and acts" differently than its individual members (Aćimović, 1975: 374). This means that an individual behaves deviantly only in order not to diverge from the behavior model adopted by a group, given the fact that an individual strives to belong to a group and to feel like its equal part; hence, if they acted differently, they would be marked by a group as deviant. Therefore, by consciously choosing an aberrant behavior (in order not to distinguish themselves from others), individuals may not be fully aware of the social deviance within the specific pattern of behavior; yet, they are primarily driven by a psycho-social desire to belong to a specific group and their behavior is even more preconditioned as the only possible or the only adequate one.

In contrast, the *socio-anthropological theory* postulated by Eric Fromm suggests that social deviance is a result of living in "a sick society", which is not adjusted to man's "authentic and universal human needs"; in such a society, individuals resort to deviant behavior for existential reasons, in order to satisfy their natural human needs (Jugović, 2009: 164).

Another important sociological theory is Selin's *theory of cultural conflict*, where deviations are perceived as abnormalities caused by a conflict of cultures. Selin states that "a conflict of norms exists when more or less different behavior rules are applied in similar social situations" (Stevanović, 2013: 60). The theory of cultural conflict gave rise to the development of the *theory of subcultures*, i.e. contra cultures, alternative cultures and especially youth subcultures. In this theory, the concept of social deviance and delinquency is perceived and explained through the behavioral patterns that occur in a certain group or subculture which cannot be tolerated and accepted by the conformist social majority and are therefore exposed to

some kind of social sanction. These deviations are very relativistic (for example, the 1960s sexual revolution and emergence of rock music culture). Yet, as early as in 1963, Berger pointed out that a youth subculture is not much different from an elder subculture, and that the influence of parents is crucial for its emergence (Ignjatović, 2009: 80).

The interactionist and constructivist theories see aberration as “a product of social interaction” which is defined by the specific social order; in other words, individual acts or characteristics are not deviant *per se* but they become such when a society condemns and labels them as such (Jugović, 2013: 203,204).

A significant contribution to the interactionist theory is Lemert’s classification of social deviations, which are designated as primary and secondary deviations. A *primary deviation* is a singular excess (embodied in a situational deviation or an initial aberration), which implies an isolated, individual deviant behaviour within the framework of “a socially acceptable act” (Lemert, 1951; in: Ignjatović, 2009: 336). Thus, even though such conduct is socially perceived as an aberration, the society shows a certain level of tolerance towards such conduct. A *secondary deviation* occurs when an individual act grows into a socially aberrant behavior pattern, which is subject to “a negative social reaction” (Jugović, 2013: 212). Lemert points out: “When one starts using deviant behavior or a role based on it as a mean of defense, attack or adjustment to the overt or covert problems created by the consequent social reaction towards him, then such deviation is a secondary one” (Lemert, 1951; in: Ignjatović, 2009: 336, 337).

Social deviations may also be classified as positive and negative ones. *Positive deviations* are those where an individual’s behavior is aimed at attaining certain ideal values; these aberrations are generally progressive and forward-thinking as related to the specific moment and society, and the social reaction towards them may be positive (Stevanović, 2013: 17). On the other hand, *negative deviations* bring an individual to a position which is way behind the standard social values and ideals; thus, a social reaction towards that kind of aberration is negative (Stevanović, 2013: 17).

Our theorist Milutinović explains the theory of social interactionism, according to which “a society itself identifies and selects delinquents”, which means that a certain politically and economically positioned group determines what behaviors will be considered deviant (Aćimović, 1975: 383). In addressing the question: who are those who can impose their own rules on others, Becker notices that the answer to this question must be sought among the factors of political and economic power (Becker, 1963; in: Ignjatović, 2009: 329).

The theory of moral panic, introduced by Jock Young and further elaborated by Stanley Cohen is another important interactionist theory which is important for understanding the problems of aberrations and morality, and their relation to criminogenesis or social reform and progress. Cohen states the essential elements and specific features of this concept: presenting something or someone as a treat to collective values and interests, which is followed by huge media exposure resulting in the escalation of public concern, social revolt or state reaction; the ultimate result is recognition of the *status quo* or a social reform (Jugović, 2013: 225).

Human history includes multiple examples of moral panic, ranging from social reaction to differences in skin color, language and culture that specific societies were in touch with, attitudes towards homosexuality, prostitution, marijuana consumption, jazz and rock’n’roll music, etc. The core of the moral panic theory is basically a collective question regarding a group or a behavioral model: what are they doing? The initial collective reaction was usually protest aimed at protecting the conformist values and traditional interests. A secondary reaction involved rationalization of aberration and state interference, while the consequence

was mainly a social reform in which an aberration was tolerated (as in case of Lemert's primary deviation) or became part of a socially accepted behavior model, by means of which it ceased to be aberration.

RELATIVISTIC TYPOLOGY OF SOCIAL DEVIANCE AS RELATED TO CRIMINOGENESIS AND SOCIAL PROGRESS

Notably, the greatest problem in establishing a causal link between aberration and criminogenesis lies in the fact that deviant behavior of an individual/group (as a cause or a condition for criminogenesis or crime as a massive phenomenon) has never been defined in universal terms in all societies/cultures and all development periods of a society/state. Moreover, it was highly difficult to determine the specific categories of deviant behavior, and its causality with delinquency, in different social areas and at different times. The normative relativism and diametrically opposite concepts aggravate these efforts.

How can we differentiate socially acceptable from socially deviant behavior? If we start from a stance that values (which are essential in determining the scope of morality) are given to us as *Kantian a priori* categories, that individuals cognize values through their spiritual being and reason, and that values are thus integrated in the higher structure of values, we can see that the axiological point of view has demonstrated a great level of stability. In a large number of societies and cultures, the stable multi-civilization values and principles are of universal character, and they are protected not only by ethical norms but also (and above all) by retributive legal norms. These basic *a priori* values had even been recognized by tribal communities, which further developed customs to protect these values.

However, the establishment of the first slave-holding societies brought about a *degeneration* of this system of values. History reminds us that deviant behavior in that system was, for example, the promotion of slaves' freedom or promotion of matriarchate, which is unimaginable today; on the other hand, a sexual intercourse between the members of the same sex was socially acceptable, which is again a great *taboo* in the developed contemporary society. Back then, the usage of various psychoactive substances was considered as a most natural phenomenon, while in today's world it is regarded as deviance, closely associated with delinquent behavior and criminogenesis.

In the Middle Ages, blasphemy and adultery were not only perceived as socially deviant behavior but also resulted in cruel punishments; on the other hand, arranged marriages between young girls (children at the age of puberty) with much older men were socially acceptable. Unfortunately, this still subsists as a social and legal phenomenon in many parts of the undeveloped and uncivilized world.

Nowadays, this relativism regarding social deviance is still very prominent, not only in sociology and social pathology but also the sphere of crime. The moral compasses that the society is guided by today and social aberrations (which may or may not be linked to delinquency) have been subjected to another socio-cultural shock.

In the contemporary etiological thought, the most prevailing types of social deviance which are closely associated with the occurrence of crime are: alcoholism/alcoholomania, narcomania, gambling, vagrancy, promiscuity and sexual deviations (paraphilias), prostitution (in the countries where prostitution is not prohibited but it is still socially condemned), religious groups practicing bizarre pagan rites and rituals, adult and juvenile

gangs organized on various criteria, attitude deviations including biases which may lead to delinquent behavior, etc. In that context, we note the concept of *victim precipitation* which implies victims' contribution to their own victimization, due to the presence of some characteristics and factors that make them prone to victimization (Kostić, 2010: 68, 69). These characteristics can contribute to social deviance or commission of crime, whose victims are usually deviants or even perpetrators themselves. Yet, the significance and the content of various forms of deviant behaviour are *per se* very relativistic.

Alcoholomania may be designated as an obsessive and unbearable need for consuming alcoholic beverages (Robertson, 2003: 19). There is a generally accepted conception that *alcoholism* is a chronic psychological and physiological addiction. *Alcoholophilia*, on the other hand, implies a liking for alcoholic beverages which are consumed to boost the feeling of happiness or satisfaction; although one may exceed the alcohol tolerance threshold, there is no addiction or unbearable desire involved in alcohol consumption.

In criminology, there is no common agreement to what extent alcoholism and alcoholmania represent criminogenic factors (Konstantinović-Vilić et al., 2009: 395). All criminological schools of thought accept a conception that there is a complex causal link between alcoholism and crime, although there are opinions that alcoholism alone does not necessarily and absolutely affect the process of criminogenesis (Konstantinović-Vilić et al., 2009: 395). Here, we will mention a research conducted by a psychologist Emmy Werner, who studied 505 residents of Kauai Island for thirty years (Kostić, 2011: 138). The results have shown that half of the children (born in the year 1955) were born under circumstances of poverty, parents' alcoholism, fear and abuse, but that one third of them succeeded in leading a prosperous life as adults, free from deviance and crime (Kostić, 2011: 138). Yet, the causal link between alcoholism and criminogenesis is still a regular occurrence when it comes to traffic offences and violent crime. Some research results show that alcohol is a factor present in as many as 73% of cases involving all types of crime (Stevanović, 2013: 102).

Narcomania (drug-addiction) and consumption of *psychoactive substances* in general are much more closely associated with criminogenesis. Narcomania is a chronic psychological and physiological addiction, which is characterized by uncontrollable craving for psychoactive substances. Narcomania is considered to be one of the criminogenesis factors, but drug-addiction and general consumption of psychoactive substances are neither directly nor exclusively associated with the commission of crime. The causal link is mostly reflected in a fact that drug-addicts get involved in crime only for the purpose of purchasing narcotics and psychoactive substances (Konstantinović-Vilić et al., 2009: 399). In the phenomenology of crime, the most common types of crimes committed by drug-addicts are property crimes, violent crimes, traffic offences and organized crime.

In the early periods of societal development, the use of alcohol and psychoactive substances was not regarded as a factor of social deviance or delinquency. In time, as certain causal links were recognized between these two phenomena, these acts were gradually designated as socially deviant behavior and penalized to some extent. Yet, they were not punishable in all societies and cultures. Nowadays, alcohol consumption is allowed to adults in most societies; the use of psychoactive substances is generally permissible but most jurisdictions prohibit the possession, production and distribution of narcotics, which ultimately amounts to general prohibition of these substances. In most societies, drug-addiction is perceived as a social aberration and is, therefore, subject to social disapproval and denunciation.

In some countries, the use of some psychoactive substances is legally allowed for specific medicinal purposes, in which case it does not constitute a delinquent behavior. On the other hand, in many countries, the society either repudiates or has reservations towards such therapeutic methods, whose results have been affirmed by numerous scientific studies. Hence, in the course of examining the criteria for establishing social codices and defining the concept of aberration, it is certainly important to observe the strong impact of tradition, prejudices and lack of adequate information in the given society.

There is no doubt that a negative stance of most societies towards the use of psychoactive substances in any form, including the general attitude towards the officially controlled, scientifically-based and dignified use of drugs for medical purposes, may logically be observed as a degradation and a form of deviance; thus, we can draw a conclusion that deviation is a relative and variable category. Namely, according to the morality of the social majority, the use of drugs for medical purposes should be condemned since it represents a deviance; on the other hand, this majority stance is in collision with the principles of nature, science, reason and logic, which ultimately makes it deviant. This is a typical example where the adapted moral compasses based on commonsense are the root of progress rather than the root of criminogenesis.

One of the most important criminogenic factors are *sexual deviations* (paraphilias or sexual perfidies). Yet, the concept of paraphilias, and their criminogenic impact, is one of the most relative criminogenic factors. In literature, sexual deviations imply any aberrant sexual conduct outside the scope of the generally accepted heterosexual pattern; given that such conduct departs from the “culturally accepted sexual norms”, where “the quality or form of sexual instinct is abnormal”, and the etiological background of such conduct is psychogenic (Kron, 2009: 117). The most common forms of paraphilias mentioned in literature are: exhibitionism, voyeurism, masochism, fetishism, transvestite fetishism, pedophilia, zoophile, necrophilia, etc. (Kron, 2009: 121). Many of these types of paraphilias are not only regarded as socially deviant forms of behavior; in a vast majority of societies, they are punishable as illegal criminal acts. It is beyond dispute that there is a strong causal link between criminogenesis and the forms of conduct embodied in paraphilia.

Homosexuality and bisexuality are nowadays emphasised as the rights of choices, but they are still considered as aberrant types of behaviour in some societies and cultures. In this context, we may pose the following question: why is sexual preference so important in some societies that they prescribe strict rules or sexual culture norms, which is not the case in some other cultures where these forms of conduct are not recognized as aberrant nor do they infringe on the social norms. Another question is the causal link between this type of behavior and criminogenesis. If the social interest is to sustain and to increase the nasality rate, the “prohibition” of homosexuality cannot have a significant impact on homosexuality as a phenomenon which has been present in all societies and cultures. On the other hand, nasality rate may be increased by using much more efficient measures.

Homophobia is usually associated with fear and/or revolt towards individuals, groups and forms of social behaviour which are perceived to be different from the generally accepted norms of the immediate environment. The development of human civilization includes numerous examples where societies and cultures attempted to obliterate such patterns of sexual behavior and persons of such sexual orientation. In many contemporary societies, homosexuals are labeled as “deviants”, “freaks”, or designated by using numerous offensive and derogatory terms. On the other hand, the LGBT population includes many highly reputable people who are

highly respected in the community and their professional circles, and who surely cannot be prone to criminal behavior. In the past, homosexuality was a criminal offence punishable under the law; thus, in the State of Ohio, the court described a homosexual mature male as *slimy*, *bestial*, and *lascivious* (Barnett v. State, 104 Ohio St. 298, 135 N.E. 647,649 (1922), as cited by Cantor, D. J., 1964: 446). Basically, if consensual sexuality is taken as the only criminogenesis factor, there are no grounds whatsoever for finger-pointing towards any group.

In public, we can frequently hear homophobic statements, such as: “*After the Gay Pride parade, there comes the pedophile parade.*” The public perception and reasoning about this phenomenon is alarming. It is absolutely clear that pedophilia is a non-consensual, forcible sexual intercourse with a child or a sexual exploitation of a child, which causes a lot of pain, suffering, injury, humiliation, has far-reaching psycho-physical and sociological disorders in the abused child. It is therefore inconceivable to equate a forceful criminal act against a child and a voluntary sexual intercourse between two consenting adults of the same sex, irrespective of how deviant and unacceptable it may be in the public eye. Despite the fact that most societies perceive homosexuality as an aberration and a breach of the existing standards of sexual culture, under the pressure of the international community, many countries have adopted legal provisions where such a stance towards persons of different sexual preference is defined as discrimination, which necessarily calls for state reaction. This is an example of how modern moral compasses of the society and the world that we live in may be changed, by expanding the corpus of human rights and freedoms, as well as the scope and meaning of individual rights.

Two other forms of aberrant behaviour which are marked as criminogenesis factors are ***promiscuity and prostitution***. *Promiscuity* implies a common change of sexual partners; as such, it is one of the earliest forms of aberration in human society. However, it is important to mention that the entire human history has been marked by double standards in terms of understanding and defining promiscuity as an aberration. Thus, there has always been a prominent tendency to associate promiscuity with women. Thus, a man who frequently changes sexual partners is usually marked as a *playboy*, whereas a woman behaving in a similar fashion is usually labeled as a *harlot* or designated by a number of other offensive and derogatory terms.

We should be particularly alarmed by the occurrence of juvenile promiscuity as a crime and a victimization factor. As a result of parents’ marital disputes or sexual intercourse in the presence of a child, *mixed messages* and children’s feeling of being unprotected may raise chances of their involvement in sexual activities with adults, which brings into play a set of other victimization factors (Kostić, 2013: 8).

Whereas promiscuity is not directly related to crime, there is an explicit causal link between prostitution and crime. *Prostitution* may be defined as a form of commercial promiscuity, which is related to crime in many ways (Konstantinović-Vilić et al., 2009: 403). First of all, in many countries, prostitution is illegal and punishable activity. Second, prostitution is closely related to organized crime and multilevel exploitation of women, children and men (Konstantinović-Vilić et al., 2009: 403). It is especially dangerous when organized as part of human trafficking, especially trafficking in women - which brings the highest profits to organized criminal groups, after trafficking in narcotics and weapons (Stevanović, 2013: 129). Prostitution is also an important factor in the commission of property and violent crimes, particularly in conjunction with other forms of social deviance, such as alcoholism, drug-addiction and gambling (Konstantinović-Vilić et al., 2009: 403).

Nevertheless, some countries (such as Germany and the Netherlands) have legalized prostitution, which has become a taxable activity. This phenomenon illustrates changing moral standards in the contemporary society, where another aberration has become a socially acceptable model of behavior in a specific social environment and culture.

Gambling is another widespread type of social aberration. Milutinović defines gambling as a commercial game organized according to betting rules, aimed at “gaining something for nothing, or winning a lot for little” (Konstantinović-Vilić et al., 2009: 404). It is a negative social phenomenon both when it is legally organized in registered casinos or other licensed objects and when it is illegal. Besides being a factor of devaluation of social and personal values, poverty, addiction and other forms of deviant behavior, gambling is closely related to organized crime, property and violent crimes, especially blackmail, extortion, racketeering, etc.

Vagrancy and vagabondage are closely related to numerous aberration types and crimes. Vagrancy and vagabondage as a lifestyle are most commonly associated with alcoholism, drug-addiction and property crimes. Besides the obvious causal links between this aberration and delinquency, vagrancy is a multilevel deviation which may embody special pathology if organized by criminal groups or criminogenic families. In many states, vagrancy is prescribed as an illegal act which is punishable as a misdemeanor (Konstantinović-Vilić et al., 2009: 407).

Deviant tendencies are also prominent in practices of various **sects and religious groups** which promote promiscuity, self-injury, suicide, use of psychoactive substances, etc. These social groups are designated as “*deviant subcultures*” (Konstantinović-Vilić et al., 2009: 379). On the one hand, these groups can be criminogenic when directly advocating or engaging in prostitution, procuring children for sexual activities, sacrificing animal, property crimes. Moreover, religious fanaticism and totalitarian dogmas have caused numerous religious wars, suicides and mass homicides. On the other hand, the official church/religion condemns and marks as deviant many forms of behavior which have been socially accepted by the secular state and modern society. In some countries, religious dogmas are copied as legal norms, which is for example the case in Muslim countries and Sharia law.

When speaking about informal groups, we should mention **adult and juvenile gangs**. Gangs are highly homogeneous groups, characterized by certain codes of behavior which are usually completely contrary to the social norms. They have special initiation rules for joining the gang, and members are required to abide by the gang structure and code. Besides including multifaceted aberrations (including promiscuity, alcohol and drug abuse, etc), these structures are frequently involved in the commission of criminal offences against public peace and order, hate crimes, property crimes and organized crime. The members of these subcultures are most commonly individuals coming from destitute social backgrounds, living under pressure due to numerous personal, family and social crises. Thus, when society rejects them as unadjusted, they seek for shelter among individuals and groups whom they can identify with. As their revolt against the society and its conformism strengthens, their aberrations develop both qualitatively and quantitatively. When it comes to juveniles, due to specific characteristics of their deviance and juvenile crime, it is notable that their aberrant conduct is “frequently subject to disapproval and misunderstanding of the child’s immediate living environment”, for which reason they deserve special attention and treatment (Kostić, 2013: 2).

Personal attitudes, stereotypes and prejudices may also have aberrant features. A typical example is *racism*, which is a significant factor in hate crime. Such attitudes may be expressed even by children, depending on the atavistic family and social background. Nonetheless, this category is highly relativistic as well. In some cultures and groups, expressing attitudes which

are opposite to racism is regarded as aberrant or socially deviant behavior. For example, in the Third Reich during the time of Nazism, it was deviant and punishable not to act according to current Nazi morality. A social reaction was so forceful that family members used to report each other to the Nazi authorities for any breach of the valid social codex. Nowadays, similar attitudes are still prominent within various neo-Nazi movements.

Another type of aberrant attitudes and stereotypes is *chauvinism*. The entire human civilization has been built on the ideas of patriarchy and woman's subordination in society. In the course of history, the moral and legal standards degraded and defined a woman as a lower or subordinate human being, the results of which may be observed in all aspects of social life: family, law, politics, science, etc. The consequences of these stereotypes will remain in the society, individual and collective psyche for a long time. The negation of woman as a being is still present in today's world, especially in Islamic and Hindu countries, as well as in underdeveloped/primitive cultures.

From the standpoint of the developed Western world and international community, the process of placing women on social margins constitutes an aberrant and socially unacceptable conduct. On the other hand, legal and moral standards that apply to women in the Western world are socially unacceptable in the men-governed societies, where women are not only degraded and considered as lower human beings but where criminal acts against woman's life and body are acceptable in the existing moral and social norms.

One of the most extreme types of man-dominant culture is reflected in the process of *clitoridectomy*, which has been defined by the World Health Organization¹ as female genital mutilation. This process implies mutilation of various genital parts of very young girls (female children) and women, which is followed by pain, suffering, infections, sterility and death. This despicable process is performed for the sake of male dominance over woman's body. This unimaginable and bizarre practice is a current social codex; it reflects a kind of man's *morality*, which is not only criminogenic but absolutely contra-natural. Thus, it is completely unbelievable how a pathogenic tradition subsists at the current level of development of social consciousness.

Another form of socially deviant behavior is reflected in man's *aberrant relation to animals*. Even though animals enjoying some legal protection in most states, this protection it is highly superficial and partial. A vast majority of people, even in civilized and progressive societies, believe that animals are lower beings subordinate to humans. In domestic judicial practice, there is a common attitude that an animal is a *dangerous thing* (Stanišić, 2014: 89; Petrov, 2011: 8), which is quite common in the Serbian community.

The greatest genius minds of the human civilization (Pythagoras, Plutarch, St. Francis of Assisi, Leonardo da Vinci, Tolstoy, Bernard Shaw, Mark Twain, Schopenhauer, Nietzsche, Darwin, Tesla, Einstein, Gandhi) had pointed out to the deviant nature of cruelty to animals, killing animals and their consumption. Pythagoras stated: "A man of my spiritual intensity does not eat corpses." Yet, in the contemporary world, *carnivorism* is not considered to be a deviation although it has all predispositions to be defined as one within the global ethics. Mark Twain stated: "The fact that man knows right from wrong proves his intellectual superiority to the other creatures; but the fact that he can do wrong proves his moral inferiority to any creatures that cannot" (Twain, 1906: 115). So many centuries after Pythagoras, after hearing so many commonsense statements on man's relation to animals

¹ For more, see: <http://www.who.int/mediacentre/factsheets/fs241/en/>, access date: 30/06/2015

as living beings which we share the world with, there are still no significant indications of changing the course of modern moral compasses in the direction of progress. Notably, Gandhi said: “The greatness of a nation and its moral progress can be judged by the way its animals are treated”.

Abortion and euthanasia are topical, disputable and highly relativistic phenomena, considering the fact that in some societies and cultures they are observed as socially unacceptable acts (i.e. aberrations of moral nature), which is not the case in some other societies.

In modern societies and legal systems, *abortion* is a legally permitted and non-punishable act if it is performed in accordance with the applicable law and rules of professional ethics, i.e. medical codex. Yet, in some other cultures and legal systems, abortion (termination of pregnancy) is forbidden. Even in those societies where abortion is a legal act, it is largely condemned by the community which poses a moral question concerning the choice between child's life and woman's right to freely make decisions about her own body. A socio-psychological and ethical aspect of abortion is highly complex, and the dispute on this phenomenon may encompass many different aspects. Basically, this phenomenon may be classified as moral panic. The legalization of abortion is another example of social reform, starting from social revolt to the establishment of a legislative and ethical framework for regulating the phenomenon which was generally perceived as an aberration.

Euthanasia is another controversial issue which illustrates a similar case of moral panic. Societies and countries are divided in defining the concept of euthanasia, which is perceived either as a permitted and morally acceptable act in some countries or as an aberration and a punishable criminal act in some other countries. There are few countries where euthanasia is officially allowed. In the national legislation, euthanasia is defined as a deprivation of life out of compassion, and it is envisaged as a privileged homicide crime, which is punishable by six months to five years sentence of imprisonment (The Criminal Code of RS, Article 117).

Ethical concepts of *capital punishment* and *chemical castration* are highly disputable as well. *Capital punishment*, as one of the oldest and the most frequently imposed criminal sanctions, was subject to significant social and legal change when it was prohibited in most societies and substituted by life imprisonment or long-term imprisonment. Nowadays, execution is forbidden by numerous international acts, including Protocol VI to the European Convention for Protection of Human Rights and Fundamental Freedoms (Article 1). Thus, the right to life has been safeguarded as the most fundamental human right.

Chemical castration, or anti-libidinal treatment, is as a measure imposed in cases of committing crimes against sexual freedom. In principle, the international community and most states take a stance that such a treatment is forbidden, although the public stance is usually opposite. There are just a few countries which permit chemical castration of sexual offenders (such as: Poland, Russia, Estonia, Macedonia); however, in these countries this kind of intervention is performed only upon an informed consent of the convicted sexual offender, for which reason it is not of penal character (Janković, 2014). Chemical castration also involves an *ethical dilemma* between the convicted sexual offender's right to make decisions regarding his body and the justification and permissibility of prevention, sanction and punishment for the commission of a sex crime where the victim had not been given such an opportunity.

There are other numerous examples of relativisation of social codices and collective consciousness, which are closely related to social progress and criminogenesis. All diametrical opposites that occur in this relation are preconditioned by the social climate,

political and traditional environment, and psycho-social regularities that occur at that level. Still, in order to define the characteristics, causes and factors of social deviance, and provide for its prevention, it is necessary to determine whether a phenomenon can indeed be categorized as social deviance. Despite the definitions and classifications, it is not an easy task as it is further complicated by the endeavour to address the question: Why is a phenomenon defined as a social deviance?

In defining the causes and factors of a specific social deviance, we may not rely on the postulates of a single school of thought. We have to examine a combination of various factors and their impact on the genesis of social deviance and delinquency. In this regard, the interactionist theories have succeeded in giving the most comprehensive answer to this question; yet, they have not provided relevant response to some phenomenological questions, such as: why *reality shows* and *illiteracy* are not considered aberrant phenomena.

Therefore, we can surely state that the needles of moral compasses of human civilization have turned countless times to indicate the direction of establishing ethical standards, social aberrations and crime, and the needles are still turning. Yet, as Rosa Luxemburg wisely noted: "Those who do not move do not notice their chains."

INSTEAD OF A CONCLUSION

Social deviance or aberrations are part of human nature and social dynamics. Notably, the definition of social norms and aberrations, and their causal link with criminogenesis, is a very variable, relativistic and contradictory category (particularly considering the general categorization into positive and negative social deviances). Social deviance may be an important factor in imposing social norms as well as a significant factor in instituting social change and reform. Moreover, there are misconceptions about the phenomenological characteristics of social deviance, as a result of which some phenomena are not recognized as social deviance while others may be wrongly designated as such. Ultimately, there are etiological mistakes which are reflected in multiple aspects of social life, including the prevention of social deviance.

Social pathology quickly changes its postulates, following trends of science and ethics. This phenomenon is a regular occurrence not only when observed in the historical context but also in the contemporary world; it is a living variable that largely determines the future categorization of morality, values and ideals, aberrations, crime and utilitarian progress. The essence of this viewpoint is a deeply rooted stance that ideals and values are of unchangeable *a priori* character; thus, the relativistic element is embodied in the impossibility of the individual and collective spirit to discover their natural substance, and to act in synchronicity with them.

A deviant and a conformist are indeed creatures of the same kind, and they are determined by their nucleus rather than by another individual. Thus, it is clear that the unavoidable inconsistency of psycho-social collective criteria is a *specificum* of normativism, aberrations and criminogenesis.

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O SOCIJALNIM DEVIJACIJAMA I MORALU U SAVREMENOM DRUŠTVU

Socijalne devijacije, pre svega, odlikuje dinamičnost i relativizam, što dovodi do poteškoća za fenomenologiju i etiologiju istih. Jedna od njih je poteškoća da se određene socijalne devijacije prepoznaju kao takve, kao i da se uoči da određeni fenomeni nisu socijalne devijacije, iako su takvim definisani. Stoga, u radu se polazi od pojmovnih određenja, podela i reprezentativne tipologije socijalnih devijacija, te se naglasak stavlja upravo na njihov relativistički element i socijalni ambijent u kome se vrši njihova kategorizacija. Na taj način pravi se paralela između kriminogeneze i naprednih tendencija u društvu. Ovakav osvrt dovodi do zaključka da specifikum normativizma i socijalne patologije čini nekonzistentnost u definisanju kriterijuma kojima se društvo rukovodi prilikom prepoznavanja socijalnih devijacija i njihovog pojmovnog određenja, njihove etiologije, ali i njihove prevencije.

Ključne reči: *socijalne devijacije, relativizam, društvo, etiologija.*