

The existence of inherent evil essay sample



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Criminology can be defined as “ an advanced, theoretical field of study. It tackles the study of crime, the causes of crime, the meaning of crime in terms of law, and the community reaction to crime” (NCWC Faculty, 2004). There are many theories created to address these queries. One of the most influential is the Labelling theory.

The labelling theory began when theorists sought to explore how and why some acts are seen criminal or deviant while others are not. The basis of this theory focuses on the social reaction of the society in which the individual is immersed in towards the act performed by the individual. It emphasized on the “ collective rather than the individual nature of the social action, advocated a study of interaction rather than casual studies and focused on the social processes including reactions and counteractions” (Florida State University, 2007).

The labelling theorists believed that an act becomes deviant or criminal just because the community labels the act as such. Thus, it is viewed that criminals are not evil persons who have committed wrongful or evil acts. They are just individuals who have been bestowed upon with criminal status by both the criminal justice system and the community because they have committed an act labelled as criminal or deviant by the community.

From this perspective, it could be seen that the nature of the act itself is irrelevant in determining the criminality or deviance of the act. What is significant in determining the act as such is the social reaction to the act committed. The determination of deviance thus involves a social process of definition, which “ involves the responses from others to an individuals

behaviour which is key to how an individual views himself” (Florida State University, 2007).

To further explain the above mentioned, Howard Becker, one of the famous labelling theorist, said in book titled “ *Outsider* ” (1997), that “ Deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an offender. The deviant is one to whom that label has successfully been applied; deviant behaviour is behaviour that people so label” (Becker, 1997).

Thus the basic premise of the labelling theory is “ there are no human acts inherently evil and deviant in themselves”. This is so because under this theory, an act would only be deemed deviant or evil if the community so labels it to be such. Inversely, if society does not react to the act, it would not be considered deviant. In other words, the key to determining whether or not an act is deviant lies not on the nature of the act itself, but on the reaction of the public towards the act committed.

It is the objective of this discussion paper to establish that the basic premise of the labelling theory stating that “ there are no human acts inherently evil and deviant in themselves” is correct and with basis. In order to reach the desired objective, this paper will discuss the different arguments supporting this premise. It will concentrate on the fact that there is indeed no such a thing as inherent deviance or evil.

This will be done through discussions on the meaning of deviance and evil in a sociological context. It will also employ the comparison of the labeling theory with other theories in criminal and deviant behavior. Other articles <https://assignbuster.com/the-existence-of-inherent-evil-essay-sample/>

gathered from books and the internet will be used as well in support of the objective of this paper. This paper does not seek to discuss in detail the other theories nor does it wish to establish which among the theories is the more acceptable one based on the opinion of the writer.

CHAPTER 2: DISCUSSION

Section 1: Definition of Evil and Deviance

As mentioned above, the basic premise of the labelling theory is “ there are no human acts inherently evil and deviant in themselves”. In order to get a grasp of this proposition, one must first look into the definition of evil and deviant behaviour.

Evil can be defined as a “ morally or ethically objectionable thought, speech, or action; behavior or thought which is hateful, cruel, violent, or devoid of conscience. Evil is sometimes defined as the opposite of good, or anything that opposes the force of life” (Wikipedia, 2007a).

In other words, to say that an act is evil, it should be viewed as morally or ethically objectionable or one that is hateful, cruel, violent or devoid of conscience. By this definition, it would seem that the premise of the labeling theory would apply. This is so because in order for an act to be evil, it should be viewed as morally or ethically objectionable. Whether or not an act is moral or ethical is a question of passing social standards set as the social norm.

To say that an act is evil because it is hateful, cruel, violent, or devoid of conscience is something that is relative. There may be some facts and <https://assignbuster.com/the-existence-of-inherent-evil-essay-sample/>

circumstances surrounding the act, which may have lead the person to act in such manner. As such, the act may be viewed as justified by some, or not justified by others. In any case, this would mean that to determine the act as evil will be left to the people to judge.

On the other hand, deviant behavior is defined as “ a behavior that is a recognized violation of social norms” (Wikipedia 2007b). By the definition itself, it could be seen that in order for an act to be labelled deviant social norms would have to step in for its determination. This presupposes the existence of social norms prior to the act. If an act conforms to the norms set then the act would not be viewed as deviant.

Based on the two definitions, the role of society in the determination of whether or not an act is deviant or evil is shown. This further strengthens the premise of the labeling theory because to say that an act is inherently evil or deviant presupposes the absence of society’s participation in the determination of the nature of the act.

Section 2: Changing Social Norms

The fact that the social norms change is proof that there is no inherent deviance or evil. This proves that what might be perceived as normal behaviour now may be perceived as deviant behaviour in the future. An example of this is the use of marijuana. In the United States, the use of marijuana was seen as a legitimate act. It was only deemed a deviant behavior when the Federal Bureau of Narcotics publicly defined the usage of marijuana as a breach of social order in 1937(Notre Dame, 1987).

This can also apply the other way around. Acts that were perceived as deviant behaviour could be perceived as normal behaviour in the future. Examples of this are homosexuality, and drug and alcohol addiction, and mental illness. Prior to 1973, The American Psychiatric Association listed homosexuality as a “sexual deviation”.

It was only in 1973 when it declared that homosexuality, by itself, does not necessarily constitute a psychiatric disorder (Notre Dame, 1987). In the case of drug addicts, alcoholics, and people with mental illness, their situation was changed from being viewed as deviants to simply ill people. Their infirmities are now attributed to illnesses, which can be medically cured rather than deviant behaviour, which should be punished.

Even the Catholic Church, an institution that is looked up to as a basis for morality, ethics, and spirituality, has changed its norms. During the medieval times, the Church required people to pay Church tax or tithes. It also required people to be buried in holy ground etc... Failure to do so would deny the persons entry to heaven and ensure the burning of their souls in hell after death (History Learning Site, no date). The Church, however, no longer practices this.

Another point that should be raised in connection with this argument is the fact that people resort to processes to liberate themselves from being labellees of deviant behaviour(Notre Dame, 1987) . Movements are made and protests are resorted to when people who are labelled as deviants feel that their rights are being violated or feel that they are being oppressed.

A classic example of this is the gay movement. The gay movement resulted to the removal of the classification by the American Psychiatric Association of homosexuality as sexual deviance. This further strengthens the premise of the labeling theory because it shows the relativity and flexibility of social norms from which deviance is determined.

Section 3: Different Culture, Different Norms

Another argument that should be considered is the fact that norms vary per culture. Every culture has its own set of norms to abide. An act may be acceptable in some places but unacceptable in others. This means that an act can be done in one place and be considered normal behaviour in that place, and can be committed in another place and be perceived as deviant behaviour in that place.

Here are some concrete examples of the above stated. The smoking of marijuana is illegal in most places. However, in Amsterdam, the use of marijuana is not illegal. Also, another example is chewing gum. This is allowed almost everywhere. In Singapore, the chewing of gum is an offense that is punishable by a fine. Most cultures do not allow bigamous and same sex marriages. Some religions and countries allow such marriages.

This strengthens the premise of the labelling theory because it shows that an act can be deviant in one place and acceptable in another. This goes to show that it is not in the nature of inherent evil or deviant because if it is in the nature of such, it should be perceived as evil or deviant wherever it is committed.

Section 4: Some Wrong Acts are Unprosecutable Because of Lack of Label

In Australia, despite the increasing awareness of the problem of sexual violence, there is still reluctance to consider date rape as criminal or even unacceptable behaviour (Australian Institute of Criminology, 2007). Date rape is the consummation of sexual intercourse through the use of alcohol or drugs such as rophynol.

This shows that even if the act done is obviously wrong. If there is no law or movement to treat it as deviant behaviour, the act will be considered normal behaviour. This strengthens the premise of labelling theory because even if rape is seen as a bad thing, it still is viewed as an unprosecutable act because it does not deviate from the social norm. In other words, if it were inherently evil, there should be no discussion regarding the matter and prosecution of the case should have been immediately sought.

Section 5: Attending Circumstances

Another argument in support of the premise of the labelling theory is the fact that attending circumstances are considered in determining whether or not an act would be considered deviant or evil. In criminal prosecutions, criminal defendants are given the option to raise certain circumstances to justify the commission of the act or to exempt him from criminal and civil liabilities (Sootak, 2001).

Justifying circumstances are those where the act of a person is said to be in accordance with law, so that such person is deemed not to have

transgressed the law and is free from both criminal and civil liability. In stating that the persons therein do not incur criminal liability shows that the state recognizes the acts of such persons as justified. Such persons are not criminals, as there is no crime committed (Brody, et al., 2001).

As mentioned above, this is a matter of defense and it is incumbent upon the accused, in order to avoid criminal liability, to prove the justifying circumstances claimed by him to the satisfaction of the court. In cases like these, the commission of the act is not denied. In fact it is admitted. What the defendant raises as an affirmative defense is the reasons and attending circumstances to its commission.

One most commonly used justifying circumstance is self defense. Self defense can be invoked by anyone who acts in defense of his person or rights including his property. Well entrenched is the rule that where the accused invokes self defense, it is incumbent upon him to prove by clear and convincing evidence that he indeed acted in defense (Leverick, 2007).

The reason why penal law makes self-defense lawful is it would be quite impossible for the state in all cases to prevent aggression upon its citizens and offer protection to the person unjustly attacked. Also, it cannot be conceived that a person should succumb to an unlawful aggression without offering any resistance (Snelling, 1960) .

The law on self defense embodied in any penal system in the civilized world finds justification in man's natural instinct to protect, repel, and save his person or rights from impending danger or peril; it is based in the impulse of

self preservation born to man and part of his nature as a human being (Wikipedia, 2007c).

To the Classicists in penal law, lawful defense is grounded on the impossibility on the part of the state to avoid a present unjust aggression and protect a person unlawfully attacked, and therefore it is inconceivable for the state to require that the innocent succumb to an unlawful aggression without resistance, while to the Positivists, lawful defense is an exercise of a right, an act of social justice done to repel the attack of aggression (Wasserman, 1987).

Another defense in criminal prosecutions are exempting circumstances. In exempting circumstances, technically a crime is committed, although by the complete absence of any of the conditions which constitute free will or voluntariness of the act, no criminal liability arises.

Exempting circumstances are those grounds for exemption from punishment because there is wanting in the agent of the crime any of the conditions which make the act voluntary or negligent. The exemption from punishment is based on the complete absence of intelligence, freedom of action, or intent, or on the absence of negligence on the part of the accused (Lords Hansard, 2006; Molan, 2005).

An example of an exempting circumstance is insanity. In order that the exempting circumstance of insanity may be taken into account, it is necessary that there be a complete deprivation of intelligence while committing the act, that is, the accused be deprived of reason; that he acts

with out the least discernment; or that there be a total deprivation of freedom of will (Morris, 1982; Wikipedia, 2007d).

This strengthens the premise of the labeling theory because it shows that an act cannot be perceived as inherently evil because a man has a chance to prove that he acted in accordance with justifiable reasons or is exempted due to circumstances beyond his control . An example of this is the act of killing. The Bible says that it is wrong to kill. In fact, taking ones life can be commonly viewed as a wrong thing to do.

However, as mentioned above, civilized societies have long recognized the principle of self defense. In cases like this, the accused is given a chance to explain the reason for the commission of the act or he may prove that he was insane when he committed the act. If that were the case, then it would not be inherently evil because acts that are inherently evil are evil at all times.

Section 6: Support From Other Deviance Theories

This section will discuss the views of the three broad classic sociological studies on deviant behaviour. It will then be compared with the premise of the labeling theory to show the similarities of the views of these theories with regard to inherent deviance. The three broad classic sociological schools of thought are Structural Functionalism, Symbolic Interactionism, and Power Conflict.

Subsection A: Structural Functionalism

Under this theory, it is believed that deviations come from the formation of norms and values, which are enforced by institutions. This is similar with the labelling theory in a sense that they both focus on the role of society in determining whether or not an act is deviant. It is the contention of this school of thought that deviant acts are not deviant on its own.

They only become deviant when institutions make standards, which prohibits a certain act and such act is committed. If no such standard is made, then the act does not become deviant. In other words, deviation is simply those acts that are not perceived as normal based on values, norms, or laws. The theorists of this school of thought therefore study deviance on a macro level perspective (AnthroBase, n. d.).

Subsection B: Symbolic Interactionism

Under this school of thought, deviance comes from the individual, not from social norms. It is something that is learned by the individual through experience. The deviant may learn deviant acts or may learn how to give excuses for deviance through exposure to other deviants. The focus of this school of thought is upon the consciousness and the mind of the individual as opposed to the institutions from where the norms come from.

Under this school of thought, it could be seen that deviance is something that should be learned. It is not something that is inherent in a person. It may differ from structural functionalism and labelling theory in a sense that it does not believe that social norms determine what is deviant it however is similar in a sense that deviance is something that undergoes a process and is not something that is inherently done (O'Boyle, n. d.).

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Subsection C: Power Conflict Studies

Under the power conflict theory, the manifestation of power into certain institutions is what is seen as the cause of deviance. It is argued in this school of thought that economic and class interests are what affect deviance. “Deviantization” is seen as a tool of the most powerful groups in society. Through this process, the acts that could be perceived as a threat to the ruling class are made illegal. In other words, the state’s dominant class uses the law as a coercive weapon against the lower class or minority.

The conflict theorists believe that deviance occurs when an individual’s actions or self come into conflict with the institution’s norms. These theorists, therefore, study how the institution’s use of power can affect the determination of deviant acts. This is similar with the labelling theory and the structural functionalists school of thought in a sense that they all believe that deviant behaviour is determined by social norms which must be followed (Edinboro University of Pennsylvania, n. d.).

CHAPTER 3: CONCLUSION

I agree with the premise of the labelling theory stating that “there are no human acts inherently evil and deviant in themselves”. As discussed in the previous chapter, inherent evil or deviance does not exist because of the following reasons. First, the social norms from which the act is based changes with the times. What may be acceptable now may not be acceptable in the future or vice versa. Second, every culture has a different set of norms. What may be acceptable here may not be acceptable some

where else. Third, not all wrong acts are considered deviant. Norms are set by people.

In the event that an act is not perceived as deviant, even if it may cause actual injury to others, it would still be considered normal behaviour. Last, there are attending circumstances that should be determined before judging if an act is deviant or evil. There exists such circumstances which would justify a persons act, or exempt him from liability, no matter how apparently wrong the act is. These arguments are supported by different theories in deviation such as structural functionalism, symbolic interactionism, and power conflict studies. In the final analysis, it could be seen that there is no such thing as inherent evil. All there is are social norms which tells us what evil is.

BIBLIOGRAPHY

AnthroBase. No date, Structural functionalism, [Online], *Dictionary of Anthropology* , Available from: http://www.anthrobase.com/Dic/eng/def/structural_functionalism.htm [3 June 2007]

Becker, H. S. 1997, *Outsiders* , Free Press.

Brody, D. C., Acker, J. R. & Logan, W. A. 2001, *Criminal Law* , Aspen Publishers, Inc.

Edinboro University of Pennsylvania. No date, *Conflict Theory* , [Online], Available from: http://www.edinboro.edu/cwis/soc/SOCIOLOGY/TAYLOR/soc260-conflict_theory.htm [3 June 2007]

<https://assignbuster.com/the-existence-of-inherent-evil-essay-sample/>

Leverick, F. 2007, *Killing in Self-Defence* (Oxford Monographs on Criminal Law and Justice, Oxford University Press.

Lords Hansard. 2006, Written Statements, [Online], *UK Parliament Publications & Records*, Available from: [http://www. publications. parliament. uk/pa/ld200506/ldhansrd/vo060123/text/60123-41. htm](http://www.publications.parliament.uk/pa/ld200506/ldhansrd/vo060123/text/60123-41.htm) [3 June 2007]

Molan, M. 2005, *Cases & Materials on Criminal Law, 1st Ed.*, Routledge Cavendish.

Morris, N. 1982, *Madness and the Criminal Law*, University of Chicago Press.

O'Boyle, K. No date, Symbolic Interactionism, [Online], Ohio University, Available from: [http://oak. cats. ohio. edu/~ko371597/symbolic. htm](http://oak.cats.ohiou.edu/~ko371597/symbolic.htm) [3 June 2007]

Snelling, H. A. 1960, Killing in self-defense, *Australian Law Journal*, 34, 130.

Sootak, J. 2001, The Civil Law Institutes as Part of Criminal Law, [Online], *Juridica International*, pp. 178-183, Available from: [http://www. juridica. ee/print_ article_ et. php? document= en/international/2001/1/24240. ART. 7. pub. php](http://www.juridica.ee/print_article_et.php?document=en/international/2001/1/24240.ART.7.pub.php) [3 June 2007]

University of Notre Dame. 1992, Lecture 09 – Social Psych, Deviance, [Online], Available from: [http://www. nd. edu/~rwilliam/xsoc530/deviance. html](http://www.nd.edu/~rwilliam/xsoc530/deviance.html) [3 June 2007]

Wasserman, D. 1987, Justifying Self-Defense, *Philosophy and Public Affairs*, 16, 4, pp. 356-378.

Wikipedia, The Free Encyclopedia. 2007a, *Evil(2007a)* , [Online], Available from: [http://en.wikipedia.org/wiki/Evil\(2007a\)](http://en.wikipedia.org/wiki/Evil(2007a))

Wikipedia, The Free Encyclopedia. 2007b, *Deviant behavior* , [Online], Available from: http://en.wikipedia.org/wiki/Deviant_behavior [3 June 2007]

Wikipedia, The Free Encyclopedia. 2007c, *Self-defence (Australia)* , [Online], Available from: [http://en.wikipedia.org/wiki/Self-defence_\(Australia\)](http://en.wikipedia.org/wiki/Self-defence_(Australia)) [3 June 2007]

Wikipedia, The Free Encyclopedia. 2007d, *Insanity*, [Online], Available from: <http://en.wikipedia.org/wiki/Insanity> [3 June 2007]

Williams, K. 2004, *Textbook on Criminology, 5th Ed .*, Oxford University Press.