

SOCI 2305 | Deviance | Spring 2026
Sketching the Sketchy – the Complications of Elite Deviance

Questions: Is it really deviant? Is it actually a crime? Is it even wrong? Was it harmful? Who was harmed? How many were harmed? Was it intentional? Are those at the top even responsible? Can those in charge even be punished?

Answer: It depends

Simply stated, deviance is about rule breaking. This is mostly about ordinary people though we commonly focus on the usual suspects – the young, the poor, the different. But there's always a double standard – high-status deviance always gets a pass. Thus, elite deviance is uncomplicated, complicated and complicating.

It produces harm

- **Harm from crime.** Murder kills people. So do wars. So do business practices. High status kills, injures, causes disease, & steals. Harm also affects psychological well-being and stokes fear.
- **Analogous social injury.** Harms as also equivalent to crimes. Measuring harm is key, not making moral judgments.*

It is costly

- **Numbers affected.** Elite deviance causes far greater victimization – the numbers affected can be great swaths of the population, entire communities, societies/nations, and the entire globe.
- **Financial Costs.** The costs of wrongdoing and harm inflicted are far greater and consequential. These include the physical costs to people, financial costs, and the social costs – things like trust and confidence. One Justice Department estimate put annual losses from white-collar crimes from \$426 billion to \$1.7 trillion.

High Status complicates

- The *high status of offenders' accords them power.*
- *Not just power but authority.* When elite power lies in authority, then it's rightfully exercised. High status gives elites the presumption of legitimacy. Since their status and actions define values and laws, it is often beyond reproach.
- High organization status offers protection when there is *a lack of a clear chain connecting decisions or knowledge at the top with behavior of subordinates.* The buck generally stops far short of those at the top – in authority.
- High status is *accompanied by greater resources* that can thwart accountability, prosecution, or even blame.

Ambiguous violations complicates

- Elite wrongdoing is often technically *not criminal* (no laws were broken)
- Elite actions may *not really be deviant.* Customary practices by high officials, top executives, and important notables may make their actions normative – it's business as usual.
- Elite actions *may arguably be admirable even if means, ends, & intent were sketchy* (what strong leaders do, blah, blah)

The absence of intent complicates

- Elites may not have intended deviance. Elite deviance often *lacks criminal intent* or mens rea – an intent to do wrong or do harm. The absence of malice can obscure the callous indifference, reckless risk-taking, and criminal negligence.
- *Locating criminal intent is difficult when it involves organizations.* Criminal intent normally applies to individuals and their motives, not multiple people within organizations. Chains of command can also easily blur and obscure intent.

Invisible victimization complicates

- Elite deviance produces victimization that is *less apparent or felt by those adversely affected.*
- *Victimization is often diffuse* – since its spread among many victims unknown to each other and thus unaware of shared victimization.
- The causes of harm may be *hard to detect or isolate.* The 'one thing leads to another' may be such that it's hard to discern the one thing and all of the others.

Social Constructionism's final pitch. About elite deviance, how is it different? When the powerful engage in harm and wrongdoing, it's deviant mostly only when they say so. Unless others say so. Others, however, risk being seen as deviant doing so.

* 60 years after the U.S. Surgeon General issued a warning about cigarette smoking and 20 years since a Federal Judge found tobacco companies engaged in a conspiracy to hook smokers, nearly a half-million people continue to die year from cigarette related disease. Recent estimates put medical malpractice as responsible for 400,000 lives annually. Between 2018 and 2020, there were an estimated 49,000 product-related deaths and 34 million injuries from consumer products. Foodborne illnesses cause an estimated 48 million illnesses, 128,000 hospitalizations, and 3,000 deaths annually.