

Wittgensteinian-Foucauldian Analysis of Labelling Theory

Coraline Empson

In this essay I shall present a thesis that threads through all the strengths of labelling theory using a Wittgensteinian-Foucauldian model. Combining Wittgenstein's concept of language games with a hegemonic analysis of the power expressed within those language games and how all this relates to what I call the "hegemonic power of the label". I explain these theoretical foundations and then I will explore the empirical evidence that illustrates them in action. Then I will consider the weaknesses in labelling theory.

In *Outsiders* (1963) HS Becker forms modern labelling theory. He starts from the point that it is a fallacy to assume deviance is a matter of an innate ethical character, i.e., the idea that the criminal is a criminal because there is something inherent to them that makes them such (Becker 1963, p. 11-14). Rather, Becker challenges the essentialist premise of the *soi-disant* common-sense approach to deviance and tables the idea that deviance is a product of labelling certain behaviours that have been established as such by the powers that be. Society creates certain rules, and when someone breaks these rules, they are othered and referred to as "outsiders", and thusly deviance becomes not an act but rather a consequence of that very labelling, in his words "deviant behaviour is behaviour that people so label" (Becker 1963, p. 15-17).

Wittgenstein, in his seminal work "Philosophical Investigations" (1953) pointed out that language is not a mere neutral tool of communication but is rather defined by politically and socially embedded practices by which words themselves take on a meaning defined by use, and such use is influenced by the political and social context of the person using the given word. These form together a totality that becomes the "language game", which is the set of definitions words take on in differing contexts that demand certain rule-following to make sense. Language games are an essential part of my thesis here, alongside Michel Foucault's general approach to power. Foucault (1991) makes the profound argument that power is essentially an omnipresent entity that is embodied in everything we do and know, as Foucault himself said "Power is everywhere; not because it embraces everything, but because it comes from everywhere" (Foucault 1976, p. 93). Thus, deviance is grounded in the language game. It has infinite possible definitions. The great problem is that those definitions can be grounded in what the powers that be hegemonically prescribe as the definition - which in itself reinforces the power dynamics of the modern world.

With these two separate theories in mind let us combine them. If language is essentially contextually defined and power is everywhere we can understand that language games can easily become hegemonic totalities of different power expressions.

Therefore, when we consider certain groups of people "deviant", we are establishing and perpetuating the hegemonic idea that those people are inherently criminal in their nature. Within the language game there are certain expressions of hegemonic power. Certain words applied to certain groups with particular types of intended or implied meaning that reinforces particular operations of hegemony which labelling theory ultimately exposes. The point is to always consider: who does the label benefit? why is this label being perpetuated? The implicit forms of hegemonic power expression ingrained in our language games can be found in countless examples, but a particularly significant example is the way UKIP and various other pro-brexit parties otherised immigrants with an "us and them" mentality, claiming that immigrants are deviant criminals who will very negatively contribute to society, this form of white supremacist hegemonic expression then became normalised within the media and is still constantly a problem today (Conzo et al 2021). Additionally, the very concept of "immigrant" is a label that is used to make people seem like outsiders in one way or another by the process of "migrantification" (Forkert et al 2020). When we force immigrants to feel like outsiders who don't belong, it necessarily follows that they will act out this label, because they will not feel welcomed, thus the racist feels justified in their worldview, despite the fact that these circumstances are the fault of white supremacy itself, not the immigrants. That is the hegemonic power of the label, it is the creation of a self-fulfilling prophecy advantageous to the powers that be, a creation found at the heart of language and power, fuelling a massive moral panic, creating a cycle that seemingly never ends.

This is also seen in the school-to-prison pipeline, one of the most depressing displays of Becker's labelling theory. In *The School-to-Prison Pipeline* (2016) Heitzeg exposes racist discrimination in schools and how it results in African American adolescents being disproportionately incarcerated. They are labelled as "disruptive", "troubled", etc which results in them being more strictly punished which results in the further internalisation of the label. Heitzeg explains how these labels can cause adolescents to feel pressured into committing crime and that ultimately, because black kids are disciplined more harshly than white kids, they are much more likely to feel compelled to rebel and thus to embody the very labelling that pushed them to that very mindset, Braithwaite (1989) also points out this involves the possibility of subcultures that challenge the values of the particular school forming from these processes of systemic labelling. The point here is that these racist hegemonic notions of a typical criminal being a young black male are being continuously and ruthlessly perpetuated by the labelling process and the discipline process within school systems. The label does harm precisely because of the hegemony at the heart of the utterance of that very label. The political language game is thus a toxic totality of oppression: power is everywhere and everywhere is the language game.

The hegemonic power of the label does not end here, not even close. In his seminal work *Stigma* (1963) the great Erving Goffman defines stigma as a negative label that reduces the ones labelled to a spoiled identity, marked by an attribute(s) that society has deemed in some way to be undesirable. In this way, one might consider the process of labelling and maintaining others as "outsiders" as underlined by this stigmatisation. This process is very apparent in the discrimination faced by ex-offenders, Ahmed & Lång (2017) in a field experiment found evidence in line with countless other research that ex-offenders in the labour market are heavily discriminated against, particularly in white-collar jobs. Here the power of the label is very clear, not only does it put people in prison in the first place, but when they are released, it stops them from being treated fairly. It is a simple

analysis here to see that if ex-offenders find it particularly hard to find work, they might be forced back into crime to support themselves and their loved ones. Here it reveals itself to us: the dual utility of the label, in the first instance to label the person deviant in an attempt to have them act out this label but even if that were to fail, the label can still have dire consequences of othering and making those labelled feel like outsiders. Just because the label is not always successful in forcing others to act them out, does not necessarily mean that this process of systemic labelling is not happening, there is far more evidence than I have space to discuss: in particular mental health (Williams 1987, Wing & Brown 1978) and drug use (Joyce et al 2019, Williams 1976).

For all the explanatory power labelling theory might have, two problems cannot be ignored: it is both reductivist and fatalistic. By reductivist, I am referring to the fact it basically reduces humans to machines that will inevitably just follow through on these labels, totally disregarding any kind of individual decision-making. Fuller (1984) found that working class black girls who were negatively labelled attempted to actively disprove the label rather than simply internalise it, suggesting that this kind of individual decision-making is a viable alternative to the labelled simply acting out said label. It's fatalism is its most dangerous attribute. Labelling theory essentially makes an a priori claim that the internalisation of the label is deterministically inevitable. This mechanistic view of humans might be considered a kind of absurdity. Mills (1959) pointed out how modern sociology was far too attracted to these kind of determinist, abstract grand ideas about social phenomena and how the sociological imagination is the antidote. Labelling Theory suffers from the same old problem of attempting to form a universally applicable theory of something so complex it is unlikely a single universal theory could ever account for it. Thus here one questions the metacriminology that underpins labelling theory, perhaps it is too narrow minded.

This has been thrown into question with regards the relativism of the theory. Wellford (1975) points out an assumption that is inherent in labelling theory is the idea no act is inherently criminal and argues this is a problematic presumption. Citing Linton (1952) and Hoebel (1954) Wellford underscores that there is a significant amount of cross-cultural agreement about certain "legal universals", the obvious ones being homicide and sexual assault. One should question if labelling theory is really logical to apply in these kinds of cases, and whether the normative ethical statement "murder is not inherently criminal" makes much sense to ponder over. To me this is a real philosophical problem labelling theory runs into, it seems fairly clear it couldn't possibly apply to every form of deviance, but if that is true, then deviance is not inherently the mere result of labelling, and there must be other factors at play. If labelling theory cannot be universally applied and is too deterministic then we have seemingly good reason to doubt how far it can truly go.

Gibbs (1966: 1972, cited in Wellford 1975) stresses another issue of logic with labelling theory: the reactive nature of how deviance is defined. If deviance is known only by the reaction to it then the question arises: what kind of reaction is sufficient to ground deviance? and perhaps more significantly, what is the source of these reactions if the deviance is only defined a posteriori? Did the concept of deviance spring into existence ex nihilo? This is yet another significant problem that plagues labelling theory. It seems to lack concision with regards many of its core aspects. It appears the concept of deviance comes into existence out of nothing..yet we know it does not, thus the

question is: out of what does the label arise? Warner and DeFleur (1968) point out two important factors that are problematic within labelling theory: 1) the assumption that attitude (in this case labelling) directly changes self concept (ie "i am deviant") and 2) this shift in self concept necessitates action (deviance in itself). These assumptions seem to be empirically mixed (Chavez & Rocheleau 2017) and the degree to which they could be considered universal is certainly questionable. Humans are very complex and thus it is next to impossible to map out a universal predictable model that will actually work, and labelling theory is another example of that. It seems labelling theory is best considered as simply one way to view deviance, rather than the universal theory of it, and although I have cited the positivists in my critiques of labelling theory, I am well aware they are guilty of mischaracterising the theory.

Concluding, I have shown how a Wittgensteinian-Foucauldian framework of Becker's Labelling Theory can help bright a lot of light to the significant explanatory power that the theory has in particular contexts, from the school to prison pipeline to the process of migrantification. I have explored the positivist critiques of the theory and included some of my own analyses of the philosophical problems present within labelling theory.

Reference List:

- Ahmed, A.M. And Lång, E., 2017. The employability of ex-offenders: a field experiment in the Swedish labor market. *IZA journal of Labor Policy*, 6, pp.1-23.
- Becker, H.S., 2008. *Outsiders*. Simon and Schuster.
- Braithwaite, J., 1989. *Crime, shame and reintegration*. Cambridge University Press.
- Chavez, J.M. And Rocheleau, G.C., 2020. Formal labeling, deviant peers, and race/ethnicity: An examination of racial and ethnic differences in the process of secondary deviance. *Race and Justice*, 10(1), pp.62-86.
- Conzo, P., Fuochi, G., Anfossi, L., Spaccatini, F. And Mosso, C.O., 2021. Negative media portrayals of immigrants increase ingroup favoritism and hostile physiological and emotional reactions. *Scientific Reports*, 11(1), p.16407.
- Forkert, K., Bhattacharyya, G., Oliveri, F. And Graham, J., 2020. How media and conflicts make migrants. *How media and conflicts make migrants*, pp.1-224.
- Foucault, M., 2012. *The birth of the clinic*. Routledge.
- Foucault, M., 2019. *The history of sexuality: 1: the will to knowledge*. Penguin UK.
- Fuller, M., 2012. Black girls in a London comprehensive school. In *Schooling for women's work* (pp. 52-65). Routledge.
- Gibbs, J.P., 1966. Conceptions of deviant behavior: The old and the new. *Pacific Sociological Review*, 9(1), pp.9-14.
- Gibbs, J.P., 1972. Issues in defining deviant behavior. *Theoretical perspectives on deviance*, pp.39-68.
- Goffman, E., 2009. *Stigma: Notes on the management of spoiled identity*. Simon and schuster.
- Heitzeg, N.A., 2016. *The school-to-prison pipeline: Education, discipline, and racialized double standards*. ABC-CLIO.
- Hoebel, E.A., 2009. *The law of primitive man: A study in comparative legal dynamics*. Harvard University Press.
- Joyce, M., Sklenar, E. And Weatherby, G., 2019. *Decriminalizing drug addiction: The*

effects of the label. *MOJ Research Review*, 2(2), pp.83-91.

Linton, R., 1952. Universal ethical principles: an anthropological view. *Moral principles of action*, 646.

Mills, C.W., 2000. *The sociological imagination*. Oxford University Press.

Warner, L.G. And DeFleur, M.L., 1969. Attitude as an interactional concept: Social constraint and social distance as intervening variables between attitudes and action. *American Sociological Review*, pp.153-169.

Wellford, C., 1975. Labelling theory and criminology: An assessment. *Social Problems*, 22(3), pp.332-345.

Williams, S., 1987. Goffman, interactionism, and the management of stigma in everyday life. In *Sociological theory and medical sociology* (pp. 134-164). Routledge.

Wing, J.K. And Brown, G.W., 1970. Institutionalism and schizophrenia: Summary, discussion and conclusion. *Institutionalism and schizophrenia*, pp.177-94.

Wittgenstein, L., 2010. *Philosophical investigations*. John Wiley & Sons.