

READING 1-2

Moral Entrepreneurs

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Rules are the products of someone's initiative and we can think of the people who exhibit such enterprise as *moral entrepreneurs*. Two related species—rule creators and rule enforcers—will occupy our attention.

RULE CREATORS

The prototype of the rule creator, but not the only variety as we shall see, is the crusading reformer. He is interested in the content of rules. The existing rules do not satisfy him because there is some evil which profoundly disturbs him. He feels that nothing can be right in the world until rules are made to correct it. He operates with an absolute ethic; what he sees is truly and totally evil with no qualification. Any means is justified to do away with it. The crusader is fervent and righteous, often self-righteous.

It is appropriate to think of reformers as crusaders because they typically believe that their mission is a holy one. The prohibitionist serves as an excellent example, as does the person who wants to suppress vice and sexual delinquency or the person who wants to do away with gambling.

These examples suggest that the moral crusader is a meddling busybody, interested in forcing his own morals on others. But this is a one-sided view. Many moral crusades have strong humanitarian overtones. The crusader is not only interested in seeing to it that other people do what he thinks right. He believes that if they do what is right it will be good for them. Or he may feel that his reform will prevent certain kinds of exploitation of one person

by another. Prohibitionists felt that they were not simply forcing their morals on others, but attempting to provide the conditions for a better way of life for people prevented by drink from realizing a truly good life. Abolitionists were not simply trying to prevent slave owners from doing the wrong thing; they were trying to help slaves to achieve a better life. Because of the importance of the humanitarian motive, moral crusaders (despite their relatively single-minded devotion to their particular cause) often lend their support to other humanitarian crusades. Joseph Gusfield (1955:223) has pointed out that:

The American temperance movement during the 19th century was a part of a general effort toward the improvement of the worth of the human being through improved morality as well as economic conditions. The mixture of the religious, the equalitarian, and the humanitarian was an outstanding facet of the moral reformism of many movements. Temperance supporters formed a large segment of movements such as sabbatarianism, abolition, woman's rights, agrarianism, and humanitarian attempts to improve the lot of the poor. . . .

In its auxiliary interests the WCTU revealed a great concern for the improvement of the welfare of the lower classes. It was active in campaigns to secure penal reform, to shorten working hours and raise wages for workers, and to abolish child labor and in a number of other humanitarian and equalitarian activities. In the 1880's the WCTU worked to bring about legislation for the protection of working girls against the exploitation by men.

As Gusfield (1955:223) says, "Moral reformism of this type suggests the approach of a dominant class toward those less favorably situated in the economic and social structure." Moral crusaders typically want to help those beneath them to achieve a better status. That those beneath them do

not always like the means proposed for their salvation is another matter. But this fact—that moral crusades are typically dominated by those in the upper levels of the social structure—means that they add to the power they derive from the legitimacy of their moral position, the power they derive from their superior position in society.

Naturally, many moral crusades draw support from people whose motives are less pure than those of the crusader. Thus, some industrialists supported Prohibition because they felt it would provide them with a more manageable labor force (McCarthy 1959:395–396). Similarly, it is sometimes rumored that Nevada gambling interests support the opposition to attempts to legalize gambling in California because it would cut so heavily into their business, which depends in substantial measure on the population of Southern California.

The moral crusader, however, is more concerned with ends than with means. When it comes to drawing up specific rules (typically in the form of legislation to be proposed to a state legislature or the Federal Congress), he frequently relies on the advice of experts. Lawyers, expert in the drawing of acceptable legislation, often play this role. Government bureaus in whose jurisdiction the problem falls may also have the necessary expertise, as did the Federal Bureau of Narcotics in the case of the marihuana problem.

By leaving the drafting of the specific rule in the hands of others, the crusader opens the door for many unforeseen influences. For those who draft legislation for crusaders have their own interests, which may affect the legislation they prepare. It is likely that the sexual psychopath laws drawn by psychiatrists contain many features never intended by the citizens who spearheaded the drives to “do something about sex crimes,” features which do however reflect the professional interests of organized psychiatry.

THE FATE OF MORAL CRUSADES

A crusade may achieve striking success, as did the Prohibition movement with the passage of the

Eighteenth Amendment. It may fail completely, as has the drive to do away with the use of tobacco or the anti-vivisection movement. It may achieve great success, only to find its gains whittled away by shifts in public morality and increasing restrictions imposed on it by judicial interpretations; such has been the case with the crusade against obscene literature.

One major consequence of a successful crusade, of course, is the establishment of a new rule or set of rules, usually with the appropriate enforcement machinery being provided at the same time. I want to consider this consequence at some length later. There is another consequence, however, of the success of a crusade which deserves mention.

When a man has been successful in the enterprise of getting a new rule established—when he has found, so to speak, the Grail—he is out of a job. The crusade which has occupied so much of his time, energy, and passion is over. Such a man, at loose ends, may generalize his interest and discover something new to view with alarm, a new evil about which something ought to be done. He becomes a professional discoverer of wrongs to be righted, of situations requiring new rules.

When the crusade has produced a large organization devoted to its cause, officials of the organization are even more likely than the individual crusader to look for new causes to espouse. This process occurred dramatically in the field of health problems when the National Foundation for Infantile Paralysis put itself out of business by discovering a vaccine that eliminated epidemic poliomyelitis. Taking the less constraining name of The National Foundation, officials quickly discovered other health problems to which the organization could devote its energies and resources.

Only some crusaders, then, are successful in their mission and create, by creating a new rule, a new group of outsiders. Of the successful, some find they have a taste for crusades and seek new problems to attack. Other crusaders fail in their attempt and either support the organization they

have created by dropping their distinctive mission and focusing on the problem of organizational maintenance itself or become outsiders themselves, continuing to espouse and preach a doctrine which sounds increasingly queer as time goes on.

RULE ENFORCERS

The most obvious consequence of a successful crusade is the creation of a new set of rules. With the creation of a new set of rules we often find that a new set of enforcement agencies and officials is established. Sometimes, of course, existing agencies take over the administration of the new rule, but more frequently a new set of rule enforcers is created. The passage of the Harrison Act presaged the creation of the Federal Narcotics Bureau, just as the passage of the Eighteenth Amendment led to the creation of police agencies charged with enforcing the Prohibition Laws.

With the establishment of organizations of rule enforcers, the crusade becomes institutionalized. What started out as a drive to convince the world of the moral necessity of a new rule finally becomes an organization devoted to the enforcement of the rule. Just as radical political movements turn into organized political parties and lusty evangelical sects become staid religious denominations, the final outcome of the moral crusade is a police force. To understand, therefore, how the rules creating a new class of outsiders are applied to particular people we must understand the motives and interests of police, the rule enforcers.

Although some policemen undoubtedly have a kind of crusading interest in stamping out evil, it is probably much more typical for the policeman to have a certain detached and objective view of his job. He is not so much concerned with the content of any particular rule as he is with the fact that it is his job to enforce the rule. When the rules are changed, he punishes what was once acceptable behavior just as he ceases to punish behavior that has been made legitimate by a change in the rules. The

enforcer, then, may not be interested in the content of the rule as such, but only in the fact that the existence of the rule provides him with a job, a profession, and a *raison d'être*.

Enforcers of rules, since they have no stake in the content of particular rules themselves, often develop their own private evaluation of the importance of various kinds of rules and infractions of them. This set of priorities may differ considerably from those held by the general public. For instance, drug users typically believe (and a few policemen have personally confirmed it to me) that police do not consider the use of marihuana to be as important a problem or as dangerous a practice as the use of opiate drugs. Police base this conclusion on the fact that, in their experience, opiate users commit other crimes (such as theft or prostitution) in order to get drugs, while marihuana users do not.

Enforcers, then, responding to the pressures of their own work situation, enforce rules and create outsiders in a selective way. Whether a person who commits a deviant act is in fact labeled a deviant depends on many things extraneous to his actual behavior: whether the enforcement official feels that at this time he must make some show of doing his job in order to justify his position, whether the misbehavior shows proper deference to the enforcer, whether the "fix" has been put in, and where the kind of act he has committed stands on the enforcer's list of priorities.

The professional enforcer's lack of fervor and routine approach to dealing with evil may get him into trouble with the rule creator. The rule creator, as we have said, is concerned with the content of the rules that interest him. He sees them as the means by which evil can be stamped out. He does not understand the enforcer's long-range approach to the same problems and cannot see why all the evil that is apparent cannot be stamped out at once.

When the person interested in the content of a rule realizes or has called to his attention the fact that enforcers are dealing selectively with the evil that concerns him, his righteous wrath may be

aroused. The professional is denounced for viewing the evil too lightly, for failing to do his duty. The moral entrepreneur, at whose instance the rule was made, arises again to say that the outcome of the last crusade has not been satisfactory or that the gains once made have been whittled away and lost.

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