**TRUSTED CRIMINALS - UNDERSTANDING WHITE COLLAR CRIME**

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 **Course description**

Albeit the term of white-collar crime has been introduced by Edwin H. Sutherland in 1939 as „a crime committed by a person of respectability and high social status in the course of his occupation” (Sutherland 1949: 9), we can state that this type of crime has been existing since the establishment of the first societies. The nature of white-collar crime depends on the actual state (health) of the society which is related to the culture and the political system of a given country, as well as to the international environment via effects of political and economic relations.

The aim of the course is to answer basic criminological questions about the nature, the prevalence, offender profiles, the victimization, the causation, the prevention and the deterrence of white collar crime. During the course typical (American and European) white-collar crime cases will be analyzed. Typical examples of this type of crime occurred in Hungary during the last two decades will be discussed.

In criminology, several concepts have been developed to grasp forms of crime committed in the context of organizations, such as white-collar crime, corporate crime, state crime, occupational crime, governmental crime, state-corporate crime and finance crime. Studies on these forms of crime have pointed at the significance of the fact that the crimes are committed by people who enjoy a relatively high level of trust and respectability and who are operating in the context of organizations. While it is generally acknowledged that such white-collar crime is very harmful to society.

During the course we will use films and You-tube clips to understand the cases. In the classes there will be group discussion on definitions, theories and explanations of white collar crime.

**Course schedule**

**Lecture 1: Introduction the study of crime and criminality: The basis of criminological inquiry. Introduction to the white collar crime research.**

- What is crime?

- Basic concepts and general introduction

- Criminal Policy

- Criminal Justice System

- What is Criminology?

- Why study white collar crime?

**Lecture 2: Definitions and concepts of white collar crime studies/organizational criminology.**

- Definitions

- Schafer István, Edwin Sutherland

- Sutherland – Tappan debate

- Debating the legitimacy of white collar crime studies

- Accepting a class/administration biased interpretation of criminality (Braithwaite, Slapper and Tombs, Sutherland)

- Rationale for studying white collar crimes (social, economic, environmental harm, behavior, sciences, general understanding of societal culture, institutional and societal trust, fluctuating nature of crime and definition of criminal conduct other than purely legal aspects)

- White collar crime as an umbrella term (Friedrichs, Nelken)

o White collar crime/occupational crime

o Corporate crime/organizational crime

o State-corporate/ State-sponsored corporate crime

 The problem with public-private partnerships

 The medicine-industry complex

- Approaches to white collar crime in the USA and Europe

- White collar crime today

**Lecture 3-4-5: Theoretical background of organizational criminology, explanations of white collar crime**

- Theories of white collar and organizational criminality

- Sutherland: Differential Association Theory, towards a general explanation of crime

- Geis, Meier and Salinger: White collar crime: Classic and contemporary views

- Maurice Punch: Why managers murder and corporations kill: in effect an explanation of means, motive and opportunity structures within organizations

The managerial mind and the corporate culture

o Size and complexity

o Goals

o The company as a total institution

o Arguing the Corporate Culture

o Means/Motive/Opportunity structures

- Commitment and the Organization (Randall) /The Organization Man (Whyte)

- Henry Mintzberg: Organizational structure

- Needleman and Needleman: Two models of criminogenesis

- Hirschi and Gottfredson and human nature theory

- Neutralization theory

- Rational choice theory

- Organizational structure

- Shapiro: social organization of trust

- Anomie and corporate structure: Durkheim, Merton Messner and Rosenfeld, Nikos Passas

- Capitalism as social structure

- Markets and industry structure

**Case studies:**

*1. Exxon Valdez Oil Spill*

*2. Challenger Disaster*

*3. Dr Nancy Olivieri and Apotex Inc.*

*4. Bernard ‘Bernie’ Madoff*

*5. Ford Pinto Case*

**Lecture 6-7: Empirical research and white collar crime.**

- Sutherland’s initial study

- Radical and Critical criminology (1970s USA)

- Quantitative and Qualitative Traditions (case studies, court case data collection)

- Analysis based on categories or types of corporate crime:

o Type of law at issue: antitrust, employment, legislation etc.

o Identification of victims e.g. consumers

o Employment relationship e.g. discrimination, protection, wage laws, safety, etc.

o Harm to the environment

- Industry specific case studies: pharmaceutical, automobile, oil, chemical, financial industries

- Measuring white collar crime

- Latency/Limitations of criminal law

- Corruption perception index

- Victimization surveys

- Eurobarometer

**Lecture 8-9: Responding to white collar criminality**

- Christopher D. Stone: Where the law ends: The Social control of corporate behaviour

- Eric Colvin: Corporate Personality and Criminal Liability

- Clarson: Kicking Corporate Bodies and Damning Their Souls

- Stuart Field: Corporate Liability and Manslaughter: Should we be going Dutch?

- Regulating white collar crime

- Prosecution of white collar crimes

- Prevention

- (White collar) Criminal policy

**Last lecture of the semester**

- Discussion on the course itself, conclusion, lessons learnt, experiences

**Literature**

**- Friedrichs, D.O.** *(2010). Trusted criminals: white collar crime in contemporary society (4th edition). Belmont, Calif.: Wadsworth Cengage Learning.*

**- Brian K. Payne**: *White-collar Crime. The Essentials*. SAGE Publications, 2013.

**- Erp-Huisman-Vande-Walle** (eds.): *The Routledge Handbook of White-Collar and Corporate Crime in Europe*. Routledge, 2015. ISBN 978-0-415-72214-8

- **Materials available on Neptun**

- **Lectures**

**Assessment/exam**

Students could choose either to give a presentation (on an agreed topic) or to write an at least 20’000 characters (with spaces, roughly 8-10 pages) paper on the topic of the course (agreed in advance with the teacher). Submission deadline for the essay: last week of the semester.

**Difficulty level**

Students participating in BA or MA program are welcome