

Why Enough Is Not Enough: Toward a General Theory of Crime in the High Suites by Integration of Sociological and Catholic Social Perspectives

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At the onset of the twenty-first century, egregious criminality by elite status offenders in the corporate milieu has emerged, with significant social and victim impact. Due to the lack of pertinent empirical data, the study of white-collar crime has been relatively more focused on the type of offense rather than the offender. This paper develops a theoretical model, founded on sociological and criminological literature and critically complemented by the principles of Catholic social thought, to understand elite white-collar criminality. We establish that the incentive structure is very different at the elite level than in lower social-economic levels of society. Specifically, we address the significance of socio-cultural influences on the corporate economic environment, assessed with interpretative insight supplied by Catholic social principles, to provide a distinctive view of elite white-collar offenders, with further research and policy implications.

Media exposure of massive fraudulent behavior by corporate executives, both in the United States and globally, emphasizes a significant and debilitating impact on victims' livelihoods, financial security, and trust in economic institutions. For example, Ponzi schemes, as typified by Bernie Madoff's high profile swindle, illustrate some of the unethical and illicit corporate practices resulting in losses estimated in the tens of billions of dollars (Sullivan 2010; Knouwe 2009). Elite criminality is popularly described as "unlawful" and "irresponsible." It is often explained as simply "greed" or "hubris." Yet, we lack understanding of both *causative* explanations of elite criminality that capture behavioral and cultural factors, as well as *structural* models for more effective societal control and the protection of the public good. The focus of this article is an effort to enhance our causative understandings, with an emphasis on behavioral and cultural factors that provide incentives toward elite criminality. We draw primarily from sociological and criminological literature, which is critically complemented by the principles of Catholic social teaching (CST). CST has implications both for understanding elite white-collar offenders and their behavior, and for developing effective social control policies.

The study of crime and deviance among the very highest stratum of society has been limited to a focus on offense typology, rather than behavioral patterns of criminality. This is primarily due to a lack of systematic and comprehensive data on the elite of our society (Braithwaite 1985; Barnett 2002). Hence, there is a need to understand the phenomenon of elite white-collar crime in a broader perspective that addresses the offender in terms of his social and corporate cultural environments. We posit that the criminal and unethical behavioral incentive structure is very different at the elite level than it is for lower socio-economic echelon levels of society. While the self-reported incentive of victims of fraudulent investment schemes to better themselves economically is acknowledged, the underlying basis of criminal motivations of elite offenders is underdeveloped. This is in part due to an absence of more effective measurement of cultural influence on such behavior (Shover and Scroggins 2009: 295; Levi 2009: 235).

While white-collar crime is the central theme of our discussion, the key unit of analysis is not *what type* of crime is committed, but rather *who* is committing the crime. In this case, focus is placed on people who typically possess greater legitimate opportunities to succeed than the rest of society and whose incentives to commit crime cannot be reasonably reduced either to economic survival or a lack of investment in the existing social structure.

Understanding the behavior of high prestige individuals who engage in white-collar crime necessarily includes the social and organizational context in which such criminality occurs (see Clinard and Yeager 1980). Accordingly, elite criminality must be explored not only in terms of rational incentives, but also in terms of socio-cultural factors, such as Messner and Rosenfeld's (2001) emphasis on institutionalized pressures that contribute to crime. The context of elite criminality consists of social, cultural, and institutional influences on one's social-status identity and personal sense of worth.

Two corollaries become apparent. First, within such a model, one can assume that forces beyond corporate controls are operative. Second, the corporate executive is affected both by values characteristic of, and demands generated by, the culture of his or her corporate organization, and by predominant economic values that are embedded within American society. A central question emerges: what factors influence such high status officials to consider illicit means to attain the culturally supported goal of "success"?

This article considers the conceptual influence of blue-collar crime in shaping our understanding of white-collar crime. We consider the influ-

ence of culture on the meaning of success and the corporate environment in American society. Additionally, while focus is placed primarily on elite criminality, unethical corporate conduct also is considered.

EVOLUTION OF THE IDEA OF WHITE-COLLAR CRIME

The idea of “white-crime” emerged in 1939 when Sutherland defined it as “crime committed by a person of respectability and high social status in the course of his occupation” (Sutherland 1949: 2). In essence, he delineated the phenomenon as crime restricted in terms of both *social class* and *occupational setting*. Regarding the social-class element, Sutherland’s perspective included both the elite and those outside of the elite, but even the latter tended to possess higher social status than those typically considered most likely to commit “street crime.”

A theme that distinguishes white-collar from street crime is the legitimacy created by the inter-connection between such criminality and its place within a socio-economic venue. For example, robbery as a violent act is readily discernible as a socially unacceptable means for material gain. There is no opportunity to blur the lines between legitimate work and criminal activity. Fraudulent acts of a licensed professional or corporate head in their occupational positions are less palpably understood as crime.

Messner and Rosenfeld (2001) argue that criminal behavior cannot be disengaged from the social milieu in which it occurs. Rather, they maintain that crime must be understood as interdependent with the normal functioning of social systems. While street crime reflects behavior that is more readily identifiable as deviant (though the offender may conform to conventional social values in other dimensions of life), white-collar crimes tend to reflect behavior whose criminality is more directly intertwined with the legitimacy of the occupational or corporate operation in which they occur.

Since the time of Sutherland, the concept of white-collar crime has expanded to include a more refined typology though most types still include some sort of occupational context (Coleman 2002). The end result is that the study of white-collar crime has broadened and evolved, but research on the highest social stratum remains sparse.

There is a traditional perception that criminal behavior is more common among individuals of lower socio-economic background. In this regard, Merton’s (1968) classic social-strain theory, which postulates that the pursuit and attainment of material success is a goal for all social classes, predicts that *innovation* (or illicit behavior) is more likely to be generated by members of social groups that are more socially and economically deprived of legitimate opportunities for social mobility.

Therefore, a first issue for inquiry can be identified: why do *high-status* individuals engage in occupational and corporate white-collar criminality? In this regard, there is evidence that white-collar crime itself has been addressed in stereotypical terms. On the one hand, Croall (1989), in a quantitative and ethnographic study, found that traditional emphasis on white-collar crimes as involving “the powerful” and corporations obscures the fact that white-collar offenders are more likely to be related to smaller than large business organizations (Croall 1989: 157). Consequently, any belief that white-collar criminals represent a homogeneous group of offenders is arguable (Croall 1989: 172). On the other hand, while elite criminals do fall within more traditional stereotypes of white-collar crime, there is a paucity of studies that exclusively address the criminal involvement of the *highest prestige individuals*.¹

WHITE-COLLAR VERSUS BLUE-COLLAR CRIME

In some ways, white-collar crime theory has grown directly out of blue-collar crime theory. For example, Taylor, Walton, and Young (1973) critically amend Merton’s theory of anomie to include an institutional dimension that provides an application to higher social class offenders who, while not strained by the systemic imbalance of socially approved goals and opportunities, nevertheless are influenced by monetary goals whose pursuit is culturally mandatory. Also, Gottfredson and Hirschi (2003) attempt to apply the effects of low self-control, more typically apparent in street crime, to white-collar offenders.

To be sure, there are many concepts and theories about blue-collar crime that are transferable to other types of crime. However, we contend that traditional criminological theories, born out of research on offenders from lower socio-economic classes, do not always apply to elite crime, and may be directly contrary to explanations for elite crime. Consequently, new assumptions are warranted that more explicitly address crime in society’s highest stratum.

Classical theories of crime, especially as founded in the structural functionalist perspective, have tended to reinforce the stereotype of the lower socio-economic offender. For example, Merton’s theory of anomie (or social strain) correlates the likelihood of delinquent or criminal behavior with the pressure that results from a lack of opportunity to legitimately pursue strong cultural goals, such as material success (Merton 1938). In this view, it is the culturally-rooted goal of success, and not personality, that influences the means used by the individual to attain material success (Cullen and Agnew 2003: 81).

Due to difficulties in supporting the theory empirically, the influence of strain theory, prominent during the 1950s and 1960s, diminished during the last twenty-five years. According to Box (1983), “anomie” provides a reasonable explanation of deviant and criminal motivation “if the cultural goal of success is as unidimensional as Merton suggests and if the pursuit of this goal is prevalent among those with blocked legitimate opportunities” (Box 1983: 35).

We posit that the success motive is a significant factor, even if not a singular factor, and that success is culturally defined. Therefore, the pressure to commit crime is not determined by actual material wealth, but by the *perceived* disparity between what one possesses and what others possess. Significantly, in a corporate milieu, where material rewards can be based on both compliance and non-compliance with corporate ethical principles, an “intra-class antagonism rather than class solidarity” is most likely (Ditton and Brown 1981: 527).² Consequently, the high material achiever evaluates himself or herself in terms of other high status achievers and not more exclusively in terms of lower class members.

Agnew (2003) further points out that the pressure to achieve encompasses a person’s perception of the “golden rule”: that he or she has not been treated as he or she would treat—and deserves to be treated by—others. In this regard, referring to literature on “equity” between a person’s efforts and desired outcomes, Agnew emphasizes that one may evaluate achievement “as fair or unfair depending on the outcomes [or achievement] . . . of others” (Agnew 2003: 212). Accordingly, a high material achiever may experience strain that leads to deviance or criminality not based on the actual amount of material gain, but on the perception that the ability to maintain his or her perceived image of success in relation to other achievers is impeded.³ Therefore, strain and perceptions of deprivation are not restricted to those in lower socio-economic classes.⁴

“SUCCESS” IN THE AMERICAN DREAM

Although the “ideology of success” that underlies the American Dream may be shared by all social classes, elite crime is carried out by those who have already attained high socio-economic status that satisfies any mainstream notion of “success.” Furthermore, control of their occupational or corporate behavior is typically accomplished by an administrative system of regulatory controls that is founded on a social trust in their capacity to govern themselves. Therefore, a more concentrated reliance on formal criminal enforcement to impose social control (as is done with street crime) is avoided. The high prestige offender, then, operates in an environment that is less constrictive and may serve to validate and preserve his or

her socially recognized class status (Cranston 1979: 166–67). Additionally, Morrill, Synderman, and Dawson (1997) found that unethical behavior by high-level managers is less likely to be evaluated negatively within organizations. This is consistent with Black's (1978) theoretical construct regarding the social dimension of penal law in which the socio-economic status of offender and victim influences the degree to which law is enforced and against whom it is enforced (Morrill, Synderman, and Dawson 1997: 536–37; see also Vago 2006: 60).⁵

In summary, the less constrictive legal and regulatory environment of the elite serves a rational function: to reduce the risks they face in the execution of unethical or criminal acts. Indeed, John Braithwaite (1985) posed the question: "Given the great rewards and low risks of detection, why do so many business people adopt the 'economically irrational' course of obeying the law?" (Braithwaite 1985: 7). A response to this inquiry is essential for understanding the nature of high suites criminality.

While criminal behavior is characterized to a certain degree by rationality, we do not suggest that rational calculations can fully explain criminality. The cultural dimension is a principal trait that influences how the individual will weigh legitimate versus illegitimate opportunities. In terms of high-status white-collar offenders, the relationship between the organization, the corporate executive, and the goal of success points to the significance of what is commonly known as the "corporate culture." Such a culture provides a setting that facilitates the survival of its members and also the corporation's profit-oriented pursuit of success. Christopher Stone presents some of the components of the corporation that may facilitate illegality:

A desire for profits, expansion, power; desire for security (at corporate as well as individual levels); the fear of failure (particularly in connection with shortcomings in corporate innovativeness); group loyalty identification . . . ; feelings of omniscience (in connection with adequate testing); organizational diffusion of responsibility (in connection with the buffering of public criticism); corporate ethnocentrism (in connection with limits in concern for the public's wants and desires). (Stone 1975: 236)

Furthermore, Jackall (1988) found that corporate managers' survival in a bureaucratic venue is intertwined with compliance to the dominant ideology of success based on practical (economic) concerns. Therefore, high-level members within a corporate environment are socialized to the

principles of success in terms of maximizing profit, and cannot be analyzed simply in terms of their individual actions.

Messner and Rosenfeld (2001), examining how success goals influence institutional value structures, emphasize the “American Dream” as a “cultural ethos” that is founded on economic and material achievements as measures of success of the individual, but that also promotes, by not discouraging, the pursuit of such ends without moral or ethical restraint. Such materialistic focus also serves to diminish the significance of non-economic institutions, including the family, education, religion, and political institutions, as restraints on behavior:

The American Dream . . . encourages an exaggerated emphasis on monetary achievements while devaluing alternative criteria of success, it promotes . . . realization of goals while de-emphasizing the importance of ways in which these goals are pursued and it helps create . . . structures . . . incapable of restraining criminogenic cultural pressures. (Messner and Rosenfeld 2001: 10)⁶

In essence, Messner and Rosenfeld (2001: 14, 38–39) argue that the dominance of economic institutions has heightened the cultural importance of the American Dream.⁷ As a result, a response to Braithwaite’s question necessitates acknowledgement of a broader cultural context in which elite criminality occurs.

In this regard, Bellah and Madsen describe a radical type of individualism in modern society that extends the idea of the person as an individual to debilitating extremes (Bellah and Madsen 1996: 510). When surveyed, middle-class Americans have exhibited a certain distrust and lack of confidence in institutions and government organizations. For example, only 22 percent of Americans surveyed in 2003 had “a great deal” or “quite a lot” of confidence in “Big Business,” and only 29 percent had a similar level of confidence in “Congress”; and in 2010, only 59 percent of Americans surveyed had a great deal or quite a lot of confidence in the police (*Sourcebook of Criminal Justice Statistics* 2010). This represents a certain disconnect between citizens and political institutions that, in turn, indicates a tendency to focus more exclusively on the individual rather than institutions to foster social unity (Bellah and Madsen 1996: 513). Such an individual-oriented culture may also serve to reinforce corporate ethical standards that promote the maximization of profit and foster a principle of “caveat investor.” Jackall (1988) found that organizational ethics are not based on internalized moral principles; rather, what is deemed to be ethical in a corporate environment may differ from what is deemed to be ethi-

cal in a person's family or religion experiences. In such a venue, "moral judgment based on a professional ethic" is without meaning since moral issues are transformed into "immediate practical concerns" (Jackall 1988: 111). This is consistent with Weber (1958) who, in *The Protestant Ethic and the Spirit of Capitalism*, revealed the evolution of asceticism from a religion-based to rational ideal that values the accumulation of wealth as not objectionable as long as it includes the acknowledgement and practice of ethical principles in life.⁸

There is a need, therefore, to acknowledge a deeper moral dimension of the culture of American success to comprehend profit-oriented behavior by elites. Susan Stabile (2005), a professor of law, innovatively proposes a "vision" of corporate law and operation based on an idea of "person" that is religion-based and characterized by individual worth enmeshed with a communitarian identity. These principles, which are endemic to Catholic social teaching, are sometimes inconsistent with the idea of person underlying systems of civil law in liberal democracies that protect the individual right to self-achievement. In his encyclical *Caritas in Veritate* (Benedict XVI 2009), Pope Benedict XVI introduces a basis for mutual social responsibility and asserts that the "Christian view of person" transcends social and economic ranking in society and is related to the "centrality of man" (nn. 18 and 25).

In *Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy* (USCCB 1986), the American Catholic bishops challenge a postmodernist tendency to explain human behavior in terms of "personal human experience" rather than in terms of a more universal principle regarding the "sacredness . . . of human beings" that is realized in communion with others and constitutes the basis for the Church's emphasis on the "moral dimension of economic life" (USCCB 1986: n. 28). Furthermore, according to this principle, justice cannot be relegated to a "strict definition of rights and duties, but [rather] with the rightness of the human condition before God and within society" (USCCB 1986: n. 39, clarification added). Accordingly, it acknowledges individual achievement but as not dissociated from one's inherent responsibility to others (see USCCB 1986: nn. 39 and 65). This thematic focus is reinforced by Pope Benedict XVI: "[T]he economy needs ethics in order to function correctly—not any ethics whatsoever but an ethics that is people-centered" (Benedict XVI 2009: n. 45).

In this regard, "every economic decision has a moral consequence" (Benedict XVI 2009: n. 37). Such a perspective defies the expediency that characterizes, in part, corporate culture, and becomes a central guid-

ing norm in doing business in a competitive economic environment (see Messner and Rosenfeld 2001).

For example, it is now well known that many market actors speculated on toxic mortgages, without even the most basic standards of professional due diligence. Fraudulent activities have been uncovered at the highest levels of the investment community, in the offices of the elite. The financial toxins spread throughout the globe (*New York Times* 2011). This episode begins to illustrate how normative patterns of behavior can develop among the elite stratum in spite of legal standards. At the same time, it also reveals a certain “cultural relativism” wherein, in this case, the investment community coexists with the legal system but without meaningful or effective control of its behavior.

In the words of Pope Benedict XVI (2009), such relativism is bred by individualism in its radical form in a global world and results in a “cultural leveling” that reinforces “indiscriminate acceptance of types of conduct and lifestyle” (Benedict XVI 2009: n. 26). Catholic social teaching challenges such a relativistic view of culture by acknowledging “civic coexistence” that is characterized by a view founded on faith and reason whereby rights and freedom and equality and justice are intricately interwoven in economic activity (Benedict XVI 2009: nn. 19, 25, 37). This position is antithetical to the rational and short-term benefits approach practiced by many modern corporate enterprises to achieve maximization of profit (Jackall 1988: 84).

Messner and Rosenfeld contend that occupational and corporate workplace cultures reinforce the attainment of the American Dream not only as success but also as success “by any means necessary” (Messner and Rosenfeld 2001: 64). Catholic social teaching, however, broadens the “Dream” to deeper social and moral dimensions. *Economic Justice for All* contributes to the discourse regarding economic cultural influences on human behavior and understanding elite white-collar crime. Specifically, it insists that significance must be given to the idea of “person” as one who achieves self-realization not by socio-economic status or material accomplishment but by a living acknowledgement of one’s communitarian relationship with other persons. A commitment to mutual social responsibility is the foundation of the idea of “common good” (USCCB 1986: n. 65). Accordingly, in a context where self-regulatory controls are bound to moral responsibility, the idea of the American Dream that promotes self-interested material accomplishment at any cost is open to criticism for more defined reasons.

In *Caritas in Veritate* (Benedict XVI 2009), Pope Benedict XVI reflects that corporate culture driven by achievement facilitates a rejection of

“powerlessness” that is inherent in the human condition shared by all persons. Or, conversely, material achievement becomes the means to power and social identity. As a result, material achievement may serve to reinforce the distance between those who enjoy high socio-economic ranking and those who do not. The very act of achieving material success may serve as a means to transcend a sense of human vulnerability shared by all human persons (Pope Benedict XVI 2009: n. 77). In such a context, elite corporate crimes reflect behavior that is indifferent to social and moral responsibility in economic activity. This mentality is inconsistent with a principle of economic life based on CST: “The economy exists for the person, not the person for the economy” (USCCB 1996: n. 1).

The idea of material success at any cost within a corporate organizational arena also includes mechanisms that separate persons from their actions (see Jackall 1988: 95). It is countered by a central principle of Catholic social thought: human dignity. In essence, the inviolable worth of every person as a creature of God demands a responsibility for development of self and respect for the dignity of all other persons (*Pacem in Terris*, nos. 12–13; *Justitia in Mundo*, 1971, n. 7; *Evangelium Vitae*, 1995, n. 19). Fraudulent behavior that compromises the livelihood and quality of life of victims not only violates such a principle but also establishes dissonance in what should be a sense of identity between the offender and victim.

CORPORATE CULTURE AND CRIMINALITY

Understanding corporate culture is a necessary prerequisite to investigating human behavior within that milieu (see Sutherland and Cressey 2003: 132; Matza and Sykes 1961). We argue that a tendency to justify behavior that promotes self-achievement is reinforced by the corporate institutional environment. This can be seen in the trend over two decades to explicitly link executive pay to company performance. In this regard, Ditton and Brown (1981) and Nee (1998) eloquently link social interaction and institutionalized values at the group level. Bucy, Formby, Raspanti, and Rooney (2008) found that almost 25 percent of participants in their study indicated that “when management sends the message that questionable behavior is to be tolerated, the corporate environment is prone to fraud” (Bucy et al. 2008: 422). Conversely, they also identify a common theme in interviews with experienced prosecutors and defenders of white-collar offenders; namely, emphasis should be placed on prioritizing integrity rather than “the bottom line” (Bucy et al. 2008: 4, 23).

Also, from an anthropological perspective, human behavior cannot be disentangled from its institutional and social contexts that in turn affect individual and group choices (see Keiser 2007). At the same time, it is the

nature and characteristics of relationships in social and institutional settings that influence the ability of individuals to cooperate for mutual well-being (Bellah and Madsen 1996). The elite can segregate themselves from other social influences (Mills 1956), while combining to form patterns of shared understandings and beliefs with others in the corporate world (Burt 2000; Mizruchi 1996; Granovetter 1985). Bucy et al. (2008) further make reference to “the group mentality” in their ethnographic study of white-collar crime (Bucy et al. 2008: 477).

In this regard, the elite have the power and opportunity to develop a formula of material success by any means necessary that legitimizes them in corporate economic operations. An example of this can be seen in the case of the celebrated Ponzi scheme perpetrated by Bernie Madoff. According to his own assessment, his illegal activities were both blatant and easy to detect (Henriques 2009). He contended that his actions should have been detected years earlier, if not almost immediately. Madoff asserted that his position among the elite of Wall Street was a factor in the lax (if not negligent) regulatory regime he confronted. In other words, his ability to perpetuate his massive fraud was enhanced, if not entirely enabled, by his status among the elite subculture.

At the same time, in a free-market society, while excessive greed is likely to be socially disapproved by the masses, the culturally imperative nature of material success related to the American Dream may serve to legitimize greed that is not excessive but endemic and even perceived as vital to a healthy economy.⁹ High status individuals such as Dennis Kozlowski, former CEO of Tyco, and Scott Sullivan, former CPO of Worldcom, defended their criminal fraud schemes, which involved enormous monetary sums, by such rationales as having acted “in the open” or having made a “misguided effort to save the company” (Kinsley 2004: 67). The wrong, therefore, is perceived not as associated with their aggressive industriousness, but in the manner in which they applied their entrepreneurial skills. In this regard, less than 5 percent of experienced prosecutors and defenders, interviewed in Bucy et al.’s (2008) study, described white-collar offender motivations as “amoral” or “evil” (Bucy et al. 2008: 407).

Box (1983) suggests bases for high prestige corporate officials becoming insulated from the moral restraints related to laws. In essence, neither high status corporate offenders nor, for that matter, juvenile offenders engage in criminal acts with a sense of guilt. Rather, they tend to justify illicit behavior as not really violating law, or they maintain that their acts reflect higher moral principles than those underlying legal precepts. For example, a juvenile may act to protect his honor, while a high prestige offender may

act industriously to “get ahead” or for the “good of the business.” However, these subcultures also are dissimilar:

[C]orporate officials are comparatively more committed to conventional values and a respectable self-identity than typical lower-class adolescents. Consequently, they have an even greater need to neutralize the moral bind of the law and thus protect their respectability and self-identity from the signs of discredibility implicit in corporate crimes. (Box 1983: 54)

Hence, for the high prestige offender, achievement of success and social-status identity are intertwined. And, in such a system of operation, the public interest may be regarded as an enigmatic component at best (Ghoshal and Bartlett 1996).

Gottfredson and Hirschi (2003) provide further insight regarding the influence of corporate culture on criminal behavior. They present empirical evidence to support “that crime can be predicted from evidence of low self-control at any earlier stage of life” (Gottfredson and Hirschi 2003: 119; also, see Coleman 1987; Coleman 2002: 183). Most significant, however, is that persons with low self-control, “while not . . . routinely unkind or anti-social, tend to exhibit extreme effects of self-centeredness in behavior: they are “indifferent or insensitive to the suffering and needs of others” (in Cullen and Agnew 2003: 244). Sampson and Laub (1993), in a vital revision of self-control theory, affirm that events or “transitions” in adult life, which includes the experience of employment, also can serve as opportunities to develop self-control later in life (Sampson and Laub 1993: 6, 142).

Conversely, when understood within their wider cultural and institutional context, “transitional events” also can *erode* one’s level of self-control. For example, the effect of institutionalized cultural pressures to achievement according to the American Dream also may have a negative effect on self-control developed earlier in life. In this regard, the ideas of “fear of failure” (Bucy et al. 2008: 407; Jones 2007; Henry 1949) and a “culture of competition” (Coleman 1987, 2002) emerge as significant elements of strain on self-control the individual may have developed earlier in life. According to Henry (1949), the individual’s fear of failure and internalization of the importance of material success can combine to create an achievement ethic. For example, Wright (1979), in an interview with John DeLorean, a former chief executive officer of General Motors, discovered that illegal or unethical behavior by high-prestige individuals may not necessarily indicate deeply seated immorality but might reflect “operating in a business atmosphere in which all was reduced to costs,

profit goals, and production deadlines, an atmosphere in which approval was given to a product that the individuals acting alone would not have considered approving” (cited in Clinard and Yeager 1980: 67). The corporate environment then can serve to diminish the executive’s sense of self-control.

In *Caritas in Veritate* (Benedict XVI 2009), Pope Benedict XVI identifies a deeper and critical dimension of the relation between corporate culture and social responsibility: “Business management cannot be concerned only with the interests of proprietors, but must also assume responsibility for all other stakeholders who contribute to the life of business: the workers, the clients, the suppliers” (Benedict XVI 2009: n. 40). Furthermore, this may spawn a myopic view; namely, managers and CEOs who view themselves as “answerable only to the shareholders” (Benedict XVI 2009: n. 40). While attempts to empirically measure socially responsible attitudes by corporate executives have been problematic, Pope John Paul II, in *Sollicitudo Rei Socialis (On Social Concern)*, cautions that “crass materialism,” which underlies consumerism and “having” more in life, may displace “being” in responsible and just relationship to others (John Paul II 1987: n. 28).¹⁰

CONCLUSIONS

In the context of contemporary massive corporate frauds that have served to debilitate the public’s trust in business, there is a need to understand the criminal involvement of corporate executives. While we acknowledge the lack of empirical data to explore the nature of elite white-collar crime in terms of the offender rather than the offense, social and criminological literature, together with the principles of Catholic social thought, provide a multi-dimensional theoretical basis to begin such an explanation.

Corporate legal research recently has focused on the theme of the “roles and purposes of corporations in society,” but from a moral perspective (Testy 2005: 175). In this regard, Stabile (2005) innovatively attempts to transcend the dominant secular view of corporations that is based on the maximization of shareholder profit. In such a view, socially responsible corporate activity would encompass a religious-based view of the person. Relying on principles of Catholic social thought, Stabile, a legal scholar, envisions the corporation’s context and purpose as more than economic liberty and profit maximization, which nevertheless are acknowledged to be noble goals in themselves. Rather, she proposes that a religious-based view of the person, in which human dignity is inherent, would reveal a more extensive image of the corporation as a human, social institution that necessarily includes a response to the needs of communities and persons,

as well as the environment. Pope John Paul II (1990), in *Ex Corde Ecclesiae*, an apostolic constitution on Catholic universities, made a similar point, describing “criteria that characterize the values of a *culture*” to include “*the meaning of person, his or her . . . dignity, [and] sense of responsibility*” (John Paul II 1990: n. 45, emphasis added). This theme further relates to the centrality of culture, which, by application to the corporate environment, represents a significant aspect of elite white-collar crime and suggests a future avenue for potentially valuable empirical research.

It is important to have a better understanding of why elite actors take the “economically irrational” course of obeying the law. We have attempted to construct a two-dimensional theoretical approach to explain decisions by elite status offenders to engage in white-collar criminal behavior. First, the integration of sociological and criminological perspectives, with emphases on socio-cultural, structural, and economic influences, reveals the significant influence of corporate culture on human choices to attain the American Dream. Second, in turn, principles of Catholic social thought serve as an antithesis to the more individual-centered and exclusive profit-goal emphasis of American economic culture. The inclusion of both intellectual domains provides a unique opportunity to understand the decision of elite white-collar offenders to act in violation of laws.

There also is a need for further research that can provide bases to critically assess strategies of criminal justice in sentencing decisions in elite white-collar offenses that extend beyond exclusive reliance on retribution and include goals related to reform and restorative justice, in terms not only of victims but also offender and community. Such an approach would serve to address the shared identity and vulnerability of all who are affected by the experience of elite white-collar crime.

Notes

1. The idea of elite white-collar offenders is problematic and typically reflects an offender category that contrasts with that of the street criminal. According to Coleman (2002), this dichotomous relationship influences not only prospects for legislative reform but also the nature of the laws enacted and the process of their enforcement (Coleman 2002: 224–25). For purposes of this paper, elite white-collar offenders pertain to individuals who enjoy high level socio-economic ranking and have access to control or command of corporate organizational authority and/or authority in the broader economy.

2. Research centered on lower-income workers in other-than-professional service industries has found that lower-status employees are less likely to be motivated to change the state of income disparity between themselves and higher-income groups (Ditton and Brown 1981).

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3. A basic concept of relative deprivation theory is that “success” becomes synonymous with “more.” Success is neither static nor absolute, but rather it is defined in terms that are dynamic and relative (see *Encyclopædia Britannica* 2011).

4. Langton and Piquero (2007) found a distinctive effect of Agnew’s General Strain Theory on “upper level white collar crime” (Langton and Piquero 2007: 12). Unburdened by the strain of unemployment and financial difficulties, corporate officials feel compelled to succeed in the workplace at any cost, for example, by engaging in security fraud.

5. In a socio-legal analysis of the law as an instrument of social control in modern society, Black (1978) proposed that law varies with stratification and culture. As a result, he provides a rationale to explain the imposition of harsher punishment on offenders of lower socio-economic groups who victimize persons with high class status, than on offenders whose class status is higher than that of their victims. In effect, the high status offender enjoys a certain degree of insulation from formal social controls that are more aggressively applied to lower class groups.

6. Hence, while schools of criminological thought traditionally addressed the disorganization or breakdown of social interaction inherent to socialization as contributory to street-level crime, Messner and Rosenfeld identify the predominance of materialistic or economic goals pertinent to elite white-collar criminality.

7. In a similar vein, Coleman provides a critique of social interactionist research with its emphasis on motivation, as failing “to root their analysis in the political economy of industrial capitalism” (Coleman 1987: 414).

8. Weber also observed a disconnection between a “universalist brotherhood,” founded on the imperfection in all human beings and the rational economy (Weber 1946: 330–31).

9. Hence, the cultural mantra of corporate America that “greed is good.” This was first articulated by Hollywood’s portrayal of excesses in the 1980s. Yet, rather than being accepted as a critique, it was incorporated as wisdom. The contention that greed is good is still often promoted in financial circles today. For example, see Smith 2009.

10. Collins and Schmidt (1993), in interviews of white-collar criminals, identified “conscientiousness” as a pro-social personality trait that mitigates anti-social behavior (Collins and Schmidt 1993: 307). However, in their study of personality traits of those involved in “white collar crime in business,” Blickle, Schlegel, Fassbender, and Klein (2006) report contradictory findings. In essence, they found low integrity to be combined with “high conscientiousness” (Blickle et al. 2006: 229). However, any comparative analysis is limited due to the different legal contexts and definitions of white-collar crime in these studies.

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