White-Collar Crime – Social Perception and Moral Attitudes

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Abstract:

Purpose: The paper explains whether and to what extent the attitudes of Poles towards various types of white collar crimes are varied. The scope and type of social and demographic characteristics determining these attitudes are also examined.

Approach/Methodology/Design: The results come from an empirical study based on a representative sample of adult Poles conducted by computer-assisted telephone interviews (CATI). The subject of statistical analyzes encompass the following three complementary issues: assessment of the location of white-collar crimes (perceived intensity in the public sector and in the private sector), evaluation of white-collar crimes against other crimes (comparative analysis), moral attitudes towards particular manifestations of white-collar crimes (16 types of crimes) and examination of social and demographical factors determining positive attitudes towards white-collar crimes collars (regression analysis).

Findings: Most Poles treat criminal acts arbitrarily – according to them, they are just as reprehensible, regardless of who commits them or what the motives are. But statistically significant part of respondents require of higher moral standards towards representatives of public authorities than with other entities in the white-collar crime context. White-collar crimes are almost unanimously condemned by the majority of Poles (9 out of 10 respondents express condemnation). The disturbing phenomenon of social consent to the following four types of white collar crime has been observed and explained: wash trade, fictitious business activity, insider trading, tax fraud. Partial consent and acceptance of white-collar crimes are not evenly distributed throughout society, but is focused on young people, mostly men, having secular views, financially well off, with broad centrist political views. Identification of a specific social group allows for awareness-raising, educational and remedial activities.

Practical Implications: Identification of a specific social group, which accepts the crime of white collars to a greater extent than other groups, allows the indication of who can be used awareness-raising, educational and remedial activities.

Originality/Value: This is the first study on moral attitudes towards white-collar crime undertaken since the introduction of extensive changes in criminal law, which exacerbated the penalization of economic crimes, including white-collar crimes.

Keywords: White-collar crimes, white-collar criminality, psychographic factors, demographic factors, economic factors

JEL codes: K0. K4.

Paper type: Research paper.

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1. Introduction

The subject of crimes known as white-collar crimes has been studied by scholars for over a hundred years. As early as 1916, the Danish Marxist Willem Bonger made an apt distinction between "crime in the streets" and "crime in the suites" (Bonger, 1916). The American muckrakers – a group of journalists tracking the pathologies of the political and social system at the turn of the 19th and 20th centuries also made a significant contribution to the understanding of the crime of white-collars (among others, they were: Frank Norris, Lincoln Steffens, Ida Minerva Tarbell). They led, inter alia, to the criminalization of numerous criminal acts under US Federal Food, Drug, and Cosmetic Act of 1906.

However, Edwin H. Sutherland was the first who systematically deal with this phenomenon and drew attention to crimes committed "in the upper or white-collar class, composed of respectable or at least respected business and professional men" (Sutherland, 1940, 1). These crimes he contrasted with crimes and criminals typical of the lower classes and resulted from poverty (Sutherland, 1940). He defined the crimes of white-collars as "a crime committed by a person of high social status and respectability in the course of his occupation" (Sutherland, 1949, 7).

It should be noted that this concept remains not fully regulated, and the discussion about the meaning of "white-collar crime" continues to this day (Pontel, Black, and Geis, 2014; Stadler, Benson, and Culler, 2013). In this work, the concept of white-collar crime is understood as criminal acts committed by persons of high social and economic status, having broad qualifications and knowledge in legal, management and economic matters. These people use their positions in the world of business and politics (entrepreneurs, managers and CEOs of companies, high officials, as well as politicians) to commit crimes, and these crimes generally have a financial motive.

White-collar crime research has developed into the following four strands. First, look for empirical generalizations of who and why are involved in white-collar crime, and what organizations are most at risk. Secondly, attention has been focused on modus operandi studies, i.e., on the ways in which these crimes are committed. Third, the focus was on analyzing the procedures for detecting and preventing these crimes (Braithwaite, 1985; Gottschalk and Gunnesdal, 2018).

The fourth, marginalized approach is the study of social awareness, focusing on the moral aspects of evaluating individual acts. This type of research is rarely sponsored (Simpson, 2011, 481; Wall-Parker, 2019).

We already know quite a lot about the white-collar crime. Thanks to this, we can introduce appropriate and effective legal regulations and prevent this phenomenon. The crime of white-collars is closely related to gender. Only 7% of women were involved in financial scandals in 2001-2018.

In multi-ethnic societies, the racial factor plays an important role: as much as 65% to 89% of white-collar crimes are committed by whites (depending on the type of crime).

Moreover, the perpetrators come from non-criminal backgrounds and families (94%) (Benson and Kent, 2001). Perpetrators in the fourth decade of life and older clearly dominate, and moreover, middle-level management prevails (34%) (PwC, 2020). A factor that significantly increases the risk is the absence of implementation of internal control mechanisms (Report to the Nations, 2020). Usually these are crimes that last a long time (usually more than one to three years) (Report to the Nations, 2020).

The statistics of losses and penalties caused by these crimes are also closely monitored and lists of criminal law regulations are created (Global Corporate Liability Handbook, 2017). In addition to demographic characteristics, the socioeconomic characteristics of white-collar criminals are also studied (Gottschalk and Gunnesdal, 2018).

This article examines the social perception of the phenomenon of white-collar crime among Poles. The perception of white-collar crimes in the public consciousness is of great importance. Citizens tend to focus almost all their attention on "street" crime, a similar focus occurs in criminal justice. Moreover, the public is more in favor of stricter crimes against "street" crimes than those that occur in "apartment" crimes. Corruption scandals usually increase public awareness, but the durability of changes in social attitudes remains questionable (Holtfreter, Van Slyke, Bratton, and Gertz, 2008).

To this should be added the fears of entities investigating white-collar crimes against the sanctions of the organizations concerned by these crimes. Such events may potentially damage the image of these institutions. For example, in the first editions of the book by E.H. Sutherland *The White-collar Crime*, in which the case studies of 70 US corporations and 15 public institutions were made, the names of these institutions were not disclosed. The full, uncensored version of the book was not published until more than thirty years had passed.

This is not a good phenomenon, because white-collar crimes cost society a higher cost than "street" crimes. White-collar crime is more widespread and there is less potential for deterrence through diffuse penalties and social sanctions (Fredericks, McComas, and Weatherby, 2016). In addition, white-collar criminals tend to receive significantly lower penalties compared to street criminals (Gottschalk and Rundmo, 2014) at the same time, there is a higher recidivism rate (Fredericks, McComas, and Weatherby, 2016).

White-collars committing crimes are assessed more leniently in terms of morality, their actions are more often rationalized and justified (Fredericks, McComas, and Weatherby, 2016). Therefore, the deterrent mechanism is not working.

2. Materials and Methods

The empirical data analyzed in this study are collected thanks to the financing provided by the Justice Fund, which is at the disposal of the Minister of Justice. White-collar crime and research is part of a larger project that started in 2020. This project is entitled Creation of a universal and standardized methodology for measuring crime-related phenomena, researching these phenomena and spreading social awareness under the Program for Counteracting the Causes of Crime (Programu Przeciwdziałania Przyczynom Przestępczości) and financed by the Victim Assistance Fund and Post-penitentiary Assistance (Fundusz Pomocy Pokrzywdzonym oraz Pomocy Postpenitencjarnej).

The study was conducted in October 2021 on a sample of N=1004 adult Poles (18+ y.o.). The research was carried out using the technique of Computer Assisted Telephone Interviews (CATI), which has a number of important positive methodological, organizational and technical features. This method guarantees higher data quality: accuracy, precision, low error rate, credibility, validity.

CATI research is commonly perceived in the subject literature and research practice as having the ability to generalize the results from a sample to a higher population than other available research methods and a higher percentage of people agreeing to participate in the study compared to other research methods (higher response rate) is obtained.

The sample selection has statistical representativeness and was carried out using a method called *Random Digit Dialing* (RDD) (Mitofsky, 1970; Wakesberg, 1978). This method is considered optimal and classic by researchers (Potthoff, 1987). It is constantly modernized in research practice (Tucker *et al.*, 1992), new phenomena such as the impact of the development of mobile telephony are taken into account (Brick *et al.*, 2007; Keeter *et al.*, 2008). This method will enable the random selection of the sampling frame and, as a result, obtain representativeness in terms of socio-demographic features crucial for research purposes.

The assessment of the respondents' awareness was started with the question of where, in their opinion, white-collar crimes are most frequently committed. The respondents could indicate state institutions (the first sector) or profit-oriented enterprises (the second sector). The respondents could indicate the answer on a five-point, symmetrical scale with one neutral point: 1. Much more often in the private sector, 2. Rather in the private sector, 3. More or less equally in the public and private sectors, 4. Rather in the public sector, 5. Definitely in the public sector, 6. I don't know / hard to say (not read to the respondent).

The moral attitudes of Poles towards the phenomenon of white-collar crime were examined with the use of a battery of 15 questions. Each of these questions referred to a different type of criminal act specified in Polish law, in particular in the Penal Code, the Code of Commercial Companies, Law of Public Trading in Securities, Act on Mortgage Bonds and Mortgage Banks, Act on Public Offers and Conditions of Introducing Securities into the Organized Trading System and on Public Companies, Act on Insurance and Reinsurance Activities, Act on Bonds, Act against Unfair Competition.

From among numerous criminal acts, 15 groups were distinguished and the respondents were asked to rate them on the following four-point, symmetrical scale, without a neutral point: 1. I strongly condemn, 2. I rather condemn it, 3. I rather accept it, 4. I strongly accept, I do not consider this act a crime.

Additionally, the respondents could choose the answer "I don't know, hard to say", which was not read by the interviewer. The respondent's escape from the answer is significant - it usually means complete ignorance of the item about which the question is asked or - much less often - the will to avoid the answer due to attitudes inconsistent with social expectations. The following criminal acts were finally included in the model, as in Table 1.

Table 1. Types of white-collar crimes in Polish law and the corresponding questionnaire phrases.

Th	e name of the criminal act	Description (read to the respondent)				
1.	Embezzlement	Appropriating entrusted business money, e.g. overstating business expenses, shopping for private needs				
2.	Bribery / corruption	This crime can take two forms - active, i.e. demanding a bribe (a), and passive, i.e. accepting a bribe (b). a. Threatening with failure to perform an activity that is within the scope of duties, if no additional benefit is transferred. b. Transfer of a sum of money in exchange for the service being performed out of sequence				
3.	Breach of professional secrecy	Providing unauthorized information about the company's plans, issuing someone else's personal data				
4.	Abuse of position	Use of job privileges for personal gain				
5.	Tax fraud	Knowingly not paying some or all of your tax				
6.	Health-insurance crime	Creating false bills for health care by the manager of the health care facility for treatments that have never taken place				
7.	Insurance crime	Creating false documents confirming and describing road collisions, accidents, theft in order to obtain a refund from the insurance				

8. Tender fraud	"Setting the tender" – obstructing the tender or entering into an agreement with a third party in order to obtain benefits from the tender
9. Money laundering	Investing money from prostitution or drug trafficking in legal activities
10. Fictitious business activity	Setting up a business in order to receive benefits paid by the Social Insurance Institution or to avoid full taxation
11. Value Added Tax (VA' fraud, the so-called "VA carousel"	Detrailding a VAT retuind for an alleged exchange
12. Excise crime	Making illegal cigarettes or alcohol
13. Infringement of copyright ar intellectual property	nd Using someone else's trademarks, industrial designs, patents for profit
14. Insider trading	Carrying out transactions in the securities of a listed company by persons having access to undisclosed information relating to that company
15. Wash trade	Artificially raising prices on the stock exchange in order to gain financial gain
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A comparative measurement was also undertaken. It was measured to what extent the acts were negatively assessed in legal and moral terms. Two actions were presented to the subjects for evaluation; their summary is presented in Table 2. The comparative list of the two acts was preceded by the following introduction: "Now I will read you pairs of crimes, from each pair you will have to choose one that you consider to be a worse act".

Table 2. Comparative moral evaluation of different criminal acts.

A	Comparable moral evaluation	В
A thief who steals goods from a store for PLN 100		A bank employee who obtains financial benefits of PLN 100 through embezzlement
A public person accepting a financial advantage that influences his decisions regarding official duties, e.g. openly and publicly support a certain politician	Definitely the deed A More like the deed of A I condemn both deeds	A public person accepting a financial advantage in order to give a private person a favor, e.g. to prepare documents faster
A teacher accepting a financial benefit from the student's parents in exchange for a positive assessment	equally4. More like deed B5. Definitely deed B	An official accepting a financial benefit from a petitioner in exchange for a positive outcome
An official accepting a financial benefit from a petitioner in exchange for a		A manager who is not a business owner accepting a financial gain in return for

positive outcome	employing an employee in the
	enterprise

Statistical analysis was based on multi-dimensional modeling and descriptive and inductive statistics and Categorical Regression (CATREG)/Optimal Scaling, in order to measure the cumulative impact of variables. The source of this method is correspondence analysis (Greenacre, 1984) and multidimensional scalling (MDS) (Guttman, 1968). The central concept of this method is nonlinear regression with categorical variables by optimally scaling categories in categorical data.

The purpose of using this method is to quantify the relationships between multiple independent variables and the one dependent variable. The fundamental advantage of optimal scaling is the ability to discover interactions, i.e. the combined effect of selected independent variables on the dependent variable. It is a comprehensive data mining technique which the fundamental advantage is the ability to discover interactions (the combined effect of selected independent variables on the dependent variable).

3. Results

The subject of statistical analyzes were the following three complementary issues: assessment of the location of white-collar crimes (in public or in private sector), evaluation of white-collar crimes against other crimes (comparative analysis), moral attitudes towards particular manifestations of white-collar crimes (16 types of crimes) and examination of social and demographical factors determining positive attitudes towards white-collar crimes collars (regression analysis).

3.1 White-collar Crimes in the Public and Private Sectors – Perception of the Frequency of Occurrence

The question posed on the prevalence of white-collar crime in the public or private sector is presented in Table 3.

Table 3. White-collar crimes in the public and private sectors

White-collar crimes are more often committed in the private sector (in enterprises, private companies) or the state sector (among government and local government officials)	Valid percent
1. Much more often in the private sector	3.2
2. Rather in the private sector	5.9
3. More or less equally in the public and private sectors	46.5
4. Rather in the public sector	16.8
5. Definitely in the public sector	22.7
6. I don't know / hard to say (not read to the respondent)	4.9
Total	100.0

Source: Own study.

Poles believe that white-collar crime occurs simultaneously in the public and private sectors (nearly half of the respondents pointed it out) or this crimes prevails in the state structures (nearly 40% say so). Religiosity, income and marital status are moderate predictors of differentiation in attitudes towards locating white-collar crimes among representatives of the first and the second sectors. Income is a key factor in differentiating attitudes towards the place where white-collar crimes occurs (first or second sector). Low- and middle-income individuals tend to see this crimes as being more concentrated in the public sector.

On the other hand, people with high income tend to argue that white-collar crimes are distributed equally in the public and private sectors. Persons who do not believe, have doubts in matters of religious faith and (to a lesser extent) believe but do not practice (that is, do not participate in religious rituals) have significantly less trust in state institutions. They believe that corruption affects these structures much more than profit-oriented companies. The other sociographic and psychographic variables turned out not significant.

3.2 Moral Assessments of White-collar Crimes in Comparison with Other Criminal Acts

The tendency to condemn similar acts by the surveyed Poles depending on their role or motives is presented in Table 4.

Table 4. White-collar crimes in the public and private sectors.

Whom do you condemn more:								
A	Definitely A	Rather A	Equally A and B	Rather B	Definitely B	В		
A thief who steals goods	2.9	1.7	45.4	10.7	39.3	A bank employee who obtains financial		
from a store for PLN 100	$\bar{X} = 3.82$; SD = 1.068				benefits of PLN 100 through embezzlement			
A public person accepting a financial advantage that influences his decisions regarding	24.4	10.1	55.1	2.4	8.0	A public person accepting a financial advantage in order to give a private person a favor, e.g. to		
official duties, e.g. openly and publicly support a	$\bar{X} = 2.59$; S	D = 1.121				prepare documents faster		

certain						
politician						
A teacher accepting a financial benefit from the student's parents in exchange for a	9.5	3.2	63.4	6.5	17.2	An official accepting a financial benefit from a petitioner in exchange for a positive
positive assessment	$\bar{X} = 3.18;$	SD = 1.06	57			outcome
An official accepting a						A manager who
financial benefit from a petitioner in	17.2	8.1	58.6	6.0	10.2	is not a business owner accepting a financial gain in return for

Most Poles treat criminal acts arbitrarily – according to them, they are just as reprehensible, regardless of who commits them or what the motives are (about half of the respondents pointed it out).

However, the following situations provoke a stronger moral condemnation: abuse by a person of public trust, abuse of an official's power for political purposes than for private purposes, corruption by an public official rather than a teacher, and corruption by an public official than a manager of a private enterprise. The results confirm the clear and statistically significant requirement of higher moral standards towards representatives of public authorities than with other entities.

3.3 Moral Attitudes Towards Particular Manifestations of White-collar Crimes

Attitudes towards individual white-collar crimes were examined, assuming that attitudes towards particular crimes may be varied (Table 5).

Table 5. Types of white-collar crimes in Polish law and the corresponding questionnaire phrases.

	The name of the criminal act	I strongly condemn		I rather accept it	I definitely accept it, I do not consider this act a crime	know,
1	Embezzlement	84.3	13.8	0.7	0.4	0.8

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2	Bribery / corruption (taking a bribe)	82.6	13.8	2.2	0.9	0.5
3	Bribery / corruption (demand a bribe)	90.3	8.0	0.9	0.3	0.5
4	Breach of professional secrecy	84.4	14.1	0.7	0.2	0.6
5	Abuse of position	81.8	16.2	0.5	0.7	0.8
6	Tax fraud	74.3	20.0	2.1	2.7	0.9
7	Health-insurance crime	90.8	7.6	0.9	0.4	0.3
8	Insurance crime	86.2	11.9	1.1	0.4	0.4
9	Tender fraud	84.2	12.6	1.2	0.8	1.2
10	Money laundering	85.3	9.8	1.5	1.6	1.8
11	Fictitious business activity	73.8	18.8	3.6	1.7	2.1
12	Value Added Tax (VAT) fraud, the so-called "VAT carousel"	83.5	12.7	1.4	1.3	1.1
13	Excise crime	78.9	17.5	1.2	1.0	1.4
14	Infringement of copyright and intellectual property	80.7	15.2	2.2	0.3	1.6
15	Insider trading	75.7	16.5	3.1	1.8	2.9
16	Wash trade	70.1	16.8	6.3	5.3	1.5
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Numerous white-collar crimes are almost unanimously condemned by the majority of Poles (9 out of 10 respondents express condemnation). It is also worth pointing out that the percentage of the lack of opinion is small and does not exceed the maximum standard error of estimation. On the other hand the following white-collar crimes are most socially accepted: wash trade (almost 12% of respondents accept or do not consider it a crime), fictitious business activity (over 5% accepts), insider trading (almost 5%), tax fraud (nearly 5%).

The level of acceptance of all investigated white-collar crimes negatively correlates with the age of the respondent; the lower the age, the higher the acceptance of this type of crimes. These dependencies, although low, are clear and statistically significant. To a slightly lesser extent, but clearly with the acceptance of white-collar crimes, positively correlate with sociodemographic features (significantly associated with low age), such as: lower education (secondary and vocational), marital status (the higher the degree of formalization of the relationship, the lower the consent to white-collar crime is) and a negative attitude towards religious faith.

Men treat white-collar crimes more liberally (in particular: wash trade, tax fraud, money laundering). Women unequivocally condemn white-collar crimes more than men. There is a slight positive correlation between the level of net income and the consent to white-collar crimes. Other variables, such as the place or size of the

residence, and political views, are not correlated with the moral condemnation or condemnation of white-collar crimes.

3.4 Factors Determining Attitudes Towards White-collar Crime – Regression Model

It was examined what social characteristics correlate with high acceptance of white-collar crimes. Considering the combined influence of the explanatory variables (they are sociodemographic variables) allows for the creation of a uniform profile of people with identical attitudes, and examining whether they are similar to each other in terms of other social characteristics. It is important because it allows to determine which social groups may require corrective actions in the educational sphere or social campaigns. In the previous subsection of the article, the individual sociodemographic features were considered in isolation.

Here, from sixteen variables relating to the support or condemnation of white-collar crimes, one quantitative indicator of consent to the phenomenon of white-collar crime was created. For this purpose, categorical regression (CATREG) was used to create a multivariate model. Fifteen sociodemographic variables were taken into account, from which a model consisting of five characteristics was created: age, attitude towards religion, self-perception of income, political self-identification (left-right scale), gender self-identification. The model is presented in Table 6.

Table 6. Categorical regression top-down CATREG model.

Name of the model compone nt (predicto r)	Beta coeffici ent	Degre es of freed om (df)	F	Significa nce	Zer o- ord er	Partial correlat ion	Part correlat ion	Importa nce
Age (divided into six categorie s)	-0.365	5	61.4 97	p ≤0.001	0.40 3	-0.371	-0.355	0.704
Attitude towards religion	0.123	4	13.4 31	p ≤0.001	0.17 5	0.134	0.120	0.103
Self- perceptio n of income	0.097	3	7.98 7	p ≤0.001	0.19	0.105	0.094	0.089
Political self- identifica tion (left- right	0.122	8	9.06 3	p ≤0.001	0.09 5	0.134	0.121	0.055

scale)								
Gender self- identifica tion	0.081	1	6.42 9	p ≤0.11	0.12 5	0.090	0.080	0.048

The most liberal approach to the crimes of "white-collar collars" is represented by the social category of young people, up to 35 years of age, secular views, moderately or very satisfied with their income, identifying themselves with center options, including center-right and center-left. Most of them are men.

4. Discussion and Conclusions

The effects of white-collar crimes are not directly visible, it is impossible to identify the victim personally. Indirect effects of actions may include financial destruction of the enterprises, and thus contribute to the pauperization of people or investors working in it. On the other hand the institutions of social trust may be compromised and the public's trust in it may decrease, lowering the quality of democratic political culture. Effective prevention of white-collar crimes requires both adequate legal implementation as well as a sufficient level of public awareness.

Usually, legal solutions are taken on an *ad hoc* basis (see the Sarbanes-Oxley Act passed by the US Congress in 2022 as a response to the scandal with the energy company Enron Corporation), which is not conducive to the coherence of the legal culture. Comprehensive and systematic reforms have been initiated in Poland: the Ministry of Justice in 2018 increased the scope of penalties for economic crimes under the "Justice and Security" program.

In September 2021, further reforms were initiated - a wide-ranging draft amendment is being processed in the parliament aimed at tightening the penal regime. The changes also apply to white-collar crimes.

These were relevant changes, in the context of some empirical materials indicate that the COVID-19 pandemic significantly increased the problems related to white collar crime (Jain, 2021). The problem of social awareness is more complex and that is why it is the subject of this article. Public opinion reacts spontaneously to disclosed crimes of white collars, however the durability of changes in social attitudes is short-lived (Holtfreter, Van Slyke, and Braton, 2008), moreover white-collar crimes are more often rationalized and justified by society (Fredericks, McComas, and Weatherby, 2016), despite the relatively higher financial and social losses caused by this type of crime. Poles seem to be well socialized, the vast majority of them condemn the white-collar crimes.

Independent international comparative research shows that there is nothing to worry about. The Global Corruption Index created annually by the Global Risk Profile is included in one of the indexes called *White-collar Crime* indicates Poland among the countries of low risk of white-collar crime (39th place out of 196) (Global Corruption Index, 2021). Two disturbing phenomena were noted during the study.

Firstly, Poles are more inclined to accept two groups of crimes than other crimes: crimes related to the stock exchange or the activities of companies. In the first case, these are crimes about which the general public lacks awareness and knowledge. Moreover, they are characterized by the fact that the "victims" of such actions, i.e., those who suffered real losses, cannot be identified personally. With regard to the second group of crimes, i.e., those relating to economic activity, this applies to many Poles personally.

The reasons for such attitudes are complex, both psychological (lack of direct gratification for paying the taxes, situation of coercion), sociological (dysfunctions of the tax system, negative attitudes towards the current authorities), economic (too high tax dimension), and even historical (negative attitudes against the authorities formed during the partition of Polish-Lithuanian Commonwealth and belonging to the Soviet Bloc).

Second, the endorsement of white-collar crime is not evenly distributed throughout society, but is focused on young people, mostly men, having secular views, financially well off, with broad centrist political views.

Identification of a specific social group allows for awareness-raising, educational and remedial activities. This is particularly important in the context of research into effective prevention white-collar crime (Isenring, 2008; Corcoran, Pettinicchio, Robbins, 2012). It turns out that social condemnation and scattered sanctions are a more effective tool to deter criminals of this category than incarceration.

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