

EXPLORING WHITE COLLAR CRIMINAL NATURE A CHALLENGES FOR PAKISTANI SOCIETY

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Abstract:

It is a proven fact that the jurisprudence and control mechanisms are based on political will, the role of civilian society, the presence of professional and democratic governments, and a society free from corruption. These components have never remained fundamental to our political and judicial processes. In this aspect, the political leadership and society in third-world nations, particularly in Pakistan, have abdicated their crucial roles and responsibilities as leaders and citizens. Institutions are weak, and society is ruled by elite political power, social position, and a distorted legal system. In Pakistan, individuals rather than institutions exert power and authority. The concept of "white-collar crime" is relatively new to the science of criminology. White collar crime is not new by itself, but recent work have helped to generalize such occurrences and incorporate information on the attitudes, responses, and illegal activity of the upper classes into theories of crime causation (Newman, 1958). Well-known sociologist Edwin Sutherland coined the phrase "white-collar crime" during a presentation he made to the American Sociological Association in 1939. Sutherland's definition of white-collar crime was criticized by some as being inadequately and vague (Robin, 1974).

Key word: Criminological, Accountability, Theft, Fraud, Embezzlement, Corruption, White collar crime

Introduction:

The society in which we live is not an exception; when a crime is committed by someone of low social background, they are subjected to harsh legal penalties; but, when the same crime is done by someone of great social standing, the situation is reversed. In actuality, the law or rather, the system seems to be more lenient toward the perpetrator.

According to Cordis et al (2013), public corruption is the exploitation of public resources for personal benefit, and private corruption is the abuse of entrusted authority. According to Boles (2014), corruption is the secret misuse of a position of trust caused by the belief that a person will carry out their obligations. According to Transparency International [3], corruption is the misuse of authority for personal benefit. According to the Oxford Dictionary, corruption is "a dishonest and fraudulent act by persons in authority usually involving money."

According to Ahmed et al (2016), corruption is one of the most common contributing factors to economic underdevelopment in the vast majority of developing countries in the twenty-first century. A regular businessman can offer many opportunities to assist bureaucrats and politicians in their everyday activities with the expansion of nonfinancial and financial

facilities. These government officials handle their fraudulently obtained funds by overseeing offshore firms and local front businesses.

Different researchers define corruption in various ways. In contrast to Gadit (2011), who defines corruption as the misuse of public resources for personal or political advantage, Taghavi et al (2011), define corruption as the transfer of public concerns to private individuals for their own personal gain. According to Javaid (2010), corruption is the abuse of authority associated with a certain post for any type of personal advantage or for the benefit of loved ones and friends. From the definition of corruption provided above, it is obvious that most corruption is carried out by people who are in positions of authority, have social standing, or both and that violence is rarely involved. His particular brand of corruption is what gave rise to the idea of white collar crime.

White collar crime is "a sort of crime that is non-violent in nature and involves the misuse of one's knowledge or professional status," according to the Oxford Dictionary.

White collar crime is defined by Investopedia as "nonviolent crime done for financial benefit."

White collar crime is described by Merriam-Webster as "crime that often involves the theft of money by people who have prominent positions in organizations." Alternatively, "a crime perpetrated by paid personnel or by a person engaged in business entails a sort of financial fraud or theft."

Mashkoo et al (2016), study argues that as modern trends evolved, the form of corruption likewise moved from underhanded bribery to intellectual and white collar corruption, when improper ideas were approved and promoted for personal gain at the expense of the public purse.

White collar crime has a long history that dates back to the early 17th century, according to Eaton, et al (2016), but Sutherland's first publicly addressed the concept in 1939 while addressing the American Sociological Society by defining white collar crime as "illegal acts performed by organizations or individuals of higher status within their legitimate occupation."

According to Filstad et al (2012), white collar crime is a type of financial crime that higher class members of society do for their own personal or professional advantage. In their study, cliff et al (2014), offer their opinion regarding the lack of consensus on the definition of white collar crime. They claim that the idea of "white collar crimes" not only expresses different meanings to diverse fields, but also to diverse disciplines them. Professionals are still divided on how to define white collar crime, which occasionally causes conflict and misunderstanding.

However, Barkan (2012) concurs with Sutherland's definition. Many sociologists contributed to the evaluation of Sutherland's basic notion of white collar crimes, however most of the scholars concurred that Sutherland's definition is the most appropriate.

An instinct is described by Merriam-Webster as "an unchangeable and inheritable inclination of an individual to make complicated and precise responses to external inputs without involving any reason." "Instinct" is defined by the Oxford Dictionary as "an intuitive or natural method of acting or thinking." According to vocabulary.com, instinct is "something one do not need to study, and which happens spontaneously." However, some scholars, such as Sun et al (2014), do not view instinct as a set, unchangeable idea. Instead, they view instinct as the basis for human personality and believe that it responds differently in various environments and picks up information from its environment.

However, the scope will be limited to just being expressed in animate life if the previous definitions and descriptions of instinct are followed.

It must be released from the confines of the inborn genetic explanation in favor of a more comprehensive one. Instinct, as defined by Sun & Wilson (2014), as a significant aspect of human personality resulting from fundamental human motivations supported by key aspects within a comprehensive design and Malkemus (2015), who describes instinct as learned factors, will be taken into consideration for this purpose.

Understanding human behavior has benefited from intuition. Different fields employ his idea in different ways. Others refer to it as distinct answers, while some refer to it as brain impulses. Alcock (2013), states that Lorenz (1965), pioneering ethological research serves as the foundation for the concept of instinct in the modern era. They described instinct as an innate behavioral pattern that is genetically set.

Concept of White Collar Crime:

White-collar crime, as defined by Sutherland in his 1949 publication of the same name, is "crime executed by a person of respectability and high social rank in the course of his work" (Sutherland: 1949). Sutherland described the strange fact that members of all social groups and economic tiers commit white collar crimes using this description.

White-collar crime has another description according to Herbert Edelhertz. White-collar crime, thus according his definition, is "an illegal act or series of illegal acts perpetrated by nonphysical means and by concealment or astuteness, with the intent to get money or property, to avoid paying for or losing money or property, or to obtain business or personal advantage" (Edelhertz, 1970). White-collar crime can be clearly distinguished from conventional or common crimes by looking at definitions of the term. By examining the traits that are connected to such a comparison, the characteristics of white-collar crime can also be differentiated (Croall, 2001). The hallmark of this category of white-collar crime is also the occupation of the perpetrator (Newman, 1958).

Literature Review:

In his research, Huang (2016) cited a World Bank study about corruption's effects on economic growth. According to a World Bank study, the estimation of the level of corruption is mostly based on reports from private citizens, public officials, and corporate executives. An investigation on the effects of corruption on economic development in thirteen countries in the Asia-Pacific region revealed a negative correlation between the two. Corruption was described as an abusive behavior by Mashkoo et al (2016), they go on to examine how corrupt people use public offices for their own personal gain an advantage. With the exception of Brunei Darussalam civil servants, Quah (2016), reported in his research about six Asian nations Brunei Darussalam, Cambodia, Myanmar, Pakistan, Papua New Guinea, and Vietnam that the other five countries' civil/social servants seem to be underpaid and move to corruption to make ends meet and support their families.

White collar crime, which according to Eaton, et al (2016), is a crime committed by organizations or individuals of higher status within their legitimate occupation, is defined as a crime committed by organizations or individuals who use corruption to support their families. As it is stated in the literature cited above that civil servants use corruption to support their families, those civil servants are actually using their status and authority to do these corrupt practices. The Association of Certified Fraud Examiner (2014) said that the organization lost about 5% of its entire earnings as a result of its members' factual misrepresentations. His losses range from millions of dollars in sophisticated transactions to stolen inventory and the worst part is that the majority of firms never fully recovered the damages their employees caused them. Furthermore, it was stated that the majority of the white collar criminals in such businesses were first-time offenders who had never been convicted of a crime before.

According to Gottschalk (2017), white collar crimes are crimes perpetrated by members of the affluent class and are made possible by their privileged positions in the workforce. The convenience theory, which elaborates on the incidence of white collar crime as a consequence of high financial desire, willingness to engage in deviant behavior, and organizational opportunity, is used by the author to better characterize white collar crimes. When analyzing characteristics of white collar criminals, Eaton et al. (2016) place special emphasis on four key characteristics: authority, cultural hedonism, poor self-control, and narcissistic personality. According to the definition, white collar criminals utilize their authority to conduct crimes, hence having authority is important in these crimes. The misuse of authority has been cited as the root cause of corruption in numerous situations. Even recently, the NAB in Pakistan detained a large number of government workers who were abusing their positions for personal financial benefit. The other three traits exhibited favorable relationships with white collar criminals.

Gottschalk (2017) cited in his findings on the autobiography of a white collar criminal that he lived a variant of the American fantasy that placed a focus on financial success while also

possessing to overcome challenges posed by the upper class in order to realize those dreams, and in order to attain those desires, he turned to crime.

Research Methodology:

Information was gathered for the study via survey research. There are many different survey kinds and methods listed here. White collar criminals who were chosen for the sample filled out a questionnaire. There were two options for the questionnaire: an open-ended questionnaire and a closed-ended questionnaire. In a closed-ended survey, respondents may choose from a list of prepared answers, but in an open-ended survey, they had to provide an original response to each question. A closed-ended questionnaire was utilized in this study to gather data from the chosen samples. Due to the sensitivity of the private data of white collar offenders, the sequencing of the questions was carefully regulated such that trust had to be established before posing any intrusive queries.

Discussion:

Two Pakistani white collar criminals were selected for a study. The following assessment of their criminal nature was made based on their questionnaire responses. The results of this study show that samples are representative of the people they represent: active and vivacious, loving all forms of physical activity, including hard work and exercise, and pursuing a wide range of diverse interests. They ranged from being somewhat to very social. Additionally, it was discovered that they exercised caution and did not take on a lot of danger. They engaged in calculated white collar crime for this reason because it was less objectionable in nature under our legislation than any violent offence. Impulsivity reveals whether a person makes decisions with maturity or on the spur of the moment. It was discovered that they made decisions only after carefully weighing all of the advantages and disadvantages of that particular choice. They were utilized to preserve past sorrows in their minds because they were less expressive. They continue to be angry.

They were very responsible individuals, and their position in a position of significant responsibility further supported this trait. When their guilt awareness was assessed, it was discovered that they were remarkably guilt-free. They believed everything they had done was right and had an explanation for it. Their surroundings were the primary factor that encouraged them to engage in this type of illegal conduct. Both their current surroundings and the environment in which they spent their adolescence were included in this habitat. The study's two samples came from families in the mid- and low-middle classes, and both of them had grown up in poverty. As a result of their upbringing and the environment they lived in, they developed aberrant behaviors in an effort to attain the amenities and standards that they had previously been denied, which placed them in the underprivileged section of society. Their desire for high status rendered them guilt-free, and they justified their act of bribery as their right to provide their services to the affected parties.

Conclusion:

There are various factors that could lead to the emergence of a criminal impulse. This study was focused on identifying the elements that contribute to the formation of criminal inclination since, according to the literature analysis and study, inclination is not just something that is inherited; it may also be learned from the society. This study discovered that a key factor in the growth of the criminal inclination is the social situation.

In the cases, prior deprivation brought on by their low social position and their immediate surroundings cause them to feel driven to pursue all of the things that would make them respectable and status-oriented in society. They even didn't feel bad about any criminal actions they had committed for this reason. Furthermore, they noticed that most people in their organization were involved in the same kind of activities, giving them the impression that accepting bribes and making money by whatever means necessary was the norm. It has been proposed that controlling the environment is necessary if we want to exercise preventive control over the emergence of criminal inclination. Although his environment cannot be controlled from outside the firm, it is possible to do so by modifying the workplace ethics and internal controls to ensure that no one is taken advantage of by employees.

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