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Perception of civil Society about white-collar crime in Punjab, Pakistan

Abstract

The objective of this research was to examine the dynamic relationship connecting normal criminals and white-collar criminals. Researchers have reported important data about the fears of society about white-collar crimes. By unfolding and exploring the drive of these criminals; societies can have put in place pre hand mechanisms to curb both the physical and financial losses. In-hand studies was being conducted on qualitative techniques interview guide was used as a tool to gather information. Thirty respondents were interviewed from three districts by convenient sampling technique. The researcher observed from review of literature that the urge to become influential, among the people living around them, the social environment, no sense of guilt and greed were the most significant factors responsible for commission of white-collar criminal. Thematic and content analysis showed that fluctuating value of Pakistani currency and one of the major variables in the production of white-collar crime is political uncertainty.

Key words: White-collar crime, Flaw in law, political instability, Thematic and content analysis, weak criminal justices system

INTRODUCTION

White-collar crimes are classified as crimes that are mostly committed for the primary objective of economic gain. White-collar crimes are crimes committed by people, companies, and government agencies that are financially motivated. People who have committed white-collar crimes, have occupations rather than jobs, are also powerful and respectable members of a society. In an industrial world, they are identified with the blue-collar and working class. Edwin Sutherland (1941) coined the original phrase "white-collar crime," and he described these crimes as "a crime committed by a person of credibility and high social status in the course of his occupation." He wrote an article on it, expanding the criminology field to research much more than street crimes. He has been researching, for decades, the activities of a number of major American corporations and utility companies. In 1939, he invented the phrase 'white-collar crime' because he understood at that stage that crime was not restricted to inner-city streets.. Sutherland needed people to recognise that even well-educated, reputable people commit these crimes while establishing the theory of white-collar crime. However, in developed countries, violence and instability are major challenges, as these countries face a population increase and increased urbanisation. The space is even greater for white-collar offenders in those countries with insufficient resources to invest in modernising their judicial system, low salaried police officers, inadequate facilities, overcrowding jails and courts (Dodds&Pippard, 2005).

Types of White-collar Offenses

Different forms of white-Collar crimes as narrated in Section 9 of National Accountability Ordinance 1999 have been studied in this study. Under the definition of the offence of corruption and corrupt practices- (i) receiving of gratification by a public office holder (ii) acceptance of any valuable thing without consideration (iii) if the public

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office holder dishonestly or fraudulently misappropriates any property entrusted to him (iv) unlawfully obtaining of any property/ valuable thing (v) to become a public office holder with pecuniary benefit and monetary capital disproportionate to his established sources of income (vi) accused under National Accountability Ordinance, 1999, if he misused his authority to gain any illegal benefit (vii) issuance of SRO (Statutory Regulatory Order) to grant concession or benefit in any taxation matter etc. (viii) offence of willful default (ix) offence of cheating and dishonestly inducement to the members of public (x) offence of criminal breach of trust against the members of public at large (xi) offence of criminal breach of trust by a banker, merchant, factor, broker and attorney or agent (NAO, 1999).

In addition, healthcare fraud is becoming very common in the developing countries like Pakistan e.g. when a hospital overcharges for medical costs, doctors prescribing unnecessary medicines, and medical investigations, and receiving commission from pharmaceutical companies, and from the medical laboratories. Such healthcare fraud is often difficult to identify and investigate. A range of wrongdoings are currently known in Pakistan as White-collar Crimes, such as evasion of wage charges, inventory management, buyer extortion, misappropriation, bribes, cyber loafing and corporate data distortion (Hussain and Manzoor, 2014). In Pakistan, there are two notable types of authoritarian white-collar crimes rehearsals: firstly, word-related misconduct (individual intrigue); secondly business misconduct conferred to their organisation or company by the corporate officer (Erkuş and Fındıklı, 2013). The political pragmatism of the lawmakers is the main challenge in combating deterioration in Pakistan (Durrarahet al., 2016; Mahmoodet al., 2012), due to this, the vast majority of the counter devaluation elements in Pakistan have been ineffective (Hussain and Manzoor, 2014).

This is an admitted fact that the accountability mechanism and legal framework are based on political will, role of civil society, presence of upright political and democratic governments and corruption free society. However, these elements have never been remained essential in our political and legal systems. In this regard, in third world countries, especially in Pakistan the political leadership and society have surrendered their pivotal role and responsibility being leaders and citizens. White-collar offences are both financial and socially costly. When we studied the financial consequences of white-collar crimes, it became apparent that billions are lost every year, owing to the immense misery of developing countries' economies and political structures like Pakistan. These crimes often lead to a drastic decrease in the standard of life, a precursor to poorer political / social stability and inflation, in addition to the economic strain on the economy. Economic cost and consequences of white-collar crimes are even higher than the cost incurred due to so many criminal activities taken collectively (Camerer, 1996).

Considering the political, economic and social expenses of white-collar crimes in Pakistan, Pakistan's judicial system should take these crimes seriously into account, which is sadly not the case. Somehow, those in control, by pre-arrest bails and postponed trials, almost always evade the law. The white-collar criminal's image is scarcely damaged, let alone any stringent punishments. White-collar criminal criminals have influenced the structure of society in such a way that the ethics and values that people typically aspire to uphold in a society have been compromised. All facets of our lives are influenced by white-collar crimes, such as the public sector, the financial sector, the political system, etc. The entire structure of society is harmed by the illegal actions of the most talented and highly skilled people (Croall, 2001). Greed opportunity, a sense of entitlement, arrogance, competitiveness, loopholes in corporate and legal structures, and justifications are also some of the motivating factors for white-collar crimes (Bucy, 2012; Shuan, 2008; Liew et al., 2011). Peer encouragement, uncontrolled corporate culture, lack of transparency, weak political structure and lack of reporting are the main causes of the prevalence of white-collar crimes (Bashir et al., 2011). Supernor (2017) states that in order to extract property tax-seeking and bribes, political insiders misuse public office. Also moderate levels of pursuing political rent may lead to undesirable results. Political rents can be large in countries lacking good democratic governance and democratic culture, and the economic and political implications can be adverse.

Objectives of the study

- To study the civil society's opinion towards white-collar crime

Methodology

As qualitative research is increasingly recognised and respected, it is crucial that it should be performed to deliver concrete and useful results in a comprehensive and methodical way. Qualitative researchers must demonstrate that data analysis has been carried out reliably, systematically and comprehensively by recording, systematising and reporting the methods of analysis with sufficient details to allow the reader to determine whether the process is truly reliable in order to be recognised as trustworthy. While there are multiple instances of how to perform qualitative research, researchers have few advanced resources at their disposal to conduct a comprehensive and specific thematic study.

Therefore, a form of qualitative data processing is thematic analysis. It is generally applicable to a series of texts, such as interview transcripts. In order to identify common issues, topics, ideas and background patterns that occur frequently, the researcher closely analyses the details. Thematic analysis is an effective research approach in which you try to find out more about people's behaviours, opinions, skills, expectations or values through a set of qualitative data, such as interview transcripts, social networking sites, or survey responses. There are different approaches to performing thematic analysis, but a six-step method is the most common form:

- I. Familiarization
- II. Coding
- III. Generating themes
- IV. Reviewing themes
- V. Defining and naming themes
- VI. Writing up

The present research utilised thematic analysis in order to unfold white-collar crime in Punjab, Pakistan. The researchers used a purposeful sampling approach to perform interviews with thirty participants from three courts i.e. Faisalabad, Jhang and Multan.

Interview Process

Participants' interviews were performed at their office at a prearranged time and day. Interviews were semi-structured; a guide offered a loose framework in which the subjects of concern were concentrated. The key issue was "Civil society's view of white-collar crime in Punjab, Pakistan." The investigator urged participants, where appropriate, to build on specific and interesting answers.

Participants

In qualitative study, purposeful sampling is a commonly used technique whereby those cases are selected which are more probable to be informative on the area of focus in order to use limited resources efficiently (Patton, 2002). Three police inspectors and two attorneys with extensive knowledge in working with white-collar criminals were interviewed for this reason. All of the participants were between the age of 30 and 60 years.

Data Analysis

Braun and Clarke (2006) asserted that, since it offers key skills for many other types of qualitative analysis, thematic analysis should be the primary method for qualitative analysis. It is a technique contained within a data set for recognizing, evaluating, arranging, defining, and reporting themes. Thematic analysis was used in this research, and this allowed the interview recordings to be transcribed and coding phases followed. Initially, in order to recognize possible trends, the authors read and re-read the results. These initial codes were checked by both researchers in the second stage of study. In particular, both discussed how to preserve the diversity of the original codes, while generating overarching elements, higher-level sub-themes. This process was told by the research issue, unfolding a white-collar criminal instinct in Pakistan. In the third level, researchers reviewed citations that were consistent with the underlying themes. Next, prior to identifying and naming them, the writers checked themes. Finally, the write-up of the study started once the themes were finalized.

Results and Discussion

Four themes were created by the research.

3.1 Urge to become influential

Almost all the participants reported that such types of criminals are typically wealthy, and socially connected and have the urge to influence the people around them. For this purpose, they usually make relationships with corrupt political leaders, and the corrupt officers in various institutes and departments. Especially the criminals from business community those have no significance/ influential position in any department have strong urge to make relationships with the corrupt political leaders, and corrupt police officers. Illustrative examples are mentioned below.

Lawyer A: *“The criminals from business community do not enjoy the status like high ranked officers, or political leaders. But they have strong urge of it, so they always try to make relationships with the people having influential positions especially high ranked police officers and the politicians. They often illustrate these relationships in an effort to influence their friends and relatives.”*

The criminals use these relationships to influence the people around them and also to enhance their wealth through unfair means.

Lawyer B: *“The relationships with politicians and high ranked officers fire the fuel and allows the two to parley in grey areas whereby they both can enjoy what is otherwise off-limits and not sanctioned by the law or the constitution.”*

Lawyer C: *Criminals become influential in their vicinity”.*

3.2 Social Environment

In their accounts, several participants showed how the social environment plays a key role in building a criminal instinct.

A: *“such criminals often argues that everyone around us is indulge in the crime at his level so there’s nothing wrong with them following the suit.”*

Some participants also criticized that to some extent the state was responsible to make the social environment suitable for white-collar criminals.

R: *“The state through its various acts like “ Tax Amnesty Ordinances 2018”, and “National Reconciliation Ordinance (NRO)”gave amnesty to the white-collar criminals. These schemes encouraged the instinct of white-collar crimes among such offenders”.*

Discussion

Many individuals have the wrong notion that white-collar crimes are not offences or have negligible punishments at all. This assumption could not, however, be further from the facts. White-collar crimes are extremely serious crimes, and criminal punishments, including lengthy jail terms and large monetary fines, may be levied on a white-collar crime.

The present study reveals that there are several factors that contribute to criminal motivation being developed. As in the literature review, this study focused on investigating certain factors that contributed to the creation of criminal motivation, and the further study considered it to be something that is not innate but can only be gained from the atmosphere or culture.

An individual of credibility and social standing who commits crime in his career is to be considered as a white-collar criminal, the notion of white-collar crime by Sutherland (Benson and Simpson, 2009). The same was confirmed in the present study as most of the white-collar criminals had the urge to become influential at their level best. For this purpose, they were developing relationships with politicians, and high ranked officers of various departments. These relationships provide them the ease of committing white-collar offences.

In this research, the social environment has been found to play a key role in the production of criminal motivation. The experience of living around the same offensive community was promoting thoughts favorable to the white-collar crimes. Some respondents also blamed the relaxations/reliefs provided by the state to such kind of offenders for the development of this sort of criminal motivation.

In the sample, the respondents shared that many offenders dealt by them had no sense of guilt and held the view that no business can be run without being dishonest, while many others believed that one should learn to make

people fool to some extent. Another reason as per some participants was that the corruption has become a status symbol among such people.

The covetousness to fulfill something that has made them respectable and community oriented was investigated and the obvious instinct of such an offence was identified. To this end, they didn't even feel guilty of any criminal act. Many features of such offenders were also mentioned by Bucy *et al.*, (2008) almost in the same manner. He stated that the desire for social influence, anxiety and fear of losing social status, honesty and lack of social knowledge, ineffective and inefficient corporate governance of organizations and agencies, greed and appetite for resources, financial and monetary benefits, and ineffective and economic corporate culture are the main reasons behind the execution of white-collar crimes.

In addition, as they look around them in their company, they feel that getting bribe and receiving money by hook or by crook is a common culture as most individuals around them are engaged in much the same form of activities.

Conclusion

This research focused on exploring certain variables that resulted in the creation of criminal motivation for the white-collar. Analysis revealed that there are several factors that can contribute to criminal motivation growth and this drive was not something innately, but instead something that were gained from the environment. The current study through thematic analysis of the interviews of thirty experts having experience in dealing with white-collar criminals explored that the urge to become influential, among the people living around them, the social environment, no sense of guilt and greed were the most significant factors responsible for white-collar criminal motivation. Typically, those who commit white-collar crimes are rich, well-educated, and people with social ties. They are also elite individuals, according to the classification and behaviour of white-collar criminals, as suggested by Sutherland. Thus, very few white-collar offenders appear to be put on trial, and far fewer upper-class criminals are charged. As typical street criminals, white-collar offenders are not inherently rooted in criminal lifestyles. In culture, they belong to the wealthy, and they are usually people serving in legitimate organisations. The government officials do not perform their duties honestly and they violate the constitution and the oath they take upon entering the government service cadres.

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