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ABSTRACT

A course on white collar crime suitable for use in a small or moderately sized undergraduate sociology program is outlined. The development, format, and evaluation of the course are discussed in separate sections. The program is seen as developing out of a need to identify and foster awareness of a wide range of illegal and deviant activities regularly engaged in by respectable individuals, such as corporate, governmental, and occupational crime and official misconduct. It is believed that these areas are often neglected in conventional sociology curricula. The format of the course is described as a combination of lecture, student oral reports, and discussion. Student requirements and their underlying rationale are explained. Assignments include a team oral report, oral critique of one to three articles, and an optional written paper. The design of these assignments to encourage class discussion is emphasized. Student response to the course is evaluated as generally favorable. However, tedium of readings on corporate crime and the focus on concepts rather than hard data are cited as areas of student dissatisfaction. The paper concludes with a syllabus outline. (LP)

CRIME, DEVIANCE AND RESPECTABILITY: A NEW COURSE IN A NEGLECTED AREA IN THE SOCIOLOGICAL CURRICULUM

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What follows is based upon a pedagogical roundtable conducted at the 1983 Meeting of the ASA in Detroit. It should be stressed that the course described here is most appropriate for undergraduate programs, and perhaps especially those with smaller or moderate-sized programs. The course described is one I developed and taught in a Sociology/Criminal Justice program at my relatively small university, in the Fall, 1982, semester.

A few commonplace observations can be offered as a preface to a discussion of a new course on Crime, Deviance and Respectability.

Although courses in criminology, delinquency and deviance are a standard part of the sociology curriculum these courses have focused principally on conventional, lower-class illegal activity, or "nuts, sluts and perverts." [see Liazos, 1972] A review of college catalogs, and of textbooks in these areas, reveals notable exceptions to these biases, but on the whole the bias itself clearly endures. There is, of course, a long tradition of challenge to this bias, with the early muckraking tradition (e.g., E. A. Ross's Sin and Society, 1907) and E. H. Sutherland's 1939 [published, 1940] American Sociological Society address - and subsequent work - on white-collar crime being two major stages of development; in more recent years the emergence of critical theoretical perspectives (e.g., labeling, conflict, and radical) and attendant "radicalizing" events (e.g., the consumer movement, Vietnam, and Watergate) have helped bring about a great increase of attention

to a range of interrelated, overlapping, but not synonymous activities designated white-collar crime, governmental crime, corporate crime, elite deviance, occupational crime, organizational crime, official deviance, upperworld crime, non-traditional crime, and respectable crime.

Some Basic Questions

The basic question here is this: how should systematic attention to the activities listed above be integrated into the sociology curriculum?

First, should attention to "respectable" crime and deviance (a term used here as a catch-all for the activities just listed) be incorporated into the content of existing courses - social problems, criminology, etc. - or is it necessary and desirable to treat this type of activity separately? Certainly a criminology course which fails to contend with white-collar crime, and a deviance course which fails to contend with elite deviance, are inadequate and incomplete courses. But neither of two basic choices - i.e., covering these phenomena in a limited and abbreviated fashion while devoting the bulk of attention to the traditional topics, or focusing mainly on these phenomena while devoting minor attention to trational topics - is satisfactory. The first choice won't do justice to respectable crime and deviance; the second choice compels one to neglect most of the existing literature pertaining to crime and deviance. I would argue, then, that one or more autonomous courses, as a basic part of the curriculum, should focus upon this realm of activity.

My course "Crime, Deviance and Respectability" offers a thorough, if broadly focused, approach to understanding the relationship between respectable institutions and individuals, and illegal or deviant activities. The broad scope of the course, as outlined below, may well be controversial. Autonomous courses can - and in fact should be - devoted to such substantive interests

as: corporate crime; governmental crime; and occupational crime. But the rational here is that the first task is to systematically identify the whole range of illegal and deviant activities engaged in by respectable individuals and institutions, and then to systematically delineate the similarities - and differences - between these forms. A primary challenge is to generate a full appreciation, on the part of students, of the diversity and pervasiveness of illegal and deviant activities by this strata of society: their own, or one they invariably aspire to join.

The next question is: which theoretical perspective(s) should be brought to bear on this subject matter? As a practical matter an instructor's theoretical orientation is likely to determine the approach taken. But I want to argue here that different theoretical perspectives may be more or less useful relative to a particular type, or level, of activity. Structural, organizational and social psychological (or individualistic) forms of explanation have been advanced. The premise here is obvious, but important, nonetheless: no single theoretical perspective adequately accounts for the range of activities here addressed, and the several different forms of explanation must be invoked. One can argue, of course, for the primacy of some forms of explanation, and here a strong case has been made in recent years by proponents of structural and organizational perspectives, especially where corporate crime is concerned.

The issue of theoretical perspective generates another sort of question: can a scheme of classification, or typology, be developed which incorporates the proper "relational distance" between high-level (e.g., corporate), middle-level (e.g., occupational), and low-level (e.g., conventional) offenders? The white-collar employee who embezzles has something in common with the conventional thief and with the price-fixing executive; the challenge in this realm is to quite systematically identify similarities and

differences: Is the relative lack of power and the need for immediate gain more or less significant, when considering the white-collar embezzler, than the relative advantages of opportunity and the respectable status enjoyed? Criminological typologies are profoundly problematic, but do provide us with one necessary point of departure for a coherent understanding of crime. Clinard and Quinney's criminal behavior system typology [1973] delineates some of the principal categories, although this only gives us a beginning for attending to the challenge just described.

Finally, how does the enduring problem of objectivity and partisanship impinge upon this area of inquiry? It should be quite manifestly obvious that the challenges here are especially pronounced. My own approach to this problem is as follows: First, I believe it is instructive for both teacher and student to begin with a reflexive consideration of the basis of their understanding of the subject matter. Our understanding of crime in general, and respectable crime specifically, is experiential and ideological, as well as scholarly [see Friedrichs, 1981]. I attempt to identify my own experiential base relevant to respectable crime and deviance, and the development of my ideological perspective; having done this, I believe one can then proceed to a reading of the relevant scholarly literature which is "objective" in the following sense only: known biases have been identified, and deliberate distortion or misreading of the scholarly literature is avoided. Consciously partisan positions are acknowledged to be such. As suggested above, students in this class are also assigned the task of a reflexive exercise; then the class as a whole undertakes a consideration of the "unresolved problematics": i.e., metaphysical, metaethical and ontological questions; for example, how does the unresolved "determinism/voluntarism" issue apply here? The paradoxical tendency to hold conventional offenders more responsible than those logically much better situated to make meaningful choices can be examined

in this context); and a systematic review of basic structural dimensions of American society (e.g., its capitalist economy, democratic heritage, and "mass" character; my argument would be that too often one type of "structural" dimension is utilized in the analysis of crime and deviance, when a complex of different - albeit interacting - dimensions must be considered.)

Some Specific Pedagogical Tactics

At the beginning of each course I contrast four different styles of being a student: civil (simply staying awake, and not being disruptive in class); passive (simply paying attention to what is said in class, or read); active (taking notes), and critical (not only taking notes, but thinking critically about what's being said - or read - and asking challenging questions about the same). Needless to say, students are encouraged to strive toward the critical style. A number of pedagogical tactics were utilized in this course to help promote this critical style.

First, students were required to participate in a report to the class. Students were given a long list of appropriate topics to choose from; they were then assigned to a "team" with one fellow student. They were instructed to research the topic (e.g., corporate price-fixing), prepare a relatively short descriptive and analytical report, and then present this report to the class on an assigned date. This assignment should promote critical thinking; it also allows students to experience collaboration - and learning - from a fellow student; and it enhances the development of skill (and confidence) in the useful art of oral presentation. The class reports generate class discussion, especially insofar as class members are usually more willing to challenge their fellow students, as opposed to the instructor. The personal experiences and opinions of students could be brought to bear on most of the topics. The

advantage of this format, relative to a standard term paper, is that in the oral presentation situation the student must have some understanding of the topic, and the problem of purchased, borrowed or plagiarized papers is diminished. Furthermore, the whole class can benefit from the research effort. Obviously there are problems with oral reports: they may be superficial, poorly organized, too broadly focused, and - especially - poorly presented. I confront this problem by providing students with fairly detailed guidelines suggesting ways to focus upon a topic and organize the material; students are strongly encouraged to write out their presentation, then outline the written version, and present their report from the outline. A brief outline and bibliography are to be handed in, to assist the evaluation process.

Other pedagogical tactics utilized in this course include the assignment of 1-3 articles to students, who are required to give a brief summary and critical assessment on an assigned date. This exercise sharpens critical reading skills, and breaks up the lecture class with a student "mini-lecture"; the problem of limited attention spans is thus addressed.

Still another tactic is periodic polling of the class on subjective (e.g., which deviant or illegal activities do you engage in, and which "respectable" statuses or projections do you benefit from?) and objective (e.g., should industrial polluters go to prison?) questions. These polls - and the reported results - generate discussion and reflection.

In addition to the required class report I offer students the possibility of an optional paper. This option is made available as a matter of fairness to students who perform best in this type of written format. Especially interesting papers can be written in this course which link an autobiographical or experiential account with a broader theoretical or conceptual framework.

Student Response to the Course

Student response to this course, polled through an anonymous questionnaire administered at the end of the course, was generally very favorable. Reaction to most of the topics covered was positive because, as one student put it, "we come into contact with them every day." A basic challenge in this course is the generating of an awareness of and understanding of the pervasiveness of respectable crime and deviance in our everyday environment. Naturally there was some concern with the number of topics dealt with in a single semester; inevitably choices have to be made with regard to what types of activities will be emphasized.

Reading about the respectable world - e.g., of corporations - is boring to some students; the intrinsic "colorfulness" of the world of "nuts, sluts and perverts" is missing. The issue (and subtle consequences) of being bored by the activities of at least some respectable criminals has to be addressed head-on.

Class discussions which brought out a diversity of viewpoints were considered interesting. A significant level of ambivalence, confusion and antagonism emerges; some of the topics are too close to home.

Students commented favorably on subjective illustrations utilized by the instructor: e.g., "The lectures were made interesting by giving examples - including personal ones of how you had been affected. People remember this type of thing, and it makes studying easier." I believe the point about retention is especially telling; there is a need to bring ourselves into the topic, as this is something the textbook doesn't generally do.

There were some expressions of concern with the difficulties of extracting "hard" information in this course. There is, of course, an immense wealth of data in this realm (much of it of questionable validity) but my preference is to stress interpretation and concepts over quantifiable facts.

It is admittedly difficult to formulate propositions which can be translated into non-trite true/false or multiple choice categories. Thus tests stressed identifications, matching and essays.

Concluding Remarks

The rationales for a course focusing upon the criminal activities and deviant behavior of respectable institutions and citizens can be easily summarized: (1) The tremendous social, economic, political and psychological impact of this activity; (2) Its traditional neglect in criminology and sociology courses; and (3) Its direct relevance for the student as citizen, as a professional (in law, criminal justice, or any other endeavor), and as an individual (actor and victim).

The objectives of this course are as follows: (1) To identify the methodological difficulties in studying the involvement of respectable institutions and citizens in crime and deviance; (2) To sort our the conceptual issues and interrelationships between crime, deviance and respectability; (3) To examine the relevance or irrelevance of conventional theories and concepts in this realm of activity; (4) to consider crime, deviance, and respectability historically, cross-culturally, and typologically; (5) To systematically examine the many forms of respectable crime and deviance: governmental; corporate; occupational; non-occupational, etc.; (6) To examine the criminal justice system response to this type of activity; (7) To examine the family as a respectable institution, and a locus or source of crime and deviance; (8) To examine the demand for respectability (e.g., gay rights); the deliberate rejection of respectability (e.g., the counterculture); and the paradox of respectability (e.g., religious cults); and, finally, (9) To consider the structural and cultural transformations necessary for a non-exploitative, non-hypocrtical and tolerant society.

References

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An Outline of a Syllabus for a course on:
CRIME, DEVIANCE & RESPECTABILITY (S/CJ 116)

Course Description: This course will explore the various forms of involvement in illegal and deviant activity by respectable members of society and respectable social institutions. Conceptual, theoretical, historical, comparative and typological dimensions will be considered. Special attention will be devoted to examining the origins and meaning of the concept of "white collar" crime, and to governmental, corporate, and occupational crime and deviance. The category of occupational crime and deviance includes the activities of entrepreneuers, retailers, professionals (e.g., medical doctors) and employees. Additionally, the involvement of respectable members of society in non-occupational forms of deviance, such as tax evasion, insurance fraud, family-centered violence, aberrant sexuality, illicit drug and excessive alcohol use, and the like, will be considered. The response of the law and the criminal justice system to the illegal and deviant activities of the respectable elements will be studied The demand for respectability by some traditionally deviant groups (e.g., homosexuals), the deliberate rejection of respectability by some members of middle-class society (e.g, hippies), and the paradoxical status of some religious groups or cults (e.g., "moonies") will also be considered. Finally, the course will conclude with an analysis of what must be done to diminish if not eliminate the crime and deviance of the respectable.

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I. Introduction to the Course
   A. Rationales and Objectives
   B. Studying Crime, Deviance and Respectability
      1. Unresolved Philosophical Problematics and Basic Assumptions
      2. Structural Dimensions of American Society
      3. Methods of Study and the Problem of Bias
      4. Official Statistics: What They Do and Don't Reveal
      5. The Problem of Perspective: Interdisciplinary Dimensions and Sociological Paradigms
   C. The Conceptual Issues

II. Crime, Deviance and Respectability
   A. Theories and Perspectives on Social Inequality, Law, Crime and Deviance
   B. Ideology and the Critique of Respectability
   C. Concepts Applicable to the Study of Crime, Deviance and Respectability
   D. The Dramaturgic Perspective
   C. Careers in Deviance

III. The Historical Dimension and Moral Entrepreneuership

IV. Images of Crime, Deviance & Respectability: Authority and Attitudes

V. A Typological and Comparative Perspective

VI. Origins of the Concept of White-Collar Crime; An Overview of White-Collar Crime

VII. Governmental Crime and Deviance

VIII. Corporate Crime and Deviance

IX. Organized Crime and Respectable Businesses

X. Occupational Crime
   A. Entrepreneuers; Wholesale and Retail Merchants
   B. Professionals
   C. Employee Crime: White-Collar, Blue-Collar and Khaki-Collar
   D. White-Collar Crime and Modern Technology: Computer Crime

XI. VIctims of White-Collar Crime

XII. Violence and Respectability

XIII. Respectable Crime and Deviance: Non-Occupational
(Tax Evasion; Customs Evasion; Buying Hot Goods; Insurance Fraud; Trffic Law Violation)

XIV. Victimless Crime and Respectable People; Respectable People and Unrespectable Unrespectable Activities

XV. Respectable Families and Deviance

XVI. The Criminal Justice System Response

XVII. The Demand for Respectability and DIgnity: The Gay Rights Movement

XVIII. The Rejection of Respectability: The Counterculture

XIX. The Paradox of Respectability: Religious Cults

XX. Concluding Retrospective: What Can Be Done?