

## THE MYTH OF COMMUNITY TOLERANCE TOWARD WHITE-COLLAR CRIME

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### Introduction

Edwin Sutherland (1983), who invented the concept of white-collar crime in 1939, defined it as "a crime committed by a person of respectability and high social status in the course of his occupation" (Sutherland, 1983:7). One of Sutherland's central contentions was that white-collar crime is allowed to flourish because of permissive community attitudes toward it.

The assumption that the community is not particularly concerned about white-collar crime may explain, in part at least, the very neglect of the topic by criminologists that Sutherland was attempting to correct. In a survey of articles published in the *Australian and New Zealand Journal of Criminology* between 1968 and 1977 (O'Connor, 1980), only one article on white-collar crime was cited. This situation has improved since the survey was conducted.

Whether Sutherland's perception of community tolerance toward white-collar crime was correct at the time of his 1939 presidential address to the American Sociological Society, we will never know, but we now have evidence which casts serious doubt on the applicability of this conclusion to contemporary societies, including Australia. The purpose of this article is to present this evidence. We begin by first considering the American evidence — a country where much survey research has been done in the area of white-collar crime — and then move to evidence from other countries before specifically discussing Australia, where both research in this area, and discussion on the phenomenon generally, are fairly recent. Finally, we present the results of a nationwide survey in Australia on the seriousness of a number of criminal offences, including white-collar offences.

### The American Evidence

Reviews such as that of Conklin (1977) have shown that Americans in fact strongly condemn white-collar crime. A 1929-1958 longitudinal study of moral condemnation of 50 types of behaviour found that of the nine items which involved white-collar crime, eight were among the 25 most disapproved types of behaviour (charging interest above a fair rate for loans, misrepresentation in advertising medicines, maintaining working conditions which are known to be detrimental to employees' health, forgery, acceptance of bribes by legislators, tax fraud, and commission of arson by a landlord to collect insurance) (Rettig and Pasamanick, 1959). Another early study by Newman (1957) found that most members of the

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public recommended heavier penalties than in fact had been given to Food, Drug and Cosmetic Act offenders.

A San Francisco survey by Gibbons (1969) found 70% of the respondents to favour incarceration for antitrust offenders, with 43% favouring imprisonment for misrepresentation in advertising. For auto theft and assault, 70 and 48% respectively favoured imprisonment. A 1969 Louis Harris poll showed that the sample regarded a manufacturer of unsafe automobiles as worse than a mugger (68% versus 22%) and a majority viewed a businessman who illegally fixed prices as worse than a burglar (54% versus 28%) (*Time*, 1969). Harris concluded that "[a]nalysis of this list leaves little doubt that immoral acts committed by Establishment figures are viewed as much worse, by and large, than anti-Establishment figures". Similarly, a survey by the Joint Commission on Correctional Manpower and Training (1968) found the public more willing to advocate prison sentences for embezzlers than for burglars, looters in riots, or prostitutes, although the attitude towards armed robbers, murderers, and sellers of narcotics to minors was more punitive. Reed and Reed (1975) found that three white-collar offences (securities fraud, embezzlement, and failure by a landlord to make repairs which causes death of a tenant) were as likely as bank robbery to elicit a public recommendation for imprisonment. Respondents were, however, more punitive towards the bank robber than towards a bribe-taker, an illegal abortionist, and a price-fixer. Subjects recommended that all of the above white-collar offenders should be sanctioned more severely than a shoplifter.

The most recent pre-Watergate study was by Rossi, Waite, Bose and Berk (1974). It revealed the least punitive attitudes towards white-collar crime. Certain white-collar offences were given extremely low seriousness ratings. Tax offences were generally rated low in seriousness. Of 140 offences, "false advertising of a headache remedy" ranked 127th. On average, the 24 white-collar offences ranked considerably lower than interpersonal offences involving violence or serious loss of property.

A post-Watergate replication of Rossi *et al* by Cullen, Link and Polanzi (1982) found that the punitiveness of attitudes to white-collar crimes had increased both relatively and absolutely between 1972 and 1979, but on average the 24 white-collar crimes still were rated as less serious than interpersonal offences involving violence or serious property loss. Cullen *et al* (1983) explored this further by breaking the 24 white-collar offences down into types of white-collar crimes. They found that white-collar crimes resulting in illness, injury or death were regarded as substantially more serious than all other types of white-collar crimes, with tax offences being regarded as the least serious. While the 12 most serious crimes in the whole survey were different forms of interpersonal homicide, the 13th was "knowingly selling contaminated food which results in death". This was ranked as more serious than homicide "in a bar room free-for-all", of a "pedestrian while exceeding the speed limit" and of a "spouse's lover after catching them together". The latter two types of homicide were also regarded as less serious than "causing the death of an employee by neglecting to repair machinery" and "manufacturing and selling drugs known to be harmful to users".

Cullen *et al* (1985) have further confirmed these findings. Of 41 offences, "knowingly manufacturing and selling contaminated food that results in death" was given the third highest sentence (behind "assassination of a public official" and "killing of a police officer in the course of a terrorist hijacking of a plane"). This offence was punished more severely than "killing someone during a serious argument", "forcible rape of a stranger in a park", and "armed robbery of a bank".

“Manufacturing and selling pharmaceutical drugs known to be harmful to users” was ranked ninth behind all of the above, but ahead of “assault with a gun on a stranger”.

The conclusion of these authors is consistent with that reached by Schrager and Short (1980) after a re-analysis of the original Rossi *et al* (1974) data: organizational crimes are rated to be as serious as individual crimes when they have comparable impacts (see also Sykes and West, 1978). Organizational crimes which harm persons are considered as serious as individual violent offences, and organizational economic crimes about as serious as individual economic crimes.

Sinden's (1980) data from a student sample are also consistent with the foregoing conclusion, although murder and child beating were viewed as somewhat more serious than any violent white-collar crime. On the other hand, “employer failing to repair machinery resulting in death” was perceived as more serious than “assault with a gun”, “bank robbery (\$10,000)”, “armed robbery (\$100)”, “assault with fists”, and “death from reckless driving”. The economic white-collar crimes were also generally regarded as somewhat more serious than individual property crimes.

A study by Carroll *et al* (1974) assessed students' attitudes toward Watergate-type offences (falsifying government documents, illegal wiretapping, illegal use of campaign funds, etc). Such offences were perceived as less serious than violent crimes, but more serious than all property and victimless crimes. Of course, Watergate-type offences do not involve physical injury or significant loss of property. The fact that the subjects of this study nevertheless rated them as very serious suggests that less tangible types of harm may be important in assessing the seriousness of white-collar crime. White-collar crime may be viewed as particularly serious because of the way it undermines the trust and integrity essential for the effective functioning of major societal institutions (Meier and Short, 1982).

A replication of the Rossi *et al* (1974) study on samples of police chiefs and regulatory agency investigators by Pontell *et al* (1983) found the former to view white-collar crimes as slightly less serious than the general population, with the investigators viewing them more seriously.

Wolfgang *et al* (1985) conducted a major study of attitudes towards the seriousness of crime on a national sample of 8000. Consistent with the earlier studies, Wolfgang *et al* found that their respondents rated white-collar crimes which caused injury to persons as extremely serious. Consider this item: “A factory knowingly gets rid of its waste in a way that pollutes the water supply of a city. As a result 20 people die”. This was regarded as more serious than some direct intentional forms of homicide, such as “A person stabs a victim to death”. Even when the last sentence of the same pollution item is changed from “20 people die” to “20 people become ill but none require medical treatment”, the offence is still regarded as more serious than attempted murder by shooting a gun and assault with a gun or knife which causes hospitalization. While bribery offences are also rated as fairly serious in the Wolfgang study, tax evasion is rated very low. Embezzlement of \$1000 from an employer, although regarded as moderately serious, was rated as less serious than misappropriating \$1000 by shoplifting, burglary, or robbery.

Another study by Cullen *et al* (1983) found respondents to be overwhelmingly of the view that white-collar criminals were treated too leniently; more respondents felt that “stiff jail sentences” would stop white-collar criminals than felt this about “street criminals (like robbers)”. In fact, 63% of respondents agreed that “while fear of going to jail might stop a businessman or a politician from breaking the law, it doesn't have much effect on people who commit such crimes as burglaries and robberies”.

### International Comparative Studies

Scott and Al-Thakeb (1977) have provided the most wide-ranging international survey of attitudes toward the seriousness of white-collar crimes; interviews were conducted in the United States, Great Britain, Finland, Sweden, Norway, Denmark, The Netherlands and Kuwait. They compared the level of penalty which would be administered for various white-collar crimes with the penalty regarded as appropriate for the seven FBI index crimes.<sup>1</sup> Consistent with the other studies, the white-collar offence which attracted the most punitive response was a crime against the person: "The offender is an executive of a drug company who allows his company to manufacture and sell a drug knowing that it may produce harmful side effects for most individuals".

In every country, respondents recommend heavier sentences for the manufacture and sale of potentially harmful pharmaceuticals than for auto theft, larceny (felony), burglary, aggravated assault, and robbery. The United States was the only country in which it was not also rated as deserving a longer sentence than rape. In Sweden, even murder attracted a lighter average sentence than that recommended for the pharmaceutical executive. A relatively less punitive attitude in the United States was also manifest for "oil price fixing". United States respondents rated this as deserving less than half the duration of imprisonment which they would prescribe for rape. For the other countries, the punishment for oil price fixing tended to be about the same as for rape. In all countries income tax evasion and false advertising were rated as the least serious among the white-collar items, although in most cases these offences evoked a more punitive response than the least serious index offence, auto theft.

An interesting feature of the Scott and Al-Thakeb study is that it demonstrates how white-collar crimes can be perceived as deserving more severe punishment even when the objective harm is less than that of a comparable common crime. Taking the sample as a whole, respondents rated an auto repair fraud in which the victim's out of pocket loss was less than \$300 as demanding a considerably longer period of incarceration than auto theft!

The other important cross-cultural study is Graeme Newman's (1976) *Comparative Deviance*. Based on interviews in six societies, India (N = 467), Indonesia (N = 460), Iran (N = 475), Italy (N = 200), Yugoslavia (N = 500) and the United States (N = 169), Newman's survey included questions on two white-collar offences: "A person puts government funds to his own use" (appropriation), and "A factory director continues to permit his factory to release poisonous gases into the air" (factory pollution). Other offences included robbery, incest, abortion, drug use, homosexual activity, public protest and not helping: "A person sees someone in a dangerous situation and does nothing". In all societies other than the United States, respondents recommended longer prison terms for appropriation than for robbery ("A person forcefully takes \$50 from another person who, as a result, is injured and has to be hospitalized"). The United States was the exception here, with robbery being responded to slightly more punitively than appropriation. On the other hand, the average prison terms recommended for robbery were higher than those for factory pollution in all six countries. In part, this was due to considerable proportions of respondents recommending fines for factory pollution. Such responses were recorded as zeros for the averaging of recommended prison terms. For the Indian and Iranian samples, factory pollution was rated as more serious than robbery.

There is some evidence from Poland (Kwasniewski, 1984) and from Soviet immigrants to Israel (Sebba, 1983) that paying and receiving bribes may be regarded as less serious offences in Eastern Europe than in the West. In general, however, these and other international studies not considered in detail above (Jones and Levi, 1983; Salas *et al*, 1982) point to a high level of intolerance and punitiveness toward white-collar crime similar to, if not higher than, that revealed in the American research.

### Australian Studies

The first Australian data came from Wilson and Brown's (1973:53) *Crime and the Community*. Attitudes to crime were obtained from 1008 interviews in the three large cities of Sydney, Melbourne, Brisbane and the rural Queensland community of Laidley. One of the offences for which respondents were asked to suggest an appropriate punishment was: "A company director fraudulently misappropriates \$300,000 from company funds". This elicited the most punitive response of the five non-violent property crimes in the survey, though a less punitive response than the violent property crime of robbing a bank with a gun, and a less punitive response than murder and rape (but more punitive than for other crimes against the person). Seventy-four per cent felt the fraud worthy of a prison sentence of over three years. In a subsequent study by the New South Wales Bureau of Crime Statistics and Research (1974), 76% of a Sydney sample of 1193 thought "imprisonment" the appropriate way to deal with the less specific offence of "fraud".

A 1979 national poll of 2000 Australians conducted by Irving Saulwick for the Age (Australian Law Reform Commission 1980:28) reported only 21% of respondents agreeing that "a fine, bond, probation or community service rather than a jail sentence" was appropriate for "defrauding company shareholders". Only two of 11 offences<sup>2</sup> in the survey (child bashing — where 20% preferred a non-custodial sentence, and armed robbery — where only 3% chose a non-custodial option) elicited a more punitive response. "Making a false application for social security benefits" produced a much less punitive response, with 57% advocating a non-custodial disposition. Though this offence also amounts to fraud, it does not satisfy Sutherland's definition of white-collar crime as it is not committed by "a person of respectability and high social status in the course of his occupation".

This survey gives us the first Australian evidence for the conclusion that white-collar fraud is regarded as more serious and deserving of greater punishment than blue-collar fraud. The notion of *noblesse oblige* is an important part of community attitudes to crime.

A 1983 study by Cole sought to assess the attitudes of South Australian manufacturing executives to corporate offences against the environment (Cole, 1983). Pollution of a waterway, and selling canned fish which had been contaminated by mercury were regarded as relatively serious offences, significantly more so than assault inflicting minor injuries, but the emission of a harmful level of industrial noise was not.

The most comprehensive Australian study was a replication of the Scott and Al-Thakeb (1977) study by Broadhurst and Indermaur (1982) on 269 Western Australians. The rank ordering of offences according to the punitiveness of community response was broadly similar to that reported above from the Scott and Al-Thakeb (1977) study. It would perhaps come as no surprise that the Western Australian sample had a less punitive response to tax evasion than all seven other countries for which this comparison could be made. In general, however, Western Australian community attitudes were more punitive, longer prison sentences than



for all seven other countries being recommended for auto repair fraud, bribery, oil price fixing, and negligent pharmaceutical distribution. The average number of days in prison recommended for the latter offence ("The offender is an executive of a drug company who allows his company to manufacture and sell a drug knowing that it may produce harmful side effects for most individuals") was a staggering 3131.

Studies in which the seriousness of crimes are rated have been considered in the preceding paragraphs in addition to studies in which actual penalties are recommended. Considering them together is justified because there are generally high correlations between ratings of seriousness and suggested sentences (see the studies cited by Braithwaite, 1982:732). However, Rossi *et al* (1985) have shown that after controlling for their seriousness corporate crimes are regarded as deserving more severe punishment than other crimes (while victimless crimes are rated as deserving less punishment, controlling for their seriousness). This means that studies which rate only the seriousness of corporate crimes would tend to understate community intolerance somewhat compared with those which ask respondents to rate the severity of sentences.

### **The 1986 Australian Institute of Criminology Survey**

In order to determine the extent to which these public attitudes toward white-collar crime prevail in contemporary Australia, the Australian Institute of Criminology undertook a national survey of attitudes to crime. The survey, based on a multi-stage probability sample, was conducted on behalf of the Institute by McNair Anderson and Associates in March 1986. Responses were received from a representative cross-section of 2551 persons throughout Australia aged 14 years and over.

Respondents were asked to assess the seriousness of 13 hypothetical incidents in the following manner: Following the methodology employed by Wolfgang *et al* (1985), each respondent was given a description of a bicycle theft ("A person steals a bicycle parked on the street") and told that the seriousness score of the incident was 10. Respondents were then given a list of other incidents and asked to assign a seriousness score to each. If they regarded an incident to be 20 times more serious than the bicycle theft, they were to assign it a score of 200; if half as serious, a score of five. The ratings of each of the 2551 respondents were combined to develop a severity score for each of the following 13 incidents:

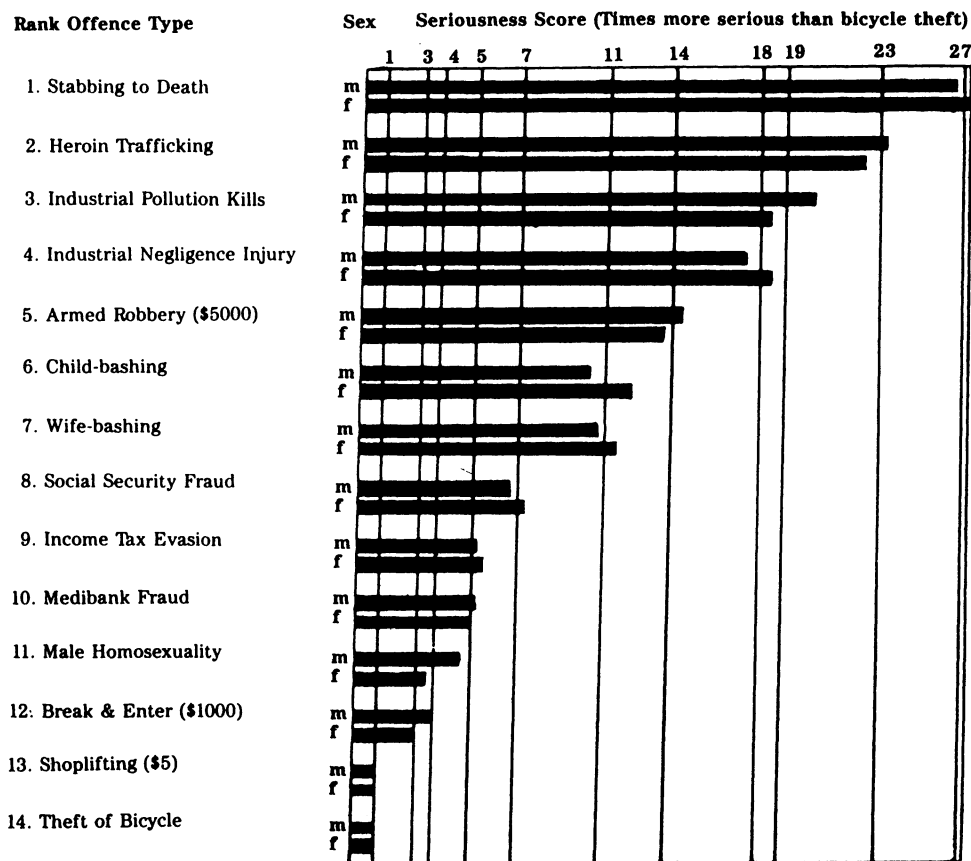
- A man beats his wife with his fists. As a result she spends a few days in hospital.
- A person stabs a victim to death.
- A parent beats their child with their fists. The child is hurt and spends a few days in hospital.
- A person smuggles heroin into the country for resale.
- A person steals \$5 worth of goods from a shop.
- A person breaks into a home and steals \$1000 worth of household goods.
- Two adult males willingly engage in a homosexual act in private.
- A person armed with a gun robs a bank of \$5000 during business hours. No one is physically hurt.
- A person cheats on his Commonwealth income tax return and avoids paying \$5000 in taxes.
- A person illegally receives social security cheques worth \$1000.
- A doctor cheats on claims he makes to a Commonwealth health insurance plan for patient services for an amount of \$5000.

- A factory knowingly gets rid of poisonous waste in a way that pollutes the city water supply. As a result one person dies.
- A worker had his leg caught in an unguarded piece of machinery because the employer knowingly failed to provide safety measures. As a result the worker lost his leg.

Respondents were also asked to recommend penalties which they regarded as appropriate to the act in question.

Figure 1 illustrates the attributed seriousness of the 13 incidents under review. The gravity with which the Australian public regards the fatal incident of industrial pollution and the case of employer negligence resulting in the loss of a worker's leg is starkly apparent. Indeed, respondents regard these offences as more serious than armed robbery, ranking only after fatal stabbing and heroin trafficking on the severity scale. While males and females were generally equally likely to rate these offences more seriously than "traditional crime", females considered employer negligence as being more serious than did their male counterparts. This situation was reversed on the issue of industrial pollution, though differences between the sexes were relatively small.

**Figure 1: Seriousness of Selected Offences as Perceived by Australians by Sex of Respondent**



Three incidents involving fraud — social security, income tax and medical benefits — were regarded by respondents as relatively less serious. Of the three, social security was viewed as the most serious, despite the fact that the amount of funds misused was but one-fifth of that specified in the tax and medifraud cases. In general, respondents regarded offences involving death or serious bodily injury to victims as more serious than those involving loss of funds or property.

There were few other dramatic demographic correlates of public attitudes toward white-collar crime. With the exception of the pollution incident, female respondents regarded the white-collar offences as marginally more serious than did male respondents. In general, perceived seriousness of each incident was greater amongst older respondents. This was particularly strong in the case of social security fraud. Blue-collar workers, Australian Labor Party and Australian Democrat voters, and respondents in their 50s regarded the workplace injury resulting from employer negligence as more serious; younger respondents, more affluent respondents and Liberal Party voters, less so. Similar patterns underlie perceived severity of the pollution incident, although Queenslanders and National Party voters registered above average concern, which contrasts sharply with historical and popular accounts of these groups as basically not interested in issues of environmental protection (see Fitzgerald, 1984).

Finally in regard to each of the three fraud offences, age of respondent is the best predictor of perceived seriousness. Up to the age of 60 at least, older respondents tend to regard offences as more serious.

Following the initial assessment of crime seriousness, respondents were asked to prescribe a penalty appropriate to the offence in question. The options presented were as follows:

- No Punishment
- A Caution or Warning
- A Term of Probation (in years and months)
- A Community Service Order (in hours or weeks of work)
- A Fine (of a specified dollar amount)
- A Fixed Term of Imprisonment (in months or years)
- Life Imprisonment
- Death Penalty

As the data in Table 1 illustrate, members of the Australian public would impose severe penalties on corporate offenders, although the severity of penalties prescribed is not entirely consistent with the perceived seriousness of offences reported above.

Table 1  
Penalties Prescribed for Selected Offences

Offence	Percentage of Respondents Prescribing each Penalty				
	<i>Prison</i>	<i>Fine</i>	<i>(Mode)</i>	<i>Capital Punishment</i>	<i>Other/* No Response</i>
Stabbing to Death	64.8	0.1	—	26.6	8.5
Heroin Trafficking	72.7	1.9	\$10,000 < \$50,000	17.1	8.3
Industrial Pollution	31.5	52.5	\$50,000 +	0.9	15.4
Employer Negligence	22.3	60.3	\$50,000 +	0.3	17.1
Armed Robbery (\$5000)	82.2	4.3	\$5,000 < \$10,000	0.3	13.2
Child Bashing	44.3	3.2	\$1,000 < \$2,000	0.5	52.0
Wife Bashing	44.1	6.5	\$1,000 < \$2,000	—	56.4
Social Security Fraud	16.2	37.7	\$1,000 < \$2,000	0.1	46.0
Income Tax Evasion	12.2	56.8	\$5,000 < \$10,000	0.1	30.9
Medibank Fraud	22.4	55.6	\$1,000 < \$5,000	0.1	21.9
Male Homosexuality	6.0	2.8	\$1,000 < \$2,000	0.1	91.1
Break and Enter (\$1000)	56.2	15.8	\$1,000 < \$2,000	0.1	27.9
Shoplifting (\$5)	7.0	9.5	\$100 < \$250	0.1	83.4

\* Includes Community Service; Probation; No Punishment; Caution or Warning.



Just under one-third of the public advocated terms of imprisonment for those responsible for the pollution offence, and over 20% called for prison terms to be awarded the employer whose negligence resulted in the loss of a worker's leg. These are types of offences which in practice have never resulted in a sentence of imprisonment in Australia. Nevertheless, the community is less inclined to recommend imprisonment for these corporate offences than for serious common crimes. Some respondents may have viewed the culpable actor as a corporation which cannot be incarcerated. Others may have regarded massive monetary fines as a realistic sentencing alternative for convicted corporate offenders, if not for "street" offenders.

The preferred penalty for corporate offending was the monetary fine. The level of fines recommended, however, vastly exceeds those fines imposed on real-life corporate offenders. The modal fine recommended in the industrial accident case was an amount greater than \$50,000. The incident in question was based on a South Australian prosecution which resulted in a fine of \$250. In a wider study of enforcement practices of 96 Australian regulatory agencies (Grabosky and Braithwaite, 1986), only six agencies secured average fines in excess of \$1000. Average fines for over 40% of the agencies studied were less than \$200 per case (including multiple charges).

Respondents generally preferred sentences of imprisonment for conventional "street" crimes of homicide, armed robbery, and break and enter. With regard to the fraud offences, fines and other non-custodial penalties were preferred; over 20% of respondents, however, chose prison terms for medifraud offenders — a significantly higher percentage than for taxation and social security offenders. Social security offenders in turn attracted a greater proportion of recommendations for community service orders.

Whilst there were no dramatic demographic correlates of prescribed punishment, Table 2 indicates that the inclination to imprison white-collar offenders is in part a function of one's socio-economic status. In general, the relationship is moderately inverse: the higher a person's income, educational level and occupational status, the less likely he or she is to advocate a term of imprisonment for a convicted white-collar criminal.

Table 2  
Percentage of Respondents within each Socioeconomic Level Prescribing Imprisonment

	<i>Percent of Total Sample Prescribing Imprisonment</i>	<i>A (High SES)</i>	<i>B (Upper Middle)</i>	<i>C (Middle)</i>	<i>D (Lower Middle)</i>	<i>E (Low SES)</i>
Industrial Pollution	31.5	29.5	31.0	30.4	31.7	37.0
Employer Negligence	22.3	19.4	21.1	25.1	23.7	23.6
Medibank Fraud	22.4	17.1	21.4	22.9	23.9	30.5
Social Security Fraud	16.2	11.9	17.4	16.6	15.7	21.9
Income Tax Evasion	12.2	7.7	11.5	12.1	15.1	17.7

Such findings may not reflect a defence of class interests, but rather a general tendency for more affluent Australians to be less punitive. Respondents from high-SES categories would be less inclined to rely on custodial sanctions than would middle and low SES respondents in sentencing for welfare fraud, and, as subsequent analysis of these data will indicate, for a variety of "street" crimes as well.

It seems unwise to generalize beyond this, however. Tables 1 and 2 both suggest that it is not the characteristics of the respondent, but the offence itself, which best predicts the sentence which one would impose.

### The Limits of Survey Research

There is a need for caution in interpreting the kinds of studies reviewed in this article. Interviewers who go door-to-door are hardly likely to get the considered assessment of the seriousness of a crime that might result from hours of contemplation or from the real-life experience of sitting through a trial. Respondents are presented with decontextualized crime events which tell them little or nothing about the motives, duress and backgrounds of offenders and victims. While people might be in favour of directing fire and thunder at white-collar criminals in the abstract, when confronted with a remorseful businessman in the dock and an eminent silk who advances plausible rationalizations for his wrongs, condemnation mellows.

Surveys tend to generate glib answers to glib questions (Phillips, 1971). It can be argued that they are meaningful only when they ask people about matters to which they have given considerable thought prior to the arrival of the interviewer. But let us not denigrate our survey results unfairly. It may be that the punishment of crime is exactly one of those problems that ordinary people do think about. In support of this contention is the surprising consensus which these studies show on the rank ordering of the seriousness of disparate offences — surely inconsistent with the view that subjects give erratic, thoughtless response (see studies cited by Braithwaite, 1982:732). Moreover, Sellin and Wolfgang (1964) and Akman, Normandeau and Turner (1967) and Pontell *et al* (1984) found strong agreement between the seriousness rankings of ordinary folk and those of criminal justice professionals (police officers, judges), who would not be expected to give unconsidered responses.

Both the Australian and the overseas data show a notion of *noblesse oblige* running through community reactions to crime: white-collar fraud should be more severely punished than blue-collar (social security) fraud; stealing a car is not as bad as a small-business person ripping off its owner in a car repair fraud; a crime committed by a small business is not as bad as the same crime committed by a large company (Rossi *et al*, 1985); the reckless actions of a drug company executive in causing death deserves many times the punishment of the reckless actions of a drunk driver who kills. The principle of *noblesse oblige* enjoys a long tradition in Western culture: those who reap (or pluck) the greatest benefits from the economic system have a special obligation to abide by its laws. St Jerome's directions for confessors adopted by the English Church of the 12th century stated, "And always as a man is mightiest, or of higher degree, so shall he the more deeply amend wrong, before God and before the world" (Beckerman, 1981:162).

### Summary

Let us then summarize this considerable body of international evidence for which we can now say that the Australian data point decisively in the same direction. The public perceives many forms of white-collar crime as more serious, and deserving of more severe punishment, than most forms of common crime. There are exceptions to this pattern. Tax offences and false advertising in most studies are not viewed as serious crimes, particularly in Australia. Most types of individual homicide are perceived as more serious than all types of white-collar crime.

Nevertheless, white-collar crimes which cause severe harm to persons are generally rated as more serious than all other types of crime and even some types of individual homicide.

Meier and Short (1985) have shown that not only do citizens view white-collar crime as serious but that Americans at least also rate the chances of being victimized by white-collar offences as more likely than falling victim to other life hazards, including common crime. This is so even in the face of the much higher rates for common crime in the United States compared with Australia. The empirical literature on white-collar crime suggests that this community perception is accurate; the probability of being a victim of white-collar crime is much higher than the chances of being a victim of all other types of crime against persons and property combined (Braithwaite, 1982).

In the Australian context it may be that endemic problems of tax immorality and medical benefits fraud arise from a collective community tolerance toward this type of offending. However, for white-collar crime in general it is time that we jettisoned the conventional criminological wisdom that the community is "condoning, indifferent or ambivalent" toward white-collar crime (Conklin, 1977:17).

#### NOTES

- 1 Murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft.
- 2 The 11 offences were: armed robbery, car stealing, public drunkenness, prostitution, vagrancy, drinking and driving, possessing marijuana, making a false application for social security benefits, defrauding company shareholders, husband or wife beating, child bashing.

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