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Theory of Convenience: Determinants of White-Collar Crime Intention

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ABSTRACT

Crime intentions are an important area of research in criminology. Yet substitutes for real intentions have to be applied, since respondents will be reluctant to tell truthfully of their tendency to commit crime. In this article, we present determinants of white-collar crime based on the theory of convenience. Convenience theory suggests that the extent of individual convenience orientation determine to what extent a person of respectability and high social status in the course of his or her occupation will make a decision to violate the law whenever alternative decisions are less convenient. A more stressful and greedy financial motive, an improved organizational opportunity to commit and conceal crime, as well as a stronger personal willingness for deviant behavior are assumed to influence the extent of white-collar crime intention. Based on a survey of business school students, we find support for suggested causal relationships in the theory of convenience. Business school students are relevant for this research, as they will occupy positions in the future where they can commit financial crime, prevent crime, or become victims of such crime.

Keywords: financial motive; organizational opportunity; personal willingness; convenience orientation; crime intention.

Petter Gottschalk is professor in the department of leadership and organizational behavior at BI Norwegian Business School in Oslo Norway. After completing his education at Technische Universität Berlin, Dartmouth College, MIT, and Henley Management College, he took on executive positions in technology enterprises for twenty years before joining academics. Dr. Gottschalk has published extensively on knowledge management, intelligence strategy, police investigations, white-collar crime, and fraud examinations. He lectured at Henry C. Lee College of Criminal Justice, University of New Haven in 2015 and at the Department of Criminal Justice, University of Cincinnati in 2018.

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INTRODUCTION

White-collar crime is economical crime committed by privileged members of the elite in society who abuse their professional positions, where they have access to resources to commit and conceal their offenses (Benson and Simpson 2015; Blickle, Schlegel, Fassbender, and Klein 2006; Schoepfer and Piquero 2006; Sutherland 1939, 1983). White-collar crime ranging from antitrust violations to environmental violations is all economically motivated and committed by persons of respectability and high social status in the course of his or her occupation. The theory of convenience suggests that white-collar misconduct and crime occurs when there is a financial motive benefitting the individual or the organization, an organizational opportunity to commit and conceal crime, and a personal willingness for deviant behavior (Gottschalk 2017, 2019). Convenience orientation varies among individuals, as some are more concerned than others about time saving, effort reduction, and strain and pain avoidance (Mai and Olsen 2016).

The purpose of this article is to illustrate how the theory of convenience can be conceptualized in terms of a causal research model, where determinants of white-collar crime intention include motive, opportunity, willingness, and convenience as a control variable. This research is important, as it is difficult to identify and evaluate determinants of crime intention by a person of respectability and high social status in the course of his or her occupation (Sutherland 1939, 1983). White-collar crime intention is an important area of research because white-collar offenders cause both direct and indirect harm in society (Piquero 2018).

It is assumed in Norway that fewer than one out of ten offenders are brought to justice (Gunnedal and Gottschalk 2018).

Most business school students will learn about white-collar crime in their professional lives in the future. Some will feel the temptation of committing white-collar crime as executives. Some will become victims of white-collar crime, either personally or organizationally. Some will be in a position to detect and examine suspicions of white-collar crime as accountants, auditors, compliance officers, bank employees and similar roles. Therefore, opinions of business school students attending a financial crime class in Norway in the spring of 2018 are interesting as they expressed their assumed intentions.

LITERATURE REVIEW

The consequences of white-collar offenses have been studied by a number of scholars (Croall 2009, 2013; Knowlton, Rotkin-Ellman, Geballe, Max, and Solomon, 2011; Landrigan, Schechter, Lipton, Fahs, and Schwartz; Leigh 2011; Leigh, Markowitz, Fahs, and Landrigan 2000; McGurrin and Friedrichs 2010). When Sutherland (1939) first introduced the term white-collar crime, he wanted to draw attention to the fact that anyone, regardless of social class, can commit criminal acts (Piquero 2018). For white-collar offenders, he emphasized privileged individuals in positions that they could abuse to commit and conceal crime, and he emphasized corporations involved in corruption and fraud. He emphasized elite offenses that the public and the criminal justice system should take more serious.

Eighty years later, Piquero (2018) argues that white-collar crime is a growing problem in terms of both the numbers of people affected as well as the amount of harm caused to victims. Nevertheless, people do not necessarily consider white-collar crime very serious. Michel (2016) studied public attitudes towards violent crime and corporate violence. Although his study mentioned the relative legal immunity of white-collar offenders, it did not specifically

focus on it. He found that white-collar offenders are still significantly more likely to avoid criminal indictment, prosecution, conviction, and incarceration compared with street offenders.

White-collar crime is hard to detect, and detection is obviously a precondition for any indictment and prosecution. It is usually obvious when a street crime has occurred, while economical crime by persons of respectability and high social status in the course of the occupation usually is less apparent (Cullen, Cavender, Maakestad, and Benson 2006: 346):

The difference in visibility is tied directly to the nature of the crimes involved in each offense category. Missing property, a mugging, or an assault is forced upon a victim's attention. By contrast, the very structure of most corporate acts insulates workers or citizens from knowledge of their victimization. Typically, corporate offenders are not present physically at the scene of the crime, and the effects of their victimization are diffused over time.

Logan, Morgan, Benson, and Cullen (2017) argue that public support for the indictment, prosecution, conviction and imprisonment of white-collar offenders is on the rise. However, some studies show an association between political ideology and punitive philosophies, where conservatives favor greater control and punishment of traditional street crime as compared to liberals. Features of each political perspective suggest that the association is a reversal when it comes to white-collar crime. Reducing and punishing white-collar offenders may seem more important to liberals than to conservatives (Unnever, Benson, and Cullen 2009). This reversion of attitudes is in line with the switch hypothesis (Zimring and Hawkins 1978) suggesting that right-wing people would like to see more punishment of street criminals, while left-wing people would like to see more punishment of criminals in the upper echelon of society.

Logan, Morgan, Benson, and Cullen (2017: 1) further argue that the number of people incarcerated for white-collar offenses in the United States has been steadily rising for the past two decades:

There are now more white-collar offenders in jail or prison than ever before, and public support for the prosecution and imprisonment of white-collar offenders is on the rise. The United States Sentencing Commission reports an increase in the rate of white-collar offenders sentenced to federal prison. For example, between 1997 and 2009, the incarceration rate for fraud rose from 64.8 to 74.9 and has remained stable through 2015.

White-collar offenders are individuals who had high occupational status. The sentencing outcome can reflect the seriousness of their crime. Some research finds that high occupational status decreases punishment, showing that auto thieves receive a harsher punishment compared to physicians involved in medical fraud (Tillman and Pontel 1992). Other research finds that occupational status increases punishment, with higher occupational status health care professionals given more severe sentences than lower level health care professionals (Payne, Dabney, and Ekhomu, 2011). Still other research finds no effect at all from occupational status on length of prison sentence for white-collar offenders (Holtfreter 2013). White-collar crime is financial crime committed in an organizational setting where offenders have legitimate access to resources to commit and conceal crime (Sutherland 1983). The theory of convenience is suited to define and describe the white-collar crime phenomenon in terms of personal benefit (occupational crime) and organizational benefit (corporate crime). The theory suggests that white-collar misconduct and crime occurs when there is a financial motive benefitting the individual or the organization, an organizational opportunity to commit and conceal crime, and a personal willingness for deviant behavior (Gottschalk 2017, 2019).

The convenience triangle for white-collar crime has similarities with the fraud triangle (Cressey 1972), which suggests three conditions for fraud: (1) incentives and pressures, (2) opportunities, and (3) attitudes and rationalization. However, there are two distinct differences. First, convenience is a relative concept, indicating that offenders have the option of alternative actions to reach their goals that do not represent illegitimate behavior. Second, it is in the organizational setting where offenders have access to resources so that opportunity arises to commit and conceal crime.

To understand white-collar crime from the perspective of convenience requires addressing the fact that people differ in their temporal orientation, including perceived scarcity, the degree to which they value time, and their sensitivity to time related issues. Facing strain, greed or other situations, an illegal activity can represent a convenient solution to a problem that the individual or the organization otherwise find difficult or even impossible to solve. Therefore, the desire for convenience varies among people, as there are individual level differences.

Some people, who are already strained and face a problem, will essentially choose to solve that problem by engaging in crime. Convenience theory is about solving problems.

The theory of convenience thus suggests that the likelihood of white-collar offences is dependent on financial motives, organizational opportunities, and personal willingness to commit and conceal financial crime in an occupational setting. The convenience triangle suggests that motives, opportunities, and willingness can reinforce each other to commit and conceal crime.

The financial motive is concerned with the desire for profit that offenders more conveniently achieve in illegal ways. The desire finds its causes in both incentives and pressures, and in possibilities and threats. Possibilities and incentives can emerge in the perspectives of profit-driven crime (Naylor 2003) and goal orientation (Dodge 2009; Jonnergård, Stafsudd, and Elg 2010), as well as the American dream (Pratt and Cullen 2005; Schoepfer and Piquero 2006).

Threats and pressures can be found in perspectives of strain (Froggio and Agnew 2007; Langton and Piquero 2007; Wood and Alleyne 2010) and fear of falling (Piquero 2012).

RESEARCH MODEL

Incentives and pressures for financial gain represent the motive to exploit possibilities and avoid threats. Compensation structure and firm performance can represent internal forces. Compensation structure can drive executives to misbehavior because of the incentive and pressure it applies. When it is an incentive, the pressure constitutes greed (Goldstraw-White 2012). Organizational characteristics can increase pressure such that executives believe they must engage in wrongdoing (Agnew 2014). Pressure to engage in wrongdoing can originate from forces outside of the organization, such as competition and active investors.

Individuals' ability to commit wrongdoing depends on their opportunities, which can be a reflection of individual power, organizational resources, and organizational structure and controls. The more power an individual has, the more opportunity there is to misbehave by overruling or ignoring others. External forces that provide opportunity to commit or facilitate wrongdoing include industry cultures and norms (Schnatterly, Gangloff, and Tuschke 2018).

Personal willingness for deviant behavior means willingness for individual actions that violate social norms, including formally enacted rules and informal nonconformity (Aguilera, Judge, and Terjesen 2018). Deviance is a term to describe behavior that contravenes accepted norms, values, and ethical standards (Smith and Raymen, 2018). The offender may explain the act of wrongdoing as morally justifiable (Schnatterly, Gangloff, and Tuschke 2018).

The personal willingness is concerned with the impression that surprisingly few white-collar criminals think they have done anything wrong. Most of them feel innocent and victims of injustice when indicted, prosecuted, convicted, and imprisoned. By application of neutralization techniques (Sykes and Matza 1957), they deny responsibility, injury, and

victim. They condemn the condemners. They claim appeal to higher loyalties and normality of action. They claim entitlement, and they argue the case of legal mistake. They find their own mistakes acceptable. They argue a dilemma arose, whereby they made a reasonable tradeoff before committing the act (Siponen and Vance 2010). Such claims enable offenders to find crime convenient, since they do not consider it crime, and they do not feel guilty of wrongdoing.

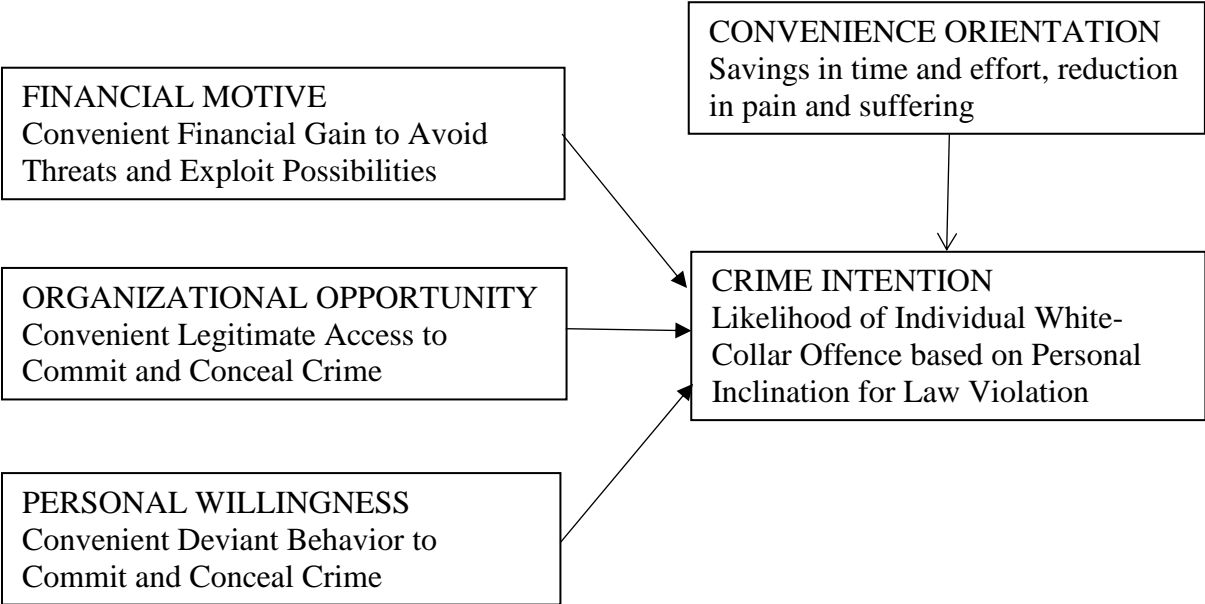


Figure 1. Dimensions influencing crime intention in convenience theory

Convenience is the state of being able to proceed with something with little effort or difficulty, avoiding pain and strain (Mai and Olsen 2016). The extent to which individuals in privileged positions choose to break the law in difficult situations or tempting situations is dependent on their convenience orientation. Convenience comes at a potential cost to the offender in terms of the likelihood of detection and future punishment. In other words,

reducing time and effort now entails a greater potential for future cost. Paying for convenience is a way of phrasing this proposition (Farquhar and Rowley 2009).

Based on the research model in Figure 1, we can formulate three research hypotheses:

Hypothesis 1. The stronger motive for illegal financial gain, the more likely white-collar crime will occur.

Hypothesis 2. The greater organizational opportunity for access to resources to commit and conceal financial crime, the more likely white-collar crime will occur.

Hypothesis 3. The higher personal willingness for deviant behavior, the more likely white-collar crime will occur.

Hypothesis 4. The more conveniently oriented, the more likely white-collar crime will occur.

The theory of convenience suggests that motive, opportunity and willingness are the underlying factors for criminal behavior among white-collar offenders. Considered together as illustrated in Figure 1, these factors comprise a criminogenity specter that influence the likelihood of law violations. We do not expect that the model in Figure 1 can provide forecast information on which criminals one can catch before they commit crime, but we do expect that the model can provide insights into actions that might reduce the likelihood of white-collar crime occurrences. In particular, actions that can reduce organizational opportunity are quite evident to derive from convenience theory.

In line with reasoning presented by Steden, Boutellier, Scholte, and Heijnen (2013), the assumption is that criminogenic factors underlie offences committed by criminals and their deviant acts. Their reasoning is that once criminogenic factors emerge from research, it becomes feasible to counter the risk of crime. They further assume that the probability of crime increases as the intensity of criminogenic factors grows.

An interesting question is whether all three dimensions (motive, opportunity, and willingness) are equally important for white-collar crime to occur. Without an opportunity, no crime can occur. Without a motive and willingness, crime can nevertheless occur. The relative importance of the dimensions can vary with each situation, both for the individual and the organization.

Schnatterly, Gangloff and Tuschke (2018) make a distinction between internal forces and external forces. Internal motivational factors might be compensation, aspirations, and board expectations. External motivational factors might be competition, relative performance, and investor expectations. Internal opportunity factors might be individual power, organizational complexity, and formal organizational controls and audits. External opportunity factors might be industry culture and norms, industry complexity, and macroeconomic factors. Internal willingness factors might be firm culture, control misalignment and social structures. External willingness factors might be industry culture and norms, and globalization.

RESEARCH METHOD

We developed a survey instrument with questions for all five constructs in Figure 1. The dependent construct, crime intention, was defined in our instrument by the following vignette story:

You are the regional executive for Norwegian Telecom Inc. that operates mobile telephone networks in Africa. Your main task is to acquire new telecommunication licenses in several corrupt countries. You have been working on obtaining new telecommunication licenses for many years, but without any success. What will you do now?

Vignette study is a method common in the study of white-collar crime (Craig and Piquero 2017). This vignette story is similar to a real story that happened in 2012. The corruption case

involved the daughter of President Islam Karimov of Uzbekistan, Gulnara Karimova, accepting bribes from several foreign telecom companies in exchange for contracts to do business within Uzbekistan. One of the companies was VimpelCom partially owned by the Norwegian telecom corporation Telenor. Telenor executives had to quit after a damning report into the VimpelCom stake (Deloitte 2016).

After the vignette story, the questionnaire had two items:

- A. You tell the headquarters back home in Norway that it will take even more years before you eventually succeed. You continue to apply for telecom licenses in the usual way in several corrupt African countries.
- B. You seek contact with some consultants who have good relationships with those in power in several corrupt African countries. You give the consultants several million contracts to succeed for you.

The scale in the questionnaire went from 1 (I would certainly not do that) to 6 (I would certainly do that). Response to A was subtracted from response to B as a calculation of crime intention. We expected that for most responses this number would be negative, meaning that respondents would generally be more inclined to do A than B.

Four independent variables in Figure 1 were measured on a scale from disagree to agree:

1. Financial motive: Money can make it easier for me to reach my goals.
2. Organizational opportunity: It is simple for a procurement manager to accept bribes.
3. Personal willingness: I will never deviate from what is acceptable.
4. Convenience orientation: It is very important for me to solve a problem as quickly as possible.

Students in a bachelor class in a business school in Norway were respondents in this survey research. Early on in the spring term 2018, we handed out the questionnaire on paper to all students that were present in class. All 97 students filled in the questionnaire. The total

enrollment in the course was 110 students. The questionnaire was handed out ten minutes before class end, so that students handed in their responses when they left class for that day.

RESEARCH RESULTS

Regression analysis was applied to the 97 responses. Crime intention is the dependent variable, while there are four dependent variables: financial motive, organizational opportunity, personal willingness, and convenience orientation. Convenience orientation can be considered a control variable that implicitly influences the other three independent variables. In the multiple regression analysis, the combined explanatory power of four independent variables explain more than half of the variance in crime intention as the regression coefficient R is .550, while the R square is .302, and the adjusted R square is .268. The multiple regression equation is significant at .000 with an F-value of 8.871. Table 1 shows that all four determinants of white-collar crime intention are significant. While organizational opportunity is significant already at $p < .01$, the remaining determinants are significant at $p < .05$. Personal willingness has a negative slope in the relationship (-.379), because the variable was measured on a scale of increasing law obedience.

	B	Std. Err.	Beta	t	Sig.
(Constant)	-6.679	1.601		-4.171	.000
Convenience Orientation	.404	.167	.231	2.425	.017
Financial Motive	.406	.192	.207	2.118	.037
Organizational Opportunity	.500	.150	.309	3.334	.001
Personal Willingness	-.379	.159	-.227	-2.388	.019

Table 1. Multiple regression results for determinants of white-collar crime intention

Table 1 documents that we find support for all four hypotheses in our sample. Crime intention increases as a consequence of a stronger motive for financial gain, a greater organizational opportunity for access to resources, a higher personal willingness, and a stronger convenience orientation.

DISCUSSION

The empirical part of this research is far from successful. The ideal would be to interview potential white-collar offenders about their crime intentions. However, we do not expect individuals in privileged positions to be willing to reflect on their crime intentions or their deviant behaviors, even when responses were treated confidentially and anonymously. We assume that few or nobody is willing to admit that in certain situations would one violate the law. The only possible response would be to violate the law when it is ethically considered acceptable in society, for example when speeding on the highway with a dying passenger on the way to a hospital. We can think of no relevant example for white-collar offenders where there would be general acceptance for financial crime. Hopefully, future researchers are more creative than we have been, and thus are able to develop vignettes that can be presented to chief executives and others who qualify for the label of a white-collar person.

With this limitation in mind, it is interesting that all aspects of convenience theory are confirmed in our empirical study of business school students. The dependent variable was measured on a differential scale, where we calculated the difference between bribing someone and reporting something. Bribing someone is concerned with the willingness to pay consultants who are well connected to powerful people in a corrupt country. Reporting something is concerned with the willingness to tell superiors at the headquarters that efforts to obtain contracts have failed so far. The differential scale represents crime intention. Our statistical analysis shows that crime intention is significantly determined by willingness, opportunity, behavior, and convenience.

As already indicated, there are avenues for future research. The relatively small, non-probability sample of business students can be expanded to larger populations. The applied vignette can be improved, and its two hypothetical options should not prompt a desired answer. The items meant to measure the four independent variables should be validated to reflect the constructs being studied. Scales might be validated via factor analysis, and would thus invite greater confidence.

CONCLUSION

This article has proposed to test the theory of convenience to identify factors of white-collar crime intention, including financial motive, opportunity to commit or conceal crime, and personal willingness for deviant behavior. When conceptualizing criminogenity – then tendency to commit crime – as the difference between illegal and legal decisions, we find empirical support for the theory of convenience. All three elements of the convenience triangle influence criminogenity. The tendency to commit crime increases with growing financial interest, growing organizational opportunity, and growing personal willingness for deviant behavior. As a control influence, convenience orientation also influences criminogenity. This research is important, as it illustrates the central idea of convenience theory, where powerful individuals make a choice to break the law.

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