An Action-Orientation Approach to the Study of Occupational Crime

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It is plausible to conjecture that one of the reasons why our understanding of crime has not advanced far beyond the level of sophistication found in Beccaria’s writings of the 18th century may be a paucity of working hypotheses and theories to guide research aimed at understanding criminal behaviour. The only way to remedy this objectionable condition is for criminologists to take a fresh look at criminality by employing methodologies that are directed to discovering nascent criminogenic relationships and causal factors.¹ The use of the behavioural system approach is one currently popular method for filling the dearth in our knowledge about crime. While this paper does not intend to discuss the merits of the behavioural system approach as such², it does suggest that that methodology is limited³ when applied to one particular form of criminal behaviour, occupational crime, and that other means are available to study that criminological phenomenon.

To study occupational crime it is recommended that research must take into account the variables which are unique to that form of illegality, such as the offender’s economic position, source of income, standing in the social system and concomitant socio-economic factors. It is proposed that an “action-orientation”⁴ method of research be formulated so that effective theory may be generated in the study of occupational crime. Such a method focuses upon an individual’s primary mode of maintaining an effective functioning economic existence in the social structure as a point from which

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¹ We employ the same definition of “cause” as does Thorsten Sellin as “necessary antecedents or conditions” of criminal behaviour. See Culture Conflict and Crime (New York: Social Science Research Council, Bulletin 41, 1938).


³ Donald R. Cressey has appositely criticised the use of the behavioural system by noting that all of crime cannot be studied in this way. See “Criminological Research and the Definition of Crimes,” American Journal of Sociology, Vol. 56 (1951), p. 548.

to undertake more rigorous study. It is further suggested that deviations from the legal and cultural proscriptions that devolve about an individual's economic activity are major concerns for the criminologist who wishes to study the phenomenon known as occupational crime. It is also intimated that this method will help account for economic, social and political (although the last is not covered in this paper) advantages that may be the ultimate ends of such behaviour. This will then enable us to precisely delineate theoretical concepts that are invaluable to the study of criminality. As has been noted by one of the more articulate American criminologists, conceptual clarification determines whether or not cumulative theory is developed. "Data organized in terms of crudely defined concepts cannot be compared in significant respects, and a scientific methodology by which generalizations are revised upon the appearance of negative instances is impossible when such concepts are used."6

Our conceptualization of the behaviour which comprises occupational crime is that that behaviour is directed to satisfying implicit or explicit wants and needs of the offender and is occasioned by the offender's economic activity. The employment of those illegal, or offensive, means will be considered to be "scarce resources" used to attain a desired state of affairs which has at its end the satisfaction of these wants and needs. That illegal behaviour is considered to be a "resource" should not disturb the reader rather, it should be seen as an intuitive conclusion and one which should have long been made by criminologists. A resource, as defined by Webster, is "something that lies ready for use or can be drawn upon for aid; supply of something to take care of a need ... a means of accomplishing something; measure or action that can be resorted to, as in emergency; expedient ... ability to deal promptly and effectively with problems, difficulties, etc ...."7 That it should also be considered "scarce" follows directly, for that which is scarce tends to be more valuable precisely because it is "not common; rarely seen ... hard to get."8 It is, therefore, quite logical to consider occupational crime as a resource in the form of an (often) undetected action that is oriented by the desire of the actor to resolve a difficulty or arrive at a requisite end. That the condition which such behaviour is intended to correct may be exogenous or endogenous to the economic activity itself is a point that we shall not concern ourselves with until later in this paper.

This orientation is not wholly imponderable if criminologists are willing to accept an innovative approach to the phenomenon of occupational crime. Previous writers have been rather parochial in their discursive treat-

5. The legalist's, as personified by Paul W. Tappan, and the culturist's, notably Thorsten Sellin, arguments have been cogently summed up by Earl R. Quinney, "The Study of White Collar Crime: Toward a Reorientation in Theory and Research", The Journal of Criminal Law, Criminology and Police Science, Vol. 55 (1964), pp. 208-214. He holds that violations of the law in the course of one's occupation should, rightly we think, be called occupational crimes; that behaviour in violation of occupational norms should be termed occupational deviation. He further goes on to state that behaviour that violates both the occupational norms and law should be called criminal occupational deviation. For the sake of simplicity we shall consider both law and norm violation as occupational crime. It should be apparent from the context of the situations we shall describe which of the three of the Quinney typological components we are referring to.


8. Ibid.
ment of occupational crime⁹ as a behaviour fit for serious study. Not the least responsible has been the so-called "dean" of American criminology, Edwin H. Sutherland. The methodologies which he established to study occupational crime have greatly stultified scientific rigour and halted needed theoretical advance. Also, his definition of white-collar crime as "... approximately ... a crime committed by a person of respectability and high social status in the course of his occupation,"¹⁰ while being useful for drawing the attention of criminologists to the phenomenon, failed to include within its spirit and intent the behaviour of persons who are of lower social status but who nevertheless commit crimes in the course of their occupation. For a succinct and yet comprehensive statement of the concept of occupational crime to be acceptable, it must take into account not only white-collar workers but also those who wear a blue-collar or are self-employed, as well as those who have temporarily left an occupation and who receive a dole (welfare or compensation for instance) the receipt of which is contingent upon the maintenance of particular status such as "injured" or "unemployed," for example. It is at this point that we diverge most sharply from the mainstream of thought that has gone before. It is not that the inclusion of occupational law and norm violation of those in blue-collar or self-employment is so startling; rather, it is the concept of the inclusion of others who are not "gainfully" employed, but who are receiving income supplements or total income doles, which may cause some readers not a little concern.

The decision to include welfare recipients as potential occupational criminals is plausible if we consider that the connotations that have been draped over the institution of public assistance are ones of a "moral imputation" rather than of sociological objectivity. As has been so accurately pointed out by Bernard Beck:¹¹

... welfare activities on the part of agencies and institutions of the society, welfare use on the part of persons, welfare careers, and so on are in no structural way differentiable from agencies, institutions, careers, and uses in the non-welfare areas of the society. The distinction is one of labels and the moral judgments associated with the labels once applied by those persons for whom the labels are salient.

It is clear that the recipient of welfare assistance who fraudulently misrepresents his true status is, in the light of the proffered definition below, an occupational criminal. The key point of differentiation that we

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⁹ The use of the term occupational crime has its antecedents in one of Edwin H. Sutherland's early works, wherein he notes that an interesting study could be done of "crimes committed by professional men, farmers and certain other occupational groups", "Crime and Business", The Annals, Vol. 217 (1941), p. 112. The concept was later reintroduced by Donald J. Newman "White-Collar Crime", Law and Contemporary Problems, Vol. 23 (1958), p. 737, in his often quoted passage about "farmers, repairmen, and others ... ". Quinney later advised it would be desirable to expand the concept of white-collar crime "... to include all violations that occur in the course of occupational activity ... It would then be advisable to change the term to occupational crime", note 5, p. 216. For a concise genesis of the term citing these and other authors, see Clinard and Quinney, note 2, pp. 130-131.


are employing is the source of economic means. That is, one's economic activity may be in the traditional "contributions — inducements" scheme of employment, where a "fair day's work earns a fair day's pay," or it may be in the actual exchange that occurs between State and citizen when welfare is distributed. Although we will have more to say on this topic in a later section of this paper, it has been necessary to briefly illuminate the areas of inclusion under this hypothesis of occupational crime.

To this end we provisionally define occupational crime as behaviour in the form of a scarce human resource employed to attain an end, the use of which violates either legal, occupational or cultural proscriptions as they relate to the action patterns engaged in by a social actor (whether an individual or collectivity) in the pursuit of that social actor's legitimate and socially sanctioned economic activity, or the behaviour patterns of a social actor that are ancillary to his primary economic activity whether the result of that activity be economic or social (possibly both) in nature. This definition is grounded in the assumption that a person's action-orientation, that is, the decisions that he makes to engage in action by employing variously defined means and techniques is a resultant of his occupational goals and personal interests, is for the most part determined by his main economic activity. For most persons this main economic activity will be the occupation one is engaged in, for others, those on welfare for example, it may be the source of economic wherewithal which, for analytical purposes, is assumed to be functionally equivalent to a major economic activity. As long as one receives a money payment for whatever legitimate and socially sanctioned reason, we shall consider the nexus of reciprocal expectations, exchange contingencies, value orientations, personal identity and status and role sets associated with that economic payment the individual's main economic activity which engenders his action-orientation.

To explore the usefulness of this hypothesis, we have employed one form of dimensional sampling by surveying the literature of criminology and sociology to see if modal types or representative patterns of occupational offences would emerge from the data when this conceptualization was applied. This line of inquiry was undertaken in the hopes of defining the "types" of such behaviour that Aubert alluded to, as well as to replace what we believe to be an inadequate typology of occupational offences. We were able to differentiate three major categorical types of occupational offences that arise from three ideal typical supporting economic matrices (the meaning of which will be made clear infra). They are: structural offences, with three sub-classifications of executor, functionary and managerial offences; situational offences and ancillary offences. These

12. Talcott Parsons notes that "action has an orientation when it is guided by the meaning which the actor attaches to it in its relationship to his goals and interests . . . a description of a system of action must refer not only to the particular constellation of orientations and sets of objects actually selected, but also to the alternative sets from which the selections might have been made but were not. In other words, we are concerned not only with how an actor actually views a situation, but also with how he might view it." Talcott Parsons and Edward A. Shils (eds.), Toward a General Theory of Action (New York: Harper Torchbooks, 1951), pp. 4 and 6.


are shown in Table 1 along with their respective action-orientations. (We must caution the reader that these categories are not exhaustive or theoretically saturated and that the fine differentiation of the structural offences into three separate but related sub-types may be more due to the concentration of criminological research on corporate illegality than on the actual frequency and distribution of the other offences in society).

An approach of this kind to the study of occupational crime has far greater utility if the end result is to be theory building. We are not merely concerned with the “topography” of the behaviour as others have been, but by using this scheme we are now able to concentrate upon the orientation of the offender prior to the commission of an act that has been either legally or culturally proscribed within an economic context. This orientation, then, when coupled with the action that is chosen by the offender, allows us to discern motives, predispositions or perhaps ecological contingencies that favour the violation of the law or norm. Lofland has recently noted that “actor,” “places,” “others” and “hardware” are essential ingredients that enter into a situation in which deviant acts are escalated. By using the components of actor, places, others and hardware as “sensitizing variates” we shall be able to further aid in our comprehension of occupational offences. By introducing these independent variables into analysis, the interaction of one’s orientation and action alternatives with the facilitation to deviance due to proximate exigencies, we shall contribute greatly to the state of theory in criminology.

Prior to elaborating upon this scheme, it is necessary for us to summarize the assumptions upon which our hypothesis rests. The relationships between action, orientation and economic activity, we posit, are the prime foci for studying occupational crime and are tantamount to any inchoate theory that may be formulated. We proceed under the following assumptions:

1. An individual’s main economic activity is that activity from which his major source of income is derived. That economic activity takes place within a broader conceptual structure here termed a supporting economic matrix. For a worker this matrix is equal to the organization in which he is employed, for the tax fraud and the person who is falsifying welfare claims this matrix is the broader socio-economic structure in which the offender and his victim both participate.

2. The action-orientation of a social actor is derived from the economic activity in which he is engaged, as well as predispositions from exogenous influences and associated social roles. It is the behaviour that a person engages in as well as alternatives that are available within an orienting “action-space.” The decisions to act are based upon orientations determined by goals set by an economic activity and by personal interests. Action itself, here assumed to be either legitimate or deviant, is patterned by available means and techniques. (The means-techniques distinction may be considered to be similar to a procedure-substance division.)

3. The economic matrix modulates an actor’s behaviour within it by specifying the range and choice of action that may be engaged in by holders of statuses within that economic activity, and by defining prescribed and proscribed action patterns.

4. Proscribed action is one resource that may be employed to satisfy wants and needs of the actor.

5. Wants and needs of the occupational offender are not coterminous with the goals of economic activity, but are sub-goals in an ends-means chain in which the ends are the goals of orientation.

6. Occupational crime is the utilization of deviant action, so defined by proscription within an economic matrix, as a resource to attain a goal or sub-goal by the active rejection of other legitimately defined alternatives.

7. Refractive occupational crime will occur when goals, interests, means and techniques are exchanged across two or more matrices' boundaries (this form of occupational crime will not be discussed in this paper, however; it is one area in which the need for further research is enjoined).

8. All of the ideal social types represented by each cell and vertical integration of four contiguous cells in Table 1 does not automatically constitute a perfect homology. However, that each cell or integration of cells has an occupant is sufficient for the purposes for which this table is intended. We must caution that the table is neither a theory nor predictive model so much as it is a guide for research, and the worker who may find some cells vacuous in a particular context should not conclude that the table is in error, but such findings should serve to modify and refine it.

To aid the reader in keeping the key concepts in proper perspective, we present Figure 1 (p. 43), which shows the relationships of the supporting economic matrix, economic activity, action-orientation and occupational criminal behaviour. This diagram helps one to see that occupational criminal behaviour is an "action resource" which is part of ego's action-orientation that arises from his involvement in a specified economic activity, that takes place within a supporting economic matrix, as well as influences from his external environment or total "life-space." We immediately see that three points are crystallized. One, occupational crime is one among many action alternatives available; two, many economic activities comprise the supporting economic matrix and contribute to its survival; and three, a social actor's action-orientation will not be exactly replicated by different individuals due to the impact of the interests (associations, activities, roles and social statuses) that each individual brings with him to his economic activity. Thus, we are led to conclude that we should not be hasty in offering sweeping generalizations about etiological factors associated with occupational crime. Rather, with the aid of this frame of reference, condensed in Table 1 and Figure 1, we will be able to examine a myriad of occupational offences with a logical and consistent viewpoint so that we may be able to generate substantive theories as they emerge from the gathered data.

Note, however, that one caveat is in the offing. Our frame of reference excludes all of the so-called "career" criminals who use an occupation as a vehicle, and only as such, to carry out their activities. Thus, such accounts as that of Ralph Marshall Wilby, an inveterate embezzler, clearly show that such careers are criminally oriented. In such cases, it is recommended that studies attempt to show the situation in which the career was initiated.

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<tr>
<th>ORIENTATION</th>
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<th>SITUATIONAL</th>
<th>ANCILLARY</th>
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<td></td>
<td>Executor</td>
<td>Functionary</td>
<td>Managerial</td>
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<td>GOALS</td>
<td>Re-Ordering of the Economic System to gain a Comparative Advantage</td>
<td>Survival</td>
<td>Socio-Economic Status</td>
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<td></td>
<td>Instrumental</td>
<td>Bureaucratic</td>
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<td>ACTION</td>
<td>Redefine Work Role and/or Work Performance</td>
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<td>Compliant Co-operation</td>
<td>Co-ordination</td>
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and escalated. The use of Table 1 may provide many insights into such endeavors. Let us now turn to the explication of that table.

**STRUCTURAL OCCUPATIONAL CRIME.** The behaviour subsumed under this general category is most familiar as that which has been the focus of study of the “white-collar school” of criminology. The matrix in which it occurs is usually an economic enterprise such as a factory, business, government agency or any other going concern which is legally empowered to carry out its activities. As we shall point out later, the most significant criteria for judging behaviour as structural occupational crime lies in the organization's tacit support and approbation of the deviant action patterns of the three classes of offenders who, in toto, comprise the occupational hierarchy.

As shown in Table 1, the orientation of these offenders is predicated upon the goal of reordering the economic system in which the offender is pursuing his main economic activity — in this case as an employee within, or manager of, a supra-organization — in the hopes of achieving a comparative advantage over others in the same action-set (engaged in the same economic activity). As such, the offender's interests are organizational in nature and the action alternatives that are available for carrying out the work role are those that arise from institutional means and techniques directed at redefining the offender's work role and/or performance. In this case, therefore, the deviant behaviour has its roots in the means and techniques that have achieved “institutional” status within an organization via the confluence of evaluations and expectations that are held by the action participants. Should a consensus arise within action-sets, the deviant behaviour will be “legitimized” by the actors: the collective involvement of the offenders serves to dis-enforce the negative imputations of the action by the formal organizational hierarchy, rules and procedures. The sanctioning of deviance in such a matrix deserves further comment.

In noting that the use of structural occupational crime arises organizationally, we do not mean to imply that it is always officially sanctioned by the organization. Rather, there are certain means that are within the range of action available for the organizational participants which are formally decreed but allowed in practice should their employment not be abused. We choose to label the differentially invoked sanctions *open sanctions*, for they are enforced with a great deal of discretion by those who have the power to influence work performance. Those sanctions which are less liberally interpreted by those in authority are alternatively labelled *closed sanctions*; simply, they are closed to discretionary enforcement because of the gravity of the proscribed action's consequences. Therefore, the action patterns that comprise the behaviour known as structural occupational crime are openly sanctioned but officially prohibited and subject to closed sanctioning should the use of the deviant behaviour be in violation of the informal patterns of reciprocal expectations that devolve about the use of illicit techniques. Let us illustrate these concepts by explicating the behaviour of the three action-orientations in this class of offences.

The sub-class of structural offences which arises through the action of mechanistic compliance with the use of deviance to carry out the basic activities within an organization are considered to be *executor offences*. The offender's orientation does not preclude the use of deviant conduct as long as an open sanction policy is in effect, for his goal within that economic
FIGURE ONE

SUPPORTING ECONOMIC MATRIX

Relationship of supporting economic matrix, economic activity, action-orientation and occupational crime

EXOGENOUS INFLUENCES

ECONOMIC ORIENTATION

ACTION

occupational behavior

CRIME
matrix is to secure a wage to support himself and his family; practical interests coupled with the inherently instrumental goals result in a low work involvement and virtually no employer identification. The effect of this action-orientation is to predispose the executor into using deviant techniques as a method of reducing his contributions to the organization as long as his earned inducements are forthcoming. It is apparent that the reduction in effort that must be called forth to perform an economic activity adequately, without a commensurate reduction in emoluments, secures a perceived comparative advantage for the offender within his action set. The vehicle used to achieve this advantage for the executor is to employ those techniques that arise institutionally and are therefore subject to open enforcement, and to avoid other techniques that have the same effect but which have not been defined to be within the organization's "zone of acceptance." The use of the "tap" in an aircraft plant studied by Bensman and Gerver and the "indulgence pattern" found by Gouldner in his study of a gypsum plant are both examples of the executor offences discussed here.

The functionary offenders, on the other hand, manifest action-orientations which are grounded in a higher company identification and work involvement. The goals of the functionary offender may be loosely defined as "bureaucratic" in the sense that this work group is concerned with employment as a "career," and not only as a source of economic wherewithal. Their rational interests mirror the "Protestant ethic" of the business community which lays heavy stress upon advancement up the organizational hierarchy through achievement of personal coups secured by sustained involvement in the success of the employing organization. In order to secure these organizational benisons and rewards the functionary offender, as a member of middle management, employs administrative means that entail co-ordinating the activities of the subordinates he supervises and the "paper" activities that fall within his curtilage. He, therefore, occupies a position that is rife with opportunities to engage in actions that are of dubious legality but of proven function to the organization and, thus, to his advancement. Because the quiddity of the positions held by the functionary offenders requires that they be given wide ranges of discretion to carry out their work role, the use of deviant action is always a potentiality in regulating communication flows, modulating production output and assuming positions of responsible decision-making, albeit on narrow range of delegated authority. Richard Austin Smith's discussion of the involvement of the occupants of functionary positions in the illicit imbroglio that was the electrical conspiracy of the fifties, points to the plight of the lower echelons of management in their drive for advancement; and the

deviant techniques that were devised to drastically alter their work roles and ways of administering the company's affairs.

While the executor and functional offenders differ from one another in the scope of their involvement in the supra-organization and in the action-orientations that each manifests, they are remarkably similar in that each has purely "localistic" concerns being far more attached to the organization in which they carry out their economic activity than they are to the broader or "cosmopolitan" matrix in which the organization occupies a niche. This differentiates them from the managerial offender whose interests focus upon competition with other organizations which provide similar products or services to essentially the same market. This class of offenders, then, who are oriented toward productivity, must modulate their action based upon factors that are exogenous and endogenous to their supporting economic matrix, which is coterminous with the organization, to a greater degree than either the executor or functional offenders. They must transact contractual agreements between the organization and its employees, clients and suppliers by establishing viable policy to guide their decisions and actions.

No wonder these offenders frequently find that law or norm violation is in the best interests of production and profit maximization and may be most easily accomplished by policy directives that are virtually unassailable by their subordinate "organizational men." The executives of some of the electrical manufacturing firms, cited by Smith above, acted in such a manner as did the "robber barons" of the post Civil War era, in the United States, to mention two well-known groups of offenders who have achieved considerable notoriety.

Ancillary occupational crime

Lying at the opposite end of the spectrum, if Table 1 is considered to be a continuum of occupational crime, are those crimes that we have identified as arising extrinsic to the offender's main economic activity, the source of monetary wherewithal, but which are inexorably related to it. For analytic purposes these offences are the consequence of the offender's involvement in an economic activity that takes place within the society in which he participates: the social manifestation of an economic situation. Succinctly, the economic activity in which one is engaged, including receiving welfare cheques, imputes to the action participant a specific place in the social structure in which he is expected to conduct his actions. Normally, the position assigned to the holder of a status related to an economic activity is not in keeping with the occupant's self-evaluation, aspirations or expectations. This gives birth to the goal of, usually, effecting a rise within the social stratification system by basing the rationale for this rise on opportunistic interests concomitant with the "individual freedom" philosophy espoused in the present century. The action called for is calculated towards misrepresenting the true status of the offender's main economic activity so that greater rewards — monetary, status (after Vance Packard), prestige, esteem,

respect-due, ad infinitum — may accrue to the peccant. In most cases it is a downward misrepresentation that is employed as a technique by the offender so that his "sea of (virtual) troubles" will suffice as justification for receipt of unearned assets — be they tangible or intangible.

The action alternatives that are chosen are typically: petty thefts from the employer, income tax fraud, using the expense voucher as a "swindle sheet," fraudulent welfare and compensation claims and other actions that are intended to misstate the offender's socio-economic position while not affecting his work role proper or the performance of his economic activity. This last point is the crux for distinguishing the structural from the ancillary offender. If the reader reflects upon this proposition, he will see that this condition does, in fact, obtain.

Perhaps we may best understand the forces that engender the offender's orientation to use these illicit action alternatives, not in any way offering an apology for such behaviour, by considering the impacts of conspicuous consumption and pecuniary emulation, as advanced by Veblen, on the offender's conception of his social position vis à vis others in the social system. In this vein Veblen notes that aside from the desire for comfort and security from want:

... the desire for wealth can scarcely be satiated in any individual instance, and evidently a satiation of the average or general desire for wealth is out of the question. However widely, or equally, or "fairly," it may be distributed, no general increase of the community's wealth can make any approach to satiating this need, the ground of which is the desire of every one to excel every one else in the accumulation of goods. 24

Also re-enforcing these desires for wealth is the "management of demand" by business, a phenomenon cogently summarized by Galbraith. 25

Therefore, our inclusion of "welfare chisellers" 26 seems to be a logical one because of the implicit status-opportunistic orientation of those comprising this group of offenders. The modes of action that are available to consummate the illegal act are also in full accord with the "chisellers" meagre action resources that can be found in his selection from others, places and hardware which are available to him. In fact, "depending" 27 on welfare may be the only legitimate action resource which is available to some residents of certain communities. 26

Situational Occupational Crime

This action pattern comes to the attention of the public more frequently

than do the others, simply because the public is affected most directly by
the nefarious dealings of this group of offenders. The situational offenders
are the "Babbitts" of the neighbourhood who own and operate small busi­nesses, stores and firms. The actions of these occupational offenders are
oriented by their goal of survival, not in the sense of physical existence, but
by sustaining and strengthening the business, which is their main economic
activity and from which they receive their economic wherewithal. The
interests of these offenders are integrative in the sense that they are at­
temting to cement a relationship between the economic and social systems
to which they are inexorably committed. Should they be successful in this,
the social relations that are subsequently formed will positively reinforce
their economic success via the concurrent adoption of two mutually favourable
social roles, consumer and acquaintance between those who deal with
the businessman. The actions that are available to these offenders are
entrepreneurial in nature, employing techniques of manipulation (not neces­
sarily in the pejorative meaning of the word, although this may be the case
when illicit manipulation is used) to establish a nexus of integrative rela­
tionships or what amounts to a *gemeinschaft* form of interaction.

The use of illegality and deceit by small businessmen owning auto­
mobile garages, radio repair shops and watch shops was pointed out in
1941 by an informal study conducted by the *Reader's Digest*,29 of landlords,30
and more recently by Quinney in his study of retail pharmacists.31 It appears
that these offenders adhere to Adam Smith's doctrine of following private
interests and inclinations in the desire to attend to the good of society via
the often maligned "invisible hand" equilibrator. Like Babbitt, who "... made
nothing in particular, neither butter nor shoes nor poetry, but he was nimble
in the calling of selling houses for more than people could afford to pay,"32
these offenders seem more interested in business, the making of profit, than in industry, the making of goods/provision of
services, a concept that was astutely pointed out by R. H. Tawney.33 Indeed,
Quinney found that the "business oriented" pharmacists, in the study
cited above, were more prone to violate professional norms than were the
"profession oriented" pharmacists. Edwin M. Shur also notes this business/
profession dichotomy in his survey of the legal profession34 as regards the
use of practices of dubious legality.

While the behaviour patterns of the situational offender appear to
be close to those of the structural offender, there may be, in fact, an ad­
mixture of structural and ancillary action-orientations that form an
amalgam embodied in the action-orientation of the situational offender.
There is no denying that these offenders also feel social pressures as do
the ancillary offenders in their orientation to use proscribed action patterns

30. Harry V. Ball, "Social Structure and Rent-Control Violations", *American Journal of Sociology*,
position is more readily understood in light of the financial temptation, pressure from clients
and self interests presented to some members of the legal profession. Cf. Talcott Parsons,
"A Sociologist Looks at the Legal Profession", *Essays in Sociological Theory* (New York:
in carrying out their economic activity. The goal orientation of the offend-
ers shows both the desire to reorder the economic system and to change
the position one occupies in the social structure. Likewise, interests reflect
organizational-opportunistic components, means are institutional (within
the business community at least, if not within the business itself) — cal-
culative and the techniques are redefinition of the work role and/or per-
formance as well as the misrepresentation of true social status.

In conclusion, this paper has presented an innovative methodology for
use in studying occupational crime. It was hypothesized that occupational
crime is a resource that is available to the offender in carrying out his
main economic activity, defined as the source of economic wherewithal.
The use of occupational crime as a resource is determined by the individual's
action-orientation which is a statement of the offender's goals, interests
and available means and techniques. It was offered that there are three
classes of occupational offenders: structural (with sub-classes of executor,
functionary and managerial), situational and ancillary which occur in
economic, socio-economic and social matrices respectively. While not ex-
plicitly stated in this paper, it is clear that these offences are not mutally
exclusive and an individual may find himself committing any number of
offences in many combinations between classes. It is, therefore, plausible
to make the distinction between structural-executor-ancillary, situational-
ancillary offences and offenders and so on, although it was not done in
this paper. Further research using this frame of reference is clearly called
for by criminologists and sociologists, not so much to confirm the structure
of this paradigm, but to refine it and add to it if the data calls for such
changes. The underpinnings of this typology lie in economic and social
causal factors which would suggest that economists with a criminological
bent would find it useful to guide their work, and points to the need for
an interdisciplinary approach to understanding occupational crime as a
socio-economic phenomenon.