



White collar crime in India: Socio-legal study

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Abstract

The law of wrongdoing has been as old as the civilisation itself. There was no criminal law in ignoble society. "A tooth for a tooth, tit for tat, a life for a life" was the precursor of criminal equity. As the general public created wrongdoing likewise expanded. Presently with the progression of science and innovation more up to date type of guiltiness has emerged known as cubicle violations. Professional wrongdoing commonly allude to violations conferred by agents, business visionaries, open authorities and experts through misleading or extortion instead of conventional manual violations which have a tendency to include savagery. The idea of cubicle wrongdoing was presented in the field of criminology by Prof. Edwin H. Sutherland in 1939. The principle classes of cubicle violations are Debasement and pay off, nourishment and medication contaminated, tax avoidance, dark advertising, Profiteering, accumulating, tax evasion, human trafficking, digital wrongdoings and so forth.

White collar crime, which is a generic term for all forms of criminal misuse of trust, creates great problems of economic, political, and moral damage to all segments of American society, and helps to sustain common or street crime.

Classify white collar crime by crime description have been difficult because new forms are constantly surfacing; however a psychological analysis describes the social contexts in which white collar crime occurs;

1. Persons committing crimes on their own
2. Violation of responsibility to their employer by members of an organization or business
3. Crimes that are incidental to business operations
4. White collar crime as the business's central activity

Since knowledge of crime causes is required to alleviate them, the following consideration of criminal's motives is essential: The incentive of money based upon the perception of relative deprivation, A threat to goal attainment, A sense mastery of desirable skills, the concept of benefitting the victim and group force examined. Moral ambiguity is apparent in the belief that other are doing the same thing, and a formerly acceptable business practice may become a criminal act by today laws.

His deterrent value of punishment can be lessened by light sentencing, though the shock of an arrest can prevent a new criminal's recidivism. The larcenous nature of the victim themselves is also used as a justification for fraud.

Keywords: wrongdoing, civilisation, criminal law

Introduction

The second section entitled "White Collar Crimes and Indian Penal Code, 1860" manages examination of various arrangements of the Indian Penal Code, 1860 managing with professional wrongdoings. The Indian Penal Code, 1860 is the soonest complete what's more, systematized criminal law of India. It likewise manages numerous clerical violations and discipline is accommodated the same. These wrongdoings are, for example, pay off and defilement, falsifying of coins and government stamps, offenses identifying with weights and measures, offenses identifying with corruption of nourishment stuffs and medications, misappropriation of property, criminal rupture of trust, tricking, fabrication and offenses identifying with reports and duplicating of cash.

How people to combat white collar crime? Here have three causes mention and explain clearly why employee will take risk to commit white collar crime such as opportunities to commit crime, workers situational personal pressures, and issues of pertaining to honesty whereas there also have five ways to combat white collar crime such as tighten the law and

punishment, enforcement by government, set up a corporate program, build positive moral principles in white collar criminal mind, and others minor ways to prevent and reduce white collar crime will give in details in the following. First of all, the cause of white collar crime is opportunities to commit crime. Hirschi and Gottfredson (1987) explained white collar crime unlike other common crime, the reason they contravention of the law is not similar with normal crime". In addition, there are different response from official between white collar crime and normal crime (Hirschi & Gottfredson, 1987).

Cubicle wrongdoing was characterized by Edwin Sutherland as a "wrongdoing carried out by a man of respectability and high economic wellbeing over the span of his occupation." Since this term was authored by Sutherland in 1939 amid his discourse for American Sociological Society, banter about have ascended with reference to what specific violations will be considered as clerical violations. All in all and equivocal terms, peaceful wrongdoings for monetary benefit were thought to be under this class. Probably the most well-known

exercises under clerical wrongdoings incorporate antitrust infringement, distinctive sorts of misrepresentation, insider exchanging and natural law infringement. Forces of the individuals from the administration, through another methods for governing rules, are additionally constrained by including open defilement and illegal tax avoidance under salaried violations.

Despite the continuous development of the concept of white-collar crimes, no consensus has been made about a criminology theory that explains white-collar crimes. Experts of the sociology, legal, and criminology areas have clashing theories. Admittedly, besides the traditional crimes like assault, battery, robbery, dacoity, murder, rape, kidnapping and other acts and omissions involving violence, there are increasing number of anti-social and anti-human activities which the persons of upper strata, in a sick society like ours, carry on in course of their business, occupation or profession. Along these lines, any report or grievance against such business or occupation/proficient tactics regularly goes unnoticed and unpunished to the upside of offenders the violators of law prompting defilement as salaried wrongdoings all around. In any case, the general population know next to know about the guile of these business mafia lawbreakers and notwithstanding when they know, they are aloof towards the issue and as tremendousness in light of the fact that of the unpleasant reality that the fights in court including such violations are delayed for quite a long time in the courts and councils.

Subsequently the charges against the guilty parties/culprits are overlooked some time before they are really settled. While, truth be told, India has no lack of laws yet the testing issue is there because of absence of requirement. That is the reason and how I attempt this topic for my examination/investigate, to appreciate the multifaceted issues also, related conceivable arrangements and correctives which require prompt consideration at distinctive levels of our managerial and legal framework towards maintaining principle of law.

Meaning of white collar crime

The importance of salaried wrongdoing, similar to that of other theoretical terms in legitimate, sociology, and philosophical talk (think, for instance, of "intimidation," "viciousness," "casualty"), is profoundly contested [5]. Definitions fluctuate both crosswise over and inside controls and etymological practices. Cubicle wrongdoing researchers have once in a while tried to locate a settled after importance of the term; different circumstances, they have searched for substitutes. In any case, none of these endeavours has been effective: Whatever definitions have been offered have neglected to discover general acknowledgment; whatever choices have been recommended have demonstrated deficient. In spite of its central ungainliness, the expression "professional wrongdoing" is presently so profoundly installed inside our legitimate, good, and sociology vocabularies that it could barely be deserted.

1. In General crimes committed by the convicts employed in White collar jobs are termed as White Collar Crimes.
2. White Collar Crimes is an illegal act or illegal acts or doing of legal act for achieving an illegal objective committed by any person by non - physical and/ or non -

violent means to gain money or property wrongfully or to avoid payment of legal dues or retain money or property wrongfully to obtain wrongful business of personal advantage.

Definition of white collar crime

Late of Edwin Sutherland defined a White Collar Crimes as: "A crime committed by a person of responsibility and high Social Status in the course of his occupation". The above definition of White Collar Crimes has 5 attributes.

1. It is a crime
2. Committed by a person of respectability;
3. Of high Social Status;
4. In the course of his profession or occupation;
5. It is usually a violation of a trust

Thus, Prof. E. Sutherland pointed out that besides the 'traditional crimes or Blue collar crimes [6]', Such as Assault, robbery, dacoit, Murder, Rape, Kidnapping and other acts involving violence, these are certain White Collar Crimes.

Anti-white collar crime legislations - a checklist

1. Central Excise and salt Act, 1944
2. Companies Act, 1956
3. Drugs and Cosmetics Act, 1940
4. Emblems and Names (Prevention of Improper Use) Act, 1950
5. Essential Commodities Act, 1955
6. Foreign Corrupt Practices Act
7. Foreign Exchange Regulations
8. Forward contracts (Regulation Act, 1952).
9. Immoral Traffic (Prevention) Act, 1956 Imports & Exports (Control) Act, 1950
10. Income Tax Act, 1961
11. Indian Medical Central Council Act, 1970
12. Indian Medical Council Act, 1954
13. Indian Penal Code, 1860
14. Indian Telegraph Act, 1885
15. Narcotic Drugs & Psychotropic substances Act, 1985
16. OECD Anti-Bribery Convention
17. Patents and Designs Act, 1965
18. Prevention of Corruption Act, 1988 Prevention of Food Adulteration Act, 1954
19. Special court (Trial of offences relating to Transactions in securities) Rules, 1992
20. The Ancient Monuments and Archaeological sites and Remains Act, 1958
21. The Ancient Monuments Preservation Act, 1904
22. The Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983
23. The Anti-Corruption laws (Amendment) Act, 1964
24. The Anti-Corruption laws (Amendment) Act, 1967
25. The antiquities and Art Treasures Act, 1972

The dangers and mischief postured by White Collar Crimes to the prosperity of Indians and the monetary improvement of this nation can't be disparaged. The White collar Crimes is the bane of most creating nations particularly India. It is driving cause of its being worked on with its associative impacts of neediness, filthiness and ailment.

White Collar Crimes flourishes with feeble establishments, awful authority and awful administration; something

desperately should be done to nip in bud the expanding occurrence of White collar Crimes before the economy fall. These White Collar Criminal exercises since of widespread debasement in our workplaces and each walk of life are not prone to be discarded so soon.

Until and unless every one of our laws is legitimately authorized in their letters and Spirit by the law upholding offices and authorities worried about full trustworthiness and uprightness. Despite the fact that the counter debasement law and have examined in the last section of my theory. It is this law which needs a lot of its legitimate requirement particularly against the individuals who are only occasionally arraigned ought to be rebuffed to the most extreme. So additionally every one of the laws which and have investigated in different sections require their appropriate authorization by every one of the individuals who are in the ointment of undertakings.

Law and legal theory

From the point of view of law and legitimate hypothesis, be that as it may, the expression "world class abnormality" is profoundly tricky. The train of criminal law is characterized by what is criminal. An extensive variety of basically essential procedural inquiries turns on whether lead charged is violative of the criminal law. To supplant the idea of cushy wrongdoing with the idea of degenerate conduct is in this manner to obscure a qualification that, at any rate in legitimate talk, is foundational. Besides, not exclusively is there freak conduct that isn't criminalized, there is likewise criminal movement that isn't for the most part viewed as degenerate.

For instance, a great arrangement of administrative wrongdoing includes supposed malum prohibitum lead, which is wrongful just, or basically, in goodness of its being prohibited^[7]. And there are different types of direct that may well be viewed as degenerate in one social setting (e.g., courtside at Wimbledon), yet not in another (say, the exchanging floor of the Chicago Board of Trade). A last issue with substituting the expression "world class aberrance" for "cubicle wrongdoing" is that much salaried wrongdoing isn't conferred by elites by any means. For instance, numerous individuals would consider insider exchanging to be the quintessential desk offense^[8].

To allude to a wrongdoing as "office" is to attract thoughtfulness regarding the attributes of the individual (or substance) that submitted it. To be sure, it was the characteristics of the guilty party, instead of those of the offense, that were the primary focal point of Sutherland's investigate. Sutherland looked to scrutinize the then-common hypothesis that related wrongdoing with the exercises of the lower classes and accentuated neediness as its key reason. He contended that in light of the fact that there is a noteworthy class of wrongdoings that are carried out by people of riches, "respectability," and societal position, neediness can't be seen as the sole, or fundamental, reason for crime^[9]. And, indeed, late cases including any semblance of super-well off affirmed cushy lawbreakers, for example, Martha Stewart, Kenneth Lay, Bernard Ebbers, Richard Scrushy, and Dennis Kozlowski appear to show reality of such an attestation.

From the point of view of the criminal law, notwithstanding, such an approach is by and by dangerous. Profoundly established equivalent security compose standards disallow us

from recognizing among guilty parties based on riches, occupation, race, sexual orientation, ethnicity, or other individual characteristics^[10] no doubt, there are unique resistance decides that apply to specific sorts of legislative performing artists.

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The nonattendance of an exact meaning of White Collar wrongdoing has tormented Criminologists to break down and translate the idea of White Collar wrongdoing in their own way. In this manner it was in particular appearance that for a few researchers, it was extremely difficult to acknowledge 'Position as primordial factor. For that very reason today there exists significant contradiction over the exact meaning of White Collar wrongdoing. White Collar Crimes might be separated into Occupational Crime and Organizational Crime yet in like manner speech there exist 10 famous sorts of White Collar Crimes as:

1. Bank Fraud- To engage in an act or pattern of activity where the purpose is to defraud a bank of funds.
2. Blackmail.- A demand for money under threat to do bodily harm, to injure property or to expose secrets
3. Cellular Phone Fraud- Unauthorized use or tampering or manipulating cellular phone services.
4. Embezzlement^[11]- When a person, who has been entrusted with the money or property, appropriates it for his or her own purpose
5. Counterfeiting- Copies or imitates an item without having been authorized to do so.
6. Forgery- When a person passes false or worthless instruments such as cheque or counterfeit security with intent to defraud.
7. Bribery- When money, goods, services or any information is offered with intent to influence the actions, opinions and decisions of the taker, constitutes bribery
8. Tax-Evasion- Frequently used by the middle-class to have extra-unaccounted money.
9. Adulteration - Adulteration of foods and drugs
10. Professional crime - Crimes committed by medical practitioners, lawyers in course of their Occupation.

Characteristics and techniques of white-collar crime

White-collar crime can be found in all types of businesses, industries, occupations, and professions. Hence, it comes in a large variety of forms and styles. All white-collar crimes, however, share certain characteristics and are committed using particular techniques. These characteristics and techniques distinguish white-collar crimes from most forms of traditional street crime. Three characteristics of white-collar crime are particularly important:

1. The offender has legitimate access to the target or victim of the crime on the basis of an occupational position;
2. The offender is spatially separated from the victim; and
3. The offender's actions have a superficial appearance of legality.

True blue access implies that office guilty parties don't need to take care of an issue that most ruthless wrongdoers go up against—the issue of drawing near to the objective. For

instance, before a thief can take something from a home, he or she should first access the home by one means or another entering it. This is typically done by utilizing power to break in an entryway or window. Breaking in makes extra danger of presentation for the guilty party. Professional guilty parties, then again, are not presented to this extra hazard in light of the fact that their word related parts give them honest to goodness access to the objectives of their wrongdoings.

For instance, in light of their word related positions, bank workers have honest to goodness access to other individuals' cash and can steal it without breaking into their homes or physically facing them in the city. Essentially, in numerous different types of clerical wrongdoing, for example, securities infringement ^[12], antitrust infringement ^[13], and human services fakes, the culprits exploit their word related parts to gain admittance to the objectives of their wrongdoing.

In numerous cushy wrongdoings, the guilty parties never straightforwardly defy or interact with their casualties. Or maybe, they are spatially isolated from casualties. Consider, for instance, the antitrust infringement of value settling. Unlawful value settling happens when rivals in an industry get together and connive to set costs for their items or administrations, rather than having costs dictated by free and open rivalry in the commercial centre. The casualties of value settling frequently are individuals from the overall population, who need to pay more for products and ventures than they would if costs were set by rivalry. The casualties are never reached straightforwardly by the culprits.

The problem of controlling white-collar crime

Taken together, the qualities of professional wrongdoing—true blue access, spatial detachment, and appearance of authenticity—raise exceptional issues for its control by the criminal equity framework. The most eminent issue is that of discovery. Most normal road wrongdoings are distinguished by their casualties, who would then be able to report the episode to the police. Be that as it may, on account of cubicle wrongdoing, casualties might be completely uninformed that they have been deceived. Consequently, no wrongdoing may ever be accounted for to the police. Since revelation is hazardous, it is hard to gauge the size of the cubicle wrongdoing issue and consequently to settle on choices with respect to how to allot assets toward its control.

A moment control issue raised by office wrongdoing includes allotting obligation regarding the offense. Numerous desk violations happen in hierarchical or corporate settings and are the aftereffect of aggregate moves made by gatherings of individuals. In these cases, it is frequently hard to distinguish the individual or people who ought to be considered responsible for the unlawful action. Since it may not be clear who is in charge of a specific offense, prosecutors frequently are hesitant to convey such cases to trial.

Identified with the issues of location and responsibility is the trouble of securing feelings in court. Since cubicle white collar crime are frequently intricate and inserted in genuine business schedules, it can be troublesome for prosecutors ^[14] to demonstrate past a sensible uncertainty that an individual is blameworthy of an offense. The significant hindrance is demonstrating that the guilty party intentionally proposed to disregard the law.

For instance, in the medicinal services misrepresentation illustration talked about over, the doctor presents a false claim for repayment for administrations rendered. Regardless of whether it can be demonstrated that the case isn't exact, the doctor may at present have the capacity to contend effectively in court that he or she didn't mean to present a false case. Or maybe, the false claim was essentially a slip-up or mischance and not a deliberate demonstration. The refusal of criminal plan is an exceptionally regular component of desk trials.

Types of white-collar crime

Desk wrongdoing arrives in an assortment of structures and can be found in each industry, calling, and occupation. In this area, five noteworthy types of cushy wrongdoing are characterized and depicted: antitrust infringement, securities infringement, customer extortion, social insurance misrepresentation, and natural offenses.

Antitrust Violations

Antitrust infringement can be partitioned into two general gatherings: prohibitive exchange assertions, and restraining infrastructures or monopolistic practices ^[15]. Prohibitive exchange assertions include an unlawful assertion or comprehension between rivals in an industry to limit how the business functions. Two cases of prohibitive exchange assertions are value settling and market sharing or division. Value settling alludes to assertions between contenders to set costs at a specific level. For instance, if drain makers get together and concur among themselves to charge schools a set cost for the drain utilized as a part of school lunch programs that is value settling. Market sharing happens when contenders get together and partition up a zone, with the goal that just a single of them works in any one region at once.

For instance, two clearing contractual workers may isolate up a town so one takes the east side and the other the west side of town. These sorts of assertions are unlawful in light of the fact that they control exchange. In these illustrations, the costs for these merchandise and enterprises (drain and clearing) are not being set by open rivalry in the commercial centre, as they ought to be in a free market economy. Or maybe, costs are being set by intrigue between or among contenders.

Restraining infrastructures and monopolistic practices include out of line endeavours to corner a market or to drive out contenders from a commercial centre. An imposing business model is said to exist in the event that one organization controls a whole market, however an organization can have monopolistic control despite the fact that it has contenders on the off chance that it controls a sufficiently expansive offer of a market. Microsoft's Windows working framework, for instance, was pronounced a syndication despite the fact that there are other working frameworks accessible. Alternate frameworks have such a little piece of the pie and Windows has such an expansive offer, to the point that it successfully controls the market.

There are five noteworthy sorts of security offenses. Deception includes lying about the esteem or state of a security. Stock control happens when an individual or a gathering of people endeavours to misleadingly control the cost of a security. Misappropriation is an offense submitted by merchants or other budgetary counsellors who take cash that

their customers have offered them to contribute and misuse it for their own utilization. Insider exchanging is maybe the most plugged security offense. It emerges when individuals exchange based on inside, non-public data. It is illicit for insiders to purchase or offer stock based on data that isn't accessible to people in general. At long last, in a speculation conspire, the culprit traps individuals into putting cash in an endeavour or security by erroneously encouraging financial specialists that they will get a high rate of profit for their venture. As a general rule, the endeavour has next to zero possibility of paying off, and the culprit essentially grabs the speculators' cash.

Securities Violations

A security is proof of possession, creditor ship, or obligation. It is a bit of paper, or a record number, or something that demonstrates that somebody has a budgetary intrigue or stake in a financial endeavour. For instance, stocks, securities, shares in a common store, promissory notes, and U.S. government reserve funds securities are on the whole securities. Traded on an open market securities are purchased and sold on trades, for example, the New York Stock Exchange.

There are five noteworthy sorts of security offenses. Distortion includes lying about the esteem or state of a security. Stock control happens when an individual or a gathering of people endeavours to falsely control the cost of a security. Misappropriation is an offense conferred by representatives or other budgetary consultants who take cash that their customers have offered them to contribute and misuse it for their own particular utilize. Insider exchanging is maybe the most pitched security offense. It emerges when individuals exchange based on inside, non-public data. It is unlawful for insiders to purchase or offer stock based on data that isn't accessible to the general population. At long last, in a speculation plot, the culprit traps individuals into putting cash in an endeavour or security by erroneously encouraging financial specialists that they will get a high rate of profit for their venture. As a general rule, the endeavour has next to zero possibility of paying off, and the culprit basically grabs the financial specialists' cash.

Consumer Fraud

Shopper misrepresentation is a standout amongst the most well-known types of cubicle wrongdoing. It includes the utilization of duplicity or trickery in the showcasing and offering of merchandise or administrations. This offense normally includes the consider utilization of false, beguiling, or misdirecting explanations about the cost, quality, or adequacy of an item or administration. Shopper extortion guilty parties are drawn from a wide range of organizations and speak to a continuum of size and multifaceted nature. Misrepresentation against buyers has been executed by guilty parties extending from here now gone again later swindlers to major multinational partnerships, for example, Sears and K-Mart. Extortion additionally happens in organizations that fall between these two extremes, including nearby "genuine" organizations that may once in a while depend on misrepresentation keeping in mind the end goal to make additional benefit or to abstain from leaving business.

Summary Suggestion

It notices commendable here that the Government has made astounding strides against degenerate people who utilized their political and social influence with a specific end goal to gain more cash. Numerous enormous fishes have gone under the trial and a considerable lot of them have just been sentenced. It is a decent sign for the nation which will diminish the desk wrongdoing. Be that as it may, in a nation like Bangladesh where huge size of starvation, mass absence of education and obliviousness, disparaging of such culprits by filthy governmental issues influence the life of people, white collar crime are bound to duplicate in substantial extent. Control of these violations is a significant issue for the criminal equity organization in this nation. However a few, of the measures for battling desk culpability might be as per the following-

1. Despite the fact that Sutherland's work is considered as a development in criminological history, his concentration and significant concern was the wrongdoing of the rich and effective. In any case, with the progression of time the circle of such wrongdoing has been widened. Presently working class individuals additionally utilize their position and include of confide in business and government and mechanical exercises. So redefinition of cubicle wrongdoing is an unquestionable requirement.
2. It is hard to gauge the degree and impact of office wrongdoing on casualties on the grounds that the individuals who endure the outcomes of professional wrongdoing are overlook about it. Consequently distinguishing, handling or punishing of salaried offenders is fundamental. It must be brought under the law of wrongdoings.
3. There are some systematized laws in Bangladesh for recognizing and rebuffing conventional violations however sadly there is no particular law for office wrongdoing. Without such polite law, those offenders are getting away from the arm of law.
4. Special courts ought to be constituted with energy to grant adequate discipline for cushy crooks.
5. The Anti-Corruption Commission ought to be prepared legitimately by giving adequate labour, cash and other calculated backings with the goal that the Commission can battle cubicle wrongdoing.
6. Making open mindfulness against these wrongdoings through electronic and press media, stage another varying media helps can help in lessening the occurrences of clerical culpability to a significant degree.

Most importantly, open watchfulness is by all accounts the foundation of hostile to cubicle wrongdoing procedure. Unless office wrongdoing end up detestable to open personality, it won't be conceivable to contain this developing hazard. With a specific end goal to accomplish this target there is requirement for fortifying of ethics especially in the higher strata and open administration.

Conclusion

White collar crime has been available for a long time. It might have been over looked, yet despite everything it was available even in the twentieth century. Professional wrongdoing is a general class containing a wide range of kinds of offenses. White collar crime is a standout amongst the most exorbitant

violations to society. My hypothesis in general issue is that entrepreneurs are notable more often than not. They are regarded men or ladies in the public eye. When we are take part in professional wrongdoing we are deceiving, lying, and being to some degree a rascal to each one of those people display around us and to those in the public eye. This disregards the trust of every one of those in our general public. All things considered, in the resulting decades, salaried wrongdoing kept on raising its monstrous head — or rather, very regularly, go about unpunished. This marvel prompted the introduction of the idea office wrongdoing as we probably am aware it today

References

1. A civilization or civilisation (see English spelling differences) is any complex society characterized by urban development, social stratification imposed by a cultural elite, symbolic systems of communication (for example, writing systems), and a perceived separation from and domination over the natural environment. (<https://civilization.com/>)last visited on 11th march 2018
2. The term "criminal equity" is not one which is often met with in common speech even amongst the legal profession let alone amongst those who do not frequent the halls of justice, yet it means a great deal to the average individual. In its modern form it appears in the guise of "natural justice," present in the mind (<https://scholarlycommons.law.northwestern.edu>)last visited on 3rd February 2018
3. The practice of obtaining something, especially money, through force or threats. (<https://www.merriam-webster.com>)
4. The method of psychological therapy originated by Sigmund Freud in which free association, dream interpretation, and analysis of resistance and transference are used to explore repressed or unconscious impulses, anxieties, and internal conflicts, in order to free psychic energy for mature love and work([medical-dictionary.thefreedictionary.com](https://www.merriam-webster.com))
5. Kip Schlegel has compared the controversy over the meaning of "white collar crime" to that over the meaning of "privacy." Recalling Status, Power and Respectability [sic] in the Study of White-Collar Crime, at 98, in National White Collar Crime Centre Workshop, Definitional Dilemma: Can and Should There be a Universal Definition of White Collar Crime?, at http://www.nw3c.org/research_topics.html (last visited Oct. 22, 2004.
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7. I have explored this concept in Stuart P. Green, Why It's a Crime to Tear the Tag Off a Mattress: Over criminalization and the Moral Content of Regulatory Offenses, 46 Emory LJ 1533. See also Douglas Husak, Malum Prohibitum and Retributivism, in *Defining Crimes: Essays on the Criminal Law's Special Part* (R.A. Duff & Stuart P. Green eds., forthcoming 2005
8. J. Kelly Strader, *The Judicial Politics of White Collar Crime*, 50 *Hastings L.J.* 1199, 1207 (1999) (citing *United States v. Chiarella*, 455 U.S. 222 (1980).
9. Sutherland, *White-Collar Criminality*, supra note 2
10. Cf. Kenneth S. Abraham & John C. Jeffries, Jr., *Punitive Damages and the Rule of Law: The Role of the Defendant's Wealth*, 18 *J. Leg. Stud.* 415, 423 (1989) ("Punishment based on the characteristics of the actor, rather than on specific misconduct, threatens fundamental notions of freedom from governmental constraint."
11. Embezzlement is the act of withholding assets for the purpose of conversion of such assets, by one or more persons to whom the assets were entrusted, either to be held or to be used for specific purposes. Embezzlement is a type of financial fraud. (<https://www.merriam-webster.com/dictionary>)(last visited on 16th Feb 2018)
12. Internal act that bypasses or contravenes security policies, practices, or procedures. A similar external act is called security breach(<https://www.upcounsel.com>)(last visited on 14th April 2018)
13. Antitrust laws, also referred to as "competition laws," are statutes developed by the U.S. Government to protect consumers from predatory business practices by ensuring that fair competition exists in an open-market economy. (<https://www.investopedia.com>)(Feb 12, 2018)
14. The prosecutor is the chief legal representative of the prosecution in countries with either the common law adversarial system, or the civil law inquisitorial system. (<https://www.merriam-webster.com>)(last visited on 16th April 2018)
15. A monopolistic trade practice is deemed to be prejudicial to the public interest, unless it is expressly authorized under any law or the Central Government permits to carry on any such practice. Inquiry into Monopolistic Trade Practices.(<https://www.slideshare.net/abimithu/monopolistic-practices>)(last visited on 10th February 2018)