



Theory of Crime Convenience

Abstract The theory of convenience attempts to integrate theoretical explanations for the occurrence of white-collar crime from sociology, psychology, management, organizational behavior, criminology, and other fields to shed light on different perspectives of convenience. Convenience can be both an absolute and a relative construct. As an absolute construct, it is attractive to commit financial crime as such. As a relative construct, it is more convenient to commit crime than to carry out alternative actions to solve a problem or gain benefits from an opportunity. White-collar criminals probably vary in their perceived convenience of their actions. Behavioral willingness can be high when the subjective detection risk is low. Detection risk is a combination of likelihood of detection and consequences after detection. Subjective detection risk varies among individuals.

Keywords Behavioral willingness • Convenience theory • Corporate hierarchy • Detection suicide • Deviant behavior • Expected utility • Financial motive • Organizational opportunity • Psychopathy • Self-control

Convenience theory suggests that white-collar criminals have a strong convenience orientation. The theory of convenience attempts to integrate various theoretical explanations for the occurrence of white-collar crime from sociology, psychology, management, organizational behavior, criminology,

and other related fields to shed light on the different perspectives of convenience. Convenience is a relative concept concerned with the efficiency of time and effort, as well as the reduction in pain and solution to problems (Engdahl 2015). Convenience orientation refers to a person's general preference for maneuvers characterized by the avoidance of pain and savings in time and effort. A convenience-oriented person is one who seeks to accomplish a task in the shortest time with the least expenditure of human energy. A convenient individual is not necessarily bad or lazy. On the contrary, the person can be seen as smart and rational in focusing the time and effort where it matters most for the individual or the organization (Sundström and Radon 2015).

Inmates with a strong convenience orientation favor actions and behaviors with inherent the characteristics of saving time and effort. They have a desire to spend as little time as possible on challenging issues and situations that may occur in prison. They have an attitude that the less effort needed the better, and they think that it will be a waste of time expending a long time on a problem. They prefer to avoid the problem rather than handle it, and want to avoid discomfort and pain. They want to survive prison life in the best possible way. Convenience motivates the choice of action and behavior, and an important element is avoiding more problematic, stressful, and challenging situations.

Convenience can be both an absolute construct and a relative construct. As an absolute construct, it is attractive to commit financial crime as such. As a relative construct, it is more convenient to commit crime than to carry out alternative actions to solve a problem or gain benefits from an opportunity. Convenience is an advantage in favor of a specific action to the detriment of alternative actions. Blickle et al. (2006) found that if the rationally expected utility of an action by a white-collar offender clearly outweighs the expected disadvantages resulting from the action, thereby leaving a net material advantage, then the offender will commit the offense in question.

In conclusion, the special sensitivity hypothesis often argued by white-collar defense attorneys and members of the elite finds little support in empirical studies of white-collar inmates versus street crime inmates. Instead, the special resilience hypothesis finds support, where white-collar inmates have the ability to adapt to prison life without much pain. The theory of convenience provides a basis for the special resilience hypothesis, because white-collar offenders tend to have a strong convenience orientation to avoid pain and the waste of energy.

White-collar crime can be a convenient option to avoid threats and exploit opportunities. Convenience is a concept that was theoretically mainly associated with efficiency in timesaving. Today, convenience is associated with a number of other characteristics, such as reduced effort and reduced pain, and with terms such as fast, easy, and safe. Finally, convenience says something about attractiveness and accessibility (Sundström and Radon 2015).

Convenience is characterized by comfortable practicality; it is simple and not necessarily bad or illegal. For example, ship-owners can register their boats under flags of convenience, which is to sail under false flags to reap economic benefits that might otherwise not be achievable. Convenience can be applying tricks of the trade without traces of obvious crime, lying in the gray zone, and exploiting the system for organizational or personal gain and pleasure. Convenience can be used to cause enrichment in an easy and comfortable manner without losing face or reputation (as long as the offender is not revealed). In academic research, some researchers use convenience samples, which consist of readily available respondents, for their empirical studies. The selection is not random and cannot be said to be representative of the population. It is unacceptable to generalize research results based on such convenience samples. Another example is the convenience store in terms of a grocery shop or a gas station, where consumer goods are easily available and accessible, but prices are higher and the selection is more limited (Sari et al. 2017).

Convenience orientation is the value that individuals and organizations place on actions with the inherent characteristics of saving time and effort. Convenience orientation is a value-like construct that influences behavior and decision-making. Mai and Olsen (2016) measured convenience orientation in terms of a desire to spend as little time as possible on the task, in terms of an attitude that the less effort needed the better, as well as in terms of a consideration that it is a waste of time to spend a long time on the task. Convenience orientation towards illegal actions increases as negative attitudes towards legal actions increase. The basic elements in convenience orientation are the executive attitudes towards the saving of time, effort, and discomfort in the planning, action, and achievement of goals. Generally, convenience orientation is the degree to which an executive is inclined to save time and effort to reach goals. Convenience orientation refers to a person's general preference for convenient maneuvers. A convenience-oriented person is one who seeks to accomplish a task in the shortest time with the least expenditure of human energy (Berry et al. 2002).

The actual convenience is not necessarily important in convenience theory. Rather, the perceived, expected, and assumed convenience influences the choice of action. Berry et al. (2002) make this distinction explicit by conceptualizing convenience as an individual's time and effort perceptions related to an action. White-collar criminals probably vary in their perceived convenience of their actions. Low expected convenience could be one of the reasons why not more members of the elite commit white-collar offenses.

FINANCIAL MOTIVE

Threat of bankruptcy or threat of other kinds of financial loss is a frequent economical motive for white-collar crime. According to Piquero (2012), the fear of falling is strong among members of the elite. Kouchaki and Desai (2015: 362) found that the threat of falling may lead to unethical behavior:

Perceived threat engenders self-protective defenses that cause people to focus narrowly on their own needs, which interfere with adherence to moral principles and encourage unethical acts.

Kouchaki and Desai (2015) suggest that people experiencing anxiety, nervousness, and worry are likely to behave selfishly and engage in self-interested unethical acts in an effort to restore the threatened self. Individuals experiencing threats tend to focus inward and acquire resources as a means of compensating for threats. In threatening situations, the brain tends to shift into a state that facilitates mobilization of defense mechanisms. Threats are typically characterized by the salience of risk of loss. Threats tend to bring about socially undesirable actions geared toward self-protection. To cope with threat, people rely on a variety of potential mechanisms to shield themselves from negative experiences and unpleasant feelings, and ultimately to protect their self-esteem.

Threats can create moral panic. Moral panic is used to characterize reactions that do not accurately reflect the actual danger of a threat. During a moral panic, sensitization processes generate an escalation in the individual disturbance (Kang and Thosuwanchot 2017).

Chattopadhyay et al. (2001) studied organizational actions in response to threats. They found that threats are associated with urgency, difficulty,

and high stakes. Threats involve a negative situation in which loss is likely and over which one has relatively little control.

A possibility implies a positive situation in which gain is likely and over which one has a fair amount of control, while at the same time been characterized by urgency, difficulty, and high stakes (Chattopadhyay et al. 2001).

When an organization develops and maintains a strong systematic socialization program, employees not only identify with the organization but also its goals. When personal promotion or dismissal, as well as bonuses and benefits, are connected to the achievement of goals, then employees identify more strongly with organizational goals. When the socialization process is coupled with strong accountability systems, employees are regulated to achieve organizational goals. The pursuit of goals does not imply the absence of crime. The bottom-line focus in an organizational context might increase the frequency of financial crime on behalf of the organization for profit or enhancement. A strong emphasis on goal attainment might indeed lead organizational members to engage in illegal acts (Kang and Thosuwanchot 2017).

Kang and Thosuwanchot (2017: 501) recount the following story:

Philip R. Bennett joined Refco Inc. in 1981, becoming the chief financial officer (CFO) in 1983 and heading it as the chief executive officer (CEO) since 1998 following the retirement of Thomas Dittmer, the stepson of the company's founder. Bennett was asked to leave the company when federal prosecutors accused him of a "massive securities fraud, charging him with a scheme to hide a debt of as much as \$545 million that he allegedly tried to keep secret from investors". In 2008, Bennett pleaded guilty to the charges and was sentenced to 16 years in prison.

Having been in Refco Inc. for more than 24 years and coupled with the helming of two high-ranking positions – CFO and ultimately CEO and chairman – Bennett's identification with the goals of Refco Inc. can be considered to be high. In other words, having spent sufficient time in a position of power in Refco Inc. with the ability to influence the company's direction, Bennett was highly socialized into the goals of the company.

One of Refco Inc's key goals was to go public to raise funds. The company engaged reputable institutions (i.e. Credit Suisse First Boston, Godman Sachs Group, and Bank of America Corp.) to underwrite its IPO in 2005. However, Bennett committed illegal acts to make Refco Inc. more attractive as an investment option in the public listing.

ORGANIZATIONAL OPPORTUNITY

Those at the pinnacle of a corporate hierarchy (or just about any hierarchy, for that matter) who have considerable authority, are not often challenged, insist upon results, and are accustomed to getting their own way. Therefore, various forms of dishonest and illegal behavior that elite members are engaged in seem to be convenient for the offenders. They believe they can ignore various reservations they would have if they were lower down in the power structure, and if they were expected to demonstrate leadership and achieve ethical results. Greed, self-importance, immunity from criticism, getting one's own way, and fear of falling all contribute to the convenience of white-collar crime in the organizational setting. An offender is in a position to point to the importance of one's place in an organizational hierarchy, one's ability to cover one's tracks, blame others or insist on deniability, and the pressure to achieve results. White-collar criminals tend to engage in various rhetorical strategies to make it sound to their subordinates as though they have done nothing wrong.

Organizational dynamics is an interesting perspective on white-collar crime. Organizational dynamics can cause a downward spiral, leading to misconduct and crime. In the downward spiral, the tendency to commit white-collar crime increases. It becomes more convenient to commit crime in comparison to alternative actions when crises or opportunities emerge. Convenience theory suggests that white-collar crime can be an attractive option for executives and others in the elite. In this section, negative organizational dynamics is explained by institutional theory, social disorganization theory, slippery slope theory, neutralization theory, and differential association theory.

As argued by Ashkanasy et al. (2016), organizations are intrinsically human entities. Processes that drive human thought and behavior also drive organizations. If deviant behavior is preferred by some and accepted by others, then deviance may drive an organization. When a leader implicitly or explicitly defines misconduct and crime as acceptable, followers will tend to do the same. In the organizational setting, there is no organizational or corporate crime that is not driven by human thought and behavior.

The opportunity perspective is thus more than just an organization lacking control over its members. There are dynamics among members where some prefer convenient solutions to problems and challenges even when the solutions imply breaking the law. The organization is a community of practice where individuals merge into groups and departments to complete

tasks and reach goals in ways that establish themselves over time through dynamic interactions between organizational members.

In their article on organizational dynamics to understand causes and effects of top management fraud, Zahra et al. (2007: 128) emphasize organization-level pressures:

Without stockholder monitoring, some executives may act opportunistically and enrich themselves while foregoing stockholder-desired, long-term value creating activities for their firms.

Felson and Boba (2010) define white-collar crime as a crime of specialized access, where the offender is able to access resources by abusing routines in the organization.

BEHAVIORAL WILLINGNESS

Deviant behavior can be learned from others. In executive successions, cultural transmission tends to occur, for example from a retiring chief executive officer (CEO) to an emerging CEO. Cultural transmission can explain why individuals who were reluctant to adopt deviant behavior may engage in misconduct and crime. Cultural transmission models may explain the passing on of misconduct behavior in terms of white-collar crime. Generally, such models explain the transfer of cultural norms, values, and belief systems that are transmitted between individuals or groups within and across generations. Transmission of criminal behavior across generations of executives occurs via a learning process with predecessors as well as in delinquent associations and peers. The principles of cultural transmission and differential association can be applied to corporate offending.

The concept of deviance is here an attribute of individuals, where we focus on negative forms of deviance in terms of white-collar crime within organizational contexts. Deviance is non-conformance to a norm that refers to any type of behavior that fails to meet normative standards and that may evoke a collective response of a negative type. Negative deviance is intentional behavior that departs from the norms of a referent group in bad ways (Mertens et al. 2016).

Deviance is here both behavior and outcome as behavior leads to crime. It is a departure from organizational norms in legal organizations, where organizational norms are informal or formal rules that regulate bandwidths and boundaries for behavior (Mertens et al. 2016).

Craig and Piquero (2017) studied two personality traits that sometimes predict offending intentions. Low self-control and desire-for-control are two personality traits that can have multiple effects on white-collar offending. Findings suggest that while low self-control was predictive of intention to offend, the impact of desire-for-control varied based on the respondent's level of self-control. In contrast to prior studies, desire-for-control reduced offending intentions, but only among those with high self-control.

Self-control reflects an individual's capacity and motivation to override desires and urges in order to act in accordance with one's norms and goals, such as maintaining positive relationships with others. Soltes (2016: 54) suggests that "people with lower self-control have greater difficulty resisting temptation and restraining reckless behavior, and eventually some of this rash and opportunistic behavior is likely to end up as criminal conduct".

Liang et al. (2016) argue that effective human functioning requires the capacity to transcend primal desires and habitual behaviors in order to behave in a socially appropriate manner. When self-control fails, individuals disregard the long-term implications of their behaviors and succumb to their desires, such as cheating and bribing.

Liang et al. (2016: 1388) suggest that self-control is determined by two forces:

The first is a primitive impulsive system wherein desire arises and drives behaviors, and the second is a higher-order reflective system wherein the desires and action tendencies that arise in the first primitive impulsive system are monitored and restrained.

White-collar offenders rationalize their own misconduct: Misconduct through which they sought fast, desirable results by violating the rules but they expected to be able to get away with it.

Behavioral willingness can be high when the subjective detection risk is low. Detection risk is a combination of likelihood of detection and consequences after detection. Subjective detection risk varies among individuals and is influenced by a number of factors.

Attitudes towards police performance or effectiveness are one such factor. When white-collar offenders believe that the police are unable to solve crime, then the risk of criminal behavior is low. The police do not operate in a vacuum. They rely on community members to report crime, serve as witnesses in court, and act as capable guardians over people and property.

As such, police effectiveness is also based on the level of support that the community provides to the police. Policing practice reveals that businesses that have suffered from financial crime have lower trust in, confidence in, and satisfaction with, law enforcement. Hence, the legitimacy of the police is often rooted in the level of corporate support that they receive. As such, confidence in the police may actually impact levels of white-collar crime within private and public organizations.

On the other hand, collective efficacy in law enforcement may increase subjective detection risk. Collective efficacy holds that organizational members and stakeholders work collectively toward a common objective, such as crime control and maintenance of order. The fundamental component of collective efficacy is the notion of social trust amongst all actors working towards a common goal. All members of the relevant communities work together to control crime through mutual trust. However, when trust or confidence in the police is lacking or non-existent, the possibility of reducing actual levels of crime will be diminished.

Some white-collar criminals suffer from personality disorders such as psychopathy. Psychopathy can be characterized by fearlessness, antisocial behavior combined with high social attention seeking, immunity to stress, egoism, and self-centered impulsivity.

The behavioral willingness to commit white-collar crime can be reversed when fraud is detected. Especially in cases of personality disorder, a possible outcome is detection suicide. Brody and Perri (2016: 786) recount the following story:

To outsiders, Darrin Campbell was the picture of an unassuming prosperous executive. However, records show that Campbell was at the center of a securities fraud scandal that accompanied the collapse of Tampa-based Anchor Glass Container Corporation, then the third-largest manufacturer of glass containers in the USA. Shareholders accused him and other executives of failing to disclose financial weaknesses before a public stock offering, leading to lawsuits and a multimillion-dollar settlement. As part of the settlement, Campbell did not have to admit wrongdoing. Yet, after this incident, there were speculations that perhaps Campbell and his family were having financial problems. Campbell can be seen purchasing items that he would eventually use to kill and burn their home with. Campbell, with a handgun, eventually executed his 51-year-old wife, his 18-year-old son and 15-year-old daughter before burning down the family's home and shooting himself in the head. What transformed a 49-year-old executive into a methodical killer who eventually committed suicide?

Brody and Perri (2016) reflect on this question by discussing negative life events as a major cause of most suicides. Similarly, Kang and Thosuwanhot (2017) describe four categories of suicide that all have the aspects of negative life events for white-collar offenders. First, egoistic suicide is filled with apathy, indolent melancholy with complacency. Second, altruistic suicide is filled with energy of passion or will, with calm feeling of duty, mystic enthusiasm, or peaceful courage. Third, anomic suicide is filled with irritation or disgust, with violent recriminations against life in general or against one particular person. Fourth, fatalistic suicide is derived from excessive regulation, that of persons with futures pitilessly blocked and passions violently choked by oppressive discipline.

Personality disorder is characterized as enduring maladaptive patterns of behavior and experience involving at least two of the following four areas: Cognitive, affective, interpersonal, and/or control of impulse.

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