

BOOK REVIEW

CORPORATE CRIME. By Marshall B. Clinard and Peter C. Yeager. New York: Free Press. 1980. Pp. ix, 386. \$17.95.

In the fall of 1982 the airwaves and headlines of the mass media were full of details on the arrest of John Z. De Lorean, the swashbuckling international entrepreneur. De Lorean left a \$650,000 a year management position at General Motors in 1973 to strike out on his own in pure capitalistic zeal.¹ In 1976, he established the De Lorean Motor Company and by 1978, he had secured \$97 million from the British government toward obtaining a factory in Northern Ireland. By February 1982 the company was in deep financial trouble and De Lorean was apparently searching for a means to raise a large sum of money when he was arrested and accused of conspiring to import and market 220 pounds of cocaine.² He was released on ten million dollars bail after he deposited \$250,000 in cash with the court along with the deeds for three homes for the balance of \$9.75 million.³

When De Lorean left General Motors he participated in the writing of his memoirs. In them he takes GM to task for mismanagement and the selfish pursuit of profit which often caused detriment to the public. He argued that the corporate culture made persons into rule-violators in spite of their individual morality. De Lorean noted:

It seemed to me, and still does, that the system of American business often produces wrong, immoral and irresponsible decisions, even though the personal morality of the people running the business is often above reproach. The system has a different morality as a group than the people do as individuals which permits it to willfully produce ineffective or dangerous products, deal dictatorially and often unfairly with suppliers, pay bribes for business, abrogate the rights of employees by demanding blind loyalty to management or tamper with the democratic process of government through illegal political contributions.⁴

De Lorean is a member of the American upper class solely by virtue of his wealth. His alleged crime, drug dealing, is usually characterized as a street crime, and is atypical of the upperclass. Typically, members of America's upperclass have been able to extract large amounts of money from corporations both lawfully and unlawfully.⁵

1. See J. P. WRIGHT, *ON A CLEAR DAY YOU CAN SEE GENERAL MOTORS* (1979) [hereinafter cited as *ON A CLEAR DAY*] for background on De Lorean's early years.

2. L.A. Daily Journal, Nov. 1, 1982, at 13, col. 1. Media coverage of De Lorean's financial troubles was extensive. See, e.g., Wall St. J., Nov. 16, 1982, at 7, col. 1, which states that less than a week after De Lorean's arrest his Motor Co. filed for bankruptcy with estimated assets of \$8 million and a debt of \$40 million. For a discussion of the rise and fall of the De Lorean business venture, see M. Daly, *The Real De Lorean Story*, N.Y. Times, Nov. 8, 1982, at 30 and L.A. Times, Oct. 31, 1982 at 1, col. 1.

3. The homes are located in San Diego's Pauma Valley, in New York City, and in Bedminster, N.J. L.A. Times, Oct. 30, 1982, at 1, col. 4.

4. *ON A CLEAR DAY*, *supra* note 1, at 61-62.

5. De Lorean is atypical of the upper class in other ways. He was born to working class parents and he accumulated his wealth by his own efforts. When De Lorean was 13 he was invited home for dinner by two upper class schoolmates. "The experience," he reminisced, "opened a new vista for me. I began to realize what things were possible and available in America." *ON A CLEAR*

The large corporation is the dominate economic entity in American life. Economic power is concentrated among the 500 largest corporations. The concentration of economic power has increased over time, as ever larger and more powerful combinations are made through acquisition and merger. Of the 932 companies that have appeared on the *Fortune 500* list, between 1955 and 1980, only 4 went out of business, 262 of the original group were still on the list, and 238 had been swallowed up by mergers or acquisitions.⁶ In 1929, the 200 largest corporations controlled 45% of manufacturing assets and by 1979 this had increased to 59%. The level of concentration in the U.S. economy has increased dramatically since World War II.⁷

The U.S. economy is a mature one. Within the various sectors of the economy there is also market concentration with few sellers, *i.e.*, oligopoly. The major industries are dominated by a few firms and the degree of concentration is increasing over time.⁸ The food industry, more diverse than most, manifests these tendencies. In 1980, Howard W. Hjort, Director of Economics, Policy, Analysis and Budget, Department of Agriculture testified before Congress:

Our reviews of market structure and performance in the food-manufacturing industries indicate pure competition is diminishing and oligopolies becoming more prevalent. Not only are market shares, sales concentrations, advertising, other production differentiation expenditures and profits high, but they have been increasing steadily during the past three decades. Since 1950, the food manufacturing industry has come under the control of a few, very large conglomerate enterprises. In 1950, 50 firms accounted for 41 percent of food manufacturing assets—by 1978, they accounted for 64 percent. Concentration of profits, sales promotion activities and the holding of leading positions with these 50 firms is substantially higher-ranging

DAY, *supra* note 1, at 89-90. For a thorough analysis of inherited and new wealth in the U.S., see F. LUNDBERG, *THE RICH AND THE SUPER-RICH* (1969) at 1-294.

6. L.S. Hayes, *Twenty-Five Years of Change in the Fortune 500*, *FORTUNE*, May 5, 1980, at 89. "The above pages traced the trends in business organization from the late nineteenth century to the present. It has been shown that there has been an almost steady increase in the concentration of economic activity among large firms In the first two periods of heavy merger activity, consolidation generally involved firms in similar or related industries, but, in recent years, consolidation has taken the form of conglomerates which have merged firms in diverse areas of activity under one management. The large number of conglomerates that have been formed has resulted in a sharp concentration of economic activity among firms. . . ." A.W. NIEMI, JR., *U.S. ECONOMIC HISTORY* (1975) at 262-63.

7. BUREAU OF CENSUS, *STATISTICAL ABSTRACT OF THE UNITED STATES 1980*, [hereinafter cited as *STATISTICAL ABSTRACT 1980*] Table No. 953 at 958. See also *U.S. ECONOMIC HISTORY*, *supra* note 6, Table 16-2, at 260. For additional empirical data see tables and charts contained H.R. REP. No. 393, 96th Cong., 2d Session (1980), Appendix at 50-53.

8. John Galbraith writes:

Since late in the previous century the giant corporation had become an increasingly obtrusive feature of the business landscape. Its importance was assumed everywhere except in the economics textbooks. And even the more casual scholars had difficulty in disguising from themselves the fact that markets for steel, automobiles, rubber products, chemicals, aluminum, other nonferrous metals, electrical gear and appliances, farm machinery, most processed foods, soap, tobacco, intoxicants, and other basic products were shared not by many producers, each without power over its prices, but by a handful of producers with a great deal of such power. Accordingly the neoclassical model was modified to embrace the case of markets shared by two, three, four or a handful of (usually) very large producers. Between the competition of the many and the monopoly of the single firm there was now inserted the oligopoly of the few. And, although at first reluctantly, oligopoly came to be recognized as a normal form of market organization.

J.K. GALBRAITH, *ECONOMICS & THE PUBLIC PURPOSE* (1973) at 15.

upward to 90 percent.⁹

Like economic power, wealth is also concentrated in the U.S. The richest 1% of the population controls roughly 20% of all personal wealth in the country.¹⁰ The large corporations that dominate the economy are privately owned. In 1972, the last year for which data is available, the wealthiest 1% of the population owned 56.5% of corporate stock, making large corporations the instruments of the wealthiest 1% of our society.¹¹ As noted by De Lorean, in their efforts to maintain and increase profits, these large corporations have great temptation to engage in illegal behavior. *Corporate Crime* documents this fact.¹²

Corporate Crime is the most extensive and well documented study of illegal corporate behavior in existence. The study was financed by a grant from the Law Enforcement Assistance Administration (LEAA) of the Department of Justice. It focused on the period between 1975 and 1976 and is a compilation of data on the rule violations of 582 of the largest American corporations, including those listed in *Fortune 500*. The study concluded:

A total of 1,553 federal cases were begun against all 582 corporations during 1975 and 1976, or an average of 2.7 federal cases of violation each. Of the 582 corporations, 350 (60.1 percent) had at least one federal action brought against them, and for those firms that had at least one action brought against them, the average was 4.4 cases.¹³

Corporate violators do not engage in rape, armed robbery or other types of street crime.¹⁴ Corporate violations are wide-ranging and complex. These giants illegally pollute the air, water, and earth. They bribe here and abroad to further their interests. The large corporations cheat the consumer, violate tax laws, and commit numerous other types of illegal financial transactions. Labor laws are violated when large corporations engage in discrimination, occupational health and safety violations, and wage and hour violations. The corporate giants market dangerous, shoddy, mislabeled products. In addition, they engage in unfair trade practices, such as price fixing, illegal combinations, allocation of markets, and false and misleading

9. "Small Business Problems in the Marketing of Meat and other Commodities: Part 7—Monopoly Effects on Producers and Consumers." Hearings before the Subcommittee on SBA and SBIC Authority and General Business Problems of the Committee on Small Business, H.R. Rep. No. 393, 96th Cong., 2nd Sess. (1980) at 80.

10. STATISTICAL ABSTRACT 1980, *supra* note 7, Table No. 785, at 471. See also Smith and Franklin, *The Concentration of Personal Wealth, 1922-1969*, 64 AM. ECON. REV. 162 (1974). Therein the authors noted: "Wealth in the United States has become less concentrated in the last half century. The diminution has not been great, however, and it all occurred during periods when the market system was functioning under duress or was in administrative abeyance, specifically, the Great Depression and World War II." *Id.* at 163.

11. STATISTICAL ABSTRACT 1980, *supra* note 7, Table 786, at 471.

12. See Smiley, "Firm Size, Market Power and the Distribution of Income and Wealth: A Survey," in Federal Trade Commission, *THE ECONOMICS OF FIRM SIZE, MARKET STRUCTURE AND SOCIAL PERFORMANCE*, July, 1980. Smiley cites evidence that: "The effect of monopoly has thereby been to increase the relative share of household wealth held by the nation's wealthiest families (top 1/4 of 1%) by over 40 percent."

13. CORPORATE CRIME at x and 113.

14. Some of the great modern family fortunes, however, have their roots in criminal activity. See e.g., P.C. NEWMAN, *KING OF THE CASTLE* (1979) where the author states that the wealth of the Bronfman family, the owners of the Seagram Company "was squarely based on supplying American bootleggers with their wares." *Id.* at 10. For the story of another family fortune based on organized crime ties and proceeds of illegal gambling, see J. COONEY, *THE ANNENBERGS* (1982).

advertising. More than three-fourths of the violations noted in *Corporate Crime* involved rules regulating the environment, labor, and defective products.¹⁵

The study also found that 42% of the firms in the manufacturing sector had multiple cases charged against them. Three industries—oil, auto, and pharmaceutical—had the highest incidents of violations. The study concluded that the reason that some large corporations violated rules more frequently than others had more to do with the history of the particular industry and culture of the accused corporation than with the size or any other factor. It notes:

The larger corporations commit a disproportionate number of violations of law, and these violations cannot, on the whole, be attributed solely to economic pressures or to the business characteristics of particular firms. Rather, corporations that do violate and those that largely do not are distinguished by 'corporate cultures,' or other ethical climates, the degree to which a corporation has made the choice to be unethical or not, to disregard the interests of the consumer and the public, and to disobey the laws that regulate its specific industry. It appears, furthermore, that violations are more likely to occur in some industries, those closely associated with an 'industry culture' favorable to unethical and illegal behavior.¹⁶

Authors Clinard and Yeager are the intellectual heirs of Edwin H. Sutherland, whose book, *White Collar Crime* was the first empirical study of corporate or upper class criminality. Clinard, in fact, worked as a graduate research assistant for Sutherland in the preparation of the classic.¹⁷ Sutherland studied the life histories of the 70 largest corporations in the U.S. in the 1930's and 40's and found that all had committed violations, the average being 14 violations per corporation. Sutherland noted:

The thesis of this book, stated positively, is that persons of the upper socio-economic class engage in much criminal behavior; that this criminal behavior differs from the criminal behavior of the lower socio-economic class principally in the administrative procedures which are used in dealing with the offenders; and that variations in administrative procedures are not significant from the point of view of causation of crime.¹⁸

15. CORPORATE CRIME at 113-16. The effects of these rule violations can be devastating. For example, in 1972, a Ford Pinto caught on fire after a collision with another vehicle. Three high school girls in the Pinto burned to death. The driver of the other car had minor injuries. Ford was tried for three counts of reckless homicide. Ford was acquitted, but the fact that it was placed on trial for a criminal offense "may mark the beginning of a new approach to the social control of corporations." Maakestad, *A Historical Survey of Corporate Homicide in the United States: Could it Be Prosecuted in Illinois?*, 69 ILL. B.J. 772 (1981) at 772. See also Swigert and Farrell, *Corporate Homicide: Definitional Processes in the Creation of Deviance*, 15 L. & SOC. REV. 161 (1980). Rule violations in other industries also cause death. In November 1982, Westmoreland Coal Company pleaded guilty to charges stemming from a 1980 mine disaster that killed five miners. The Company agreed to pay \$1 million in penalties. N.Y. Times, Nov. 14, 1982, at 20, col. 1.

16. CORPORATE CRIME at 299.

17. *Id.* at x. CORPORATE CRIME is dedicated to Sutherland, who the authors call "a pioneer in research on corporate crime." The authors note: "Sutherland carried out the first empirical study in the field. WHITE COLLAR CRIME (1949), which perhaps should have instead been entitled CORPORATE CRIME, examined the illegal behavior of the 200 largest U.S. nonfinancial corporations. In the years since Sutherland's work, however, only limited follow-up research has been done." *Id.* at 13. "Although Sutherland's research revealed high levels of violation and weak enforcement, he was subject on occasion even to personal abuse by those who thought that the integrity of the American economic system was unassailable." *Id.* at x.

18. E. H. SUTHERLAND, WHITE COLLAR CRIME (1949) at 9. Sutherland noted that even if the analysis was "limited to decisions by the criminal courts, it would show that 60% of the seventy

He argued that even though the financial cost of upper class crime is considerably greater than that of street crimes, the major negative results of upper class crime are damage to social relations, destruction of social trust, and assault on the "fundamental principles of the American institutions."¹⁹

Ironically, the Watergate crimes, the most severe attack on American democratic institutions in this century, contributed to the publication of *Corporate Crime*. The Watergate crimes were an effort by Richard Nixon and his cohorts to apply covert disruptive intelligence techniques to the Democratic party. These methods had been perfected by the CIA and the FBI to disrupt and destroy governments and political parties they considered dangerous or undesirable.²⁰ The Watergate affair involved burglary, wiretapping, bugging and conspiracy to engage in and cover-up these crimes. The conspiracy reached the highest level in the U.S. government. In fact, several of the crimes were planned in the office of the U.S. Attorney General, the highest law enforcement office in the nation.²¹ The purpose of the conspiracy was to unleash an "all-out, full capability offensive and defensive intelligence service with sophisticated clandestine collection techniques and covert actions."²² Much of the money used to fund these operations came from the illegal campaign contributions made by blue chip corporations. Twenty corporations and twenty-four corporate officers were convicted for these illegal campaign contributions. The list of the guilty reads like a who's who of American business, including American Airlines, Ashland Oil, Inc., Carnation Co., Goodyear Tire and Rubber Co., Greyhound Corp., Gulf Oil Corp., Minnesota Mining and Manufacturing Co., and Phillips Petroleum.²³

The post-Watergate period renewed the interest in corporate criminality and created an atmosphere favorable to research on the subject.²⁴ The bulk of the rule violations analyzed in *Corporate Crime*, however, did not result in criminal convictions. Roughly, only 10% of the corporations had

larger corporations have been convicted in criminal courts and have an average of approximately four convictions each. In many states persons with four convictions are defined as 'habitual criminals.'" *Id.* at 25.

19. *Id.* at 13.

20. For a detailed description of CIA methods see P. AGEE, *INSIDE THE COMPANY: CIA DIARY* (1976). For one example of an FBI technique, see D. J. GARROW, *THE FBI AND MARTIN LUTHER KING: FROM "SOLO" TO MEMPHIS* (1981).

21. Attorney General Mitchell met with G. Gordon Liddy, John Dean and others to plan the covert intelligence that eventually resulted in the Watergate break-in. Dean realized the criminal nature of the plans and interrupted one meeting stating: "Excuse me for saying this, I don't think this kind of conversation should go on in the Attorney General's office." J. DEAN, *BLIND AMBITION* (1976) at 79. Dean's book is an excellent description of the individual corruption that can take place when an institutional culture rewards illegal behavior.

22. See G. G. LIDDY, *WILL* (1980) at 252. With the help of Howard Hunt, Liddy recruited the anti-Castro Cubans who served as the footmen in the various burglaries committed before and during the Watergate break-in. The Cubans were recruited because they were "loyal Cuban-American friends from his [Hunt's] Bay of Pigs days who were trained by CIA in clandestine work, including surreptitious entry." *Id.* at 227-228. Liddy was prepared to kill if necessary. *Id.* at 231.

23. L. JAWORSKI, *THE RIGHT AND THE POWER* (1977) at 312, 342-349. The defendants pled guilty to misdemeanors but Jaworski noted: "The evidence in almost all instances would have supported the felony charge. But on balance it seemed fair to charge the volunteers with the misdemeanor violation." *Id.* at 316.

24. "During the post-Watergate period, revelations concerning such matters as corporate, political, and foreign bribery brought about a change in the situation. As the Civil Rights, consumer, and environmental movements stirred public and Congressional interest and stimulated legislation, public and academic interest in corporate crime increased." *CORPORATE CRIME* at x.

criminal sanctions imposed on them in the two year period of the study. The bulk of the violations were processed before regulatory agencies such as the Securities and Exchange Commission (SEC), the Federal Trade Commission (FTC), or the Federal Drug Administration (FDA), or in the civil courts.

Clinard and Yeager assert that civil violations constitute crimes when done by corporations. "A corporate crime," they write, "is any act committed by corporations that is punished by the state, regardless of whether it is punished under administrative, civil, or criminal law."²⁵ The authors realize that this broad definition of crime flies into the teeth of traditional notions of crime, but they justify it in these terms:

Unless this more inclusive definition of crime is used, it is not possible to consider violations of law by corporations in the same context as ordinary crime. In legal terms, business and corporate offenders are 'administratively segregated' (Sutherland, 1940, p.8) from ordinary offenders not because of differences in illegal actions but because of differences in legal terminology. Because of the more recent origin of many laws that prohibit corporate violations, the economic and political power of the corporate sector has been effectively marshalled to discourage or prevent the provision of criminal penalties.²⁶

The major weakness of *Corporate Crime* is that out of roughly 350 pages of text, the authors spend less than two pages justifying this definition of crime. To call an act criminal is the harshest condemnation society can make. A criminal conviction can result in the most severe penalties society can inflict, including imprisonment and death. The basic legal distinction between a criminal and a civil wrong is the procedure used to adjudicate the wrong. A criminal defendant has constitutional rights to counsel, to a jury trial, to confront and cross-examine witnesses, to remain silent, and to proof beyond a reasonable doubt by the State of the validity of the charges.²⁷ Clinard and Yeager argue that these procedural differences between criminal and civil cases are merely differences in legal terminology. This dismissal of the distinction is too facile. It ignores the struggle and resistance to the expansion of procedural protections to defendants which occurred during the era of the Warren Court.²⁸ In *White Collar Crime*, Sutherland spent

25. *Id.* at 16, Appendix G at 343-347.

26. *Id.* at 16.

27. The criminal law is a flexible set of concepts and has adapted to the rise of the large corporation. In the nineteenth century, the Anglo-American legal tradition defined a crime as generally involving a forbidden act and a guilty mind, *i.e.*, some degree of moral culpability. As large corporations evolved and began to dominate the economy, a new legal doctrine developed that dispensed with the need to prove a culpable mental state to convict a person or corporation of a crime. Statutes based on this doctrine, often called strict liability statutes, are used primarily to punish corporate wrongdoing. See generally: Sayre, *Public Welfare Offenses*, 33 COLUM. L. REV. 55 (1933) and Sayre, *Mens Rea*, 45 HARV. L. REV. 974 (1932). See also: W. GORDON, CRIME AND CRIMINAL LAW: THE CALIFORNIA EXPERIENCE 1960-1975 (1981) at 3-18. For several useful cases on a defendant's constitutional rights, see *Duncan v. Louisiana*, 391 U.S. 145 (1968) (jury trial); *Miranda v. Arizona*, 384 U.S. 436 (1966) (privilege against self-incrimination) and *United States v. Wade*, 388 U.S. 218 (1967) (counsel and confrontation).

28. See, F.P. GRAHAM, THE DUE PROCESS REVOLUTION (1970). Graham details the revolution in criminal procedure imposed on the states by the Warren Court between 1961 and 1969. "No one could have known," he writes, "when the Court began this process in 1961, that it would coincide with the most troubled period of violent crime and racial unrest that has occurred in this century. As it turned out, the cycles of legal reform and rising crime and racial tensions moved in

much more time wrestling with this issue. He argued that the power of the corporate elite has resulted in a law enforcement system in which offenders are segregated by status. Lower class offenders are processed in the criminal courts, labeled criminals, and confined in jails and prisons. On the other hand, upper class offenders are processed primarily before regulatory agencies and punished with civil sanctions such as fines, consent decrees, and injunctions, even though their illegal actions harm the public and can result in the loss of life. The procedural protections afforded criminal defendants, according to Sutherland, are basically symbols without substance and the real distinction between lower class and upper class offenders is economic power and its accompanying status. The criminal procedures are merely a means to justify the placing of a criminal stigma on lower class offenders. Sutherland expresses the point in these terms:

White collar crime is similar to juvenile delinquency in respect to the stigma. In both cases, the procedures of the criminal law are modified so that the stigma of crime will not attach to the offenders. The stigma of crime has been less completely eliminated from juvenile delinquency than from white collar crimes because the procedures for the former are a less complete departure from conventional criminal procedures . . . because most juveniles are not organized to protect their good names. Because these juvenile delinquents have not been successfully freed from the stigma of crime, they have been more generally held to be within the scope of the theories of criminal behavior, and in fact, provide a large part of the data for criminology. Because the external symbols have been more completely eliminated from white collar crimes, these crimes have generally not been included within the scope of criminology.²⁹

Corporate executives are members of the upper class. Top executives of major corporations are the highest paid group in the United States. In 1980, the average total compensation for top executives was \$94,900. The highest paid executive in 1980 received \$3.3 million, and that figure was not a record.³⁰ In roughly the same time period, only 1.3% of American families made in excess of \$75,000 annually.³¹ High-level corporate executives are typically white, male, and politically conservative. They are at the core of

uncanny rhythm." *Id.* at 3. The purpose of reform was to "make the Bill of Rights enforceable against state and local police." *Id.* at 4.

29. WHITE COLLAR CRIME at 44. In 1982, the U.S. was at the height of a reaction against the criminal law reforms of the Warren Court. Tough new laws are increasing the U.S. prison population, state and federal, at the fastest rate since 1926, when statistics were first collected. As of June 1982 there were 394,380 persons in state and federal prisons. There are a record number of persons on death row in the U.S. Wall St. J., Nov. 8, 1982, at 12, col. 1. Amnesty International has condemned the U.S. for the death penalty, noting that "with 924 men and women awaiting death as of December 1981, [this country] could become a world leader in legal killings." Amnesty International, THE DEATH PENALTY (1982).

Under the Burger Court, the distinction between criminal and civil procedure is disappearing. For example, the most precious right to jury trial in a criminal case now resembles a civil trial with respect to the jury's decision making process. There is no requirement that a state court grant a jury trial for crimes where the jail sentence is less than six months. *Baldwin v. New York*, 399 U.S. 66 (1970). There is no federal requirement that states use twelve person, unanimous juries to convict. In fact, a criminal jury can be as small as six members. *Ballew v. Georgia*, 435 U.S. 223 (1978); *Williams v. Florida*, 399 U.S. 78 (1970); *Apodaca v. Oregon*, 406 U.S. 404 (1972); *Johnson v. Louisiana*, 406 U.S. 356 (1972).

30. A. YOUNG, EXECUTIVE COMPENSATION 28 (1981).

31. U.S. Department of Commerce, Bureau of the Census, *Money Income of Families and Persons in the United States 1979*, Series P-60, No. 129, Table 3, at 31.

the Reagan constituency and are among his most faithful supporters.³² Because of their high status, the rule violations they commit have tremendous impact on society. No one knows the exact dollar figure corporate violations cost the public each year. One conservative estimate placed the cost of corporate crime at \$40 billion in 1977, while during that same year street crime cost \$3 billion to \$4 billion.³³ Clinard and Yeager note:

The costs of ordinary crimes are estimated primarily in financial terms, along with the social costs involving the fear that such crimes cause in the general population. Far more varied are the criteria used to calculate the costs of corporate crimes. These involve not only large financial losses but also injuries, deaths, and health hazards. They also involve the incalculable costs of the damage done to the physical environment and the great social costs of the erosion of the moral base of society. Such crimes destroy public confidence in business and in the capitalist system as a whole, and they seriously hurt the public image of the corporations themselves and their competitors.³⁴

Presently, there are no regularly collected statistics on corporate violations. *White Collar Crime* and *Corporate Crime* are the only systematic studies on the subject. They come thirty years apart. Clinard and Yeager argue that the regular collection of statistics is the place to begin control of corporate violations. "Greatly expanded knowledge about violations by large corporations as a group and by individual corporations," they write, "is vital for both the prevention and the control of corporate crime."³⁵ In addition, they argue that changes in the corporate culture of the rule violators can occur if steps are taken to increase internal controls, particularly by placing outsiders on corporate boards and by increasing the power of ethical controls on employee behavior. Nationalization may be necessary in the case of chronic corporate violators as well as the imposition of longer jail terms and higher fines. The public can engage in the fight through boycotts and increased awareness of the problem.³⁶

Corporate Crime makes the necessary step towards creating an increased awareness of crime in the corporate sector of our society. All too often, the thought of crime is linked with the image of street crime—crimes committed by blacks. However, corporate crime and the crimes committed by the wealthy deserve just as much attention and concern. Corporate crime extracts its costs from society in terms of the inflation, unemployment, and poverty it causes. Since these effects are felt most in the black community, it is incumbent upon black politicians, professionals, scholars, and lay people to take notice of corporate crime. With their book, *Corporate Crime*, Clinard and Yeager take a long awaited step in this direction.

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32. J.W. WRIGHT, THE AMERICAN ALMANAC OF JOBS AND SALARIES 428-29 (1982). Several polls have indicated the continuing business support for the Reagan economic program, even when the general public had soured on Reaganomics. See Wall St. J., Dec. 22, 1980, at 21, col. 3, and Apr. 14, 1982, at 29, col. 6; Business Week, Mar. 29, 1982 at 40, and Apr. 26, 1982, at 20.

33. J. E. CONKLIN, ILLEGAL BUT NOT CRIMINAL 4 (1977).

34. CORPORATE CRIME at 7-8.

35. *Id.* at 300.

36. *Id.* at 300-25.

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