

White-collar criminals; Under the supervision of cameras

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Abstract

Defining a crime by using the characteristics of its perpetrators can obscure or complicate the definition of a crime. This is true of Sutherland's definition of "white-collar crime". The key concepts of this definition, such as respectability, high social status, abuse of influence, detection and adaptation of different instances of white-collar crime, face difficulties. Explains this concept according to the characteristics of the act and the processes of its commission. In this regard, white-collar delinquency is considered as an abuse of trust and other related conditions, and the study of the structure of brokerage relations is considered as an important context for white-collar crime. The concept of trust and the nature of prohibited acts are clarified through the norms related to trust. Accordingly, it is emphasized how trustees exploit the structural vulnerability of trust relationships to their advantage through deception, persuasion, etc.

Keywords: White-collar crime, trust, trust, brokerage, corruption.

INTRODUCTION

In 1939, Edwin Sutherland gave her famous talk on "White-collar Delinquency" at the American Sociological Association.

Many authors consider that discourse to be as important for the development of criminology as it was for Lombroso's book *The Wicked Man in 6781*. In this type of crime, crime is not perpetrated by the poor and mentally unbalanced or the "socially incompatible." Activity is a privileged class; classes that usually have a seeming justification and under its banner, through their economic and social power, commit acts that involve the exploitation of people who, despite being harmed, are often unable to defend themselves because of inferiority.

Following this lecture, the investigation of the legal records of seven industrial and commercial companies in Sutherland led to the study of this particular type of crime. After a decade of study, Sutherland published a book in 1949 entitled "White-collar Crime," which

focused its focus on the mastermind of the "white-collar crime."

In his book *White-collar Crime*, Sutherland referred to the crimes committed by respectable persons with a privileged social status. Sutherland's efforts have raised controversy.

The present article is written in line with these criticisms and deals with the conceptual critique of the Sutherland definition. The author of the article, as its title implies, while criticizing the way in which the crime of white-collar crime is defined by emphasizing its perpetual characteristics, has considered this method to be a mixture of "definition" and "description". She emphasizes that in defining the crime of white-collar workers, one should consider the characteristics of the act committed as an abuse of trust and in order to develop its concept.

Although the term "white-collar crime" has entered the realm of criminal policy and criminal law under various headings and terms, such as "corruption" and "economic crimes", it

is still conceptually ambiguous. Explaining the meaning of this crime, especially with the approach taken by the author of this article, can be an effective step in the field of ambiguity of this important term of criminal science.

For many years, Sutherland's definition of a crime committed by a respected person with a high social status in terms of her sphere of influence and possession (P.9: 1949) has been criticized and debated by many scholars: (Shapiro: 1980 and Braithwaite: 1985 b)

The concept of white-collar crime has not yet changed in public belief. Actual application The top positions of the job are counted

(Clinard and Quinney-1973; Schrager and Short 1973).

The criminal description of such acts as "white-collar", "organizational / corporate", and "occupational", despite being semantically synonymous, contains distinctions that would impose limitations on the conceptual scope of these titles. The main problem is that they take actions with the perpetrator or perpetrators, norms with the violators and the method of work with the executor.

A "crime" is defined as an act that is committed in violation of criminal law. Although the characteristics of the perpetrator (such as age, gender, or mental state) may sometimes be a prerequisite for the application of criminal labels, the condition is not sufficient. Paying attention to the characteristics of the perpetrators or norms by these big-skinned criminals who arrange white-collar, corporate, corporate, or professional crimes does not provide any guidance. Of course, not all negligent or harmful acts are white-collar crimes. In addition, defining crimes by using the characteristics of the perpetrators leads to "a mixture that leads to a series of corruptions." This prevents the possibility of empirically discovering the relationship between social classes. And becomes a crime (the same reason Sutherland conceptualized the term)

The first step in explaining the concept of white-collar crime requires separating white-collar offenders from their perpetrators. The

source of the solution can be found in Sutherland's first work. He has moved on to specific violations, saying: "The various forms of white-collar crime in business include the abuse of delegated or implied trust, and many of which can be divided into two categories: first, embezzlement, and second, fraud in the proper use of power." Abuse of power.(1940, p.3, italics added, see also 1941, p.112 and 1949, pp.152,8)

Unfortunately, Sutherland and later researchers did not follow the example of this promising example.

In the present article, we clarify the half-baked notion of white-collar crime as the abuse of trust, the extension of the perception of trust, and the determination of the nature of prohibited acts through the norms of trust.

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The concept of trust

The broader understanding of the concept of trust here reflects the legal definitions of trust-based maps more than the usual sociological definitions. In the interest of his interests ... or in general it is not right to say how those powers and duties are exercised in the interest of him ... And is not under the control of the person who serves his interests. In this independence, that is, freedom from direct control, lies the decisive and indisputable characteristic of the position of trust. (Finn 1977, pp.12,13).

This notion of trust in the absence of stakeholder control over unbalanced relationships is the central theme of this article. The concept of "brokerage" is the starting point for two discussions. 4791,2891) Using a somewhat different paradigm, he describes this process as the process by which agents transfer power, sovereignty, to another. Data and the use of rights entrust all of these resources to their brokers. By doing so, brokers can perform

a variety of different services. Unable or unwilling to fulfill it, they have entrusted it to brokers.

Other agents provide the means of communication, intermediation, and brokerage, and provide a conduit for assets, information, or exchanges that are otherwise inaccessible to the original due to physical, temporal, or social dimensions. Complex projects that they could not do on their own with limited resources are left to brokers [to] benefit from economic savings, risk diversification, and anticipation of possible events. , Credit institutions or retirement funds run by other brokers in their favor, participate and participate.

According to Coleman, rulers are natural persons and holders of rights vested in the use of representation (ie brokers) and agents are legal persons, in my formulation, all nobles and agents are also owners who use rulers and agents, ie rulers. Entrusted to them, can be individuals or organizations.

These are information aspirations that can not be easily examined or evaluated by the authorities. These information asymmetries are of two types: Its obligations are what economists call "moral hazard." (Arrow 1985, p. 38, Moc 1984).

Second, brokers in practice act as holders of resource rights, reservoirs of delegated authority, assets, joint revenues, liability and discretion, and control over the assets of other persons, ie "ability". Wealth production and opportunity recognition and distribution "(Shapiro 1987, p.629). Third, these "action-by-action" plans 3 structurally asymmetric and institutionalize the conflict between adherence to genuine interests and the interests of the agent.

Principals involved in brokerage relationships devise a number of risk reduction strategies to minimize these so-called "brokerage costs". They have been renewed and their former behavior is known and their honesty is clearly evident (Goranvetter 1985). When interests are not fundamentally compatible, the principals may use incentive structures to their advantage — that is, measures such as remuneration,

profit-sharing schemes, compensation arrangements, or common property ownership. Fictitiously combines genuine interests with the broker, giving the broker a share of the revenue.

When principals have little control over the choice or motives of brokers, they may seek to reduce their vulnerability by limiting the authority of the broker. And, if these contractual obligations are not complied with, provide performance guarantees. Finally, the principals anticipate the accidental defect of these social control or risk reduction strategies, and use ancillary arrangements, collateral, or other risk-sharing arrangements to prevent abuse.

ironically, many factors that lead the principals to brokerage relationships prevent them from exercising control. Physically and socially, they stagger in social exchanges and "with a pyramid of indirect links" with the intervening agents, often detached from their originals (Heimer 1988, p. 12). And lack of experience "does not distort the difficult transfer of information, the difficult finding of the most appropriate incentives for each broker, the difficult assurance that interfering links in this chain do not pocket some rewards, or distort the message of what is genuinely interested." These agents are subject to the difficult task of imposing performance guarantees on the delinquent agents in this network in order to determine whether contractual agreements have been complied with and [ultimately inexperienced]. (Heimer 1988, p.13) Third, brokers such as banks, municipal authorities, charities, charities, or retirement organizations share the diverse, often-changing, interests of different, often-changing, originals. The oversight of each independent entity is protected and to some extent neglected. (White 1985, p.205) As Gallanter 2 (4791) has pointed out, "repetitive actors" - agents - typically set normative work schedules, not the original "sniper" 4, who seek to impose agents on agents. They are often more involved in the design of the brokerage contract than their originals. The fact that organizations often employ multiple nobles represents another responsibility of the brokerage partnership.

Performances have a difficult, enduring relationship with those who play an organizational role in relation to the invisible employees who are responsible for meeting their needs. As Coleman puts it, Expenses within the structure of the company, and activities are exempt from those who have delegated their authority to the agents of the company (1974, p.50). Many of the transient features of these brokerage partnerships further impair the ability of the principals to oversee their brokers. The time it takes for the return on investment to be accepted "(Shapiro 1987, p. 628); Fourth, the principals give the brokers the discretion to act at their own discretion. But contractual control and other controls over that disclaimer undermine the brokerage's interests. There is action by the agent to secure the genuine interests ... If the genuine weakens its position by reducing the delegated authority, it may reduce the expected benefit of this relationship as well (Frankel 1983, pp.826,809). Finally, the principals rely daily (often unknowingly) on countless brokerage relationships, many of which are indirect and somewhat partial. Not only will the costs involved in arranging a prior arrangement, including all the discretionary uses of the authority, be incurred during the relationship, but will probably extend beyond the benefits of the relationship in question (Frankel-1983, p. 813). The concept of brokerage encompasses a wide range of "succession" relationships, which are considered in terms of the ability of the nobles to select and remove their agents, the amount of power or authority delegated to the agents, the ability of the nobles to care for and punish the agents. They may be able to fully implement these various strategies to reduce risk and exercise considerable control over their agents, but what undermines the principals is the increasingly asymmetric agency relationships (Coleman 1982, p. 88). In legal terms, "brokerage" refers to a more symmetrical relationship in which the principal has the power to control and direct the broker's activities (Clark 1985, p. 56). p.7), is called trust or trust relations and is subject to stricter legal rules and mandatory moral meanings. (Clark 1985, p.76, Finn 1977)

Trust or trust-based rules do not provide a basic guideline for the various brokerage roles that are growing in complex societies (Stinchcombe 1986). Trust-based relationships, by examining how opportunities are distributed that give rise to temptations to take advantage of them, create a kind of link between general formal norms that suggests that these opportunities can be adjusted to reduce the possibility of abuse. Shapiro 1987, pp. 636-8. Violation or abuse of the norms of trust — including disclosure, impartiality, and the efficiency or capability of the map — represent the manner in which white-collar crime is committed. 2. Abuse of trust Despite the many imbalances of many trusting relationships and their vulnerability to abuse, these relationships continue to exist. Or honesty, mismanagement or non-liability insurance, guarantees, guarantees, sureties and guarantees of boards; independent auditors and accountants, private auditors, government or government agencies, etc. They take their prey and abuse the duty of safeguarding, discerning and accessing the information and assets provided by the trustees to the real ones. They steal from their victims. In contrast, the "trustworthy thieves" are men, women, and organizations who, first by gaining the trust and then persuading their victims by lying, cheat. They steal money and financial participation from them. Thieves first steal or rape through their homes. "Trustworthy thieves" use social technology instead of using advanced technology to enter an enclosed building. They are placed to be trusted by organizations or employees to take advantage of these situations for personal or collective abuse. As stated earlier, the concepts of white-collar crime or legal entities relate more to the perpetrator than to the perpetrator. In the field of negligence, negligence, malice, and wickedness, or what I once blatantly violated the legal obligations of legal persons - or all the bad, abusive, and harmful acts of legal persons - tend to be inclusive (1983, p. 37). , Is not offensive or harmful committed by the trustees, because the crime of white-collar workers is not limited to the trustees, but also includes the violation or abuse of the norms of trust. Incompetent, emphasizes. A. Falsehood In fact, all forms of trust relationships are vulnerable to information

imbalances against tampering, deception, exaggeration, neglect, distortion, or falsification of information by persons in trusted situations. Distinction creates dependencies on collaborative disclosure ... Other trustees exploit the physical and social boundaries of the information and property in their possession.

Some trustees find it difficult to adhere to the norms of neutrality, instead of relinquishing their commitment to those whom they place in a position of trust for influence or personal or organizational power. (1) It means "wasting job opportunity" (Jehsen and Meckling 1976, p. 355), neglect or negligence in duties, great effort to minimize the interests of the nobles and the like. People's property easily uses or enhances that property. But the complex social organization of brokerage relationships allows for various forms of theft resulting from trust relationships, which, for example, can be exploited for personal gain. Dealing with oneself (2) or selling honesty or fidelity, trust (corruption) 3 mentioned.

C. Illegal use of property 4 Trustees have ample opportunity to steal directly from those they represent. By safeguarding other people's property and funds, they can misappropriate that property and nail it to inventories and merchandise. Or use property, personnel, or equipment for personal gain and, so to speak, the British (Mars 1982, Cressey 1953, Hollinger and Clark 1983). Brokerage forms that bring together the wealth of genuine or legal entities in the form of public corporations, pension funds, banks, cooperatives, insurance companies, and the like, especially large pockets, are confusing them. It sank ... Dealing with yourself Brokers are not only the custodians of property, but many of them have the authority to transfer property and trade union donations. Some arbitrary trustees use this authority for their own benefit and "deal with themselves ... هـ.فساد Some trustees have limited opportunities to misappropriate property or deal with them. They may not take any personal use of large computers or B-1 bomber aircraft parts. They make no use of trade secrets or the information they have access to. But foreigners [ie, non-trustees] can

often take advantage of these opportunities ... despite the fact that they have access to lucrative positions resulting from trust relationships. Instead, they try to buy the trustees and thus gain the special privileges that the trustees enjoy ... Thus, corruption shows another form of theft in which the trustees are given to strangers or individuals. Is sold. Role conflict Complete neutrality is impossible. Trustees in various positions have a variety of interests and obligations in a relationship based on trust. Can not be completely eliminated. In fact, the skill and expertise necessary for some safe situations requires the employment of the most capable and experienced real and legal candidates. Independence is often the price of inexperience; Conflict of interest indicates the inherent vulnerability that leads to theft. 3. The Board of Trustees: Hints about social control The social organization of trust creates many opportunities for deception. In trust relationships, nobles are seldom able to see their trustees. They do not have access to vital information. They often lack the expertise and skill to evaluate their trustees' behavior. Banks, securities, collateral, pre-sale commodity contracts, etc. are exchanged for real estate. They hide in a way that slows down the process of oversight or accountability. These actions are based on long-term relationships. Thus, the true belief of the nobles that they have been deceived often requires considerable elapse of time. In fact, some nobles are never aware of their deception. These structural opportunities in the victimization of the original provide rich material for the development of theories of opportunity deviation. (Cloward and Ohlin 1960, Weisburd, Weeler, Waring and Bode). Brokerage structures can encourage mismanagement or misbehavior by equipping them with "mechanisms to carry out illegal acts and minimize the risk of deception and punishment" (Vaughan 1983, p. 67), thus creating an opportunity for Create a successful blueprint for criminals. Presenting theories that are common to white-collar deviations is a systematic cognitive link to the distribution of structural opportunities for misuse of trust based on the circumstances under which real or real trusts are established. , It makes a need ...

The concept of white-collar crime Sutherland's remnants can not be easily dismissed. The notion of white-collar crime is arguably strong, remarkably rare, and noticeably obvious. It is not superior and only raises additional issues. First, the exploitation of practices based on deception, self-interest, and unworthiness raises complex questions about the offender's knowledge, intent, how to distinguish between the natural abuse and variability of the concepts of talent, explicitness, self-awareness, self-awareness, or self-awareness. "Even many criminal acts - commonly considered the crimes of legal persons or white-collar workers - are committed by individuals and organizations in safe havens who do not openly violate the norms of trust. Pursuing excessive profits (such as the Exxon2 branch or union should work in Bhopal; abuse of power, such as financial massacre, police brutality, sexual harassment, or child abuse), some forms of espionage, abuse and mistrust. These things happen. Covering up abuses can lead to sub-deceptions that inevitably lead to breaches of trust norms. Second, trust is not a two-way relationship, but is often a continuous chain characterized by a degree of genuine control over uncoordinated agency relationships. One may think of abusive relationships that are more "open" than other relationships. Some want to impose precise boundaries on this chain. Third, the concept of trust here is fundamentally flexible. Sutherland's solution to this problem was to limit the concept of white-collar crime to "respectable" persons, but the question is, what are the constituents of capability? Does this notion apply to the realm in which unreliable (infamous) fraudsters pretend to be respectable in order to succeed in committing their crime? Paradoxically, their trusts are demanded, ignored. Fourth, this normative flexibility is compatible with the concept of fidelity, which means that, like the concept of "crime", the white-collar of Sutherland is not all abuse of trust, offense, or even misconduct or non-civil offense. Due to the asymmetries between the nobles and the trustees, many victims will not be able to file a lawsuit and will have to accept the damages, thus protecting the offenses or abuses from the official label of deviation. It is tempting to

develop a simple conceptual or classification scheme that accurately identifies all aspects of security abuses. This may be exactly what the sociological view of trust seems so astonishing. Surrendering to this temptation is a reversal of Sutherland's mistake in confusing and describing white-collar crime.

Conclusion

Clarifying the concept of white-collar crime means revisiting the valley based on sociological issues. Accordingly, recognizing the characteristics of the offender such as class or organizational position plays an important role in creating crime opportunities and shaping the process of social control. It is the focus on the offender that prevents us from understanding criminal activity and the role of organizational processes and major social pressures — for example, asymmetric issues in modern societies — in the light of theories of crime and social control ... Concepts of white-collar crime Legal entities and occupational crimes have provided a limited framework for today's researcher in terms of issues related to the relationship between social organization and crime. Now is the time to reinvigorate the "white collar" in the research environment, given their social characteristics, their abusive and abusive ways of working, and the ways in which they exploit trust.

References

- [1] Arrow, Kenneth.1985. The Economic of Agency. Pp. 37-51 in principals and Agents: The structure of Business, edited by John W. Pratt and Richard J. Zeckhauser, Boston: Harvard business School Press
- [2] Barber. Bernard 1983 The logic and limits of trust New Brunswick Rutgers Black, Henry Campbell. 1979
- [3] Bush, M. B. (1997). Ecology of changing planet. New Jersey: Prentice Hall.
- [4] The United Nations. (1989). Convention on the Rights of the Child.
- [5] Jamal Mukhtar Hamza. (2011). the broken family and its relationship to the

- characteristics and personality traits of the beggar teenager. Egypt: The Egyptian General Book Authority.
- [6] Republic of Iraq, Ministry of Planning and Development Cooperation. (2021). Al-Muthanna Statistics Directorate.
- [7] Jawdat Ahmed Saadeh. (2001). Teaching map skills and globe models. Amman: Dar Al-Shorouk for Publishing and Distribution.
- [8] Hussain Aliwi Nasser Al-Ziyad. (2011). Geographical distribution and its change in the Republic of Yemen for the period 1994-2004. *Iraqi Geographical Journal*, pages 65-66.
- [9] Rawan Ali Al-Mawazrah and Lubna Makhliid Al-Adaili. (2019). Child beggary in Jordan: A field study on the care and rehabilitation center for beggars, Madaba. *Mutah Journal of Research and Studies*, Vol. 34, No. 4, p. 189.
- [10] Abdel Rahim Buwadakji and Issam Khoury. (2002). Population science theories and concepts. Damascus: Dar Al-Rida Publishing.