

MASCULINITY AND WHITE-COLLAR CRIME

© Michael Levi, School of Social Sciences, Cardiff University

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FROSBY:

My lovely city sadly changes.
Sic transit gloria! Glory passes!
Any wonder I'm deranged,
Surrounded by the criminal classes.

GRIMES:

You've been coining it for years.
All you fuckwits in the City.
It just don't look quite so pretty,
All the cunning little jobs,
When you see them done by yobs.

Serious Money Churchill (1987: 88)

Introduction

Go to the 'business' section of any major bookstore. In it you will find myriad titles, almost all of which - human resource (sic!) sub-section excepted - contain titles like 'The Winning Streak', 'The Zulu Principle', and others which may be summarised as 'screw your neighbour before he screws you'. Books like Mark McCormack's **What They Didn't Teach You at Harvard Business School** exhort their readers to giddy heights of unscrupulous manipulations, as if what they **do** teach at Harvard were not sufficiently 'manly'. Go to the section on marketing, and to that on business biographies and autobiographies: with the occasional role-model promoting exception such as 'The Business Amazons' or the commercial hagiographies of such as Anita Roddick (founder of the Body Shop), men alone feature. (Though wives can find out how to help their man achieve the success from which they will of course both benefit, if only in alimony payments.) Neither the title nor the gendered *motif* of **Men Who Manage** seem any less salient than they were when Dalton (1959) published it. Then go back to college and check out the law section of the university library: you can identify this because it is the area with the highest proportion of books 'relocated' where other students are unlikely to find them, and with key cases ripped out of their bindings. This is not, of course, intentionally to deprive the others: it is simply an unintended consequence of the greater need - one's own!

Setting aside the inevitable distortions produced by the research, media, and courtroom biases towards the more sensational cases of excess and misconduct, the culture of higher reaches of business appears to be a parody of **The Selfish Gene**: Michael Lewis' (1990) collection of leisure activity statements from Harvard Business School includes (p.39):

"In work, as in play, I prefer frequent activity and multiple partners', says a partner in a venture capital company. 'Under me at present is my personal assistant, Sandy. If you have seen the movie **Dangerous Liaisons**, you'll know where I am coming from."

Yet being a seriously rich 'player' is not all such plain sailing. Books on **The Silicone Valley** convey the important message **on the front cover** that these brilliant multi-millionaires "cannot get a date": clearly, the link between being a mega-rich cybernetic whizz kid and 'real' masculinity is somewhat imperfect! (The poor dears presumably have to get one of their assistants to organise their 'personal services' for them. Or is having reorganised the economy of the globe an adequate substitute for being the Playboy of the Western World? It is hard to imagine, but some might think so.)

White-collar crime and masculinities

Definitions of masculinity[ies] have always produced difficulties (Hearn and Morgan, 1990; Morgan, 1992), and for this talk, I shall content myself as a (very) loose working 'definition' with popular notions of what it is to be 'manly', subject though they are to shifts over time and both between and within cultures. From this perspective, the connection between 'manliness' and white-collar crime is not as self-evident as is the connection between it and violent crime (Levi, 1993a). Industrial sociologists have carried out few studies of elite occupations in general, and financial services in particular. Consequently, one of the key difficulties for this article - separating the culture(s) of business crime from the culture(s) of business - remains deeply problematical. At the lower end of the 'white-collar crime' spectrum, the work of Mars (1982) shows how workplace crime is related to group values and identities, and though he does not dwell on the gendered dimensions of this, they are plainly masculine in their modal form of the tightly-knit social and workgroup. His work largely omits the important category of low-level clerical fraud in financial services, which involves many women. At the upper end of the spectrum, it is possible to point to the long, undomesticated hours and to the dislocatory travel patterns of both top executives and professionals as being part of a (conventionally) masculine culture which stresses preparedness to sacrifice personal leisure and family goals both to meet the objectives of the firm and for unbounded prestige. I shall discuss those issues later.

Turning to **crime** generically, the vast majority of property offenders, convicted and self-reported, are male; the relationship between maleness and **big business** crime is even stronger. As used in the literature, the phrase 'white-collar crime' covers an enormous diversity of behaviours, from violation of worker protection legislation through insider trading and the looting of pension funds to credit card fraud and embezzlement by bank cashiers (Levi, 1987: Preface). Even the term 'City fraud' is too all-inclusive, covering acts as different as misleading the market about the level of take-up of a share flotation for the benefit of the firm, on the one hand, and the theft of millions from pensioners, bankers or shareholders for direct personal financial benefit at the expense of employers or creditors. (The former may entail a different attitude set from the latter, since it is more readily rationalisable as 'victimless'.) However, if we are concerned with crimes such as the abuse of power by persons in senior positions in commerce, the maleness is overwhelming.

Whatever the 'true' relative significance of the roles played by cultural socialisation and by genetics in producing and reproducing 'gender-appropriate' self-concepts and behaviour, the **physical** opportunity to commit offences is not what usually divides the sexes. But in the case of some forms of business crime, namely those committed by insiders, the physical opportunity factors are necessary though not sufficient conditions for offending: most of the major frauds have been committed by those formally, as well as *de facto*, in senior control positions within a corporation. (One might make similar comments in relation to corruption, though key strategic positions for corruption are not always accompanied by high organisational rank.) Few women have attained senior positions, particularly not chief executive or finance director positions - where, possibly ever, there have been no women in British banking - and so it is not surprising that out of over 200 persons prosecuted since the Serious Fraud Office, which deals with the major cases in the UK, was established in 1988, there are only 15 women. Despite the fact that female personal assistants and secretaries may come to know about prospective bids - not least because senior executives (who are generally male) are reluctant to type documents themselves or dial direct! - only one female has been charged with insider trading in Britain to date, and none have been charged in the major US cases. In the one British case, the woman was the sister of a stockbroker and was alleged to have leaked details to him while she was working as a secretary at the Office of Fair Trading: the charges were dismissed. One of the few women in America to have been convicted of serious fraud was Leona ("paying taxes is for the little people") Hemsley, and her wealth was acquired via her husband; likewise Imelda Marcos, widow of the Phillipines President, who was acquitted of charges partly because the jury could not be certain that she, rather than her husband, was responsible.

In other areas of corporate crime (or, since few of them involve criminal conviction, 'misconduct'), such as the manufacture of harmful automobiles or pharmaceutical products, women likewise feature very seldom, whether as senior executives or as the managers of

the sub-units who are set goals to produce goods cheaply or find a new profitable product which complies with safety standards.

Importantly, there seems no reason to suspect that the reporting, recording, or prosecution data are systematically distorted so as to produce an artificially low rate of female crime, nor (*pace* Box, 1983) why 'control' factors such as the rise in the numbers of female police, should generate variations over time which did not reflect changes in female and male involvement in fraud. (In reality, there have always been very few female fraud squad or security officials with a fraud brief.) My research has yielded examples where women have not been prosecuted because their involvement was seen as marginal: but as far as I could deduce, their involvement in the fraud actually was marginal. Most serious frauds are multiple-defendant cases in which prosecutors are urged only to take the core offenders to court (Levi, 1993b), and prosecutions generally reflect this. The only Serious Fraud Office case in which a woman was alleged by investigators to have been the principal resulted in the prosecution and imprisonment of her (and of her daughter and daughter's lover, who were acquitted). (A convicted male lawyer who was 'under her spell' was the principal prosecution witness.) In none of the national and international headlined cases - Guinness, Blue Arrow, Bank of Credit & Commerce International, Maxwell, and Polly Peck - was there any remotely plausible case for prosecuting women. (In an alleged conspiracy to manipulate the market's perception of the success of the rights issue of Blue Arrow shares, a female Compliance Officer was charged, but after the convictions of four men in the first trial were quashed, her case was not proceeded with. On the basis of my interviews and reading of the case papers, her defence would have been a very strong one and essentially, she was accused of having failed to stop the men's scheme.)

There is the usual major gender gap in white-collar crime, but the ratio is not as high in favour of males as it is for most property crimes¹. This is because the considerable gender differences among those committing 'serious fraud' are masked by the large number of social security, cheque, and credit card frauds, as well as frauds by junior financial services employees such as cashiers, which are agglomerated within the category of 'other frauds' in the English criminal statistics and which are more commonly committed by women than are serious fraud or non-fraud crimes; likewise in the Uniform Crime Reports and Offender-Based Transaction Statistics in the US, where credit card fraud, for example, is a federal offence. Consequently, it is not surprising that the male: female ratio is less than 2:1 in both state and federal courts in America (Daly, 1989), though Weisburd *et al.* (1991: 70) found that men constituted 82.5 per cent of their sample of Federal white-collar criminals

¹ Inasmuch as a higher chance of conviction and imprisonment could be said to be 'favouring' them!

(compared with 68.6 per cent of Federal 'common criminals' and 48.6 per cent of males in the general population at the time of their research, in the late 1970s). In England and Wales, in 1990, the male: female ratio for those convicted at all courts was 3:1 for thefts by employees (mainly till thefts from shops); 9:1 for theft from the mail; and 4:1 for frauds generally. (Though the ratio is much higher for the seldom-prosecuted bankruptcy frauds and frauds by company directors. Interestingly, neither the major fraud prosecution bodies in England nor the US Department of Justice keep any statistics on the gender of those they prosecute.) White-collar criminals are significantly more likely to be white and middle-aged compared with convicted offenders generally.

So much, then, for data that are relevant to the usual sorts of analyses of female crime: but what do they tell us about **masculinities** and crime? Very little, unless we can relate them to issues about notions of masculinity, power, and control. (See Morgan, 1992, for a particularly clear and thoughtful analysis.) There is a certain historical irony about performing this analytical exercise in the area of fraud, since it is women's supposedly greater capacity for deception that Pollak (1951) originally stressed when accounting for the lower crime rate of women. Certainly, it may be argued that deceitfulness is a behaviour 'forced' upon (some) women as a route to escape male socio-economic domination, much as Sheherazade used her story-telling skills to keep death at bay. (After all, Mata Hari was not only a seducer but a counterfeit, a spy.) But it could be argued that deceit was likewise 'forced' upon the upwardly aspiring males from poor or modest backgrounds such as Mike Milken, Robert Maxwell, and Peter Clowes, whose vast energy and visionary qualities were only in some cases reflected in a vain, fast lifestyle. Despite the media fascination with 'yuppies' (young upwardly mobile professionals) during the 1980s, neither the class nor the gender dimensions of the breaking of the mould of traditional social control has received great attention from sociologists. (Though see Clarke, 1986, and Whimster, 1992, who make the plausible but untested assumption that prior to the 1980s, elite social regulation of a small number of people in The City served to prevent far more malpractice than was possible after its 'democratisation' before and following 'Big Bang' in 1986, as contrasted with the possibility that they simply repressed scandal more effectively in 'the good old days'.) At least in principle, dishonesty is an equal opportunity skill, as one may note from the semi-authorised biography of Wall Street dealmaker Jeff 'Mad Dog' Beck: "Like his mother, too, Jeff early on began to apply his intelligence primarily to the manipulation of other people's thoughts and emotions" (Bianco, 1991: 38). However, in culture stereotypes, it may be possible to draw a distinction between greater trust by the predominantly male businesspeople and potential investors in the **integrity** of women (as evidenced by their greater risk aversion and lower conviction rate, at least unless they fall under the spell of a pimp or other male 'organiser'), and less trust in their financial **competence** ('High Finance is a man's business'). The theme of the film **House of Games** is illustrative: a rather unimaginative and honest female psychotherapist is fooled and

corrupted by male confidence tricksters, and ends up as a killer who has been liberated from her inhibitions and has come to terms with the 'hidden dishonesty' in her 'nature'.

It is not self-evident that motivation for and competence at selling is differentiated **inherently** by gender, though both now and historically, most families might view an interest in the details of investment as "man's business". Take, for example, Beck's comments on a legitimate former investment banker who employed him (p.67):

"He could have sold manure to cows. He was good-looking, very charming, smart, and full of energy. He had all the right instincts and made all the right moves. He could size up people instantly and figure out just what levers to pull. He made himself fortune after fortune. I watched Lufkin operate and I decided I would be a deal man too."

(You can see who I have taken as a role model: alas, fantasies seldom reach fulfilment!) This illustration is consistent with a blocked opportunity rather than biological or even socialisation theory of gender and sales skills. And generally, it is the ability and the drive to sell deals and opportunities - lawful or unlawful - that characterised the law-abiding yuppies and investment fraudsters alike. Both happened to be predominantly male: the principal tie with the culture of masculinity lies in the continual obsession with making conquests over rival investment bankers and brokers, and over corporate targets. Senior merchant bankers to whom I have spoken refer frequently to themes such as "The City is a place for men, not for boys", and the distinction they are making receives legal support in the differentiation in the Financial Services Act 1986 between 'professional investors' - who need or deserve less regulation - and the others, often characterised by politicians and market professionals in a patronisingly sexist way as 'Aunt Agathas'. The rise of the 'yuppie' was a key phenomenon of the 1980s, and many expanding investment banking firms recruited young people in their twenties or thirties who were driven over-achievers, some of whom resented what they regarded as the hypocritical ethical constraints of Old Money, as well as the non-profit yielding efforts of their in-house Compliance Officers and Self-Regulatory Organisations to get them to stick to the rules. The 'Greed is Good' credo popularly associated with *arbitrageur* Ivan Boesky before his fall from grace and imprisonment freed young City folk from the dead weight of honour-seeking corporate respectability (real or imaged) to which their elders were (in the contemptuous perception of these super-capitalist 'Red Guards') enslaved. As the Boesky figure, Gordon Gekko, puts it in the film **Wall Street**:

"The new law of evolution in corporate America seems to be the survival of the unfittest. Well in my book you either do it right or you get eliminated....The point, ladies and gentlemen, is that greed, for lack of a better word, is good. Greed is right."

That power is a significant motive for business activity **generally** is hardly disputable. *Leitmotifs* in dealmaking of 'screwing the opposition' serve to conjure up images of rape (by fraud rather than by force) or at best 'heavy seduction', though there was often an underlying cosy reality of mutual trading between status players. Underpinning many corporate fiefdoms are networks of personal trading relationships of mutual trust and favour-granting (making, *inter alia*, the existence of price-fixing cartels among that appropriately gendered group the 'good old boys' extremely difficult to prove). Status was central, and though the upper reaches of the 'new money' craved social respectability and acceptance, and sought to attain them by charitable involvements, others behaved as if this were the *nouveaux riches*' equivalent of the lower class 'badass' demanding respect (Katz, 1988). Some business magnates were in the business of selling images of masculinity in an explicit way: Hugh Hefner, for example, at Playboy magazine. Others lived an almost surreal vision of 'the high life'. Von Hoffman (1993: xii) describes Malcolm Forbes, the son of the founder of the first real business 'glossy', **Forbes Magazine**, in the following way:

"The multitudes knew Malcolm, the happy spender, drifting about the sky, leaning over the side of the gondola under a hot air balloon...they knew him as the sunny days millionaire ripping through the sky in his gold jet named Capitalist Tool....He was the platinum-plated Good Time Charlie vrooming over hill and dale on his chromium Hog with the purple-eyed Movie Queen seated behind him.... As time went on, conditions changed, life got harder: Hefner didn't make sense anymore.

Who has time for three days of sex with five people? While holding down two jobs?" Whereas the connection between power and sex may be questioned, in what sense was the masculinity of power-brokers in business connected with control over women? Again, though many business autobiographies and biographies reserve a shadowy role for women, the main preoccupations set out a desire for gender-less control. Women are background, are pure domesticity or sexual/image-generating playthings. Except as possessors of titles or social background which could advance the standing of menfolk (and perhaps bring them into the Establishment, in some Darwinian integration of Old Money with New Ambition), women are simply irrelevant to the world of power and control, being defined, so to speak, by their absences. Whether due to lack of the intense ambition or to direct and indirect discrimination - what would happen to the strings of obscenities and 'dirty jokes' in the 'male hut', for example, if women were around? - there simply were no women featured in the Mergers & Acquisitions and Leveraged Buy-Outs that dominated the economic skyline of the 1980s. Commitments to partners and/or children might keep those women who did not have good child-care arrangements from participation in high-travel and long-hour (sometimes all night) deal-making roles: but the money to afford those arrangements would hardly be a problem. The top players in finance capitalism were deal-makers who were, however, usually analytically skilled as well as possessors of creative flair in seeing around legal obstacles. Anger at some features of their family relationships seems common,

but whether cause or effect of their individual temperament (whose origins lie who knows where) is more obscure. What seems common is the boundless energy and egoism (in Durkheimian terms) to become and remain Masters of the Universe, as satirised by Tom Wolfe (1987) in **Bonfire of the Vanities**. The fear of downward mobility - in status and money - was undoubtedly a major factor in sustaining work-rate as well as in fraud and general trading whilst insolvent.

So much for businesspeople: what about business **criminals**? The set of business criminals is not self-evident. Is one to include corporations that commit regulatory offences, knowingly and unknowingly? (In which case, including 'dark figure' unconvicted, most businesspeople vicariously are criminals, thereby solving the problem of demarcating masculinity and business from masculinity and business **crime**!) If we focus on fraud, and in particular on high-status fraudsters, then what we are generally left with is a portrait of the domineering chief executive who surrounds himself with lackeys - nearly all of them male (with all the attendant underlying images of castration) - who either do not question his orders or are junior conspirators. Women's occupational roles seldom enter into it except as obedient secretaries who, under instruction or out of loyalty, may sometimes destroy notebooks or diaries or other paperwork crucial to the prosecution². However, after charge, they are generally there to meet the usual 'Stand By Your Man' stereotypes: examples include top fashion model Cristina de Lorean - who divorced her husband directly after his acquittal - and the glamorous wives of Gerald Ronson and Anthony Parnes who, despite their husbands' imprisonment following the first Guinness trial, stayed with them. (Women also feature as disgruntled mistress whistleblowers on their partners.) Other major cultural types of fraudster are the high-living professional who turns to fraud when a downturn in income means that he³ can no longer afford to continue; and the professional con-artist who lives on his wits, whether his schemes are 'long cons' (lasting years) or 'short cons' (as popularised in **The Sting**). Either way, with some rare exceptions such as the Baroness de Stempel who murdered her elderly millionairess aunt partly to hide her earlier defalcations, these are men who represent masculine images of risk-taking and dominance.

² Examples include Oliver North's secretary (in 'Conragate'), Ernest Saunders' secretary (in Guinness, in relation to which specific charge Saunders was acquitted), and the Rossminster tax avoidance scandal in the 1980s which, partly because a vital diary was destroyed, was never prosecuted.

³ From 1989-June 1993, the Institute of Chartered Accountants in England and Wales has excluded or suspended 445 men and no women, while 110 men and no women have been banned because they are bankrupt: 14 per cent of all members are women. The Law Society does not keep aggregate data on disciplined members by gender, but officials state impressionistically that given their general numbers, women are no more fraud-prone than men.

Despite the 'survival pressures' generated by the globalisation of production and financial intermediation, business culture is not the same everywhere, nor are its forms in any one country constant over time. In his lucid **critique** of American capitalism, von Hoffman (1993: 57-58) discusses the career of John Patterson, the founder of National Cash Register:

"Mere market share wasn't enough for John Patterson....All competition would be obliterated....In his attempt to do so...Thomas Watson [who later founded IBM] was sent around the country to set up stores under fictitious names to drive every secondhand dealer in cash registers to sell out or declare bankruptcy. Sometimes two of these dummy stores, one on each side of the secondhand dealer, would be opened for business, cutting prices, underselling, until the enemy owner belly-upped. Undercover businessmen /operatives turned competitors' employees into double agents spying on the enemy and sabotaging him....In a world dominated by ineffectual bureaucrats, in both private and public organizations, it is temptingly romantic to insist that only cutthroat swine can get anything done....but this goes to the American culture, just as the shockingly different murder rates between the US and Canada go to a difference in culture."

The 'genius' (aka exploitative capacity) of law-abiding and law-breaking capitalism alike lay in their business organisation and drive to create or develop new markets. Much of that success entailed social skills of manipulation, but except inasmuch as there was direct or indirect sex discrimination by male traders in the marketplace, there is no evidence that it was a particularly masculine trait. Rather, explanations of white-collar crime - whether fraud or corporate damage to health - stress the importance of the development of rationalisations which enable law-violators to feel comfortable about what they propose to do or have done. Unlike professional criminals, white-collar offenders often have and covet current social respectability, and those operating in an organisational setting evade responsibility by appealing to the necessity of obedience to corporate objectives and/or of supporting their families. (If arrested or convicted, they often counter-claim that they are victims of political persecution, thereby seeking to **enhance** their heroic image.)

Some women in positions to defraud large sums or to engage in harmful product development might be more likely than men to be concerned about the longer-term damage to the environment or to children, and therefore might refuse to go along with the crime: but this is speculation. Many might argue that "the role maketh the man", in the fully ironic, gender-neutral sense. It is equally plausible, however, that in areas where peer groups are strongly disapproving of particular practices - which they may label generically as 'dishonesty' - levels of fraud may be much lower. Even high-status women may have such 'alternative reference groups', but there may be male (or ungendered) subcultures which set high standards to which members conform: that success drives are marked by

puritanism rather than simple rapaciousness may be one reason why levels of serious fraud (recorded and as generally perceived) are lower in the flourishing financial services sector in Edinburgh than they are in London. Absent such peer group constraints, however, the underlying personality attribute of the successful organisational climber is one of 'blind ambition': the appropriate title of former White House counsel John Dean's book about Watergate (1976). The ambition - like that of the professional thieves discussed by Sutherland (1937) - is to be recognised as a major force by one's peers, but for senior executives it is also (and largely unlike professional thieves) to make it in the League Tables of the most seriously rich. For professionals and chief executives involved in takeover bids, anonymity is impossible even if they wanted it, though some accumulators of serious wealth shun the limelight. Businesspeople such as Mike Milken and Robert Maxwell were 'deal addicts': the latter in particular needed headlines, needed to be seen continually as a key player capable of delivering personal messages to the Prime Minister from Soviet leaders, etc.. The question of why people who are very rich risk their reputations and freedom by committing crime is only marginally more puzzling than why people who are already so rich that they could never spend all their money continue to work.

Would one argue that the bureaucratic corporate culture run by technocrats meant that the culture of masculinity had disappeared in late capitalist society or, perhaps in a desperate attempt to sustain the viability of the concept, that it has diversified into 'masculinities'? This might make sense in relation to the middle-ranking business technocracy, but one difficulty with that proposition is that many corporations are still run by egomaniacal types with a fondness for wine and women, if not song, usually at the **expense** of their business success. After all if, as Weber argued, the future-sacrifice orientation as well as other features of Protestantism (at least as compared with Catholicism, if not with Judaism) was relevant to the success of capitalism, part of this orientation was the relative lack of self-indulgence. By contrast, von Hoffman (1993: 104) gives the following description of the former Chief Executive Officer (CEO) of (now defunct) bankers E.F. Hutton:

"Whatever he may have wanted to hear about at dinner with his popies, it was next to impossible to discuss anything with this casebook Mad Ludwig in his office because of the two Catalina macaws flying around the room on their three-foot-long wings, screaming 'Shit, shit, shit!' at this visitors when his two feathered meances weren't taking a bite out of their legs....'I've never seen the man sober', a banker of the Street remarked when another business acquaintance mentioned at the time if Fomon [the CEO] 'had as much interest in his company as he did in his libido or his own bank account, all three would be in better shape today'. The CEO ethos being what it is, Mad Ludwig with his macaws kept his job for seventeen years."

Likewise, the personal style of corporate raider Victor Posner as described by Bianco (1991: 364) is equally unappetising:

"Visiting Posner was like walking into an English-language Fellini film. A short man, Posner sat atop a thronelike platform chair surrounded by bodyguards with guns jammed holsterless into their belts. He was liable to lose his temper at any moment. Among the bodyguards' duties was emptying elevators of old ladies and other menacing characters before Posner entered. They were also quick with a coffee cup. Posner was so insistent on drinking his coffee hot that he would drink a cup and then snap his fingers. The cup was taken away and replaced by a fresh one, repeatedly."

The portrait in these and many other business books about finance capital in particular give an impression of people for whom ego stroking is the central issue in their lives: the drive to conspicuous consumption, including the consumption of women, was a particular characteristic of the 1980s and (unrecognised by von Hoffman) has begun to go out of style during the recession of the 1990s, as the 'get rich quick' opportunities for financiers have declined in the general reduction of Mergers and Acquisitions activity and the fall of the 'junk bond' market. Clearly, these people are written about partly **because** of their eccentricities and/or because of the fame of their companies. Others are neglected because they are too dull: as one major white-collar defendant in an important alleged crime committed 'for the company' rather than for personal benefit observed to me, "the media tried their best to dig up some sensational stuff on my lifestyle, but even the tabloids had to admit I was just too boring to write about". Whereas some accountants and solicitors get into fraud because of their taste for gambling, sex or drink/drugs, many do so simply because they cannot accept that their practices are no longer making money and/or because they cannot face the inability to maintain a comfortable lifestyle following their anticipated bankruptcy: this is far from being 'aggressive masculinity'.

Though there are fewer of them, female media stars and newspaper editors appear to be just as capable of being whackily dictatorial as men in those positions: media role models are available in Joan Collins' role in **Dynasty**, while politicians may take their cue from Baroness Thatcher. (Men, too, may learn the paranoid aggressive style from **The Godfather** - if they aspire to be gangsters - or from 'J.R. Ewing' in **Dallas**, if they want semi-legitimate power play.) There may typically be gender-based differences in risk aversion, but whether these are inherent or are the product of socialisation remain unresolved. Corporate executives and others on 'the way up' in both legal and illegal professions are rewarded if they display ethical 'flexibility' and are skilled in using others as means to their organisational (and their personal) goals. In this sense, irrespective of the sex of the executives, the modern corporation could be regarded as a patriarchal phenomenon. Messerschmidt (1986: 119) observes:

"The corporate executive's masculinity, then, is centred around a struggle for success, reward, and recognition in the corporation and community....This image of work, rooted materially in the corporate executive's gender/class position...helps to create the conditions for corporate crime. Devotion to achievement and success...brings about the 'need' to engage in such crime."

However, there seems no *a priori* reason to suppose that women placed in similar positions would not have been equally susceptible to such socialisation into excuse-making (though their involvement would then be part of the 'new phenomenon of female white-collar crime', particularly since a large percentage rise is more easily obtained from a low female fraud base rate than from a higher male one!)

Nor is *machismo* the exclusive preserve of businesspeople and business **criminals**: as caricatured by Tom Wolfe in **Bonfire of the Vanities**, there is a history of populist white-collar prosecutors in America - and apparently nowhere else - who have built their political careers as 'the hero prepared to take on the Big Corporations' (just as Attorney General Bobby Kennedy did the Mafia and the Teamsters Union, or those among them who did not support the Democrats)⁴. Likewise some campaigners for greater regulation, such as Ralph Nader and Washington Post journalists Woodward & Bernstein, who waged ruthlessly aggressive campaigns against corporate and political abuses: why not argue that they too are part of the 'culture of masculinity'? (As it happens, all of those American lawyer-politicians who have built their careers in this way have been male, though in England, Barbara Mills QC made a combative Director, first of the Serious Fraud Office and later, in 1992, of Public Prosecutions for England and Wales.) In taking this line, I raise problems for the meaningfulness of the category of masculinity as it is commonly and casually applied. Whether **all** attempts to 'change the world for the social good' can be genuinely 'caring' and 'non-masculine', on the one hand, or constitute a narcissistic concern with self-image as heroic victor or as Existential or New Man, on the other, is partly subjective interpretation and a tool for applause or discreditation.

⁴ Though the bankers, legitimate and illegitimate, did compete for the social approbation of the title **Masters of the Universe**.

There have been no plausible attempts to 'profile' white-collar offenders, but though income levels may vary considerably, high levels of personal indebtedness are a common feature of male white-collar offenders compared with 'garden variety' offenders and with citizens generally. It is noteworthy that an American study by Cressey (1953) found that embezzlers had generally lived well beyond their means for some time before deciding to embezzle (or, as they saw it, to 'borrow'). Cressey argued that embezzlers went through four phases: they had an unshareable financial problem; they realised that embezzlement would solve the problem; they had the technical ability to commit the offence; and they developed a rationalisation for the act. However, later research modified this, Nettler (1974) and Benson (1985) observing that a taste for high living was salient for males, and Zeitz (1981) observing that support of families and/or maintaining a relationship with husband/lover was the principal motivation for women who embezzle. None of Zeitz's women rationalised their debts as 'just borrowing': rather they had what she described (1981: 58) as a "Joan of Arc quality....a willingness to be burned at the stake". (Daly, 1989, argued that men and women alike were motivated by the desire for a fast life and family support.) Nevertheless, insofar as the non-shareable problem is an important component of embezzlement - as it is for **some** fraudsters - one could construe this as an effect of men becoming trapped into a conception of masculinity which denies them the possibility of opening up emotionally.

Irrespective of gender stereotypes about sharing, different occupations carry with them different risks of getting into 'nonshareable financial problems'. Because of the risk of personal indebtedness affecting their impersonal judgment, police officers are not allowed to get into debt (though credit card expenditure may produce the same net effect), and bank staff have their indebtedness severely monitored (and are not allowed to have loans from other sources without permission). However, the visibility of borrowing is far from perfect, and some simply go into the black and grey markets for their loans, creating serious blackmail risks as well as escalating indebtedness due to high interest rates. Similar observations can apply to insider traders who violate in-house rules about trading in nominee names via external brokers, if detected: this is an area which - whether legal or illegal - has become less tolerated today, and was viewed as an unofficial bonus for active traders which did not harm the firm itself. Irrespective of how one treats the self-concepts of legitimate activity which traders possess (irrespective of criminal law prohibitions), the motivation is rampant entrepreneurial drive and consumerism: the world as playground for conspicuous consumption. Nevertheless, female executives are more likely to have a life outside the office in which they display a more 'feminine' and less competitive side, and unsystematic interviews suggest that they are less likely to get into financial trouble by gambling heavily, even if some are heavy drinkers.

Alleged fraudster executives' preoccupation with power does not exclude occasional self-pity. Former Foreign Editor of the *Daily Mirror* Nick Davies (1992: 2) reports the following remarks by Robert Maxwell, in bed with a cold:

"Sometimes I don't know why I go on. Everything I try, people turn against me...I've got no friends, no one I can turn to...no-one to share my life with...sometimes I think I should just end it all, throw myself out of the window... I sometimes feel I can't go on."

To place Maxwell in the same category as Cressey's embezzlers with their non-shareable problems might strike some as ludicrous: he may have suffered from difficulties in escaping the imprisonment of possessing a psychopathic personality, but his principal non-shareable problem was the continued concealment of his alleged embezzlement of £400 million of his pensioners' money. Davies adds (p.4):

"He did behave like a dictator whenever he had his employees around him; he did treat them in any way he wished; he did seem to derive pleasure, perhaps sadistic pleasure, from seeing people squirm before him. But more than that, Maxwell liked others to see him performing; he seemed to enjoy ridiculing and bullying his employees, particularly in front of other members of staff."

This is the mentality of those stripped of human dignity - as Maxwell allegedly was in childhood - inflicting their own humiliation upon others. The 'badasses' discussed by Katz (1988) vent their 'righteous rage' in violence, whether in the home or on the street, or both; others - people like Maxwell - do so in a more controlled form, at least when it suits them. There are echoes of the Kray and Richardson London gangs of the 1960s in Davies' portrait of 'the man' at work (1992: 14)⁵:

"Maxwell would want to know who was on every line before making the decision to talk to them. Most of the time his insatiable need to know everything at all times made him speak to everyone who called. It didn't matter a jot to him how long they might be left holding on, waiting for the great man to complete another call before answering those patiently waiting. If he didn't want to talk to them he would either wave his hand dismissively or say brusquely, 'Tell them to fuck off'."

Thus is greatness manifested! Later, he describes further the style of operation which he used to keep staff subservient, which revolved around the early morning meetings with senior executives in which he kept them all waiting:

⁵ As in evaluating witnesses in white-collar and other prosecutions (Levi, 1993), one must always treat with caution *ex post facto* accounts of 'what happened' which inculpate others and wholly exculpate authors!

"Then Maxwell would come in and sit down, pick up the typed agenda, look at it and put it on one side. Everyone would have their relative files to go with the agenda.... Invariably, however, he would pick on something entirely different, something not on the agenda, some minor, trivial little point. He always seemed to do that...so he could torture someone, attack someone, make someone at the table feel incompetent."

One could hardly look for a better portrait of impaired masculinity, using the production of psychological stress rather than physical violence as its instrument. Much of his life was spent creating an impression, using wealth to display power. Maxwell, like many great fraudulent (and many non-fraudulent) entrepreneurs, came from a deprived background and survived on his wits, spotting significant gaps in the market, and using his personal charm to develop business opportunities with people he met.

The common verdict is that many such entrepreneurs are brilliant wheeler-dealers but poor managers, incapable of staying with a patient build up required to develop industrial firms. In the words of one person I interviewed, describing one of his fraudster colleagues: "he was so crooked he could not even lie straight in bed". Like the 'feckless poor' or 'anti-social personalities' described in the delinquency research of such as West and Farrington (1977), Maxwell had too little patience for the disciplined bourgeois world of managerialism: he was a showman. This is a common theme in Department of Trade and Industry reports analysing why companies have 'failed': the (invariably, to date, male) charismatic chief executive domineering his colleagues into submission. Likewise, as is the case with many CEOs, his relationships with family members was cold but intense, since he kept them in a permanent state of fear: an analogy could be made with the views of wife-beaters that keeping their wives on edge made their wives' lives more interesting (Farragher, 1985). Maxwell treated his wife as if she were just another employee, keeping her waiting and seldom treating her in private with any real respect. In this sense, we can speak of his (and many other contemporary fraud figures, Milken being a rare exception) being trapped into a cultural stereotype of masculinity and domination, as being unable to acknowledge the 'feminine' side of his nature, if indeed this existed. If Davies (1992) is to be believed, this need to dominate extended to all around him, including female Personal Assistants - one of whom was Davies' lover - whose independence he controlled or sought to control.

Again, though there are problems about applying the label of criminal to unconvicted (and to live, and therefore capable of suing for defamation) people, this sort of charismatic aggression is common among deal-makers generally (Bianco, 1991:8):

"Beck self-promoted with a vengeance, big-dealing it in Hermes ties and suspenders, exhaling clouds of talk with his Cuban-cigar smoke, making urgent long-distance telephone calls from the backseats of limousines speeding to the airport on his way to the latest battleground of the Big Deal."

Yet underneath this front, we are told (p.18):

"he created the character of Mad Dog the M & A [Mergers and Acquisitions] Man in complete contradiction to his basic nature. The real Jeff Beck was not a gregarious natural promoter, not the irreverent provocateur whom I first met, but an insecure, analytical introvert for whom every board meeting, every episode of deal theater was preceded by an agony of ambivalent introspection - an unpretentious, even tender man who was driven not by greed or...ambition...but by a desperate, perhaps pathological desire to please others....When Beck said he was addicted to deal making what he really meant was that he was addicted to the M & A wizard he'd created and inhabited."

Even those offended by this pop psychology and ill-disposed to the salience and/or truth of the notion that underneath every power-hungry male lies a sensitive heart may find it a plausible account. Beck, a deal maker in Drexel Burnham Lambert whose head, Mike Milken, went to jail, was never accused of any crime. The point I am seeking to reinforce here is that the desire to "be a somebody" may be unevenly distributed by gender in contemporary society, but the choice of **business** success (licit or illicit) as an outlet for 'fame insecurity' is distributed even more unevenly.

There is a further important issue. Much of the focus in the literature on masculinities has been on male oppression of women (at home and at work) and of gays and other groups with 'deviant' sexual orientations (Hearn and Morgan, 1991). Yet in white-collar crime and, in a slightly different way, in business competition generally, most of the competition is inter-male, and it is male-run corporations and investors who are the primary direct **victims**. In some cases, being defrauded does indeed produce a crisis in the victim's self-concept as a 'competent male [businessman or investor]', but particularly in an organisational setting, it is often regarded in a more routine way - though perhaps not entirely *sans* masculine cultural baggage - as the price of doing business. As one banker put it to me:

"One must of course **try** to minimise the chance of loss, but banking is a risk business. If you don't take risks you will never make any serious money (except by insider dealing, obviously). If one makes a judgment call and it turns out bad, one has to take it like a man and accept it."

Indeed, these themes of 'victim precipitation' and 'risk must accompany reward' are important sub-texts in discussions about compensation for victims of fraud and/or what accountants are pleased to call 'irregularities', whether acknowledged crimes such as Barlow Clowes or more legally uncertain cases such as Lloyd's of London syndicates. (See Levi and Pithouse, 1992 and forthcoming, for more detailed review of the patterns and impact of fraud victimisation.)

Some brief reflections on the methodology of this study

In discussing the methodological problems of my doctoral study of bankruptcy fraud, I observed (Levi, 2008: 326-7):

"Polsky has justly berated criminologists for their failure to carry out ethnographic studies of criminals in their natural habitats....Unfortunately, with less than 12 months of my full-time research left, and on an income of approximately £750 per annum, the prospects for studying long-firm fraudsters in their (highly expensive) natural habitats were far from propitious. Unlike those hustlers who are involved in 'street culture', long-firm fraudsters do not 'hang out' in any place that I could afford to go to."

Now that I am supposedly at the top of my profession, I find that the income gap has widened rather than diminished, as despite rising unemployment in financial services, pay rates for professionals and finance capitalists have soared through the stratosphere. Fortunately, years of seminars, drinking, and working dinners with senior accountants, lawyers, and medium-level executives, plus occasional meetings with major white-collar convicts and suspects, have given me greater insight into the culture of the powerful (and their exhausting work-rate) than is normally afforded to sociologists in general, and to ones of socially modest background in particular. However, as in my earlier study, and setting aside fundamental questions about whether such positivistic notions are ultimately defensible, one must retain reservations about the 'validity' of one's access to the inner workings of the culture. This is so particularly when one is studying the minds of professional deceivers, whose tradecraft is (or appears to my jaundiced eye to be) sophisticated impression-management of everyone with whom they come into contact at any time. Fortunately, unlike jurors, sociologists are not required to be certain that their subjects are 'telling the truth': but this modest attempt at a 'sociology of the rich and criminal' - the ampersand being both disjunctive and conjunctive - does have those clear

limitations, and I should like readers to be as aware of them as I am when feeling bold enough to ignore them by putting word processor to paper.

There is a major difficulty in 'reading' fraudsters' autobiographical remarks, for how seriously does one take the proclamations of people so well versed in manipulating the image of others and, arguably, deceiving themselves. Former Polly Peck Chairman Asil Nadir's flight from bail in England to his homes in the Turkish Republic of North Cyprus in May 1992 was greeted with little sympathy generally: however, Sir John Junor's column in the *Mail on Sunday* (9 May 1993) reported favourably on the fact that he had paid his newspaper bill before departure! However, he had not co-operated in repaying his creditors the almost £100 million in which he had been made bankrupt, and whether 'technique of neutralisation' or self-serving PR gesture, the portrait of the fallen tycoon as dignified tragic hero is an image carefully cultivated by many who have fallen from grace. A powerful example is Ernest Saunders, whose rapacious qualities and strategic skills served Guinness well before his arrest, but who - not least in his son's hagiography of him (Saunders, 1989) - successfully projected an image of a tragic family man when before his fall from grace, his treatment of his children was characterised by almost total neglect in favour of the exercise of power. The self-portrait of such accused as Existential Man (tough but honest, and not one to bully subordinates) or as (almost) New Man (caring of family and the underprivileged) can easily be a piece of marketing manipulation. After their arrests, Mike Milken and Ivan Boesky developed much more active social awareness than they had manifested previously, but a role as equal home care-taker would simply be implausible, and would not have a similar propaganda value.

Conclusion

Morgan (1992: 97) observes that

"Workplaces set limits for the range of masculinities that might be legitimately deployed....many workplaces will have little scope for the exercise of brawn...although there may be some attempt to search out their moral equivalents. Workplaces may, further, give positive endorsement for certain characteristics with strong masculinity connotations: group loyalty or aggressiveness for example."

We have seen a number of ways in which those committing frauds and corporate crimes involving health and safety have developed an attitude set and rationalisations conducive to both the onset and continuation of a white-collar criminal career. Most convicted fraudsters are blue-collar types who are far from the image popularised in the media and movies. However, as regards the more notorious cases, some of the male offenders may be 'lounge lizard' types, with a very relaxed lifestyle. However from my observation and from media and biographical accounts, at least while working, many of them are 'driven' characters for whom, in the words of Gordon Gekko in **Wall Street**, "lunch is for wimps" and for many of whom everything is subordinated to the objectives of attaining peer-group respect, of controlling others and avoiding being controlled by them. It may be also that despite the apparent gender-neutrality of 'deceitfulness' that is at the core of fraud, men are prone to adopt an 'aggressive' rather than 'compliant' style of manipulateness. It may be no accident that mega-salespeople in financial services attract the *sobriquet* 'Big Swinging Dick': I know of no women who have been awarded that honorary title! Some white-collar convicts and unconvicted executives have hectic 'fun' along the way, but though their rewards are "too big to be honest", in the words of Mr. Justice Henry summarising the prosecution case in the first Guinness trial (Levi, 1991), this is not the portrait of the idle, absentee *rentier* or capitalist. As I complete this article during Father's Day Sunday lunchtime, while my partner looks after the children, it is easy to empathise: the only major difference is in the level of financial reward for professors and white-collar criminals respectively!