

White-collar and corporate crime in China: a comparative analysis of enforcement capacity and non-issue making

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Introduction

Research in China on the subject of white-collar and corporate crime, as in most countries, has been sparse due to the lack of large and systematic data sources and a related general unwillingness to fund major studies [58]. As a result, the occurrence of such offenses often remains under a cloak of official secrecy for at least two reasons: First, governments do not like to broadcast an image of their country as riddled with upper-class law-breaking, and second, the very officials themselves may well be involved in illegal schemes and they do not desire to alert the public to wrongdoing in other high places. Corruption, a universal institutional phenomenon, is especially pervasive in developing and transitional societies [81, 88]. As a growing superpower and the most populous country in the world, according to some sources, China has experienced both unprecedented economic development and attendant rampant corruption at all levels of government and the private sector [81]. “White-collar crime and official corruption in particular have been a serious concern in China and have attracted wide attention during the course of the nation’s economic reform” [83]. This paper will explore these issues through an examination of case studies and the application of theories and findings of past research on white-collar and corporate crime in other countries, primarily the U.S. Such a comparative framework has been noted as useful for unraveling similarities and differences in legal culture and ideology, statutory laws, enforcement patterns, legal procedures, court structures, and punishment systems that form the contexts or understanding crime and law generally and in different societies [22].

A major issue for China’s economy that has not garnered much scholarly attention, with the exception of corruption [12, 28, 33, 46, 71], involves what American academics refer to as white-collar and corporate crime. Corruption remains a central problem in China. Other business offenses, frauds against citizens as well as domestic

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