

## Is the Market Eroding Moral Norms? A Micro-analytical Validation of Some Ideas of Anomie Theory

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# Is the Market Eroding Moral Norms? A Micro-analytical Validation of Some Ideas of Anomie Theory

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Anomie theorists have been reporting the suppression of shared welfare orientations by the overwhelming dominance of economic values within capitalist societies since before the outset of neoliberalism debate. Obligations concerning common welfare are more and more often subordinated to the overarching aim of realizing economic success goals. This should be especially valid with for social life in contemporary market societies. This empirical investigation examines the extent to which market imperatives and values of the societal community are anchored within the normative orientations of market actors. Special attention is paid to whether the shape of these normative orientations varies with respect to the degree of market inclusion. Empirical analyses, based on the data of a standardized written survey within the German working population carried out in 2002, show that different types of normative orientation can be distinguished among market actors. These types are quite similar to the well-known types of anomic adaptation developed by Robert K. Merton in "Social Structure and Anomie" and are externally valid with respect to the prediction of different forms of economic crime. Further analyses show that the type of normative orientation actors adopt within everyday life depends on the dregree of market inclusion. Confirming anomie theory, it is shown that the individual willingness to subordinate matters of common welfare to the aim of economic success—radical market activism—gets stronger the more actors are included in the market sphere. Finally, the relevance of reported findings for the explanation of violent behavior, especially with view to varieties of corporate violence, is discussed.

#### 1. Outline of the Problem

This study is concerned with the impact of market structures on actors' norm-related orientations and actions. It thus joins a debate, termed the "market and morality debate" by Albert O. Hirschman (1986, 105ff.), whose central question is to what extent the market as a system of social institutions contributes to a strengthening or a weakening of the moral order of a society. According to Hirschman, the main positions in the market and morality debate are those of advocates and critics of a liberal market system. Whereas the former, ever since Montesquieu (1689–1755) and Hume (1711–1776), have put their faith in the disciplining and civilizing power of the market, the opposing camp, certainly since the publication of Marx and Engels's *Communist Manifesto* (1983 [1848]), has cited the processes of normative and moral erosion that the market system triggers in social life.

From the very outset, anomie theory, with its structural perspective, has taken a skeptical view of the relationship between the market and morality. Derived from the Greek a = without + *nomos* = law or rule, the term has generally been used to describe a state in which social norms or rules are absent from social life (Mestrovic and Brown 1985, 81ff.). Historically the concept of anomie is associated primarily with Emile Durkheim (1858–1917) and his analysis of the societal impact of early industrialization in France (Durkheim 1992, 42ff, 437, 480; 1983, 273ff., 291f.).<sup>1</sup> Both in his book on

Jean Marie Guyau and changed its meaning in the process (Orru 1983, 499ff.).

<sup>1</sup> Orru (1983), however, points out that Durkheim actually borrowed his concept of anomie from the French social philosopher

the division of labor (1992 [1893, 1902]) and in his study of suicide (1993 [1897]) Durkheim repeatedly focuses his critical attention on the intrinsically expansionary nature of early market industrialization and its external effects. In Durkheim's view, industrialization had increasingly led to a decline of "public morality" in social life and given rise to an "idolization of wealth" (1983, 292) in all spheres of life. He believed that growing sectors of the population spent their lives almost entirely in an industrial and commercial milieu, and that it therefore followed that because their milieu is shaped only to a weak extent by morality, the greater part of their existence takes place outside any kind of moral activity (1992, 44).

Interestingly enough, observations similar to Durkheim's have also been made by contemporary sociologists (for example, Bellah et. al. 1992, Neckel 2000). The general view is that in Western capitalist countries a transition has taken place since the 1980s in the way society is shaped, from a modern industrialized society to a post-industrial market society (for example, Currie 1990, 1997). In a manner akin to Durkheim's description of industrialization, market societies are defined as societies "in which market principles, instead of being confined to some parts of the *economy*, and appropriately buffered and restrained by other social institutions, come to suffuse the whole social fabric" (Currie 1997, 152). What is qualitatively new about the post-industrial society, Currie says, is that here an aggressive materialist individualism characterized by a ruthless striving for economic success and a permanent awareness of competition has become common cultural property (Currie 1997, 161ff.; also Taylor 1999, 61ff.). In a similar vein Susanne Karstedt (1999, 2004; Karstedt and Farrall 2007) states that the structural development trends of markets in contemporary Western societies, conditioned not least by globalization and neo-liberal deregulation policies, have recently led to a sweeping change in the moral economy of these societies (Karstedt and Farrall 2007, 2, 4). In terms of the orientations informing individual behavior, this change finds expression in an erosion of legal and moral norms as well as in a decline in social trust both in institutions and in interpersonal relations (5). It is thus not surprising that Karstedt und Farrall also describe this state as anomic, introducing the specific term market anomie (5, 6, 7).

If we apply this diagnosis to the relationship between the market and the community, the implication is that the imperatives of economic activity-above all in the context of market activity, but also in traditional areas of noneconomic activity-will increasingly "erode" and suppress formal norms of criminal law and informal rules of fair play. Similar observations can be found in the work of various writers on legal and criminal sociology in the field of anomie theory. These will be addressed only briefly here, however. If we look at the last two decades we find such authors as James W. Coleman (1987, 406ff.; 2002, 188ff.) or Elliott Currie (1997, 152; 1998, 133f.). More recently similar theses have been expounded in the publications of Messner (2003), Messner and Rosenfeld (1997, 2000), Karstedt (1999, 2004), and Karstedt and Farrall (2007). A problematic aspect of these studies is that they look at the relationship between the market and morality chiefly on the macroanalytical level in terms of social change processes. The thesis on which their arguments are based, namely, that the increasing dominance of the market is bringing about an erosion of actors' normative and moral commitment, has to date never been explicitly subjected to a micro-analytical examination.

The current study therefore aims to fill a gap in the research literature. Specifically it examines to what extent behavioral imperatives, which are communicated to members of a society on the one hand via the market and on the other by the social community, are anchored in the norm-related orientations of social actors. The study focuses particularly on the question of what forms of norm-related orientations and behavior distinguish actors who are gradually and to varying degrees becoming more involved in the market—

(from consumer goods to public good[s], like health or educational opportunity) is for sale."

<sup>1</sup> Like Currie, Taylor (1999, 52) characterizes a market society as a society "in which everything

in other words, actors whose everyday life is dominated to varying extents by market conditions and market developments. The main question in this context is to what extent empirical support is found for the thesis that orientations based on legal norms and the rules of fair play are being suppressed and eroded by the behavioral imperatives of the economy among strongly market-oriented actors.

#### 2. The Theoretical Framework

The theoretical starting point of the study is the assumption drawn from differentiation theory that actors always operate in a framework of competing social order systems. Kaufmann (1983, 474ff.) and also Streeck and Schmitter (1985, 119ff.) identify central order systems as being the community, the state or law, and the market, each of which has its own guiding principles of informal control as well as, in the case of the community, spontaneous solidarity; in the case of the law, hierarchical control combined with the threat of sanctions of various kinds and a belief in the legitimacy of the prevailing order (Weber 1980 [1921], 16ff.); and in the case of the market, free competition linked to the ultimate goal of maximizing profit (see Figure 1).<sup>4</sup>

### Figure 1: Systems of social order, system-specific guiding principles, and norm-related orientations

Order system	Guiding principles	Norm-related orientations
Community	Informal control, spontaneous solidarity	Communitarianism
State/law	Hierarchical control (threat of sanctions), belief in legitimacy	Nomocentrism
Market	Free competition, profit maximization	Economism

Inspired by Parsons's concept of the control hierarchy (Parsons 1983, 157ff.; see also Turner 1991, 65) we assume that the community, the law, and the market guide and regulate the actions of individuals at different levels simultaneously by generating norm-related orientations. Thus via the guiding principles of informal control and spontaneous solidarity the community generates communitarian orientations, here termed communitarianism (Latin: communitas = the community).5 By defining criminal offences and the associated sanctions the law-in particular criminal lawgenerates orientations based on legal norms, here labelled nomocentrism (Greek: nomos = the law).6 Finally the market, via its guiding principles of free competition and profit maximization, generates economic orientations or rather a commitment to achieving economic goals, here referred to as economism, among social actors.

In this study the order system of the market will be conceptualized as a normative system just like the community and the law. The study therefore assumes that both in the field of employment and in other areas of the market individuals will be confronted with the principles of free competition and profit maximization as valid norms and will thus be urged to realize their advantages if they are not to be excluded from competition—in other words, to behave in a market-conformist manner.<sup>7</sup> What is meant here by marketconformist behavior is, in the event of conflicting goals, giving priority to the economic principle of profit maximization, ahead of other principles like altruistic interests, charitable goals, or even legal stipulations.

It should be noted that there is a certain amount of tension between the various norm-related orientations. Indeed, for certain periods of time and in certain situations they may enter into competition with one another. There are, for instance, situations in which the economic imperative to

3 By market involvement or inclusion we mean here the degree of proximity of actors' everyday decisionmaking to entrepreneurial decisions or to factors influencing the flow of payments, which according to Luhmann constitute the economic system and the market economy, respectively (Luhmann 1999, 52ff.).

4 The term law refers here and in the following primarily to the field of repressive or criminal law.5 Here the concept of communitarianism serves exclusively to denote a positive communitarian

orientation, and ignores its more complex roots in the social theory of Michael Sandel (1982), Charles Taylor (1985a; 1985b; 1993), Alasdair MacIntyre (1987), Amitai Etzioni (1988; 1998), and others. **6** The term nomocentrism is taken from the work of Speyer-based values researcher Helmut Klages (1988, 64ff.). It is used in the context of the value shift from primarily nomocentric to primarily autocentric values that he identified as having taken place in Germany during the 1970s and 1980s. According to Klages nomocentrism means a stronger orientation towards the values of obligation and acceptance. The concept is based on an authoritarian understanding of norms. 7 This conceptualization of the market as a normative system is modeled on Max Weber's description of the capitalist economic order in "Protestant Ethics" (Weber 1988 [1905], 37). "make a profit" contradicts legal norms, for example when a legal ban on insider trading or bribery prevents individuals from realizing their economic advantage. What is more, the central imperative of making a profit may also be at odds with the moral requirements and obligations of a social community, as, for example, when profits are achieved legally but at the expense of the common good.

With regard to norm-related orientations the study further assumes that these are not uniformly strong among all members of society. Rather a central assumption from which the research for the current study proceeds is that, depending on the social position of the actors-within social structures in general and with respect to market activity in particular-the strength of these orientations will vary. Our thesis is, therefore, that under the specific influence of each of the order systems-community, law, and the market-actors in different social positions will form a specific normative habitus with respect to each of the different norm-related orientations, which will determine their attitude to the legitimacy of formal legal and informal community norms on a day-to-day basis. The more strongly involved actors are in market structures, so the theory goes, the more pressure they will feel to be successful and to compete and the more the legitimacy of the normative expectations of the community and the law will be subjugated to the imperative of economic utility and the personal success and competitive orientation associated with it.

On the basis of these theoretical considerations the study investigated the following research questions:

- (1) What profiles or patterns of nomocentric, economic and communitarian orientations can be distinguished among the population?
- (2) Is there a connection between the orientation patterns of actors and their willingness to realize their own advantage by illegal or illegitimate means?

(3) Is there a connection between degree of involvement in the market and actors' norm-related orientations?

#### 3. Data and Methodology

In order to answer the research questions a standardized written survey of members of the working population was carried out in 2002 using a cross-sectional design. The study subjects were students and teachers at various adult education institutions in North Rhine-Westphalia. Around 1,200 questionnaires were distributed and 440 were returned completed, equivalent to a response rate of about 37 percent. Finally 390 of the completed questionnaires were judged to be valid and suitable for further analysis. It should be noted that the empirical investigation was organized as a pilot study, so the participants were not a representative random sample.<sup>8</sup>

As far as possible the concept of actors' norm-related orientations was operationalized using tested opinion survey instruments and items. In order to ascertain their *nomocentric orientations*, respondents were presented with the following items and asked to say whether they agreed or disagreed with them:

- 1. "It is important to respect law and order." (r=0.70)9
- 2. "You should obey laws even if you don't agree with them."(r=0.78)
- "Laws are only made for worst-case scenarios. So in everyday life it is not really important to obey every law." (r=0.79)
- 4. "There are some unjust laws that you don't have to obey." (r=0.79)

Respondents were asked to rate Item 1 on a seven-point scale, ranging from (1) Not important to (7) Extremely important. Agreement or disagreement with Items 2 to 4 was expressed on a four-point scale with the options: (1) Disagree completely, (2) Tend to disagree, (3) Tend to agree, and (4) Agree completely. Principal components analy-

**9** Here and in the following, the r-coefficient designates the item loadings in relation to the principal component.

<sup>8</sup> For reasons of space a description of the survey methods and random study sample were omitted here. A more detailed account of the methodology and data of our study can be found in Burkatzki 2007, 69ff., 304ff.

sis confirms that the items selected for the nomocentric orientations are based on a one-dimensional structure.<sup>10</sup> The extracted components alone explain 60.1 percent of the variation in the underlying indicator variables.

For *economic orientations* two items were used to establish the subjective relevance of advancement goals and profit opportunities in the labor and financial markets: "If you think about what means a lot for you in your private life and at work, how important are the following things?" The respondents were given the following statements to evaluate:

- 1. "To make use of opportunities for advancement and promotion." (r=0.64)
- 2. "To realize big returns from capital and investment deals." (r=0.75)

The respondents were asked to evaluate these items on a four-point scale with the options: (1) Very important, (2) Quite important, (3) Not very important, and (4) Not important at all.

To find out how committed the respondents were to economic goals they were asked a further question: "People who are active in economic life often receive varying amounts of recognition among the population. We are interested in what attitude you personally have to the following groups. In your view do the members of these groups deserve a high, medium, or low degree of recognition?" Here the respondents were asked to evaluate the following two items:

- 1. "People who have made a lot of money by buying and selling shares." (r=0.75)
- 2. "People who borrow money with the explicit purpose of getting tax breaks." (r=0.62)

Respondents were asked to evaluate these items on a threepoint scale: (1) A high degree of recognition, (2) A medium degree of recognition, and (3) A low degree of recognition. All the items were recoded to represent a positive commitment to economic goals. In this case, too, principal component analysis shows that the items are based on a one-dimensional structure. Although at 47.6 percent not fully satisfactory, the share of the variation explained by the principal components is tolerable.

The concept of *community orientations* was used to find out to what extent people felt committed to personal norms of altruism, solidarity, and reciprocity. As a reference point we used Steenbergen's ANES Humanitarianism Scale (1999). For the purposes of our study the following two items were selected from Steenbergen's original scale:

- "One should always look for ways to help others who are less fortunate than oneself." (r=0.74)
- 2. "A person should always endeavor to ensure the wellbeing of others." (r=0.73)

The following items were added to the scale.

- 3. "The common interest comes before personal interest." (r=0.66)
- 4. "The dignity of the individual and the well-being of all should be the most important thing in any society." (r=-0.65)
- 5. "I always think of myself first without much consideration for others." (r=0.58)

Respondents were asked to evaluate these on a four-point scale: (1) Disagree completely, (2) Tend to disagree, (3) Tend to agree, and (4) Agree completely. Here, too, principal component analysis confirms that the item is based on a one-dimensional structure. At 45.4 percent the share of the variation that can be explained by the principal components also seems to be tolerable.

#### 4. Findings

#### 4.1 Norm-related Orientation Patterns

In order to answer the first research question the combined values for nomocentric, economic, and communitarian

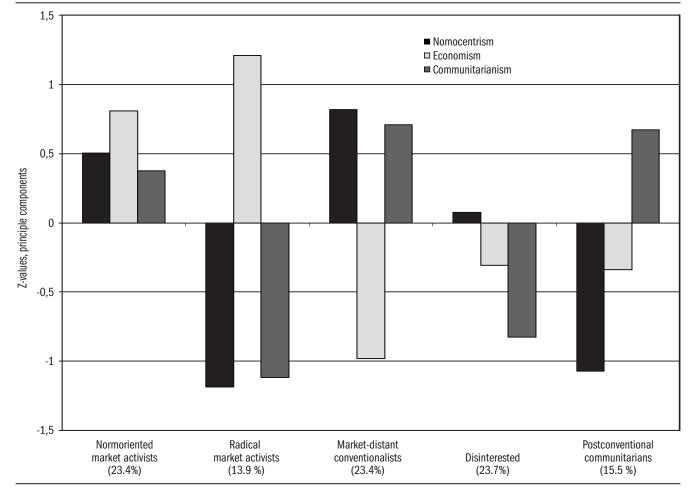
geometric model to illustrate this method, it can be described as the projection of a p-dimensional space defined by the number of output variables onto a smaller subspace with m axes (the principal components). Analogous to their scores on the output variables each respondent is allocated principal component values for each of the m principal components. The principal component values correspond with the specific profiles of the respondents on the output variables of the analysis.

**<sup>10</sup>** Principal component analysis is a multivariate method of data analysis, which aims to order a large number of variables into a few groups of largely independent variables according to their correlative relationships (Bortz 1999, 495ff.). If we use a

orientations were investigated using cluster analysis.<sup>11</sup> The various main dimensions of the norm-related orientations served as classification variables for the analysis. The starting point was the scores of the respondents on the various principal components. The cluster technique was used in order to obtain an empirically founded typology for the

norm-related orientation patterns of actors. On the basis of the available formal statistical selection criteria—given the fundamental classification variables—this procedure yielded a five-cluster solution as the best model for describing norm-related orientation patterns in the random sample.<sup>12</sup>





Source: Wirtschaft und Ethik, 2002.

11 Cluster analysis is a method of statistical analysis used to classify objects, which aims to group the elements of a set—in our case the units of a random sample—according to points of similarity vis-à-vis pre-selected classification features. For the purpose of this study hierarchical cluster analyses after Ward and using k-means were performed consecutively. For an introduction to cluster analysis we refer the reader to Bortz (1999, 547ff.), Bacher (1996), Bailey (1996), and Gordon (1999). 12 In the context of hierarchical cluster analysis PRE statistics and the F-Max value were used alongside dendrogram and structogram analyses as reference points for model selection (Bortz 1999, 559f.; Bacher 1996, 316ff.). A detailed description of the process of model selection used in the current study can be found in Burkatzki 2007, 312ff., 315ff. Figure 2 shows the mean values for nomocentric, economic, and communitarian orientations in the various clusters as deviations from the respective mean value for that orientation for the random sample as a whole (represented by the horizontal axis).<sup>13</sup> The typology of norm-related orientation patterns is determined by the combined values for the orientation variables in the clusters. In order to distinguish the orientation types linguistically, each was given an appropriate label that summed up the particular type of orientation.

The label "norm-oriented market activist" was used in the cluster typology to denote an orientation pattern characterized by a strong commitment to economic success combined with an above-average orientation toward legal norms and communitarian values. The "norm-oriented market activist" is an actor whose behavior is oriented toward economic success, but who lets himself be restrained by legal imperatives and communitarian obligations. In this respect the term describes the ideal type of an actor who seems to have internalized the classical entrepreneurial ethics of republican virtue and social responsibility.

More or less as the counter-model to the "norm-oriented market activist" we find in the cluster typology the "radical market activist." This type is likewise characterized by a very strong, above-average commitment to economic success, but in this case the orientations related to legal norms and communitarian obligations are very much weaker than average. In our typology the "radical market activist" represents the type of actor who puts the legitimacy of formal legal and communitarian values decisively and radically below the importance of realizing his market interests. The orientation profile of the "radical market activist" strongly suggests that people of this type have an anomic attitude to norms, associated with a raised tendency to use illegal and illegitimate means to gain advantages. In our typology the complementary type to the "radical market activist" is the "market-distant conventionalist." This type is characterized by a very strongly above average orientation toward legal and communitarian norms, while his commitment to economic success is well below average. In this respect the "market-distant conventionalist" resembles the "order-loving conventionalist" in the Speyer value typology conceived by Helmut Klages and his fellow researchers (Klages 1996, 78ff.; Gensicke 1998; Klages and Gensicke 1999, 63ff.).

A further orientation pattern to emerge from the cluster analysis is characterized by a below average communitarian orientation, a slightly below average commitment to economic success, and parallel to this an average to slightly above average orientation toward legal norms. Apart from a strong tendency to distance himself from communitarian obligations, this type does not reveal any clear priority structure. What is apparent is that the members of this cluster tend to isolate themselves both from the efficiency and profitability requirements of the market and to a great extent from the community as well. The anti-communitarian sentiments of this type of actor together with a tendency toward disinterest in economic goals led us to label the members of this cluster "disinterested."

Finally, the contrasting type to the orientation pattern "disinterested" is the "post-conventional communitarian," who is characterized primarily by a strongly above-average community orientation combined with a strongly below-average orientation to formal legal norms.<sup>14</sup> In this case commitment to the order system of a social community is paired with a very distanced attitude to legal requirements, which in practice implies a willingness to treat legal norms in a rather unconventional fashion. For this orientation type the

14 Semantically the term "post-conventional" is based on Kohlberg's theory of a post-conventional stage of moral development (Kohlberg and Althof 1996: 135ff.), without, however, in this case assuming an ontogenetic model of moral development. This label is simply used to emphasize that this orientation type adheres to norms or conventions not because of their procedural legitimacy and authority, but instead examines the legitimacy of norm prescriptions with respect to how universally they can be applied for the benefit of the common good and with respect to the expected consequences of a deviation from these norms under the conditions of a given situation.

<sup>13</sup> The specific reference point here is the arithmetical mean of the various cluster populations on the level of z-standardized principal component values for the nomocentric, economic, and communitarian orientations.

criterion for adhering to legal norms is the extent to which a violation of these norms harms the collective common good in a given situation. Blind obedience to legal norms divorced from a subjective evaluation of the consequences for the common good in a given situation can therefore not be expected from the "post-conventional communitarian."<sup>15</sup>

It remains to be said that norm-related orientations among the types described—although obtained by empirical inductive means—are in fact exaggerated ideals of real orientation profiles, designed to contrast with one another and which in the context of the present study have primarily a heuristic and ordering function.

It should also be stated that the typology presented here, though derived in a different context, has certain unmistakable analogies with Merton's typology of individual forms of adaptation (Merton 1995 [1957], 135ff. and 169ff.). Merton constructed a typology of individual forms of adaptation by combining the differing degrees of acceptance of a society's economic goals and its institutionally legitimized means of achieving these goals. Merton's scale of acceptance of economic goals can be compared with the degree of orientation toward economic advancement and profit measured in the current study, while his acceptance of institutionalized means of achieving these goals can be compared with the extent of orientation toward formal legal norms or a general acceptance of the law. It is interesting that Merton, too, distinguished between five forms of adaptation. The norm-oriented market activist from our study thus corresponds with Merton's conformist (Merton 1995, 136). The radical market activist, on the other hand, corresponds with the type that Merton calls the innovator, who pursues the economic goals of a society but is also prepared to use non-institutionalized, illegitimate means to achieve these goals (136ff. and 169ff.). The market-distant conventionalist is the equivalent of

Merton's ritualist, who is committed to a society's institutional means but in so doing relinquishes economic goals (144ff. and 176ff.). To continue the analogy, the disinterested type partially resembles Merton's retreatist, who is the type of person who rejects the declared goals of a society and no longer has much respect for institutionalized means (147ff. and 179ff.). The post-conventional communitarian, finally, resembles to some extent Merton's rebel, who regards the underlying legitimacy structure of cultural goals and the institutionalized means of a society as arbitrary notions and counters these with his or her own order system (15of. and 181ff.).

Here it should be emphasized that—unlike the typology of the current study-Merton's typology originated in the context of a systematic analysis of ends-means discrepancies, with which actors occupying different positions in the social structure are confronted to differing extents (135). The typology of the current study, by contrast, is based not on an analysis of ends-means discrepancies, but on an empirical reconstruction of norm-related orientations toward the imperatives and demands of the social order systems of the state or the law, the market, and the community. At the same time, the pattern of acceptance or rejection of socially dominant economic goals and rejection or advocacy of legitimate means developed by Merton can be transposed into a framework that corresponds with the comparison undertaken here of differing degrees of nomocentric or economic orientation. And it is precisely in this sense that Merton's innovator can be compared with the radical market activist, or his ritualist with the market-distant conventionalist: namely, as a pattern of norm-related orientations that is structurally analogous.

This implies that the structural similarities identified between our typology of norm-related orientation patterns

on the erosion of norms (Frommel and Gessner 1996) she constructed as a counter-type a post-conventional actor, who always questions the legitimacy of legal norms in a given situation and in cases of perceived legitimacy deficits takes the liberty of choosing not to adhere to norms.

<sup>15</sup> In the way that post-conventional communitarians order their priorities an orientation pattern emerges that the legal sociologist Doris Lucke (1995, 1996) may have had in mind when she noted a change in the "acceptance culture" and in this context proclaimed the "end of homo legalis." Particularly in the context of the debate

and Merton's typology of individual forms of adaptation do not mean that the various types are exactly equivalent. One major difference between them is the fact that the current study, alongside the general acceptance of legal norms and the commitment to economic goals, also takes explicit account of the communitarian orientations of actors as an orientation dimension for distinguishing between normrelated orientation patterns. This is of particular interest in cases—like that of the non-conformist communitarian where a rejection of the formal legal norms is associated with a strong communitarian orientation.

#### 4.2 Norm-related Orientation Patterns and Willingness to use Illegal Means for Personal Gain

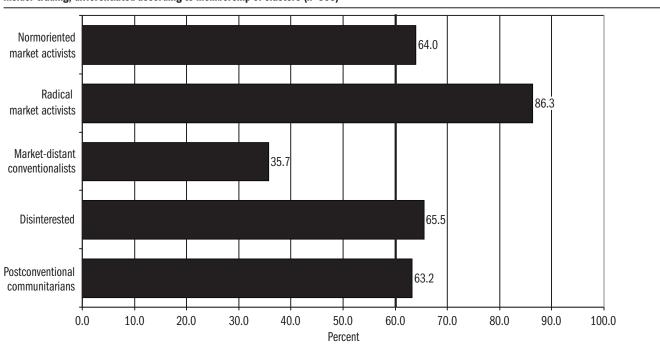
The answer to the second research question, which concerned the connection between norm-related orientation patterns of actors and their willingness to use illegal means for personal gain, was obtained by looking at the responses to the questions about how willing participants were to commit various instrumental property offences, and how frequently they had done so. In terms of methodology the study borrowed methods used in criminology to study unreported crime.<sup>16</sup> Respondents were asked—after being given express assurance that their responses remain anonymous—whether they would commit various types of offences if there were only a small chance of being found out. Here we used the vignette technique: respondents were presented with a scenario that involved a decision-making dilemma and they were asked how they would decide if they were in this situation.<sup>17</sup>

In a vignette on willingness to engage in criminal offences respondents were asked to imagine that they were employees of a pharmaceutical company that had recently gone public. They were told the following: The company is working on a new anti-cancer drug and you have been informed by a confidential source that the results of the latest drug trials are positive. You also know that when this news is published in the next few days the value of the company's shares will jump and may even double. In this situation you think about buying more of the company's shares before the positive results are published. The investment sum named is 15,000 euros. You know that if you were to buy the shares you would be committing a punishable offence, since you would be buying shares using information that at this point is not accessible to other shareholders outside the company. Nevertheless, no-one can really prove that at the time you bought the shares you knew about the positive results of the trials for the new anti-cancer drug.

After having this vignette presented to them the respondents were asked to say how probable it was in such a situation that they would buy additional shares prior to publication of the test results. Their responses were graded on a scale consisting of four categories: (1) Very unlikely, (2) Rather unlikely, (3) Rather likely, and (4) Very likely.

17 The vignette has recently been used for the empirical investigation of social norms and norm-led behavior (see, for instance, Jasso and Opp 1997; Beck and Opp 2001).

**<sup>16</sup>** On this method of criminological research see, for example Kaiser (1993, 220ff.).



## Figure 3: Willingness to engage in illegal share-buying given a hypothetical opportunity for insider trading, differentiated according to membership of clusters (n=365)

Cramer's V=0.320; p<0.001.

Note: for the purposes of analysis the responses were divided into just two categories. The graphic shows the proportion of respondents who answered the question of whether they would buy shares before publication of the positive results with either "rather likely" or "very likely." The black vertical line in the graphic marks the proportion of persons from the random survey sample who answered the question with either "rather likely" or "very likely." The black vertical line in the graphic marks the proportion of persons from the random survey sample who answered the question with either "rather likely" or "very likely."

Source: Wirtschaft und Ethik, 2002.

The responses to this question show that 60 percent of all respondents believe that it is rather or very likely that they would buy additional shares illegally. As Figure 3 shows, there are significant differences between the different norm-related orientation types in their degree of willingness to commit a criminal offence. The greatest willingness to buy shares illegally is shown by the radical market activists. The high proportion of respondents with a greater willingness to commit a criminal offence (at 86 percent well above average) shows that—as expected—when people with a strong economic commitment combined with weak nomocentric and communitarian orientations have to decide between

the interests of economic gain on the one hand and the legitimacy of legal norms on the other, they tend to decide in favor of economic gain.<sup>18</sup> This stands in contrast to the well below average willingness of the market-distant conventionalists to commit a criminal offence. Nevertheless, even in this group the proportion of people prepared to commit a criminal offence is still almost 36 percent. This illustrates on the one hand that when faced with a very favorable and financially attractive opportunity even actors with a strong commitment to norms develop a willingness to violate normative prescriptions. In other words, a greater commitment to the law and to the common good seems only to have a

and communitarian orientations of the respondents (Burkatzki 2007, 157ff.). Here significant positive effects of nomocentric and communitarian orientations on the willingness to commit a criminal offence and a significant negative effect of the economic orientation were found.

<sup>18</sup> This finding is also confirmed by a linear regression analysis of willingness to engage in illegal share-buying on the nomocentric, economic

moderating influence on individual willingness to commit a criminal offence. On the other hand, recognition of the legitimacy of state laws—as expressed in the nomocentric orientations of actors—and a strong commitment to communitarian values still seem to reduce willingness to use illegal means for personal gain. This view is also supported by the "only" average degree of willingness—by comparison with radical market activists—of the norm-oriented market activists and the post-conventional communitarians to commit a criminal offence. The degree of willingness to commit a criminal offence of the disinterested, also average, indicates that this type—despite their below average commitment to economic goals—would not pass up the chance of an easy opportunity for economic gain, especially since here communitarian commitments do not play a restricting

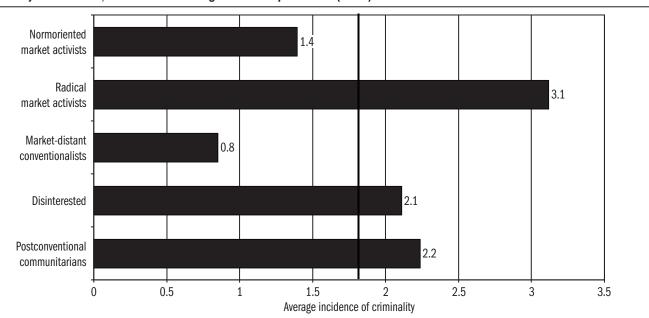
At the same time it would be wrong on the basis of a fictitious scenario to draw direct conclusions about actors' real willingness to commit a criminal offence. For committing criminal offences also depends on other factors aside from norm-related orientations, such as the motivation to commit an offence, as well as on being given and making use of opportunities to engage in criminal acts (Lamnek 2001, 13ff.). It is, however, interesting to observe in this context that the findings on the relative willingness of the different orientation types to commit a criminal offence obtained using the vignette can be partially confirmed by the self-reported frequency of economic crime. As part of the survey respondents were also asked to say how often they had committed various low-level economic offences during the previous five years. This included offences such as workplace theft (see Figure 4) and giving false information for the purposes of tax evasion (see Figure 5).

The results show clearly that the distribution pattern of incidence of criminality for the individual orientation types is similar to that for the degree of willingness to engage in illegal share-buying. Here, too, it is the radical market activists and the market-distant conventionalists who show by far the highest and lowest incidence of criminality, respectively. Similarly, the figure for the norm-oriented market activists shows-analogous to the scenario for insider trading-a below average incidence of criminality both for stealing materials from the place of work and for tax evasion, although in absolute terms it is higher than the incidence for the market-distant conventionalists. By comparison, the disinterested and the post-conventional communitarians show a slightly above-average incidence of criminality, which underlines the increased willingness of these orientation types to take a flexible attitude to legal norms. It remains to be said that the post-conventional communitarians, although generally not averse to engaging in illegal personal gain in the context of economic transactions, are the group in the study sample that, unlike the disinterested, are more strongly involved than all the other orientation types in social volunteering-for example, in school and youth work and in charitable church activities.19

The analyses appear to confirm empirically the hypothesis of a connection between the norm-related orientation patterns of actors and their willingness to engage in illegal and illegitimate means of personal gain. The orientation pattern of the radical market activists thus proves to be particularly criminogenic. With respect to the offences investigated by the study, actors with this orientation pattern showed by far the greatest degree of willingness to commit criminal offences and also the highest incidence of criminality. The disinterested and the post-conventional communitarians also showed-measured against the overall average-a slightly greater tendency to engage in economic crime, but their ambitions were well below those of the radical market activists. By contrast, the norm-oriented market activists and above all the market-distant conventionalists show a disproportionately conformist style of behavior, which tips the scales in favor of adhering to legal norms rather than making use of opportunities for illegal personal gain.

**19** On these findings, not documented here, see Burkatzki 2007, 199–212.

role.

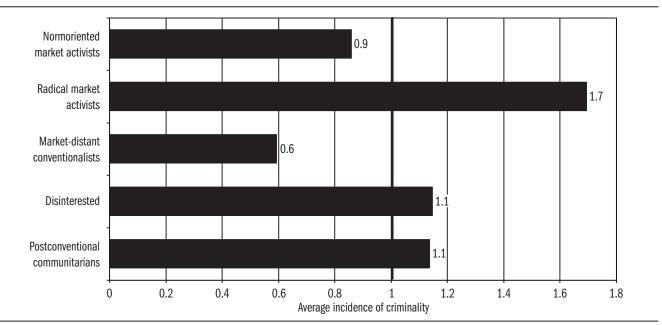


#### Figure 4: Mean incidence of unauthorized taking of materials from place of work in the last five years before the survey was conducted; differentiated according to membership of clusters (n=325)

Eta<sup>2</sup>=0.046; p=0.005

The black vertical line in the graphic shows the mean incidence of criminality in the random sample as a whole. All self-employed respondents were excluded from the analysis. Source: Wirtschaft und Ethik, 2002.

### Figure 5: Mean incidence of tax evasion in the last five years before the study was conducted;



differentiated according to membership of clusters (n=361)

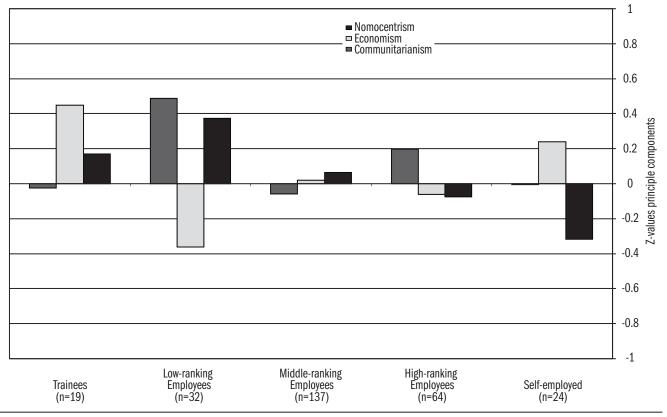
Eta<sup>2</sup>=0.047; p=0.001.

The black vertical line in the graphic shows the mean incidence of criminality in the random sample as a whole.

#### 4.3 Norm-related Orientation Patterns and Degree of Market Inclusion

In answering research question number three regarding the market inclusion of the various orientation types, we focus particularly on what part of the workforce the respondents belong to. Here the analyses focused particularly on three groups: trainees, employees, and the self-employed. For the purposes of the analyses we assumed that trainees would show a relatively low degree of market inclusion while the self-employed would show a high degree of market inclusion. We also used a status hierarchy for the employee groups, subdividing them into low-, middle- and highranking employees to reflect differences in the degree of market inclusion. Here it was assumed that the low-ranking employees performing simple tasks would show a low degree of market inclusion, while middle-ranking employees performing qualified tasks would have a middle level of market inclusion, and high-ranking employees performing managerial or leadership functions would tend to have a high level of market inclusion in their individual decisionmaking. Using membership of these employment groups and employment status within the group as a basis we then tried to ascertain whether there was a link between normrelated orientation patterns and the degree of market inclusion that informed their decision-making behavior.

Figure 6: Nomocentric, economic, and communitarian orientations in the German working population, differentiated according to membership of employment groups: trainees, low- medium- and high-ranking employees, and the self-employed

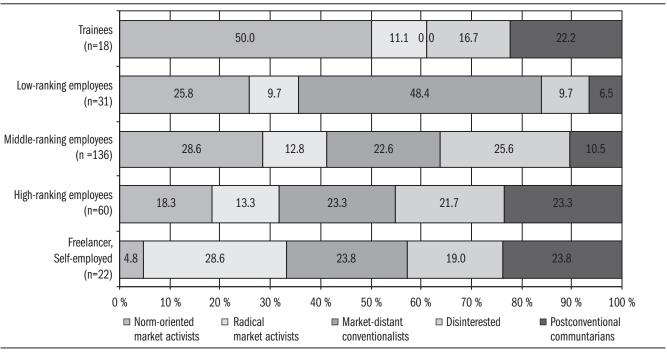


Eta<sup>2</sup>=0.047; p=0.001.

The black vertical line in the graphic shows the mean incidence of criminality in the random sample as a whole.

Thus the orientation profile of the trainees, in relation to the nomocentric and economic orientations, shows a partial similarity with the orientation pattern of the normoriented market activists. The average orientation profile of the low-ranking employees shows a considerable degree of similarity with the orientation pattern of our market-distant conventionalists. The orientation profile of the high-ranking employees also tends to resemble the orientation pattern of the post-conventional communitarians. Finally, the orientation profile of the self-employed—in relation to nomocentric or economic orientation—shows at least a partial similarity with the orientation patterns of the radical market activists.

The descriptive findings outlined are also supported by the results of further bivariate and multivariate analyses (see Figure 7).<sup>20</sup>





Eta<sup>2</sup>=0.047; p=0.001.

The black vertical line in the graphic shows the mean incidence of criminality in the random sample as a whole.

**20** The multivariate analyses investigated to what extent the disproportionate representation of individual orientation types in the employment groups was statistically significant when we also

controlled for age, gender, and educational differences (see Burkatzki 2007, 221-225). The results of the multivariate analyses are not documented here.

The analysis reveals a disproportionately strong presence of norm-oriented market activists among the trainees, where they represent 50 percent according to the evidence of our sample. In all the other employment groups the share of norm-oriented market activists is much lower. If one considers here the share of norm-oriented market activists in the employment groups, which decreases as the degree of influence and power over entrepreneurial decision-making processes rises, the impression is gained that the values of norm-oriented market engagement become increasingly suppressed the more actors become involved in entrepreneurial decision-making. By contrast, market-distant conventionalist attitudes are particularly strongly present among low-ranking employees, who generally appear to be strongly norm-fixated. Except among trainees, marketdistant conventionalists are to be found in all the professional status and employment groups, but in the other groups their share is well below the value for the group of low-ranking employees. Finally we may observe that the radical market activists, who have proven to be most criminally inclined, are most strongly represented in the group of high-ranking employees and are concentrated above all among the self-employed. According to the analyses, the post-conventional communitarians also show an above average representation in these groups.

These findings convey the impression that an increased willingness to take a flexible approach to legal norms, which among the radical market activists is explicitly associated with a tendency toward a lack of social consideration, is primarily found among groups of actors who are closer to the center of market activity or in greater proximity to entrepreneurial decision-making processes.<sup>21</sup>

#### 5. Conclusions

The present study set out to investigate the influence of market structures on the norm-related orientations and actions of actors. The main question asked was what norm-related orientation patterns can be observed among market actors with respect to legal, economic, and community values. A related issue was to test the hypothesis that the increasing market inclusion of actors is associated with the suppression and erosion of orientations related to legal norms and fair play as a result of an orientation based chiefly on economic values. The study findings show that-with respect to nomocentric, economic, and communitarian orientationsfive types of norm-related orientation patterns can be distinguished. In the sense that it shows degrees of commitment to economic values and to the legitimacy of legal norms the typology closely resembles Merton's typology of anomic adaptation types. Three of the five different typesthe norm-oriented market activists, the radical market activists, and the market-distant conventionalists-turned out to be externally valid with respect to predicting individual intentions regarding engaging in illegal and illegitimate means of personal gain. Further analyses showed that the average representation of the various orientation patterns varies with the degree of market inclusion.

If we now return to our original thesis, that in post-industrial market societies values related to the common good are increasingly being eroded by a dominance of economic imperatives in the value-orientations of actors, the "normoriented market activist" type would at first sight appear to contradict this assumption. For the high degree of commitment to economic goals is accompanied among persons of this type by a positive commitment to the legitimacy of both formal legal and informal social norms. At the same time, the analyses of market inclusion suggest that the norm-oriented market activist-with regard to the employment and labor market-can be located less at the center and much more on the periphery of market activity: namely among trainees. The radical market activist, who places the importance of legal and communitarian issues firmly below his main goal of personal economic gain seems, by contrast—if one considers which employment groups he is

actors with other norm-related orientation patterns to flee the scene of an accident after damaging someone else's vehicle (Burkatzki 2007, 178f.).

<sup>21</sup> Further multivariate analyses based on the respondents' own reporting of criminal offences committed showed, for instance, that the "radical market activists" were significantly more likely than

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represented in—to be more at the center of market activity.<sup>22</sup> This finding suggests that there is a connection between membership of a particular employment group (or labor market status) and norm-related orientation patterns. It appears that under the prevailing social conditions nomocentric commitments lose their relevance the more actors measured in terms of professional rank—take on professional leadership functions or engage in entrepreneurial activity on a self-employed basis. These findings suggest that the legitimacy of legal and communitarian norms only partially conforms with the requirements of the market. At least in the light of the findings it would appear that in contemporary society the law and the community have a higher value for actors on the periphery of the market than for actors at the center of market activity.

It should be noted, however, that the power of the empirical evidence presented here to answer the question of whether orientation toward the common good is being suppressed by a stronger commitment to central economic values is limited. First of all it should be stated that since our findings are based on a non-representative random sample it cannot simply be transferred to the German working population in general. In view of the size of the survey samples used by the study and the fact that the data were collected in the context of a cross-sectional study it cannot be ruled out that the norm-related orientation patterns of the actors are less a consequence than a cause of their market inclusion. It would be equally plausible to assume that actors have developed the orientation pattern of the radical market activist independently of their degree of inclusion in the market and via these orientation-patterns have later chosen to be self-employed. Hence, in themselves the findings do not justify the assumption of a pre-forming influence of market inclusion on norm-related orientation patterns.23

If one assumes that the empirical findings of the study are valid, irrespective of its methodological weaknesses, it partially confirms the thesis that as market dominance increases an erosion of orientations related to the common good takes place in favor of a strengthening of individual commitment to economic goals. This seems to apply particularly in view of the contrasting presence of normoriented activists on the periphery and radical market activists at the center of market activity, as reconstructed in the present study on the basis of the respondents' membership in particular employment groups. This finding accords with the hypothesis formulated at the beginning (on the basis of differentiation theory) that the dominance of economic institutions in the concert of forces of social order allows the guiding principles of the economy as a part of the social system to become dominant even at the level of individual value orientations or rationality for action and whose logic has a subversive effect on attitudes to formal legal and informal social norms.

With respect to the "market and morality debate" the findings presented here also allow us to conclude that, contrary to the assumptions of liberal social theory, strong inclusion in market activity—measured in terms of norm-related behavioral intentions and actual behavior of actors—under current social conditions is not necessarily accompanied by a civilization of behavior. Rather the results of the analyses suggest that the increasing inclusion of actors in the institutional structures of the market encourages norm-related orientation patterns that tend to ignore the legitimacy of both formal legal and—in the case of radical market activists—informal social norms.

**23** It should be noted in this context, however, that the present study clearly distances itself from the principle of inductive-empirical proof. Insofar as the empirical findings are based on considerations of theories of cause and effect, this is done expressly in the context of a theory-led investigation strategy. This means that on the basis of assumptions about the link between inclusion in

market structures and actors' particular normrelated orientations we investigated to what extent these contradicted the findings of the empirical analyses. Exactly in this way the cross-sectional analyses used in this study were used to find out whether the theoretical assumptions were compatible with the content of the empirical findings.

<sup>22</sup> Interestingly, another study on the ethical attitudes of entrepreneurs produced carried out by Ulrich and Thielemann (1992) produced similar findings. The authors were able to identify explicit or implicit economic orientations in 75 percent of the respondents (Ulrich and Thielemann 1992, 93f.).

Finally, it would be appropriate to discuss whether the findings presented allow conclusions to be drawn about market-driven origins of violent behavior. This topic has been addressed theoretically by Elliott Currie (1997, 1998), Steven Messner and Richard Rosenfeld (1997), and others. Currie (1997) stated that there is a causal nexus between an increased occurrence of violent crime and homicide on the one hand and the erosion of communitarian networks caused by market-driven demands of increased mobility and individual flexibility on the other. Regrettably, the present study is unable to go into to these theoretical considerations in depth. Nevertheless, our empirical findings do allow hypothetical statements concerning the origins of a type of violent behavior that is labeled in the corporate and whitecollar crime literature as corporate violence (for example Punch 2000, 243ff.; Tombs 2007, 531ff.; Friedrichs 2007, 59ff.).

One example of corporate violence would be the acceptance of unsafe working conditions, for instance when employees in the chemical industry are routinely exposed to toxic and dangerous chemicals without being equipped with protective clothing (Mokhiber 1988). Other examples can be found where unsafe products are knowingly delivered to consumer markets. One widely described example is the Ford Pinto case of the 1970s. Pre-production crash tests had established that the fuel system of the Pinto ruptured easily in rear-end collisions, causing an explosion. However, Ford had already begun tooling assembly line machinery for the Pinto, so management chose to manufacture the car as it was (see Rosoff, Pontell, and Tillman 2002, 98). Unofficially the corporation's management adopted the position that it would be cheaper to finance legal action and compensation payments for accidents involving fires and fatal injuries than to change the production line (ibid.). Another contemporay example of corporate violence against consumers is China's toxic milk scandal, where current estimates show that more than 53,000 children have fallen ill and about four have died (Economic Times 2008). Chinese dairy corporations, especially suppliers of Sanlu Group, used a chemical named melamine to make protein levels in milk appear higher than they actually were, thus allowing producers to cut production costs by watering down milk. In this case, too, the industries knew about the toxic properties of melamine long before the scandal itself arose. Use of the chemical continued for financial reasons.

This type of corporate violent behavior-exhibited especially by managers and entrepreneurs-differs from conventional violence in several ways. First, corporate violence is committed in an indirect manner in the sense that people are not directly assaulted by another individual. Instead of they are negligently exposed to harmful conditions, products, or substances, for which corporate policies and actions are responsible (Friedrichs 2007). Second, the effects of managerial or corporate violence are temporally removed from the implementation of corporate policies or actions that caused the harm (60). Consequently it is often difficult to establish a clear causal relationship between corporate action and the injury to health or death of people affected. Third—and this is the main point of reference for the present study-corporate violence is by definition motivated by the ambition to maximize corporate earnings (or chances of survival) and to minimize corporate expenses (ibid.). Therefore it is to be understood as a consequence rather than a specifically intended outcome of such motivations. Nevertheless in the worldwide perspective corporate violence causes more harm to people than indiviudal violence can ever do (Tombs 2007, 531f.).

With reference to the subject of the present study-the erosion of nomocentric and communitarian orientations occurring under circumstances of increased market dominance-the reported findings supply a plausible explanation for the appearance of corporate violence. Normative orientation patterns similar to those of radical market activism seem to be one central cause of all kinds of corporate violence. Common to both is a strong commitment to goals of economic success and a comparatively low attachment to values of common wealth and legal integrity. Consequently it can be hypothesized that the more strongly radical market activism is present the market process-other things being equal—the more often deeds of corporate violence will be committed. Future research in this area should focus on empirical tests of this hypothesis—which will be quite difficult to examine on a microanalytic level.

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